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ABN 32 353 260 317

Ms Amanda Harvey
Director Sydney Region East
NSW Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

JC5 (CIS)

4 October 2018

Dear Amanda,

Re: Planning Proposal 1/18 – 23-35 Atchison Street, St Leonards

Council is seeking a Gateway Determination for Planning Proposal 1/18, which seeks to amend North Sydney Local Environmental Plan 2013 (NSLEP 2013), by amending planning controls as they relate to 23-35 Atchison Street. In particular, the Planning Proposal seeks to:

- increase the maximum building height from 20m to 56m;
- increase the minimum non-residential FSR from 0.6:1 to 1.5:1; and
- impose a maximum floor space ratio (FSR) of 6.3:1.

The Planning Proposal is also accompanied by a Draft Voluntary Planning Agreement (VPA) which proposes to provide various monetary and in-kind contributions to Council. The contributions include the dedication and embellishment of a 5-metre wide strip of land for the Oxley Street linear park, provision of a 6-metre wide through site link from Atchison Street to Albany Lane, and a monetary contribution of \$2,800,000 to contribute to the future Hume Street Park upgrade.

Background

At its meeting on 25 June 2018, Council considered an assessment report in relation to Planning Proposal 1/18 where it resolved to support the Planning Proposal. However, it deferred its recommendation to forward the Planning Proposal to the Minister for Planning in order to receive a Gateway Determination, until a number of issues were resolved with regard to the associated VPA. In particular, Council resolved:

1. ***THAT the Planning Proposal be amended to Council's satisfaction addressing the recommendations outlined in this report, including a maximum height of buildings equating to 56 metres, a revised number of parking spaces as per North Sydney Development Control Plan 2013, and an updated assessment against the Greater Sydney Region Plan: A Metropolis of Three Cities and the North District Plan.***
2. ***THAT Council notify the owners of 21 Atchison Street of Council's resolution.***

3. *THAT upon satisfactory negotiation of the contents and detailed terms of the draft VPA and completion of Recommendation 1, the General Manager be given the authority to forward the Planning Proposal in accordance with Section 3.34 of the Environmental Planning and Assessment Act 1979 seeking a Gateway Determination.*
4. *THAT upon receipt of a Gateway Determination, the associated draft VPA as endorsed by the General Manager, be exhibited concurrently with the subject Planning Proposal.*
5. *THAT a Development Control Plan amendment be prepared for exhibition concurrent with the Planning Proposal which requests that a 6m ground level setback be applied to Atchison Street.*

Request

In accordance with its resolution, Council now seeks a Gateway Determination in accordance with Section 3.34 of the Environmental Planning and Assessment Act, 1979 for Planning Proposal 1/18.

Please find attached a CD containing the following:

- Council officer's report including Council's resolution;
- Planning Proposal;
- Draft VPA; and
- Plan making authorisation checklist.

Delegation of Plan Making Functions

Council also respectfully requests authorisation to exercise the functions of the Greater Sydney Commission under Section 3.36 of the Environmental Planning and Assessment Act 1979. A copy of the authorisation checklist has been included on the attached CD.

Enquiries should be directed to Joanne Chan or the undersigned of Council's Strategic Planning Department on 9936 8100.

Yours sincerely



MARCELO OCCHUZZI
MANAGER STRATEGIC PLANNING