

Gateway Determination

Planning proposal (Department Ref: PP_2015_WARRI_005_00): to amend Warringah Local Environmental Plan 2011 to allow up to 14 Torrens title lots and attached dwellings with basement carpark at 184 Wyndora Avenue, Freshwater.

I, the Director, Metropolitan (CBD) at the Department of 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 the Warringah Local Environmental Plan 2011 to allow up to 14 Torrens title lots and attached dwellings with basement carpark at 184 Wyndora Avenue, Freshwater should proceed subject to the following conditions:

1. Prior to undertaking public exhibition, the planning proposal is to be updated to:
 - amend Clause 6.8 Subdivision of certain land to allow a maximum number of dwellings and torrens title subdivision rather than using Schedule 1 for this purpose; and
 - remove the restriction on the timing of subdivision after practical completion of the dwellings.
2. Prior to public exhibition, the planning proposal is to be updated to clearly identify the site on Warringah LEP 2011 Additional Permitted Uses Map – APU_10.

Note: Maps should be prepared to the standards identified in Standard Technical Requirements for LEP Maps (Department of Planning & Infrastructure 2013).

3. 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 and Environment 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 (Department of Planning and Environment 2013).
4. 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).

5. The timeframe for completing the LEP is to be 12 months from the week following the date of the Gateway determination.

Dated 3rd day of December 2015.


Lee Mulvey
Director, Metropolitan (CBD)
Planning Services

Delegate of the Minister for Planning

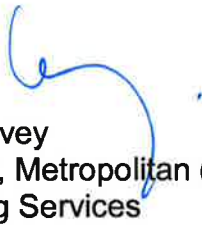
WRITTEN AUTHORISATION TO EXERCISE DELEGATION

Warringah Council is authorised to exercise the functions of the Minister for Planning under section 59 of the *Environmental Planning and Assessment Act 1979* that are delegated to it by instrument of delegation dated 14 October 2012, in relation to the following planning proposal:

Number	Name
PP_2015_WARRI_005_00	Planning proposal to amend Warringah Local Environmental Plan 2011 to allow up to 14 Torrens titles, attached dwellings with basement carpark at 184 Wyndora Avenue, Freshwater.

In exercising the Minister's functions under section 59, the Council must comply with the Department of Planning and Environment's "*A guide to preparing local environmental plans*" and "*A guide to preparing planning proposals*".

Dated 3 December 2015



Lee Mulvey
Director, Metropolitan (CBD)
Planning Services

Delegate of the Minister for Planning