



Mr Matthew Stewart  
General Manager  
City of Canterbury Bankstown Council  
PO Box 8  
BANKSTOWN NSW 1885

Dear Mr Stewart

**Planning proposal PP\_2018\_CBANK\_007\_00 to amend Bankstown Local Environmental Plan 2015**

I am writing in response to Council's request for a Gateway determination under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to amend the floor space ratio (FSR) controls from 1:1 to 2.3:1 to allow for the development of a private hospital at 297 Canterbury Road (Lot 9 DP 663160) and 299 Canterbury Road (Lot 202 DP 840245), Revesby.

As delegate of the Minister for Planning and Public Spaces, I have now determined that the planning proposal should proceed subject to the conditions in the enclosed Gateway determination.

I have also agreed, as delegate of the Secretary, that the planning proposal's inconsistencies with section 9.1 Directions 4.3 Flood Prone Land and 6.3 Site Specific Provisions are justified in accordance with the terms of the Directions. No further approval is required in relation to these Directions.

The Department recommends amendments to the planning proposal, including the removal of a height limit because the height is determined and regulated by Bankstown Airport's obstacle limitation surface (OLS). Furthermore, the Department recommends removing the draft clause for supporting infrastructure because it relates to infrastructure on land not related to the planning proposal.

I have considered the nature of Council's planning proposal and have determined not to condition the Gateway for Council to be the local plan-making authority due to the inconsistencies with section 9.1 Directions.

The amending local environmental plan (LEP) is to be finalised within 12 months of 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 of Planning and Environment to draft and finalise the LEP should be made eight 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 3.32(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any enquiries about this matter, I have arranged for Mr Benjamin Reid to assist. Mr Reid can be contacted on 8275 1061.

Yours sincerely

  
**Stephen Murray** 5 June 2019  
**Executive Director, Regions**  
**Planning Services**

Encl: Gateway determination