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Department Generated Correspondence (Y)

DEPARTMENT OF PLANNING AND ENVIRONMENT

Planning Services

CANADA BAY GATEWAY DETERMINATION: PP 2015 CANAD 007 00

The attached Gateway Determination and letter are submitted for signature by the Acting General Manager, Metropolitan.

20.11.15

Simon Manoski
Acting General Manager, Metropolitan
Planning Services

Contact Officer: Diane Sarkies (AW)
Team Leader, Metropolitan (CBD)
Phone: 02 9228 6522

Mr Gary Sawyer
General Manager
City of Canada Bay Council
Locked Bag 1470
Drummoyne NSW 1470

Our ref: 15/16765

Dear Mr Sawyer

Planning Proposal to amend Canada Bay Local Environmental Plan 2013

I refer to Council's letter dated 16 October 2015 requesting a Gateway Determination under section 56 of the Environmental Planning and Assessment Act, 1979 (EP&A Act) in respect of the planning proposal to rezone land and amend height and floorspace ratio controls applying at 2A Hythe Street, Drummoyne.

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

Council is required to prepare and publicly exhibit, alongside the planning proposal, a draft site specific development control plan in accordance with the recommendations of the Joint Regional Planning Panel recommendation dated 8 May 2015 (copy enclosed).

The amending Local Environmental Plan (LEP) is to be 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 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 EP&A Act if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, please contact Mr Andrew Watkins of the Metropolitan (CBD) branch of the Department of Planning and Environment on 02 9228 6558.

Yours sincerely



Simon Manoski 20.11.15
**Acting General Manager, Metropolitan
Planning Services**

Encl:
Gateway Determination
Copy of JRPP Recommendation (8 May 2015)



Gateway Determination

Planning proposal (Department Ref: PP_2015_CANAD_007_00): to amend Canada Bay Local Environmental Plan 2013 by rezoning land from RE2 Private Recreation to R3 Medium Density Residential and introducing maximum floorspace ratio and maximum building height controls for 2A Hythe Street, Drummoyne.

I, the Acting General Manager, Metropolitan, 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 Canada Bay Local Environmental Plan 2013 to rezone land from RE2 Private Recreation to R3 Medium Density Residential; introduce a maximum floorspace ratio control of 1.1:1; and introduce maximum building height controls of 8.5 metres and RL 19.9 AHD at 2A Hythe Street should proceed subject to the following conditions:

1. Prior to public exhibition, the planning proposal is to be updated as follows:
 - a. demonstrate consistency with State Environmental Planning Policy 55 – Remediation of Land;
 - b. demonstrate consistency with Section 117 Direction 4.1 Acid Sulfate Soils; and
 - c. proposed maximum building height controls are to be expressed in both metres and RL (AHD) and applicable exhibition maps are to be updated accordingly.
2. A draft site specific development control plan must be exhibited with the planning proposal, addressing building setbacks, deep soil planting between buildings, car parking limitations, and public 'through-site' links in accordance with the Joint Regional Planning Panel recommendation dated 8 May 2015.
3. Community consultation is required under sections 56(2)(c) and 57 of the EP&A Act as follows:
 - (a) the planning proposal is classified as low impact as described in *A Guide to Preparing LEPs (Department of Planning & Infrastructure 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 & Infrastructure 2013)*.
4. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act in relation to the proposal:
 - Transport for NSW – Roads and Maritime Services; and
 - NSW Department of Education and Communities.

The public authorities are 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.

5. 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).
6. The timeframe for completing the LEP is to be 9 months from the week following the date of the Gateway determination.

Dated 20th day of November 2015.



Simon Manoski
Acting General Manager, Metropolitan
Planning Services

Delegate of the Minister for Planning