



Mr Carl Scully
Chair
Sydney Eastern City Planning Panel
Locked Bag 5022
PARRAMATTA NSW 2124

IRF22/1089

Dear Mr Scully

Planning proposal (PP-2021-3539) to amend Bayside Local Environmental Plan 2021

I am writing in response to the planning proposal you have forwarded to the Minister under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to increase the maximum building height and establish a building height plane clause, for land at 146-154 O'Riordan Street, Mascot.

As delegate of the Minister for Planning, I have determined that the planning proposal should proceed subject to the conditions in the enclosed gateway determination.

I have also agreed, as delegate of the Secretary, the inconsistency of the planning proposal with applicable directions of the Minister under section 9.1 of the EP&A Act is justified in accordance with the terms of the Direction.

I have determined not to condition the Gateway for the Panel to be the local plan-making authority. The amending local environmental plan (LEP) is to be finalised within 9 months of the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible.

The state government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Minister may take action under section 3.32(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any enquiries about this matter, I have arranged for Bailey Williams to assist you. Mr Williams can be contacted on 8275 1306.

Yours sincerely

Amanda Harvey 12 May 2022
Executive Director, Metro East and South
NSW Department of Planning and Environment

Encl: Gateway determination