

Mr Peter Debnam  
Chair  
Sydney North Planning Panel  
Locked Bag 5022  
PARAMATTA NSW 2124

Our ref: IRF22/3239

Dear Mr Debnam

### **Planning proposal PP-2021-2926 to amend North Sydney Local Environmental Plan 2013**

I am writing in response to the planning proposal you have forwarded to the Minister under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to amend the height, FSR and non-residential FSR controls in the *North Sydney Local Environmental Plan (LEP) 2013* to enable the future redevelopment of the site for a 3, 8 and 10 storey mixed-use development.

As delegate of the Minister for Planning and Homes, I have determined that the planning proposal should proceed subject to the conditions in the enclosed gateway determination.

I have also noted the inconsistency of the planning proposal with Direction 4.4 – Remediation of Contaminated Land is unresolved and will require further justification. Before the planning proposal can be finalised, a detailed site investigation by a suitably qualified environmental consultant and a Remediation Action Plan needs to be prepared and submitted to demonstrate the land is suitable for the purposes proposed, as outlined in the conditions of the Gateway determination.

It is noted that the Sydney North Planning Panel have been appointed as the planning proposal authority. The Minister for Planning or an appointed delegate will be the Local Plan-Making authority for this planning proposal.

The amending LEP is to be finalised within 9 months of the issue of the Gateway determination. The Panel should aim to commence the exhibition of the planning proposal as soon as possible, noting the updates to the planning proposal required prior to public exhibition. The Panel's request for the Department of Planning and Environment to draft and finalise the LEP should be made eight weeks in advance of the date the LEP is projected to be made.

Parliamentary Counsel's Office is not responsible for the drafting of map-only amendments to LEPs. Requests for legal drafting for map-only amendments must instead be sent to [mapinstrument.drafting@dpie.nsw.gov.au](mailto:mapinstrument.drafting@dpie.nsw.gov.au). The relevant Department of Planning and Environment team contact should be copied into the request. The request must include the drafting instruction template, planning proposal and gateway determination.

The NSW Government has committed to reduce the time taken to complete LEPs. The Department's categorisation of planning proposals in the *Local Environmental Plan Making Guideline* (Department of Planning and Environment, 2021) is supported by category specific timeframes for satisfaction of conditions and authority and Government agency referrals,

consultation, and responses. Compliance with milestones will be monitored by the Department to ensure planning proposals are progressing as required.

Should you have any enquiries about this matter, I have arranged for Ashley Richards, Specialist Planner in the North District team, to assist you. Ms Richards can be contacted on 02 8289 6776.

Yours sincerely



**28 October 2022**

**Brendan Metcalfe**

**Director North District, Metro Central and North  
Planning and Land Use Strategy**

Encl: Gateway determination