



Mr Ray Brownlee  
Chief Executive Officer  
PO Box 82  
MANLY NSW 1655

Attn: Louise Kerr, Director Planning & Place

Dear Mr Brownlee

**Planning proposal PP\_2021\_2018 to amend Pittwater Local Environmental Plan 2014**

I am writing in response to Council's request for a Gateway determination under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to rezone part of Lot 7 DP 1240400 at 5 Bowling Green Lane, Avalon Beach from R2 Low Density Residential to RE1 Public Recreation.

As delegate of the Minister for Planning and Public Spaces, I have now determined that the planning proposal should proceed subject to the conditions in the enclosed Gateway determination.

I have considered the nature of Council's planning proposal and have conditioned the Gateway for Council to be authorised as the local plan-making authority.

The amending local environmental plan (LEP) is to be finalised within six months of the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible with a goal of reporting the proposal to Council prior to the caretaker period before Council elections.

Council's request to draft and finalise the LEP should be made directly to the Department of Planning, Industry and Environment via [mapinstrument.drafting@dpie.nsw.gov.au](mailto:mapinstrument.drafting@dpie.nsw.gov.au).

Please refer to the attached *Guide to Preparing Local Environmental Plans (LEPs) – Addendum, 'Legal Drafting of Map-only LEPs – April 2021'* for further instruction. A copy of the request should be forwarded to the Department's Greater Sydney, Place and Infrastructure (North District) team.

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 3.32(2)(d) of the Act if the time frames outlined in this determination are not met.

Lastly, to ensure compliance with the *Local Government Act 1993* Council should consider updating its land register to reflect that the site is Council owned and managed. <https://www.northernbeaches.nsw.gov.au/council/information-access/council-land-register>

Should you have any enquiries about this matter, I have arranged for Mr Geoff Kwok to assist you. Mr Kwok can be contacted on 8275 1472.

Yours sincerely



**14 May 2021**  
**Brendan Metcalfe**  
**Director, North District**  
**Greater Sydney, Place and Infrastructure**  
**Department of Planning, Industry and Environment**

Encl: Gateway determination  
Guide to Preparing Local Environmental Plans (LEPs) – Addendum, ‘Legal Drafting of Map-only LEPs’