

Gateway Determination

Planning Proposal (Department Ref: [PP_2010_KOGAR_001_00]): to rezone land at Kogarah consisting of: 2-8 Princes Highway (Lot 1, DP 1108502), 1-9 Rocky Point Road (Lot 1, DP 86795, Lot 47, DP 512033, Lot 48 & 49 DP 975331, Lot 50 & 51, DP 81627 & Lot 52, DP 81626), and 60A Gray Street (Lot 11 DP 1101064, Lot 1 & 2, DP 91359) from the existing 4(a) Industrial (Light Zone) to 3(b) Business (Town Centre) Zone.

I, the Director General, as delegate of the Minister for Planning, have determined under section 56(7) of the EP&A Act that an amendment to the Kogarah Local Environmental Plan 1998 to rezone land at Kogarah consisting of: 2-8 Princes Highway (Lot 1, DP 1108502), 1-9 Rocky Point Road (Lot 1, DP 86795, Lot 47, DP 512033, Lot 48 & 49 DP 975331, Lot 50 & 51, DP 81627 & Lot 52, DP 81626), and 60A Gray Street (Lot 11 DP 1101064, Lot 1 & 2, DP 91359) from the existing 4(a) Industrial (Light Zone) to 3(b) Business (Town Centre) Zone should proceed subject to the following conditions:

The Planning Proposal should proceed subject to the following conditions:

1. Residential development is to be a permissible development on the subject site. Council is able to control this type of development by the inclusion of provisions which limit the amount of residential development to a maximum level. Such controls could be in the form of maximum FSR gross floor area or the like.
2. The exhibition material is to include a site specific DCP and any VPA applying to the site.
3. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:
 - (a) the planning proposal is classified as low impact as described in A Guide to Preparing LEPs (Department of Planning 2009) and must be made publicly available for **14 days**; and
 - (b) the relevant planning 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 4.5 of A Guide to Preparing LEPs (Department of Planning 2009).
4. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:
 - Roads and Traffic Authority
 - Adjoining LGAs

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.

5. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A 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. The timeframe for completing the LEP is to be **9 months** from the week following the date of the original Gateway determination (25 October 2010).

Dated 18th day of March 2011.

SHaddad

Sam Haddad
Director General
Delegate of the Minister for Planning