



Mr Rik Hart
Interim General Manager
Inner West Council
PO Box 14
Petersham NSW 2049

17/01890

Dear Mr Hart

Planning proposal to amend Marrickville Local Environmental Plan 2011.

I am writing in response to your Council's letter dated 3 January 2017 requesting a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to The intention of the planning proposal is to rezone land at 85 Margaret Street, Petersham, from SP2 Educational Establishments to R2 Low Density Residential and apply planning controls.

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.

In relation to S117 Direction 6.2 Reserving Land for Public Purposes, I have agreed to the reduction of land for public purposes. No further approval is required in relation to these Directions.

Plan making powers were delegated to councils by the Minister for Planning in October 2012. It is noted that Council has now accepted this delegation. I have considered the nature of Council's planning proposal and have decided to issue an authorisation for Council to exercise delegation to make this plan.

The amending Local Environmental Plan is to be finalised within 9 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 to draft and finalise the Local Environmental Plan should be made directly to Parliamentary Counsel's Office 6 weeks prior to the projected publication date. A copy of the request should be forwarded to the Department of Planning and Environment's regional team for administrative purposes.

The State Government is committed to reducing the time taken to complete Local Environmental Plans 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 Greater Sydney Commission 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 Helen Wilkins of the Department of Planning and Environment's regional office to assist. Ms Wilkins can be contacted on (02) 9274 6559.

Yours sincerely,


Karen Armstrong 27/1/17
Director, Sydney Region East
Planning Services

Encl:
Gateway Determination
Written Authorisation to Exercise Delegation
Attachment 5 – Delegated Plan Making Reporting Template

Gateway Determination

Planning proposal (Department Ref: PP_2017_IWEST_002_00): to rezone 85 Margaret Street, Petersham, from SP2 Educational Establishments to R2 Low Density Residential and apply planning controls.

I, the Director, Sydney Region East, at 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) that an amendment to the Marrickville Local Environmental Plan 2011 to rezone land at 85 Margaret Street, Petersham, from SP2 Educational Establishments to R2 Low Density Residential and apply planning controls, should proceed subject to the following conditions:

1. 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)*.

2. 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:

- Department of Education and Communities
- Office of Environment and Heritage

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.

3. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
4. The timeframe for completing the Local Environmental Plan is to be **9 months** from the week following the date of the Gateway determination.

Dated 27th day of JANUARY 2017.


Karen Armstrong
Director, Sydney Region East
Planning Services

Delegate of the Greater Sydney Commission



WRITTEN AUTHORISATION TO EXERCISE DELEGATION

Inner West Council is authorised to exercise the functions of the Minister for Planning under section 59 of the *Environmental Planning and Assessment Act 1979* that are delegated to it by instrument of delegation dated 14 October 2012, in relation to the following planning proposal:

Number	Name
PP_2017_IWEST_002_00	Planning proposal to rezone land at 85 Margaret Street, Petersham, from SP2 Educational Establishments to R2 Low Density Residential and apply planning controls.

In exercising the Minister's functions under section 59, the Council must comply with the Department of Planning and Environment's "*A guide to preparing local environmental plans*" and "*A guide to preparing planning proposals*".

Dated *27th January* 2017


Karen Armstrong
Director, Sydney Region East
Planning Services

Delegate of the Greater Sydney Commission