

Mr Ken Gouldthorp
General Manager
North Sydney Council
200 Miller Street
NORTH SYDNEY NSW 2060

Ken
Dear Mr Gouldthorp

Planning proposal PP_2018_NORTH_003_00 to amend North Sydney Local Environmental Plan 2013

I am writing in response to Council'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 to increase the maximum building height and minimum non-residential floor space ratio and introduce a maximum floor space ratio for the land at 23-35 Atchison Street, St Leonards.

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

I have also agreed, as delegate of the Secretary, that the planning proposal's inconsistency with section 9.1 Direction Business and Industrial Zones is justified in accordance with the terms of the Direction. No further approval is required in relation to this Direction.

Council may still need to obtain the agreement of the Department of Planning and Environment's Secretary to comply with the requirements of section 9.1 Direction 3.5 Development Near Licensed Aerodromes. Council should ensure this occurs prior to the plan being made.


I have considered Council's request to be the local plan-making authority and have determined not to condition the Gateway for Council to be the local plan-making authority as the site is within the St Leonards and Crows Nest Station Precinct.

The amending local environmental plan (LEP) is to be finalised within 12 months of 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 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 Ms Mary Su to assist you. Ms Su can be contacted on 9373 2807.

Yours sincerely

 21 December 2018
Stephen Murray
Executive Director, Regions
Planning Services

Encl: Gateway determination