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Ms Faye Roberts
Director Sydney East Region
NSW Department of Planning
Attention: Susan Sky
GPO Box 39
SYDNEY NSW 2001

MY (PDS)

12 May 2010

Dear Sir/Madam

Re: North Sydney Local Environmental Plan 2001 – Amendment under s.73A

I refer to the gazettal of North Sydney Local Environmental Plan (NSLEP) 2001 Amendment No. 37 on 7 May 2010. The amendment was made to allow the additional use, with development consent, of “commercial uses” to be operated from the site 35-51 Mitchell Street, McMahon's Point.

Council have identified an error in the legal description of the site in the amending instrument. It is therefore requested that an amendment be made to NSLEP 2001, under section 73A of the *Environmental Planning & Assessment Act 1979*, to rectify this error. Please find the attached pro forma Section 73A EP&A Act submission.

It is noted that Council was not consulted during the drafting of the amendment, as required by section 59 of the *Environmental Planning and Assessment Act 1979*. It is requested that in the future that Council be consulted during the drafting of any LEP amendment.

Enquiries should be directed to Mark Yee or the undersigned of Council's Strategic Planning Department, on 9936 8100.

Yours faithfully

A handwritten signature in black ink, appearing to read "Joseph Hill", written over a circular stamp or seal.

Joseph Hill
MANAGER STRATEGIC PLANNING

