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

Our ref: PP\_2011\_CANTE\_002\_00 (11/15195)  
Your ref: 53/12D

Dear Mr Montague,

**Re: Planning Proposal to list St John's Church (located at 12 Balmoral Avenue, Croydon Park) as a local heritage item under Schedule 1 of the Canterbury Local Environmental Plan No 138.**

I am writing in response to your Council's letter dated 26 July 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 Local Environmental Plan No. 138 to list St John's Church (located at 12 Balmoral Avenue, Croydon Park) as a local heritage item under Schedule 1.

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

Council is required to include the heritage assessment from the Canterbury Heritage Inventory SHI No. 1300170 being St Johns Catholic Church for exhibition with the planning proposal.

Council is to ensure that the land owner is notified of the exhibition of the planning proposal, in addition to adjoining land owners.

The Director General's delegate has determined that the planning proposal is consistent with S117 Direction 2.3 Heritage Conservation. No further approval is required in relation to this Direction.

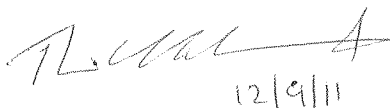
The amending Local Environmental Plan (LEP) is to be finalised within 6 months of the week following the date of the Gateway Determination.

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 Cameron Steuart of the Sydney East Regional Office of the Department on (02) 9228 6452.

Yours sincerely,



12/9/11

**Tom Gellibrand**  
**Deputy Director General**  
**Plan Making & Urban Renewal**

## Gateway Determination

*Planning Proposal (Department Ref: PP\_2011\_CANTE\_002\_00): to list St John's Church (located at 12 Balmoral Avenue, Croydon Park) as a local heritage item under Schedule 1 of the Canterbury Local Environmental Plan No 138.*

I, the Deputy Director General, Plan Making & Urban Renewal as delegate of the Minister for Planning and Infrastructure, have determined under section 56(2) of the EP&A Act that an amendment to the Canterbury Local Environmental Plan No. 138 – Canterbury Precinct (Amendment No. 9) to list St John's Church (located at 12 Balmoral Avenue, Croydon Park) as a local heritage item under Schedule 1 should proceed subject to the following conditions:

1. The heritage assessment from the Canterbury Heritage Inventory SHI No. 1300170 being for St Johns Catholic Church is to be placed on exhibition with the planning proposal.
2. Council is to ensure that the land owner is notified of the exhibition of the planning proposal, in addition to adjoining land owners.
3. 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 14 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)*.
4. Consultation is required with the following public authority under section 56(2)(d) of the EP&A Act:
  - Office of Environment and Heritage

The public authority is to be provided with a copy of the planning proposal and any relevant supporting material. The 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.

5. 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).
6. The timeframe for completing the LEP is to be 6 months from the week following the date of the Gateway determination.

Dated 12<sup>th</sup> day of September 2011.



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