

# **Response to Gateway Determination Conditions**

## **Planning Proposal 4/22: Prohibition of Residential Flat Buildings in the R3 Medium Density Residential zone**

This document represents North Sydney Council's response to the conditions set out in the Department of Planning's Gateway Determination for the above Planning Proposal, dated 12 August 2022.

### **Condition 1**

This Condition requires the Planning Proposal to be amended prior to it being placed on public exhibition. The Planning Proposal has been amended to:

- (a) Incorporate a savings and transition provision to allow Development Applications for residential flat buildings in the *R3 Medium Density Residential Zone* to be considered and determined as if the proposed amendment to North Sydney LEP 2013 had not yet commenced. These matters are specifically addressed in sections 5.1 and 5.2.1 of the revised Planning Proposal.
- (b) Section 5.3.1 of the revised Planning Proposal has been amended to include details of built form outcome concerns arising from residential flat buildings being proposed in the *R3 Medium Density Residential zone*.
- (c) Section 5.6 of the revised Planning Proposal has been amended to include a revised timeline within which the Planning Proposal is to be completed.

### **Condition 2**

The Planning Proposal is being placed on public exhibition from 26 September 2022 until 7 November 2022, comprising a period of 43 calendar days or 29 working days (n.b. public holidays are excluded from "working days", in accordance with this Condition).

The Planning Proposal commenced public exhibition on 26 September 2022, being well within the 4 month timeframe (by 12 December 2022).

### **Condition 3**

The condition is noted.

### **Condition 4**

The condition is noted.

**Condition 5**

The condition is noted. Given the end of the exhibition period, it is likely that this timeframe can be easily met.

**Condition 6**

The condition is noted.