



Mr Peter Gainsford
General Manager
Inner West Council
PO Box 14
PETERSHAM NSW 2049

IRF22/1918

Dear Mr Gainsford

Planning proposal PP-2022-1921 to amend the Inner West Local Environmental Plan 2022

I am writing in response to the planning proposal you have forwarded to the Minister under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to implement Stage 1 of the *Parramatta Road Corridor Urban Transformation Strategy 2016* (PRCUTS) in parts of the PRCUTS Precincts of Leichhardt, Taverners Hill and Kings Bay.

As delegate of the Minister for Planning and Homes, I have 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 inconsistency of the planning proposal with applicable directions of the Minister under section 9.1 of the EP&A Act, being 4.5 Acid Sulfate Soils, 5.3 Development Near Regulated Airports and Defence Airfields, 6.3 Site Specific Provisions, and 7.1 Business and Industrial Zones are justified in accordance with the terms of the Directions.

Council may still need to obtain the agreement of the Secretary to comply with the requirements of relevant applicable Directions of the Minister under section 9.1 of the EP&A Act, being Directions 1.5 Parramatta Road Corridor Urban Transformation Strategy, 4.1 Flooding and 5.2 Reserving Land for Public Purposes. Council should ensure this occurs prior to the LEP being made.

With regard to Direction 1.5, in addition to matters specified in the Gateway conditions, Council should consult with Transport for NSW (TfNSW) specifically highlighting proposed setbacks to Parramatta Road and any future road reserve requirements of TfNSW to facilitate transport outcomes as identified in the PRCUTS. With regard to Direction 5.2, consultation with TfNSW is required with regard to the TfNSW owned car park at 2 Hay Street, Leichhardt and its proposed rezoning from B2 Local Centre to RE1 Public Recreation.

As you are aware, the NSW Government has launched an Independent Flood Inquiry (the Inquiry) into the 2022 catastrophic flood event across NSW. Until the Government's response to the Inquiry is publicly available, Council is required to seek the Department's advice before requesting finalisation of this flood affected planning proposal. This will create an opportunity for the Department and Council to ensure appropriate decisions are made for this proposal.

I have determined not to authorise Council to be the local plan-making authority as the planning proposal seeks to implement parts of the PRCUTS, a NSW Government strategy.

The amending Local Environmental Plan (LEP) is to be finalised on or before **20 October 2023**. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request for the Department of Planning and Environment to draft and finalise the LEP should be made eight weeks in advance of the date the LEP is projected to be made.

The NSW Government has committed to reduce the time taken to complete LEPs. To meet these commitments, the Minister may appoint an alternate planning proposal authority if Council does not meet the timeframes outlined in the Gateway determination.

The Department's categorisation of planning proposals in the *Local Environmental Plan Making Guideline* (Department of Planning and Environment, 2021) is supported by category specific timeframes for satisfaction of conditions and authority and Government agency referrals, consultation, and responses. Compliance with milestones will be monitored by the Department to ensure planning proposals are progressing as required.

Should you have any enquiries about this matter, I have arranged for Ms Lawren Drummond to assist you. Ms Drummond can be contacted on 9274 6185 or by email at lawren.drummond@planning.nsw.gov.au.

Yours sincerely



Amanda Harvey
Executive Director, Metro East and South
Planning and Land Use Strategy

20 October 2022

Encl: Gateway determination