



15/16070

Mr Tim Moore  
Director, Planning Services  
Marrickville Council  
PO Box 14  
PETERSHAM NSW 2049

Dear Mr Moore

### **Planning proposal to amend Marrickville Local Environmental Plan 2011**

I am writing in response to your Council's letter 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: include 75 new heritage items and two new heritage conservation areas; amend an existing heritage item and three existing heritage conservation areas; and to correct various anomalies to the heritage schedule of Marrickville Local Environmental Plan 2011.

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

The amending Local Environmental Plan (LEP) is to be finalised within 12 months of the week following the date of the Gateway determination. Council should commence the exhibition of the planning proposal as soon as possible. Council's request for the Department of Planning and Environment to draft and finalise the LEP should be made at least 8 weeks prior to the projected publication date.

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 section 54(2)(d) of the EP&A Act if the timeframes outlined in this determination are not met.

Should you have any queries in regard to this matter, I have arranged for Mr Michael Kokot of the Department's Metropolitan (CBD) team to assist you. Mr Kokot can be contacted on (02) 9228 6564.

Yours sincerely,

 29/11/15  
**Lee Mulvey**  
**Director, Metropolitan (CBD)**  
**Planning Services**

Encl: Gateway Determination



## Gateway Determination

***Planning proposal (Agency Ref: PP\_2015\_MARRI\_002\_00): include 75 new heritage items and two new heritage conservation areas; to amend an existing heritage item and three existing heritage conservation areas; and to correct various anomalies to the heritage schedule of Marrickville Local Environmental Plan 2011.***

I, the Director, Metropolitan (CBD) at the Department Planning and Environment, as delegate of the Minister for Planning, have determined under section 56(2) of the Environmental Planning and Assessment Act 1979 (EP&A Act) that an amendment to Marrickville Local Environmental Plan (LEP) 2011 to: include 75 new heritage items and two new heritage conservation areas; amend an existing heritage item and three existing heritage conservation areas; and to correct various anomalies to the heritage schedule of Marrickville LEP 2011, should proceed subject to the following conditions:

1. Prior to public exhibition, the planning proposal is to be updated to:
  - (a) map the existing heritage item (Carrington Road, Marrickville) proposed to be changed;
  - (b) provide details of the changes to the heritage items and conservation areas for which amendments to correct anomalies and errors are proposed, as well as appropriate mapping identifying these matters; and
  - (c) include heritage listing identification numbers for the new heritage items and conservation areas shown on the proposed revised heritage map sheets from Marrickville LEP 2011. These should be added to the list of the heritage items, to enable correlation with the mapping.
2. Council is also required to place the supporting heritage studies on public exhibition with the planning proposal.
3. Consultation with the Office of Environment and Heritage is to be undertaken prior to public exhibition. The 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, or to indicate that it will require additional time to comment on the proposal. The planning proposal is to be amended to respond to any issues raised as part of this consultation.
4. 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 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 (Planning & Infrastructure 2013)*.

5. The timeframe for completing the LEP is to be **12 months** from the week following the date of the Gateway determination.

Dated **24<sup>th</sup>** day of **November** 2015



**Lee Mulvey**  
**Director, Metropolitan (CBD)**  
**Planning Services**  
**Delegate of the Minister for Planning**