

## Gateway Determination

**Planning proposal (Department Ref: PP-2023-699):** amend the North Sydney Local Environmental Plan 2013 for land at 183-185 Military Road, Neutral Bay to increase maximum height of buildings and apply a non-residential floor space ratio.

I, the Director at the Department of Planning, Housing and Infrastructure, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the North Sydney Local Environmental Plan 2013 to amend the maximum height of buildings and apply a non-residential floor space ratio should proceed subject to the following conditions.

The LEP should be completed on or before **2 December 2025**.

### Gateway Conditions

1. Prior to exhibition, the planning proposal is to be amended and forwarded to the Minister under s 3.34(6) of the Act with the following changes:
  - a. Update planning proposal and supporting documents to change identification of zoning from B4 Mixed use zone to MU1 Mixed use zone.
  - b. Update planning proposal to acknowledge the endorsed site-specific amendment to the NSDCP 2013 for '1-11 Rangers Road, 50 Yeo Street and 183-185 Military Road, Neutral Bay'.
  - c. Update planning proposal to acknowledge the finalisation of planning controls for '1-7 Rangers Road and 50 Yeo Street, Neutral Bay'.
  - d. Update planning proposal to provide an assessment against the Local Housing Strategy (LHS) including the additional requirements provided by the Department in its endorsement of the LHS where relevant.
  - e. Update planning proposal to include assessment against the Neutral Bay Village Planning study.
  - f. Update planning proposal and supporting documents to remove assessment against the rescinded Military Road Corridor Planning Study.
  - g. Update planning proposal to remove reference to SEPP 65 and outline assessment of the proposal against Chapter 4 of SEPP (Housing) 2021.
  - h. Updated planning proposal to include the existing number of jobs on site and the proposed number of jobs as a result of development.
  - i. Update the planning proposal to include the delivery of 5% affordable housing as an objective of the planning proposal.
  - j. Update planning proposal and associated documents to reflect the removal of the community facility.
  - k. Update project timeline.
2. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:
  - (a) the planning proposal is categorised as standard as described in the *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023) and must be made publicly available for a minimum of 20 working days; and
  - (b) the planning proposal 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 *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023).

3. Consultation is required with the following public authorities and government agencies under section 3.34(2)(d) of the Act and/or to comply with the requirements of applicable directions of the Minister under section 9 of the Act:

- Transport for NSW (TfNSW)
- Relevant utility providers

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material via the NSW Planning Portal and given at least 30 working days to comment on the proposal.

4. A public hearing is not required to be held into the matter by any person or body under section 3.34(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).
5. Prior to finalisation, a suitable mechanism must be in place to secure 5% affordable housing on the site.

Dated 11 April 2025



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**Central Coast)**  
**Planning, Land Use Strategy, Housing**  
**and Infrastructure**  
**Department of Planning, Housing and**  
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**Delegate of the Minister for Planning and**  
**Public Spaces**