

Gateway Determination

Planning proposal (Department Ref: PP_2015_SYDNE_003_00): to amend Sydney Local Environmental Plan 2012 (Sydney LEP 2012) to amend the maximum building height and floor space ratio controls at 904 Bourke Street, Zetland.

I, the Director, Metropolitan Delivery at the Department Planning and Environment, as delegate of the Minister for Planning, have determined under section 56(2) of the *Environmental Planning and Assessment Act 1979* that an amendment to Sydney Local Environmental Plan (LEP) 2012 to amend the maximum building height and floor space ratio controls at 904 Bourke Street, Zetland, should proceed subject to the following conditions:

1. Community consultation is required under sections 56(2)(c) and 57 of the EP&A Act as follows:
 - (a) the planning proposal is classified as routine as described in *A Guide to Preparing LEPs (Department of Planning & Infrastructure 2013)* and 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 (former Department of Planning & Infrastructure 2013)*.
2. Consultation is required under section 56(2)(d) of the EP&A Act with:
 - Transport for NSW;
 - Roads and Maritime Services;
 - Office of Environment and Heritage;
 - Sydney Water; and
 - Sydney Airport.

Public authorities are 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. The planning proposal should respond to this consultation.

3. 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).
4. Prior to exhibition, the planning proposal should be amended to expand the possible basement uses to "Commercial premises and Storage premises".



5. Prior to exhibition, the planning proposal is to be revised to demonstrate consistency with *A Plan for Growing Sydney*, released on 14 December 2014.
6. The timeframe for completing the LEP is to be **12 months** from the week following the date of the Gateway determination.

Dated 3rd day of February 2015.

A handwritten signature in black ink, appearing to be "G. S. K.", written over the printed name.

**Acting Director
Metropolitan Delivery (CBD)
Planning Services
Department Planning and Environment
Delegate of the Minister for Planning**