

Gateway Determination

Planning Proposal (Department Ref: PP_2013_LEICH_001_00): to rezone land at 22 and 30-40 George Street, for medium density housing purposes, with potential for some retail and commercial uses.

I, the Deputy Director General, Department of Planning and Infrastructure, as delegate of the Minister for Planning and Infrastructure, have determined under section 56(2) of the Environmental Planning and Assessment Act ('EP&A Act') that an amendment to the relevant *Leichhardt Local Environmental Plan* to rezone land at 22 and 30-40 George Street, Leichhardt from 'Industrial' to 'R1 Residential' and potentially also 'B4 Mixed Use' to facilitate the redevelopment of industrial land, should proceed subject to the following conditions:

1. Prior to undertaking public exhibition, the planning proposal is to contain sufficient information to demonstrate that the planning proposal satisfies the requirements of State Environmental Planning Policy No 55 – Remediation of Land. An initial site contamination investigation report is to be prepared to demonstrate that the site is suitable for rezoning to the proposed zones. This report is to be included as part of the public exhibition material.
2. Prior to undertaking public exhibition, the planning proposal is to contain further built form and urban design analysis to identify the appropriate floor space ratio, building height controls, distribution and mix of land uses and development controls across the site. This is to include the preparation of development controls to guide the future development of the site to ensure the underlying objectives of the planning proposal could reasonably be achieved. The built form and urban design analysis is to be included as part of the public exhibition material.
3. The Department is to undertake feasibility modelling analysis to identify an appropriate and economically feasible affordable housing contribution to be set aside at the site. The Department is to consult with Leichhardt Municipal Council, the site's landowners and Housing NSW and amend the planning proposal, if necessary, to take into consideration any comments made prior to undertaking public exhibition.
4. 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)*.
5. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:
 - Leichhardt Municipal Council

- Transport for NSW
- Transport for NSW – Roads and Maritime Services
- NSW Police
- Housing NSW
- Office of Environment and Heritage

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.

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 EP&A Act. This does not have any bearing on the need to conduct a public hearing under the provisions of any other legislation.
7. The timeframe for completing the LEP is to be **6 months** from the week following the date of the Gateway determination.

Dated 22nd day of March 2013.



Stephen McIntyre
Deputy Director General
Planning Strategies, Housing & Infrastructure