



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

Dear Mr McNulty

Planning proposal PP_2019_CUMBE_001_00 to amend Auburn Local Environmental Plan 2010

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) on 13 February 2019 in respect of the planning proposal at 4-12 Railway Street Lidcombe which seeks to increase height of building controls and to include a site-specific floor space ratio provision.

As delegate of the Minister, I have now determined that the planning proposal should proceed subject to the conditions in the enclosed Gateway determination. In particular, a condition has been included requiring Council to clarify whether the proposed bonus provision applies to residential or non-residential development and to update the planning proposal to address Council's draft 'Cumberland Employment and Innovation Strategy and Land Use Planning Framework' draft strategy.

It is noted that Council has requested to be authorised as the local plan-making authority. I have considered the nature of Council's planning proposal and have conditioned the Gateway for Council to be authorised as the local plan-making authority.

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 to draft and finalise the LEP should be made directly to Parliamentary Counsel's Office six weeks prior to the projected publication date. A copy of the request should be forwarded to the Department of Planning and Environment.

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 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

23/4/2019

Encl: Gateway determination
Authorised plan-making reporting template