



New South Wales

Environmental Planning and Assessment (Burwood Town Centre Planning Panel) Order 2007

under the

Environmental Planning and Assessment Act 1979

I, FRANK SARTOR, the Minister for Planning, in pursuance of sections 118 and 118AA of the *Environmental Planning and Assessment Act 1979*, make the following Order.

Dated, this 19th day of July 2007.

FRANK SARTOR, M.P.,
Minister for Planning

Explanatory note

The object of this Order is to establish the Burwood Town Centre Planning Panel as a planning assessment panel and to confer on that panel certain of Burwood Council's town planning functions in relation to the Burwood Town Centre.

This Order is made under sections 118 and 118AA of the *Environmental Planning and Assessment Act 1979*.

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Environmental Planning and Assessment Act 1979

1 Name of Order

This Order is the *Environmental Planning and Assessment (Burwood Town Centre Planning Panel) Order 2007*.

2 Commencement

This Order commences on 20 July 2007.

3 Definitions

In this Order:

the Act means the *Environmental Planning and Assessment Act 1979*.

the Burwood Town Centre means the area of land shown edged heavy black on the map marked "Burwood Town Centre Planning Panel Map", a copy of which is deposited in the offices of the Department.

the Council means Burwood Council.

the Panel means the planning assessment panel established by section 118AA of the Act pursuant to the amendment, by clause 4 of this Order, of Part 1 of Schedule 5B to the Act.

4 Amendment of Schedule 5B to the Act to establish the Panel

Part 1 of Schedule 5B to the Act is amended by inserting the following matter immediately below the heading to the Part:

Burwood Town Centre Planning Panel

5 Appointment of Panel to exercise the Council's planning functions

- (1) The Panel is appointed to exercise all functions of the Council:
 - (a) as a consent authority under Part 4 of the Act, but only in relation to development with an estimated cost of more than \$40,000,000,
 - (b) in relation to the making of environmental planning instruments under Part 3 of the Act,but only in relation the Burwood Town Centre.

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- (2) The functions that the Panel may exercise as a consent authority under Part 4 of the Act extend to any development application made before the commencement of this Order.
 - (3) The functions that the Panel may exercise in relation to the making of environmental planning instruments under Part 3 of the Act extend to the making of any plan (such as draft *Burwood Town Centre Local Environmental Plan 2007*) whose making commenced before the commencement of this Order.
 - (4) For the purposes of subclause (1) (a), the estimated cost of development is to be determined by reference to a genuine estimate of:
 - (a) for any building to be erected:
 - (i) the costs associated with the construction of the building, and
 - (ii) the costs associated with the preparation of the building for the purpose for which it is to be used (such as the costs of installing plant, fittings, fixtures and equipment), and
 - (b) for any work to be carried out, the construction costs of the work, and
 - (c) for the demolition of any building or work, the costs of demolition.