

Gateway Determination

Planning proposal (Department Ref: PP_2018_SYDNE_005_00): to amend the floor space ratio, building height, active frontages and site-specific controls at 12-22 and 24 Rothschild Ave, Rosebery

I, the Director, Sydney Region East 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 Sydney Local Environmental Plan (LEP) 2012 should proceed subject to the following conditions:

1. Prior to community consultation the planning proposal is to be amended to:
 - (a) reference the appendices;
 - (b) reflect a consistent building envelope in the planning proposal and appendices;
 - (c) demonstrate that the development can achieve the development standards in State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development;
 - (d) include overshadowing diagrams;
 - (e) provide further explanation for the extinguishment of Clauses 6.14 and 6.21 of Sydney LEP 2012 for Lot 1 DP 456612, Lot 2 DP 456612, Lot 410 DP 7534, Lot 456 DP 7534 (Site H), including how this may affect future development potential of this allotment;
 - (f) address Direction 4.3 Flood Prone Land;
 - (g) include an analysis of the potential loss of service of the nearby road intersections as a consequence of development in accordance with the proposal;
 - (h) update the project timeline to reflect the anticipated timeframes for the plan-making process; and
 - (i) provide an updated FSR Map Sheet 18 to remove the community infrastructure Clause 6.14 from applying to 24 Rothschild Avenue, Rosebery (Site H).
2. The revised planning proposal is to be provided to the Department for review and approval prior to community consultation.

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 is classified as low impact as described in *A guide to preparing local environmental plans* (Department of Planning 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 5.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment 2016).
4. Consultation is required with the following public authorities/organisations under section 3.34(2)(d) of the Act and/or to comply with the requirements of relevant section 9.1 Directions:
 - Transport for NSW;
 - Roads and Maritime Services; and
 - Office of Environment and Heritage.

Each public authority/organisation 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.
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 time frame for completing the LEP is to be **12 months** following the date of the Gateway determination.

Dated 5th day of November 2018.


Amanda Harvey
Director, Sydney Region East
Planning Services
Department of Planning and Environment

Delegate of the Greater Sydney Commission