



Mr Tommaso Briscese
Acting General Manager
Burwood Council
PO Box 240
BURWOOD NSW 1805

Dear Mr Briscese

Planning Proposal PP_2019_BURWO_002_00 to amend Burwood Local Environmental Plan 2012

I am writing in response to Council's request for a Gateway determination under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) on 1 July 2019 in respect of the planning proposal to prohibit the subdivision of dual occupancy development in the R2 Low Density Residential zone, except where each resulting lot would comply with existing Council controls for the subdivision of land under the Burwood Local Environment Plan (LEP) 2012.

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

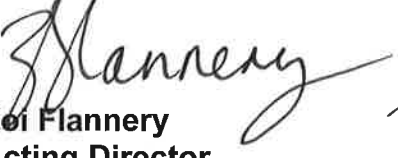
It is noted that Council has requested to be authorised as the local plan-making authority. I have considered the nature of Council's planning proposal and have conditioned the Gateway for Council to be authorised as the local plan-making authority.

The amending local environmental plan (LEP) is to be finalised within 12 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 six weeks prior to the projected publication date. A copy of the request should be forwarded to the Department of Planning, Industry 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 Minister may take action under section 3.32(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 Alexander Galea at the Department to assist you. Mr Galea can be contacted on 8289 6793.

Yours sincerely


Zoi Flannery 24.1.2020
Acting Director,
Eastern and South Districts
Place, Design and Public Spaces

Encl: Gateway determination