



## Gateway Determination

**Planning proposal (Department Ref: PP-2021-6485):** to amend the Canterbury Local Environmental Plan 2012, as it applies to 30 Trevenar Street, Ashbury, to rezone the site from Zone R2 Low Density Residential to Zone RE1 Public Recreation, and to remove associated maximum Height of Building and minimum Lot Size provisions as they apply to the site.

I, the Director, Eastern and South Districts, at the Department of Planning, Industry and Environment, as delegate of the Minister for Planning, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Canterbury Local Environmental Plan 2012 to rezone land from R2 Low Density Residential to RE1 Public Recreation and remove Height of Building and Lot Size controls for land at 30 Trevenar Street, Ashbury should proceed subject to the following conditions:

1. The planning proposal (including attachments) is to be revised prior to public exhibition to address the matters set out below:
  - i. update 'Part 2 – Explanation of Provisions' to clarify that the Land Acquisition Map will be amended to identify the site for acquisition
  - ii. update 'Part 2 – Explanation of Provisions' to describe new permitted uses under the proposed Zone RE1 Public Recreation. Update Part 3 and 4 to assess the suitability of these new uses
  - iii. clarify that a relevant acquisition authority must be nominated in accordance with the requirements of section 9.1 Direction 6.2 Reserving Land for Public Purposes
  - iv. address the Housing State Environmental Planning Policy (Housing SEPP) and remove references to repealed SEPPs
  - v. update the existing and proposed maps in 'Appendix C' to ensure legibility and clarity
  - vi. include existing and proposed Land Acquisition Maps to support the rezoning of the site to RE1 Public Recreation
2. Prior to finalisation, a relevant acquisition authority must be nominated in accordance with the requirements of section 9.1 Direction 6.2 Reserving Land for Public Purposes
3. 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**; 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 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).

4. Consultation is required with the following public authorities/organisations under section 3.34(2)(d) of the Act and/or to comply with the requirements of relevant section 9.1 Directions:
  - Heritage NSW, Department of Premier and Cabinet
  - Transport for NSW
  - Sydney Water
  - Ausgrid
  - Inner West Council
  - NSW Environment Protection Authority
5. 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).
6. Given the nature of the planning proposal, Council is not authorised to be the local plan-making authority to make this plan.
7. The planning proposal must be placed on exhibition no later than 4 months from the date of the Gateway determination.
8. The planning proposal must be reported to council for a final recommendation no later than 6 months from the date of the Gateway determination.
9. The time frame for completing the LEP is to be **8 months** following the date of the Gateway determination.

Dated 20th day of January 2022



**Laura Locke**  
**Director, Eastern and South Districts**  
**Department of Planning, Industry and**  
**Environment**

**Delegate of the Minister for Planning**