

DATE OF DECISION	Tuesday 23 July 2019
PANEL MEMBERS	Peter Debnam (Chair), Mark Grayson, Veronique Marchandean
APOLOGIES	None
DECLARATIONS OF INTEREST	<p>Sue Francis declared a conflict as City Plan Service provided advice on a planning proposal for a nearby site and is also working with the proponent for this application on another site.</p> <p>John Roseth and Michel Reymond attended the site visit and during the briefing with the Department they raised that they both previously sat on the panel to consider a planning proposal on this site in 2015. Whilst the two applications are different, to avoid any perceived bias it was agreed that John and Michel would step down from the panel.</p>

REZONING REVIEW

2019SNH024 – North Sydney - RR_2019_NORTH_002_00 – at 55-89 Chandos Street and 58-64 Atchison Street, St Leonards (AS DESCRIBED IN SCHEDULE 1)

Reason for Review:

- ☒ The council has notified the proponent that the request to prepare a planning proposal has not been supported
- ☐ The council has failed to indicate its support 90 days after the proponent submitted a request to prepare a planning proposal or took too long to submit the proposal after indicating its support

PANEL CONSIDERATION AND DECISION

The Panel considered: the material listed at item 4 and the matters raised and/or observed at meetings and site inspections listed at item 5 in Schedule 1.

Based on this review, the Panel determined that the proposed instrument:

- ☐ **should** be submitted for a Gateway determination because the proposal has demonstrated strategic and site specific merit
- ☒ **should not** be submitted for a Gateway determination because the proposal has
- ☒ not demonstrated strategic merit
 - ☐ has demonstrated strategic merit but not site specific merit

The decision was unanimous.




REASONS FOR THE DECISION

The proposal as presented to the Panel and Council is inconsistent with the current strategic plans relating to the site. The St Leonards and Crows Nest 2036 Draft Plan (draft LUIIP) identifies the site for B4 mixed use.

The Panel unanimously considers that the proposal fails to have strategic merit and site specific merit for the reasons below:

- The planning proposal is inconsistent with the desired outcomes of Council's St Leonards / Crows Nest Planning Study for Precincts 2 & 3;
- The planning proposal is inconsistent with the desired outcomes including height and FSR of the State Government's St Leonards and Crows Nest 2036 Draft Plan (draft LUIIP);

- The planning proposal would result in a poor transition in building height and scale to the surrounding lower density residential and conservation areas located to the east and north;
- The planning proposal has not adequately demonstrated why the draft outcomes and controls of the St Leonards and Crows Nest 2036 Draft Plan (draft LUIIP) should be amended prior to the completing of the assessment and adoption of theDraft Plan.

PANEL MEMBERS	
 Peter Debnam (Chair)	 Mark Grayson
 Veronique Marchandean	

SCHEDULE 1		
1	PANEL REF – LGA – DEPARTMENT REF - ADDRESS	2019SNH024 – North Sydney - RR_2019_NORTH_002_00 – at 55-89 Chandos Street and 58-64 Atchison Street, St Leonards
2	LEP TO BE AMENDED	North Sydney Local Environmental Plan 2013
3	PROPOSED INSTRUMENT	The proposal seeks to increase the maximum building height, increase the minimum non-residential floor space ratio and impose a maximum floor space ratio to the site.
4	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> Rezoning review request documentation Briefing report from Department of Planning and Environment
5	BRIEFINGS AND SITE INSPECTIONS BY THE PANEL/PAPERS CIRCULATED ELECTRONICALLY	<ul style="list-style-type: none"> Site inspection: 23 July 2019 <ul style="list-style-type: none"> Panel members in attendance: Peter Debnam (Chair), John Roseth, Mark Grayson, Veronique Marchandean, Michel Reymond Briefing with Department of Planning and Environment (DPE): 23 July 2019 at 10am <ul style="list-style-type: none"> Panel members in attendance: Peter Debnam (Chair), John Roseth, Mark Grayson, Veronique Marchandean, Michel Reymond DPE staff in attendance: Jaz Van Veen, Mary Su, Stewart Doran Briefing with Council & Proponent: 23 July 2019 at 10.30am <ul style="list-style-type: none"> Panel members in attendance: Peter Debnam (Chair), Mark Grayson, Veronique Marchandean DPE staff in attendance: Jaz Van Veen, Mary Su, Stewart Doran Council representatives in attendance: Ben Boyd, Marcelo Occhiuzzi Proponent representatives in attendance: Michael Harrison, Paris Wojcik, Sam Fallon, Ashleigh Persian, Gavin Shang Papers were circulated electronically between 23 and 29 July 2019