



Mr Brian Barrett
General Manager
Inner West Council
PO Box 14
PETERSHAM NSW 2049

Dear Mr Barrett

Planning proposal PP_2021_2911 to amend Marrickville Local Environmental Plan 2011

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) in respect of the planning proposal to rezone 58-76 Stanmore Road, 2-20 Tupper Street and 3-9 Alma Avenue and amend the development standards to enable residential flat buildings and mixed-use development comprising up to 160 dwellings and 1550m² of commercial and club floor space.

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 is justified in accordance with the terms of the Direction. No further approval is required in relation to this Direction.

I have also agreed, as delegate of the Secretary, that the planning proposal is consistent with section 9.1 Direction 1.1 however that an amended planning proposal is required to provide a statement of consistency with the Direction.

Council may still need to obtain the agreement of the Secretary to comply with the requirements of relevant section 9.1 Directions, or demonstrate that any inconsistency is minor and/or justified, with the relevant section 9.1 Directions 2.3, 2.6, 3.1, 3.4, 3.5 and 6.3.

Council is encouraged to engage with proponent to ensure the realisation and delivery of the community benefits, as stated in the planning proposal and accompanying documentation. This may include the contribution of affordable housing.

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 the planning proposal relates to matters which require alignment and

consistency with District Plan and Local Strategic Planning Statement priorities, section 9.1 Directions and State Environmental Planning Policies.

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, I have arranged for Ms Chloe Desgrand to assist you. Ms Desgrand can be contacted on (02) 8275 1248.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'M. McDonald', is positioned below the text 'Yours sincerely'.

7 June 2021

Malcolm McDonald
Executive Director, Eastern Harbour City
Greater Sydney, Place and Infrastructure

Encl: Gateway determination