

Gateway Determination

Planning proposal (Department Ref: PP_2016_BURWO_005_00): to increase the maximum building height and floor space ratio for 42-50 and 52-60 Railway Parade, Burwood to facilitate a mixed use development.

I, the Executive Director, Regions 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 Burwood Local Environmental Plan (LEP) 2012 to increase the maximum building height to 107 metres and 140 metres, and increase the floor space ratio to 9.9:1 for 42-50 and 52-60 Railway Parade, Burwood to facilitate a mixed use development proceed subject to the following conditions:

1. Initial consultation regarding the planning proposal is to be undertaken with the following public authorities:
 - Sydney Airport Corporation Limited (SACL), Bankstown Airport Limited (BAL), Civil Aviation Safety Authority (CASA) and Airservices Australia (AsA) in relation to maximum building heights; and
 - Roads and Maritime Services (RMS) in relation to traffic impacts of the proposed density on the site.

These public authorities are to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment.

2. Prior to community consultation, the following studies are to be prepared/updated to support and amend the planning proposal to address any advice from the above authorities:
 - (a) an Urban Design Analysis to assess the impact of the development on neighbouring sites, in particular overshadowing on Burwood Public School, surrounding heritage items and open/public spaces;
 - (b) an updated Traffic Impact Assessment to address any impacts raised during consultation with RMS on the local and wider road network, and outline measures to mitigate these impacts; and
 - (c) an updated Economic Impact Assessment justifying the proposed increase and demand for the proposal, addressing the effect of the development on the Burwood Town Centre and nearby centres, and demonstrating how this uplift will support the District Centre status of Burwood, as outlined in the draft Central District Plan.
3. A site specific Development Control Plan (DCP) is to be prepared and exhibited concurrently with the planning proposal.
4. The planning proposal is to be updated for clarification of the following:
 - (a) remove the draft local clause 6.7 and replace with a plain English explanation of the proposal's provisions;

- (b) demonstrate consistency with the draft Central District Plan, released on 21 November 2016; and
- (c) include an updated Floor Space Ratio map, reflecting the proposed local provision.
5. Prior to community consultation the revised planning proposal is to be submitted to the Director, Sydney Region East for consideration.
6. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:
- (a) the planning proposal must be made 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 as identified in section 5.5.2 of *A Guide to Preparing LEPs* (Department of Planning and Environment 2016).
7. Consultation is required with the following public authorities under section 56(2)(d) of the Act and/or to comply with the requirements of relevant S117 Directions:
- Office of Environment and Heritage
 - Transport for NSW
 - Sydney Trains
 - Sydney Water
 - Energy Australia
 - Ministry for Health
 - Department of Education
- 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.
8. A public hearing is not required to be held into the matter by any person or body under section 56(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).
9. The timeframe for completing the LEP is to be **18 months** from the week following the date of the Gateway determination.

Dated 26th day of February 2017


Stephen Murray
Executive Director, Regions
Planning Services
Department of Planning and Environment

Delegate of the Greater Sydney Commission

BURWOOD PP_2016_BURWO_005_00 (16/16142)