

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

Dear Mr McNulty

**Planning proposal PP_2017_CUMBE_004_00 to amend Auburn Local
Environmental Plan 2010**

I am writing in response to Council's request of 27 November 2017 for a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* (the Act) and additional information received on 4 December 2017 in respect of the planning proposal to permit an educational establishment at 2 Percy Street, Auburn.

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 that Council review and consider the proposed floor space ratio controls should the proponent be able to demonstrate a suitable built form outcome by further urban design testing to Council's satisfaction. Council is also requested to update the planning proposal to consider further traffic modelling being completed by Council for the broader precinct, and to undertake early consultation with Transport for NSW and Roads and Maritime Services.

I have agreed, as delegate of the Secretary, that the planning proposal's inconsistency with section 117 Direction 4.3 Flood Prone Land is of minor significance.

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 to exercise delegation in this instance given the potential impact on the regional road network and the state significant development application being assessed by the Department of Planning and Environment.

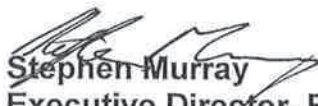
The amending LEP is to be finalised within 12 months of the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request for the Department to draft and finalise the LEP should be made eight weeks prior to the projected 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. To meet these commitments, the Greater Sydney Commission may take action under section 54(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 of the Department's Sydney Region West team to assist you. Mr Tauni can be contacted on 8217 2018.

Yours sincerely

 20 February 2018
Stephen Murray
Executive Director, Regions
Planning Services

Encl: Gateway determination