

## Department of Planning, Housing and Infrastructure

Ref: IRF24/2645

Mr John Clark  
General Manager  
Canada Bay Council  
Locked Bag 1470  
DRUMMOYNE NSW 1470

Via: [council@canadabay.nsw.gov.au](mailto:council@canadabay.nsw.gov.au)

28 January 2025

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**Subject: Planning proposal (PP-2024-1595) to amend Canada Bay Local Environmental Plan 2013**

Dear Mr Clark

I am writing in response to the planning proposal you have forwarded to the Minister under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) which seeks to amend the Canada Bay Local Environmental Plan 2013 to introduce new planning controls for land in the Kings Bay, Burwood Concord and Homebush North Precincts identified in the Parramatta Road Corridor Urban Transformation Strategy (PRCUTS).

As delegate of the Minister for Planning and Public Spaces, I have determined that the planning proposal should proceed subject to the conditions in the enclosed Gateway determination.

I have also agreed, as delegate of the Secretary, that the inconsistency of the planning proposal with the directions of the Minister under section 9.1 of the EP&A Act is justified in relation to Direction 4.5 Acid Sulfate Soils.

Council may still need to obtain the agreement of the Secretary to comply with the requirements of relevant applicable directions of the Minister under section 9.1 of the EP&A Act, including: 1.4 Site Specific Provisions; 1.5 Parramatta Road Corridor Urban Transformation Strategy; 3.10 Water Catchment Protection; 4.1 Flooding; 6.1 Residential Zones; and 7.1 Employment Zones. Council should ensure this occurs prior to public exhibition.

I have determined not to authorise Council to be the local plan-making authority given the nature of the planning proposal, the number of unresolved matters, and the need for the Department to coordinate the implementation of the PRCUTS.

## Department of Planning, Housing and Infrastructure

The amending LEP is to be finalised on or before 12 December 2025. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request for the Department of Planning, Housing and Infrastructure to draft and finalise the LEP should be made eight weeks in advance of the date the LEP is projected to be made.

The NSW Government has committed to reduce the time taken to complete LEPs. To meet these commitments, the Minister may appoint an alternate planning proposal authority if Council does not meet the timeframes outlined in the Gateway determination.

The Department's categorisation of planning proposals in the *Local Environmental Plan Making Guideline* (August 2023) is supported by category specific timeframes for satisfaction of conditions and authority and Government agency referrals, consultation, and responses. Compliance with milestones will be monitored by the Department to ensure planning proposals are progressing as required.

Should you have any enquiries about this matter, I have arranged for Tom Atkinson (Senior Planning Officer – North, East and Central Coast) to assist you. He can be contacted on 02 9373 2816.

Yours sincerely

A handwritten signature in blue ink, appearing to read "D Thompson".

**Daniel Thompson**  
**Acting Executive Director**  
**Local Planning & Council Support**

Encl: Gateway determination