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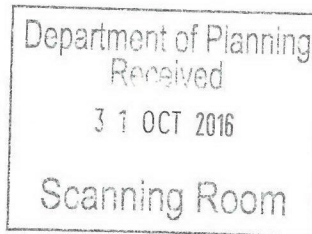
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ABN 32 353 260 317

Karen Armstrong
Director Metro Delivery (CBD)
Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001



26 October 2016



Dear Karen,

**RE: PRE-GATEWAY REVIEW REQUEST – PGR_2015_NORTH_002_00
11 COWDROY AVENUE, CAMMERAY**

I refer to the Department of Planning and Environment's (DPE) letter dated 14 September 2016 with respect to the progression of the Planning Proposal relating to 11 Cowdroy Avenue, Cammeray. In particular, it sought to determine if North Sydney Council (Council) would accept the role of Relevant Planning Authority (RPA) within 28 Days of the date of the letter, and if it did, that the Planning Proposal be forwarded to the DPE within 90 days of the date of the letter.

It was agreed verbally with DPE staff, that a short extension to the timeframes within the letter would be granted to enable the implications of the request to be adequately considered and formally reported to Council.

Relevant Planning Authority

A report addressing the implications of accepting the role of RPA was considered by Council on 24 October 2016 (refer to attached), wherein it resolved:

1. *THAT Council accept the role of the Relevant Planning Authority for the Planning Proposal affecting land at 11 Cowdroy Avenue, Cammeray.*
2. *THAT Council advise the Department of Planning and Environment that a condition be added to any Gateway Determination issued in relation to the Planning Proposal to include the rezoning of the subject site and neighbouring properties to R2 Low Density Residential.*
3. *THAT upon receiving Gateway Determination Council seek stage 2 fees to progress the Planning Proposal to public exhibition.*
4. *THAT once Gateway Determination be issued, Council delegate to the General Manager the approval of site specific DCP controls to be placed on exhibition at the same time as the Planning Proposal.*

ENGLISH	If you do not understand this information, please ring the Translating and Interpreting Service (TIS) on 13 14 50, and ask for an interpreter in your language to contact North Sydney Council on (02) 9936 8100. This is a free service.
ARABIC	إذا لم يكن بمقدورك فهم هذه المعلومات، فالرجاء الاتصال بخدمات الترجمة الخفية والفورية (Translating and Interpreting Service (TIS)) على الرقم 13 14 50 و الطلب من مترجم فوري يتحدث العربية أن يتصل لك بمجلس مدينة شمال سيدني على الرقم (02) 9936 8100 – هذه الخدمة مجانية.
GREEK	Αν δεν καταλαβαίνετε αυτές τις πληροφορίες, παρακαλώ τηλεφωνήστε στην Υπηρεσία Μετάφρασης και Διερμηνείας (Translating and Interpreting Service (TIS)) στο 13 14 50, και ζητήστε να σας διαθέσουν ένα διερμηνέα στη γλώσσα σας για να επικοινωνήσετε με το Δήμο του North Sydney στο (02) 9936 8100. Αυτή είναι μια δωρεάν υπηρεσία.
HINDI	यदि आप इस जानकारी को समझ नहीं सकते हैं तो कृपया अनुवाद और दुभाषिया सेवा (Translating and Interpreting Service - TIS) को 13 14 50 पर फ़ोन करें और अपनी भाषा के दुभाषिए द्वारा उत्तरी सिडनी काउंसिल (North Sydney Council) को (02) 9936 8100 पर फ़ोन करने के लिए कहें। यह सेवा निःशुल्क है।
INDONESIAN	Jika Anda kurang memahami informasi ini, silakan telepon Translating and Interpreting Service (TIS) di 13 14 50, dan mintalah seorang juru bahasa dalam bahasa Anda untuk menghubungi North Sydney Council di (02) 9936 8100. Layanan ini tidak dipungut biaya.
ITALIAN	Se non capite queste informazioni, chiamate il Servizio di Traduzione e Interpretariato (TIS - Translating and Interpreting Service) al numero 13 14 50, e chiedete ad un interprete nella vostra lingua di contattare il North Sydney Council al numero (02) 9936 8100. Il servizio è gratuito.
JAPANESE	上記の情報について何かご質問がございましたら、通訳・翻訳サービス (Translating and Interpreting Service (TIS)) 電話番号 13 14 50 までお問い合わせください。また、ご自分の国の言語で通訳の手配をご希望の方は、ノース・シドニー・カウンシル (North Sydney Council) 電話番号 (02) 9936 8100。まで電話でお問い合わせください。尚、このサービスは、無料です。
KOREAN	이 정보를 이해하지 못하실 경우 번역 통역 서비스 (Translating and Interpreting Service (TIS))에 13 14 50으로 연락하셔서 한국어 통역사를 요청하시고 노스 시드니 카운슬 (North Sydney Council) 연락처인 (02) 9936 8100로 연결하도록 요청하십시오. 이 서비스는 무료입니다.
TAGALOG	Kung hindi ninyo naiintindihan ang impormasyong ito, mangyari lamang na tumawag sa Translating and Interpreting Service (TIS) sa 13 14 50, at hilingin sa interpreter ng inyong wika na tawagan ang North Sydney Council sa (02) 9936 8100. Ito ay isang libreng serbisyo.
TRADITIONAL CHINESE	如果你不明白這份資料，請致電13 14 50聯絡Translating and Interpreting Service (TIS)，要求一名能說你的語言的傳譯員，代你致電(02) 9936 8100聯絡North Sydney Council。這是免費服務。

Accordingly, Council accepts the role of RPA in relation to progressing this Planning Proposal. However, it is requested that in issuing any Gateway Determination for the Planning Proposal, that a condition be imposed requiring the Planning Proposal be amended to include the rezoning of the subject site and neighbouring properties to *R2 Low Density Residential*. The imposition of such a condition is consistent with the recommendations to Council and the DPE's assessment of the Planning Proposal.

Forwarding of the Planning Proposal

It was requested that if Council accepts the role of the RPA, then the Planning Proposal be forwarded to the DPE within 90 days of the date of the letter (14 September 2016).

Council has requested that the proponent pay the required fees to Council to progress the Planning Proposal through to the second stage of the Planning Proposal process. The Planning Proposal will not be forwarded to the DPE until the proponent has paid the required fees.

Review Process

Council would also like to express its concern with the DPE's decision to recommend the Planning Proposal proceed to Gateway Determination, in particular the recommendation to amend *Schedule 1 – Additional Permitted Uses* to permit 'dual occupancies (detached)' on the subject site. This is contrary to the recommendations of both Council and the Joint Regional Planning Panel (JRPP).

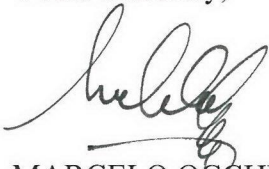
The JRPP considered the proposed Schedule 1 request to allow detached dual occupancies at the subject site and noted that detached dual occupancies are not permissible in any residential zone in the North Sydney Local Government Area. The Panel considered:

such a one off change would be inappropriate simply to make permissible what is currently an unauthorised use.

If implemented, the Planning Proposal would not comply with the relevant planning controls under North Sydney LEP 2013 or North Sydney DCP 2013 relating to dual occupancies. Such an amendment gives the impression to the community that Council is willing to amend its planning controls to legitimise unlawful works or unauthorised uses.

If you have any other queries, please do not hesitate to contact Katerina Pikoulas or the undersigned on **9936-8100**.

Yours Sincerely,



MARCELO OCCHIUZZI
MANAGER STRATEGIC PLANNING