

ATTACHMENT E

ATTACHMENT E

**GATEWAY DETERMINATION,
DEPARTMENT OF PLANNING,
4 MARCH 2011**



ATTACHMENT E

Planning



qB163030
11/03243

Department Generated Correspondence (Y)



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

Contact: Daniel Cutler
Phone: (02) 9228 6111
Fax: (02) 9228 6244
Email: Daniel.Cutler@planning.nsw.gov.au
Postal: GPO Box 39, Sydney NSW 2001

Our ref: PP_2010_SYDNE_006_00 (10/23881-1)
Your ref: 2011/00126-01

Dear Ms Barone,

Re: Planning Proposal to prepare the Sydney Local Environmental Plan (Green Square Town Centre), in accordance with the Standard Instrument Order in relation to certain sites within the area known as the Green Square Town Centre.

I am writing in response to your Council's letter dated 17 January 2011 requesting a Gateway Determination under section 56 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") in respect of the planning proposal to amend the controls for the entire Green Square Town Centre and create Sydney Local Environmental Plan (Green Square Town Centre) 2010 as a new stand alone LEP, in accordance with the Standard Instrument Order.

As delegate of the Minister for Planning, I have now determined that the planning proposal should proceed subject to the conditions in the attached Gateway Determination.

The Director General's delegate has also agreed that the planning proposal's inconsistencies with S117 Directions 1.1 Business and Industrial Zones, 2.3 Heritage Conservation, 3.1 Residential Zones, 3.4 Integrating Land Use and Transport, 3.5 Development Near Licensed Aerodromes and 4.3 Flood Prone Land are of minor significance. No further approval is required in relation to these Directions.

The amending Local Environmental Plan (LEP) is to be finalised within 12 months of the week following the date of the Gateway Determination. Council should aim to commence the exhibition of the Planning Proposal within four (4) weeks from the week following this determination. Council's request for the Department to draft and finalise the LEP should be made six (6) weeks prior to the projected publication date.

The State Government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Minister may take action under s54(2)(d) of the EP&A Act if the time frames outlined in this determination are not met.

ATTACHMENT E

Should you have any queries in regard to this matter, please contact Daniel Cutler of the Regional Office of the Department on 02 9228 6111.

Yours sincerely,



Tom Gellibrand
Deputy Director General
Plan Making & Urban Renewal

4/3/11

Gateway Determination

Planning Proposal (Department Ref: PP_2010_SYDNE_006_00): to prepare the Sydney Local Environmental Plan (Green Square Town Centre), in accordance with the Standard Instrument Order in relation to certain sites within the area known as the Green Square Town Centre.

I, the Deputy Director General, Plan Making & Urban Renewal as delegate of the Minister for Planning, have determined under section 56(2) of the EP&A Act in respect of the planning proposal to amend the controls for the entire Green Square Town Centre and create Sydney Local Environmental Plan (Green Square Town Centre) 2010 as a new stand alone LEP, in accordance with the Standard Instrument Order should proceed subject to the following conditions:

1. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:
 - (a) the planning proposal must be made publicly available for **28 days**; and
 - (b) the relevant planning 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 4.5 of *A Guide to Preparing LEPs (Department of Planning 2009)*.
2. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:
 - Department of Education and Training
 - Department of Environment, Climate Change and Water
 - Department of Housing
 - Department of Local Government
 - Energy Australia
 - NSW Police Service
 - NSW Transport and Infrastructure
 - Rail Corporation of NSW
 - Roads and Traffic Authority
 - State Rail
 - State Transit Authority of NSW
 - Sydney Water
 - TransGrid
 - Sydney Airport Corporation
 - Commonwealth Department of Infrastructure and Transport
 - Commonwealth Department of Regional Australia, Regional Development and Local Government

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.



Planning

ATTACHMENT E

3. A public hearing is not required to be held into the matter by any person or body under section 56(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, in response to a submission or if reclassifying land).
4. The timeframe for completing the LEP is to be **12 months** from the week following the date of the Gateway determination.

Dated 4th day of March 2011.

A handwritten signature in blue ink, appearing to read "Tom Gellibrand".

Tom Gellibrand
Deputy Director General
Plan Making & Urban Renewal
Delegate of the Minister for Planning