



Mr Ray Brownlee
Chief Executive Officer
725 Pittwater Road
DEE WHY NSW 2099

Attn: Louise Kerr, Director Planning & Place

Dear Mr Brownlee,

Planning proposal PP_2021_4064 to amend Warringah Local Environmental Plan 2011

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 increase the maximum height of building and include additional permitted uses on certain land in at 1294-1300 Pittwater Road and 2-4 Albert Street, Narrabeen.

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

I have agreed, as delegate of the Secretary, the planning proposal's inconsistencies with section 9.1 Directions 1.1 Business and Industrial Zones, 4.1 Acid Sulfate Soils, and 6.3 Site Specific Provisions are either justified, or of minor significance in accordance with the terms of the Directions. No further approval is required in relation to these Directions. However, prior to exhibition, Council will need to demonstrate the proposal's consistency with the revised section 9.1 Direction 4.3 Flooding.

At least 1 month prior to a request being made to draft an LEP to finalise the planning proposal, Council's Affordable Housing Contribution Scheme (AHCS) is to receive a resolution of Council, and is to be referred to, and endorsed by the Department of Planning, Industry and Environment.

I have also considered the nature of Council's planning proposal and have conditioned the Gateway for Council to be authorised as the Local Plan-Making authority once all Gateway conditions have been met.

The amending local environmental plan (LEP) is to be finalised within nine months of 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 Parliamentary Counsel's Office six

weeks prior to the projected publication date. A copy of the request should be forwarded to the Department of Planning, Industry and Environment.

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. To meet these commitments, the Minister may act under section 3.32(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any enquiries about this matter, I have arranged for Ms Lauren Templeman, Manager Place and Infrastructure, North District to assist you. Ms Templeman can be contacted on 02 9274 6590.

Yours sincerely,



20 August 2021
Brendan Metcalfe
Director, North District, Eastern Harbour City
Place, Design and Public Spaces

Encl: Gateway determination