

**ATTACHMENT – PREVIOUS PLANNING PROPOSALS
PP-2024-122 (IR-2024-1) INDEPENDENT REVIEW**

<p>Overview of the previous planning proposals</p>	<p>3 September 2015: Proponent lodges a Planning Proposal with Council seeking to rezone the Precinct to B4 Mixed Use, increase the maximum building height from 13m to 85m and increase the maximum FSR from 3.5:1 to 10.2:1.</p> <p>15 February 2016: Council resolves not to support the planning proposal.</p> <p>18 February 2016: The Proponent requests a pre-gateway review (now known as a rezoning review) of the planning proposal.</p> <p>13 September 2016: The Joint Regional Planning Panel (JRPP) determined not to support the proposal noting concerns with site isolation, separation distances and development potential of adjoining sites.</p> <p>20 February 2017: Following the JRPP decision, Council prepares the draft Alfred Street Precinct Planning study which would have provided a framework for the entire Precinct and a guide for a future landowner led planning proposal.</p> <p>29 January 2019: Although Council officer's recommended post exhibition changes to the draft Alfred Street Precinct Planning Study, including consideration for any future planning proposal for the Precinct, Council resolves not to adopt it. No reason is given by Council for not adopting the planning study.</p> <p>22 March 2019: The Proponent lodges a second Planning Proposal (PP-2020-74) which sought to:</p> <ul style="list-style-type: none"> • Rezone the Precinct from B3 Commercial Core to B4 Mixed Use; • Increase the maximum height of buildings from 13m to 31m for Site A, 80m for Site B, 28m for Site C and 29m for Site D; • Increase the maximum FSR for Site B from 3.5:1 to 7.3:1; and, • Insert a design excellence provision which allows for an additional 2:1 FSR on Site B subject to a design competition being undertaken for the site. <p>3 September 2015: Proponent lodges a Planning Proposal with Council seeking to rezone the Precinct to B4 Mixed</p>
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	<p>Use, increase the maximum building height from 13m to 85m and increase the maximum FSR from 3.5:1 to 10.2:1.</p> <p>15 February 2016: Council resolves not to support the planning proposal.</p> <p>18 February 2016: The Proponent requests a pre-gateway review (now known as a rezoning review) of the planning proposal.</p> <p>13 September 2016: The Joint Regional Planning Panel (JRPP) determined not to support the proposal noting concerns with site isolation, separation distances and development potential of adjoining sites.</p> <p>20 February 2017: Following the JRPP decision, Council prepares the draft Alfred Street Precinct Planning study which would have provided a framework for the entire Precinct and a guide for a future landowner led planning proposal.</p> <p>29 January 2019: Although Council officer's recommended post exhibition changes to the draft Alfred Street Precinct Planning Study, including consideration for any future planning proposal for the Precinct, Council resolves not to adopt it. No reason is given by Council for not adopting the planning study.</p> <p>22 March 2019: The Proponent lodges a second Planning Proposal (PP-2020-74) which sought to:</p> <ul style="list-style-type: none"> • Rezone the Precinct from B3 Commercial Core to B4 Mixed Use; • Increase the maximum height of buildings from 13m to 31m for Site A, 80m for Site B, 28m for Site C and 29m for Site D; • Increase the maximum FSR for Site B from 3.5:1 to 7.3:1; and, • Insert a design excellence provision which allows for an additional 2:1 FSR on Site B subject to a design competition being undertaken for the site. <p>27 June 2019: As Council failed to make a decision within the required timeframe, the Proponent submitted a Rezoning Review to the Department.</p> <p>14 August 2019: Although a Rezoning Review had been submitted, the North Sydney Local Planning Panel raised</p>
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	<p>several matters of site-specific merit that needed to be addressed with the planning proposal.</p> <p>5 November 2019: The Sydney North Planning Panel (Panel) determined to support the planning proposal to proceed to Gateway determination. The Panel is appointed as the Planning Proposal Authority (PPA).</p> <p>7 September 2020: The Department issues a Gateway determination to proceed to public exhibition.</p> <p>22 December 2020 to 19 February 2021: The Planning Proposal is publicly exhibited.</p> <p>7 December 2021: The Panel holds a public meeting and considers the proposal post-exhibition. The panel determined the proposal needed to be updated to address issues arising in submissions with regard to impacts on the surrounding existing area and built form concerns, and requested it be reported back to the Panel in Q1 2022.</p> <p>2 March 2022: The Department issues a Gateway alteration to not proceed with the planning proposal due to timeframe delays and the scope of amendments required to the proposal.</p> <p>13 July 2022: The proposal was referred to the Panel for consideration with recommended updates made. The Panel recommended that Site B be reduced from the proposed 24 storeys (80m) to the existing 20 storeys (RL52.36m) height, and that only the rezoning component proceed for sites C and D.</p> <p>2 November 2022: In response to the Panel's recommendations, the Proponent submits a feasibility study (Atlas Economics) to the Department arguing that retaining and adaptively using the existing 20 storey building on Site B (RL52.36m) would make the proposal unviable.</p> <p>19 April 2022: The Department engages HillPDA to undertake a peer review of the Atlas feasibility study finding that the option to adaptively reuse the existing building on Site B is currently viable.</p>
Class 4 Procedural Appeal	<p>11 October 2022: The Proponent lodges a Class 4 procedural appeal against the Panel in the NSW Land and Environment Court challenging the Panel's recommendation that Site B should be restricted to the existing building height of 20 storeys, and asserting that the Panel meeting on 13</p>

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	<p>July 2022, should have been held as a public meeting where the proponent would have been able to address the Panel.</p> <p>As part of negotiations with the proponent the Department advised that:</p> <ul style="list-style-type: none">• As there was no active planning proposal the Panel's 13 July 2022 recommendation constituted advice to the Secretary under s2.15(c) of the Act, that does not have a binding effect on any future applications;• The Panel would undertake to use best endeavours, subject to availability, to constitute the Panel differently to that which made the 13 July 2022 decision; and,• The Department's North District Branch agreed to a request to meet with the proponent to discuss the next steps in relodging and then processing a planning proposal for the site. <p>11 April 2023: In response to the Department's position, the Proponent agreed to discontinue legal action.</p>
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