



Mr Matthew Stewart
Interim General Manager
Canterbury-Bankstown Council
PO Box 77
Campsie NSW 2194

Our ref: PP_2016_CBANK_003_00 (16/14786)

Dear Mr Stewart,

**Planning proposal to amend Canterbury-Bankstown Local Environmental Plan
2012**

I am writing in response to your Council's letter dated 7 November 2016 requesting a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to include new local heritage items and heritage conservation areas in Hurlstone Park.

As delegate of the Greater Sydney Commission, 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 Direction 3.1 Residential Zones is of minor significance. No further approval is required in relation to this Direction.

Plan making powers were delegated to councils by the Minister in October 2012. It is noted that Council has now accepted this delegation. 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.

The amending Local Environmental Plan 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 to draft and finalise the Local Environmental Plan should be made directly to Parliamentary Counsel's Office 6 weeks prior to the projected publication date. A copy of the request should be forwarded to the Department of Planning and Environment's regional team for administrative purposes.

Should you have any queries in regard to this matter, I have arranged for Ms Helen Wilkins of the Department of Planning and Environment's regional office to assist. Ms Wilkins can be contacted on (02) 9274 6559.

Yours sincerely,


Karen Armstrong
Director, Sydney Region East
Planning Services

Encl:
Gateway Determination
Written Authorisation to Exercise Delegation
Attachment 5 – Delegated Plan Making Reporting Template

Gateway Determination

Planning proposal (Department Ref: PP_2016_CBANK_003_00): to include new local heritage items and heritage conservation areas in Hurlstone Park.

I, the Director, Sydney Region East, at the Department of Planning and Environment as delegate of the Greater Sydney Commission, have determined under section 56(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Canterbury-Bankstown Local Environmental Plan 2012 to include new local heritage items and heritage conservation areas in Hurlstone Park should proceed subject to the following conditions:

1. Prior to community consultation, Council is to amend the planning proposal to:
 - a) be consistent with Stage 2 of the heritage assessment work and the review of the proposed heritage items and preparation of State Heritage Inventory (SHI) forms for potential heritage items and potential heritage conservation areas identified in Stage 1;
 - b) update the planning proposal to demonstrate consistency with the draft District Plan for South District, released on 21 November 2016; and
 - c) include current and proposed maps in accordance with the Standard Technical Requirements for LEP Mapping, consistent with Stage 2 of the work.
2. Council is to send a copy of the revised planning proposal, maps and supporting documentation to the Department prior to exhibition.
3. Community consultation is required under sections 56(2)(c) and 57 of the 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 (Department of Planning and Environment 2013)*.
4. Consultation is required with the following public authorities under section 56(2)(d) of the Act and/or to comply with the requirements of relevant S117 Directions:
 - Office of Environment and Heritage
 - Department of Education and Communities
 - Ausgrid
 - Inner West Council

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.

5. A public hearing is not required to be held into the matter by any person or body under section 56(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).
6. The timeframe for completing the Local Environmental Plan is to be **12 months** from the week following the date of the Gateway determination.

Dated *14th* day of *December* 2016.



Karen Armstrong
Director, Sydney Region East
Planning Services
Department of Planning and
Environment

Delegate of the Greater Sydney
Commission

WRITTEN AUTHORISATION TO EXERCISE DELEGATION

Canterbury-Bankstown Council is authorised to exercise the functions of the Great Sydney Commission under section 59 of the *Environmental Planning and Assessment Act 1979* that are delegated to it by instrument of delegation dated 14 October 2012, in relation to the following planning proposal:

Number	Name
PP_2016_CBANK_003_00	Planning proposal to include new local heritage items and heritage conservation areas in Hurlstone Park.

In exercising the Greater Sydney Commission's functions under section 59, the Council must comply with the Department of Planning and Environment's "*A guide to preparing local environmental plans*" and "*A guide to preparing planning proposals*".

Dated *14/12 December* 2016


Karen Armstrong
Director, Sydney Region East
Planning Services
Department of Planning and Environment

Delegate of the Greater Sydney Commission