

Monica Barone  
Chief Executive Officer  
City of Sydney Council  
GPO Box 1591]  
**SYDNEY NSW 2001**

Our ref: IRF23/1680

Dear Ms Barone,

**Planning proposal PP- 2022-3843 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 2 June 2023 in respect of the planning proposal to enable additional employment floorspace at 85-93 Commonwealth Street, Surry Hills.

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

I have also agreed, as delegate of the Secretary, the inconsistency of the planning proposal with applicable directions of the Minister under section 9.1 of the EP&A Act (1.4 Site Specific Provisions and 4.5 Acid Sulfate Soils) is justified in accordance with the terms of the directions.

Considering the nature of the planning proposal I have determined that Council may exercise local plan-making authority functions in relation to the planning proposal.

The proposed local environmental plan (LEP) is to be finalised on or before 21 January 2024. Council should aim to commence the exhibition of the planning proposal as soon as possible. Should Council seek to make a proposed LEP, the request to draft the LEP should be made directly to Parliamentary Counsel's Office well in advance of the date the LEP is projected to be made. A copy of the request should be forwarded to the Department of Planning and Environment.

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. 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 Thomas Atkinson to assist you. Tom can be contacted on 9373 2816.

Yours sincerely



**Katie Joyner**  
**Director, City of Sydney and Eastern District**  
**Planning and Land Use Strategy**

Encl: Gateway determination