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Amanda Harvey
Director, North District
NSW Department of Planning, Industry and Environment
GPO Box 39
SYDNEY NSW 2001

(Submitted via the NSW Planning Portal)

Attention: Nick Armstrong

BB3(CIS)
Our Ref: PP7/19

28 November 2019

Dear Nick,

RE: PLANNING PROPOSAL 7/19 – NORTH SYDNEY LEP REVIEW 2019

The attached Planning Proposal seeks to amend North Sydney Local Environmental Plan (NSLEP) 2013, by giving effect to the recommended actions of the North Sydney Local Strategic Planning Statement and North Sydney Local Housing Strategy and to incorporate a number of minor house-keeping amendments to ensure that NSLEP 2013 remains a clear, transparent and contemporary planning instrument.

At a high level, the following amendments to NSLEP are proposed:

- Permitting residential flat buildings within the *R3 Medium Density Residential* zone, but only where they do not adversely impact upon the desired scale and character of the zone;
- Permitting veterinary hospitals within the *B1 Neighbourhood Centre* zone;
- Rezoning two Sydney Water properties to *SP2 Infrastructure* to reflect their primary use;
- Rezone a number of properties to *SP2 Infrastructure* to reflect the extent of land gazetted for classified road purposes;
- Rezoning land owned and used by schools to *SP2 Infrastructure* to reflect their primary use and to be consistent with Council's existing policy of zoning schools;
- Rezoning a number of private properties to correct historical errors;
- Rezoning a number of road reserves for open space purposes to reflect their current usage;
- Expanding the ability to undertake functions across the entirety of the North Sydney Olympic Pool site to provide increased flexibility with its future redevelopment;
- Ensuring that when a residential flat building is constructed, it does not isolate a site used as a semi-detached dwelling.
- Identifying the following properties as new heritage items:
 - 33 Spruson Street, Neutral Bay;
 - 3 Parker Street, McMahon's Point;
- Removal of heritage item listings to reflect those which have been demolished or removed;

- Revising all LEP maps to ensure that the planning controls accurately align with a state government requirement to move a new base cadastre;
- Correcting minor errors pertaining to the location of the local government area and NSLEP 2013 boundaries;
- Removal of redundant clauses, due to ceasing operation or duplication under other planning instruments;
- Renumbering clauses to align with the directions under the Standard Instrument LEP Order;
- Correcting errors in relation to street addresses and property descriptions
- Correcting errors in relation to the location and extent of identified heritage items;
- Undertaking consequential amendments arising from the rezoning of land to be consistent with existing council practices for applying development standards under the LEP;
- Applying height limits to privately owned land, which is not zoned for recreation, environmental conservation or road purposes consistent with Council's existing policy position for applying height limits to land;
- Removal of properties identified for land acquisition which have now been acquired by the identified relevant acquisition authority;

In accordance with Minister's Direction of 27 September 2018 issued under s.9.1 of the Environmental Planning and Assessment Act, 1979 (EP&A Act), the North Sydney Local Planning Panel (NSLPP) considered the Planning Proposal and an Assessment Report prepared by Council Officers on 23 October 2019, who recommended to support the Planning Proposal proceeding to Gateway Determination.

At its meeting on 25 November 2019, Council resolved to support the Planning Proposal so that it may be forwarded to the Minister for Planning in order to receive a Gateway Determination in accordance with Section 3.34 of the EP&A Act. In accordance with this resolution, Council respectfully requests the consideration of and issuing of a Gateway Determination such that the Planning Proposal may proceed to public exhibition.

To assist with its determination as to whether to grant a Gateway Determination, please find attached the following documentation:

- Council officer's report including Council's resolution of 25 November 2019;
- Planning Proposal (revised in accordance with the resolution of Council); and
- A completed evaluation criteria form to authorise Council to make the LEP.

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

Yours sincerely,



MARCELO OCCHIUZZI
MANAGER STRATEGIC PLANNING