

Alteration of Gateway Determination

Planning proposal (Department Ref: PP-2024-2261)

I, the Director, Local Planning and Council Support at the Department of Planning, Housing and Infrastructure, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(7) of the *Environmental Planning and Assessment Act 1979* to alter the Gateway determination dated 17 January 2025 for the proposed amendment to the Canterbury-Bankstown Local Environmental Plan 2023 as follows:

1. Change the numbering of “condition 7 (a)” to 7.1
“7(a) Provide an inventory sheet for each proposed heritage item.
2. Amend the determination to transfer the following conditions from “condition 1” to “condition 7” and renumber them to 7.2 – 7.15:

Affordable housing

1.2 Provide an explanation of the proposed phased implementation approach and Affordable Housing Contribution Scheme elements that Council intends to incorporate with the existing provisions.

Explanation of provisions

1.7 Provide an explanation and justification for the proposed:

- zoning amendments
- minimum lot size amendments

1.11 Remove the proposed ‘tall building clause’.

1.15 Clarify the objectives and application of the proposed foreshore protection provisions.

Flooding

1.19 Address the findings and recommendations of the Flood Risk Assessment, including:

- explain how the recommendations are addressed within the planning proposal package
- address the development within and in proximity to the floodway and flood storage, including the duration of inundation and the potential impacts of potential filling and raising of development sites on flood behaviour
- address consistency against all requirements with the 9.1 Direction 4.1 Flooding, including but not limited to addressing the proposed intensification on land identified as high hazard
- update mapping within the planning proposal package
- address consistency with the DPHI Shelter in Place Guideline published 9 January 2025.

Infrastructure

1.20 Clarify the proposed mechanisms for delivering identified infrastructure, including open space, through site links, local roads, public domain improvements and community facilities.

Mapping

1.24 Provide all existing and proposed maps, including:

- updated maps reflecting the supported changes to provisions described in the planning proposal in response to landowner submissions
- a Heritage Map to reflect the proposed new local heritage listings
- a Terrestrial Biodiversity Map to reflect the proposed additions to the map under Clause 6.4 Biodiversity of Canterbury Bankstown LEP 2023
- a Land Reclassification map
- updated Incentive Floor Space Ratio and Incentive Building Height maps to reflect total maximum FSR and building height, respectively
- updated draft Land Reservation Acquisition Map to identify land proposed for acquisition and the nominated acquisition authority.

9.1 Ministerial Directions

1.26 Clarify that all proposed rezoning of land is in accordance with the requirements of the Ministerial Direction 4.4 Remediation of Contaminated Land. Should further information be required to address this Direction, this is to be provided for review.

1.29 Address consistency with Ministerial Direction 6.1 Residential Zones in relation to the proposed downzoning of two areas from R3 Medium Density Residential to R2 Low Density Residential Zone, including:

- Carrington Square and surrounding properties
- Gould Street, Redman Street and Wonga Street, near Tasker Park.

The inconsistency is to be addressed having regards to the terms of the Direction. The planning proposal should also explain why the proposed down zoning is an appropriate mechanism to protect the identified special character areas, as opposed to heritage provisions.

1.30 Demonstrate consistency with Direction 4.1 Flooding in relation to the assessment of permitted uses and increased development/density of land, including the proposed intensification of land identified as high hazard.

Traffic and transport

1.31 Consult with TfNSW and Sydney Metro to ensure alignment with the station precinct interface and future corridor protection.

1.32 Consider opportunities to further align proposed maximum car parking rates with TfNSW's GTIA reference parking rates for Category 1a areas.

1.33 Consider how public domain improvements that are to be identified in upcoming Campsie Complete Streets Plan can be integrated with current funding and delivery mechanisms.

General

1.35 Review the planning proposal to ensure all content and mapping is complete and accurate and consistent in its response to conditions.

2. Delete “condition 3” and replace with:

“3. 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 complex as described in the *Local Environmental Plan Making Guidelines* (Department of Planning and Environment, 2023) and must be made publicly available for a minimum of 30 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, 2021).

Consultation is required with the following public authorities and government agencies under section 3.34(2)(d) of the Act and/or to comply with the requirements of applicable directions of the Minister under section 9 of the Act:

- Ausgrid
- ARTC: Australian Rail Track Corporation
- Civil Aviation Safety Authority (CASA)
- Cooks River Alliance
- Aeria Management Group (Bankstown Airport)
- Department of Education
- Department of Communities and Justice
- Department of Industry
- Department of Climate Change, Energy, the Environment and Water
- Department of Planning, Housing and Infrastructure
- Heritage NSW
- Infrastructure NSW
- Metropolitan Local Aboriginal Land Council
- National Broadband Network
- NSW Health
- State Emergency Services
- Bankstown Airport Corporation
- Relevant service providers
- Sydney Airport Corporation
- Sydney Water
- Sydney Trains
- Sydney Metro
- Transport for NSW(TfNSW)

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material via the NSW

Planning Portal and given at least 30 days to comment on the proposal.

3. Delete “condition 8”

“8. The planning proposal must be reported to council for a final recommendation 9 months from the date of the gateway determination.

1 Delete “condition 10”

“The LEP should be completed on or before 9 February 2026 from the date of the Gateway determination.”

and replace with a new condition 10:

“The LEP should be completed on or before 7 August 2026.”

2 Renumber the “condition 9” and “condition 10” to be numbered conditions 8 and 9 respectively:

“9. Given the nature of the proposal, Council should not be authorised to be the local plan-making authority.

“10. The LEP should be completed on or before 7 August 2026.

Dated 29 October 2025.



Tina Chappell
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Support
Department of Planning, Housing and
Infrastructure

Delegate of the Minister for Planning and
Public Spaces