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Our ref: PP_2014_LEICH_001_00 (14/05569)

Mr Peter Head
General Manager
Leichhardt Council
PO Box 45
LEICHHARDT NSW 2040

Dear Mr Head,

Planning proposal to amend Leichhardt Council Local Environmental Plan 2013

I refer to Council's letter dated 26 February 2014 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 79 Allen Street, Leichhardt as a heritage item.

As 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 requested 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 Planning & 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.

Should you have any queries in regard to this matter, please contact Mr Martin Cooper of the Metropolitan Delivery (CBD) branch of Planning and Environment on 02 8575 4109.

Yours sincerely,


Lee Mulvey
Director
Metropolitan Delivery (CBD)
Growth Planning and Delivery

7/5/14



Planning & Environment

Gateway Determination

Planning proposal (Agency Ref: PP_2014_LEICH_001_00): to list 79 Allen Street, Leichhardt as a heritage item.

I, the Director, Metropolitan Delivery, at the Department of 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 *Leichhardt Council Local Environmental Plan (LEP) 2013* to list 79 Allen Street, Leichhardt as a heritage item 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* (Department of Planning & Infrastructure 2013).
2. 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.
3. 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).
4. The timeframe for completing the LEP is to be **6 months** from the week following the date of the Gateway determination.

Dated 7th day of May 2014.


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

Delegate of the Minister for Planning