



Mr Warwick Winn  
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Our ref: PP\_2015\_NORTH\_008\_00 (15/13577)

Dear Mr Winn

### **Planning proposal to amend North Sydney Local Environmental Plan 2013**

I am writing in response to your Council's letter dated 3 September 2015 requesting a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to amend North Sydney Local Environmental Plan 2013 to identify the building 'Lansdowne' at 3 Anderson Street, Neutral Bay as a local heritage item.

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

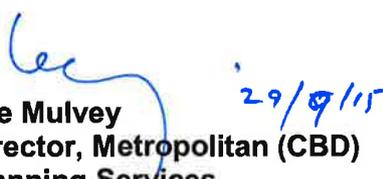
Plan making powers were delegated to councils by the Minister in October 2012. It is noted that Council has requested to be issued with delegation for this planning proposal. I have considered the nature of Council's planning proposal and have decided to issue an authorisation for Council to exercise delegation to make this plan.

The amending Local Environmental Plan 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 Local Environmental Plan should be made directly to 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's regional team for administrative purposes.

The State Government is committed to reducing the time taken to complete Local Environmental Plans 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 Act if the time frames outlined in this determination are not met.

If you have any queries in regard to this matter, please contact Mr James Sellwood of the Department's Metropolitan (CBD) on (02) 9228 6583.

Yours sincerely

  
**Lee Mulvey**  
**Director, Metropolitan (CBD)**  
**Planning Services**

Encl:  
Gateway Determination  
Written Authorisation to Exercise Delegation  
Delegated Plan Making Reporting Template



## Gateway Determination

**Planning proposal (Department Ref: PP\_2015\_NORTH\_008\_00): to list 'Lansdowne' at 3 Anderson St, Neutral Bay as an item of local heritage.**

I, the Director, Metropolitan (CBD) 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* (the Act) that an amendment to *North Sydney LEP 2013* should proceed subject to the following conditions:

1. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:
  - (a) the planning proposal must be made publicly available for a minimum of **28 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 (Department of Planning and Environment 2013)*.
2. Consultation is required under section 56(2)(d) of the Act with the Heritage division of the Office of Environment and Heritage.

The Heritage division 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.
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 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. The timeframe for completing the Local Environmental Plan is to be **9 months** from the week following the date of the Gateway determination.

Dated 29th day of September 2015.

  
**Lee Mulvey**  
Director, Metropolitan (CBD)  
Planning Services

**Delegate of the Minister for Planning**



**WRITTEN AUTHORISATION TO EXERCISE DELEGATION**

North Sydney Council is authorised to exercise the functions of the Minister for Planning under section 59 of the *Environmental Planning and Assessment Act 1979* that are delegated to it by instrument of delegation dated 14 October 2012, in relation to the following planning proposal:

<b>Number</b>	<b>Name</b>
PP_2015_NORTH_008_00	Planning proposal to list 'Lansdowne' at 3 Anderson St, Neutral Bay as an item of local heritage.

In exercising the Minister's functions under section 59, the Council must comply with the Department's 'A Guide to Preparing Local Environmental Plans' and 'A Guide to Preparing Planning Proposals'.

Dated 29 September 2015

A handwritten signature in blue ink, appearing to read 'Lee Mulvey', written over a vertical line.

**Lee Mulvey**  
**Director, Metropolitan (CBD)**  
**Planning Services**

**Delegate of the Minister for Planning**