

Gateway Determination

Planning proposal (Department Ref: PP-2021-3682): *Rezone land within the Mosman Scenic Protection Area from R2 Low Density Residential to E4 Environmental Living*

I, the Director, North District at the Department of Planning, Industry and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Mosman Local Environmental Plan (LEP) 2012 to rezone land within the Mosman Scenic Protection Area from R2 Low Density Residential to E4 Environmental Living should proceed subject to the following conditions:

1. Prior to community consultation, the planning proposal is to be updated to:
 - a. provide an assessment against the Greater Sydney Region Plan's *Objective 27 - Biodiversity is protected urban bushland and remnant vegetation is enhanced* and *Objective 30 Urban tree canopy cover is increased*,
 - b. provide higher resolution maps of current zoning,
 - c. provide map overlays for the proposed E4 zone area to identify the lots within this area that are subject to the environmental values identified in the environmental values analysis.
 - d. remove the revoked 9.1 Ministerial Direction 7.1 Implementation of a Plan for Growing Sydney from Part 3 Section B (6) Ministerial Directions.
2. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
 - a) the planning proposal must be made publicly available for a minimum of 28 days,
 - b) the planning proposal authority will write to any property owners whose land is proposed to be rezoned notifying them of the public exhibition, and
 - c) the planning proposal authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 6.5.2 of A guide to preparing local environmental plans (Department of Planning and Environment, 2018).
3. Consultation is required with the following public authorities/organisations:
 - a. Metropolitan Local Aboriginal Land Council
 - b. Greater Sydney Commission

Each public authority/organisation is to be provided with a copy of the planning proposal and any relevant supporting material and given at least 21 days to comment on the proposal.

4. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
5. Given the nature of the proposal, Council should be authorised to be the local plan-making authority.
6. The timeframe for completing the LEP is to be 12 months from the date of the Gateway determination.

Dated 19th day of August 2021.



Brendan Metcalfe
Director, North District, Eastern
Harbour City Places, Design and
Public Spaces Department of
Planning, Industry and Environment

Delegate of the Minister for Planning
and Public Spaces