Attachment C

Gateway Determination

PP-2021-4808/IRF21/3215

Monica Barone
Chief Executive Officer
City of Sydney Council
GPO 1591
SYDNEY 2001

Dear Ms Barone

Planning proposal PP-2021-4808 to amend Sydney Local Environmental Plan 2012

I am writing in response to Council's request for a Gateway determination under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) and additional information received on 30/8/2021 in respect of the planning proposal to amend planning controls to facilitate additional employment floor space at North Alexandria.

As delegate of the Minister for Planning and Public Spaces, I have now 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 planning proposal's inconsistencies with section 9.1 Directions 4.1 Acid Sulfate and 4.3 Flood Prone Land are justified in accordance with the terms of the Direction. No further approval is required in relation to these Directions.

It is noted that Council has requested to be authorised as the local plan-making authority. I have considered Council's request to be the local plan-making authority and have determined not to condition the Gateway for Council to be the local plan-making authority as Council is the landowner for a number of lots within the precinct.

The amending local environmental plan (LEP) is to be finalised within 12 months of the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request for the Department of Planning, Industry and Environment to draft and finalise the LEP should be made at least eight 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 section 3.32(2)(d) of the Act if the time frames outlined in this determination are not met.

4 Parramatta Square 12 Darcy Street Parramatta NSW 2150 | Locked Bag 5022 Parramatta NSW 2124 | planning.nsw.gov.au

Should you have any enquiries about this matter, I have arranged for Ms Mary Su to assist you. Ms Su can be contacted on 9373 2807.

Yours sincerely

13.09.2021

David McNamara
Director, Eastern District City of Sydney

Encl: Gateway determination PP-2021-4808

Gateway Determination

Planning proposal (Department Ref: PP-2021-4808)*: to amend planning controls in Sydney Local environmental Plan 2012 for North Alexandria Precinct.*

I, the Director Eastern District City of Sydney 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 public exhibition the planning proposal is to be updated to:

   (a) Provide a heritage impact assessment which addresses the appropriateness of the proposed built form against the significance of the existing heritage items and heritage conservation area; and
   (b) Provide a transport and traffic analysis which addresses any potential impacts from additional activity/trips generated by the increased density.

2. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:

   (c) the planning proposal must be made publicly available for a minimum of **28 days**; and
   (d) 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 and Environment, 2018).

3. 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 NSW
   - 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.

4. The planning proposal must be exhibited 3 months from the date of the Gateway determination.

5. The planning proposal must be reported to council for a final recommendation 9 months from the date of the Gateway determination.

6. 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).

7. The time frame for completing the LEP is to be **12 months** following the date of the Gateway determination.

Dated 13th day of September 2021.

David McNamara
Director, Eastern District City of Sydney
Department of Planning, Industry and Environment

Delegate of the Minister for Planning and Public Spaces