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The Hon. Paul Scully MP
Minister for Planning and Public Spaces
52 Martin Place
SYDNEY NSW 2000

By email – paul.scully@parliament.nsw.gov.au

15 December 2023

Dear Minister Scully,

Planning Proposal 6/21 - 52 McLaren Street, North Sydney – McLaren Street portal to Victoria Cross Metro Station

On 11 December 2023, Council considered the above Planning Proposal submitted by a State Government agency, Sydney Metro, in respect of publicly owned land above the McLaren Street portal of the Victoria Cross Metro Station. The Planning Proposal was supported by Council, consistent with Council's commitment to planning excellence and delivering on State government mandated housing targets.

The Planning Proposal seeks to amend the maximum building height to allow for a 24 storey and 8 storey tower. A Voluntary Planning Agreement (VPA) has been offered by the proponent, Sydney Metro, including the provision of Affordable Housing comprising a maximum of 5% of the residential gross floor area to be managed by a Community Housing Provider for a minimum of 10 years.

Council resolved as follows:

- “1. *THAT Council endorse the Planning Proposal (PP6/21) to amend the North Sydney Local Environmental Plan 2013 to amend the maximum building height from RL110m to part RL 107m and part RL156m (8 and 24 storeys respectively); to apply a maximum overall Floor Space Ratio of 5.3:1; and to amend the minimum non-residential FSR from 0.5:1 to 1:1.*
2. *THAT Council resolve to forward the Planning Proposal (PP6/21) to the Department of Planning and Environment to seek Gateway Determination.*
3. *THAT Council advise the applicant to prepare a site-specific Development Control Plan to detail provisions such as siting of building height, setbacks, building length, podium heights, and through-site link design as noted in this report.*
4. *THAT Council accept in principle, the applicant's Voluntary Planning Agreement offer which includes the provision of a childcare facility, through-site link and 5% of the development as Affordable Housing for a period of 10 years.*
5. *THAT Council grant delegated authority to the General Manager to negotiate the detailed terms and provisions of the Voluntary Planning Agreement consistent with the applicant's revised letter of offer.*
6. *THAT upon receipt of a Gateway Determination, the associated Voluntary Planning Agreement be exhibited concurrently with the Planning Proposal and draft Development Control Plan.*

7. ***THAT, in circumstances in which the subject land is public land, the proponent is a State Government agency (Sydney Metro) and the recent pronouncements from the State Government promoting a minimum of 15% affordable housing in perpetuity on private development around transport hubs and 30% affordable and social housing in perpetuity on government owned land, Council write to the Ministers for Planning and Transport urging the State Government to amend the VPA offer on this Metro site to provide affordable housing (at a minimum of 30% but ideally 100%) and the provision of appropriate community spaces in perpetuity as part of any Gateway Determination.***
8. *THAT a Councillor Briefing be held to discuss Voluntary Planning Agreements and the challenges of capturing value."*

You may not know that North Sydney Council was, and continues to be, a pioneer of affordable housing in local government in this State. In 1984, Council started the affordable housing program with the aim of protecting existing affordable housing and replacing affordable housing stock that has been lost.

Yet since the affordable housing program began, at least 2,400 affordable bed spaces offered by the private sector have been lost. However, over the course of the last four decades, through contribution of land, collection of affordable housing levies and partnerships with the State Government and community housing providers, Council has delivered 23 properties containing 131 tenancies across North Sydney, St Leonards, Kirribilli, Waverton, McMahon's Point, Cremorne, Crows Nest, Neutral Bay and Cammeray. These properties include partial ownership of a nursing home and two services offering emergency accommodation to youth.

Nevertheless, Council alone cannot ever meet the need nor even replace the lost affordable housing stock.

I, therefore, write to urge you to take this once in a generation opportunity to deliver significant social and affordable housing on a publicly owned site ideally situated above a Metro Station and close to schools and two major hospitals, noting that there are significant Federal and State funds earmarked for the delivery of social and affordable housing.

Yours faithfully,



Councillor Zoë Baker

MAYOR

Copy to: Minister for Transport – The Hon. Jo Haylen MP
Minister for Housing - The Hon. Rose Jackson MLC
Chief Executive, Land and Housing Corporation