

Gateway Determination

Planning Proposal (Department Ref: PP_2017_BSIDE_007_00): to rezone and amend the planning controls for land at 128 and 130-150 Bunnerong Road, Pagewood

I, the Executive Director, Regions, 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 Botany Bay Local Environmental Plan (LEP) 2013 to rezone and amend the planning controls for land at 128 and 130-150 Bunnerong Road, Pagewood should proceed subject to the following conditions:

1. Prior to community consultation, the planning proposal is to be updated to:
 - (a) demonstrate consistency with the Draft Greater Sydney Region Plan and the Draft Revised Eastern City District Plan;
 - (b) amend the explanation of provisions to include the requirement of a minimum of 5,000 square metres of commercial floor space as an additional permitted use;
 - (c) update the number of jobs to reflect the provision for an additional 5,000 square metres of commercial floor space; and
 - (d) investigate and discuss with the proponent suitable affordable housing outcomes for the site.

Outcomes of these discussion are to be reported to the Sydney Region East team by 28 February 2018.

2. 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 local environmental plans* (Department of Planning and Environment 2016).
3. Consultation is required with the following public authorities under section 56(2)(d) of the Act:
 - Transport for NSW;
 - Roads and Maritime Services;
 - NSW Ports;
 - Sydney Airport Authority;



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- Civil Aviation Safety Authority;
- Department of Education;
- Environment Protection Authority; and
- Office of Environment and Heritage.

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.

4. 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).
5. The time frame for completing the LEP is to be **12 months** following the date of the Gateway determination.

Dated 12th day of December 2017.

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

Delegate of the Greater Sydney Commission