

Gateway Determination

Planning proposal (Department Ref: PP-2021-4750): permit a maximum FSR of 20.3:1 to deliver an additional commercial tower development at 2 Chifley Square, Sydney.

I, the Director at the Department of Planning and Environment, as delegate of the Minister for Planning, 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 2012 to permit a maximum FSR of 20.3:1 to deliver an additional commercial tower development at 2 Chifley Square, Sydney, should proceed subject to the following conditions:

1. The planning proposal is to be updated to:
 - a) Update Table 1 and the explanation of provisions of the Planning Proposal to provide a clearer breakdown of existing and future floor space allocation. This update should also include confirmation of the height of both the existing and proposed podium and tower elements, and provide justification for a final proposed FSR.
 - b) Provide a visual demonstration of how the height of the proposal fits within The Domain Solar Access Plane.
 - c) Update the planning proposal to reflect the adoption of the Central Sydney Planning Strategy.
 - d) Update the Planning Proposal to address the new Local Environmental Plan Making Guideline (December 2021). This should include an update to Section 8: Project Timeline, which should be reflected in working days.
 - e) Remove reference to Ministerial Direction 3.5 – Development Near Licenced Aerodromes.
 - f) Address inconsistencies with Ministerial Direction 3.5 – Development Near Regulated Airports and Defence Airfields, and include relevant information to address noise considerations as per Clause 7. This may include the preparation of an appropriate study.
2. Prior to community consultation, the planning proposal is to be revised to address condition 1.
3. Consultation is required with the following public authorities:
 - Transport for NSW
 - Sydney Metro
 - Heritage NSW
 - Relevant utility providers, including Sydney Water
 - Civil Aviation Safety Authority
 - Sydney Airport Corporation
 - Department of Infrastructure, Transport, Regional Development and Communication.
4. Council is to exhibit the associated draft amendment to Sydney Development Control Plan 2012 concurrently with the Planning Proposal.

5. The planning proposal should be made available for community consultation for a minimum of 20 working days.
6. The planning proposal must be exhibited 51 working days from the date from the Gateway determination.
7. The planning proposal must receive a final recommendation from Council 145 working days from the date of the Gateway determination.
8. The timeframe for completing the LEP is to be 200 days from the date of the Gateway determination.
9. Given the nature of the proposal, Council should be authorised to be the local plan-making authority.

Dated 8th day of February 2022.



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

Delegate of the Minister for Planning