



Mr Matthew Stewart
General Manager
Canterbury Bankstown Council
PO Box 8
Bankstown NSW 1885

Our ref: 16/01403

Dear Mr Stewart

Planning Proposal PP_2015_BANKS_002_00 – Alteration of Gateway Determination

I refer to Council's letters in regard to planning proposal PP_2015_BANKS_002_00 which seek to amend development standards applying to land located at 83-99 North Terrace and 62 The Mall, Bankstown and other associated amendments.

I have determined as the delegate of the Greater Sydney Commission, in accordance with section 56(7) of the *Environmental Planning and Assessment Act 1979* to alter the Gateway determination dated 22 January 2016 for PP_2015_BANKS_002_00. The Alteration of the Gateway Determination is enclosed.

While I have agreed to extend the timeframe for completion of the proposal, I note that Council has not commenced the OSL/PANS-OPS airspace analysis report and I would encourage Council to commence this work as soon as possible.

In regard to the intention of Council to exhibit a development application for the site concurrently with the planning proposal, as a result of a recent ruling by the Court of Appeal, the Department no longer requires this matter to be addressed by the insertion of a site specific exemption from clause 1.8A within the planning proposal and subsequent amending plan. Consequently, a condition has been included in the Alteration of Gateway Determination to remove reference to this matter.

While this is the case, Council should be mindful of the need to ensure it meets the requirements of section 72K of the *Environmental Planning and Assessment Act* and indicates to the community its intentions in this regard, as well as, ensuring all relevant supporting information is included with the exhibition material. This supporting information should include, but not limited to, the OSL/PANS-OPS airspace analysis report; design studies; an impact assessment, including shadow diagrams and/or a sunlight analysis.

Should you wish to clarify my letter, I have arranged for Ms Tessa Parmeter to assist you. Ms Parmeter may be contacted on (02) 9860 1555.

Yours sincerely

Stephen Murray
Executive Director, Regions
Planning Services

9 December 2016

Encl. (1): Alteration to Gateway Determination

Alteration of Gateway Determination

Planning proposal (Department Ref: PP_2015_BANKS_002_00)

I, the Executive Director Regions, Planning Services, at the Department of Planning and Environment as delegate of the Greater Sydney Commission, have determined under section 56(7) of the *Environmental Planning and Assessment Act 1979* (the Act) to alter the Gateway determination dated 22 January 2016 for the proposed amendment to the Bankstown Local Environmental Plan 2015, as follows:

1. Change the description of the planning proposal.

from "to insert a provision within the Bankstown Local Environmental Plan 2015 to amend the development standards at Nos. 83-99 North Terrace and 62 The Mall, Bankstown"

to "to insert a provision within Bankstown Local Environmental Plan 2015 to amend the development standards at Nos. 83-99 North Terrace and 62 The Mall, Bankstown, to a maximum building height of 83 metres and a maximum floor space ratio of 5:1"

2. Delete:

"condition 7"

and replace with:

"7. The timeframe for completing the LEP is by 29 October 2017".

3. Insert a new condition, as follows:

"8. Prior to community consultation, reference to a provision that will facilitate a combined rezoning and development application process for this proposal is to be removed from the planning proposal".

Dated 9th day of December 2016



Stephen Murray
Executive Director, Regions
Planning Services
Department of Planning and Environment

Delegate of the Greater Sydney Commission