



# Planning



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Department Generated Correspondence (Y)

## Office of the Director General

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Our ref: PP\_2009\_BURWO\_002\_00

Mr Pat Romano  
General Manager  
Burwood Council  
PO Box 240  
BURWOOD NSW 1805

Dear Mr Romano,

**Re: Planning Proposal to permit "refreshment rooms" at 135-137 Liverpool Road, Burwood (Lot 1 DP 329914)**

I am writing in response to your Council's letter dated 15 December 2009 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 amend the Burwood Planning Scheme Ordinance 1979 to permit "refreshment rooms" at 135-137 Liverpool Road, Burwood.

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

The Gateway Determination requires that the planning proposal be made publicly available for a period of 14 days. Under section 57(2) of the Act, I am satisfied that the planning proposal is in a form that can be made available for community consultation.

The amending Local Environmental Plan (LEP) is to be finalised within 6 months of the week following the date of the Gateway Determination.

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 s54(2)(d) of the EP&A Act if the time frames outlined in this determination are not met.

When changing current zones into the Standard Instrument zones under its Principal LEP, Council is advised to investigate the differences between the permissible uses in the existing 3(a) and 3(b) zones and the existing land uses along Parramatta Road and Liverpool Road, and to ensure the zoning of the centres along these corridors is less fragmented and more coherent.

Should you have any queries in regard to this matter, please contact Tharani Yoganathan of the Regional Office of the Department.

Yours sincerely,

**Ian Reynolds**  
A/Director General

22.1.10

## Gateway Determination

**Planning Proposal (Department Ref: PP\_2009\_BURW\_002\_00):** To permit "refreshment rooms" at 135-137 Liverpool Road, Burwood (Lot 1 DP 329914).

I, the A/Director General as delegate of the Minister for Planning, have determined under section 56(2) of the EP&A Act that an amendment to the Burwood Planning Scheme Ordinance 1979 to permit "refreshment rooms" at 135-137 Liverpool Road, Burwood (Lot 1 DP 329914), 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 2009) and must be made publicly available for **14 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 4.5 of *A Guide to Preparing LEPs* (Department of Planning 2009).
2. Consultation is required with the NSW Roads and Traffic Authority under section 56(2)(d) of the EP&A Act.

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.
3. No public hearing is to be held into the matter under section 56(2)(e) of the EP&A Act.
4. The timeframe for completing the LEP is to be **6 months** from the week following the date of the Gateway determination.

Dated 22<sup>nd</sup> day of January 2010.



**Ian Reynolds**  
**A/Director General**  
**Delegate for the Minister for Planning**