



Planning & Infrastructure

Office of the Director General

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

Attention: Mr Steve Evans

Dear Mr Ferguson

I am writing concerning the draft *Pittwater Local Environmental Plan 1993 (Amendment No 94)* (the LEP) for 23B Macpherson Street, Warriewood.

As delegate of the Minister for Planning and Infrastructure, I have determined that the draft Plan should not be made under section 59(2)(b) of the Environmental Planning and Assessment Act 1979. In making this decision, I have considered Council's position on the progress of the draft Plan and its concerns that the draft wording of the Plan is contrary to Council's intention as expressed in the exhibited planning proposal.

I understand that in July 2011 the Sydney East Joint Regional Planning Panel (JRPP) approved the use of the site at 23B Macpherson Street, Warriewood for residential development and a focal neighbourhood centre with 510m² of retail floor area.

Given the timeframe for making the Planning Proposal has now lapsed and in light of the lack of agreement with Council over the wording of the draft LEP and the approval granted for a neighbourhood centre on land at 23B Macpherson Street, Warriewood, it is considered appropriate to not proceed with the draft Plan at this time. However, this is a matter which Council could further consider in its comprehensive LEP which is due to be exhibited in mid 2012.

Should you have any questions in relation to this matter, please contact Ms Juliet Grant, Regional Director, of the Department of Planning and Infrastructure's Sydney Region East office, on telephone number (02) 9228 6113.

Yours sincerely


Sam Haddad
Director General

30/3/2012