



Gateway Determination

Planning proposal (Department Ref: PP_2015_MANLY_002_00): to amend Manly Local Environmental Plan 2013 (Manly LEP 2013) to alter the boundaries of the Manly Town Centre and Pittwater Road Heritage Conservation Areas.

I, the Director, Metropolitan Delivery (CBD) at the Department Planning and Environment, as delegate of the Minister for Planning, have determined under section 56(2) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) that an amendment to Manly Local Environmental Plan (LEP) 2013 should proceed subject to the following conditions:

1. Community consultation is required under sections 56(2)(c) and 57 of the 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 & 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 (former Department of Planning & Infrastructure 2013)*.
2. During exhibition, consultation is required under section 56(2)(d) of the EP&A Act with the Office of Environment and Heritage.
3. For the purposes of exhibition, Council is required to provide relevant LEP maps showing existing and proposed boundaries for the Manly Town Centre and Pittwater Road Heritage Conservation Areas.
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 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).
5. The timeframe for completing the LEP is to be **6 months** from the week following the date of the Gateway determination.

Dated 5th day of June 2015.


Director, Metropolitan Delivery (CBD)
Planning Services
Department of Planning and Environment
Delegate of the Minister for Planning



Planning & Environment

Mr Henry T Wong
General Manager
Manly Council
PO Box 82
Manly NSW 1655

15/08706

Dear Mr Wong

Planning proposal to amend Manly Local Environmental Plan 2013

I refer to your Council's letter 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 amend the *Manly Local Environmental Plan 2013*. The proposed amendment seeks to amend the boundaries of Manly Town Centre and Pittwater Road Heritage Conservation Areas.

As a delegate of the Minister for Planning, I have determined the planning proposal should proceed subject to the conditions in the attached Gateway determination. The Minister delegated his plan making powers to councils in October 2012. It is noted that Council has accepted this delegation. 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 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 the 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 timeframes outlined in this determination are not met.

If you have any further enquiries about this matter, please contact Lauren Templeman on telephone number (02) 8575 4112.

Yours sincerely


Lee Mulvey
Director, Metropolitan Delivery (CBD)
Planning Services

5/6/15



WRITTEN AUTHORISATION TO EXERCISE DELEGATION

Manly 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_2015_MANLY_002_00	Planning proposal to amend the boundaries of the Manly Town Centre and Pittwater Road Heritage Conservation Areas.

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

Dated 5 June 2015

Director, Metropolitan Delivery (CBD)
Planning Services
Department of Planning and Environment
Delegate of the Minister for Planning