



Mr Mark Brisby
General Manager
Auburn City Council
PO Box 118
AUBURN NSW 1835

Our ref: 14/15078
Your ref: T058666/2014
(PP-3/2014)

Dear Mr Brisby

**Gateway Determination - Auburn Local Environmental Plan 2010
Amendment No. 14 – Rezoning of Marsden Street Precinct, Lidcombe**

I am writing in response to Council's request for a Gateway determination for a planning proposal to rezone land bounded by Railway, East, James and Mark Streets, Lidcombe, from IN2 Light Industrial and R4 High Density Residential to B4 Mixed Use and to rezone four sites from IN2 Light Industrial to RE1 Public Recreation. Land bounded by these streets is known as the Marsden Street Precinct, Lidcombe.

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

The Minister delegated plan making powers to councils in October 2012. It is noted that Council intends to use its delegation pursuant to Section 23 of the Environmental Planning and Assessment Act 1979 as the matter is considered to be of local significance.

I have considered the nature of Council's planning proposal and have decided to issue an authorisation for Council to exercise delegation to make this plan.

I have also agreed that the planning proposal's inconsistency with s117 Directions 1.1 Business and Industrial zones and 6.2 Reserving Land for Public Purposes, is of minor significance. No further approval is required in relation to these Directions.

The amending Local Environmental Plan (LEP) is to be finalised within 12 months of the week following 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 to draft and finalise the LEP should be made directly to Parliamentary Counsel's Office six (6) weeks prior to the projected publication date. A copy of the request should be forwarded to the Department for administrative purposes.

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 relation to this matter, please contact Mr Tai Ta on (02) 98601560.

Yours sincerely

RJ Cumming
30/9/2014

Rachel Cumming
**Director, Metropolitan Delivery (Parramatta)
Planning Services**

Department of Planning & Environment

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Gateway Determination

Planning proposal (Department Ref: PP_2014_AUBUR_002_00): to rezone land bounded by Railway, East, James and Mark Streets, Lidcombe, from IN2 Light Industrial and R4 High Density Residential to B4 Mixed Use and to rezone four sites from IN2 Light Industrial to RE1 Public Recreation. Land bounded by these streets is known as the Marsden Street Precinct, Lidcombe.

I, the Director, Metropolitan Delivery (Parramatta), at the Department of Planning and Environment, as delegate of the Minister for Planning, have determined under section 56(2) of the EP&A Act that an amendment to the Auburn Local Environmental Plan (LEP) 2010 to rezone the Marsden Street Precinct, Lidcombe, 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 must be made available for 28 days; and
 - (b) the relevant planning authority must comply with notice requirements for public exhibition of planning proposals and the specifications for material that must be available along with planning proposals.
2. Council is to include the Marsden Street Precinct Lidcombe Zoning Review (AECOM-30 June 2014) and Council's 2008 Employment Lands Study in the consultation/exhibition material.
3. Council is to complete and exhibit a supporting traffic and transport study for the precinct.
4. Council is to amend the relevant section of the Auburn Development Control Plan 2010 to address the planning proposal and place this draft amendment on exhibition.
5. A phase 1 contamination assessment is to be prepared to meet the requirements of clause 6 of State Environmental Planning Policy 55 – Remediation of Land.
6. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:
 - NSW Department of Education and Communities;
 - Office of Environment and Heritage;
 - Department of Health;
 - NSW Police Service;
 - Housing NSW;
 - Transport for New South Wales;
 - Energy Australia;
 - Sydney Water;
 - Fire and Rescue NSW;
 - Roads and Maritime Service; and
 - Adjoining LGAs
7. 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).

8. The time frame for completing the LEP is 12 months from the week following the date of Gateway determination.

RJ Cumming 30/9/2014

Rachel Cumming
Director
Metropolitan Delivery (Parramatta)
Planning Services

Delegate of the Minister for Planning



WRITTEN AUTHORISATION TO EXERCISE DELEGATION

Auburn City Council is authorised to exercise the functions of the Minister for Planning under section 59 of the *Environmental Planning and Assessment Act 1979* that are delegated to it by instrument of delegation dated 14 October 2012, in relation to the following planning proposal:

Number	Name
PP_2014_AUBUR_002_00	Planning proposal to rezone land bounded by Railway, East, James and Mark Streets, Lidcombe, from IN2 Light Industrial and R4 High Density Residential to B4 Mixed Use and to rezone four sites from IN2 Light Industrial to RE1 Public Recreation.

In exercising the Minister's functions under section 59, the Council must comply with the Department's "A guideline for the preparation of local environmental plans" and "A guide to preparing planning proposals".

R Cumming
30/9/2014

**Rachel Cumming
Director, Metropolitan Delivery (Parramatta)
Planning Services**

Delegate of the Minister for Planning

Attachment 5 – Delegated plan making reporting template

Reporting template for delegated LEP amendments

Notes:

- Planning proposal number will be provided by the department following receipt of the planning proposal
- The department will fill in the details of Tables 1 and 3
- RPA is to fill in details for Table 2
- If the planning proposal is exhibited more than once, the RPA should add additional rows to **Table 2** to include this information
- The RPA must notify the relevant contact officer in the regional office in writing of the dates as they occur to ensure the department's publicly accessible LEP Tracking System is kept up to date
- A copy of this completed report must be provided to the department with the RPA's request to have the LEP notified

Table 1 – To be completed by the department

Stage	Date/Details
Planning Proposal Number	PP_2014_AUBUR_002_00
Date Sent to Department under s56	07/7/2014
Date considered at LEP Review Panel	N/A
Gateway determination date	30 September 2014

Table 2 – To be completed by the RPA

Stage	Date/Details	Notified Reg Off
Dates draft LEP exhibited		
Date of public hearing (if held)		
Date sent to PCO seeking Opinion		
Date Opinion received		
Date Council Resolved to Adopt LEP		
Date LEP made by GM (or other) under delegation		
Date sent to DP&I requesting notification		

Table 3 – To be completed by the department

Stage	Date/Details
Notification Date and details	

Additional relevant information: