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Our ref: PP_2014_STRAT_004_00 (14/11673)

Mr David Backhouse
General Manager
Strathfield Municipal Council
PO BOX 120
STRATHFIELD NSW 2135

Dear Mr Backhouse,

Planning proposal to amend Strathfield Local Environmental Plan 2014

I am writing in response to your Council's letter dated 4 July 2014 requesting a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to list Strathfield Synagogue, at 19 Florence Street, Strathfield, as a local heritage item, in Schedule 5 of Strathfield LEP 2012.

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

It is noted that Council has requested an exhibition period of 28 days. The Department has considered the nature of Council's proposal, and considers the proposal to be classified as low impact, requiring a public exhibition period of a minimum of 14 days, in accordance with *A Guide to preparing LEPs*. This does not preclude Council from exhibiting the proposal longer than the specified minimum time period. Note the planning proposal should be amended by updating the project timeline, prior to public exhibition.

The Department of Planning and Environment consulted with the Office of Environment and Heritage (see attached letter from NSW Heritage Council) in considering the proposal. The Office raised no objection to the proposal, and further counselled that advice may be sought from the NSW Heritage Council's Religious Property Advisory Panel (Panel). Note that a condition of the Gateway requires consultation with the Office of Environment and Heritage. I encourage Council to seek the advice of the Panel in undertaking this consultation, if considered necessary.

The Minister delegated plan making powers to Councils 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 LEP 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 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 for administrative purposes.

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 Minister may take action under section 54(2)(d) of the Act if the time frames outlined in this determination are not met.

If you have any queries in regard to this matter, I have arranged Ms Louise Starkey of the Metropolitan Delivery (CBD) branch to assist you. Ms Starkey can be contacted on (02) 8575 4104.

Yours sincerely,



Lee Mulvey
Director, Metropolitan Delivery (CBD)
Planning Services

Encl:

Gateway Determination

Written Authorisation to Exercise Delegation

Attachment 5 – Delegated Plan Making Reporting Template

Letter from the Office of Environment and Heritage (NSW Heritage Council)



Gateway Determination

Planning proposal (Department Ref: PP_2014_STRAT_004_00): to list Strathfield Synagogue, at 19 Florence Street, Strathfield, as a local heritage item in Schedule 5 of Strathfield LEP 2012.

I, the Director, Metropolitan Delivery (CBD), at the Department of Planning and Environment, as delegate of the Minister for Planning, have determined under section 56(2) of the *Environmental Planning and Assessment Act 1979* that an amendment to the Strathfield LEP 2012 to list Strathfield Synagogue, at 19 Florence Street, Strathfield, as a local heritage item in Schedule 5 of Strathfield LEP 2012, should proceed subject to the following conditions:

1. Community consultation is required under sections 56(2)(c) and 57 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) as follows:
 - (a) the planning proposal is classified as low impact as described in *A Guide to Preparing LEPs (Department of Planning and Environment 2013)* and must be made publicly available for a minimum of **14 days**;
 - (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 2013)*; and
2. Consultation is required with the Office of Environment and Heritage (NSW Heritage Council) under section 56(2)(d) of the EP&A Act. The Office 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.
3. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A 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).
4. The timeframe for completing the LEP is to be **6 months** from the week following the date of the Gateway determination.

Dated 3rd day of October 2014.


Lee Mulvey
Director, Metropolitan Delivery, (CBD)
Planning Services
Department of Planning and Environment

Delegate of the Minister for Planning