



Planning



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Department Generated Correspondence (Y)

Office of the Director General

Mr Peter Head
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Our ref: PP_2010_LEICH_001_00 (10/01417)
Your ref: F09/00265 (David Parsell)

Dear Mr Head,

Re: Planning Proposal for Housekeeping Amendments to Leichhardt Local Environmental Plan 2000

I am writing in response to your Council's letter dated 4 January 2010 requesting a Gateway Determination under section 56 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") in respect of the planning proposal for Housekeeping Amendments to Leichhardt Local Environmental Plan 2000.

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

The Gateway Determination requires that the planning proposal be made publicly available for a period of 28 days. Under section 57(2) of the Act, I am satisfied that the planning proposal is in a form that can be made available for community consultation.

While it is appreciated that the land at Lot A DP 393123 Hathern Street, Leichhardt is currently occupied by a dwelling, Council, in its future strategic planning considerations, may wish to examine the most appropriate zoning of the all of the land bounded by Brown, Tebbutt and Hathern Streets.

The amending Local Environmental Plan (LEP) is to be finalised within 6 months of the week following the date of the Gateway Determination.

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 Karl Fetterplace of the Regional Office of the Department.

Yours sincerely,

Ian Reynolds
A/Director General

Gateway Determination

Planning Proposal (Department Ref: PP_2010_LEICH_001_00): to draft a number of housekeeping amendments to the Leichhardt Local Environmental Plan 2000.

I, the A/Director General as delegate of the Minister for Planning, have determined under section 56(2) of the EP&A Act that the Housekeeping Amendments to the Leichhardt Local Environmental Plan 2000, comprising of the following nine (9) amendments:

1. Correctly identify the address of the former Presbyterian Church in the heritage schedule as 2 Marion St, Leichhardt instead of 119 Renwick St, Leichhardt.
2. Correct a mapping error by rezoning the rear car park at 701-703 Parramatta Rd, Leichhardt from Residential to Industrial.
3. Correct a mapping error by rezoning the residential dwelling at 14 Hathern St, Leichhardt from Industrial to Residential.
4. Correct an inconsistency between the heritage schedule and the heritage map, where the map fails to identify 29 & 31 William St, Balmain East as heritage items.
5. Zone 107 Elliot St, Balmain (currently unzoned land) to Open Space and reclassify the portion of Paringa Reserve currently used as a refreshment room from community to operational land in order to reflect the current uses of each site.
6. Rezone the following sites that have been acquired by Council from 'Open Space to be Acquired' to 'Open Space':
 - 27B Susan St, Annandale
 - 13 Hearn St, Leichhardt
 - Wangal Nura Park 26-28 Myrtle St (41 Flood St) Leichhardt
 - Marr Reserve, 44A Cary St (74-80 Excelsior St) Leichhardt. This rezoning will also correct a mapping error.
7. Rezone 13 Simmons St, Balmain East from Open Space to Residential to correct a mapping error.
8. Rezone to Residential the portions of 34, 36, 38 & 40 Nicholson St and 5A Duke Pl, Balmain that have been incorrectly zoned Open Space.
9. Rezone 2-8 Weston St, Balmain from 'Open Space to be acquired' to 'Open Space' (rezoning will also correct a mapping error), and reclassify the land from community land to operational land in order to facilitate the restoration and adaptive reuse of the Stone Building/Fenwick and Co Boat Store (State listed heritage item) in accordance with the adopted plan of management.

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 required with the following public authorities under section 56(2)(d) of the EP&A Act:
 - Roads and Traffic Authority
 - Maritime NSW

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.
3. No public hearing is to be held into the matter under section 56(2)(e) of the EP&A Act. This does not have any bearing on the need to conduct a public hearing under the provisions of any other legislation.
4. Maps should be prepared and included in the public exhibition of the Planning Proposal which clearly indicated the intention of each item in the Proposal.
5. The timeframe for completing the LEP is to be **6 months** from the week following the date of the Gateway determination.

Dated

9th

day of

February

2010.



Ian Reynolds
A/Director General
Delegate for the Minister for Planning