

Gateway Determination

Planning proposal (Department Ref: PP-2023-953): to include an additional permitted use for the purposes of a 'registered club' on land currently occupied by the Warringah Recreation Centre.

I, the Director, Metro North at the Department of Planning, Housing and Infrastructure, 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 2011 to prescribe an additional permitted use for the purposes of a 'registered club' on land currently occupied by the Warringah Recreation Centre should proceed subject to the following conditions:

The Council as planning proposal authority is authorised to exercise the functions of the local plan-making authority under section 3.36(2) of the Act subject to the following:

- (a) the planning proposal authority has satisfied all the conditions of the gateway determination, including those requiring amendments to the proposal prior to public exhibition;
- (b) the planning proposal is consistent with applicable directions of the Minister under section 9.1 of the Act or the Secretary has agreed that any inconsistencies are justified; and
- (c) there are no outstanding written objections from public authorities.

The LEP should be completed on or before 7 February 2025.

Gateway Conditions

1. Prior to exhibition, the planning proposal is to be amended to address the following:
 - (a) Council or an appropriately qualified social impact consultant must conduct a social impact assessment to clarify the consequences and necessary mitigation measures associated with the establishment of a registered club involving the sale of liquor, potential introduction of gambling to the public and associated amenity impacts from operations, events and noise;
 - (b) Provide an assessment of traffic impacts resulting from the additional permitted use, including any traffic considerations that are triggered specifically for registered clubs;
 - (c) Include an updated timeline based on the issuing of the Gateway determination.
2. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:
 - (d) the planning proposal is categorised as standard as described in the *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023) and must be made publicly available for a minimum of 20 working days; and

- (e) 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 *Local Environmental Plan Making Guideline* (Department of Planning, Housing and Infrastructure, August 2023).
3. Council must ensure, where relevant, the most recent revisions of technical reports supporting the planning proposal are exhibited concurrently. The District Park Plan of Management should also be made available as part of the public exhibition.
 4. Consultation is required with Liquor and Gaming NSW under section 3.34(2)(d) of the Act.
 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).

Dated 21 February 2024



Brendan Metcalfe
Director, Metro North
Metro Central and North
Department of Planning, Housing and Infrastructure
Delegate of the Minister for Planning and Public Spaces