



**NORTH SYDNEY LOCAL PLANNING PANEL**

**PLANNING PROPOSALS**

**RECOMMENDATIONS OF THE NORTH SYDNEY LOCAL PLANNING PANEL MEETING HELD IN  
THE COUNCIL CHAMBERS, NORTH SYDNEY,  
ON WEDNESDAY 19 JULY 2023, AT 12.00PM.**

**PRESENT**

**Chair:**

Jan Murrell in the Chair

**Panel Members:**

Helen Lochhead, Panel Member

Grant Christmas, Panel Member

Lindsey Dey, Community Representative

**Staff:**

Neal McCarry, Team Leader Policy

Katerina Papas, Strategic Planner

**Administrative Support**

Peita Rose Governance Officer (Minutes)

**1. Minutes of Previous Meeting**

The Minutes of the NSLPP Meeting of Wednesday, 31 May 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 recommend each matter as described within these minutes.

### PLANNING PROPOSAL ITEM 1

|                        |  |
|------------------------|--|
| <b>PP No:</b>          | 2/23   |
| <b>ADDRESS:</b>        | 601 Pacific Highway, St Leonards   |
| <b>PROPOSAL:</b>       | To amend North Sydney Local Environmental Plan 2013 as follows: <ul style="list-style-type: none"> <li>• Increase the maximum height of buildings limit from 49m to 276.5 RL (equivalent to 189m);</li> <li>• Introduce a maximum floor space ratio (FSR) of 20:1</li> </ul> |
| <b>REPORT BY NAME:</b> | Element Environment (on behalf of North Sydney Council)  |
| <b>APPLICANT:</b>      | Stockland Development Pty Ltd  |

## 2 Written Submissions

### Registered to Speak:

| Submitters             | Applicant/Representatives                                    |
|------------------------|--|
| Zoe Liu - resident     | Graeme Collins - Development Director, Stockland - Applicant |
| Mark Bartel - resident | Stephen White – Director, Urbis Planning consultant          |
|                        | Ryan Crabbe - Arup, Structural engineer                      |
|                        | Michele McSharry - Architectus Architect                     |
|                        | Lulu Woods - Senior Development Manager, Stockland           |
|                        | Caroline Choy - Project Director, Stockland                  |
|                        | Jennie Buchanan - NSW Planning Manager, Stockland            |
|                        | Rob Battersby - Urbis (Observing Only)                       |

## Background

The Panel members have undertaken independent site inspections prior to the meeting and had the benefit of written submissions; submissions heard at the public meeting; and the detailed assessment report.

The proponent and their consultants for the Planning Proposal also addressed the Panel and presented an amended concept that included reduced height of the podium and a reduction in the overall height of the building.

The Panel advised the meeting that if the Planning Proposal is supported by the Council to proceed to Gateway, then a draft Local Environmental Plan is required to be placed on public exhibition for a period of 42 days with a formal consultation process.

### **Panel Recommendation**

The Panel has considered all the material before it and this includes the St Leonards Strategy 2036 prepared by the Department. This Strategy provides an overall framework and guidelines and identifies the subject site for a commercial building to provide employment for the centre with potentially a 42 storey and 20:1 floor space ratio for the site. The current building on the site is a multi storey commercial offices.

Council's independent consultants prepared an Assessment Report for the Panel's consideration and recommended the concept proposed by the Proponent be reduced in its overall height to respect the height transition in the Strategy. It was also recommended the podium be reduced by one level in accordance with the DCP for the centre.

The Panel has considered the Proponent's amended heights tabled at the meeting, however, considers the overall height and podium heights should be reduced in accordance with the Assessment Report to provide the necessary transition in overall height as envisaged by the 2036 Strategy, and reduce overshadowing impacts and the podium height reduced to provide a better urban design outcome.

The Panel considers that the plant room can be adequately accommodated within the maximum overall height limit of RL 259, (equivalent to 171 metres), noting that this could require a reduction in gross floor area, and a reduction in the height of the architectural element. The Panel considers the reduced height to be consistent with the 2036 Strategy with other anticipated heights of buildings within the immediate context.

Similarly, as discussed above, the Panel concurs with the Report that the podium be reduced to 4 and 5 storeys with a maximum height of 20.5 metres.

The Panel is of the view that the FSR of 20:1, is a maximum and this clearly may not be achievable for the subject site given the need to accommodate all the planning considerations and consequential impacts on the St Leonards Centre.

The Panel considers, in the absence of a design competition for this highly prominent site, that a draft site specific DCP be prepared and exhibited simultaneously with the draft LEP. This will provide greater certainty of the built form and public realm outcomes.

The Panel is supportive of commercial development to achieve employment targets required in the LGA, and on this basis the Panel recommends to the Council that the Planning Proposal with the above amendments proceed to Gateway.

By way of comment, the Panel notes the potential development uplift of the Planning Proposal and considers that the Proponent and the Council may wish to pursue the opportunity for a VPA to deliver public/community benefits.

Voting was as follows:

| Panel Member    | Yes | No | Community Representative | Yes | No |
|-----------------|-----|----|--------------------------|-----|----|
| Jan Murrell     | Y   |    | Lindsey Dey              | Y   |    |
| Helen Lochhead  | Y   |    |                          |     |    |
| Grant Christmas | Y   |    |                          |     |    |

#### PLANNING PROPOSAL ITEM 2

|                        |   |
|------------------------|---|
| <b>PP No:</b>          | 5/23  |
| <b>ADDRESS:</b>        | 115, 117, 119, 121, 123 & 125 Holt Avenue, Cremorne   |
| <b>PROPOSAL:</b>       | To amend the North Sydney Local Environmental Plan 2013 such that the properties at 115, 117, 119, 121, 123 & 125 Holt Avenue Cremorne are identified as local heritage items under Schedule 5 – Environmental Heritage and identification on the Heritage Map. |
| <b>REPORT BY NAME:</b> | Amita Maharjan, Strategic Planner   |
| <b>APPLICANT:</b>      | North Sydney Council  |

#### 47 Written Submissions

#### Registered to Speak

| Submitters                                 | Applicant/Representative                        |
|--|---|
| Mark Marsi -resident                       | Bernadette Kan - owner of 121 Holt Ave          |
| Fiona Gracie - Cremorne Conservation Group | John Oultram - John Oultram Heritage and Design |
| Sarah Kok - resident                       |   |
| Paul Mottek                                | Samantha Polkinghorne -NBRS                     |
|  | Pamela Jeffery - City Plan                      |
|  | Fiona Binns - Urbis                             |
|  | Michael Wang - MMK Developments                 |

## Background

The Panel members have undertaken independent site inspections prior to the meeting. The Panel held a public meeting and heard from community representatives, submitters and consultants engaged by various property interests.

At the beginning of the meeting it was stated that this is the preliminary stage of the process and if the matter proceeds to Gateway, there would be full consultation under Council's Community Engagement Strategy and an exhibition held for 42 days.

The Panel notes that there is currently a development application for the properties known as 115-119 Holt Avenue, Cremorne, and the Applicant's application and reports, including the heritage reports by its consultants, are available on Council's DA tracker, and were made available for the Panel to consider.

The Council's Assessment Report provides a history of this matter in terms of previous consideration by the North Sydney Local Planning Panel, the Independent Planning Commission (IPC), the Department of Planning, and the Land and Environment Court.

Given the change in circumstances the IPC required the Council to provide an updated heritage report to address key issues in particular, consideration of the group listing of 115-123 Holt Avenue, Cremorne, the removal of 131-133 Holt Avenue, and the identification of 125 Holt Avenue as a standalone heritage item.

In response the Council engaged GML Heritage Consultants to prepare a further report to address the issues raised by the IPC requiring additional analysis and information.

The Panel has considered all the submissions, both written and oral, in its deliberations and in its role to make a recommendation to the Council.

## Panel Recommendation

The Panel is satisfied the updated revised report addresses the issues raised by the IPC. In particular, the Panel notes that this is a new Planning Proposal and the heritage significance of the group (115-123 Holt Ave, Cremorne), requires an assessment that includes the cohesiveness and integrity of the external fabric of the group. In addition the individual listing of (125 Holt Avenue, Cremorne), as a local heritage item has been considered in the revised heritage report. Given the above defined criteria, the Panel is of the opinion the Planning Proposal should proceed to exhibition.

As such, the Panel, recommends to the Council that the Planning Proposal proceed to Gateway and any draft instrument should provide clear *explanatory notes* for the 'group listing'.

By way of comment the Panel is of the opinion that the Council continue to pursue with high priority a heritage review for the LGA.

Voting was as follows:

| <b>Panel Member</b> | <b>Yes</b> | <b>No</b> | <b>Community Representative</b> | <b>Yes</b> | <b>No</b> |
|---------------------|------------|-----------|---------------------------------|------------|-----------|
| Jan Murrell         | Y          |           | Lindsey Dey                     | Y          |           |
| Helen Lochhead      | Y          |           |                                 |            |           |
| Grant Christmas     | Y          |           |                                 |            |           |

The meeting concluded at 2:00pm.

The Panel Determination session commenced at 2.15pm.

The Panel Determination session concluded at 4:30pm

Endorsed by Jan Murrell

Chair

North Sydney Local Planning Panel

**19 July 2023**