



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

Dear Mr McNulty

Planning proposal PP_2019_CUMBE_006_00 harmonisation of existing LEP's to establish the Cumberland Local Environmental Plan

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) in respect of the planning proposal to establish a new Cumberland Local Environmental Plan (LEP) by harmonising the Auburn LEP 2010, Parramatta LEP 2011 and Holroyd LEP 2013. I note that this planning proposal is the first stage to giving effect to your Local Strategic Planning Statement.

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. One such condition is the need to demonstrate that the proposed changes within the Parramatta Road Corridor will result in no net increase to traffic generation. If this cannot be adequately demonstrated in consultation with Transport for NSW and Roads and Maritime Services, then this proposed amendment is conditioned to be removed.

I have also agreed, as delegate of the Secretary, the planning proposal's inconsistencies with section 9.1 Directions 1.1 Business and Industrial Zones, 3.1 Residential Zones, 4.1 Acid Sulfate Soils, and 6.3 Site Specific Provisions is of minor significance and justified in accordance with the terms of the Direction. No further approval is required in relation to these Directions.

Council may still need to obtain the agreement of the Secretary to comply with the requirements of relevant section 9.1 Directions 2.3 Heritage Conservation and 7.3 Parramatta Road Corridor Urban Transformation Strategy. Council should ensure this occurs prior to the plan being made.

I note Council has raised concerns regarding its ability to submit the planning proposal to the Department by the 30 June 2020 due to the impact the COVID – 19 pandemic may have on community consultation. The Department is looking into this issue, including best practice community consultation over this period and I will provide further advice when available.. At this stage, the Gateway has been issued to require Council to submit the planning proposal to the Department for finalisation prior to 30 June 2020. 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 before the required 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.

Should you have any enquiries about this matter, I have arranged for Ms Holly Villella to assist you. Ms Villella can be contacted on 9860 1477.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Catherine Van Laeren', with a small dot to the right.

23/03/20

Catherine Van Laeren
Executive Director
Central River City and Western Parkland City

Encl: Gateway determination