

Gateway Determination

Planning Proposal (Department Ref: PP_2017_BURWO_001_00): to list Ely House, 122-126 Burwood Road, Burwood in Schedule 5 Environmental Heritage of Burwood Local Environmental Plan 2012.

I, the Director, Sydney Region East, 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 Council Local Environmental Plan (LEP) 2012 should proceed subject to the following conditions:

1. Prior to community consultation, the planning proposal is to be updated to:
 - a. include a clear statement that the proposal seeks the listing of the whole property in Schedule 5 of the Burwood Local Environmental Plan 2012 and, a statement of those elements of the property that are considered to be of heritage significance; and
 - b. in relation to any proposed draft provisions, clearly state that the wording of any such provisions will be subject to possible revision by Parliamentary Counsel's Office.
2. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:
 - (a) the planning proposal is classified as low impact as described in *A guide to preparing local environmental plans* (Department of Planning and Environment 2016) and must be made publicly available for a minimum of **14 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 local environmental plans* (Department of Planning and Environment 2016).
3. Consultation is required with the NSW Office of Environment and Heritage (OEH) under section 56(2)(d) of the Act. The OEH 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.
4. 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).



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5. The timeframe for completing the LEP is to be **6 months** following the date of the Gateway determination.

Dated *6th* day of *OCTOBER* 2017.

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

Delegate of the Greater Sydney Commission