

Alteration of Gateway Determination

Planning proposal (Department Ref: PP-2021-3265)

I, Director, Eastern District City of Sydney at the Department of Planning and Environment, as delegate of the Minister for Planning and Homes, have determined under section 3.34(7) of the *Environmental Planning and Assessment Act 1979* to alter the Gateway determination dated 23 June 2021 for the proposed amendment to the Sydney Local Environmental Plan 2012 as follows:

1. Delete:

condition Table 2: LAHC Site Specific FSR bonus controls

<p>LAHC Site Specific FSR bonus controls</p>	<p>Modify the Site Specific control to prescribe an FSR bonus that is consistent with the Waterloo IAG's financial feasibility assessment to achieve no cost to government, less the base FSR. This is to take into account the results of the assumption testing recommended in Part 6.5 of the IAG report and any modifications to the Zoning map and Land Reservation and Acquisition map.</p> <p>The FSR bonus is to subsume the 10% floorspace previously proposed through the design excellence process because it is relied upon to deliver affordable housing required by the site specific provisions.</p> <p>Require at least 847 social housing units to replace the existing housing stock.</p> <p>Require 5 to 10% of net additional residential units be developed by a Community Housing Provider (CHP) and/or Aboriginal Community Housing Provider (ACHP) (exact percentage subject to the results of the efficiency analysis noted above).</p> <p>Amend the minimum non-residential development floorspace from 13,000m² to 12,000m².</p> <p>Remove the requirement for "the provision of publicly accessible open space has been made, to the satisfaction of Council" as this provides no finality. The planning mechanism to deliver public open space is to be by either zoning of the land RE1 or by a draft Voluntary Planning Agreement. The Planning Proposal Authority is encouraged to consult with Council and LAHC prior to public exhibition to provide certainty for the community.</p>
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and replace with:

a new condition Table 2: LAHC Site Specific FSR bonus controls

<p>LAHC Site Specific FSR bonus controls</p>	<p>Modify the Site Specific control to prescribe an FSR bonus that is consistent with the Waterloo IAG's financial</p>
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	<p>feasibility assessment to achieve no cost to government, less the base FSR, or provide an alternative FSR scheme based on the additional investigations required by Table 1. This may take into account the results of the assumption testing recommended in Part 6.5 of the IAG report and any modifications to the Zoning map and Land Reservation and Acquisition map.</p> <p>Require at least 847 social housing units to replace the existing housing stock.</p> <p>Require 5 to 10% of net additional residential units be developed by a Community Housing Provider (CHP) and/or Aboriginal Community Housing Provider (ACHP) (exact percentage subject to the results of the efficiency analysis noted above).</p> <p>Amend the minimum non-residential development floorspace from 13,000m² to 12,000m².</p> <p>Remove the requirement for “the provision of publicly accessible open space has been made, to the satisfaction of Council” as this provides no finality. The planning mechanism to deliver public open space is to be by either zoning of the land RE1 or by a draft Voluntary Planning Agreement. The Planning Proposal Authority is encouraged to consult with Council and LAHC prior to public exhibition to provide certainty for the community.</p>
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2. Delete:

condition Table 2: Design Excellence

Design Excellence	The planning controls are to require LAHC to participate in the Design Excellence process to promote high quality outcomes. However, this should not entitle LAHC to additional floorspace or height.
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and replace with:

a new condition Table 2: Design Excellence

Design Excellence	The planning controls are to require LAHC to participate in the Design Excellence process to promote high quality outcomes.
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3. Delete:

condition Table 2: Land Reservaton and Acquisition Map

Land Reservation and Acquisition Map	Land to be dedicated for open space, road widening and/or pedestrian links are required to be identified on a Land Reservation and Acquisition map.
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and replace with:

a new condition Table 2: Land Reservaton and Acquisition Map

Land Reservation and Acquisition Map	Land to be dedicated for public roads are required to be identified on a Land Reservation and Acquisition map.
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Dated 28th day of January 2022



David McNamara
Director, Eastern District City of Sydney
Department of Planning and Environment

Delegate of the Minister for Planning and Homes