

Mr Robert Emerson  
A/General Manager  
North Sydney Council  
PO Box 12  
NORTH SYDNEY NSW 2059

Our ref: PP-2021-1259/(IRF22/2813)

Via email: [council@northsydney.nsw.gov.au](mailto:council@northsydney.nsw.gov.au)

**Attention: Marcelo Occhiuzzi, Manager Strategic Planning**

Dear Mr Emerson

**Planning proposal PP-2022-1259 – Alteration of Gateway Determination**

I refer to your letter dated 9 August 2022 in relation to seeking an extension of timeframes to complete planning proposal PP-2022-1259 relating to 45 McLaren Street, North Sydney.

Condition 2 of the Gateway determination conditions the timeframe for commencing exhibition to be 3 months following the date of the Gateway determination. Council has advised that there may be a delay in the commencement of the exhibition for the proposal to allow Council to consider amendments to the VPA offer and the site specific development control plan. I also note that Condition 6 of the Gateway determination requires the planning proposal to be reported to Council for a final recommendation within 6 months following the date of the Gateway determination.

I have determined as the delegate of the Minister, in accordance with section 3.34(7) of the *Environmental Planning and Assessment Act 1979*, to alter the Gateway determination dated 1 June 2022. The Alteration of Gateway determination is enclosed. An extension of time for commencing exhibition and reporting back to council has been agreed, however this must be within the overall completion timeframe of the LEP within 9 months of the date of the Gateway determination by 1 March 2023.

The NSW Government has committed to reduce the time taken to complete LEPs. To meet these commitments, the Minister may appoint an alternate planning proposal authority if Council does not meet the timeframes outlined in the Gateway determination.

If you have any questions in relation to this matter, I have arranged for Mr Matthew Rothwell to assist you. Mr Rothwell can be contacted on 8275 1066.

Yours sincerely



**26 August 2022**  
**Brendan Metcalfe**  
**Director, North District**  
**Metro Central and North**

Encl: Alteration of Gateway Determination

## Alteration of Gateway Determination

### *Planning proposal (Department Ref: PP-2022-1259)*

I, the Director, North District at the Department of Planning and Environment, as delegate of the Minister for Planning and Homes, have determined under section 3.34(7) of the *Environmental Planning and Assessment Act 1979* to alter the Gateway determination dated 1 June 2022 for the proposed amendment to the North Sydney Local Environmental Plan 2013 as follows:

1. Delete:

“condition 2”

and replace with:

new condition 2:

“Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:

- (a) the planning proposal is categorised as standard as described in the Local Environmental Plan Making Guidelines (Department of Planning and Environment, 2021) and must be made publicly available for a minimum of 28 days; and
- (b) the planning proposal 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 *Local Environmental Plan Making Guidelines* (Department of Planning and Environment, 2021).

Exhibition must commence within **6 months** following the date of the Gateway determination.”

2. Delete:

“condition 6”

and replace with:

new condition 6: “The planning proposal must be reported to Council for a final recommendation **8 months** from the date of the Gateway determination.”

Dated 26<sup>th</sup> day of August 2022.



**Brendan Metcalfe**  
Director North District  
Metro Central and North  
Department of Planning and Environment  
Delegate of the Minister for Planning and Homes