



NSW GOVERNMENT
Department of Planning

Office of the Director-General

Contact: Sabina Miller
Phone: (02) 9228 6111
Fax: (02) 9228 6177
Email: Sabina.Miller@planning.nsw.gov.au
Postal: GPO Box 39, Sydney NSW 2001

Our ref: S09/01471-1

Mr Mark Ferguson
General Manager
Pittwater Council
PO Box 882
MONA VALE NSW 1660

Dear Mr Ferguson,

Re: Planning Proposal to include retail uses, neighbourhood shops and restaurants as permissible used on Lot 11 DP 5464 at No. 23B Macpherson Street, Warriewood

I am writing in response to your Council's letter dated 21 July 2009 requesting a Gateway Determination under section 56 of the Environmental Planning and Assessment Act 1979 ('EP&A Act'), of the Council's decision to prepare a draft local environmental plan ('LEP') to amend Pittwater LEP 1993 to permit retail uses, neighbourhood shops and restaurants on Lot 11 DP 5464 Macpherson Street, Warriewood.

As delegate of the Minister for Planning, I have now issued a Gateway Determination which is attached. This Determination confirms that the Council as the Relevant Planning Authority ('RPA') should proceed with the planning proposal.

The Determination requires that the matter be exhibited for a period of 14 days and that the LEP be finalised within 6 months of the date of submission of Council's Planning Proposal.

You are also advised that, if the planning proposal is revised from that endorsed by this Gateway Determination, it must be resubmitted for reconsideration.

I would like to take this opportunity of complimenting Council on the time and effort it has taken in the preparation of this planning proposal. The consistency of the submission with the Department's guidelines is appreciated and has simplified the task of assessing Council's proposal.

Should you have any queries in regard to this matter, please contact the Regional Office of the Department.

Yours sincerely,


Sam Haddad
Director-General

10/8/2009



Gateway Determination

I, the Director General as delegate of the Minister for Planning, have determined under sections 56(2)(a)-(f) of the EP&A Act that an amendment of the Pittwater Local Environmental Plan 1993 to include retail uses, neighbourhood shops and restaurants permissible on Lot 11 DP 5464 No. 23B Macpherson Street, Warriewood as permissible uses should proceed in accordance with this Determination.

In this regard:

- a) Under section 57(2) of the Act, I am satisfied that the planning proposal is in a form I have approved and is to be made available for community consultation.
- b) Consultation is not required with State or Commonwealth public authorities.
- c) No public hearing is to be held into the matter.
- d) Under Section 56(2)(d):
 - Community consultation period is to be 14 days.
 - The timeframe for publishing the LEP is 6 months from the date the planning proposal was forwarded to the Department.

If the specific timeframes are not met, action under s54(2)(d) of the Act may result.

Dated 10th day of August 2009.

SHaddad

Sam Haddad
Director General