

Gateway Determination

Planning proposal (Department Ref: PP_2019_NBEAC_001_00): to reclassify Oliver Street and Lawrence Street carparks from community to operational land; rezone the carparks from RE1 Public Recreation to SP2 Infrastructure (Car park;) and introduce a 3m maximum height of buildings development standard.

I, the Director, Sydney Region East at 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 reclassify, rezone and introduce a maximum building height development standard for the Oliver Street and Lawrence Street carparks should proceed subject to the following conditions:

1. Prior to public exhibition the planning proposal is to be updated to include the *Information Checklist For Proposals To Classify Or Reclassify Public Land Through An LEP* in note PN 16-001 *Classification and reclassification of public land through a local environmental plan*.
2. The planning proposal must be returned to the Department prior to public exhibition along with the results of the pre-consultation with NSW Crown Lands.
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, Industry and Environment 2018).
 - (c) a copy of practice note PN 16-001 *Classification and reclassification of public land through a local environmental plan* is to be included in the public exhibition material.
4. Consultation is required with NSW Crown Lands within the Department of Planning, Industry and Environment 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 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.

6. A public hearing is required under Section 29 of the Local Government Act 1993 as the planning proposal seeks to reclassify land from community land to operational land. After the public exhibition period has ended, at least 21 days public notice is to be given before the hearing is held.
7. The time frame for completing the LEP is to be **9 months** following the date of the Gateway determination.



Dated 23rd day of September 2019.

Amanda Harvey
Director North District
Place, Design and Public Spaces

Department of Planning, Industry
and Environment

Delegate of the Minister for Planning
and Public Spaces