

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

Our ref: IRF22/2795

Dear Ms Barone

Planning proposal PP-2022-2535 to amend Sydney Local Environmental Plan 2012.

I am writing in response to the planning proposal you have forwarded to the Minister under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) and additional information received on 13 July 2022 in respect of the planning proposal to amend the Affordable Housing Program 2020, and update references to the Affordable Housing Program in relevant Local Environment Plan provisions.

As delegate of the Minister for Planning, I have determined that the planning proposal should proceed subject to the conditions in the enclosed gateway determination.

I have determined not to authorise Council to be the local plan-making authority for the following reason(s):

- Potential impact on state government policy
- To ensure development remains economically viable

The amending local environmental plan (LEP) is to be finalised on or before 19 August 2023. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request for the Department of Planning and Environment to draft and finalise the LEP should be made eight weeks in advance of the date the LEP is projected to be made.

The draft amended Affordable Housing Program 2022 is to be exhibited at the same time and in the same way as the planning proposal (as far as practicable). Council is to provide an email update to the Department of Planning and Environment every four weeks on the progress of preparation of the contributions plan, up until the joint exhibition phase, to allow progress to be monitored. Council can request assistance from the Department of Planning and Environment or request mediation/resolution of infrastructure disputes from the Planning Secretary.

The NSW Government has committed to reduce the time taken to complete LEPs. To meet these commitments, the Minister may appoint an alternate planning proposal authority if Council does not meet the timeframes outlined in the gateway determination.

The Department's categorisation of planning proposals in the *Local Environmental Plan Making Guideline* (Department of Planning and Environment, 2021) is supported by category specific timeframes for satisfaction of conditions and authority and Government agency referrals, consultation, and responses. Based on these timeframes, the Department requests that Council aim to achieve the following key dates:

- Exhibition 3 months from the date of the Gateway
- Reported to Council 9 months

- Completed within 12 months from the date of the Gateway determination

Compliance with milestones will be monitored by the Department to ensure planning proposals are progressing as required.

Should you have any enquiries about this matter, I have arranged for Adrian Melo to assist you. Mr Melo can be contacted on Adrian.melo@planning.nsw.gov.au or 02 8289 6815.

Yours sincerely



David McNamara
Director
Metro East & South (City)

Encl: Gateway determination