



IRF19/6473

Mr Peter Duncan AM  
Acting Chair  
Independent Planning Commission  
Level 3, 201 Elizabeth Street  
SYDNEY NSW 2000

Dear Mr Duncan

**Request for Gateway determination review – PP\_2018\_SYDNE\_007\_00**

I am writing to advise that the Department of Planning, Industry and Environment has received a Gateway determination review request for the above planning proposal. Details of the planning proposal are summarised below:

<b>Dept. Ref. No</b>	<b>PP_2018_SYDNE_007_00</b>
<b>LGA</b>	City of Sydney
<b>LEP to be amended</b>	Sydney Local Environmental Plan 2012
<b>Address/location</b>	30-62 Barcom Avenue, Darlinghurst
<b>Proposal</b>	To introduce a site-specific provision to allow bonus floor space and height to facilitate the delivery of a commercial premises at 30-62 Barcom Avenue, Darlinghurst.

The Minister for Planning and Public Space's delegate determined on 11 July 2019 that the planning proposal proceed subject to conditions. City of Sydney Council has requested a review of the Gateway determination seeking removal of condition 1 (c) and retaining the provision for a 6-star NABERS Energy Commitment Agreement in the planning proposal.

The commission is requested to review the planning proposal and Gateway determination and prepare advice concerning the merits of the review request. The advice should include a clear and concise recommendation to the Minister's delegate confirming whether, in its opinion, the Gateway determination should be altered.

The advice and recommendation should be provided within 28 days of receipt this letter and sent to the Department of Planning, Industry and Environment at GPO Box 39, Sydney NSW 2001.

The Department's justification assessment and recommendation report are enclosed and include the following:

- Attachment A1-A7 – Planning Proposal
- Attachment B – Gateway Determination and Letter
- Attachment C – National Construction Code
- Attachment D – Australia Building Code Board Intergovernmental Agreement
- Attachment E – Department’s Gateway Determination Assessment Report
- Attachment F– Council’s Gateway Review Notice of Intention
- Attachment G1-G6 – Council’s Gateway Review Request
- Attachment H– Proponent’s Submission

The Department’s *A guide to preparing local environmental plans* provides advice on procedures for the various stages in the independent review process. The guide is available on the Department’s website at [planning.nsw.gov.au/Plans-for-your-area/Local-Planning-and-Zoning/Resources](http://planning.nsw.gov.au/Plans-for-your-area/Local-Planning-and-Zoning/Resources).

Should you have any enquiries about this matter, I have arranged for David McNamara, Director, Eastern District (City of Sydney) at the Department to assist you. Ms Hitchens can be contacted on 9383 2101.

Yours sincerely



6 April 2020

**Malcolm McDonald**  
**Executive Director, Eastern Harbour City**  
**Greater Sydney, Place and Infrastructure**

Encl: Department’s justification assessment and recommendation report