



Alteration of Gateway Determination

Planning proposal (Department Ref: PP_2020_CBANK_002_00 (supersedes PP_2016_CBANK_001_01))

I, the Executive Director, Eastern Harbour City at the Department of Planning, Industry and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(7) of the *Environmental Planning and Assessment Act 1979* to alter the Gateway determination dated 23 September 2016 (since altered) for the proposed amendment to the Bankstown Local Environmental Plan 2015 as follows:

1. Delete condition 1(a) and replace with:
a new condition 1(a) “reflect the outcomes of the urban design review by the Department of Planning Industry and Environment with a maximum FSR of 2:1 for the site and maximum building heights of 23 metres along the site’s Auburn Road frontage, 41 metres in the north-western corner of the site and 29 metres across the remainder of the site”
2. Delete condition 1(c) and replace with:
a new condition 1(c) “prior to exhibition, further information is to be submitted to the satisfaction of the delegate of the Minister to justify consistency or inconsistency of the planning proposal with section 9.1 Ministerial Direction 2.6 Remediation of Contaminated Land. A Remediation Action Plan (RAP) is to be prepared to demonstrate the land can be suitable remediated for the land uses permissible under the R4 High Density Residential zone, and the method and feasibility of remediation”
3. Add condition 1(g) with:
a new condition 1(g) “update the planning proposal to address Council’s Housing Strategy and Affordable Housing Strategy”
4. Delete condition 2 and replace with:
a new condition 2 “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 – Sydney Trains
 - Transport for NSW (former Roads and Maritime Services)
 - Environmental Protection Authority
 - NSW Department of Planning, Industry and Environment – Environment, Energy and Science Group (former Office of Environment and Heritage)
 - Australian Rail Track Corporation
 - Ausgrid
 - Telstra
 - Sydney Water

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. Delete condition 6 and replace with:

a new condition 6 “The timeframe for completing the LEP is to be 12 months from the date of this Alteration of Gateway determination. Council is required to exhibit and report on the proposal in accordance with the specified milestone dates as follows:

- (a) the planning proposal must be exhibited 7 months from the date of this Alteration of Gateway determination
- (b) the planning proposal must be reported to Council for a final recommendation 10 months from the date of this Alteration of Gateway determination”

6. Add condition 7 with:

a new condition 7: “update the planning proposal to include a provision that a site specific development control plan (DCP) is to be prepared to provide more detailed guidance and controls for future development on the site. The DCP is to address future built form and design principles; housing mix; improvements to the public domain; environmental impacts such as overshadowing and solar access and visual and acoustic privacy; tree canopy and site circulation and access”

Dated 23 December 2020.



Malcolm McDonlad
Executive Director
Eastern Harbour City
Department of Planning, Industry and
Environment

Delegate of the Minister for Planning
and Public Spaces