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Department Generated Correspondence (Y)

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Our ref: PP_2011_CANTE_001_00 (11/03865-1)
Your ref: T-29-145

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

Dear Mr Montague,

Re: Planning Proposal to amend the Canterbury Planning Scheme Ordinance (CPSO) to rezone land at part 1-9 Broadway and 10, 14, 18 and 20 Matthews Street, Punchbowl from Residential 2(c3) to General Business 3(a1)

I am writing in response to your Council's letter dated 21 February 2011 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 Canterbury Planning Scheme Ordinance to rezone land at part 1-9 Broadway and 10, 14, 18 and 20 Matthews Street, Punchbowl from Residential 2(c3) to General Business 3(a1).

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.

It is noted that council is currently preparing a strategy for the expansion of the LGA's town centres. Although this work is yet to be finalised, it is understood the planning proposal is consistent with the strategic work undertaken to date. The planning proposal is therefore to include information on the strategic direction for Punchbowl Town Centre, which will provide further justification for the intensification of business uses in this location. The planning proposal is also to provide clarification as to the type of residential development that the community could expect as a result of the rezoning to General Business 3(a1). This information is to be included with the exhibition material.

The Director General's delegate has also agreed that the planning proposal's inconsistencies with S117 Direction 3.1 Residential Zones are of minor significance. No further approval is required in relation to this Direction.

The amending Local Environmental Plan (LEP) is to be finalised within 12 months of the week following the date of the Gateway Determination. Council should aim to commence the exhibition of the Planning Proposal within four (4) weeks from the week following this determination. Council's request for the Department to draft and finalise the LEP should be made six (6) 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 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 Andrew Watkins of the Regional Office of the Department on 02 9228 6111.

Yours sincerely,



28/3/11

Tom Gellibrand
Deputy Director General
Plan Making & Urban Renewal

Gateway Determination

Planning Proposal (Department Ref: PP_2011_CANTE_001_00): to amend the Canterbury Planning Scheme Ordinance (CPSO) to rezone land at part 1-9 Broadway and 10, 14, 18 and 20 Matthews Street, Punchbowl from Residential 2(c3) to General Business 3(a1.)

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 Canterbury Planning Scheme Ordinance to rezone land at part 1-9 Broadway and 10, 14, 18 and 20 Matthews Street, Punchbowl from Residential 2(c3) to General Business 3(a1) should proceed subject to the following conditions:

1. The planning proposal is to provide further strategic justification for the intensification of business uses at this site in the context of the strategic direction of the Punchbowl Town Centre, as currently defined in Councils draft Centres work. The planning proposal is also to clarify the type of residential development that is proposed as an outcome of the planning proposal. This information is to be included in the exhibition material for this planning proposal.
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 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:
 - Adjoining LGA – Bankstown
 - Roads and Traffic Authority
 - Sydney Water
 - Transport NSW

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. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

5. The timeframe for completing the LEP is to be **12 months** from the week following the date of the Gateway determination.

Dated 28th day of March 2011.



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