

# **Attachment C**

## **Gateway Determination**

## Gateway Determination

**Planning proposal (Department Ref: PP-2023-784):** to amend the land use zones for 2, 2A, 4, 6 and 8 Arundel Street and 6, 8, 10 and 12 Parramatta Road, Forest Lodge.

I, the Director, City of Sydney and Eastern District at the Department of Planning 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 Sydney Local Environmental Plan 2012 to amend the land use zones for 2, 2A, 4, 6 and 8 Arundel Street and 6, 8, 10 and 12 Parramatta Road, Forest Lodge should proceed subject to the following conditions:

1. The planning proposal is to be revised prior to public exhibition to:
  - (a) update the commentary regarding section 9.1 Ministerial Direction 4.4 Remediation of Contaminated Land.
2. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:
  - (a) the planning proposal is categorised as standard as described in the *Local Environmental Plan Making Guidelines* (Department of Planning and Environment, 2022) and must be made publicly available for a minimum of 20 working 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 *Local Environmental Plan Making Guidelines* (Department of Planning and Environment, 2022).

Exhibition must commence within 2 months following the date of the Gateway determination.

3. Consultation is required with the NSW Department of Education under section 3.34(2)(d) of the EP&A Act. The NSW Department of Education is to be provided with a copy of the planning proposal and any relevant supporting material and given at least 30 working days to comment on the proposal.
4. The planning proposal is to be revised prior to finalisation to:
  - (a) include information that demonstrates consistency with, or that any inconsistency is justified and/or of minor significance, in relation to section 9.1 Direction 4.4 Remediation of Contaminated Land.
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 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 Council as planning proposal authority is authorised to exercise the functions of the local plan-making authority under section 3.36(2) of the EP&A Act subject to the following:
  - (a) the planning proposal authority has satisfied all the conditions of the gateway determination;
  - (b) the planning proposal is consistent with applicable directions of the Minister under section 9.1 of the EP&A Act or the Secretary has agreed that any inconsistencies are justified; and
  - (c) there are no outstanding written objections from public authorities.
7. The planning proposal should be reported to Council for a final recommendation no later than 5 months from the date of the Gateway determination.
8. The LEP should be completed on or before 23 January 2024.

Dated 23rd day of June 2023.



**Katie Joyner**  
**Director, City of Sydney and Eastern**  
**District**  
**Planning and Land Use Strategy**  
**Department of Planning and Environment**

**Delegate of the Minister for Planning and**  
**Public Spaces**