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

Our ref: PP_2014_CANTE_004_00 (14/13705)
Your ref: T-29-154 Pt3

Dear Mr Montague

Planning proposal to amend Canterbury Local Environmental Plan 2012

I am writing in response to your Council's letter 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 reclassify and rezone land at 15 Close Street, Canterbury.

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

I have also agreed the planning proposal's inconsistencies with S117 Directions 4.1 Acid Sulphate Soils, 6.2 Reserving Land for Public Purposes, and 6.3 Site Specific Provisions are of minor significance. In relation to S117 Direction 6.2 Reserving Land for Public Purposes, I have agreed to the reduction of land for public purposes. No further approval is required in relation to these Directions.

Council is reminded of its obligations for undertaking a public hearing in relation to the proposed reclassification of land in accordance with the Department of Planning and Environment's practice note *PN09-003, Classification and reclassification of public land through a local environmental plan*.

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 as soon as possible. Council's request for the Department of Planning and Environment to draft and finalise the LEP should be made 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 section 54(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, I have arranged for Ms Helen Wilkins of the Department's Metropolitan Delivery (CBD) team to assist you. Ms Wilkins can be contacted on (02) 8575 4102.

Yours sincerely,



Lee Mulvey
Director, Metropolitan Delivery (CBD)
Planning Services

Encl:
Gateway Determination

Gateway Determination

Planning proposal (Agency Ref: PP_2014_CANTE_004_00): to reclassify and rezone land at 15 Close Street, Canterbury.

I, the Director, Metropolitan Delivery (CBD) at the Department Planning and Environment as delegate of the Minister for Planning, have determined under section 56(2) of the EP&A Act that an amendment to the Canterbury Local Environmental Plan (LEP) 2012 to reclassify and rezone land at 15 Close Street, Canterbury should proceed subject to the following conditions:

1. 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 a minimum of **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 5.5.2 of *A Guide to Preparing LEPs (Planning & Infrastructure 2013)*.
2. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act and/or to comply with the requirements of relevant S117 Directions:
 - Office of Environment and Heritage
 - Transport for NSW
 - Sydney Water
 - Energy Australia

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and 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. The planning proposal is to be amended to include the outcome of this consultation.

3. A public hearing is required to be held on the reclassification of the subject land in accordance with section 29 of the Local Government Act 1993 and section 57 of the *Environmental Planning and Assessment Act 1979* after completion of the public exhibition period.
4. The timeframe for completing the LEP is to be **12 months** from the week following the date of the Gateway determination.

Dated 24th day of September 2014.


Lee Mulvey
Director, Metropolitan Delivery (CBD)
Planning Services

Delegate of the Minister for Planning