

**PLANNING PROPOSAL AUTHORITY
RECORD OF DECISION PUBLIC MEETING, POST
EXHIBITION AND FINALISATION**
STRATEGIC PLANNING PANEL OF THE
SYDNEY NORTH PLANNING PANEL

DATE OF DETERMINATION	Wednesday, 26 July 2023
DATE OF PANEL DECISION	Monday, 24 July 2023
PANEL MEMBERS	Peter Debnam (Chair), Blake Cansdale, Donna Rygate, John Bohane & Lindsey Dey
APOLOGIES	Che Wall & Karla Castellanos are apologies
DECLARATIONS OF INTEREST	None

Public meeting held by Public Teleconference on 24 July 2023, opened at 10:03am and closed at 10.19am. Papers circulated electronically on 18 July 2023.

PLANNING PROPOSAL

PP-2021-7169– North Sydney LGA – 360 Pacific Highway, Crows Nest

PANEL CONSIDERATION AND DECISION

The Panel considered: the material listed at item 4, and the material presented at the briefing listed at item 5 in Schedule 1.

As the Planning Proposal Authority, the Panel determined to recommend to the Minister that the proposed instrument, as described in Schedule 1, should be made.

The Panel's decision was 4-1 in favour, against the decision was Lindsey Dey.

REASONS FOR THE DECISION

The Panel noted the Department of Planning and Environment's Post-Exhibition Report, 14 July 2023 and met with the Department, Urbis (Applicant), and members of the community in a public meeting.

The majority of the Panel concurred with the Department that the proposal demonstrated strategic and site-specific merit, the conditions of the Gateway had been met, agency and community consultation had occurred in accordance with the Gateway Determination and submissions raised had been adequately addressed. Consequently, the proposal warranted support.






Additionally, the Panel noted that the provision of affordable housing had not been considered in the planning proposal. The Panel encourages council and the proponent to consider the provision of affordable housing prior to the finalisation of the planning proposal.

Lindsey Dey disagreed with the majority. Lindsey considers that the proposal had issues with excessive height, lack of setback and transition to adjacent and nearby properties, and a broader negative impact on the neighbourhood that includes: visual; solar access and overshadowing; heritage significance and desired future character.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered written submissions made during public exhibition and heard from all those wishing to address the Panel. The Panel notes that issues of concern included development and implementation of St Leonards and Crows Nest 2036 Plan, building height, solar access & overshadowing, and absence of affordable housing provisions in proposal. The Panel considers that

concerns raised by the community have been adequately addressed in the Department's Post Exhibition Report and this Record of Decision.

PANEL MEMBERS	
 Peter Debnam (Chair)	 Blake Cansdale
 Donna Rygate	 John Bohane
 Lindsey Dey	

SCHEDULE 1		
1	PANEL REF – LGA – PLANNING PROPOSAL NO. – ADDRESS	PP-2021-7169– North Sydney LGA – 360 Pacific Highway, Crows Nest
2	LEP TO BE AMENDED	North Sydney Local Environmental Plan (LEP) 2013
3	PROPOSED INSTRUMENT	<p>The planning proposal seeks to amend the North Sydney Local Environmental Plan (LEP) 2013 to:</p> <ul style="list-style-type: none"> • increase maximum height from 10m to RL163.8 • introduce a floor space ratio (FSR) of 5.5:1 • increase the non-residential FSR from 0.5:1 to 2:1
4	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> • DPE Post Exhibition Report, 14 July 2023 • Written submissions during public exhibition: 29 • Verbal submissions at the Panel’s public meeting 10.03am – 10.19am, 24 July 2023: <ul style="list-style-type: none"> ○ Registered Speakers: John Hancox (o/b Wollstonecroft Precinct) ○ On behalf of the applicant - Belinda Thomas from Urbis for Galifrey Properties PTY LTD. ○ Total number of unique submissions received by way of objection: 17
5	BRIEFINGS BY THE PANEL	<ul style="list-style-type: none"> • Panel Briefing: 9.30am – 9.49am, 24 July 2023 <ul style="list-style-type: none"> ○ Panel members: Peter Debnam (Chair), Blake Cansdale, Donna Rygate, John Bohane & Lindsey Dey ○ DPE staff: Doug Cunningham, Renee Ezzy, Hugh Clark, Christina Brooks, Lisa Kennedy, Sharon Edwards, Adam Williams & Elliot Brown ○ Key Issues Discussed: <ul style="list-style-type: none"> • Key issues from submissions – solar access & overshadowing; local character & heritage; and building height. • Absence of affordable housing in proposal. • Panel Determination: 10.20am – 10.26am, 24 July 2023 <ul style="list-style-type: none"> ○ Panel members: Peter Debnam (Chair), Blake Cansdale, Donna Rygate, John Bohane and Lindsey Dey ○ DPE staff: Doug Cunningham, Renee Ezzy, Hugh Clark, Christina Brooks, Lisa Kennedy, Sharon Edwards, Adam Williams & Elliot Brown