

Gateway Determination

Planning Proposal (Department Ref: PP_2017_CUMBE_004_00): to permit educational establishment as an additional permissible use at 2 Percy Street Auburn.

I, the Executive Director, Regions at the Department of Planning and Environment, as delegate of the Greater Sydney Commission, have determined under section 56(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to Auburn Local Environmental Plan (LEP) 2010 to permit educational establishment as an additional permissible use at 2 Percy Street, Auburn should proceed subject to the following conditions:

1. Prior to undertaking community consultation, Council is required to:
 - (a) amend the planning proposal to provide more justification regarding the proposed additional permitted use rather than applying a land use zone that permits educational facilities;
 - (b) prepare a Phase 1 – Preliminary Site Contamination Investigation Study for the site in accordance with the *Managing Land Contamination Planning Guidelines* (Environment Protection Authority, 1998);
 - (c) review and consider the proposed floor space ratio control should the proponent be able to demonstrate through urban design testing to Council's satisfaction that additional floor space can be supported at the site;
 - (d) complete the updated traffic study for the Gelibolu precinct and update the planning proposal in accordance with the findings/recommendations of the study;
 - (e) on completion of condition 1(d), the planning proposal is to be referred to Transport for NSW and the Roads and Maritime Services, and amended in accordance with any comments received; and
 - (f) confirm local and state infrastructure requirements (including improvements for traffic, parking, transport, recreation and community facilities) to support the additional use.
2. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:
 - (a) the planning proposal must be made publicly available for a minimum of **28 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 5.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment 2016).

3. Consultation is required with the following public authorities and organisations under section 56(2)(d) of the Act and/or to comply with the requirements of relevant section 117 Directions:

- Department of Education;
- Department of Industry – Crown Lands and Water Division; and
- Office of Environment and Heritage – Floodplain Division.

Each public authority/organisation is to be provided with a copy of the planning proposal and any relevant supporting material and given at least 21 days to comment on the proposal.

4. Prior to finalisation, review the proposed height of building control having regard to the findings of the view-line analysis being carried out as part of the Auburn and Lidcombe Town Centres Strategy being undertaken by Council.
5. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the 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).
6. The time frame for completing the LEP is to be **12 months** following the date of the Gateway determination.

Dated 20th day of February 2018



Stephen Murray
Executive Director, Regions
Planning Services
Department of Planning and Environment

Delegate of the Greater Sydney Commission