

Gateway Determination

Planning proposal (Department Ref: PP-2020-3948): for *Miscellaneous housekeeping across the Canada Bay local government area (LGA)*.

I, the Director, Eastern and South Districts at the Department of Planning, Industry and Environment, 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 an amendment to the Canada Bay Local Environmental Plan (LEP) 2013 for miscellaneous housekeeping amendments should proceed subject to the following conditions:

1. The planning proposal is to be updated prior to public exhibition to:
 - address Ministerial Direction 4.1 Acid Sulfate Soils.
 - remove the provisions relating to minimum lot size and minimum frontage controls for boarding houses in the R1 General Residential, R3 Medium Density Residential and R4 High Density Residential zones
 - remove the proposed amendment to the Flood Planning Map.
 - correct the inconsistencies in the description of proposed amendments to accurately outline the changes sought, including correcting the errors relating to:
 - minimum lot size for multi dwelling housing (terraces) in the R1 and R3 zone
 - removing the proposed minimum lot size for manor houses in the R4 zone; and
 - removing the proposed amendment to the minimum lot size for multi-dwelling housing (terraces) in the R4 zone.
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 6.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment, 2018).
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:
 - NSW Environment, Energy and Science
 - Transport for NSW

- Heritage NSW.

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. The timeframe for completing the LEP is to be 9 months from the date of the Gateway determination. Council must adhere to the specified milestone dates as follows:
 - a. Public exhibition of the planning proposal to commence within 3 months from date of Gateway determination.
 - b. Post-exhibition report to Council within 6 months from the date of Gateway determination
5. Council is not authorised as the local plan making authority.

Dated 29 July 2021.



Laura Locke
Director, Eastern and South Districts
Department of Planning, Industry and
Environment

Delegate of the Minister for Planning and
Public Spaces