

Gateway Determination

Planning proposal (Department Ref: PP_2018_BANKS_003_00): to amend the Bankstown Local Environmental Plan 2015 to prohibit multi-dwelling housing in the R2 Low Density Residential Zone.

I, the Executive Director, Regions at the Department of Planning and Environment, as delegate of the Greater Sydney Commission, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Bankstown Local Environmental Plan (LEP) 2015 to prohibit multi-dwelling housing in the R2 Low Density Residential Zone should proceed subject to the following conditions:

1. The planning proposal is to be updated to:
 - (a) remove references to controls relating to dual occupancy development;
 - (b) provide a quantitative analysis in relation to land under Bankstown LEP 2015 to assess the impacts of the proposal on housing diversity and supply as follows:
 - i. the total area of land zoned R2 Low Density Residential and R3 Medium Density Residential;
 - ii. the number of lots eligible for manor houses/multi-dwelling housing under the Low Rise Medium Density Housing Code in the R2 Low Density Residential and R3 Medium Density Residential zones, taking into account the Codes SEPP exclusions; and
 - iii. the number of multi-dwelling housing and dual occupancy developments approved in the R2 Low Density Residential and R3 Medium Density Residential zones in this area in the past five years; and
 - (c) explain whether the proposal is supported by a housing strategy that has been developed in consultation with the community; and
 - (d) include a new saving transition clause to ensure that proposed amendments do not affect any development applications or appeal processes.
2. The revised planning proposal is to be updated in accordance with condition 1 and forwarded to the Department for review and approval prior to exhibition.
3. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
 - (a) the planning proposal must be made publicly available for a minimum of 28 days;
 - (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 section 5.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment 2016); and

- (c) Council is to write to all affected landowners providing notice of the proposal and public exhibition.
4. No consultation is required with public authorities/organisations under section 3.34(2)(d) of the Act.
 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 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 LEP is to be completed by 1 July 2019.

Dated 31st day of July 2018.



Stephen Murray
Executive Director, Regions
Planning Services
Department of Planning and Environment

Delegate of the Greater Sydney Commission