



Ms Veronica Lee
General Manager
Mosman Municipal Council
PO Box 211
Spit Junction NSW 2088

15/14064

Dear Ms Lee,

Planning proposal to amend Mosman Local Environmental Plan 2012

I am writing in response to Council's letter dated 3 September 2015 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 rezone 15 unmade road bushland sites and a part of Quakers Hat North from RE1 Public Recreation to E2 Environmental Conservation.

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. Council must not use its delegation to make this plan where there is an unresolved agency objection to the draft plan.

Please note that the inconsistency with section 117 Direction 4.4 *Planning for Bushfire Protection* has not yet been approved. Council is requested to consult with the NSW Rural Fire Service prior to exhibition and then make a submission to the Department seeking the Secretary's approval under this Direction. This approval must be obtained prior to the finalisation of the amendment.

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 of Planning and Environment 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.

If you have any queries in regard to this matter, please contact Sandy Shewell of the Department's Metropolitan (CBD) branch on (02) 9228 6591.

Yours sincerely

 / 15/10/15
Lee Mulvey
Director, Metropolitan (CBD)
Planning Services

Encl:
Gateway Determination
Written Authorisation to Exercise Delegation
Delegated Plan Making Reporting Template