

Gateway Determination

Planning proposal (Department Ref: PP_2019_BSIDE_004_00): to amend FSR and height controls under the Botany Bay Local Environmental Plan 2013 to increase development standards at 1-3 Lord Street, Botany.

I, the A/Director, Eastern and South District, Greater Sydney, Place and Infrastructure at the Department of Planning, Industry and Environment, 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 Botany Bay Local Environmental Plan (LEP) 2013 to increase the building height and floor space ratio should proceed subject to the following conditions:

1. The planning proposal is to be amended prior to community consultation as follows:
 - (a) Update the project timeline.
2. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
 - (a) the planning proposal is classified as low impact as described in *A guide to preparing local environmental plans* (Department of Planning, Industry and Environment 2016) and must be made publicly available for a minimum of **28 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 section 6.5.2 of *A guide to preparing local environmental plans* (Department of Planning, Industry and Environment 2016).
3. Consultation is required with the following public authorities under section 3.34(2)(d) of the Act:
 - (a) Road and Maritime Services;
 - (b) Sydney Airport Authority;
 - (c) Civil Aviation Safety Authority;
 - (d) Department of Infrastructure, Transport, Cities and Regional Development;
 - (e) Heritage, Department of Premier and Cabinet; and
 - (f) Environment, Energy and Science Group.

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. Council is authorised as the local plan-making authority to exercise the functions under section 3.36(2) of the Act subject to the following:
 - (a) Council has satisfied all the conditions of the Gateway determination;
 - (b) the planning proposal is consistent with section 9.1 Directions or the Secretary has agreed that any inconsistencies are justified; and
 - (c) there are no outstanding written objections from public authorities.
5. The time frame for completing the LEP is to be **12 months** following the date of the Gateway determination.

Dated 7 day of November 2019.



Laura Locke
A/Director
Eastern and South District
Greater Sydney, Place and
Infrastructure
Department of Planning, Industry and
Environment

Delegate of the Minister for Planning
and Public Spaces