



**NORTH SYDNEY LOCAL PLANNING PANEL – PLANNING PROPOSALS**

**DETERMINATIONS OF THE NORTH SYDNEY LOCAL PLANNING PANEL MEETING  
HELD IN THE COUNCIL CHAMBERS, NORTH SYDNEY,  
ON 5 FEBRUARY 2020, AT 2PM.**

**PRESENT**

**Chair:**

Jan Murrell in the Chair.

**Panel Members:**

Peter Brennan, Panel Member  
David Brigden, Panel Member  
Jane Van Hagen, Panel Member/Community Representative

**Staff:**

Marcelo Occhiuzzi, Manager Strategic Planning  
Neal McCarry, Team Leader Policy  
Jayden Perry, Strategic Planner  
David Hoy, Team Leader (Assessments)  
Robyn Pearson, Team Leader (Assessments)

**Administrative Support**

Melissa Dunlop, Governance Co-ordinator (Minutes)

**Apologies:** Nil.

**1. Minutes of Previous Meeting**

Not applicable.

**2. Declarations of Interest**

Nil.

### 3. Business Items

On 23 February 2018, the Minister for Planning released a Section 9.1 Direction which outlines the instance when a Planning Proposal must be referred to a Local Planning Panel for advice prior to a Council determining as to whether that Planning Proposal should be forwarded to the Department of Planning and Environment for the purposes of seeking a Gateway Determination.

The Panel has considered the following Business Item and provides the following recommendation to the council on the Planning Proposal.

#### **ITEM 5 (considered after Development Applications)**

<b>PROPOSAL No:</b>	6/19
<b>ADDRESS:</b>	27-57 Falcon Street, Crows Nest
<b>PROPOSAL:</b>	<b>To amend the North Sydney Local Environmental Plan 2013 (NSLEP 2013):</b> <ul style="list-style-type: none"><li>• <b>Rezone the site from B4 – Mixed Use to R4 – High Density Residential</b></li><li>• <b>Increase the maximum building height from 10m to part 24.5m and part 14.5m.</b></li><li>• <b>Apply a maximum floor space ratio control of 1.85:1</b></li><li>• <b>Retain ‘retail premises’ as a permitted land use on the site.</b></li></ul>
<b>REPORT BY NAME:</b>	Neal McCarry, Team Leader Policy
<b>APPLICANT:</b>	Lindsay Bennelong Developments Pty Ltd

#### **Public Submissions**

<b>Submitter</b>	<b>Applicant/Representative</b>
Davie Macdonald	Tom Goode
Sue Yelland	Leigh Manser

#### **Panel Recommendation to Council:**

The Panel conducted an extensive site inspection in the context of the surrounding development that has a direct interface with the conservation area on Hayberry Lane and larger scale development along Falcon Street and Alexander Lane. This large 4,325 sqm site is generally vacant and unoccupied and has been for over a decade.

The Panel considered the submissions made both orally and written in providing advice to the Council.

The Council Officer’s report on the Planning Proposal is endorsed and the Panel recommends to Council, subject to further examination and resolution of certain issues, that it may proceed to a Gateway Determination. The site clearly has strategic merit to be rezoned to R4 from B4. This presents the opportunity to provide an appropriate domestic scale of development to the Hayberry Conservation Area while orienting the bulk towards the north-west. At the same time further opportunities for deep soil planting need to be explored. Given its context the Panel agrees this site is more appropriate for residential rather than a mixed use development and the inherent flow-on effects where access to the

site is problematic for a large commercial component. However, given the objective of employment growth opportunities, this requires further analysis.

The Panel agrees that further investigation including: overshadowing; height and bulk distribution; laneway treatment and activation; vehicular access and parking; Falcon Street frontage and setback; and areas of deep soil planting on the site needs to be the subject of a DCP or concept plan to be exhibited concurrently with the Draft LEP. This is required to demonstrate the site specific merits of the rezoning and to assist in the community consultation.

Voting was as follows:

Unanimous

<b>Panel Member</b>	<b>Yes</b>	<b>No</b>	<b>Community Representative</b>	<b>Yes</b>	<b>No</b>
Jan Murrell	<b>Y</b>		Jane Van Hagen	<b>Y</b>	
David Brigden	<b>Y</b>				
Peter Brennan	<b>Y</b>				

The public meeting concluded at 4.10pm.

The Panel Determination session commenced at 4.15pm (including Development Applications).

The Panel Determination session concluded at 6.20pm.

Endorsed by Jan Murrell  
North Sydney Local Planning Panel  
**5 February 2020**