



18 March 2022

Brendan Metcalfe
Director, North District
NSW Department of Planning and Environment
Locked Bag 5022
PARRAMATTA NSW 2124

Our Ref: PP8/21
BB3 (CIS)

(Submitted via the NSW Planning Portal)

Dear Brendan

**RE: PLANNING PROPOSAL 8/21 - NORTH SYDNEY CENTRE - HEIGHT OF BUILDINGS
VARIATION**

The attached Planning Proposal seeks to amend North Sydney Local Environmental Plan (NSLEP) 2013 to rationalise the relationship between clauses 4.6 and 6.3(3) within the LEP, that enable variations to building height within the North Sydney Centre. In particular, the apparent primacy provided to clause 6.3(3) and its narrow set of considerations, is problematic and this Planning Proposal seeks to address this. In addition, this Planning Proposal seeks to include a provision to ensure consideration of the objectives of Division 1 of Part 6 in the NSLEP when granting consent or determining a development application in the North Sydney Centre.

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 29 September 2021, which recommended to support the Planning Proposal proceeding to Gateway Determination.

At its meeting on 21 February 2022, 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:

- Planning Proposal (as adopted by Council on 21 February 2022);
- Report considered by Council on 21 February 2022 (incorporating the planning proposal, Council officer's assessment report and North Sydney Local Planning Panel's advice) and Council's resolution;
- Minutes to the Local Planning Panel.

Due to the proposed amendment being a relatively minor technical amendment, Council seeks to be authorised as the Local Plan Making Authority for this Planning Proposal. Council has granted delegation to the following staff:

- Director City Strategy
- Manager Strategic Planning

Enquiries should be directed to Ranga Ravi, Student Strategic Planner, or the undersigned of Council's Strategic Planning Department on 9936 8100.

Yours sincerely



MARCELO OCCHIUZZI

MANAGER - STRATEGIC PLANNING