



## Gateway Determination

**Planning proposal (Department Ref: PP\_2020\_SYDNE\_001\_00):** to amend Sydney Local Environmental Plan 2012 to introduce a site-specific clause to increase the maximum building height and floor space ratio for 4-22 Wentworth Avenue, Surry Hills, and maximum building height for 24-44 Wentworth Avenue, Surry Hills.

I, the Director, Eastern Harbour City at the Department of Planning, Industry and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Sydney Local Environmental Plan (LEP) 2012 should proceed subject to the following conditions:

1. Prior to community consultation the planning proposal is to be revised as follows:
  - (a) Provide justification on the consistency with section 9.1 Direction 6.3 Site-Specific Provisions;
  - (b) Provide a heritage impact statement and traffic assessment for the site at 24-44 Wentworth Avenue;
  - (c) Transfer the proposed series of coordinates as the maximum building height control for the site at 4-22 Wentworth Avenue into the Site Specific DCP and amend the proposed maximum building height control to refer to its equivalent Reduced Levels (RL);
  - (d) Update the project timeline to reflect the anticipated time frames for the plan-making process.
2. The revised planning proposal is to be provided to the Department for review and approval prior to public exhibition.
3. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
  - (a) the planning proposal must be made publicly available for a minimum of **28 days**; and
  - (b) 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 section 6.5.2 of *A guide to preparing local environmental plans* (Department of Planning, Industry and Environment, 2018).
4. Consultation is required with the following public authorities/organisations under section 3.34(2)(d) of the Act and/or to comply with the requirements of relevant section 9.1 Directions:

- Heritage Council of NSW; and
- Transport for NSW.

Each public authority/organisation is to be provided with a copy of the planning proposal and any relevant supporting material and given at least 21 days to comment on the proposal.

5. 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 Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
6. The time frame for completing the LEP is to be **12 months** following the date of the Gateway determination.

Dated 22nd day of June 2020.



**David McNamara**  
**Director, Eastern Harbour City**  
**Greater Sydney, Place and Infrastructure**  
**Department of Planning, Industry and**  
**Environment**

**Delegate of the Minister for Planning and Public**  
**Spaces**