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**TRANSCRIPT OF PROCEEDINGS**

**TRANSCRIPT IN CONFIDENCE**

O/N H-1056081

**INDEPENDENT PLANNING COMMISSION**

**MEETING WITH LANE COVE COUNCIL**

**RE: REQUEST FOR GATEWAY DETERMINATION REVIEW  
OF 2 GREENWICH RD, GREENWICH**

**PANEL:**

**CHRIS WILSON  
RUSSELL MILLER**

**ASSISTING PANEL:**

**OLIVIA HIRST**

**COUNCIL:**

**MICHAEL MASON  
CHRIS PELCZ  
TERRY TREDEA**

**LOCATION:**

**IPC OFFICES  
LEVEL 3, 201 ELIZABETH STREET  
SYDNEY, NEW SOUTH WALES**

**DATE:**

**11.56 AM, FRIDAY, 2 AUGUST 2019**

MR C. WILSON: Thank you for coming in. Thank you. Good morning and welcome. Before we begin, I would like to acknowledge the traditional owners of the land on which we meet. I would also like to pay my respects to their elders past and present. Welcome to the meeting today on the gateway determination review for a plan proposal seeking to amend Lane Cove LEP 2009 in relation 2 Greenwich Road, Greenwich, known as the site formerly the site of the Northside Clinic mental health hospital. The proposal seeks to amend the LEP, to permit shop top housing as additional land use in a B3 Commercial zone and increase building heights from 25 to 33 metres.

5  
10 My name is Chris Wilson, and I'm a chair of this IPC panel. Joining me on the panel is Russell Miller. The other attendee is Olivia Hirst from the IPC Secretariat. In the interests of openness and transparency and to ensure the full capture of information, today's meeting is being recorded, and a full transcript will be produced and made available on the commission's website. For transcription purposes, I would be grateful if you could please confirm your names when you first speak. Thank you.

15  
20 This meeting is one of part of the commission's process of providing advice. It is taking place at the preliminary stage of this process and will form one of several sources of information upon which the commission will base its advice. It is important for commissioners to ask questions of attendees and to clarify issues whenever we consider it appropriate. If you are asked a question and are not in a position to answer, please feel free to take the question on notice and provide additional information at a later date in writing, which we will then put up on our website. Thank you. We will now begin.

25  
30 MR M. MASON: Okay. Thank you, Mr Chair. My name is Michael Mason and I am the executive manager for environmental planning at Lane Cove Council. And I will just run through our issues. Chris?

MR C. PELCZ: Okay. My name is Chris Pelcz. I'm the coordinator of strategic planning at Lane Cove Council. And - - -

35 MR T. TREDREA: My name is Terry Tredrea. I'm a strategic planner at Lane Cove Council.

MR MASON: Okay.

MR WILSON: Thank you.

40 MR MASON: Thank you. We do have a submission to make, and I – I will read that out. But we will also follow that up with a hard copy by close of business today.

MR WILSON: Thank you.

45

MR MASON: Ah, I'd like to thank, ah, the, um, committee for the opportunity to present, and we're happy to answer any questions that you do have. Um, as a background, I'll start off and, um, say on the 3<sup>rd</sup> of July 2019 the Department of Planning, Industry and Environment informed council that the proponent has sought

5 to review a review of the gateway determination dated 6<sup>th</sup> of December 2018, for planning proposal 32, for 2 Greenwich Road, St Leonards. Council's views on the planning proposal, um, sent to the Department on the 9<sup>th</sup> of November 2018 were considered by the Department in preparing its report to the commission. However, council wishes to respond to the more recent contentions given by the proponent.

10 Ah, the site is 2 Greenwich Road, Greenwich. Ah, that is lot 1 DP 662215 and lot 2 DP 566042. I won't describe the current, um, controls, other than to say, um, it is currently zoned B3 Commercial Core and has a site area of 2140 square metres. It has the current floor space ratio of three to one, with a possible, ah, gross floor area 15 of 6420 square metres. It also has a height limit of 25 metres. There is a timeline, which I have included in – that would be included in our, um, information presented, but I'll move on from that. The timeline, um, started in July 2016, with the announcement of the St Leonards/Crows Nest strategic investigation and concludes in July 2019.

20 Council's response includes the following. The following summarises the contentions by the proponent for the determination review and identified by council in the proponent's gateway review covering letter dated the 17<sup>th</sup> of October 2018 and the legal advice to the Sydney North Planning Panel dated the 11<sup>th</sup> of December 25 2018. Council's response, ah, following that, um – a submitted, um, table, which we will – I will speak to and provide this afternoon.

30 The council supports the, ah, Sydney North planning decision, that the panel – that the proposal be assessed against draft and final 2036 plan for the St Leonards/Crows Nest, for the following reasons. The planning proposal should not be assessed primarily against the draft interim statement, because the document was meant only to inform the more recent strategic planning framework to guide future development and infrastructure delivery over the next 20 years. The reference for that is on page 2 of the draft – the 2036 plan. The gateway determination - - -

35 MR TREDREA: Sorry. My – it's page 2 of the interim report.

MR MASON: I beg your pardon.

40 MR TREDREA: Sorry. That's a mistake there.

MR MASON: The gateway determination only gave the proposal strategic merit subject to its consistency with the draft 2036 plan. And the site-specific merit is limited to being conditional on certain future studies. The proposal is inconsistent 45 with the objectives of the North District plan's vision of the precinct as a health and education super-precinct focused on employment growth, by replacing 6420 metres squared of potentially commercial floor space with 915 metres squared of

commercial floor space; represents an 86 per cent reduction in potential employment floor space here, regardless of what may or may not eventuate elsewhere. The proposal cannot claim to be consistent with the St Leonards South planning proposal, notwithstanding council's support for the draft planning proposal at St – at St

5       Leonards. Such cannot be the basis on which to make strategic decisions about adjoining areas.

MR R. MILLER: Just excuse me. Could you just explain that last point, again. Just explain what that means.

10      MR PELCZ: Sure. So the proponent argued in their response that they were using the St Leonards South proposal saying that it was consistent with that proposal and it was using that as a basis to say that it could continue, and what we're saying is that the proponent shouldn't use council's St Leonards South planning proposal because  
15     it doesn't matter what happens in St Leonards South; it's an – it's far away from the St Leonards South area so it shouldn't be used for that.

MR MILLER: Yes. Thank you. I understand.

20      MR PELCZ: Thank you.

MR MASON: What we're really saying is it should stand on its own two feet.

MR PELCZ: Yes.

25      MR MASON: The additional permitted use of shop-top housing would be the only B3 commercial core site with such a permission. It sets a compromising precedent for the rest of the precinct and other strategic plans that are at an advanced stage.  
The proposal represents a net loss of employment and commercial floor space and  
30     excessive height of building up from 25 metres to 33 metres and consequent impacts that include overshadowing of adjacent residential land use. As a result of this, the replacement of potential commercial floor space with residential floor space is inconsistent as opposed to not inconsistent with the draft 2036 plan.

35      In conclusion, as shown on pages 43, 50, 51 and 56 of the draft 2036 plan, the proposal is inconsistent with the relevant land use, height and floor space ratio of the draft 2036 plan. Council agrees with the Sydney North Planning Panel that if zoning decisions within the precinct are inconsistent with the planning work, that is, the draft 2036 plan, then the effectiveness of this work is seriously weakened, and those  
40     comments were made in November 2018 and I've got an attachment for the committee's benefit on the Sydney North Planning Panel with that letter referenced there as well. As I said, the detail of the submission as far as an attached table will be provided this afternoon as well, and happy to answer any comments or questions. Thank you.

45      MR MILLER: Just to clarify, the reference you're making to November is the Lane Cove Council letter to the director dated 9 November 2018; is that correct?

MR TREDREA: 9 November 2018 is correct.

MR MILLER: Thank you.

5 MR TREDREA: Yes. Thank you.

MR PELCZ: And are we also referring to the Sydney North Planning Panel comments from the same time?

10 MR MASON: No. We're referring to the Sydney North Planning Panel letter dated 23 November 2018 - - -

MR PELCZ: All right.

15 MR MASON: - - - and that is signed by the acting chair, John Roseth, and I will just quote what he says:

20 *The third reason for the recommendation was that the panel considered that unless zoning decisions within the precinct were consistent with the strategic planning work, the effectiveness of this work was seriously weakened.*

MR MILLER: Thank you.

MR MASON: And that – I will – that will be provided as well.

25 MR MILLER: I didn't have any further – I did have one question. Within the broader area – because, of course, this is the intersection of a number of council areas – are there any B3 zones where rooftop - - -

30 MR PELCZ: Shop-top housing.

MR MILLER: Shop-top housing is permitted?

MR PELCZ: No, there are none.

35 MR MASON: No. This is some distance from the area where the three councils intersect.

MR WILSON: Yes, I appreciate that.

40 MR MASON: This is approximately 770 metres west of that area and the only thing on the other side, I think, is parkland and the - - -

MR WILSON: Cemetery.

45 MR MASON: - - - cemetery and, close by, the TAFE and further west is the Artarmon industrial area as well.

MR MILLER: And – what – you’re one point something kilometres from the station; is that right?

UNIDENTIFIED MALE: From the metro.

5

MR MASON: From the Crows Nest Station. That’s right.

MR MILLER: Yes. Yes. Chris, I found that very helpful. I didn’t have any other questions.

10

MR WILSON: No. No. Look, just in terms of – and we’ve asked the other – department came this morning ..... applicant, and I guess the applicant’s view is that this is not the most relevant plan to give weight to, and I guess your view and the department’s view is this is the right plan and this plan has considered the north district plan - - -

15 MR MASON: Yes.

MR WILSON: - - - and is consistent with the north district plan and, therefore, is the most appropriate plan. It has been exhibited. It’s a draft plan, so therefore carries weight.

MR MASON: Yes.

25

MR PELCZ: And not only that. The draft interim statement did not have anything about zoning changes or - - -

MR WILSON: No. No land use provisions.

30

MR PELCZ: ..... provisions. Only the draft 2036 plan had those, so – yeah. That’s another reason why we think it should be given weight.

MR WILSON: And it’s your understanding that the strategic merit – the department found it had strategic merit and that that strategic merit was intrinsically linked to its consistency with - - -

35 MR PELCZ: .....

MR WILSON: - - - the 2036 plan.

40

MR PELCZ: That’s – as we understood, the panel made the decision on that basis as well.

MR TREDREA: The Gateway said that this is supported and strategic merit is supported subject to its consistency with the draft land use ..... plan .....

45 UNIDENTIFIED MALE: .....

MR TREDREA: ..... plan.

UNIDENTIFIED MALE: Yes.

- 5 MR TREDREA: It's also site-specific merit is limited, that is, is conditional on its traffic assessment and ADG assessment redesign.

MR WILSON: Sure. Yes, I appreciate that.

- 10 MR MASON: The only other comment that I would make is while that – we consider that stands on its own, the issue about the proposal would have adverse impacts on the areas to the south, the residential area, and it is earmarked for employment lands which again forms part of the district plan and part of the Greater Sydney Commission plan as well.

- 15 MR MILLER: Okay. Just explain why it would be inconsistent with – you talking about development down .....

MR WILSON: .....

- 20 MR PELCZ: Well, not only that, but also to its adjoining B3 land as well which in the plan is not marked for any zoning change apart from the significant sites.

MR MILLER: I understand. Thank you.

- 25 MR WILSON: Okay. Look, that's all we have and we appreciate you coming in.

MR MASON: Thank you.

- 30 MR WILSON: So thank you. And that's - - -

MR MASON: ..... no. The only thing that I would add is that on behalf of Lane Cove Council, fully appreciate your receiving us and good luck.

- 35 UNIDENTIFIED MALE: .....

**RECORDING CONCLUDED**

**[12.11 pm]**