

Gateway Determination

Planning proposal (PP-2021-4677): to reclassify, to rezone, apply a maximum FSR, apply a maximum building height and apply a minimum lot size for land at 4 Pennant Avenue, Gordon.

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 Ku-ring-gai Local Environmental Plan (LEP) 2015 to rezone land from RE1 Public Recreation to R2 Low Density Residential, apply a maximum FSR of 0.3:1, apply a maximum height of buildings to 9.5m and apply a minimum lot size of 840m² for land at 4 Pennant Avenue, Gordon, and to reclassify the site from community land to operational land, should proceed subject to the following conditions:

1. Community consultation is required under section 3.34(2)(c) and schedule 1, clause 4 of the Environmental Planning and Assessment Act 1979 (the Act) as follows:
 - a. the planning proposal must be made publicly available for a minimum of 28 days; and
 - b. the planning proposal authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be publicly available along with planning proposals as identified in section 5.5.2 of A guide to preparing local environmental plans (Department of Planning and Environment 2016).
2. Consultation is required with the following public authorities under section 3.34(2)(d) of the Act:
 - Transport for NSW, incorporating Roads and Maritime Services;
 - Sydney Water; and
 - Ausgrid.

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.

3. 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).
4. The time frame for completing the LEP is to be **9 months** from the date of the Gateway determination; and

5. Given the nature of the proposal, Council should not be authorised to be the plan-making authority to make this plan.

Dated 24th day of September 2021.



Brendan Metcalfe
Director North District
Eastern Harbour City
Department of Planning, Industry and Environment

Delegate of the Minister for Planning and Public Spaces