

Mr Matthew Stewart
General Manager
Canterbury Bankstown Council
PO Box 8
BANKSTOWN NSW 1885

Dear Mr Stewart

Planning proposal PP_2018_CBANK_002_00 to amend Canterbury Local Environmental Plan 2012

I am writing in response to Council's request for a Gateway determination under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to introduce site area controls for boarding houses into the Canterbury Local Environmental Plan (LEP) 2012.

As delegate of the Greater Sydney Commission, I have now determined the planning proposal should proceed subject to the conditions in the enclosed Gateway determination.

Council will still need to obtain the agreement of the Department's Secretary to comply with the requirements of relevant Section 9.1 Directions 3.1 Residential zones and 6.3 Site specific provisions. Council should ensure this occurs prior to community consultation.

In order to meet the requirements of the above-mentioned Section 9.1 Directions, Council will be required to provide further analysis to support the proposal, to demonstrate the impacts on boarding house supply.

This analysis should include discussion on boarding house appeals in the Land and Environment Court, annual figures regarding boarding house and boarding room approvals under the Bankstown LEP and Canterbury LEP, and evaluation of the number of lots appropriate for boarding houses under the proposed controls. The analysis should also include examples of boarding house developments that were subject to the proposed site area controls in the former Bankstown LGA.

The analysis should demonstrate that the proposed controls can deliver appropriate boarding house development, that minimise likely adverse impacts on the amenity of the area and neighbouring properties.

The planning proposal should be updated to address the South District Plan and the Greater Sydney Region Plan, provide an updated project timeline and remove the proposed boarding house provisions that relate to the B6 zone. Further clarification is

also required as to Council's intent relating to the boarding house provisions contained in Bankstown LEP 2015 that are not proposed for the Canterbury LEP 2012.

I have considered Council's request to be the local plan-making authority and have determined not to condition the Gateway for Council to be the local plan-making authority due to the potential implications for state housing policy and affordability.

The amending LEP is to be finalised within 12 months of the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request for 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 Greater Sydney Commission may take action under section 3.32(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any further enquiries about this matter, I have arranged for Ms Kate Hanson to assist you. Ms Hanson can be contacted on 9860 1453.

Yours sincerely

 2 May 2018
Stephen Murray
Executive Director, Regions
Planning Services

Encl: Gateway Determination