



Ms Monica Barone
Chief Executive Officer
City of Sydney Council
GPO Box 1591
SYDNEY NSW 2001

Dear Ms Barone

Planning proposal PP-2020-1046 to amend Sydney Local Environmental Plan 2012 for 187-189 Thomas Street, Haymarket.

I am writing in response to Council's request for a Gateway determination under section 3.34(1) of the Environmental Planning and Assessment Act 1979 (the Act) to amend Sydney Local Environmental Plan 2012 to increase the maximum building height from 50 metres to RL226.8 metres, increase the maximum floor space from 7.5:1 to 20:1 inclusive of design excellence, and introduce site specific provisions for 187-189 Thomas Street, Haymarket.

As delegate of the Minister for Planning and Public Spaces, I have now determined that the planning proposal should proceed subject to the conditions, enclosed is the Gateway determination.

I have also agreed, as delegate of the Secretary, the planning proposal's inconsistency with section 9.1 Ministerial Direction 6.3 Site-Specific Provisions, 2.6 Remediation of Contaminated Land and 4.1 Acid Sulphate Soils are justified in accordance with the terms of the Direction. No further approval is required in relation to these Direction/s.

Council may still need to obtain the agreement of the Department of Planning and Environment's Secretary to comply with the requirements of section 9.1 Direction 3.5 Development Near Regulated Airports and Defence Airfields. Council should ensure this occurs prior to the plan being made

The Department's assessment of the proposal has identified that the Planning Proposal will need to be updated prior to exhibition to address the following:

- provide further definition of 'above ground' and 'below ground' floor space ratio;
- address the principles for growth within the LSPS;
- address section 9.1 Direction 4.1 Acid Sulfate Soils.

In addition, prior to finalisation of the planning proposal, information addressing the likelihood of site contamination is to be provided.

It is noted that Council has requested to be authorised as the local plan-making authority. I have considered the nature of Council's planning proposal and have

conditioned the Gateway for Council to be authorised as the local plan-making authority, provided that the revised planning proposal is submitted to the Department for review and approval prior to public exhibition.

Amending the local environmental plan (LEP) is to be finalised within 12 months of the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request to draft and finalise the LEP should be made directly to Parliamentary Counsel's Office six weeks prior to the projected publication date. A copy of the request should be forwarded to the Department of Planning, Industry and Environment.

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 Mr Luke Thorburn, Planning Officer, to assist you Mr Thorburn can be contacted on (02) 8275 1283.

Yours sincerely



9/11/2020

David McNamara
Director, Eastern District (City of Sydney)
Greater Sydney, Place and Infrastructure
Department of Planning, Industry and Environment