



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

Dear Ms Barone

**Planning proposal PP\_2019\_SYDNE\_005\_00 to amend Sydney Local Environmental Plan 2012**

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) in respect of the planning proposal to amend Sydney Local Environmental Plan 2012 to increase the maximum building height and maximum floor space ratio subject to site-specific provision for 72-84 Foveaux Street, Surry Hills.

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.

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 Ms Kate Masters, Specialist Planning Officer, to assist you Ms Masters can be contacted on 9274 623.

Yours sincerely



**Emma Hitchens**  
**Acting Director Eastern District (City of Sydney)**  
**Greater Sydney, Place and Infrastructure**  
**Department of Planning, Industry and Environment**

Encl: Gateway determination