

## Gateway Determination

**Planning proposal (Department Ref: PP-2021-3539):** to amend Bayside LEP 2021 pertaining to land at 146-154 O’Riordan Street, Mascot to increase the maximum permitted building height on part of the site from 22m to 44m and introduce a building height plane control to apply to part of the site.

I, the Director, Eastern and South Districts at the Department of Planning and Environment, as delegate of the Minister for Planning and Homes, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Bayside Local Environmental Plan 2021 to increase the maximum permitted building height and establish a building height plane at 146-154 O’Riordan Street, Mascot should proceed subject to the following conditions:

1. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:
  - (a) the planning proposal is categorised as standard as described in the *Local Environmental Plan Making Guidelines* (Department of Planning and Environment, 2021) and must be made publicly available for a minimum of 20 working 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 *Local Environmental Plan Making Guidelines* (Department of Planning and Environment, 2021).

Exhibition must commence within 2 months following the date of the gateway determination.

2. Consultation is required with the following public authorities and government agencies under section 3.34(2)(d) of the Act and/or to comply with the requirements of applicable directions of the Minister under section 9 of the EP&A Act:
  - Transport for NSW
  - Sydney Airport Corporation
  - Bayside Council.

Each public authority/organisation is to be provided with a copy of the planning proposal and any relevant supporting material and given at least 30 working days to comment on the proposal.

3. 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 the planning proposal authority from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land)
4. The planning proposal must be exhibited 2 months from the date of the Gateway determination.
5. The planning proposal must be reported to the Sydney Eastern City Planning Panel for a final recommendation 5 months from the date of the Gateway determination.
6. The time frame for completing the LEP is to be **9 months** following the date of the Gateway determination.

7. Given the nature of the proposal, the Sydney Eastern City Planning Panel is not authorised to be the local plan-making authority.

Dated 12<sup>th</sup> day of May 2022.



**Amanda Harvey,  
Executive Director, Metro East and  
South  
Planning and Land Use Strategy  
Department of Planning and Environment  
  
Delegate of the Minister for Planning**