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Ms Mary-Lynne Taylor
Chair
Sydney West Joint Regional Planning Panel
23-33 Bridge Street
Sydney NSW 2000

Our ref: PP_2013_AUBUR_002_00 (QA212910)

Dear Ms Taylor,

Planning proposal to amend Auburn Local Environmental Plan 2010

I am writing in response your request for a Gateway determination under section 56 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") in respect of the planning proposal to rezone lots 1 and 2 DP 1160950 at 1A and 1B Queens Street, Auburn from IN2 Light Industrial to R4 High Density Residential, amend the floor space ratio and apply maximum height of buildings controls to the subject land.

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

It is noted that the planning proposal does not identify proposed floor space ratio and maximum height of buildings controls for the subject land at Queens Street, Auburn and will await the outcomes of the urban design, traffic and transport studies to identify appropriate controls for the land. The Sydney West Joint Regional Planning Panel (JRPP) is to also take into consideration the floor space ratio and height of buildings controls within the draft Auburn Town Centres Local Environmental Plan (LEP) when identifying appropriate development controls for the subject land. The JRPP is to be satisfied that proposed controls are appropriate for the land and take into consideration the outcomes of relevant studies.

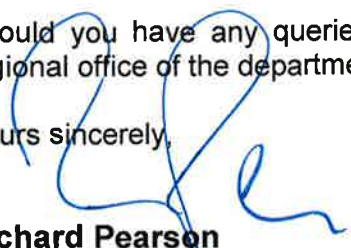
I have also agreed the planning proposal's inconsistency with S117 Direction 1.1 Business and Industrial Zones is of minor significance. No further approval is required in relation to this Direction.

The amending LEP is to be finalised within 18 months of the week following the date of the Gateway determination. The request for the department to draft and finalise the LEP should be made 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 section 54(2)(d) of the EP&A Act if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, please contact David Radich of the regional office of the department on 02 9860 1560.

Yours sincerely,


Richard Pearson
Deputy Director General
Planning Operations and Regional Delivery

31/5/13

Gateway Determination

Planning proposal (Department Ref: PP_2013_AUBUR_002_00): to rezone land at Auburn for residential purposes and amend the development standards applying to the land.

I, the Deputy Director General, Planning Operations and Regional Delivery at the Department of Planning and Infrastructure as delegate of the Minister for Planning and Infrastructure, have determined under section 56(2) of the EP&A Act that an amendment to the Auburn Local Environmental Plan (LEP) 2010 to rezone lots 1 and 2 DP 1160950 at 1A and 1B Queens Street, Auburn from IN2 Light Industrial to R4 High Density Residential, amend the floor space ratio and apply maximum height of buildings controls to the subject land should proceed subject to the following conditions:

1. Prior to undertaking public exhibition, the relevant planning authority (RPA) is to update the planning proposal to:
 - a) adequately demonstrate consistency with draft Metropolitan Strategy for Sydney to 2031 (March 2013) or the final Metropolitan Strategy;
 - b) reflect the outcomes of the urban design and traffic and transport studies that will be undertaken to support the planning proposal and have regard to the height of buildings and floor space ratio controls within the draft Auburn Town Centres LEP. The proposed floor space ratio and height of buildings controls are to reflect the outcomes of this work;
 - c) include the proposed height of buildings and floor space ratio controls within the 'explanation of provisions';
 - d) remove the statement that the proposal is supported at State and local government levels within Part 3 'Justification';
 - e) provide existing and proposed height of buildings and floor space ratio maps at an appropriate scale, which clearly identify the subject site; and
 - f) include a project timeline, consistent with Section 2.6 Part 6 of the department's *A Guide to Preparing Planning Proposals*.
2. The RPA is to demonstrate that the planning proposal satisfies the requirements of State Environmental Planning Policy (SEPP) 55 – Remediation of Land. It is noted that an initial site contamination investigation report has been prepared. This report is to be included as part of the public exhibition material.
3. 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 a minimum of **28 days**; and
 - (b) the RPA 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).
4. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:
 - Origin Energy
 - Transport for NSW - RailCorp
 - Transport for NSW – Roads and Maritime Services
 - Sydney Water

- Telstra

Each public authority 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.

5. 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 the RPA from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
6. The timeframe for completing the LEP is to be **18 months** from the week following the date of the Gateway determination.

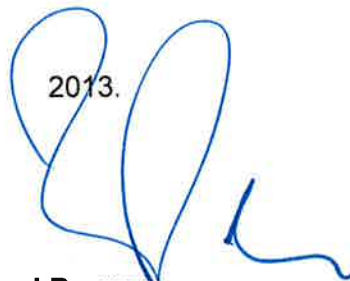
Dated

31

day of

May

2013.



Richard Pearson
Deputy Director General
Planning Operations and Regional Delivery
Department of Planning and Infrastructure

Delegate of the Minister for Planning and
Infrastructure