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

Our ref: PP_2014_BANKS_003_00 (14/15358)
Your ref:

Attention: James Carey

Dear Mr Stewart

Planning proposal to reclassify land at 3 & 5 Leonard Street Bankstown from Community to Operational

I am writing in response to your Council's letter dated 4 September 2014 requesting a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* in respect of the planning proposal to reclassify land at 3 & 5 Leonard Street Bankstown from Community to Operational.

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

The former Minister delegated his plan making powers to councils in October 2012. It is noted that Council intends to use its delegation pursuant to Section 23 of the *Environmental Planning and Assessment Act 1979* as the matter is considered to be of local significance.

I have considered the nature of Council's planning proposal and have decided to issue an authorisation for Council to exercise delegation to make this plan. I have attached conditions of the determination.

I have also agreed that the planning proposal's inconsistency with s117 Direction: 6.2 Reserving Land for Public Purposes is of minor significance. No further approval is required in relation to this Direction.

This Gateway decision does not discharge Council from any obligation it may otherwise have under the *Local Government Act 1993* including seeking a formal resolution of Council to reclassify the subject sites. A resolution of Council to reclassify the sites must be obtained prior to finalising this planning proposal.

The amending Local Environmental Plan is to be finalised within six (6) 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 to draft and finalise the Plan should be made directly to Parliamentary Counsel's Office six (6) weeks prior to the projected publication date. A copy of the request should be forwarded to Planning and Infrastructure for administrative purposes.

The State Government is committed to reducing the time taken to complete local environmental plans 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 *Environmental Planning and Assessment Act 1979* 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 Mr Michael Druce of the Department of Planning and Environment, Metropolitan (Parramatta) branch to assist you. Mr Druce can be contacted on (02) 9860 1544.

Yours sincerely



28.10.11

Simon Manoski
Acting General Manager
Metropolitan
Planning Services

Gateway Determination

Planning proposal (Agency Ref: PP_2014_BANKS_003_00): to reclassify land at 3 & 5 Leonard Street Bankstown from Community to Operational.

I, the Acting General Manager, Metropolitan at the Department of Planning and Environment, as delegate of the Minister for Planning, have determined under section 56(2) of the *Environmental Planning and Assessment Act 1979* that a planning proposal to reclassify land at 3 & 5 Leonard Street Bankstown from Community to Operational should proceed subject to the following conditions:

1. Prior to public exhibition, Council is required to amend the planning proposal as follows:
 - a) the Explanation of Provisions be amended to note that in the event that draft LEP 2014 is made prior to the finalisation of this planning proposal then the amendments proposed will apply to that instrument;
 - b) Part 3 section B6 be amended to incorporate the further information provided by Council on 24 September 2014 that justifies the inconsistency with Section 117 Direction 6.2 - Reserving Land for Public Purposes.
2. Community consultation is required under sections 56(2)(c) and 57 of the *Environmental Planning and Assessment Act 1979* as follows:
 - (a) the planning proposal must be made publicly available for a minimum of **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 5.5.2 of *A Guide to Preparing LEPs (Planning & Infrastructure 2013)*.
3. Council must continue to meet its obligations under the *Local Government Act 1993* including seeking formal resolution of Council to reclassify the subject sites prior to finalising this 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 *Environmental Planning and Assessment Act 1979*. 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 **6 months** from the week following the date of the Gateway determination.

Dated 23rd day of October 2014.



Simon Manoski
Acting General Manager
Metropolitan
Planning Services
As Delegate of the Minister for Planning