



Mr Michael McMahon
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Our ref: PP_2015_BURWO_003_00 (15/11563)

Dear Mr McMahon

Planning proposal to amend Burwood Local Environmental Plan 2012

I am writing in response to your letter, dated 28 September 2015, requesting a Gateway Determination under section 56 of the *Environmental Planning and Assessment Act 1979* (the Act) for a planning proposal to amend Schedule 5 – Environmental Heritage of *Burwood Local Environmental Plan 2012* by listing the building at 100 Lucas Road, Burwood as a local heritage item, and deleting the local heritage item at 13 Archer Street, Burwood.

As delegate of the Minister for Planning, I have now determined the planning proposal should proceed subject to the conditions outlined in the attached Gateway Determination.

Plan making powers were delegated to councils by the Minister in October 2012. It is noted that Council has requested to be issued with the delegation for this planning proposal. I have considered the nature of Council's planning proposal and have decided to issue an authorisation for Council to exercise delegation to make this plan.

The amended Local Environmental Plan is to be finalised within **6 months** of the week following the date of the Gateway Determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request to draft and finalise the Local Environmental Plan should be made directly to Parliamentary Counsel's Office six weeks prior to the projected publication date. A copy of the request should be forwarded to the Department of Planning and Environment's regional team for administrative purposes.

The State Government is committed to reducing the time taken to complete Local Environmental Plans 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 54(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, I have arranged for Mr Alan Chen of the Department of Planning and Environment's regional office to assist. Mr Chen can be contacted on (02) 9228 6410.

Yours sincerely


Lee Mulvey
Director, Metropolitan (CBD)
Planning Services

21/10/15

Encl: Gateway Determination; Written Authorisation to Exercise Delegation