



Alteration of Gateway Determination

Planning proposal (Department Ref: PP_2015_WARRI_003_00): to amend the Warringah Local Environmental Plan 2011 for 'Key Sites' within the Dee Why Town Centre.

I, the Deputy Secretary, Planning Services at the Department of Planning and Environment as delegate of the Greater Sydney Commission, have determined under section 56(7) of the *Environmental Planning and Assessment Act 1979* (the Act) to alter the Gateway determination dated 1 April 2015 for the proposed amendment to the *Warringah Local Environmental Plan 2011* as follows:

1. Delete condition 1, and replace with:
 1. The planning proposal is to be amended to prior to community consultation:
 - (a) Remove draft clauses from the planning proposal and include a plain English explanation of the intended planning outcomes;
 - (b) Clarify in the exhibition material that the legal drafting of any portion of the planning proposal has not been determined and is subject to drafting by Parliamentary Counsel;
 - (c) Remove references to the provision of contributions, infrastructure, improvements dedication of land and/or undertaking of works in exchange for additional development density; and
 - (d) Include justification and explanation why Key Site F has been included in the planning proposal as it has not been identified in Council's adopted Dee Why Town Centre Masterplan.
2. Delete condition 2, and replace with:
 2. Prior to community consultation, Council is to consult with:
 - Transport for NSW
 - Roads and Maritime Services.

Council is to update the planning proposal and incorporate any relevant comments. Council is to submit a copy of the revised planning proposal to the Director, Sydney East Region section at the Department, and seek agreement from the Department prior to proceeding to public exhibition.

3. Delete condition 3, and replace with:
 3. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:
 - (a) the planning proposal must be made publicly available for a minimum of **28 days**; and



Planning & Environment

(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 Infrastructure 2013)*.

4. Insert the following conditions:

4. Consultation is required with the following public authorities under section 56(2)(d) of the Act and/or to comply with the requirements of relevant S117 Directions:

- Transport for NSW
- Roads and Maritime Services
- Office of Environment and Heritage
- Sydney Water
- Energy Australia.

Each public authority is 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.

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 or if reclassifying land).

6. The timeframe for completing the LEP is to be **18 months** from the week following the date of the Gateway determination.

Dated *22nd* day of *September* 2016

Marcus Ray
Deputy Secretary
Planning Services
Department of Planning and Environment

Delegate of the Greater Sydney Commission