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Our ref: PP_2010_CANAD_001_00 (10/07457)
Your ref: Ursula Lang

Mr Gary Sawyer
General Manager
City of Canada Bay Council
Locked Bag 1470
DRUMMOYNE NSW 1470

Dear Mr Sawyer,

Re: Planning Proposal in relation to Rhodes Peninsula

I am writing in response to your Council's letter dated 29 March 2010 requesting a Gateway Determination under section 56 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") in respect of the planning proposal to amend the Canada Bay Local Environmental Plan 2008 in relation to Rhodes Peninsula.

As delegate of the Minister for Planning, I have now determined that the planning proposal should proceed subject to the conditions in the attached Gateway Determination.

The Gateway Determination requires that the planning proposal be made publicly available for a period of 28 days. Under section 57(2) of the Act, I am satisfied that the planning proposal, when amended as required by the Gateway Determination, is in a form that can be made available for community consultation.

The amending Local Environmental Plan (LEP) is to be finalised within 9 months of the week following the date of the Gateway Determination. In view of the significance of this proposal, it is considered appropriate for Council to prepare a project timeline which will enable the progress of the Planning Proposal and draft LEP to be effectively monitored within this timeframe. Council should endeavour to submit the timeline to the department within seven (7) days of receipt of this Determination.

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 s54(2)(d) of the EP&A Act if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, please contact Danijela Karać-Cooke of the Regional Office of the Department on 02 9228 6111.

Yours sincerely,


16/4/10

Tom Gellibrand
Deputy Director General
Plan Making & Urban Renewal

Gateway Determination

Planning Proposal (Department Ref: PP_2010_CANAD_001_00): to provide an additional 46,200m² floorspace, increase height up to 25 storeys and make provision for an additional 17,230m² of open space in the form of local parks and civic plazas in undeveloped parts of Rhodes Peninsula.

I, the Deputy Director General, Plan Making & Urban Renewal as delegate of the Minister for Planning, have determined under section 56(2) of the EP&A Act that an amendment to the Canada Bay Local Environmental Plan 2008 to provide an additional 46,200m² floorspace, increase height up to 25 storeys and make provision for an additional 17,230m² of open space in the form of local parks and civic plazas in undeveloped parts of Rhodes Peninsula should proceed subject to the following conditions:

1. The material to be exhibited for public comment to include zoning maps and any relevant draft VPA.
2. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:
 - (a) the planning proposal is classified as low impact as described in *A Guide to Preparing LEPs (Department of Planning 2009)* and must be made publicly available for **28 days**; and
 - (b) the relevant planning 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 4.5 of *A Guide to Preparing LEPs (Department of Planning 2009)*.
3. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:
 - Catchment Management Authority – Sydney Metro
 - Department of Environment, Climate Change and Water
 - Department of Housing
 - Department of Local Government
 - Department of Transport
 - Department of Water and Energy
 - Energy Australia
 - Maritime NSW
 - NSW Transport and Infrastructure
 - Rail Corporation of NSW
 - Roads and Traffic Authority
 - State Emergency Services
 - State Transit Authority of NSW
 - Sydney Water
 - Adjoining LGAs

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.

4. No public hearing is required to be held into the matter under section 56(2)(e) of the EP&A Act. This does not have any bearing on the need to conduct a public hearing under the provisions of any other legislation.
5. The timeframe for completing the LEP is to be **9 months** from the week following the date of the Gateway determination.

Dated

16th

day of

April

2010.



Tom Gellibrand
Deputy Director General
Plan Making & Urban Renewal
Delegate of the Minister for Planning