

Hamish McNulty
Acting General Manager
Cumberland Council
PO Box 42
MERRYLANDS NSW 2160

Dear Mr McNulty

Planning proposal [PP_2017_CUMBE_005_00] to amend Holroyd Local Environmental Plan 2013

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 16 March 2018 in respect of the planning proposal to increase height of buildings and floor space ratio in the Wentworthville town centre, introduce commercial floor space bonus incentive, amend design excellence provision and amend zone and land acquisition provisions on part of 21 Station Street.

As delegate of the Greater Sydney Commission, I have now determined the planning proposal should proceed subject to the conditions in the enclosed Gateway determination.

The Gateway determination requires Council to undertake a range of actions, and seek the Department's endorsement of a revised planning proposal prior to the commencement of community consultation.

On 1 June 2017 the state government announced the Wentworthville Planned Precinct. As detailed studies are underway to consider opportunities for additional housing and jobs in the broader Wentworthville Planned Precinct, Council is requested to continue its close consultation with the Department's Greater Parramatta Urban Renewal team to identify any opportunities to review and update the planning proposal prior to forwarding to the Department for finalisation.

The Gateway determination requires the inclusion of a satisfactory arrangements provision for contributions to designated state public infrastructure along with early consultation with both Transport for NSW and Roads and Maritime Services.

I have also agreed, as delegate of the Secretary, the planning proposal's inconsistency with section 9.1 Direction 4.3 Flood Prone Land is justified in accordance with the terms of the Direction. No further approval is required in relation to this Direction.

Plan-making powers were delegated to councils by the Minister in October 2012. I note that Council has not requested delegation to finalise the plan. I have considered the nature of the planning proposal and decided not to issue authorisation in this instance given the potential impact on the regional transport network and the Wentworthville Planned Precinct currently under investigation.

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 and Environment to draft and finalise the LEP should be made 8 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 Greater Sydney Commission may take action under section 3.32(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any further enquiries about this matter, I have arranged for Mr Sebastian Tauni to assist you. Mr Tauni can be contacted on 8217 2018.

Yours sincerely


Ann-Maree Carruthers
Director, Sydney Region West
Planning Services

25/5/18

Encl: Gateway Determination

Gateway Determination

Planning proposal (Department Ref: PP_2017_CUMBE_005_00 to increase height of buildings and floor space ratio in the Wentworth town centre, introduce commercial floor space bonus incentive, amend design excellence provision and amend zone and land acquisition provisions on part of 21 Station Street.

I, the Director, Sydney Region West at the Department of Planning and Environment, as delegate of the Greater Sydney Commission, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Holroyd Local Environmental Plan (LEP) 2013 to increase height of buildings and floor space ratio in the Wentworth town centre, introduce commercial floor space bonus incentive, amend design excellence provision and amend zone and land acquisition provisions on part of 21 Station Street should proceed subject to the following conditions:

1. Prior to undertaking community consultation, Council is required to:
 - (a) review and consider the potential to include a minimum floor space requirement for commercial premises and health services facilities as part of the proposed floorspace bonus incentive provision;
 - (b) amend the Explanation of Provisions to clarify the intended application of Design Excellence, existing and proposed bonus FSR provisions;
 - (c) ensure satisfactory arrangements are proposed for contributions to designated state public infrastructure;
 - (d) consult Transport for NSW and Roads and Maritime Services and update in accordance with any comments provided; and
 - (e) submit the revised proposal to the Department for endorsement.
2. Community consultation is required under section 3.34(2)(c) and schedule 1, clause 4 of the *Environmental Planning and Assessment Act 1979* (the Act) as follows:
 - (a) The planning must be made publicly available for a minimum of **28 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 local environmental plans* (Department of Planning and Environment 2016).

3. Consultation is required with the following public authorities and organisations under section 3.34(2)(d)) of the Act and/or to comply with the requirements of relevant Section 9.1 Directions:

- Transport for NSW;
- Transport for NSW – Roads and Maritime Services;
- Transport for NSW – Sydney Trains;
- Department of Education;
- Department of Industry – Crown Lands and Water Division; and
- Office of Environment and Heritage – Floodplain Division.

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. 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).
5. The timeframe for completing the LEP is to be **12 months** following the date of the Gateway determination.

Dated 25th day of May 2018.



Ann-Maree Carruthers
Director, Sydney Region West
Planning Services
Department of Planning and Environment

Delegate of the Greater Sydney Commission