

RESOLVED:

THAT the information be received.

THAT Jennifer Gleeson be congratulated for her excellent contribution to the Forum.

THAT future forums be pursued amongst the network group.

The Motion was moved by Councillor Barbour and seconded by Councillor Marchandau.

Voting was unanimous.

Division of Planning & Development Services

964. PDS01:Draft North Sydney Local Environmental Plan 2009.

Report of Brad Stafford, Senior Strategic Planner, and Ben Boyd, Senior Strategic Planner, 25 November 2009.

On 8 December 2008, Council resolved to adopt the comprehensive Draft Local Environmental Plan 2009 (DLEP 2009) and to forward the plan to the Department of Planning (DoP), seeking certification under s.65 of the Environmental Planning and Assessment Act, 1979 (EP&A Act) to publicly exhibit the DLEP. Council sent its section 64 package to the DoP on 23 December 2008, and is yet to receive the certification requested.

Since the request for certification to exhibit the DLEP, the DoP has undertaken an extensive review of the DLEP which has required several amendments to be made to the Plan. Amendments have also been required as a result of ongoing changes to State Government policy and new DoP planning directions. Some additional amendments stemming from further staff research or Councillor direction are also incorporated into the DLEP.

It is considered that the amendments made to DLEP 2009 since December 2008 warrant the re-adoption of the DLEP by Council and its resubmission to the DoP under section 64 of the EP&A Act. Whilst this creates an additional step in the process, it is considered the most appropriate action in terms of minimising further conditions that the DoP may impose on the s.65 certificate and ensuring that both Council and the DoP are aware of all changes.

This report presents content previously considered by Council on 8 December 2008, and also details changes made to the DLEP since its adoption on that date. The report seeks the resolution of Council to adopt the attached DLEP 2009 and to request a section 65 certificate from the DoP enabling public exhibition of the draft plan.

Recommending:

THAT Council adopt draft North Sydney Draft Local Environmental Plan 2009 as attached to this report.

THAT the Draft Local Environmental Plan and supporting documentation be submitted to the NSW Department of Planning, Sydney Region East, in accordance with Section 64 of the Environmental Planning and Assessment Act, with a request that the Draft Local Environmental Plan be certified under Section 65 of the Environmental Planning and Assessment Act, 1979 for exhibition.

THAT once the Section 65 certificate is received, the Draft Local Environmental Plan be placed on public exhibition for a minimum of 28 days in accordance with the Environmental Planning & Assessment Act, Environmental Planning & Assessment

Regulation and the Department of Planning's *Best Practice Guidelines on LEPs and Council-owned land*.

THAT public notice of the exhibition be given in accordance with section 66 of the Environmental Planning and Assessment Act 1979.

THAT in accordance with Section 29 of the Local Government Act 1993, a public hearing be undertaken in relation to the reclassification of Council-owned land identified as requiring reclassification during the public exhibition of DLEP 2009.

It was moved by Councillor Baker and seconded by Councillor Robjohns -

THAT Council defer the adoption of the DLEP as proposed in order to seek a review of the draft controls for the North Sydney Centre to ensure controls that promote design excellence, high quality public domain, sustainability controls including development incentives for sustainability measures and protection of the amenity of residential zones on the edge of the North Sydney CBD.

THAT additional local controls be inserted into the DLEP addressing sustainability and planning for aging in place.

THAT the draft zoning provisions for schools and roads be reviewed

THAT the DLEP be reported back to Council in the new year to ensure that any notification period commences after the January holiday period

It was moved as an amendment by Councillor McCaffery and seconded by Councillor Gibson -

THAT the report be adopted.

THAT the draft zoning provisions for schools and roads be amended for inclusion in the S64 documentation.

The amendment was put and **carried**.

Voting on the amendment was as follows: For/Against 6/3

Councillors For	Councillors Against
McCaffery, Gibson, Marchandau, Barbour, Carland, Burke	Christie, Baker, Robjohns

The amendment thereupon became the motion, was put and **carried**.

Voting was as follows: For/Against 6/3

Councillors For	Councillors Against
McCaffery, Gibson, Marchandau, Barbour, Carland, Burke	Christie, Baker, Robjohns

RESOLVED:

THAT the report be adopted.

THAT the draft zoning provisions for schools and roads be amended for inclusion in the S64 documentation.

965. PDS02:2 Vale Street, Cammeray (T) - DA 305/05

(Previously dealt with see Minute No.951)