



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

15/07072

Dear Ms Barone

Planning Proposal to amend Sydney Local Environmental Plan 2012

I refer to Council's letter requesting 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 Sydney Local Environmental Plan 2012, to include an additional permitted use for 120 Victoria Street, Potts Point.

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

It is noted that Council seeks to permit hotel or motel accommodation as an additional permitted use for the subject land. Although the proposal is supported in this instance, the Department's preference is to allocate land use zones that reflect the intended use of the land, instead of using Schedule 1. I encourage Council to consider using this approach for any future planning proposals.

The Minister delegated plan making powers to councils in October 2012. It is noted that Council has accepted this delegation. I have considered the nature of Council's planning proposal and have decided to issue an authorisation for Council to exercise delegation to make this plan.

The amending 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. Council's request to draft and finalise the LEP should be made directly to the Parliamentary Counsel's Office 6 weeks prior to the projected publication date. A copy of the request should be forwarded to the Department of Planning and Environment for administrative purposes.

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 54(2)(d) of the EP&A Act if the time frames outlined in this determination are not met.

If you have any further enquiries about this matter, please contact Mr Wayne Williamson on telephone number (02) 8575 4121.

Yours sincerely

 4/6/15
Lee Mulvey
Director, Metropolitan Delivery (CBD)
Planning Services

Encl. – Gateway determination