



NORTH SYDNEY LOCAL PLANNING PANEL – PLANNING PROPOSALS

**DETERMINATIONS OF THE NORTH SYDNEY LOCAL PLANNING PANEL MEETING
HELD IN THE SUPPER ROOM, NORTH SYDNEY, ON 9 DECEMBER 2020,
AT 12PM.**

PRESENT

Chair:

Jan Murrell in the Chair.

Panel Members:

Grant Christmas, Panel Member
John McInerney, Panel Member
Veronique Marchandau, Community Representative

Staff:

Marcelo Occhiuzzi, Manager Strategic Planning
Karen Buckingham, Executive Strategic Planner
Neal McCarry, Team Leader, Policy, Strategic Planning
Jayden Perry, Strategic Planner

Administrative Support

Peita Rose, Governance Officer (Minutes)

Apologies: Nil.

1. Minutes of Previous Meeting

The Minutes of the NSLPP - Planning Proposal Meeting of 1 July 2020 were confirmed following that meeting.

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 Items and provided recommendations on each matter as described in these Minutes.

ITEM 1

PP No:	PP2/20
ADDRESS:	1A Little Alfred Street North, North Sydney
PROPOSAL:	The Planning Proposal seeks to make the following amendments to the North Sydney Local Environmental Plan 2013 (NSLEP 2013): <ul style="list-style-type: none"> • allow ‘Serviced apartments’, ‘Office premises’ and ‘Boarding House’ as additional permissible uses on the site. Should the Housing Diversity SEPP be finalised and gazetted, the newly defined use of ‘co-living’ be added to the permissible land uses; • amend the Height of Buildings Map with a maximum height of 15m on the western portion of the site; and • amend the Floor Space Ratio Map with a maximum FSR of 0.62:1 on the western portion of the site.
REPORT BY NAME:	Jayden Perry, Strategic Planner
REASON FOR NSIPP REFERRAL:	The proposal has been referred to NSLPP as per the Ministerial Direction requiring all planning proposals to be referred to the local planning panel for advice.
APPLICANT:	Bernard Gallagher of Ethos Urban on behalf of Tooma and Tooma Pty Ltd

Public Submissions

1 written submission

Submitter	Applicant/Representative
John Kluver - Owner 7 Whaling Road	Bernard Gallagher - Applicant - Ethos Urban
Beth Powell - Neighbour	Michael Tooma - Owner
Therese Curtis - Owner 4E/10 Whaling Road	Shaun Carter - Architect
Beth Bromiley - Owner 11 Whaling Road	

Panel Recommendation to Council:

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

The Council Officer's Report is noted. The majority of the Panel considers that the Planning Proposal could only be supported in part. That is, subject to the additional use limited to 'serviced apartments' and the future built form on the western portion of the site only limited to a maximum of 12.5m with a maximum of three storeys and a FSR of 0.9:1 confined to that portion of the site. This additional use is seen to complement the permissible uses in the RE2 zone.

Furthermore, a restriction would need to be placed on the title to ensure the site is to remain in single ownership with no future subdivision, either Torrens Title or Strata Title. This is to ensure that the tennis court is maintained and available to the public for the life of the development in conjunction with the permissible RE2 uses on the site.

Only on the conditions above does the majority of the Panel consider this additional use of 'serviced apartments' has both site specific and strategic merit having regard to the zone objectives and broader relevant strategic considerations.

The Panel also recommends that a DCP be prepared to accompany the exhibition of the LEP if Council proceeds with seeking a Gateway Determination.

While the applicant seeks the use of office premises as an additional use, the Panel considers that use should only be ancillary to the serviced apartment component and other recreational uses permitted in the RE2 Zone.

The Panel considers that the definition of 'serviced apartments' provides the opportunity for appropriate co-location with the recreational purposes of the site. The Panel does not consider that more permanent accommodation such as boarding houses would be consistent with the objectives of the zone and may conflict with the permissible RE2 uses.

The Panel notes the applicant's offer to enter into a VPA with Council.

The Panel notes the unique location and constraints of this parcel of land and the need for complementary uses to activate the site to ensure access and safety for use as a recreational area.

If the Council considers the Planning Proposal as restricted above, still does not warrant support then alternatively, the Council may in the future, when it undertakes a comprehensive review of the LEP, rezone the site for public recreation RE1 if it is considered suitable for this purpose..

Voting was as follows:

3/1

Panel Member	Yes	No	Community Representative	Yes	No
Jan Murrell	Y		Veronique Marchandeanu		N
Grant Christmas	Y				
John McInerney	Y				

The Community Representative Veronique Marchandeanu is not in agreement with this recommendation for the reasons outlined in the Council Officer's Report. In particular, inconsistency with the objectives of the RE2 zone and the objectives of the adjacent area and the loss of scarce and much needed private recreational area.

ITEM 2

PP No:	PP5/20
ADDRESS:	52 Alfred Street North, Milsons Point
PROPOSAL:	Planning Proposal PP5/20 seeks to amend the North Sydney Local Environmental Plan 2013 (NSLEP) as it relates to land at 52 Alfred Street North, Milsons Point. In particular, the Planning Proposal seek the following changes to NSLEP 2013: <ul style="list-style-type: none"> • Increase the maximum building on the Height of Buildings Map from 40m to RL86.65 (54.43 metres).
REPORT BY NAME:	Karen Buckingham, Executive Strategic Planner
REASON FOR NSIPP REFERRAL:	Planning Proposal PP5.20 is referred to the NSLPP for advice prior to reporting to Council in accordance with the Environmental Planning & Assessment Act 1979.
APPLICANT:	Milsons Point 2 Pty Ltd

Public Submissions

4 Written Submissions

Submitter	Applicant/Representative
Tom Sherwen - Owner - U 2002 /37 Glen Street	
Pierre Le Bas - Director & Legal Counsel - Turnbull Planning	
Nic Najjar - Town Planner - Turnbull Planning	

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

Panel Recommendation to Council

The Panel endorses the Officer’s Report and Recommendation.

The Panel requested the applicant’s representatives be contacted during the meeting and this resulted in a response that the Applicant did not seek to address the Panel.

For the reasons outlined in the Officer’s Report the Panel recommends to Council that the Planning Proposal does not warrant support going forward to a gateway.

Voting was as follows:

Unanimous

Panel Member	Yes	No	Community Representative	Yes	No
Jan Murrell	Y		Veronique Marchandeanu	Y	
Grant Christmas	Y				
John McInerney	Y				

The public meeting concluded at 1.30pm.

The Panel Determination session commenced at 1.45pm.
The Panel Determination session concluded at 3.15 pm.

Endorsed by Jan Murrell
North Sydney Local Planning Panel, 9 December 2020