

Mr Michael McMahon
General Manager
Burwood Council
PO Box 240
BURWOOD NSW 1805

Dear Mr McMahon

Planning Proposal PP_2017_BURWO_2017_001_00 to amend Council Local Environmental Plan 2012

I am writing in response to Council's request for a Gateway determination under Section 56 of the *Environmental Planning and Assessment Act 1979* (the Act) and additional information received on 21 and 26 September 2017 in respect of the Planning Proposal to list Ely House, 122-126 Burwood Road, Burwood in Schedule 5 Environmental Heritage to Burwood Local Environmental Plan 2012.

As delegate of the Greater Sydney Commission, I have now determined the planning proposal should proceed subject to the conditions 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 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 amending Local Environmental Plan (LEP) is to be finalised within 6 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 to draft and finalise the LEP should be made directly to Parliamentary Counsel's Office 6 weeks prior to the projected publication date. A copy of the request should be forwarded to the Department of Planning and Environment.

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 Greater Sydney Commission 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 further enquiries about this matter, I have arranged for Mr Andrew Watkins to assist you. Mr Watkins can be contacted on (02) 9274 6558.

Yours sincerely

 6/10/17

Karen Armstrong
**Director, Sydney Region East
Planning Services**

Encl: Gateway Determination
Written Authorisation to Exercise Delegation
Delegated Plan Making Reporting Template

WRITTEN AUTHORISATION TO EXERCISE DELEGATION

City of Burwood Council is authorised to exercise the functions of the Minister for Planning under section 59 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) that are delegated to it by instrument of delegation dated 14 October 2012, in relation to the following planning proposal:

Number	Name
PP_2017_BURWO_001_00	Planning proposal to list Ely House, 122-126 Burwood Road, Burwood in Schedule 5 Environmental Heritage to Burwood Local Environmental Plan 2012.

In exercising the Minister for Planning's functions under Section 59 of the EP&A Act, the Council must comply with the Department's "A guide to preparing local environmental plans 2016" and "A guide to preparing planning proposals 2016".

Dated *6th October* 2017


Karen Armstrong
Director, Sydney Region East
Planning Services
Department of Planning and Environment

**Delegate of the Secretary
of the Department of Planning and Environment**

Attachment 5 – Delegated plan making reporting template

Reporting template for delegated LEP amendments

Notes:

- Planning proposal number will be provided by the Department of Planning and Environment following receipt of the planning proposal.
- The Department of Planning and Environment will fill in the details of Tables 1 and 3.
- RPA is to fill in details for Table 2.
- If the planning proposal is exhibited more than once, the RPA should add additional rows to **Table 2** to include this information.
- The RPA must notify the relevant contact officer in the regional office in writing of the dates as they occur to ensure the publicly accessible LEP Tracking System is kept up to date.
- A copy of this completed report must be provided to the Department of Planning and Environment with the RPA's request to have the LEP notified.

Table 1 – To be completed by Department of Planning and Environment

Stage	Date/Details
Planning Proposal Number	PP_2017_BURWO_001_00
Date Sent to DP&E under s56	12 September 2017 (with further information on 21 and 26 September 2017).
Date considered at LEP Review Panel (if applicable)	N/A
Gateway determination date	6 OCTOBER 2017

Table 2 – To be completed by the RPA

Stage	Date/Details	Notified Reg Off
Dates draft LEP exhibited		
Date of public hearing (if held)		
Date sent to PCO seeking Opinion		
Date Opinion received		
Date Council Resolved to Adopt LEP		
Have changes been made to the draft LEP after obtaining final PC opinion?	YES NO	
Date LEP made by GM (or other) under delegation		
Date sent to DPE requesting notification		

Table 3 – To be completed by Department of Planning and Environment

Stage	Date/Details
Notification Date and details	

Additional relevant information: