

Gateway Determination

Planning proposal (Department Ref: PP_2016_BANKS_001_00): to amend clause 4.4A of Bankstown Local Environmental Plan 2015.

I, the Director, Sydney Region West, at the Department of Planning and Environment as delegate of the Greater Sydney Commission, have determined under section 56(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the *Bankstown Local Environmental Plan 2015* to amend clause 4.4A - Additional gross floor area for more sustainable development in Bankstown CBD commercial core, should proceed subject to the following conditions:

1. Prior to public exhibition, the planning proposal is to be amended to:
 - a. amend the explanation of provisions to clearly explain what is intended in the planning proposal i.e. to identify a general statement of intent to provide greater flexibility in the application of height and floor space ratio standards, instead of identifying a textual amendment to clause 4.4A;
 - b. amend the explanation of provisions to identify that additional drafting changes may occur to achieve the intended planning outcome.
2. Following agency consultation and public exhibition, readdress the consistency of the planning proposal with Section 117 Direction 3.5 – Development near licenced aerodromes.
3. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:
 - (a) the planning proposal must be made publicly available for a minimum of **28 days**; and
 - (b) the relevant planning 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 section 5.5.2 of *A Guide to Preparing LEPs (Department of Planning and Infrastructure 2013)*.
4. Consultation is required with the following public authorities under section 56(2)(d) of the Act and/or to comply with the requirements of relevant S117 Directions:
 - Commonwealth Department of Infrastructure and Regional Development, and
 - Bankstown Airport Limited

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.

5. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
6. The timeframe for completing the LEP is to be **9 months** from the week following the date of the Gateway determination.

Dated 9 day of May 2016



Catherine Van Laeren
Director, Sydney Region West
Planning Services
Department of Planning and
Environment

Delegate of the Greater Sydney
Commission