



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

Dear Mr McNulty

Planning proposal PP_2019_CUMBE_003_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) and updated planning proposal received on 2 September 2019 in respect of the planning proposal to add the B5 Business Development to the Auburn Local Environmental Plan 2012 land use table, rezone 2 Bachell Avenue, Lidcombe from IN1 General Industrial to B5 Business Development and to amend associated development controls.

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

I have also agreed, as delegate of the Secretary, the planning proposal's inconsistency with Section 9.1 Direction 4.1 Acid Sulfate Soils is of minor significance. No further approval is required in relation to this Direction. Council may still need to obtain the agreement of the Secretary to comply with the requirements of Direction 4.3 Flood Prone Land prior to the plan being made.

I have considered Council's request to be the local plan-making authority and have determined not to condition the Gateway for Council to be the local plan-making authority as there are unresolved Section 9.1 Directions and there is a requirement to further consider the urban design outcomes and consistency with the District Plan prior to finalisation.

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 for the Department of Planning, Industry and Environment 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. 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, please contact Holly Villella on 9860 1477.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Catherine Van Laeren', followed by a small dot.

16/12/19

Catherine Van Laeren
Acting Executive Director
Central River City and Western Parkland City

Encl: Gateway determination