



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

Dear Mr Debnam

**Planning proposal PP\_2020\_NORTH\_004\_00 to amend North Sydney Local Environmental Plan 2013**

I am writing in response to the Sydney North Planning Panel's request for a Gateway determination under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal for land at 173-179 Walker Street and 11-17 Hampden Street, North Sydney to:

- increase the maximum permitted building height from 12m to RL 133 (24 storeys)
- establish a floor space ratio (FSR) for the site of 6.1:1;
- establish a new Special Provisions Map and identify the site as "Area 1";
- include a new site specific clause for the site under Part 6 Additional Local Provisions that:
  - identifies the lots that form the site with reference to "Area 1" on the new Special Provisions Map;
  - incentivises the amalgamation of all lots within the site through a height of building bonus allowing for a maximum building height of RL 148 (29 storeys);
  - ensures that development consent cannot be granted to development at the site which leads to a net increase in overshadowing to Doris Fitton Park between 12pm-2pm during mid-winter; and
  - ensures that the consent authority must be satisfied that there is adequate provision of social and community infrastructure when granting development consent.

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

As the Sydney North Planning Panel is the planning proposal authority for the proposal, Council has not been authorised as the local plan making authority.

The amending local environmental plan (LEP) is to be finalised within 12 months of the date of the Gateway determination. The proponent should aim to commence the exhibition of the planning proposal as soon as possible. Council's request for the Department of Planning, Industry and Environment to draft and finalise the LEP should be made eight weeks prior to the projected publication date.

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 section 3.32(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any enquiries about this matter, I have arranged for Mr Nick Armstrong to assist you. Mr Armstrong can be contacted on 02 8275 1219.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'M. McDonald', is positioned above the typed name.

6 July 2020

**Malcolm McDonald**  
**Executive Director, Eastern Harbour City**  
**Greater Sydney, Place and Infrastructure**

Encl: Gateway determination