

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

DATE OF DETERMINATION	Thursday, 14 September 2023
DATE OF PANEL DECISION	Wednesday, 13 September 2023
PANEL MEMBERS	Peter Debnam (Chair), Glennis James, Blake Cansdale, Che Wall & Lindsey Dey
APOLOGIES	None
DECLARATIONS OF INTEREST	Greg Woodhams has declared a conflict of interest in the matter, as he lives in the locality.

Public meeting held by Public Teleconference on 13 September 2023, opened at 1:02pm and closed at 1.49pm. Papers circulated electronically on 7 September 2023.

PLANNING PROPOSAL

PP-2021-7451 – North Sydney LGA – 391-423 Pacific Highway, 3-15 Falcon Street and 8 Alexander Street, 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, DEI Corp (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.


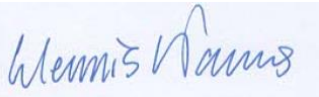



Lindsey Dey disagreed with the majority. Lindsey considers that the maximum height of building provision on the site should be 56 metres, with an additional allowance for centralised lift overrun facilities. The schematic podium height should be reduced to better reflect the historical shopfronts in the vicinity of the site. This change will:

- better maintain the desired future character of the locality in the broader strategic framework.
- achieve a more acceptable transition between the southern end of commercial Crows Nest to low scale residential neighbourhoods.
- provide additional spatial/visual separation from the heritage listed, well known landmark Crows Nest Hotel.
- reflect recent, nearby approvals in Crows Nest for comparable sites i.e. that are not in very close proximity to St. Leonard's Station or the new Crows Nest Metro Station e.g. 575-583 Pac Hwy, 23-25 Atchison and 50-56 Atchison.

- mitigate the visual impact of future development on a prominent site that is topographically at the crest of the Five Ways "Hill".
- improve future conditions at street level for pedestrians and road users.
- reduce midwinter overshadowing of residential areas (including Heritage Conservation Areas)

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 traffic. 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)	 Glennis James
 Blake Cansdale	 Che Wall
 Lindsey Dey	

SCHEDULE 1		
1	PANEL REF – LGA – PLANNING PROPOSAL NO. – ADDRESS	PP-2021-7451 – North Sydney LGA – 391-423 Pacific Highway, 3-15 Falcon Street and 8 Alexander Street, 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 the maximum height of buildings from 16m to 62.5m; • introduce a maximum floorspace ratio of 5.8:1; and • increase the non-residential floorspace ratio from 0.5 to 2.5:1.
4	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> • DPE Post Exhibition Report, 5 September 2023 • Written submissions during public exhibition: 84 • Verbal submissions at the Panel's public meeting 1:02pm – 1:49pm, 13 September 2023: <ul style="list-style-type: none"> ○ Registered Speakers: Glenda McLoughlin, John Hancox (o/b Wollstonecroft Precinct) & Geoff Hanmer ○ On behalf of the applicant – Robert Furolo (DEI Corp) & Stephen Kerr (Gyde) ○ Total number of unique submissions received by way of objection: 68
5	BRIEFINGS BY THE PANEL	<ul style="list-style-type: none"> • Panel Briefing: 12:30pm – 12:58pm, 13 September 2023 <ul style="list-style-type: none"> ○ Panel members: Peter Debnam (Chair), Glennis James, Blake Cansdale, Che Wall & Lindsey Dey ○ DPE staff: Doug Cunningham, Srishti Jagdale, Charlene Nelson, Matthew Rothwell, Lisa Kennedy, Adam Williams & Taylah Fenning ○ Key Issues Discussed: <ul style="list-style-type: none"> • issues from submissions & how they have been addressed – building height, traffic and parking, overshadowing, neighbourhood character and bulk and scale. • the adopted North Sydney Development Control Plan 2013 (DCP) amendment which commenced on 6 January 2023 no longer meant a site-specific DCP is required to accompany the planning proposal. • Panel Determination: 1.49pm – 1:59pm, 13 September 2023 <ul style="list-style-type: none"> ○ Panel members: Peter Debnam (Chair), Glennis James, Blake Cansdale, Che Wall & Lindsey Dey ○ DPE staff: Doug Cunningham, Srishti Jagdale, Charlene Nelson, Matthew Rothwell, Lisa Kennedy, Adam Williams & Taylah Fenning