



Ms Meredith Wallace  
General Manager  
Bayside Council  
PO Box 21  
ROCKDALE NSW 2216

Dear Ms Wallace

**Planning proposal PP\_2017\_BSIDE\_007\_00 – Alteration of Gateway determination**

I refer to your letter in relation to revisions to planning proposal PP\_2018\_RYDEC\_001\_00 to amend the height of building, introduce a new local provision requiring the preparation of a development control plan and specify additional permitted uses at 128 and 130-150 Bunnerong Road, Pagewood.

I have determined as the delegate of the Greater Sydney Commission, in accordance with section 3.34(7) of the *Environmental Planning and Assessment Act 1979*, to alter the Gateway determination dated 12 December 2017 for PP\_2017\_BSIDE\_007\_00. The Alteration of Gateway determination is enclosed.

The altered conditions nominate that commercial premises, serviced apartments and/or recreation facilities (indoor) are the additional permitted uses. The conditions also require amendments to the explanation of provisions to reflect the additional permitted uses and the minimum provision of 5,000m<sup>2</sup> of gross floor area for commercial premises and/or other permitted non-residential land uses. This provision is modified to allow for all non-residential uses including those currently permitted under the R4 zone and those additional uses proposed by the revised proposal. These amendments will contribute towards serving the needs of residential development on the site, provide flexibility in the further development of the site, provide an acceptable diversity of land uses, and provide the opportunity to grow local business and further investment opportunities. This is consistent with the objectives of the *Greater Sydney Region Plan – A Metropolis of Three Cities*.

In relation to the Council's concerns regarding the lack of revised documents, the Department of Planning and Environment consider that there is a need to provide several updated documents to reflect the revised planning proposal. Conditions have been inserted as part of the Gateway alteration to require that an updated Traffic Report and Heritage Impact Statement are provided that assess the revised proposal.

Likewise, the altered conditions include the need to provide shadow diagrams which are based on the revised maximum building heights of the planning proposal. These shadows impacts are to also be illustrated onto the building façades of any existing development to the east and south of the site and include the Pagewood Green park south of the proposal site. This is considered necessary to clearly illustrate the impacts the revised maximum building heights will have on surrounding development and open space.

To better explain the provisions that the future Development Control Plan (DCP) will have to provide, a plain English explanation of these provisions is to be prepared. This will enable a clear understanding of how future development of the subject site will be guided and controlled.

Once these matters have been addressed, the planning proposal will be suitable to proceed to public exhibition and formal consultation with the relevant authorities listed in the Gateway determination.

Finally, I am not able to agree to the request that the specific LEP instrument and mapping changes be listed in the Gateway alteration. The documentation provided, which details these matters, is either sufficient or can be made sufficient prior to public exhibition and agency consultation.

If you have any questions in relation to this matter, I have arranged for Mr Alexander Galea to assist you. Mr Galea can be contacted on 8289 6793.

Yours sincerely



9<sup>th</sup> October 2018

**Amanda Harvey**  
**Director, Sydney Region East**  
**Planning Services**

Encl: Alteration of Gateway determination