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Ms Monica Barone  
 General Manager  
 Council of the City of Sydney  
 GPO Box 1591  
 SYDNEY NSW 2001

Our ref: PP\_2012\_SYDNE\_003\_00 (12/14530)  
 Your ref: 2012/244076

Dear Ms Barone,

### **Planning proposal to amend the draft Sydney Local Environmental Plan 2012**

I am writing in response to your Council's letter dated 20 August 2012 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 draft Sydney Local Environmental Plan (LEP) 2012 to reclassify land from 'community' to 'operational' at 1A Newcombe Street, Paddington.

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.

Council is reminded of its obligations for undertaking a public hearing in relation to the proposed reclassification of land in accordance with the Department's Practice note *PN09-003, Classification and reclassification of public land through a local environmental 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 within four (4) weeks from the week following this determination. 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 Deewa Baral of the regional office of the department on 02 9228 6111.

Yours sincerely,

  
**Sam Haddad**  
 Director-General

17/9/2012.

## Gateway Determination

**Planning proposal (Department Ref: PP\_2012\_SYDNE\_003\_00): to amend draft Sydney Local Environmental Plan 2012 to reclassify land from 'community' to 'operational'.**

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 reclassify land from 'community' to 'operational' at 1A Newcombe St, Paddington should proceed subject to the following conditions:

1. 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 must be made publicly available for **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 4.5 of *A Guide to Preparing LEPs (Department of Planning 2009)*.
2. No consultation is required with public authorities under section 56(2)(d) of the EP&A Act.
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. The timeframe for completing the LEP is to be **9 months** from the week following the date of the Gateway determination.

Dated

17<sup>th</sup>

day of

September

2012.



Sam Haddad

Director-General

Delegate of the Minister for Planning and  
Infrastructure