



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

16/15013

Attention: Marcelo Occhiuzzi, Manager Strategic Planning

Dear Mr McCreanor

Planning proposal to amend North Sydney Local Environmental Plan 2013

I am writing in response to your Council's letter dated 24 October 2016 advising acceptance of the role of relevant planning authority in relation to progressing the planning proposal for 11 Cowdroy Avenue, Cammeray which was subject to a Pre-Gateway Review.

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.

The amending Local Environmental Plan (LEP) is to be finalised within 9 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 *Environmental Planning and Assessment Act 1979* 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) 9274 6500.

Yours sincerely


Karen Armstrong
Director, Sydney Region East
Planning Services

Encl:
Gateway Determination

Gateway Determination

Planning proposal (Department Ref: PP_2016_NORTH_003_00): to facilitate separate residential use of the three storey building at the rear of 11 Cowdroy Avenue, Cammeray (the site), as well as rezone the site and neighbouring properties to the west (that is, east of Stratford Street) to more appropriately reflect the built environment.

I, the Director, Sydney Region East, 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* (LEP) to facilitate separate residential use of the three storey building at the rear of 11 Cowdroy Avenue, Cammeray (the site), as well as rezone the site and neighbouring properties to the west (that is, east of Stratford Street) to more appropriately reflect the built environment should proceed subject to the following conditions:

1. The planning proposal is to be amended as follows:

(a) revise the statement of objectives and intended outcomes by way of reference to facilitating separate residential use of the existing three storey building at the rear of 11 Cowdroy Avenue, Cammeray and rezoning 11 Cowdroy Avenue and the properties to the west (i.e. east of Stratford Street) from E4 Environmental Living to R2 Low Density Residential to more appropriately reflect the existing built form within the area; and

(b) revise the explanation of provisions to (i) amend North Sydney Local Environmental Plan 2013 Land Zoning Map by rezoning the subject land from E4 Environmental Living to R2 Low Density Residential and (ii) amend Schedule 1 of North Sydney Local Environmental Plan 2013 to permit with consent dual occupancies (detached) for 11 Cowdroy Avenue, Cammeray; and

(c) update the site description/context, including aerial photographs and site photos; and

(d) include maps which clearly show both the relevant existing and proposed controls for the subject land. Maps are to be consistent with the Department's Standard Technical Requirements for Spatial Datasets and Maps (November 2015).

2. The planning proposal is to be amended in accordance with condition 1 to the satisfaction of the Director, Sydney Region East prior to any consultation with public agencies or any community consultation under section 56 and 57 of the *Environmental Planning and Assessment Act 1979* (the Act).

3. Prior to public exhibition, the planning proposal is to be revised to demonstrate consistency with the Draft North District Plan, released on 21 November 2016.

4. Community consultation is required under section 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; and

(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 Local Environmental Plans (Department of Planning and Environment August 2016).

5. 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).

6. The timeframe for completing the LEP is to be 9 months from the week following the date of the Gateway determination.

Dated 30th day of NOVEMBER 2016



Karen Armstrong
Director, Sydney Region East
Planning Services
Department of Planning and
Environment

Delegate of the Greater Sydney
Commission