



Planning & Environment

WARRINGAH COUNCIL
SCANNED
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14 MAR 2016
MAIL ROOM

Mr Rick Hart
General Manager
Warringah Council
725 Pittwater Road
Dee Why NSW 2099

16/03812

Dear Mr Hart

Planning proposal to amend Warringah Local Environmental Plan 2011

I am writing in response to your Council's letter dated 28 January 2015 requesting a Gateway determination under section 56 of the Environmental Planning and Assessment Act 1979 (the Act) in respect of the planning proposal to amend Warringah Local Environmental Plan (LEP) 2011 to rezone six lots in Forestville local centre and to reclassify one of these lots.

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.

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 for the Department of Planning and Environment to draft and finalise the LEP should be made 6 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 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 Lauren Templeman of the Department's Sydney Region East office to assist you. Ms Templeman can be contacted on (02) 9228 6590.

Yours sincerely


Karen Armstrong 7/3/16
Director, Sydney Region East
Planning Services

Encl:
Gateway Determination



Gateway Determination

Planning proposal (Department Ref: PP_2016_WARRI_001_00: to amend *Warringah Local Environmental Plan 2011* to rezone six lots in Forestville local centre and to reclassify one of these lots.

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 *Warringah Local Environmental Plan 2011* to rezone six lots in Forestville local centre and to reclassify one of these lots, 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 is classified as low impact as described in *A Guide to Preparing LEPs (Department of Planning and Infrastructure 2013)* and must be made publicly available for a minimum of 14 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 2013)*.
2. Consultation is required with the Department of Primary Industries (DPI) – Land and Natural Resources under section 56(2)(d) of the Act, regarding the rezoning of Crown land currently managed by Council. The DPI 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. Maps clearly identifying the subject sites and showing both the current and proposed situation are to be exhibited with the planning proposal. Maps are to be consistent with the Department's Standard Technical Requirements for Spatial Datasets and Maps.
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. Upon resubmission to the Department following community consultation, the planning proposal must indicate that the provisions of "Practice Note 09-003 Classification reclassification of public land through a LEP" have been considered and adhered to.

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

Dated *7th* day of *March* 2016



Karen Armstrong
Director, Sydney Region East
Planning Services
Department of Planning and Environment

Delegate of the Greater Sydney
Commission