



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

Dear Ms Wallace

Planning proposal PP_2019_BSIDE_005_00 to amend Botany Bay Local Environmental Plan 2013

I am writing in response to Council's request for a Gateway determination under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to increase the maximum building height shown for the western part of the land at 146-154 O'Riordan Street, Mascot from 22m to 44m.

As delegate of the Minister for Planning and Public Spaces, I have now determined that the planning proposal should proceed subject to the conditions in the enclosed Gateway determination.

It is noted that Council has requested to be authorised as the local plan-making authority. I have considered the nature of Council's planning proposal and have conditioned the Gateway for Council to be authorised as the local plan-making authority.

The amending local environmental plan (LEP) is to be finalised within 12 months of 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 LEP should be made directly to Parliamentary Counsel's Office six weeks prior to the projected publication date. A copy of the request should be forwarded to the Department of Planning, Industry and Environment.

The state government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Minister may take action under section 3.32(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any enquiries about this matter, I have arranged for Mr Alex Hill to assist you. Mr Hill can be contacted on 8217 2069.

Yours sincerely

Brendan Metcalfe 17 December 2019

**Brendan Metcalfe
A/Director, Eastern and South Districts
Greater Sydney, Place and Infrastructure**

Encl: Gateway determination
Authorised plan-making reporting template