



Planning

Office of the Director-General

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

Contact: Tharani Yoganathan
Phone: (02) 9228 6523
Fax: (02) 9228 6244
Email: tharani.yoganathan@planning.nsw.gov.au
Postal: GPO BOX 39 Sydney NSW 2001

Our ref: S09/01796-1

Dear Ms Barone,

Re: Planning Proposal to extend the area of expenditure of the Ultimo-Pyrmont affordable housing contributions to the entire City of Sydney LGA

I am writing in response to your Council's letter dated 8 September 2009 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 Sydney Local Environmental Plan 2005 (Amendment No 4) to extend the area of expenditure of the Ultimo-Pyrmont affordable housing contributions to the entire City of Sydney LGA.

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

The Gateway Determination requires that the planning proposal be made publicly available for a period of 14 days. Under section 57(2) of the Act I am satisfied that the planning proposal is in a form that can be made available for community consultation.

The amending Local Environmental Plan (LEP) is to be finalised within 6 months of the week following the date of the Gateway Determination.

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 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 the Regional Office of the Department.

Yours sincerely,


Sam Haddad
Director-General

21/9/2009

Gateway Determination

Planning Proposal (Department Ref: S09/01796-1): To extend the area of expenditure of the Ultimo-Pyrmont affordable housing contributions to the entire City of Sydney LGA.

I, the Director General as delegate of the Minister for Planning, have determined under section 56(2) of the EP&A Act that an amendment of the Sydney Local Environmental Plan 2005 to extend the area of expenditure of the Ultimo-Pyrmont affordable housing contributions to the entire City of Sydney LGA 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 is classified as low impact as described in *A Guide to Preparing LEPs* (Department of Planning 2009) and must 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).
2. Consultation under section 56(2)(d) of the EP&A Act is only required with the following State public authorities that will or may be adversely affected by the proposed instrument:
 - Housing NSW.
3. No public hearing is to be held into the matter under section 56(2)(e) of the EP&A Act.
4. The timeframe for completing the LEP is to be **6 months** from the week following the date of the Gateway determination.

Dated 21st day of September 2009.


Sam Haddad
Delegate for the Minister for Planning