

Gateway Determination

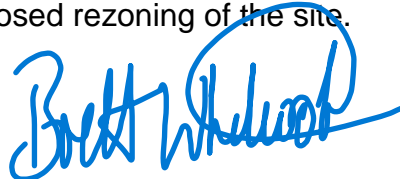
Planning proposal (Department Ref: PP-2020-876): to amend Rockdale Local Environmental Plan 2011 to rezone land at 2 Guess Avenue, Wolli Creek from RE1 Public Recreation to B4 Mixed Use, introduce development standards and remove the obligation of Bayside Council to acquire the rezoned land.

I, the Acting Deputy Secretary, 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 Rockdale Local Environmental Plan 2011 to rezone land at 2 Guess Avenue, Wolli Creek from RE1 Public Recreation to B4 Mixed Use, introduce development standards and remove the obligation of Bayside Council to acquire the rezoned land should not proceed for the following reasons:

1. The planning proposal does not meet the strategic merit assessment criteria, including:
 - (a) There is inadequate justification for the need for the planning proposal having regard to the current strategic planning framework;
 - (b) The consistency with the following Planning Priorities and Actions of the Eastern City District Plan, which gives effect to the Greater Sydney Regional Plan, is unresolved due to potential impacts on the quantity, quality and distribution of public open space and the implications for creating distinctive places, and healthy and active communities:
 - i. E1 *Planning for a city supported by infrastructure*, and Actions 3 and 4,
 - ii. E3 *Providing services and social infrastructure to meet people's changing needs*, and Action 8,
 - iii. E4 *Fostering healthy, creative, culturally rich and socially connected communities*,
 - iv. E6 *Creating and renewing great places and local centres, and respecting the District's heritage* and Action 18,
 - v. E17 *Increasing urban tree canopy cover and delivering Green Grid connections* and Action 65.
 - vi. E18 *Delivering high quality open space* and Action 67.
 - (c) The proposal does not address consistency with the Bayside Local Strategic Planning Statement. The inconsistencies with the following Planning Priorities and Actions in the LSPS remains unresolved due to potential impacts on the supply and accessibility to open space to meet existing and future demand:
 - i. Priority 2,
 - ii. Priority 4,
 - iii. Priority 5,

- iv. Priority 6 and Action 6.3,
 - v. Priority 20,
 - vi. Priority 21 and Actions 21.1, 21.2 and 21.4
- (d) The planning proposal is inconsistent with the NSW Government's Premier's Priority 11, the draft performance criteria in the Draft Greener Places Design Guide, and the draft principles and findings of the draft Greater Sydney Recreation Report;
- (e) The planning proposal demonstrates inconsistency for the strategic direction and vision for the site as identified in the Wolli Creek Development Control Plan 2011, Wolli Creek and Bonar Street Precincts Urban Renewal Contributions Plan 2019 and Wolli Creek and Bonar Street Precincts Public Domain Plan 2011. Insufficient information has been provided to demonstrate the need and reason to remove the envisaged public open space having regard to broader infrastructure and amenity expectations for the public; and
- (f) The planning proposal does not demonstrate consistency with the draft Design and Place SEPP which seeks to increase the provision and diversity of public space across NSW, including the protection of existing public space assets.
2. The proposal does not meet the site-specific merit criteria because the proposal has not adequately demonstrated that the following environmental and social impacts could be appropriately addressed and/or mitigated:
- a) the loss of land for public purposes which has implications for the quantity, quality and distribution of local open space for existing and future residents;
 - b) the height, bulk and scale of the proposal will result in a built form outcome that does not correspond with the previously envisaged urban design outcome for the site and its contribution to the amenity of the area. Insufficient analysis has been provided to demonstrate the appropriateness of the proposed approach which will remove opportunities for visual relief and amenity delivery and retention; and
 - c) The land use safety implications of the Moomba Sydney High Pressure Ethane Pipeline have not been addressed to demonstrate the appropriateness of the proposed rezoning of the site.

Dated 13th day of August 2021.



Brett Whitworth
Deputy Secretary
Greater Sydney, Place and Infrastructure
Department of Planning, Industry and
Environment

Delegate of the Minister for Planning and
Public Spaces