

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

Our ref: PP_2016_BURWO_003_00 (16/14931)
Your ref: 16/53078

Dear Mr McMahon,

Planning proposal to amend Burwood Local Environmental Plan 2012

I am writing in response to your Council's letter dated 9 November 2016 requesting a Gateway determination under section 56 of the Environmental Planning and Assessment Act 1979 (the Act) in respect of the planning proposal to amend the planning controls for 2-18A Cooper Street (excluding 2B) and 43A and 45 Wentworth Road, Strathfield.

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.

Council may still need to obtain the agreement of the Department's Secretary to comply with the requirements of S117 Direction 2.3 Heritage Conservation. Council should ensure this occurs prior to the plan being made.

Plan making powers were delegated to councils by the Minister in October 2012. It is noted that Council has not sought this delegation. I have considered the nature of Council's planning proposal and have decided not to issue an authorisation for Council to exercise delegation to make this plan.

The amending Local Environmental Plan (LEP) is to be finalised within 12 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 for the Department of Planning and Environment to draft and finalise the LEP should be made 6 weeks prior to the projected publication date.

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.

Should you have any queries in regard to this matter, I have arranged for Ms Ella Wilkinson of the Department's Sydney Region East team to assist you. Ms Wilkinson can be contacted on (02) 9373 2833.

Yours sincerely

 21 December 2016
Stephen Murray
Executive Director, Regions
Planning Services

Encl:
Gateway Determination