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Mr John Burgess  
General Manager  
Auburn City Council  
PO Box 118  
AUBURN NSW 1835

Our ref: PP\_2012\_AUBUR\_003\_00 (12/15328)  
Your ref: PP-9/2011

Dear Mr Burgess,

### **Planning proposal to amend Auburn Local Environmental Plan 2010**

I am writing in response to your Council's letter dated 21 August 2012 requesting a Gateway determination under section 56 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") in respect of the planning proposal to amend the Auburn Local Environmental Plan (LEP) 2010 to rezone land at 33, 35, 37, 39, 41 and 43 Cumberland Road, Auburn from RE1 Public Recreation to R2 Low Density Residential.

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

I have also agreed that the planning proposal's inconsistency with S117 Direction 6.2 Reserving Land for Public Purposes is of minor significance. No further approval is required in relation to this Direction.

The amending Local Environmental Plan (LEP) is to be finalised within 6 months of the week following the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal within four (4) weeks from the week following this determination. Council's request for the department to draft and finalise the LEP should be made six (6) weeks prior to the projected publication date.

The NSW 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 s54(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 Tai Ta of the regional office of the department on 02 9873 8500..

Yours sincerely,

  
**Sam Haddad**  
Director-General

9/10/2012.

## Gateway Determination

**Planning proposal (Department Ref: PP\_2012\_AUBUR\_003\_00):** to amend the Auburn Local Environmental Plan 2010 to rezone land for residential purposes.

I, the Director-General, 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;

- (a) rezone land at 33, 35, 37, 39, 41 and 43 Cumberland Road, Auburn from RE1 Public Recreation to R2 Low Density Residential;
- (b) amend the Maximum Height of Buildings map;
- (c) amend the Minimum Lot Size map; and
- (d) amend the Land Reserved for Acquisitions map

should proceed subject to the following conditions:

1. 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 is classified as low impact as described in *A Guide to Preparing LEPs (Department of Planning 2009)* and must be made publicly available for **14 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 4.5 of *A Guide to Preparing LEPs (Department of Planning 2009)*.
2. No consultation is required with public authorities under section 56(2)(d) of the EP&A Act.
3. 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 Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
4. The timeframe for completing the LEP is to be **6 months** from the week following the date of the Gateway determination.

Dated

9<sup>th</sup>

day of

October

2012.

*SHaddad*

Sam Haddad

Director-General

Delegate of the Minister for Planning and  
Infrastructure