

Gateway Determination

Planning proposal (Department Ref: PP_2018_CANAD_001_00): to amend zoning, FSR and height controls for 53-69 Victoria Road, 45 Day Street and 46 Thornley Street, Drummoyne.

I, the Director, Sydney Region East at the Department of Planning and Environment, as delegate of the Greater Sydney Commission, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Canada Bay Local Environmental Plan (LEP) 2013 to amend zoning, floor space ratio and height controls for 53-69 Victoria Road, 45 Day Street and 46 Thornley Street, Drummoyne should proceed subject to the following conditions:

1. Prior to community consultation, the planning proposal is to be updated to:
 - (a) update the project timeline, outlining the anticipated timeframes for the plan making process;
 - (b) update the proposal to address the provision of affordable housing;
 - (c) include additional information to address the cross ventilation and solar access requirements of the Apartment Design Guide;
 - (d) address and justify the inconsistency with section 9.1 Direction 6.3 Site Specific Provisions as the proposal seeks to introduce a site-specific clause that does not currently exist in the zone; and
 - (e) include the Site Investigation Report prepared by Woolacotts Consulting Engineers that is referenced in the proposal.
2. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
 - (a) the planning proposal must be made publicly available for a minimum of **28 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 section 5.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment 2016).
3. Consultation is required with the following public authorities/organisations under section 3.34(2)(d) of the Act and/or to comply with the requirements of relevant section 9.1 Directions:
 - Ambulance Service of NSW;
 - Office of Environment and Heritage;
 - NSW Department of Education;
 - Environment Protection Authority;
 - Transport for NSW;

- Roads and Maritime Services;
- Energy Australia;
- Sydney Water; and
- NSW Fire and Rescue.

Each public authority/organisation 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.

4. 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 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 planning proposal authority is authorised as the local plan-making authority to exercise the functions under section 3.36(2) of the 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 section 9.1 Directions or the Secretary has agreed that any inconsistencies are justified; and
 - (c) there are no outstanding written objections from public authorities.
6. The time frame for completing the LEP is to be **12 months** following the date of the Gateway determination.

Dated 24th day of October 2018



Ann-Maree Carruthers
Director, Sydney Region West
Planning Services
Department of Planning and Environment

Delegate of the Greater Sydney Commission