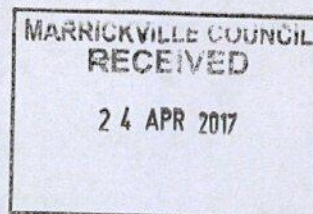


Mr Rik Hart
Interim General Manager
Inner West Council
2-14 Fisher Street,
PETERSHAM NSW 2049

Our ref: PP_2017_IWEST_007_00 (17/04946)



Attention: Maxine Bayley

Dear Mr Hart

Planning proposal to amend Marrickville Local Environmental Plan 2011

I am writing in response to your Council's letter dated 21 March, 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 include 34 Belmore St, Enmore as a local heritage item.

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.

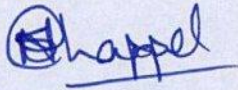
Plan making powers were delegated to councils by the Minister in October 2012. It is noted that Council has requested to be issued with delegation for this planning proposal. I have considered the nature of Council's planning proposal and have decided to issue an authorisation for Council to exercise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

The amending Local Environmental Plan (LEP) 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 LEP 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 for administrative purposes.

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 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 Jazmin van Veen of the Department's Sydney Region East office to assist you. Ms van Veen can be contacted on (02) 9373 2877.

Yours sincerely

A handwritten signature in blue ink that reads "Sandy Chappel". The signature is written in a cursive style with a circular flourish at the beginning.

19.4.17

Sandy Chappel
Director, Sydney Region East
Planning Services

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

Gateway Determination

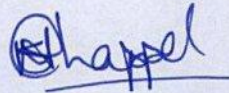
Planning proposal (Department Ref: PP_2017_IWEST_007_00): to amend Schedule 5, Part 1 of the Marrickville Local Environmental Plan 2011 (MLEP2011) to include the weatherboard Victorian Filigree freestanding house at 34 Belmore St, Enmore as an item of local heritage significance.

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 Schedule 5, Part 1 of the Marrickville Local Environmental Plan 2011 (MLEP2011) to include the weatherboard Victorian Filigree freestanding house at 34 Belmore St, Enmore as an item of local heritage significance should proceed subject to the following conditions:

1. Prior to community consultation, the Heritage Assessment Report is to be updated to include an assessment of the significance of the interior of the dwelling or the removal of this component from the proposed listing.
2. 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 Infrastructure 2016)*.
3. Consultation is required with the Office of Environment and Heritage under section 56(2)(d) of the Act. The Office of Environment and Heritage 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. 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).

5. The timeframe for completing the LEP is to be **9 months** from the week following the date of the Gateway determination.

Dated 19th day of April 2017

A handwritten signature in blue ink, appearing to read "Sandy Chappel", with a horizontal line underneath.

Sandy Chappel
Director, Sydney Region East
Planning Services
Department of Planning and Environment

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_007_00	Proposal to include 34 Belmore St, Enmore as a local heritage item.

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 19th April 2017

Sandy Chappel
Director, Sydney Region East
Planning Services
Department of Planning and Environment

Delegate of the Greater Sydney Commission

Attachment 5 – Delegated plan making reporting template

Reporting template for delegated LEP amendments

Notes:

- Planning proposal number will be provided by the Department of Planning and Environment following receipt of the planning proposal
- The Department of Planning and Environment will fill in the details of Tables 1 and 3
- RPA is to fill in details for Table 2
- If the planning proposal is exhibited more than once, the RPA should add additional rows to **Table 2** to include this information
- The RPA must notify the relevant contact officer in the regional office in writing of the dates as they occur to ensure the publicly accessible LEP Tracking System is kept up to date
- A copy of this completed report must be provided to the Department of Planning and Environment with the RPA's request to have the LEP notified

Table 1 – To be completed by Department of Planning and Environment

Stage	Date/Details
Planning Proposal Number	PP_2017_IWEST_007_00
Date Sent to DoP&E under s56	21/03/2017
Date considered at LEP Review Panel	N/A
Gateway determination date	19/04/2017

Table 2 – To be completed by the RPA

Stage	Date/Details	Notified Reg Off
Dates draft LEP exhibited		
Date of public hearing (if held)		
Date sent to PCO seeking Opinion		
Date Opinion received		
Date Council Resolved to Adopt LEP		
Date LEP made by GM (or other) under delegation		
Date sent to DoP&E requesting notification		

Table 3 – To be completed by Department of Planning and Environment

Stage	Date/Details
Notification Date and details	

Additional relevant information: