



NORTH SYDNEY LOCAL PLANNING PANEL

PLANNING PROPOSAL

**RECOMMENDATIONS OF THE NORTH SYDNEY LOCAL PLANNING PANEL MEETING HELD IN
THE ROS CRICHTON PAVILION, NORTH SYDNEY,
ON WEDNESDAY 25 OCTOBER 2023, AT 1.00PM.**

PRESENT

Chair:

Jan Murrell in the Chair

Panel Members:

Lloyd Graham, Panel Member

Grant Christmas, Panel Member

Lindsey Dey, Community Representative

Staff:

Neal McCarry, A/Manager Strategic Planning

Katerina Papas, A/Team Leader Policy

Tom Mojsiejuk, Strategic Planner

Administrative Support

Peita Rose Governance Officer (Minutes)

1. Minutes of Previous Meeting

The Minutes of the NSLPP Meeting of Wednesday, 19 July 2023 were confirmed following that meeting.

2. Declarations of Interest

Nil.

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 in relation to development applications, and acts pursuant to a Direction of the Minister for Planning issued under Section 9.1 of the Act, dated 23 February 2018 in relation to Planning Proposals.

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

PLANNING PROPOSAL ITEM 1

PP No:	4/23
ADDRESS:	183-185 Military Road, Neutral Bay
PROPOSAL:	To amend North Sydney Local Environmental Plan 2013 as it relates to the subject site as follows: <ul style="list-style-type: none"> • Increase the maximum height from 16m to 43m (12 storeys); and • Increase the minimum non-residential FSR from 0.5:1 to 2:1
REPORT BY NAME:	Tom Mojsiejuk, Strategic Planner
APPLICANT:	Equitibuild Pty Ltd

One Written Submission

Registered to Speak:

Submitters	Applicant/Representatives
Meredith Trevallyn-Jones - Willoughby Bay Precinct	Tony Polvere - Planning Consultant - PPD Planning Consultants
	Duncan Corrigan - Architect - AJC Architects
Peter Moor – local resident and on behalf of strata body	Harry Andrews - Equitibuild - Owner/Applicant

The Panel members have undertaken independent site inspections prior to the meeting. The Panel also has the benefit of the Council officer's report and submissions made by the Community and the Applicant's representatives during the public meeting.

Background

By way of background, the Panel notes that the Council rescinded the *Military Road Corridor Planning Study* (MRCPS) on 24 January 2022 and as such it is not a matter to guide future planning for the centre. The rescission was made approximately 12 months after its original endorsement. The Panel notes that the Council is currently preparing a revised Study entitled the *Neutral Bay Town Centre Planning Study* (NBTCPS) and this includes the subject site.

The Panel notes the Applicant currently has an approval for a five-storey redevelopment of the site for: 26 residential apartments with roof top communal space; commercial at ground level; first level part commercial and part residential; and basement parking.

The Applicant entered into negotiations with the owner (Woolworths) of the adjoining site that fronts Rangers Road. However, no agreement was reached for the joint redevelopment of the two sites. The Panel notes that a Planning Proposal (PP) for the adjoining Woolworths site was submitted to Council in January 2023 and the Council did not support it. The matter was then considered by the Sydney North Planning Panel in September 2023 and its recommendation to the Department of Planning and Environment is for the PP to proceed to Gateway, with a number of amendments.

Current Position

The Applicant submitted the subject planning proposal for 183-185 Military Road, Neutral Bay in April 2023.

The concept plan submitted with this PP provides for a 12 storey building, 43 metres in height with a minimum non-residential FSR of 2:1, a residential component of 3:1 and an overall FSR of 5:1 with 57 car parking spaces. Community facilities and benefits are also proposed, including a 2.5 metre setback from the Military Road frontage to widen the footpath. The Applicant states their Planning Proposal satisfies the provisions of the rescinded MRCPS in terms of height and an area to connect with and increase the size of the community plaza area adjoining the Woolworths site.

As for the Woolworths PP, the Panel considers this PP is also premature given the current strategic planning study for the Neutral Bay Town Centre. In terms of timing, it is expected the *Neutral Bay Town Centre Planning Study* will be submitted by the end of this year to Council for approval to proceed to public exhibition, with the estimated timeline for completion in mid to late 2024.

The Council Officer's Report is endorsed including the following summation:

“The Planning Proposal is not underpinned by an endorsed place-based strategy for the locality and is inconsistent with the North Sydney Local Strategic Planning Statement; North District Plan and Greater Sydney Regional Plan;

The Planning Proposal does not satisfy the objectives and intended outcomes of the rescinded MRCPS for this identified key site (known as ‘site 3’) and is inconsistent with the strategic objectives of Council’s renewed Strategy for the Neutral Bay Town Centre as outlined in Council’s 24 January 2022 resolution and endorsed scoping framework for the revised Neutral Bay Town Centre Planning Study, which sought to further engage with the community and stakeholders to prepare ‘a revised recommendation that has a better balance between development height and the provision of additional public open space.’

The Planning Proposal does not demonstrate adjacent site integration, and the overall height, bulk and scale of the proposed built form is unacceptable in terms of providing a human scale frontage to the future Rangers Road plaza; overshadowing impacts to the public and private domain; traffic impacts and delivering a genuinely ‘public’ and high amenity public domain and community facility.”

Panel Recommendation

Given the imminence of the NBTCPs, any PPs/spot re-zonings before its completion would not have strategic merit in terms of the future context of the centre, and would undermine community confidence in the planning process.

The Panel does not support the PP and recommends to the Council that it not proceed to Gateway in the absence of the findings of the NBTCPs.

In making the above recommendation, the Panel is also cognizant of the need to consider the recent PP for the adjoining Woolworths site and its current position.

The Panel is of the view that following the findings of the NBTCPs it would then be appropriate to progress a PP for the subject site and this should have regard to the matters as identified in the Planning Officer's Report and the following: apartment yield and mix; key worker/affordable housing; car spaces; quantum of non-residential floor space/estimated employment; public domain and community facilities; and urban design parameters.

The Planning Proposal in its current form to increase the maximum building height from 16m to 43m, 12 storeys, is not supported by the Panel, in particular in terms of the future context within the Neutral Bay centre, which remains unknown at this stage. At the same time the Panel notes that, if the adjoining site is developed to a height of 8 storeys, consideration for an increase in height on this corner site may be appropriate. The Panel, however, does not oppose an increase in the non-residential component from a strategic planning point of view, given the location.

Given the Panel does not recommend the PP proceed at this time, it is not necessary to consider in detail the site specific merits that will also be guided by the Neutral Bay Study. The Panel notes that the Applicant proposes a draft DCP and this is supported given the significance of the site in the centre and its potential interface and connectivity to a future plaza and community space to be delivered for the centre. The site clearly presents as a key opportunity and focus within the Neutral Bay Town Centre and as such any uplift in the zoning must demonstrate positive urban design and public domain outcomes.

Voting was as follows:

Panel Member	Yes	No	Community Representative	Yes	No
Jan Murrell	Y		Lindsey Dey	Y	
Lloyd Graham	Y				
Grant Christmas	Y				

The meeting concluded at 2:22pm.

The Panel Determination session commenced at 2:30pm.

The Panel Determination session concluded at 4:00 pm.

Endorsed by Jan Murrell

Chair

North Sydney Local Planning Panel

27 October 2023