

## Gateway Determination

**Planning proposal (Department Ref: PP-2024-122):** to amend the North Sydney Local Environmental Plan 2013 to rezone land at 263-283 Alfred Street and 4 Little Alfred Street, North Sydney to mixed use and allow for additional uplift and apply site specific provisions on 275 Alfred Street.

I, the A/Executive 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 rezone land from E2 Commercial Core to MU1 Mixed Use, allow for additional uplift on 275 Alfred Street and introduce site specific provisions should proceed subject to the following conditions:

The LEP should be completed on or before **25 September 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) Remove proposed draft wording of clauses from the planning proposal and provide clear statements setting out the intent of the proposed amendments to the LEP;
  - (b) Update the intent of the proposed design excellence clause to apply to a new building or external alterations to a building on Site B (275 Alfred Street) with a competitive design process applying to a building that has, or will have, a height above RL 92.7;
  - (c) Remove the proposed amendment to clause 6.19B Design excellence in the area adjacent to Crows Nest Metro Station;
  - (d) Propose an appropriate FSR control for Site B and update supporting documentation;
  - (e) Update the planning proposal to remove the proposed deletion of the FSR control for Sites A, C and D;
  - (f) Include the existing and proposed LEP maps in the planning proposal;
  - (g) Provide a Heritage Impact Statement to assess the impact of the development on the Whaling Street Heritage Conservation Area and heritage items within the vicinity of the site. The Heritage Impact Statement must consider the proposed FSR of Site B. Update the planning proposal including justification against Ministerial Direction 3.2 Heritage and supporting documentation where relevant;
  - (h) Provide an Economic Impact Statement that considers loss of employment land;
  - (i) Include assessment against the North District Plan *Planning Priority N6 – Creating and renewing great places and local centres, and respecting the District's Heritage*;
  - (j) Update the planning proposal to address Ministerial Direction 1.4 Site Specific Provisions;
  - (k) Update the planning proposal to include approximate loss of jobs and loss of commercial floor space for the existing building on Site B (275 Alfred Street). Provide approximate jobs numbers to be provided on Site B (275 Alfred Street).
  - (l) Update the planning proposal to consider Chapter 4 of the SEPP (Housing) 2021;
  - (m) Provide a View Impact Analysis to assess the visual impact of the development on Site B from the surrounding area and update the planning proposal including supporting documentation;

- (n) Update planning proposal to include a maximum non-residential GFA for Sites A, B, C and D. This may require consultation with Transport for NSW;
  - (o) Update the planning proposal to reflect recent attempts to consolidate Sites A and B;
  - (p) Update the Project timeline;
  - (q) Update Urban Design Report figures under *Section 5.4 Mixed-Use Program* to accurately identify proposed commercial locations.
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)
  - Ausgrid
  - Sydney Water
- 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).

Dated 21 November 2024



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**Department of Planning, Housing and**  
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**Delegate of the Minister for Planning and**  
**Public Spaces**