



Planning & Environment

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Our ref: PP_2014_LEICH_002_00 (14/05708)

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

Dear Mr Head,

Planning proposal to amend Leichhardt Local Environmental Plan 2013

I am writing in response to your 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 amend clauses 1, 4 and 7 in Schedule 1 Additional Permitted Uses of the Leichhardt Local Environmental Plan 2013.

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

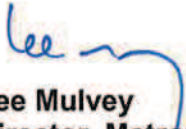
In October 2012, the Minister delegated his plan making powers to councils. It is noted that Council has requested to be issued with delegation for this planning proposal. I have considered the nature of Council's planning proposal and have decided to issue an authorisation for Council to exercise delegation 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 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 Ms Nava Sedghi of the Metropolitan Delivery (CBD) branch on 02 8575 4117.

Yours sincerely,


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



Planning & Environment

Gateway Determination

Planning proposal (Agency Ref: PP_2014_LEICH_002_00): to amend clauses 1, 4 and 7 in Schedule 1 Additional Permitted Uses of the Leichhardt Local Environmental Plan 2013.

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 & Assessment Act 1979* (EP&A Act) that an amendment to the Leichhardt Local Environmental Plan (LEP) 2013 to amend clauses 1, 4 and 7 in Schedule 1 Additional Permitted Uses, 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. No consultation is 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 **6 months** from the week following the date of the Gateway determination.

Dated 7th of May 2014.

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

Delegate of the Minister for Planning