



Planning & Environment

Ms Mary-Lynne Taylor
Chair
Sydney West Joint Regional Planning Panel
GPO Box 39
Sydney NSW 2001

Attention: Ms S Jattan

Dear Ms Taylor

Mary Lynne

Planning Proposal to amend Auburn Local Environmental Plan 2010

I am writing in response to the Panel's letter requesting a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to amend *Auburn Local Environmental Plan 2010* by changing the zoning, floor space ratio and height of building controls and introducing a site specific clause for land bounded by Amy, Smith and Maunder Streets, Regents Park.

As delegate of the Greater Sydney Commission, I have now determined that the planning proposal should proceed subject to the conditions in the attached Gateway determination.

I have also agreed, as delegate of the Secretary, the planning proposal's inconsistencies with S117 Directions 4.1 Acid Sulfate Soils and 6.3 Site Specific Provisions are of minor significance. No further approval is required in relation to these Directions. I have, however, noted that while it is proposed to zone part of the site to a RE1 Public Recreation zone, an acquisition authority has not been nominated within the planning proposal.

I appreciate that it is intended that this matter be addressed by way of a local voluntary planning agreement and I would urge the Panel to resolve this matter during the plan making process. Following the consultation period, should the Panel resolve to have the plan made, please provide an update on consistency with Section 117 Direction 6.2 Reserving Land for Public Purposes.

The amending Local Environmental Plan (LEP) is to be finalised within 18 months of the week following the date of the Gateway determination. The Panel should aim to commence the exhibition of the planning proposal as soon as possible. The Panel's request for the Department of Planning and Environment to draft and finalise the LEP should be made 6 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 Commission may take action under s54(2)(d) of the Act if the timeframes outlined in this determination are not met.

Should you have any queries in regard to this matter, I have arranged for Ms Lillian Charlesworth, of the Department's regional office to assist you. Ms Charlesworth can be contacted on (02) 9860 1510.

Yours sincerely



Marcus Ray
Deputy Secretary
Planning Services

Encl:
Gateway determination

Gateway Determination

Planning proposal (Department Ref: PP_2016_AUBUR_002_00): to amend the zoning, floor space ratio and height of buildings controls and introduce a site specific clause for land bounded by Amy, Smith and Maunder Streets, Regents Park.

I, the Deputy Secretary, Planning Services, 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 the *Auburn Local Environmental Plan 2010* (LEP) to amend the zoning, floor space ratio and height of building controls and introduce a site specific clause for land bounded by Amy, Smith and Maunder Streets, Regents Park, should proceed subject to the following conditions:

1. Prior to exhibition, the relevant planning authority is to:
 - (a) amend the planning proposal to clearly follow the requirements in Section 2 (Parts of a planning proposal) of *A Guide to Preparing Planning Proposals* (Department of Planning and Infrastructure 2012).
 - (b) include all additional material, currently in the planning proposal that does not form part of these requirements, in an appendix to the planning proposal;
 - (c) include the document entitled "Planning Proposal Supplement" within the planning proposal in order that the planning proposal is self-contained in one document;
 - (d) remove references to section 117 Direction 7.1 Implementation of a Plan for Growing Sydney, the Metropolitan Plan for Sydney 2036 and the Draft Metropolitan Strategy for Sydney to 2031, and instead provide comments on A Plan for Growing Sydney; and
 - (e) prepare a traffic impact assessment and include this with exhibition and consultation material.
2. 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 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 identified in section 5.5.2 of 'A Guide to Preparing LEPs' (Department of Planning and Infrastructure 2012).
3. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:
 - Transport for NSW - Road and Maritime Services; and
 - Cumberland Council.

Each public authority 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. 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 the relevant planning authority from any obligation it may otherwise have to conduct a public hearing (for instance in response to a submission or if reclassifying land).
5. The timeframe for completing the Local Environmental Plan is to be 18 months from the week following the date of the Gateway determination.

Dated 15th day of July 2016



Marcus Ray
Deputy Secretary
Planning Services
Department of Planning and Environment
Delegate of the Greater Sydney Commission