

WRD



Reference: 140514 NAI:PC MC/14/53929
Enquiries: Landuse and Sustainability

Ms. Carolyn McNally
Acting Secretary
Department of Planning and Environment
GPO Box 39 Sydney NSW 2001



Dear Ms. McNally,

Re: Planning Proposal – Sydney Water Fairlight Reservoir

Council at its Ordinary Meeting on 5 May 2014 resolved to support a Planning Proposal to amend MLEP 2013 for the Sydney Water Fairlight Reservoir site. Council also resolved that the Proponent be requested to amend the Planning Proposal and that Sydney Water prepare a Voluntary Planning Agreement to dedicate part of the subject site to Council including giving consideration to increasing the amount of land to be dedicated.

This Planning Proposal is submitted to the Department of Planning and Environment for a Gateway Determination that would enable Council to make the Amending MLEP including amendments required by Council in relation to the extent and zoning of the land that is to be dedicated for local public open space under delegation. The full Resolution of Council in this matter is as follows:

"29/14 RESOLVED: (Le Surf / Burns)

Part A

1. That Council support the Planning Proposal to amend MLEP 2013 for the Sydney Water Fairlight Reservoir site and that Council submit the Planning Proposal to NSW Planning and Infrastructure for a Gateway Determination, enabling Council to make the Amending MLEP under delegation.
2. That Council request the Proponent amend the provisions of the Planning Proposal to zone the land marked as the Community site 'Park' on Conceptual Development Plan at Appendix B of the Planning Proposal from proposed Zone R1 General Residential to Zone RE1 Public Recreation.
3. That on receiving the Delegation from the Department, Council arrange for public exhibition of the Planning Proposal as amended and in accordance with the requirements of the Gateway Determination.
4. That Council request Sydney Water prepare and submit a draft Voluntary Planning Agreement for the dedication of the Community site 'Park' that can be exhibited with the Planning Proposal.

Part B

That Council write to Sydney Water requesting that consideration be given to increase the amount of space dedicated to public use. "

Council seeks to exercise its delegation for the making of this Amending LEP due to the local nature of this Planning Proposal. Council also proposes to publicly exhibit the Planning Proposal, as amended and accompanied by a draft Voluntary Planning Agreement in accordance with Council Resolution 29/14 (abovementioned) for a period of 28 days.

If you require any further clarifications or information about this Planning Proposal, please contact Stephen Clements, Deputy General Manager Landuse and Sustainability on 02 9976 1587.

Yours faithfully


Henry T Wong
General Manager



Date: 13/5/2014

Attachments:

1. Checklist
2. Council's delegation under Section 59 of the EPA Act 1979
3. Planning Proposal
4. Evaluation Criteria
5. Plan Reporting template

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INFORMATION CHECKLIST

Attachment 1

> STEP 1: REQUIRED FOR ALL PROPOSALS

(under s55(a) – (e) of the EP&A Act)

- | | |
|---|---|
| • Objectives and intended outcome | • Explanation of provisions |
| • Mapping (including current and proposed zones) | • Justification and process for implementation (including compliance assessment against relevant section 117 direction/s) |
| • Community consultation (agencies to be consulted) | |

> STEP 2: MATTERS - CONSIDERED ON A CASE BY CASE BASIS

(Depending on complexity of planning proposal and nature of issues)

PLANNING MATTERS OR ISSUES	To be considered	N/A	PLANNING MATTERS OR ISSUES	To be considered	N/A
Strategic Planning Context			Urban Design Considerations		
• Demonstrated consistency with relevant Regional Strategy	☐	☒	• Existing site plan (buildings vegetation, roads, etc)	☐	☒
• Demonstrated consistency with relevant sub-regional strategy	☐	☒	• Building mass/block diagram study (changes in building height and FSR)	☐	☒
• Demonstrated consistency with or support for the outcomes and actions of relevant DG endorsed local strategy	☐	☒	• Lighting impact	☐	☒
• Demonstrated consistency with Threshold Sustainability Criteria	☐	☒	• Development yield analysis (potential yield of lots, houses, employment generation)	☐	☒
Site Description/Context			Economic Considerations		
• Aerial photographs	☐	☒	• Economic impact assessment	☐	☒
• Site photos/photomontage	☐	☒	• Retail centres hierarchy	☐	☒
Traffic and Transport Considerations			• Employment land	☐	☒
• Local traffic and transport	☐	☒	Social and Cultural Considerations		
• TMAP	☐	☒	• Heritage impact	☐	☒
• Public transport	☐	☒	• Aboriginal archaeology	☐	☒
• Cycle and pedestrian movement	☐	☒	• Open space management	☐	☒
Environmental Considerations			• European archaeology	☐	☒
• Bushfire hazard	☐	☒	• Social and cultural impacts	☐	☒
• Acid Sulphate Soil	☐	☒	• Stakeholder engagement	☐	☒
• Noise impact	☐	☒	Infrastructure Considerations		
• Flora and/or fauna	☐	☒	• Infrastructure servicing and potential funding arrangements	☐	☒
• Soil stability, erosion, sediment, landslip assessment, and subsidence	☐	☒	Miscellaneous/Additional Considerations		
• Water quality	☐	☒	List any additional studies		
• Stormwater management	☐	☒			
• Flooding	☐	☒			
• Land/site contamination (SEPP55)	☐	☒			
• Resources (including drinking water, minerals, oysters, agricultural lands, fisheries, mining)	☐	☒			
• Sea level rise	☐	☒			



Planning & Infrastructure

Office of the Director General

Mr Henry Wong
Manly Council
PO Box 82
MANLY
NSW 1655

MANLY COUNCIL REGISTERED BY RECORDS 21 JAN 2013 ACTION OFFICER _____ MC/ _____
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Dear Mr Wong,

On behalf of the Minister for Planning and Infrastructure I would like to acknowledge Council's acceptance of the plan making delegations under section 59 of the *Environmental Planning and Assessment Act, 1979*.

Returning plan making powers to local government is a key step in achieving improved efficiencies in the plan making process and I look forward to working with Council to deliver these improvements. The department will also continue to improve its process for the assessment of planning proposals to ensure Council's request to exercise its delegation is considered in a timely manner.

The department has issued an updated *A guide to preparing local environmental plans* which details the process for Council to follow when finalising a delegated plan. This document may be found on the department's website at: www.planning.nsw.gov.au/LocalPlanning/GatewayProcess.

As noted in the guide, Council will need to request an authorisation to exercise its delegation with each planning proposal submitted to the department. Additionally, Council is asked to keep the department informed of the status of the plan making process following the issuing of the authorisation to exercise delegation. Templates to assist Council with reporting on the status of the plan are available for download from the department's website at the address listed above. Departmental staff will also be available to provide assistance to Council at any stage of the process should this be necessary.

Should you require any further information on the delegated plan making process or require assistance at any stage of the process, please initially contact your Regional Director who will be able to assist you with your enquiry.

Yours sincerely,

Sam Haddad
Director General