



NORTH SYDNEY LOCAL PLANNING PANEL

PLANNING PROPOSAL

DETERMINATIONS OF THE NORTH SYDNEY LOCAL PLANNING PANEL MEETING HELD IN THE COUNCIL CHAMBERS, NORTH SYDNEY, ON WEDNESDAY 29 SEPTEMBER 2021, AT 2.00PM.

PRESENT

Chair:

Jan Murrell in the Chair.

Panel Members:

John McInerney, Panel Member
James Harrison, Panel Member
Ken Robinson, Community Representative

Staff:

Administrative Support

Marcelo Occhiuzzi, Manager Strategic Planning
Ben Boyd, Executive Strategic Planner
Neal McCarry, Team Leader Policy
Jayden Perry, Strategic Planner
Peita Rose, Governance Officer (Minutes)

In accordance with the Covid 19 Public Health Order this meeting was conducted by remote (Zoom) means.

1. Minutes of Previous Meeting

The Minutes of the NSLPP Meeting of Wednesday, 5 May 2021 were confirmed following that meeting.

2. Declarations of Interest

Nil.

3. Business Items

The North Sydney Local Planning Panel is a NSW Government mandated Local Planning Panel exercising the functions of North Sydney Council, as the Consent Authority, under Section 4.8(2) of the Environmental Planning and Assessment Act, 1979 as amended, and acts pursuant to a Direction of the Minister for Planning issued under Section 9.1 of the Act, dated 23 February 2018.

The Panel has considered the following Business Items and resolves to determine each matter as described within these minutes.

ITEM 1

PP No:	1/21
ADDRESS:	270-272 Pacific Highway, Crows Nest
PROPOSAL:	To amend North Sydney Local Environmental Plan 2013 as follows: <ul style="list-style-type: none"> • Amend the Height of Buildings Map from 16m to a maximum height of 59m; • Amend the Floor Space Ratio Map to introduce a Floor Space Ratio. This is to be a maximum of 5.6:1; • Amend the Non-residential Floor Space Ratio Map to increase the minimum non-residential FSR from 0.5:1 to 5.6:1; and • Insert a Site-specific clause allowing a maximum FSR of 6.02:1, provided any additional floor space above 5.6:1 is located below ground level and comprises non-residential uses.
REPORT BY NAME:	Jayden Perry, Strategic Planner
APPLICANT:	Keylan Consulting on behalf of the applicant Silvernight (Crows Nest) Landowner Pty Ltd

Public Submissions

1 written submission prior to public meeting

Submitter	Applicant/Representative
	Paul Reidy - Project Architect
	Steven Papadopoulos - Applicant
	Dan Keary - Applicant
	Cameron Thomson - Keylan Consulting (observing only)

Panel Determination

The Panel members have undertaken independent site inspections prior to the meeting and considered all submissions, both written and oral.

The Council Officer's Report is endorsed by the Panel,

The reasons are as outlined in the Officer's Report, and the Panel recommends to the Council the progression of the Planning Proposal to the DPIE seeking a Gateway Determination, noting a reduction in height from 59m to 54m and the recommendation for a site specific DCP. All to be prepared to help guide future detailed design and development application assessment process. The DCP is to be exhibited concurrently with the Planning Proposal.

Panel Reason:

The Panel is satisfied the Planning Proposal as amended above is consistent with the 2036 Strategy, and the development of this site for commercial purposes will be an important employment node for the precinct.

The Panel also notes the site is well served by public transport being 400m from the Metro, and 1 kilometre to St Leonards Station.

The Panel recognises the potential impact on dwellings in Sinclair Street, and therefore supports the preparation of the site specific DCP to ameliorate the impacts.

The Panel recommends that the DCP include a provision providing a maximum 13 storeys above ground, and for the additional FSR proposed to be below ground for commercial uses appropriate to this location.

The Panel agrees with the assessment of a maximum height of 54m and acknowledges an architectural design element may be provided over this.

Voting was as follows:

Panel Member	Yes	No	Community Representative	Yes	No
Jan Murrell	Y		Ken Robinson	Y	
John McInerny	Y				
James Harrison	Y				

ITEM 2

PP No:	4/21
ADDRESS:	153 & 157 Walker Street, North Sydney

PROPOSAL:	To amend North Sydney Local Environmental Plan 2013 by inserting a site specific clause to permit a 23m height bonus at 153 and 157 Walker Street, if the two properties are redeveloped under a single proposal and meet a number of criteria relating to setbacks delivery of a through-site link and sustainability outcomes.
REPORT BY NAME:	Ben Boyd, Executive Strategic Planner
APPLICANT:	APP Corporation Pty Limited

Public Submissions

No written submissions

Submitter	Applicant/Representative
	Nathan Michael - On behalf of Marprop - Fund Management
	Carina Cowham - On behalf of Marprop (Observing Only)
	Alyce Kliese - Applicant
	Marko Damic - Architect
	Josh Owen - Planner
	Rick Miller - Owner 153 Miller (Observing Only)

Panel Determination

The Panel members have undertaken independent site inspections prior to the meeting and considered all submissions, both written and oral.

The Council Officer's Report and Recommendation is noted.

The applicant requested that the matter be deferred to allow the opportunity to address issues raised in the report. To this end the Panel has decided to allow the deferral to provide the applicant the opportunity to discuss the issues with Council Officers, and for a meaningful dialogue with the owner of No. 157 Walker Street.

The Panel considers that a better urban design outcome could be achieved by the amalgamation of the two sites. The Panel noted that an amalgamated site could deliver a development with additional height without overshadowing public open space and could provide a significant public benefit in the form of a through site link between Walker Street and Little Walker Street, and public domain benefits to both streets. In this regard greater certainty needs to be provided by the applicant to accompany the Planning Proposal.

The applicant is to liaise with Council's relevant officers in submitting further and refined details to address issues raised, and any other necessary documentation.

The timing for the amendments and additional information submitted by the applicant to allow a supplementary report by Council Officers should take place to facilitate the matter to come back before the Panel in early 2022.

Panel Reason:

The Panel to provide the applicant with the opportunity to address issues raised in the report and liaise with the adjoining owner.

Voting was as follows:

Panel Member	Yes	No	Community Representative	Yes	No
Jan Murrell	Y		Ken Robinson	Y	
John McInerney	Y				
James Harrison	Y				

ITEM 3

PP No:	8/21
ADDRESS:	North Sydney Centre
PROPOSAL:	To amend North Sydney Local Environmental Plan 2013 by amending clauses 6.3(3) and 6.3(5) and thereby confine all applications that seek to vary the building height development standards to clause 4.6 (<i>Exceptions to Development Standards</i>) ensuring greater consistency and transparency.
REPORT BY NAME:	Marcelo Occhiuzzi, Manager, Strategic Planning
APPLICANT:	North Sydney Council

Public Submissions

No written submissions

Submitter	Applicant/Representative
	Marcelo Occhiuzzi - Manager Strategic Planning, North Sydney Council

Panel Determination

The Panel members have considered the Officer's Report and Recommendation. The Council Officer's Report is endorsed by the Panel.

That the Panel resolves to recommend to the Council that the Planning Proposal be forwarded to the Department of Planning and Environment to seek a Gateway Determination.

Panel Reason:

The Panel considers the proposal to amend Clause 6.3(3) and 6.3(5) provisions of the North Sydney LEP, is the appropriate course of action and will provide greater clarity to the community for variations to be considered under the mechanism of Clause 4.6, which is more comprehensive of the issues to be addressed for such variations.

Voting was as follows:

Unanimous

Panel Member	Yes	No	Community Representative	Yes	No
Jan Murrell	Y		Ken Robinson	Y	
John McInerny	Y				
James Harrison	Y				

The public meeting concluded at 1.25 pm.

The Panel Determination session commenced at 1.35 pm.

The Panel Determination session concluded at 2.33 pm.

Endorsed by Jan Murrell
North Sydney Local Planning Panel
29 September 2021