



Contact: Martin Cooper  
Phone: (02) 9228 6582  
Email: [martin.cooper@planning.nsw.gov.au](mailto:martin.cooper@planning.nsw.gov.au)  
Postal: GPO Box 39 Sydney NSW 2001

Mr Jim Montague  
General Manager  
Canterbury City Council  
PO Box 77  
CAMPSIE NSW 2194

Our ref: PP\_2015\_CANTE\_007\_00 (15/14681)

Dear Mr Montague

### Planning proposal to amend Canterbury Local Environmental Plan 2012

I am writing in response to Council's letter dated 15 September 2015 requesting a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to amend the height and floor space ratio controls for 5-9 Croydon Street, Lakemba.

As delegate of the Minister for Planning, I have now determined the planning proposal should proceed subject to the conditions in the attached Gateway determination.

I note Council's proposed Height of Buildings Map includes a number of different maximum building heights. Whilst the Department supports the principle of a transition in height, the map may be visually confusing and illegible at the scale required by the map series. I encourage Council to consider whether the maximum building heights can be consolidated to simplify the map in accordance with the Standard Technical Requirements for LEP maps and place these on public exhibition with the proposal.

I also note the subject site is located within the recently exhibited *Sydenham to Bankstown Urban Renewal Corridor Strategy* area. The planning proposal will need to be updated prior to exhibition to demonstrate consistency with the Strategy.

The amending Local Environmental Plan is to be exhibited for 28 days and finalised within **9 months** of the week following the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request to the Department of Planning and Environment to draft and finalise the LEP should be made 8 weeks prior to the projected publication date.

The State Government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Minister may take action under section 54(2)(d) of the Act if the time frames outlined in this determination are not met.

If you have any queries in regard to this matter, please contact Mr Martin Cooper, of the Metropolitan (CBD) branch on (02) 9228 6582.

Yours sincerely,



**Lee Mulvey**  
**Director, Metropolitan (CBD)**  
**Planning Services**

Encl:  
Gateway Determination





## Gateway Determination

**Planning proposal (Department Ref: PP\_2015\_CANTE\_007\_00):** Amendment of height and floor space ratio controls for 5-9 Croydon Street, Lakemba, in Canterbury Local Environmental Plan 2012.

I, the Director, Metropolitan (CBD), at the Department of Planning and Environment, as delegate of the Minister for Planning, have determined under section 56(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Canterbury LEP 2012, to amend the building height and floor space ratio controls for 5-9 Croydon Street, Lakemba, should proceed subject to the following conditions:

1. Prior to exhibition, the planning proposal is to be updated to demonstrate consistency with the Sydenham to Bankstown Urban Renewal Corridor Strategy, including justification for any departures from the Strategy.
2. Consultation is required with the following public authorities under section 56(2)(d) of the Act:
  - o Department of Education and Communities
  - o Transport for NSW

Each public authority 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. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:
  - (a) the planning proposal is considered to be low impact as described in *A Guide to Preparing LEPs (Department of Planning and Environment 2013)* and must be made publicly available for a minimum of **28 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 5.5.2 of *A Guide to Preparing LEPs (Department of Planning and Environment 2013)*.
4. 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).
5. The timeframe for completing the LEP is to be **9 months** from the week following the date of the Gateway determination.

Dated 22nd day of October 2015.

  
**Lee Mulvey**  
Director, Metropolitan (CBD)  
Planning Services  
Department of Planning and Environment

**Delegate of the Minister for Planning**