



Gateway Determination

Planning proposal (Department Ref: PP_2020_428): to rezone three parcels of land within the Manly Warringah War memorial State Park from R2 Low Density Residential to RE1 Public Recreation.

I, the Director, North District the Department of Planning, Industry and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Warringah Local Environmental Plan (LEP) 2011 to rezone three parcels of land within the Manly Warringah War memorial State Park from R2 Low Density Residential to RE1 Public Recreation should proceed subject to the following conditions:

1. Prior to public exhibition, the planning proposal is to be updated to:
 - a. replace the existing and proposed maps in Part 4 with extracts of the relevant Standard Instrument (SI) LEP maps prepared in accordance with the Standard Technical Requirements for Spatial Datasets and Maps (2017);
 - b. Include an assessment of the proposal against the State Environmental Planning Policy (Koala Habitat Protection) 2020 which commenced on 30 November 2020, replacing and repealing the State Environmental Planning Policy (Koala Habitat protection) 2019 (2019 Koala SEPP).
2. Prior to public exhibition, Council is to consult with the NSW Rural Fire Service to address consistency with section 9.1 Direction 4.4 Planning for Bushfire Protection.
3. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
 - (a) the planning proposal must be made publicly available for a minimum of 28 days; and
 - (b) the planning proposal 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 6.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment, 2018).
4. Consultation is required with the following public authorities/organisations under section 3.34(2)(d) of the Act and/or to comply with the requirements of relevant section 9.1 Directions:
 - NSW Crown Lands

- Metropolitan Local Aboriginal Land Council
- Heritage NSW

Each public authority/organisation 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 3.34(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 time frame for completing the LEP is to be 9 months following the date of the Gateway determination.

Dated 25th day of February 2021.



Brendan Metcalfe
Director, North District
Eastern Harbour City
Place, Design and Public Spaces Department of
Planning, Industry and Environment

Delegate of the Minister for Planning and Public Spaces