

Gateway Determination

Planning proposal (Department Ref: PP_2015_NORTH_004_00): to amend North Sydney Local Environmental Plan 2013 (North Sydney LEP 2013) to remove seven bus shelters from the heritage schedule and corresponding maps.

I, the Acting General Manager, Metropolitan, at the Department of Planning and Environment, as delegate of the Minister for Planning, have determined under section 56(2) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) that an amendment to North Sydney Local Environmental Plan (LEP) 2013 should proceed subject to the following conditions:

1. Community consultation is required under sections 56(2)(c) and 57 of the EP&A Act as follows:
 - (a) the planning proposal is classified as low impact as described in *A Guide to Preparing LEPs (Department of Planning & Infrastructure 2013)* and must be made publicly available for a minimum of **14 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 *A Guide to Preparing LEPs (former Department of Planning & Infrastructure 2013)*.
2. Consultation is required under section 56(2)(d) of the EP&A Act with the Office of Environment and Heritage and Transport for NSW prior to exhibition and the outcome of this consultation is to be included as part of the planning proposal when exhibited.

Public authorities are 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. The planning proposal should respond to this consultation.

If comment from the Office of Environment and Heritage and Transport for NSW is not received within 21 days, Council is to exhibit the planning proposal and seek input from the relevant agencies during the consultation period.

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 EP&A 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. Council is required to exhibit the heritage review of all 51 bus shelters subject to a heritage listing under North Sydney LEP 2013, with the planning proposal.
5. A map showing the location of all 51 heritage listed bus shelters in North Sydney and also highlighting those to be de-listed, is to be included in the planning proposal prior to exhibition.
6. The timeframe for completing the LEP is to be **9 months** from the week following the date of the Gateway determination.

Dated 16th day of April 2015.



Acting General Manager, Metropolitan
Planning Services
Department of Planning and Environment
Delegate of the Minister for Planning



Mr Warwick Winn
General Manager
North Sydney Council
PO Box 12
NORTH SYDNEY NSW 2059

15/05766

Dear Mr Winn

Planning Proposal to amend North Sydney Local Environmental Plan 2013

I refer to your Council's letter requesting a Gateway determination under section 56 of the *Environmental Planning and Assessment Act, 1979* (EP&A Act) in respect of the planning proposal to amend the *North Sydney Local Environmental Plan 2013* (North Sydney LEP 2013). The proposed amendment seeks to amend the North Sydney LEP 2013 to remove seven bus shelters from the heritage schedule and corresponding heritage maps.

As a delegate of the Minister for Planning, I have determined the planning proposal should proceed subject to the conditions in the attached Gateway determination. The Minister delegated his plan making powers to councils in October 2012. It is noted that Council has accepted this delegation. I have considered the nature of Council's planning proposal and have decided to issue an authorisation for Council to exercise delegation to make this plan.

The amending LEP 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 LEP should be made directly to the Parliamentary Counsel's Office 6 weeks prior to the projected 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 LEPs 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 Minister may take action under section 54(2)(d) of the EP&A Act if the time frames outlined in this determination are not met.

If you have any further enquiries about this matter, please contact Lauren Templeman on telephone number (02) 8575 4112.

Yours sincerely

A handwritten signature in blue ink, appearing to read "Simon Manoski". The signature is fluid and cursive, with the first name "Simon" and last name "Manoski" clearly distinguishable.

Simon Manoski
Acting General Manager, Metropolitan
Planning Services