

## Alteration of Gateway Determination

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**Planning proposal (Department Ref: PP\_2014\_BURWO\_003\_00):** to insert a bonus FSR mechanism for residential development in Burwood Town Centre and apply a design excellence clause for all new development, three or more storeys, across the Local Government Area.

I, the Deputy Secretary of 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) to alter the Gateway determination dated 11 April 2015 for the proposed amendment to the *Burwood Local Environmental Plan 2012* as follows:

1. Insert new condition 7:

7. Prior to further community consultation, the planning proposal is to be updated to:
  - (a) demonstrate consistency with *A Plan for Growing Sydney*, released on 14 December 2014;
  - (b) provide a plain English explanation of the intended effect of the proposed changes;
  - (c) remove the requirement for a developer to enter into a Voluntary Planning Agreement and/or to dedicate land and/or undertake works in exchange for bonus FSR;
  - (d) reflect that the 10 per cent bonus FSR mechanism may be granted to residential development in Area 1 (Commercial Core) and Area 2 (Middle Ring) of the Burwood Town Centre, and that the bonus residential FSR will be above and beyond the maximum FSR applying to the site;
  - (e) state clearly that any bonus residential FSR given will not simultaneously reduce, restrict or otherwise limit the overall floor space available for commercial or other uses; and
  - (f) apply the design excellence clause for all new development three or more storeys to the following zones only: B4 Mixed Use and B2 Local Centre.

2. Insert new condition 8:

8. Further community consultation is required under sections 56(2)(c) and 57 of the Act as follows:
  - (a) the planning proposal must be made publicly available for a minimum of **28 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 LEPs* (Department of Planning and Environment 2013).

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3. Insert new condition 9:

9. Further consultation is required with the following public authorities under section 56(2)(d) of the Act and/or to comply with the requirements of relevant S117 Directions:

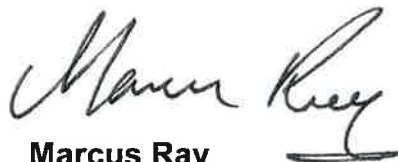
- Office of Environment and Heritage
- EnergyAustralia
- Transport for NSW, including Sydney Trains
- Roads and Maritime Services
- State Water Corporation
- Telstra
- UrbanGrowth NSW

Each public authority 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. Delete condition 6, and insert new condition 10:

10. The timeframe for completing the Local Environmental Plan is by **11 October 2016**.

Dated 15th day of March 2016.



**Marcus Ray**  
**Deputy Secretary**  
**Planning Services**  
**Department of Planning and Environment**

**Delegate of the Greater Sydney Commission**