

Gateway Determination

Planning proposal (Department Ref: PP-2022-1169): to amend the Canterbury Local Environmental Plan 2012 to introduce a new local provision to permit (with consent) a new private hospital with a maximum FSR of 5.1:1 and maximum permissible heights of 44.1m and 45.5m on land at 445 Canterbury Road, Campsie.

I, the Director, Eastern and South Districts, at the Department of Planning and Environment, as delegate of the Minister for Planning and Homes, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Canterbury Local Environmental Plan 2012 to introduce a new local provision to permit (with consent) a new private hospital with a maximum FSR of 5.1:1 and maximum permissible heights of 44.1m and 45.5m on land at 445 Canterbury Road, Campsie, should proceed subject to the following conditions:

1. Prior to public exhibition the planning proposal is to be updated to:
 - a) Referencing amended the Canterbury Local Environmental Plan 2012, the environmental planning instrument that is currently in force as well as an assessment against the draft Canterbury Bankstown Consolidated Local Environmental Plan
 - b) include an assessment against the Canterbury Road Review
 - c) amend the site address to '445 Canterbury Road Campsie' to align with NSW Government street address data, or alternatively Council should make a formal request to the Department of Customer Service to update the street address data
 - d) include an advisory note to clearly state that the draft objectives of the proposed site-specific provision are indicative in nature and will be subject to drafting by Parliamentary Counsel's Office (PCO), should the proposal progress to finalisation
 - e) reflect the current status of the draft Campsie Town Centre Master Plan and address any relevant post-exhibition changes that impact the proposal
 - f) remove references to the draft Design and Place State Environmental Planning Policy
 - g) include an advisory note indicating the equivalent zone for the B6 Enterprise Corridor zone under the Department's Employment Zones Reform
 - h) confirm the suitability of vehicular access to cater for a range of vehicular and pedestrian movements, with particular regard to emergency access and evacuation requirement
 - i) include a provision in the LEP for the proposed pocket park on the site to be publicly accessible
2. Prior to finalisation the planning proposal is to be revised to:
 - a) include a Flood Emergency Response Plan to demonstrate that the occupants of the hospital can effectively evacuate given the flood affection of the site and surrounding access roads to address consistency with or justify inconsistency with section 9.1 Ministerial Direction 4.1 Flooding.
3. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:

- (a) the planning proposal is categorised as standard as described in the *Local Environmental Plan Making Guidelines* (Department of Planning and Environment, 2021) and must be made publicly available for a minimum of 20 days; and
- (b) the planning proposal 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 *Local Environmental Plan Making Guidelines* (Department of Planning and Environment, 2021).

Exhibition must commence within 3 months following the date of the gateway determination.

- 4. Consultation is required with the following public authorities and government agencies under section 3.34(2)(d) of the Act and/or to comply with the requirements of applicable directions of the Minister under section 9 of the EP&A Act:
 - a. Environment and Heritage Group of NSW Department of Planning and Environment
 - b. Sydney Local Health District
 - c. Environmental Protection Authority (EPA)
 - d. Sydney Water
 - e. Transport for NSW (TfNSW)
 - f. Ausgrid
 - g. State Emergency Service.

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material via the NSW Planning Portal and given at least 30 days to comment on the proposal.

- 5. A public hearing is not required to be held into the matter by any person or body under section 3.34(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. Given the nature of the proposal, Council should not be authorised to be the local plan-making authority.
- 7. The LEP should be completed on or before 8 months from the date of the Gateway determination.

Dated 23 day of June 2022.



Laura Locke
Director, Eastern and South Districts
Metro East and South
Department of Planning and Environment
Delegate of the Minister for Planning and Homes