



IRF17/47

Ms Maria Atkinson AM
Chair
Sydney Eastern City Planning Panel
GPO Box 38
SYDNEY NSW 2001

Dear Ms Atkinson

Planning Proposal (PP_2017_CANAD_005_00) to amend Canada Bay Council Local Environmental Plan 2013 to rezone land and amend height and floor space ratio controls at 7 Concord Avenue, Concord West.

I am writing in response to the Panel's request for a Gateway determination under Section 56 of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to rezone land and increase the maximum permissible building height and floor space ratio controls at 7 Concord Avenue, Concord West.

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

I have also agreed, as delegate of the Secretary, that the planning proposal's inconsistency with section 117 Direction 1.1 Business and Industrial Zones is justified in accordance with the terms of the Direction. No further approval is required in relation to this Direction.

The Panel may still need to obtain the agreement of the Department of Planning and Environment's Secretary to comply with the requirements of section 117 Directions 4.3 Flood Prone Land and 7.3 Parramatta Road Corridor Urban Transformation Strategy. The Panel should ensure this occurs prior to community consultation.

The Department is satisfied that there is adequate information included in the proposal for the matter to proceed. The planning proposal will need to be updated however to address the requirements of the Gateway determination and ensure that the proposal reflects the requirements of the relevant Regional, District and Precinct Wide Plans.

The amending Local Environmental Plan (LEP) is to be finalised within 18 months of the week following the Gateway determination. The Panel should aim to commence the exhibition of the planning proposal as soon as possible. The Panel's request for the Department to draft and finalise the LEP should be made 10 weeks prior to the projected publication date.

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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. To meet these commitments, the Greater Sydney Commission may take action under section 54(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 Mr Andrew Watkins from the Department's Sydney Region East team to assist you. Mr Watkins can be contacted on 9274 6558.

Yours sincerely

 8/1/18

Oliver Holm
Acting Executive Director, Regions
Planning Services

Encl: Gateway determination

Gateway Determination

Planning Proposal (Department Ref: PP_2017_CANAD_005_00): to amend zoning, floor space ratio (FSR) and building height controls under Canada Bay Local Environmental Plan 2013 for land at 7 Concord Avenue, Concord West.

I, the Acting Executive Director, Regions at the Department of Planning and Environment, as delegate of the Greater Sydney Commission, 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 (LEP) 2013 should proceed subject to the following conditions:

1. Prior to community consultation, the planning proposal is to be updated to:
 - a. address the requirements of the Parramatta Road Corridor Urban Transformation Strategy by:
 - reducing the proposed floor space ratio to 1.6:1;
 - confirming how adequate arrangement for providing affordable housing at the site and contributions to designated State public infrastructure will be made; and
 - demonstrating consistency with any available findings of the Burwood – Concord Precinct Wide Traffic Review.
 - b. include the site on Council’s LEP Flood Planning Map to identify the site as being within the ‘flood planning area’ (in accordance with the standard technical requirements for spatial datasets and maps);
 - c. demonstrate consistency with the Draft Greater Sydney Region Plan and the Revised Draft Eastern City District Plan;
 - d. demonstrate consistency with any available findings of the precinct wide flooding study associated with the Burwood, Strathfield and Homebush Planned Precinct.
 - e. provide an updated timeline for the completion of the proposed amendment.

The revised planning proposal is to be provided to the Department for review and approval for public exhibition.

2. Consultation is required with the following public authorities:
 - Transport for NSW;
 - Roads and Maritime Services;
 - Office of Environment and Heritage
 - Department of Education;
 - NSW State Emergency Service;
 - NSW Health
 - Department of Family and Community Services
 - Ambulance Service of NSW



- NSW Police Force
- Fire and Rescue NSW
- Jemena; and
- Sydney Water.

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment.

3. Community consultation is required under section 56(2)(c) and 57 of the Act as follows:
 - a. the planning proposal must be made publicly available for a minimum of **28 days**; and
 - b. the relevant planning authority must comply with the notice requirements for exhibition of planning proposal and the specifications for material that must be made publicly along with planning proposal as identified in section 5.5.2 of A guide to preparing local environmental plans (Department of Planning and Environment 2016)
4. A public hearing is not required to be held into this matter by any person or body under section 56 (2) (e) of the *Environmental Planning and Assessment Act 1979*.
5. Prior to LEP being made, the proposal is to be updated to reflect any available precinct-wide findings or solution to traffic and flooding, as informed by the Burwood, Strathfield and Homebush Planned Precinct and Burwood-Concord Precinct Study
6. The time frame for completing the LEP is to be 18 months from the week following the date of the Gateway determination.

Dated 8th day of January 2018.

Oliver Holm
Acting Executive Director, Regions
Planning Services
Department of Planning and Environment

Delegate of the Greater Sydney Commission