



17/04456

Mr Mark Ferguson  
General Manager  
Northern Beaches Council  
PO Box 1336  
DEE WHY NSW 2099

Dear Mr Ferguson

**Planning proposal to amend Pittwater Local Environmental Plan 2014 –  
15 Jubilee Avenue, Warriewood**

I am writing in response to Council's request for a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* (the Act) regarding a planning proposal to amend Pittwater Local Environmental Plan 2014 to rezone the site at 15 Jubilee Avenue, Warriewood from IN2 Light Industrial to B7 Business Park.

As delegate of the Greater Sydney Commission, I have now determined that the planning proposal should proceed subject to the conditions in the attached Gateway determination.

I have also determined the planning proposal's inconsistency with section 117 Direction 4.3 Flood Prone Land is of minor significance. No further approval is required in relation to this Direction.

Plan making powers were delegated to Councils in October 2012. I note that Council has requested to be issued with delegation for this planning proposal. I have considered the nature of the planning proposal and have decided to issue an authorisation for Council to exercise delegation to make the plan.

The amending Local Environmental Plan is to be finalised within 9 months of the week following 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 Plan should be made directly to Parliamentary Counsel's office six weeks prior to the projects publication date. A copy of the request should be forwarded to the Department of Planning and Environment for administrative purposes.

The State Government is committed to reducing the time taken to complete Local Environmental Plans 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 Commission may take action under s54(2)(d) of the Act if the timeframes outlined in this determination are not met.

If you have any queries in regard to this matter, please contact Ms Lauren Templeman in the Department's Sydney Region East team on (02) 9274 6590.

Yours sincerely



**Sandy Chappel** 6.4.17  
**Director, Sydney Region East**  
**Planning Services**  
**Department of Planning and Environment**

**Delegate of the Greater Sydney Commission**

Encl:

Gateway determination

Written authorisation to exercise delegation

Reporting template for delegated Local Environmental Plan amendments

## Gateway Determination

**Planning proposal (Department Ref: PP\_2017\_NBEAC\_001\_00): to rezone 15 Jubilee Avenue, Warriewood from IN2 Light Industrial to B7 Business Park.**

I, the Director, Sydney Region East at the Department of Planning and Environment as delegate of the Greater Sydney Commission, have determined under section 56(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to Pittwater Local Environmental Plan 2014 to rezone 15 Jubilee Avenue, Warriewood from IN2 Light Industrial to B7 Business Park should proceed subject to the following conditions:

1. Community consultation is required under sections 56(2) and 57 of the Act as follows:
  - a) the planning proposal must be made publicly available for 28 days; and
  - 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 the Department's 'A Guide to Preparing Local Environmental Plans'.
2. Consultation is required with the following public authorities under section 56(2)(d) of the Act and / or to comply with the requirements of section 117 Directions and State Environmental Planning Policies:
  - Roads and Maritime Services;
  - Sydney Water
  - Environmental Protection Agency; and
  - Ausgrid.

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.

Should the public authorities require any additional information, or specify any additional matters to be addressed, the planning proposal is to be updated to respond to any such submission, a copy of which is to be included with the updated planning proposal.

3. 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).

4. The timeframe for completing the amending Local Environmental Plan is to be 12 months from the week following the date of the Gateway determination.

Dated 6<sup>th</sup> day of April 2017



**Sandy Chappel**  
**Director, Sydney Region East**  
**Planning Services**  
**Department of Planning and Environment**

**Delegate of the Greater Sydney Commission**

## Written Authorisation to Exercise Delegation

Northern Beaches Council is authorised to exercise the functions of the Greater Sydney Commission under section 59 of the *Environmental Planning and Assessment Act 1979* that are delegated to it by instrument of delegation dated 14 October 2012, in relation to the following planning proposal:

Number	Name
PP_2017_NBEAC_001_00	Planning proposal to rezone the site at 15 Jubilee Avenue, Warriewood from IN2 Light Industrial to B7 Business Park.

In exercising the Commission's functions under section 59, the Council must comply with the Department of Planning and Environment's 'A Guide to Preparing Local Environmental Plans' and 'A Guide to Preparing Planning Proposals'.

Dated 6<sup>th</sup> day of April 2017



**Sandy Chappel**  
Director, Sydney Region East  
Planning Services  
Department of Planning and Environment

**Delegate of the Greater Sydney Commission**