



Planning & Environment

Contact: Nava Sedghi
Phone: (02) 8575 4117
Email: nava.sedghi@planning.nsw.gov.au
Postal: GPO Box 39 SYDNEY NSW 2001

Our ref: PP_2014_HUNTE_002_00 (14/17056)

Mr Barry Smith
General Manager
Hunters Hill Council
PO Box 21
HUNTERS HILL NSW 2110

Attention: Mr Steve Kourepis, Group Manager

Dear Mr Smith,

Planning proposal to amend Hunters Hill Local Environmental Plan 2012

I refer to Council's letter dated 29 September 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 list 4 heritage items, remove 1 heritage item and make minor corrections under Schedule 5 Environmental Heritage and associated heritage maps.

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.

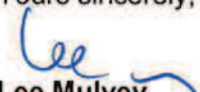
Plan making powers were delegated to councils by the Minister in October 2012. It is noted that Council has requested to be issued with delegation for this planning proposal. I have considered the nature of Council's planning proposal and have decided to issue an authorisation for Council to exercise delegation to make this plan.

The amending Local Environmental Plan (LEP) is to be finalised within 6 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 to draft and finalise the LEP should be made directly to Parliamentary Counsel's Office 6 weeks prior to the projected publication date. A copy of the request should be forwarded to the Department (metrocbd@planning.nsw.gov.au) for administrative purposes.

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 time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, I have arranged for Ms Nava Sedghi of the Department's regional office to assist you. Ms Sedghi can be contacted on (02) 8575 4117.

Yours sincerely,


Lee Mulvey
Director, Metropolitan Delivery (CBD)
Planning Services

Encl:

Gateway Determination
Written Authorisation to Exercise Delegation
Attachment 5 – Delegated Plan Making Reporting Template



Gateway Determination

Planning proposal (Department Ref: PP_2014_HUNTE_002_00): to list 4 heritage items, remove 1 heritage item and make minor corrections under Schedule 5 Environmental Heritage and associated heritage maps.

I, the Director, Metropolitan Delivery (CBD) at the Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 56(2) of the EP&A Act that an amendment to the Hunters Hill Local Environmental Plan (LEP) 2012 to list 4 heritage items, remove 1 heritage item and make minor corrections under Schedule 5 and associated heritage maps should proceed subject to the following conditions:

1. Prior to public exhibition, the planning proposal is to be revised to demonstrate consistency with A Plan for Growing Sydney, released on 14 December 2014.
2. 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 is classified as low impact as described in *A Guide to Preparing LEPs* (Department of Planning and Environment 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 Environment 2013).
3. Council is to ensure that amending heritage maps are prepared in accordance with the Standard Technical Requirements for LEP maps. Existing and amending heritage maps are to be exhibited during the public exhibition period of the planning proposal.
4. Consultation is required with the Heritage Division of the NSW Office of Environment and Heritage under section 56(2)(d) of the EP&A Act. 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.
5. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A 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).
6. The timeframe for completing the LEP is to be **6 months** from the week following the date of the Gateway determination.

Dated 19th day of January 2015.


Lee Mulvey
Director, Metropolitan Delivery (CBD)
Planning Services
Department of Planning and Environment

Delegate of the Minister for Planning



Planning & Environment

WRITTEN AUTHORISATION TO EXERCISE DELEGATION

Hunters Hill Council is authorised to exercise the functions of the Minister for Planning under section 59 of the *Environmental Planning and Assessment Act 1979* that are delegated to it by instrument of delegation dated 14 October 2012, in relation to the following planning proposal:

Number	Name
PP_2014_HUNTE_002_00	To amend Hunters Hill Local Environmental Plan 2012 to list 4 heritage items, remove 1 heritage item and make minor corrections under Schedule 5 and to heritage maps

In exercising the Minister's functions under section 59, the Council must comply with the Department of Planning and Environment's "*A guide to preparing local environmental plans*" and "*A guide to preparing planning proposals*".

Dated 19th January 2015.


Lee Mulvey, Director
Metropolitan Delivery (CBD)
Planning Services
Department of Planning and Environment

Delegate of the Minister for Planning