

## Gateway Determination

**Planning proposal (Department Ref: PP\_2019\_CANAD\_001\_00):** to amend the Canada Bay Local Environmental Plan 2013 to increase the maximum floor space ratio from 1.76:1 to 13.06:1 and increase the maximum height of building from 23m to 117m at 1-9 Marquet Street and 4 Mary Street Rhodes (Lots 1, 2, 3, 4, 5 & 6 of DP 17671).

I, the Deputy Secretary, 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 the amendment to the Canada Bay Local Environmental Plan 2013 as described above should not proceed for the following reasons:

1. The proposal lacks strategic merit as it does not give effect to the Greater Sydney Region Plan and Eastern Sydney District Plan, in accordance with section 3.8 of the Act.
2. The proposal is inconsistent with the intended built form outcomes and proposed controls detailed in the Draft Rhodes Place Strategy 2020. The Draft Place Strategy establishes the strategic planning framework and intended outcomes for the Rhodes precinct.
3. The proposed floor space ratio and height of building controls are inconsistent with the Draft Rhodes Place Strategy and would constitute an overdevelopment of the site in terms of the number of dwellings at the site and built form outcome.
4. The proposal is inconsistent with intended mix of residential and employment floorspace identified for the subject site in the Draft Rhodes Place Strategy 2020.
5. The proposal would result in adverse overshadowing impacts to Union Square.
6. The proposed open space in south of the subject site is not considered to have good amenity and would not adequately compensate for any proposed loss of solar access to Union Square.

Dated

20 March 2021



**Brett Whitworth**  
Deputy Secretary, Greater Sydney, Place and  
Infrastructure  
Department of Planning, Industry and  
Environment

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