

Gateway Determination

Planning proposal (Department Ref: PP_2018_LANEC_001_00): to introduce shop-top housing as an additional permitted use and amend the maximum permitted building height.

I, the Executive Director, Regions at the Department of Planning and Environment, as delegate of the Greater Sydney Commission, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Lane Cove Local Environmental Plan (LEP) 2009 to introduce shop-top housing as an additional permitted use and amend the maximum permitted building height should proceed subject to the following conditions:

1. The planning proposal is to be updated to:
 - (a) demonstrate consistency with the draft findings of the St Leonards and Crows Nest Station Precinct strategic investigation (being undertaken by the Department in consultation with Lane Cove, Willoughby City and North Sydney Councils), including the relevant proposed land use, height and floor space ratio;
 - (b) include a revised concept design that is tested against Part 2 of the Apartment Design Guide of SEPP No 65 – Design Quality of Residential Apartment Development;
 - (c) include a traffic impact assessment;
 - (d) include a satisfactory arrangements provision for contributions to designated state public infrastructure identified as part of the St Leonards and Crows Nest Station Precinct strategic investigation;
 - (e) address relevant priorities and actions in the Greater Sydney Region Plan and the North District Plan;
 - (f) address the relevant priorities and strategies in Liveable Lane Cove 2035;
 - (g) include a project timeline; and
 - (h) provide revised mapping for the proposed increase in the maximum building height that correctly identifies the subject site.
2. Prior to community consultation, the planning proposal is to be revised in accordance with condition 1 and forwarded to the Department for review and approval.
3. Community consultation 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



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- (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 5.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment 2016).
4. Consultation is required with the following public authorities and organisations under section 3.34(2)(d) of the Act:
- Transport for NSW;
 - Transport for NSW – Sydney Trains;
 - NSW Department of Education;
 - Northern Sydney Local Health District;
 - Roads and Maritime Services; and
 - Lane Cove Council

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.

5. Prior to finalisation, the planning proposal is to be amended to demonstrate consistency with the final strategic planning framework for the St Leonards and Crows Nest Station Planned Precinct.
6. 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).
7. The time frame for completing the LEP is to be **18 months** following the date of the Gateway determination.

Dated 6th day of *September* 2018.


Stephen Murray
Executive Director, Regions
Planning Services
Department of Planning and
Environment

**Delegate of the Greater Sydney
Commission**