



Office of the Director General

Ms Monica Barone
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Our ref: PP_2012_SYDNE_007_00 (12/18285)
Your ref:

Dear Ms Barone,

Planning proposal to amend draft Sydney Local Environmental Plan 2012

I am writing in response to your Council's request for a Gateway determination under section 56 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") in respect of the planning proposal to amend the draft Sydney Local Environmental Plan (LEP) 2012 to amend controls for various land in Surry Hills, Redfern and Alexandria Park.

As delegate of the Minister for Planning and Infrastructure, I have now determined that the planning proposal should proceed subject to the conditions in the attached Gateway determination.

I have also agreed that the planning proposal's inconsistencies with S117 3.1 Residential Zones are of minor significance. No further approval is required in relation to this Direction.

The amending Local Environmental Plan (LEP) is to be finalised within 9 months of the week following the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible to meet the 9 month timeframe. Council's request for the department to draft and finalise the LEP should be made six (6) weeks prior to the projected publication date.

The NSW 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 s54(2)(d) of the EP&A Act if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, please contact Daniel Cutler of the regional office of the department on 02 9228 6111.

Yours sincerely,


Sam Haddad
Director General

8/12/2012

Gateway Determination

Planning proposal (Department Ref: PP_2012_SYDNE_007_00): to amend draft Sydney Local Environmental Plan 2012 to make various site amendments to facilitate development and correct minor errors.

I, the Director General, Department of 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 draft Sydney Local Environmental Plan (LEP) 2012 to:

1. amend the maximum building height from 15m to 18m and maximum floor space ratio (FSR) from 2.5:1 to 3.25:1 for land at 287-289 Crown Street, Surry Hills,
2. rezone 199-123 Cooper Street and 48-50 Adelaide Street, Surry Hills from R1 General Residential to RE1 Public Recreation,
3. amend the FSR map to introduce an FSR of 1.25:1 for land at 72-90 and 72-90A Telopea Street, Redfern, and
4. rezone certain land within the Alexandria Park neighbourhood from R1 General Residential to B4 Mixed Use.

should proceed subject to the following conditions:

1. Prior to commencing public exhibition, Council is to amend the planning proposal to:
 - (a) explain what impact, if any, the application of a floor space ratio control of 1.25:1 to land at 72-90A Telopea Street, Redfern will have on the Baptist Street Heritage Conservation Area,
 - (b) address the consistency of the planning proposal against the requirements of S117 Direction 1.1 Business and Industrial Zones and satisfy the department of any inconsistencies with the Local Planning Direction,
 - (c) include a discussion on the proposals consistency with relevant State Environmental Planning Policies.
2. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:
 - (a) the planning proposal is classified as low impact as described in *A Guide to Preparing LEPs (Department of Planning 2009)* and be made publicly available for **14 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 4.5 of *A Guide to Preparing LEPs (Department of Planning 2009)*.
3. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:
 - Transport for NSW
 - Transport for NSW – Roads and Maritime Services

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.



4. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A 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).
5. The timeframe for completing the LEP is to be **9 months** from the week following the date of the Gateway determination.

Dated

8th

day of

December 2012.

SHaddad

Sam Haddad
Director General
Delegate of the Minister for Planning and
Infrastructure