



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

Dear Mr Stewart

Planning proposal PP_2019_CBANK_005_00 to consolidate Bankstown Local Environmental Plan 2015 and Canterbury Local Environmental Plan 2012

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) and the additional information received on 4 November 2019, 28 November 2019, 13 December 2019 and 17 December 2019 in respect of the planning proposal to consolidate Bankstown Local Environmental Plan (LEP) 2015 and Canterbury LEP 2012 into a new combined LEP, to be known as Canterbury-Bankstown LEP.

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 thank the Council staff for their cooperation to collaboratively resolve and clarify aspects of the proposal submitted. Subsequently I have determined that the proposed Canterbury-Bankstown LEP is to be limited to key elements including the consolidation of Bankstown LEP 2015 and Canterbury LEP 2012, inclusion of the design quality requirements and the progression of the Local Area Plans (LAPs).

While the amendments will progress a key initiative for better design outcomes and finalise previous strategic planning work for the LAPs, the resultant unified LEP will provide the foundation for further LEP amendments to realise the aspirations identified in Council's Local Strategic Planning Statement.

While I recognise the intent of seeking to provide consistent and united land use and development controls for residential development across the local government area, I have decided to exclude these changes from the scope of this proposal.

The reasons for this are that further evaluation is needed to understand the consequences of proposed amendments in terms of housing diversity and capacity. Additionally, these changes are sought ahead of Council completing its Local Housing Strategy. Therefore, in seeking to consolidate the LEPs the controls and land use permissibility for residential development is required to remain the same as currently afforded under Bankstown LEP 2015 and Canterbury LEP 2012.

As council progresses its Local Housing Strategy, I invite Council to work with the Department in preparing a further planning proposal that can finalise the work to harmonise residential land uses and controls across the local government area in the consolidated LEP. This will ensure that proposed changes will support and give effect to the Local Housing Strategy directions and recommendations.

Other more minor proposed amendments originally sought can also form part of this subsequent or separate planning proposals where further detail and justification is provided in support.

Given the wide-ranging nature of the LEP amendments, I have determined not to condition the Gateway for Council to be the local plan-making authority.

The amending local environmental plan (LEP) is to be finalised within **nine months** of the date of the Gateway determination. However, it is acknowledged that to meet the priority funding arrangements Council is required to submit its LEP to the Department for finalisation by 31 June 2020.

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 timeframes outlined in this determination are not met.

Should you have any enquiries about this matter, I have arranged for Ms Teresa Gizzi to assist you. Ms Gizzi can be contacted on 8275 1124.

Yours sincerely



20 February 2020

Amanda Harvey
Acting Executive Director, Eastern Harbour City
Greater Sydney, Place and Infrastructure

Encl: Gateway determination