



Mr Henry T Wong
General Manager
Manly Council
PO Box 82
Manly NSW 1655

15/09205

Dear Mr Wong

Planning proposal to amend Manly Local Environmental Plan 2013.

I refer to your Council's letter 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 the *Manly Local Environmental Plan 2013*. The proposed amendment seeks to rezone Manly Industrial Estate from Zone IN2 Light Industrial to Zone B6 Enterprise Corridor.

As a 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 accepted this delegation. 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.

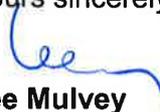
In response to key actions in A Plan for Growing Sydney, the Department is undertaking an Industrial Lands Review to determine the subregional importance of industrial precincts across the Sydney Metropolitan Area and advise on appropriate planning controls to protect priority areas. It is anticipated that the outcomes of this study will be available to Council to inform further work needed to justify the current planning proposal.

The amending LEP is to be finalised within 9 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 the Parliamentary Counsel's Office 6 weeks prior to the projected publication date. A copy of the request should be forwarded to the Department of Planning and 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 timeframes outlined in this determination are not met.

If you have any further enquiries about this matter, please contact Lauren Templeman on telephone number (02) 8575 4112.

Yours sincerely


Lee Mulvey
Director, Metropolitan Delivery (CBD)
Planning Services

19/5/15

Gateway Determination

Planning proposal (Department Ref: PP_2015_MANLY_003_00): to amend Manly Local Environmental Plan 2013 (Manly LEP 2013) to rezone Manly Industrial Estate from Zone IN2 Light Industrial to Zone B6 Enterprise Corridor.

I, the Director, Metropolitan Delivery (CBD) at the Department Planning and Environment, as delegate of the Minister for Planning, have determined under section 56(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to Manly Local Environmental Plan (LEP) 2013 to rezone Manly Industrial Estate from Zone IN2 Light Industrial to Zone B6 Enterprise Corridor 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 routine as described in *A Guide to Preparing LEPs (Department of Planning & Infrastructure 2013)* and must be made publicly available for a minimum of **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 5.5.2 of *A Guide to Preparing LEPs (former Department of Planning & Infrastructure 2013)*.
2. Given the need to clarify and justify certain elements of the proposal, prior to public exhibition, to planning proposal is to be updated to:
 - (a) justify inconsistency with s.117 Direction 1.1 Business and Industrial Zones, via a study, such as an employment and economic impact assessment, to address the overall economic impact of the proposal on its locality, including its ability to support strategic employment targets for Metropolitan Sydney;
 - (b) justify inconsistency with s.117 Direction 4.3 Flood Prone Land, via a floodplain risk management plan consistent with the principles of the NSW Government's Floodplain Development Manual 2005; and
 - (c) include an assessment of the planning proposal against each item of the Industrial Lands Strategic Checklist, including consideration of where local urban services will be provided if forced out of the Manly Industrial Estate.
3. Given the need to consider further impacts of the proposal, prior to public exhibition, the planning proposal is to be updated to include:
 - (a) land contamination study, to satisfy the objectives of State Environmental Planning Policy 55 – Remediation of Land; and
 - (b) traffic and active transport assessment, to address localised and cumulative traffic impacts, access and movement around the subject site and sustainable travel options.
4. Prior to exhibition, consultation is required under section 56(2)(d) of the Act with Transport for NSW - Roads and Maritime Services and Warringah Council.

Public authorities are 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. The planning proposal should respond to this consultation.



Planning & Environment

5. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the 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).
6. Council is required to include in the planning proposal the relevant LEP zoning map showing the existing and proposed zoning for Manly Industrial Estate.
7. The timeframe for completing the LEP is to be **9 months** from the week following the date of the Gateway determination.

Dated 19th day of June 2015.


**Director, Metropolitan Delivery (CBD)
Planning Services
Department Planning and Environment
Delegate of the Minister for Planning**