

Gateway Determination

Planning proposal (Department Ref: PP_2016_NORTH_001_00): to amend North Sydney Local Environmental Plan 2013 to facilitate the redevelopment of Hume Street Park consistent with the concept design endorsed by North Sydney Council, including:

- rezoning the site from B4 Mixed Use to RE1 Public Recreation;
- introducing specific uses via Schedule 1;
- removing height and non-residential floor space ratio controls;
- identifying Willoughby Road, St Leonards, on the Land Reservation Acquisition Map; and
- reclassifying the land (with the exception of 90 Willoughby Road) as 'operational'.

I, the Acting Executive Director, Regions, at the Department of Planning and Environment as delegate of the Greater Sydney Commission, have determined under section 56(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the North Sydney Local Environmental Plan 2013 to facilitate the redevelopment of Hume Street Park, should proceed subject to the following conditions:

1. Prior to undertaking public exhibition, consultation is required with the following public authorities under section 56(2)(d) of the Act:
 - Transport for NSW – Sydney Metro;
 - Transport for NSW – Sydney Trains;
 - Transport for NSW – Roads and Maritime Services;
 - Lane Cove Council; and
 - Willoughby City Council

Each public authority 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, or to indicate that they will require additional time to comment. The planning proposal should be updated to respond to this consultation, and copies of all submissions from public authorities must be included in the public exhibition material.

2. The planning proposal is to be amended to reflect the above condition and a copy provided to the Director, Sydney Region East prior to community consultation under sections 56(2)(c) and 57 of the Act being undertaken.
3. Prior to finalisation, the planning proposal is to be amended to demonstrate consistency with any available findings of the St Leonards planning review work being undertaken by the Department.
4. 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**;

- (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)*; and
 - (c) write to landowners affected by the acquisition and reclassification of land.
5. Consultation is required with the Office of Environment and Heritage under section 56(2)(d) of the Act. The Office of Environment and Heritage 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.
6. 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).
7. The timeframe for completing the Local Environmental Plan is to be **18 months** from the week following the date of the Gateway determination.

Dated 15th day of April 2016.


Stephen Murray
A/Executive Director, Regions
Planning Services

Delegate of the Greater Sydney Commission



Mr Ross McCreanor
Acting General Manager
North Sydney Council
PO Box 12
North Sydney NSW 2059

Our ref: PP_2016_NORTH_001_00 (16/02567)

Dear Mr McCreanor

Planning Proposal to amend North Sydney Local Environmental Plan 2013

I am writing in response to your Council's letter dated 15 December 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 redevelop Hume Street Park.

As delegate of the Greater Sydney Commission, I have now determined the planning proposal should proceed subject to the conditions in the attached Gateway determination.

I have also agreed, as delegate of the Secretary, the planning proposal's inconsistencies with S117 Directions 1.1 Business and Industrial Zones and 3.1 Residential Zones are of minor significance. No further approval is required in relation to these Directions.

Plan making powers were delegated to councils by the Minister in October 2012. I have considered the nature of Council's planning proposal and have decided not to issue an authorisation for Council to exercise delegation to make this plan, due to requirement for the subject land to be reclassified from 'community' to 'operational'.

The subject site is located within the area subject to the St Leonards strategic planning review being undertaken by the Department in consultation with North Sydney, Lane Cove and Willoughby Councils. As the proposal does not result in an increase in development potential on the site, Council is not required to include a satisfactory arrangements provision in regard to contributions to the provision of designated State public infrastructure identified as part of a draft or final strategy for this precinct.

Council should demonstrate that the proposal is consistent with any available findings of the St Leonards strategic planning review prior to finalisation.

The amending Local Environmental Plan (LEP) is to be finalised within 18 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 for the Department of Planning and Environment to draft and finalise the LEP should be made 6 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 Greater Sydney Commission may take action under section 54(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, I have arranged for Ms Yolande Miller of the Department's regional office to assist you. Ms Miller can be contacted on (02) 9228 6500.

Yours sincerely

 15 April 2016
Stephen Murray
A/Executive Director, Regions
Planning Services

Encl: Gateway Determination