

## Gateway Determination

**Planning proposal (Department Ref: PP-2023-2702):** to list 23, 25 and 27 Woodside Avenue, Burwood, as local heritage items within Part 1 (Heritage Items) of Schedule 5 (Environmental Heritage) of the Burwood LEP 2012, and amend the associated Heritage Map to identify the sites as heritage items.

I, the Director, Agile Planning, at the Department of Planning, Housing and Infrastructure, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Burwood Local Environmental Plan 2012 to heritage list to list 23, 25 and 27 Woodside Avenue, Burwood in Schedule 5, Part 1, should proceed subject to the following conditions:

The Council as planning proposal authority is authorised to exercise the functions of the local plan-making authority under section 3.36(2) of the Act subject to the following:

- (a) the planning proposal authority has satisfied all the conditions of the gateway determination;
- (b) the planning proposal is consistent with applicable directions of the Minister under section 9.1 of the Act or the Secretary has agreed that any inconsistencies are justified; and
- (c) there are no outstanding written objections from public authorities.

The LEP should be completed on or before 22 July 2024.

### Gateway Conditions

1. Prior to exhibition, the planning proposal is to be amended to:
  - Provide an image of the current Burwood LEP 2012 Heritage Map (Sheet HER\_001), identifying the existing local heritage items and HCA in the vicinity of the site, and;
  - Update the project timeline in Part 6 of the planning proposal to align with the timeframe specified in the Gateway determination.
2. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:
  - (a) the planning proposal is categorised as basic as described in the *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023) and must be made publicly available for a minimum of 10 working days; and
  - (b) the planning proposal 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 *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023).

3. Consultation is required with Heritage NSW under section 3.34(2)(d) of the Act. Heritage NSW is to be provided with a copy of the planning proposal and any relevant supporting material and given at least 30 working days to comment on the proposal.
4. A public hearing is not required to be held into the matter by any person or body under section 3.34(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).

Dated 5 February 2024

A handwritten signature in black ink, appearing to read 'Louise McMahon', is centered on the page.

**Louise McMahon**  
**Director**  
**Agile Planning**  
**Department of Planning, Housing and**  
**Infrastructure**

**Delegate of the Minister for Planning and**  
**Public Spaces**