

The Recommendation was moved by Councillor Baker and seconded by Councillor Keen.

The Motion was put and **carried**.

Voting was as follows:

For/Against 9/0

Councillor	Yes	No	Councillor	Yes	No
Gibson	Y		Barbour	Y	
Beregi	Absent		Drummond	Y	
Keen	Y		Gunning	Y	
Brodie	Y		Mutton	Y	
Carr	Y		Baker	Y	

RESOLVED:

- 1. THAT** the Stage 1 Public Domain Strategy 'Place Book' (Attachment 1) is placed on public exhibition for a minimum of 60 days (excluding public holidays).
- 2. THAT** relevant state authorities such as Roads and Maritime Services (RMS), Transport for NSW (TfNSW), Department of Planning and Environment (DPE) and Greater Sydney Commission (GSC) will be notified and issued copies of the Stage 1 Public Domain Strategy 'Place Book'.
- 3. THAT** following exhibition, a report be prepared accounting for submissions made and any resulting amendments to the final Stage 1 Place Book.
- 4. THAT** Council write to Transport for NSW to thank them for making a financial contribution towards the Stage 1 Public Domain Strategy.

Councillor Drummond retired from the meeting at 9.14pm.

369. **CiS03: Planning Proposal 4/18 – 601 Pacific Highway, St Leonards**

Report of Joanne Chan, Strategic Planner

On 27 June 2018, Council received a Planning Proposal to amend North Sydney Local Environmental Plan 2013 (NSLEP 2013) as it relates to land bound by the Pacific Highway, Atchison Street and Mitchell Street, St Leonards. The Planning Proposal seeks the following changes to NSLEP 2013:

- Amend the Land Zoning Map from B3 Commercial Core to B4 Mixed Use to permit residential uses;
- Increase the maximum Height of Buildings (HOB) from 49metres to 212metres (an increase of 163 metres);
- Establish a site-specific minimum non-residential floor space ratio control of 3.9:1; and
- Establish a site-specific maximum overall floor space ratio control of 20:1 (if deemed necessary).

Having completed an assessment of the Planning Proposal, it is recommended that the Planning Proposal not be supported to proceed to Gateway Determination for the following reasons:

- It has the potential to significantly undermine strategic planning work currently being undertaken by the Department of Planning and Environment relating to the *St Leonards Crows Nest Planned Precinct*;
- It is contrary to meeting a number of objectives and actions under the relevant regional and district plans applying to the land. In particular, the proposal:
 - does not promote a strategic planning response to an identified Planned Precinct;

- is not required to meet State housing targets, as sufficient residential capacity is already provided under NSLEP 2013 without the need to significantly change the land use mix on the subject site; and
- fails to protect the commercial core of St Leonards as a *Strategic Centre/Health and Education Precinct*.
- It is inconsistent with the desired outcomes within Council's *St Leonards Crows Nest Planning Study – Precincts 2 & 3*;
- It is inconsistent with the desired outcomes of the *St Leonards Crows Nest Planned Precinct – Land Use and Infrastructure and Implementation Plan*. In particular, the proposal:
 - seeks to amend the zoning from B3 Commercial Core to B4 Mixed Use;
 - reduces employment opportunities leveraging off the new metro station;
 - has not considered quality streetscape aspects such as consistent setbacks, street and wall heights;
 - does not meet the solar heights plane; and
 - results in poor public amenity within the locality.
- The opportunities and impacts of revised planning controls are better considered and managed on a precinct-wide basis; and
- The delivery of public benefits identified within the Planning Proposal cannot be guaranteed without an offer by the applicant to enter into a Voluntary Planning Agreement.

It is also noted that there are various landowners in the locality with a keen interest to redevelop their sites. Allowing this to occur, on an ad-hoc basis could create an unacceptable precedent and significantly undermine the DPE and Council's strategic planning efforts for the locality to facilitate the best outcomes.

Recommending:

- 1. THAT** Council resolves not to support the Planning Proposal proceeding to Gateway Determination.
- 2. THAT** Council advise the Department of Planning and Environment of its decision and be provided with a copy of this report and its resolution in support of Council's position.
- 3. THAT** Council notifies the applicant of Council's determination in accordance with clause 10A of the Environmental Planning and Assessment Regulation 2000.

Ms S Czyz and Ms J Christie addressed Council.

Councillor Beregi returned to the meeting at 9.17pm.

The Recommendation was moved by Councillor Baker and seconded by Councillor Beregi.

The Motion was put and **carried**.

Voting was as follows:

For/Against 8/1

Councillor	Yes	No	Councillor	Yes	No
Gibson	Y		Barbour	Y	
Beregi	Y		Drummond	Absent	
Keen	Y		Gunning		N
Brodie	Y		Mutton	Y	
Carr	Y		Baker	Y	

RESOLVED:

- 1. THAT** Council resolves not to support the Planning Proposal proceeding to Gateway Determination.