



Planning & Infrastructure

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Our ref: PP_2012_PITTW_001_00 (12/05815)
Your ref:

Mr Mark Ferguson
General Manager
Pittwater Council
PO Box 882
MONA VALE NSW 1660

Dear Mr Ferguson,

Re: Planning proposal to replace the tree preservation clause in Pittwater LEP 1993 with the tree preservation clause from the Standard Instrument LEP template.

I am writing in response to your Council's letter dated 21 March 2012 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 replace the tree preservation clause in Pittwater LEP 1993 with the tree preservation clause from the Standard Instrument LEP template.

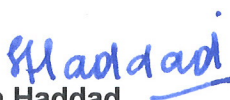
As delegate of the Minister for Planning and Infrastructure, I have now determined that the planning proposal should proceed subject to the conditions in the attached Gateway Determination.

The amending Local Environmental Plan (LEP) is to be finalised 9 months of the week following the date of the Gateway Determination. Council should aim to commence the exhibition of the Planning Proposal within four (4) weeks from the week following this determination. Council's request for the Department to draft and finalise the LEP should be made six (6) weeks prior to the projected publication date.

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 s54(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 Margaret Kirton of the Regional Office of the Department on 02 9228 6111.

Yours sincerely,


Sam Haddad
Director-General

16/4/2012.

Gateway Determination

Planning proposal (Department Ref: PP_2012_PITTW_001_00): to replace the tree preservation clause in Pittwater LEP 1993 with the tree preservation clause from the Standard Instrument LEP template.

I, the Director General, Department of Planning and Infrastructure as delegate of the Minister for Planning and Infrastructure, have determined under section 56(2) of the EP&A Act that an amendment to replace the tree preservation clause in Pittwater LEP 1993 with the tree preservation clause from the Standard Instrument LEP template should proceed subject to the following conditions:

1. 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 2009)* and must be made publicly available for 28 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 4.5 of *A Guide to Preparing LEPs (Department of Planning 2009)*.
2. Consultation is not required with public authorities under section 56(2)(d) of the EP&A Act:
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 9 months from the week following the date of the Gateway determination.

Dated

16th

day of

April

2012.

SHaddad

Sam Haddad

Director-General

Delegate of the Minister for Planning and
Infrastructure