



Mr Daniel Anderson
Executive Manager Environment & Precincts
Cumberland Council
16 Memorial Avenue
PO Box 42
MERRYLANDS NSW 2160

Dear Mr Anderson,

Planning proposal PP_2020_CUMBE_001_00 to amend Holroyd Local Environmental Plan 2013

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 additional information received on date 13 February 2020 and 10 March 2020 in respect of the planning proposal to amend the Height of Building, Floor Space Ratio and additional permitted uses controls to facilitate the development of a shop-top housing development with residential apartments, a private gymnasium and commercial/retail uses.

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.

Council may still need to obtain the agreement of the Secretary to comply with the requirements of relevant section 9.1 Directions 1.1 Business and Industrial Zones and 6.3 Site Specific Provisions and these Directions should be addressed in the planning proposal prior to exhibition.

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 for the following reason(s):

1. there are outstanding section 9.1 Directions which require further justification; and
2. to ensure appropriate consideration of the planning proposal having regard to the Wentworthville Town Centre planning proposal.

The amending local environmental plan (LEP) is to be finalised within nine 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, I have arranged for Ms Nichola Cook to assist you. Ms Cook can be contacted on 9860 1553.

Yours sincerely



11/03/2020

Christine Gough
Acting Director, Central (GPOP)
Central River City and Western Parkland City

Encl: Gateway determination
Authorised plan-making reporting template



Gateway Determination

Planning proposal (Department Ref: PP_2020_CUMBE_001_00): to increase the height and density controls at 55-57 Station Street and 6 Pritchard Street East to facilitate a shop-top housing development with residential apartments, private gymnasium and commercial/retail uses.

I, the Acting Director, Central (GPOP) at the Department of Planning, Industry and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Holroyd Local Environmental Plan (LEP) 2013 to increase the height and density controls and introduce a site specific provision at 55-57 Station Street and 6 Pritchard Street East, Wentworthville should proceed subject to the following conditions:

1. Prior to public exhibition, Council is to update the planning proposal as follows:
 - (a) Update the proposed maps in the planning proposal to clearly identify the intended changes.
 - (b) Update the planning proposal to address the inconsistency with section 9.1 Directions 1.1 Business and Industrial zones and 6.3 Site Specific Provisions in relation to the proposed private gymnasium on the ground floor.
2. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
 - (a) the planning proposal must be made publicly available for a minimum of **28 days**; and
 - (b) the planning proposal 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 6.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment, 2018).
3. A public hearing is not required to be held into the matter by any person or body under section 3.34(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).

4. The time frame for completing the LEP is to be **9 months** following the date of the Gateway determination.

Dated 11th day of March 2020.



Christine Gough
Acting Director, Central (GPOP)
Central River City and Western
Parkland City
Department of Planning, Industry and
Environment

Delegate of the Minister for Planning
and Public Spaces