

Mr Michael G McMahon
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Our ref: PP_2013_BURWO_002_00 (13/12545)
Your ref: 13/27720

Attention: Ms Diwei Luo, Manager, Strategic Planning

Dear Mr McMahon,

Planning proposal to amend Burwood Local Environmental Plan 2012

I am writing in response to Council's letter dated 17 July 2013 requesting a Gateway determination under section 56 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") in respect of the planning proposal to reduce the maximum building height from 26m to 8.5m and maximum floor space ratio from 3:1 to 1:1 for land bounded by Wentworth Road, Railway Crescent, Gladstone Street and Carilla Street, Burwood.

As delegate of the Minister for Planning and Infrastructure, I have now determined that the planning proposal should not proceed. The reasons for not proceeding with this proposal are identified below and outlined in the attached Gateway determination.

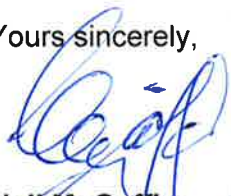
The planning proposal to reduce the maximum building height and floor space ratio for land at Burwood is not supported because it lacks strategic justification for the reduction of employment and housing opportunities in an area that is located within the Burwood Major Centre and in close proximity to existing infrastructure, public transport and services. The planning proposal is inconsistent with the Metropolitan Plan for Sydney 2036 because the proposal does not encourage new housing in areas close to services, to meet population growth. No strategic evidence has been provided to identify how the reduced growth of this proposal may be offset or compensated in other localities near existing centres or transport modes.

Furthermore, the proposal is inconsistent with S117 Directions 3.1 Residential Zones, 3.4 Integrating Land Use and Transport and 7.1 Implementation of the Metropolitan Plan for Sydney 2036 and Council has not adequately justified the loss of residential development potential for the site in the context of the overall dwelling forecast for the Burwood local government area to 2031, as identified in the draft Inner West Subregional Strategy, or identified areas suitable to accommodate additional housing to meet the dwelling forecast.

While the planning proposal is not supported at this stage, Council is encouraged to undertake strategic planning work prior to submitting its proposal for the subject land, including outlining how the Burwood local government area will meet its housing forecast to 2031. I understand that this proposal was discussed at a quarterly meeting between department and Council staff on 11 September 2013, where Council advised that there may be future opportunities that could offset the down zoning proposed. Consequently, Council may wish to lodge this planning proposal as part of a proposal for an up zoning at other locations.

Should you have any queries in regard to this matter, please contact Ms Sarah Waterworth of the regional office of the department on 02 8575 4110.

Yours sincerely,



30.9.13.

Neil McGaffin
Acting Deputy Director General
Planning Operations and Regional Delivery

Gateway Determination

Planning proposal (Department Ref: PP_2013_BURWO_002_00): to reduce the maximum building height and maximum floor space ratio for land at Burwood.

I, the Deputy Director General, Planning Operations and Regional Delivery at the Department of Planning and Infrastructure as delegate of the Minister for Planning and Infrastructure, have determined under section 56(2) of the EP&A Act that an amendment to the Burwood Local Environmental Plan (LEP) 2012 to reduce the maximum building height from 26m to 8.5m and maximum floor space ratio from 3:1 to 1:1 for land bounded by Wentworth Road, Railway Crescent, Gladstone Street and Carilla Street, Burwood should not proceed for the following reasons:

1. The planning proposal is inconsistent with S117 Directions 3.1 Residential Zones, 3.4 Integrating Land Use and Transport and 7.1 Implementation of the Metropolitan Plan for Sydney 2036 because the proposal reduces the ability of land within a major centre to provide for new housing.
2. The planning proposal is inconsistent with the Metropolitan Plan for Sydney 2036 because it proposes to reduce the ability of land within the Burwood Major Centre and which is close to existing infrastructure, public transport, services and jobs to accommodate housing growth.
3. The planning proposal is inconsistent with 'The Vision Document' - Incorporating the Burwood Strategic Planning Review and Town Centre Masterplan' (2004), which identifies the precinct as being suitable for residential flat buildings with no limit proposed on building height.
4. The planning proposal does not provide any strategic support to justify the loss of residential development potential for the subject land in the context of the overall dwelling forecast for the Burwood local government area to 2031, or adequately identify areas suitable to accommodate additional housing to meet the dwelling forecast.

Dated

30th

day of

September

2013.



Neil McGaffin
Acting Deputy Director General
Planning Operations and Regional Delivery
Department of Planning and Infrastructure

Delegate of the Minister for Planning and
Infrastructure