

## Gateway Determination

*Planning proposal (Department Ref: PP\_2017\_SYDNE\_006\_00): to amend affordable housing provisions in Sydney Local Environmental Plan 2012.*

I, the Acting Deputy Secretary, Planning Services at the Department of Planning and Environment as delegate of the Greater Sydney Commission, have determined under section 56(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Sydney Local Environmental Plan (LEP) (2012) should proceed subject to the following conditions:

1. Prior to community consultation, the planning proposal is to be amended to:
  - (a) demonstrate consistency with the Draft Greater Sydney Region Plan and Draft Revised Eastern City District Plan;
  - (b) update the project timeline;
  - (c) include the Central Sydney Affordable Housing program currently in the Central Sydney Planning Strategy planning proposal;
  - (d) remove from the explanation of provisions the amendment allowing affordable housing contributions to apply to exempt and complying development;
  - (e) change the commencement date of contribution to three years with two year staging;
  - (f) provide details on the likely supply of affordable housing through the application of the standard levy on residual land;
  - (g) provide further justification to the Site Specific 'Schedule 7 Land' affordable housing contribution in terms of its impact on the application of VPAs or increase contributions for Local or State infrastructure; and
  - (h) provide clarification on the application of site specific affordable housing contributions on additional building height.
2. Prior to community consultation, the revised planning proposal is to be provided to the Department for review and approval for public exhibition.
3. Prior to finalisation, the planning proposal is to be amended to demonstrate consistency with any available guidance note on affordable housing schemes under SEPP 70 or a new housing SEPP released by the Greater Sydney Commission and/or the Department.
4. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:
  - (a) the planning proposal 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 (Department of Planning and Environment 2016)*.

5. No consultation is required with public authorities under section 56(2)(d) of the Act.
6. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the 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).
7. The timeframe for completing the LEP is to be **12 months** from the week following the date of the Gateway determination.

Dated 10th day of January 2017 2018



David Gainsford  
Acting Deputy Secretary  
Planning Services  
Department of Planning and Environment  
  
Delegate of the Greater Sydney Commission