



Planning



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Department Generated Correspondence (Y)

Contact: Christopher Aston
Phone: (02) 9228 6111
Fax: (02) 9228 6244
Email: Christopher.Aston@planning.nsw.gov.au
Postal: GPO Box 39 Sydney NSW 2001

Our ref: PP_2010_NORTH_003_00 (10/04277)
Your ref: Mark Yee/Benjamin Boyd

Ms Penny Holloway
General Manager
North Sydney Council
PO Box 12
NORTH SYDNEY NSW 2059

Dear Ms Holloway,

Re: Planning Proposal to rezone 20-28 Brook Street, Crows Nest

I am writing in response to your Council's letter dated 10 February 2010 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 2001 to rezone Lots 5-9 DP 8066 (20-28 Brook Street, Crows Nest) from Residential B to Residential C.

As delegate of the Minister for Planning, I have now determined that the planning proposal should proceed subject to the conditions in the attached Gateway Determination.

To avoid a potential 'ad-hoc' approach to the future development of this area, it is suggested that Council consider the most appropriate future zoning of all of the land bounded by Brook, Chandos and Wheatleigh Streets and Donnelly Road, Crows Nest.

The Gateway Determination requires that the planning proposal be made publicly available for a period of 14 days. Under section 57(2) of the Act, I am satisfied that the planning proposal is in a form that can be made available for community consultation.

The amending Local Environmental Plan (LEP) is to be finalised within 9 months of the week following the date of the Gateway Determination.

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 s54(2)(d) of the EP&A Act if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, please contact Christopher Aston of the Regional Office of the Department on 02 9228 6111.

Yours sincerely,

Tom Gellibrand
Deputy Director General
Plan Making & Urban Renewal

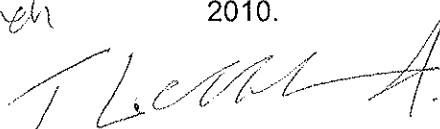
Gateway Determination

Planning Proposal (Department Ref: PP_2010_NORTH_003_00): to rezone Lots 5-9 DP 8066 (20-28 Brook Street, Crows Nest) from Residential B to Residential C.

I, the Deputy Director General, Plan Making & Urban Renewal as delegate of the Minister for Planning, have determined under section 56(2) of the EP&A Act that an amendment to the North Sydney Local Environmental Plan 2001 to rezone Lots 5-9 DP 8066 (20-28 Brook Street, Crows Nest) from Residential B to Residential C should proceed subject to the following conditions:

1. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("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 2009) and must be made publicly available for **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 4.5 of A Guide to Preparing LEPs (Department of Planning 2009).
2. Consultation with public authorities under section 56(2)(d) of the EP&A Act is not required.
3. No public hearing is to be held into the matter under section 56(2)(e) of the EP&A Act. This does not have any bearing on the need to conduct a public hearing under the provisions of any other legislation.
4. The timeframe for completing the LEP is to be **9 months** from the week following the date of the Gateway determination.

Dated 15th day of March 2010.



Tom Gellibrand
Deputy Director General
Plan Making & Urban Renewal
Delegate of the Minister for Planning