

Attachment D – Summary Against Gateway Determination

The Department issued a Gateway Determination on 15 December 2022. Since this time the planning proposal has been updated in accordance with the Gateway conditions. An assessment against the Gateway Determination has been undertaken (see **Table 1**).

The Department is satisfied that the planning proposal and supporting documents have been amended to meet the conditions of the Gateway Determination and the planning proposal can be placed on to public exhibition.

Table 1 - Summary Against Gateway Determination

Gateway Condition	Comment
1. Prior to community consultation, the planning proposal is to be updated to address the following:	
1(a) include the number of jobs that may be created as a result of the increase to the planning controls on the site.	Condition Met The proponent has updated the planning proposal to address this condition. Refer to the table on page 45, within point 7 'Industry and Employment'.
1(b) provide consistency throughout the documents to refer to a maximum FSR of 7.2:1 including a non- residential FSR of 2:1 and revise references to GFA accordingly.	Condition Met The updated planning proposal consistently references the proposed FSR and GFA.
1(c) provide revised mapping to indicate an FSR of 7.2:1 and a HOB of RL176 AHD.	Condition Met The planning proposal has been updated to include mapping for FSR and HOB. Refer to Page 58 of the planning proposal.

1(d)	address the draft SEPP (Sustainable Buildings) 2022.	<p>Condition Met</p> <p>The planning proposal has been updated to include an assessment against the SEPP. Refer to Page 40 of the planning proposal.</p>
1(e)	include an advisory note referencing the Employment Zones Reform Framework and noting the proposed translation of employment zones as it relates to the proposed amendments.	<p>Condition Met</p> <p>The planning proposal has been updated to include note on Employment Zones Framework. Refer to page 11 of the Planning Proposal.</p>
1(f)	include an updated timeline based on this Gateway determination	<p>Condition Met</p> <p>The planning proposal timeline has been updated. Refer to page 59 of the Planning Proposal.</p>
<p>2. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:</p>		
2(a)	the planning proposal is categorised as standard as described in the Local Environmental Plan Making Guidelines (Department of Planning and Environment, 2022) and must be made publicly available for a minimum of 28 days; and	<p>Condition Met</p> <p>The planning proposal and its supporting documents were publicly exhibited from 10 February 2023 to 10 March 2023, which meets the 28-day requirement.</p>
2(b)	<p>the planning proposal 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 Local Environmental Plan Making Guidelines (Department of Planning and Environment, 2021).</p> <p>Exhibition must commence within 3 months following the date of the gateway determination.</p>	<p>Condition Met</p> <p>The exhibition documents and methodology comply with the relevant provisions of the EP&A Act 1979 and the LEP Making Guidelines as referenced in the condition.</p>

<p>3</p>	<p>Consultation is required with the following public authorities:</p> <ul style="list-style-type: none"> • Transport for NSW (TfNSW); • Transport for NSW (Sydney Metro); • Ausgrid; • Sydney Water Corporation; • NSW Department of Education; • NSW Department of Health – Northern Sydney Local Health District; • Sydney Airport Corporation Limited (SACL); • Airservices Australia; and • Department of Infrastructure, Transport, Regional Development, Communications and the Arts (DITRDCA). <p>Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material via the NSW Planning Portal and given at least 30 days to comment on the proposal.</p>	<p>Condition Met</p> <p>Formal consultation with these public authorities was completed during the public exhibition in accordance with the Gateway determination. The Agency responses are addressed in the post exhibition report.</p>
<p>4</p>	<p>A public hearing is not required to be held into the matter by any person or body under section 3.34(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, if reclassifying land).</p>	<p>A public meeting is scheduled to be held on 16 May 2023 for this planning proposal to provide submissions makers the opportunity to comment on the proposal.</p>
<p>5</p>	<p>The timeframe for completing the LEP is to be 9 months from the date of the Gateway determination.</p>	<p>Condition Met</p> <p>The finalisation date for this planning proposal is 24 May 2023.</p>