

ATTACHMENT E

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**GATEWAY DETERMINATION
DATED 31 OCTOBER 2013**



13/16693

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

Dear Ms Barone

Planning Proposal to amend Sydney Local Environmental Plan (Green Square Town Centre) 2013 – Green Square Library and Plaza

I refer to Council's request for a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) to amend the Height of Buildings Map under Sydney Local Environmental Plan (Green Square Town Centre) 2013, to enable the development of the design for the Green Square Library and Plaza site.

As delegate of the Minister for Planning and Infrastructure, I have determined the planning proposal should proceed, subject to the conditions in the attached Gateway determination.

The Minister delegated his plan making powers to councils in October 2012 and Council has accepted this delegation. I have considered the nature of Council's planning proposal and have decided to issue an authorisation for Council to exercise delegation to make this plan.

The LEP is to be finalised within 9 months of the week following the date of the Gateway determination and Council should commence the exhibition of the planning proposal as soon as possible. Council's request to draft and finalise the LEP should be made directly to the Parliamentary Counsel's Office 6 weeks prior to the projected publication date. A copy of the request should be forwarded to the Department for administrative purposes.

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. To meet these commitments, the Minister may take action under section 54(2)(d) of the EP&A Act if the time frame outlined in this determination are not met.

Should you have any queries about to this matter, please contact Wayne Williamson of the Sydney Region East office of the Department Planning & Infrastructure on (02) 8575 4121.

Yours sincerely

31/10/2013

Juliet Grant
Regional Director
Sydney Region East
Planning Operations & Regional Delivery



WRITTEN AUTHORISATION TO EXERCISE DELEGATION

City of Sydney Council is authorised to exercise the functions of the Minister for Planning and Infrastructure under section 59 of the *Environmental Planning and Assessment Act 1979* that are delegated to it by instrument of delegation dated 14 October 2012, in relation to the following planning proposal:

Number	Name
PP_2013_SYDNE_009_00	Planning proposal to amend the Height of Buildings Map of the Sydney Local Environmental Plan (Green Square Town Centre) 2013 to facilitate the development of the winning competition design for the Green Square Library and Plaza site.

In exercising the Minister's functions under section 59, the Council must comply with the Department's "*A guide to preparing local environmental plans*" and "*A guide to preparing planning proposals*".

RJammie
31/10/2013

**For: Juliet Grant
Regional Director
Sydney Region East
Planning Operations and Regional Delivery
Department of Planning and Infrastructure**

Attachment 5 – Delegated plan making reporting template

Notes:

- Planning proposal number will be provided by the department following receipt of the planning proposal
- The department will fill in the details of Tables 1 and 3
- RPA is to fill in details for Table 2
- If the planning proposal is exhibited more than once, the RPA should add additional rows to **Table 2** to include this information
- The RPA must notify the relevant contact officer in the regional office in writing of the dates as they occur to ensure the department's publicly accessible LEP Tracking System is kept up to date
- A copy of this completed report must be provided to the department with the RPA's request to have the LEP notified

Table 1 – To be completed by the department

Stage	Date/Details
Planning Proposal Number	PP_2013_SYDNE_009_00
Date Sent to Department under s56	16/09/13
Date considered at LEP Review Panel	N/A
Gateway determination date	

Table 2 – To be completed by the RPA

Stage	Date/Details	Notified Reg Off
Dates draft LEP exhibited		
Date of public hearing (if held)		
Date sent to PCO seeking Opinion		
Date Opinion received		
Date Council Resolved to Adopt LEP		
Date LEP made by GM (or other) under delegation		
Date sent to DP&I requesting notification		

Table 3 – To be completed by the department

Stage	Date/Details
Notification Date and details	

Additional relevant information:



Gateway Determination

Planning proposal (Department Ref: PP_2013_SYDNE_009_00): to amend the Height of Buildings Map of the Sydney Local Environmental Plan (Green Square Town Centre) 2013 to facilitate the development of the winning competition design for the Green Square Library and Plaza site.

I, the Regional Director, Sydney Region East at the Department of Planning and Infrastructure, as delegate of the Minister for Planning and Infrastructure, have determined under section 56(2) of the *Environmental Planning and Assessment Act 1979* that an amendment to Sydney Local Environmental Plan (Green Square Town Centre) 2013 to amend the Height of Buildings Map of the Sydney Local Environmental Plan (Green Square Town Centre) 2013 to facilitate the development of the winning competition design for the Green Square Library and Plaza site should proceed subject to the following conditions:

1. Community consultation is required under sections 56(2)(c) and 57 of the EP&A Act as follows:
 - (a) the planning proposal is classified as low impact as described in *A Guide to Preparing LEPs (Department of Planning & Infrastructure 2013)* and must be made publicly available for a minimum of **14 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 5.5.2 of *A Guide to Preparing LEPs (Department of Planning & Infrastructure 2013)*.
2. No consultation is required with public authorities under section 56(2)(d) of the EP&A Act.
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 **9 months** from the week following the date of the Gateway determination.

Dated 31st day of October 2013.

RJ Jamming
31/10/2013

Juliet Grant
Regional Director
Sydney Region East
Planning Operations and Regional Delivery
Department of Planning and Infrastructure

Delegate of the Minister for Planning and Infrastructure