

Gateway Determination

Planning proposal (Department Ref: PP-2026-412): Canada Bay Housekeeping

I, the A/Director at the Department of Planning, Housing and Infrastructure, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Canada Bay Local Environmental Plan 2013 to enact various housekeeping and policy amendments should proceed subject to the following.

The Council as planning proposal authority is authorised to exercise the functions of the local plan-making authority under section 3.36(2) of the Act subject to the following:

- (a) the planning proposal authority has satisfied all the conditions of the gateway determination;
- (b) the planning proposal is consistent with applicable directions of the Minister under section 9.1 of the Act or the Secretary has agreed that any inconsistencies are justified; and
- (c) there are no outstanding written objections from public authorities.

The LEP should be completed on or before 20 July 2027.

Gateway Conditions

1. The planning proposal is to be updated to:
 - (a) remove the proposed amendment creating a solar access provision for Concord Oval
 - (b) remove the proposed local provision that would apply Chapter 4 of the Housing SEPP to boarding houses and co-living housing
 - (c) provide detail on development applications (if any) that have exceeded BASIX requirements to utilise the bonus available under clause 7.11 and 8.9 of CBLEP 2013 since the BASIX standards were increased in 2023
 - (d) ensure that the proposed repeal of clause 7.11 and 8.9 of CBLEP 2013 will not reduce the planned dwelling capacity of the relevant precincts
 - (e) remove the 160 Burwood Road, Concord from the Key Sites Map
 - (f) correct all references made to the address associated with heritage item I428
 - (g) revise the proposed wording for the item descriptions associated with heritage items I343
 - (h) provide revised mapping that identifies the full extent to which current and proposed active street frontage provisions apply
 - (i) provide a draft proposed heritage map for amendments along Sydney Street, North Strathfield

- (j) provide a revised map for heritage item I343, that shows the correct boundaries for the proposed mapping changes to the item

The planning proposal should then be forwarded to the Minister under s 3.34(6) of the Act.

- 2. 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 complex as described in the *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023) and must be made publicly available for a minimum of 20 working 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 Guideline* (Department of Planning and Environment, August 2023).

- 3. 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 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).

Dated 21 July 2026



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Department of Planning, Housing and
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Delegate of the Minister for Planning and
Public Spaces