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MY (PDS)

20 May 2014

Dear Sir/Madam

Re: North Sydney Local Environmental Plan (Amendment No.3)

On 9 September 2013, a Gateway Determination was issued for Planning Proposal PP-PP_2013_NORTH_002_00 (attached). The Planning Proposal seeks to amend North Sydney Local Environmental Plan 2013 (NSLEP 2013) to rezone a portion of 12 Shirley Road, Wollstonecraft from *IN4 - Working Waterfront* to *E4 - Environmental Living* and to apply a minimum subdivision lot size requirement of 450m² to that part of the site which is to be rezoned.

The Gateway Determination enabled the Planning Proposal to proceed subject to the following conditions:

1. The Planning Proposal was to proceed as an amendment to North Sydney Local Environmental Plan 2013.
2. The Planning Proposal is revised to address the proposal's inconsistency with Section 117 Direction 1.1 - Business and Industrial Zones.
3. A preliminary contamination assessment be undertaken in accordance with Clause 6 of State Environmental Planning Policy No.55 - Remediation of Land.
4. The Planning Proposal was to undertake public consultation for a period of 14 days in accordance with sections 56(2)(c) and 57 of the EP&A Act.
5. Consultation was required with the following public authorities under s.56(2)(d) of the EP&A Act:
 - NSW Office of Environmental Heritage
 - NSW Department of Primary Industries - Fishing and Aquaculture
6. No public hearing is required to be held under s.56(2)(e) of the EP&A Act.
7. The LEP is to be completed within 9 months from the week following the date of the Gateway Determination.

The conditions in the Gateway Determination have been complied with (refer to the attached s.59 Planning Report).

The Gateway Determination also granted Council written authorisation to exercise the functions of the Minister for Planning and Infrastructure under section 59 of the EP&A Act.

On 24 March 2014, Council requested Parliamentary Counsel to draft an LEP to give effect to the Planning Proposal. Council settled on the form of the draft LEP on 22 April 2014.

On 9 May 2014, Parliamentary Counsel issued an Opinion CEG e2014-108-d06: to Council that the LEP could be made. The LEP is North Sydney Local Environmental Plan 2013 (Amendment No.3).

On 20 May 2013, North Sydney Local Environmental Plan 2013 (Amendment No.3) was made without amendment by Emma Booth, Acting Manager Strategic Planning, as a delegate of the Minister of Planning and Infrastructure, pursuant to s. 59(2)(a) of the EP&A Act.

As required by the DoPI's *A Guide to preparing Local Environmental Plans*, please find attached the following:

1. Gateway Determination;
2. Parliamentary Counsel Opinion (CEG e2014-108-d06);
3. Signed copy of North Local Environmental Plan 2013 (Amendment No.3);
4. Signed copy of Map Cover Sheet (5950_COM_MCS_20140423);
5. Delegated plan making reporting template; and
6. S.59 Report.

Council requests that the DoPI make the necessary arrangements to notify North Sydney Local Environmental Plan 2013 (Amendment No.3) on the NSW legislation website.

Any enquiries should be directed to Mark Yee, Strategic Planner on 9936 8100.

Yours faithfully



Emma Booth
ACTING MANAGER STRATEGIC PLANNING