



# INNER WEST COUNCIL

18 March 2019

Amanda Harvey  
Director, Sydney Region East  
Department of Planning & Environment  
GPO Box 39  
SYDNEY NSW 2001

## **RERERRAL OF PLANNING PROPOSAL SEEKING GATEWAY DETERMINATION TO AMEND PARTICULAR CLAUSES IN THE ASHFIELD LOCAL ENVIRONMENTAL PLAN (ALEP) 2013**

This letter seeks Gateway Determination for delegation to be given to Council to become the Planning Proposal Authority for the Planning Proposal in **Attachment 1**.

The Planning Proposal seeks amendments to the ALEP 2013 to delete in Schedule 2 Exempt Development, the clause – “Minor alterations (external) comprising Heritage items or in a Heritage Conservation Areas”. Also to make amendments to Clause 4.1 A(2) which pertains to small lot subdivision to exclude the clause from applying to heritage items.

Council considered a report (dated 11 December 2018) on 5 February 2019 contained in **Attachment 2** and resolved as follows:

- 1. The attached Planning Proposal for amendments to the Ashfield Local Environmental Plan 2013, Schedule 2 - Exempt Development as indicated in the report be forwarded to the Minister for Planning for a Gateway Determination in accordance with the Environmental Planning and Assessment Act 1979;**
- 2. The Department of Planning and Environment be requested to delegate the plan making functions for the Planning Proposal to Council to be made the Planning Proposal Authority;**
- 3. Following receipt of a Gateway Determination, the Planning Proposal in the form required and supporting documentation be placed on public exhibition by Council for a minimum of 28 days and public authorities be consulted in accordance with the Determination; and**
- 4 A report be presented to Council on completion of the public exhibition which will address submissions received.**

## **Proposed community engagement**

It is considered there should be a minimum 28 day community consultation period. **Table 1** below has a proposed timeline. It is considered that the Office of Environment and Heritage should be consulted.

## **Request to authorise delegation to Council to progress plan-making process**

The General Manager in **Attachment 3** has determined there is no requirement for prior referral of the Planning Proposal to the Local Planning Panel, with the Council having agreed with this in its consideration of the 5 February 2019 Council report.

The Planning Proposal is considered to be a matter of local significance. It is requested that Authorisation be issued to the Inner West Council to become the Planning Proposal Authority.

Please contact **Con Colot- Senior Planner on 9392 5977 or Alan Chen on 9392 5265** should you have any questions concerning this Planning Proposal or require further information prior to Gateway determination.

Yours sincerely,



**Daniel East**  
**Acting Manager Strategic Planning and Policy**

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| Attachment 1 – | Planning Proposal   |
| Attachment 2 – | Council report 5 Feb 2019 and attachments                       |
| Attachment 3 – | General Manager's Declaration - Local Planning Panels Direction |

**Table 1- Planning Proposal Timeline**

<b>Stage</b>	<b>Timing</b>
Gateway determination date	To be determined by Department of Planning & Environment.
State agency consultation (during exhibition)	Concurrent with public exhibition
Commencement and completion dates for public exhibition period	End week 8
Consideration of submissions	End week 12
Report to Council	End week 16
Referral to Parliamentary Counsel of written instrument and response	End week 18
Referral to Department for Mapping	Not applicable
Instruction to Department to gazette LEP amendments- upload onto website	End week 20
LEP amendment gazetted.	End week 21