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Ken Gouldthorp
General Manager
North Sydney Council
PO Box 12
NORTH SYDNEY NSW 2059

Email – council@northsydney.nsw.gov.au

Dear Mr Gouldthorp

Planning Proposal 7/19 - North Sydney LEP Review 2019

The Property Council welcomes the opportunity to provide comments on the planning proposal to make amendments to the *North Sydney Local Environmental Plan 2013* (North Sydney LEP 2013).

As Australia's peak representative of the property and construction industry, the Property Council's members include investors, owners, managers and developers of property across all asset classes. We are pleased to provide the following comments for your consideration.

The Property Council understands that North Sydney Council is one of eighteen (18) councils in Greater Sydney that are participating in the Accelerated LEP Review Program. The identification of certain local government areas for accelerated translation of the relevant District Plan during 2020 (one year ahead of the remaining 15 councils in Greater Sydney) was appropriate. North Sydney Council's participation in this program is also appropriate.

North Sydney Council has been given financial assistance from the NSW Government to complete each of the required milestones under the program. The completion of this Planning Proposal (PP_2020_NORTH_002_000) is one such milestone. Finalisation of Council's Local Strategic Planning Statement (LSPS) and Local Housing Strategy (LHS) being other important steps.

We understand that Council has completed an extensive assurance process with the Greater Sydney Commission (GSC) that has included a LEP Health Check, finalisation of a LSPS and Council endorsement of the draft Local Housing Strategy. Nevertheless, it is disappointing that two years since the Regional Strategic Plan and North District Plan were finalised by the NSW Government and one year since the public exhibition of Council's draft LSPS, the Council is still not in a position to exhibit a planning proposal that will 'give effect' to the important need to boost housing supply in North Sydney. Council should set out its planned timeframe for implementing the recommendations of its LHS in full.

Housing Targets

The GSC issued Council with a letter of support on 20 March 2020 which included a 6 to 10-year housing target between 3,000 to 3,500 additional dwellings. This involves production of more than 600 new dwellings annually.

The GSC's North District Plan established a 0-5 year housing target for Council of 3,000 additional dwellings from 2016/17 to 2020/21 (about 600 new dwellings each year). We understand that in the first three years of this period (2016/17 to 2018/19 there were just 2,059 dwellings completed in the North Sydney LGA. Council must take necessary action to ensure its policy settings are appropriate for the continuation of new housing supply, at or above the current level, particularly given the post-COVID market conditions.

General Comments on the Planning Proposal

The intent of the current Planning Proposal is to:

- Permit residential flat buildings within the *R3 Medium Density Residential* zone, but only where they do not adversely impact upon the desired scale and character of the zone;
- Continue to ensure heritage items and heritage conservation areas are appropriately protected;
- Protect B3 Commercial Core zoned land and encourage new commercial buildings to ensure future employment uses are protected, and meet the jobs targets for St Leonards/Crows Nest;
- Ensure all existing IN2 Light Industrial and IN4 Working Waterfront zones are safeguarded from competing land use pressures, especially residential and mixed-use development and retained exclusively for employment purposes;
- Support North Sydney's visitor economy, maximising the economic benefits, while managing the environmental and social impacts on the LGA;
- Support and encourage land use density and diversity within a walkable distance of commercial, mixed-use and neighbourhood centres that contain local shops and facilities and also offer access to high quality public transport services;
- Pursue opportunities to link bushland reserves with wildlife corridors and habitat islands and further develop green corridors between bushlands and other parks and reserves;
- Continue to review, update and implement planning controls that ensure development does not impact on natural foreshore processes or affect the significance or amenity of North Sydney's Foreshore areas;
- Reduce further loss of public open space to accommodate car parking, by restricting parking to neighbouring streets and nearby designated car parks; and

There are a number of housekeeping amendments proposed to be implemented to address several anomalies, errors and unactioned resolutions of Council.

These actions are generally considered to be appropriate and, in most cases, supported. Detailed comments on specific actions are provided below.

R3 Medium Density Residential zone

The Planning Proposal seeks to implement changes to both the written instrument and maps associated with North Sydney LEP 2013 to permit development of residential flat buildings in the R3 Medium Density Residential zone. This was a recommendation arising from Council's Local Housing Strategy. A number of measures have been developed to protect the amenity of the local area, including new objectives for the R3 zone and to clause 4.3 Height of Buildings. These changes are supported.

St Leonards / Crows Nest

The Planning Proposal intends to delete reference to Land at St Leonards the from the 'exceptions to development standards' clause and supporting map. Currently this clause does not allow the use of clause 4.6 for variations to building height for developments that exceed 3 metres over the LEP maximum building height. This change is supported - allowing unfettered use of clause 4.6 for appropriate development in the St Leonards precinct.

Given the uncertainty regarding the status of the State-led strategy for the St Leonards & Crows Nest precinct, it is appropriate that any subsequent amendments to North Sydney LEP 2013 occur separate to this Planning Proposal.

Exempt and Complying Development

The Planning Proposal seeks to remove 'Outdoor Dining Areas', 'Signage' and 'Tree Removal or Pruning' from Schedule 2. This is supported as these activities are currently permitted as Exempt Development by Part 2 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2009*.


The Proposal also seeks to remove '*Strata Subdivision of dual occupancies*' from Schedule 3. This is supported as this activity is currently permitted as Complying Development by Part 6 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2009*.

Minor housekeeping changes

The Planning Proposal will give effect to a significant number of minor changes to North Sydney LEP 2013 including updating the schedules containing additional permitted uses, items of environmental heritage and minor zoning changes to SP2 Special Purpose infrastructure zones. We raise no objection to any of these changes.

Should you have any questions concerning the content of this submission, please do not hesitate to contact Troy Loveday, Senior Policy Advisor, on 0414 265152 or tloveday@propertycouncil.com.au

Yours sincerely



Jane Fitzgerald
NSW Executive Director
Property Council of Australia