

## Alteration of Gateway Determination

***Planning proposal (Department Ref: PP\_2013\_BOTAN\_001\_00)***

I, the Director, Eastern and South District 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 18 March 2014 (since altered) for the proposed amendment to the Botany Bay Local Environmental Plan 2013 as follows:

1. Change the description of the planning proposal

**from**

"I, the Deputy Director General, Growth Planning and Delivery at Planning and Infrastructure as delegate of the Minister for Planning and Infrastructure, have determined under section 56(2) of the EP&A Act that an amendment to the Botany Bay Local Environmental Plan (LEP) 2013 to

- Remove land at Erith Street and Byrnes Street, Botany from the State Environmental Planning Policy (Port Botany & Port Kembla) 2013 & rezone the subject land from IN1 General Industrial to B7 Business Park under the Botany Bay LEP 2013
- Rezone land at Bay Street and McFall Street, Botany from IN1 General Industrial to B7 Business Park under Botany Bay LEP 2013
- Apply a Floor Space Ratio of 1.5:1 and maximum building height of 12m to all land subject to this planning proposal under the Botany Bay LEP 2013
- Incorporate an existing heritage item at 23 Byrnes Street, Botany under the State Environmental Planning Policy (Port Botany & Port Kembla) 2013 as an item of environmental heritage under Schedule 5 of the Botany Bay LEP 2013.

should proceed subject to variations outlined in the following conditions:"

**to**

"I, the Director, Eastern and South District 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* (the Act) that an amendment to the Botany Bay Local Environmental Plan 2013 to:

- Remove land at Erith Street and Byrnes Street, Botany from the State Environmental Planning Policy (Port Botany & Port Kembla) 2013 & rezone the subject land from IN1 General Industrial to B7 Business Park under the Botany Bay LEP 2013
- Rezone land at Bay Street and McFall Street, Botany from IN1 General Industrial to B7 Business Park under Botany Bay LEP 2013
- Apply a Floor Space Ratio of 1.5:1 and maximum building height of 12m to all land subject to this planning proposal under the Botany Bay LEP 2013
- Incorporate an existing heritage item at 23 Byrnes Street, Botany under the State Environmental Planning Policy (Port Botany & Port Kembla) 2013 as

an item of environmental heritage under Schedule 5 of the Botany Bay LEP 2013.

should not proceed.”

2. Delete conditions 1 to 7.

Dated 11 day of December 2020.

A handwritten signature in black ink, appearing to be 'LL' or 'Laura Locke', with a horizontal line extending to the right.

**Laura Locke**  
**Director**  
**Eastern and South Districts**  
**Department of Planning, Industry and**  
**Environment**

**Delegate of the Minister for Planning**  
**and Public Spaces**