



Mr Ray Brownlee
Chief Executive Officer
Northern Beaches Council
PO Box 82
MANLY NSW 1655

Attention: Louise Kerr, Director Planning & Place

Dear Mr Brownlee

Planning proposal PP_2019_NBEAC_002_00 to amend Warringah Local Environmental Plan 2011

I am writing in response to Council's request for a Gateway determination under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) and the revised planning proposal received on 6 May 2019 in respect of the planning proposal to rezone four parcels of Crown land downstream of Manly Dam, in the suburbs of Manly Vale and Allambie Heights from R2 Low Density Residential to RE1 Public Recreation and remove development standards.

As delegate of the Minister for Planning and Public Spaces, I have now determined that the planning proposal should proceed subject to the conditions in the enclosed Gateway determination.

I have also agreed, as delegate of the Secretary, the planning proposal's inconsistency with section 9.1 Direction 3.1 Residential Zones is justified in accordance with the terms of the Direction. No further approval is required in relation to this Direction.

Council may still need to obtain the agreement of the Secretary to comply with the requirements of relevant section 9.1 Direction 4.3 Planning for Bushfire Protection. Council should ensure this occurs prior to the plan being made.

I have considered Council's request to be the local plan-making authority and have determined not to condition the Gateway for Council to be the local plan-making authority due to an unresolved consistency with Section 9.1 Direction 4.3 Planning for Bushfire Protection.

The amending local environmental plan (LEP) is to be finalised within nine months of 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, Industry and Environment to draft and finalise the LEP should be made eight 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 3.32(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any enquiries about this matter, I have arranged for Ms Yolande Miller to assist you. Ms Miller can be contacted on 9274 6500.

Yours sincerely

 9/8/19
Amanda Harvey
Director, Sydney Region East
Place, Design and Public Spaces

Encl: Gateway determination