

Our ref: PP-2023-999

Ms Meredith Wallace
General Manager
Bayside Council
PO Box 21
ROCKDALE NSW 2216

Dear Ms Wallace

Planning proposal PP-2023-999 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) and information received on 5 April 2024 in respect of the planning proposal for land at 263, 273 & 273A Coward Street, Mascot.

As delegate of the Minister for Planning and Public Spaces, 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 Act Directions 1.4 Site Specific Provisions and 4.5 Acid Sulphate Soils are justified in accordance with the terms of the Directions.

Council will still need to obtain the agreement of the Secretary to comply with the requirements of relevant applicable directions of the Minister under section 9.1 of the Act Direction 5.3 Development near regulated airports and defence airfields. Council should ensure this occurs prior to the LEP being made.

Considering the nature of the planning proposal I have determined that Council may exercise local plan-making authority functions in relation to the planning proposal.

The proposed local environmental plan (LEP) is to be finalised on or before 18 April 2025. Council should aim to commence the exhibition of the planning proposal as soon as possible. Should Council seek to make a proposed LEP, the request to draft the LEP should be made directly to Parliamentary Counsel's Office well in advance of the date the LEP is projected to be made. A copy of the request should be forwarded to the Department of Planning, Housing and Infrastructure.

The Department's categorisation of planning proposals in the *Local Environmental Plan Making Guideline* (Department of Planning, Housing and Infrastructure, August 2023) is supported by category specific timeframes for satisfaction of conditions and authority and Government agency referrals, consultation, and responses. Compliance with milestones will be monitored by the Department to ensure planning proposals are progressing as required.

Should you have any enquiries about this matter, I have arranged for Ashley Cook to assist you, who can be contacted on 02 9995 5996.

Yours sincerely



14 June 2024

Jazmin van Veen
Director, Local Planning (North, East & Central Coast)
Planning, Land Use Strategy, Housing and Infrastructure

Encl: Gateway determination