



COPY

Mr Jim Montague  
General Manager  
Canterbury City Council  
PO Box 77  
Campsie NSW 2194

15/12144

Dear Mr Montague

### Planning proposal to amend Canterbury Local Environmental Plan 2012

I am writing in response to Council's letter dated 24 June 2015 requesting a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* in respect of the planning proposal to rezone light industrial land at 15-33 Brighton Street, Croydon Park, to R4 High Density Residential and amend the planning controls.

As delegate of the Minister for Planning, I have now determined the planning proposal should proceed subject to variations as outlined by the conditions in the attached Gateway determination.

The intent of the proposal to rezone fragmented industrial land that is within a medium-high density residential area and facilitate development of the site for residential purposes close to public bus routes, local services and facilities, is supported. However, the Department has concerns with the extent of the development potential sought by Council.

Therefore, prior to the commencement of public exhibition, Council is to update the planning proposal to reflect the planning controls (height of 15 metres and FSR of 0.9:1) recommended in the Council Report and supported by Council's peer review of the planning proposal by SGS (2014).

It is considered that these controls are more appropriate for the site, and will allow flexibility in the application of the maximum building height given the FSR control of 0.9:1, having regard to adjoining development. Further, Council is requested to integrate an area of public open space within the site given the density of R4 zoned land within this locality and existing availability of informal recreation spaces for local residents.

I agree that the planning proposal's inconsistencies with S117 Direction 1.1 Business and Industrial Zones and 7.1 Implementation of *A Plan for Growing Sydney* are justified. No further approval is required in relation to these Directions.

Plan making powers were delegated to councils by the Minister in October 2012. I have considered the nature of Council's planning proposal and have decided not to issue authorisation for Council to exercise delegation to make this plan.

The amending Local Environmental Plan 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 for the Department to draft and finalise the Local Environmental Plan should be made 6 weeks prior to the projected publication date.

Should you have any queries in regard to this matter, please contact Mr Lee Mulvey, Director, Metropolitan (CBD), at the Department on (02) 9228 6512.

Yours sincerely



**Marcus Ray**  
**Deputy Secretary**  
**Planning Services**

18/09/2015  
Encl:  
Gateway Determination