

RESOLVED:

1. **THAT** Council endorse the 2017- 18 Operational Plan and Budget process and timeline.
2. **THAT** Council review the Long Term Financial Plan to ensure that long term commitments are budgeted for.

272. **CiS02: Planning Proposal - 11 Cowdroy Avenue, Cammeray - Relevant Planning Authority**

Report of Katerina Pikoulas, Graduate Strategic Planner

At its meetings on 21 September 2015 and 19 October 2015, Council considered an assessment report in relation to a Planning Proposal for 11 Cowdroy Avenue, Cammeray. The Planning Proposal sought to amend North Sydney Local Environmental Plan 2013 (NSLEP 2013) to permit a second dwelling in the form of a detached dual occupancy at 11 Cowdroy Avenue, Cammeray. Consistent with the recommendations of the report, Council resolved not to support the Planning Proposal proceeding to Gateway Determination.

On 5 January 2016, Council received a letter from the Department of Planning and Environment (DPE) advising that the proponent of the Planning Proposal had lodged a request for a pre-Gateway review with the DPE in response to Council's resolution. Subsequently, the Joint Regional Planning Panel (JRPP) recommended that the site be rezoned as requested, but that such zone (R2 – Low Density Residential) should be extended to the west of the site.

Generally consistent with the advice of the JRPP, the DPE recommends that the Planning Proposal should proceed to Gateway Determination. It has also requested that Council advise the DPE whether it would like to accept or decline the role of Relevant Planning Authority for the Planning Proposal, prior to issuing the Gateway Determination.

This report recommends that whilst the DPE's resolution is contrary to Council's, that Council accept the role of the Relevant Planning Authority to retain control of the plan making process. This would enable Council to have greater control over the content and quality of information provided in the Planning Proposal prior to it being placed on public exhibition. This report also recommends that the existing Planning Proposal be amended by the applicant to address all of the DPE's pre-Gateway Determination requirements and that fees payable, be collected from the applicant.

Local Government Act 1993: Section 23A Guidelines - Council Decision Making During Merger Proposal Period

The Guidelines have been considered in the preparation of this report and are not applicable.

Recommending:

1. **THAT** Council accept the role of the Relevant Planning Authority for the Planning Proposal affecting land at 11 Cowdroy Avenue, Cammeray.
2. **THAT** Council advise the Department of Planning and Environment that a condition be added to any Gateway Determination issued in relation to the Planning Proposal to include the rezoning of the subject site and neighbouring properties to R2 Low Density Residential.
3. **THAT** upon receiving Gateway Determination Council seek stage 2 fees to progress the Planning Proposal to public exhibition.
4. **THAT** once Gateway Determination be issued, Council delegate to the General Manager the approval of site specific DCP controls to be placed on public exhibition at the same time as the Planning Proposal.

The motion was moved by Councillor Reymond and seconded by Councillor Bevan.

Voting was as follows:

For/Against 10/0

Councillor	Yes	No	Councillor	Yes	No
Gibson	Y		Beregi	Y	
Reymond	Y		Barbour	Y	
Clare	Y		Morris	Y	
Baker	Y		Marchandean	Y	
Carr	Y		Bevan	Y	

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- 2. THAT** Council advise the Department of Planning and Environment that a condition be added to any Gateway Determination issued in relation to the Planning Proposal to include the rezoning of the subject site and neighbouring properties to R2 Low Density Residential.
- 3. THAT** upon receiving Gateway Determination Council seek stage 2 fees to progress the Planning Proposal to public exhibition.
- 4. THAT** once Gateway Determination be issued, Council delegate to the General Manager the approval of site specific DCP controls to be placed on public exhibition at the same time as the Planning Proposal.

273. CiS03: North Sydney Centre Capacity and Land Use Study

Report of Brad Stafford, Executive Planner Metro Project

A capacity and land use study has been undertaken for the North Sydney Centre, as part of the wider North Sydney Centre Review, initiated in 2014. The Capacity and Land Use Study (Attachment 1) seeks primarily to explore and assess mechanisms to increase commercial floor space capacity within the Centre. The Study acknowledges the many constraints to North Sydney's growth as well as the opportunities afforded by new public transport infrastructure and improving public domain and place making initiatives. The Study also considers specific issues with regard to land use and built form within the Centre.

The Study presents a number of strategies to achieve the Study's objectives, including that Council implement new height controls based on a principle of no additional overshadowing of residential land surrounding the North Sydney Centre between the hours of 10 am and 2 pm. This strategy is considered to represent a supportable compromise between providing for future growth within existing boundaries of the Centre, whilst still respecting the long-standing principle of protecting the amenity of lower scale land surrounding the North Sydney Centre.

The Study includes a review of the North Sydney Centre's special areas, as defined under NSLEP 2013, recommending the removal of two areas and the additional of a new special area.

The Study recommends that public exhibition take place to allow stakeholder comment on the recommended strategies, prior to the preparation of any amendment to the North Sydney Local Environmental Plan 2013.

Local Government Act 1993: Section 23A Guidelines - Council Decision Making During Merger Proposal Period

The Guidelines have been considered in the preparation of this report and are not applicable.

Recommending:

- 1. THAT** Council adopt the attached Capacity and Land Use Study for the purposes of public exhibition;