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| <b>DATE OF DECISION</b>         | 30 September 2021  |
| <b>PANEL MEMBERS</b>            | Peter Debnam (Chair), Brian Kirk, Julie Savet Ward, Kenneth Robinson and Kevin Alker |
| <b>APOLOGIES</b>                | Virginia Waller  |
| <b>DECLARATIONS OF INTEREST</b> | James Harrison and Philippa Hayes participated in council meeting on 1 February 2021 |

### REZONING REVIEW

Request for a rezoning review – RR-2021-80 - 1A Little Alfred Street, North Sydney (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


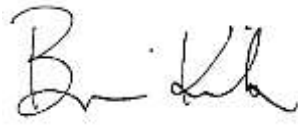



The decision was unanimous.

### REASONS FOR THE DECISION

The Panel reviewed the documentation, heard from the Applicant and Council and discussed the proposal with both parties. The Panel then adjourned to discuss the proposal and unanimously determined the proposal did not satisfy the strategic merit test.

The Applicant had argued the proposal was consistent with strategic plans and in particular the North District Plan as it would assist in facilitating the local visitor economy. However, the Panel concurred with Council that the proposal lacks strategic merit as it is inconsistent with the strategic directions and objectives of the Regional and District Plans as it would result in a net loss of recreation infrastructure. It was also noted that the proposed accommodation uses do not fit comfortably with the stated objectives for the RE2 zone.

The Panel notes the site is particularly challenging from a planning point of view and is also immediately adjacent to a small pocket of open space owned in part by Council and Transport for New South Wales. The Panel further notes the significant open space deficiency in the precinct and suggests it would be in the community interest for discussions between the Applicant, Council and Transport for New South Wales to explore future options for the site.

| PANEL MEMBERS   |   |
|---|---|
| <br>Peter Debnam     | <br>Brian Kirk  |
| <br>Julie Savet Ward | <br>Kevin Alker |
| <br>Kenneth Robinson |   |

| SCHEDULE 1 |   |  |
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| 1          | <b>PANEL REF – LGA –<br/>DEPARTMENT REF - ADDRESS</b>   | Request for a rezoning review – RR-2021-80 - 1A Little Alfred Street, North Sydney   |
| 2          | <b>LEP TO BE AMENDED</b>  | North Sydney Local Environmental Plan 2013   |
| 3          | <b>PROPOSED INSTRUMENT</b>  | <p>The rezoning review request seeks to amend the North Sydney LEP 2013 to amend the development standards and introduce additional permitted uses to land at 1A Little Alfred Street, North Sydney. Specifically, the proposal seeks to make the following amendments:</p> <ul style="list-style-type: none"> <li>• Introduce a 12.5m maximum building height to part of the site;</li> <li>• Introduce a 0.9:1 floor space ratio control to part of the site; and</li> <li>• Allow 'Service Apartments' and 'Co-living' as additional permitted uses.</li> </ul>   |
| 4          | <b>MATERIAL CONSIDERED BY<br/>THE PANEL</b>   | <ul style="list-style-type: none"> <li>• Rezoning review request documentation</li> <li>• Briefing report from Department of Planning, Industry and Environment</li> </ul>   |
| 5          | <b>BRIEFINGS AND SITE<br/>INSPECTIONS BY THE<br/>PANEL/PAPERS CIRCULATED<br/>ELECTRONICALLY</b> | <p><b>Site inspection</b> has been curtailed due to COVID-19. Panel members to undertake site inspection individually.</p> <ul style="list-style-type: none"> <li>• <b>Briefing with Department of Planning, Industry and Environment (DPIE):</b> 28 September 2021 <ul style="list-style-type: none"> <li>○ Panel members in attendance: Peter Debnam (Chair), Brian Kirk, Julie Savet Ward, Kenneth Robinson and Kevin Alker</li> <li>○ DPIE staff in attendance: Christina Brooks, Charlene Nelson and Brendan Metcalfe</li> </ul> </li> <li>• <b>Briefing with Council:</b> 28 September 2021 <ul style="list-style-type: none"> <li>○ Panel members in attendance: Peter Debnam (Chair), Brian Kirk, Julie Savet Ward, Kenneth Robinson and Kevin Alker</li> <li>○ DPIE staff in attendance: Christina Brooks, Charlene Nelson and Brendan Metcalfe</li> <li>○ Council representatives in attendance: Marcelo Occhiuzzi, Neal McCarry, Jayden Perry and Alice Brown</li> </ul> </li> <li>• <b>Briefing with Proponent:</b> 28 September 2021 <ul style="list-style-type: none"> <li>○ Panel members in attendance: Peter Debnam (Chair), Brian Kirk,</li> </ul> </li> </ul> |

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|  |  | <p>Julie Savet Ward, Kenneth Robinson and Kevin Alker</p> <ul style="list-style-type: none"><li>○ DPIE staff in attendance: Christina Brooks, Charlene Nelson and Brendan Metcalfe</li><li>○ Proponent representatives in attendance: Bernard Gallagher, Shaun Carter, Ben Peake, Michael Tooma and Phoebe Ludemann</li></ul> <ul style="list-style-type: none"><li>● Papers were circulated electronically on 20 September 2021.</li></ul> |
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