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O/N H-1056081

**INDEPENDENT PLANNING COMMISSION**

**MEETING WITH DEPARTMENT OF PLANNING,  
INDUSTRY AND ENVIRONMENT**

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

**PANEL:** **CHRIS WILSON  
RUSSELL MILLER**

**ASSISTING PANEL:** **OLIVIA HIRST**

**DEPARTMENT OF  
PLANNING, INDUSTRY  
AND ENVIRONMENT:** **AMANDA HARVEY  
MONICA GIBSON  
NICK ARMSTRONG  
ELVIE MAGALLANES  
STEWART DORAN**

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

**DATE:** **10.01 AM, FRIDAY, 2 AUGUST 2019**

MR C. WILSON: Good morning and welcome, everybody. Ah, before we begin, I would like to acknowledge the traditional owners of the land on which we meet and pay my respects to their elders past and present. Welcome to the meeting today on the gateway determination review for a planning proposal seeking to amend the Lane  
5 Cove Environmental Plan – Local Environmental Plan 2009 in relation to number 2 Greenwich Road, Greenwich, known as the Northside Clinic Mental Health Hospital.

The proposal seeks to amend the LEP to permit shop-top housing as an additional land use in the B3 Commercial Core zone and increase the maximum building height  
10 from 25 metres to 33 metres. My name is Chris Wilson, and I am the 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  
15 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. This meeting is one of the part of commission's process of providing  
20 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 the commissioners to ask questions of attendees and to clarify  
issues wherever we consider it appropriate. If you're asked a question and you are  
25 not in a position to answer, please feel free to take it on notice and provide any additional information in writing, which we will then put on our website. We will now begin. Um, so we've done introductions. Um, so I think over to you, Amanda. We would have an overview of, ah, the PP, as it is to, this stage.

MS A. HARVEY: Sure. I think what might be really helpful is if we introduce - - -  
30

MR WILSON: Sure.

MS HARVEY: - - - who everyone here - - -

35 MR WILSON: Okay.

MS HARVEY: - - - is today from the department and perhaps their role that they're going to be talking to so that you know who to maybe direct your questions to.

40 MS M. GIBSON: So I'm Monica Gibson. I'm currently acting as the Executive Director for Regions, um, which includes the Sydney Region East team, and so primarily the Sydney Region East team will be answering the questions about the proposal today. I'm going to ask the team to introduce themselves. It will help for  
45 the record. Nick.

MR N. ARMSTRONG: And Nick Armstrong, Planning Officer in the Sydney Region East team. And I deal with planning proposals in Lane Cove, and I was responsible for preparing the gateway review assessment and the supporting documentation.

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MS HARVEY: Amanda Harvey. I'm the Director for Sydney Region East at the Department of Planning.

10 MR DORAN: Stewart Doran. I'm the Acting Manager Urban Renewal. And I'll be talking to St Leonards and Crows Nest draft 2036 plan.

MS E. MAGALLANES: Elvie, Senior Planner Urban Renewal. And I'll be talking to the draft 2036 plan.

15 MS HARVEY: Great. So we've taken the gateway review, ah, on two factors: both the deletion of condition 1(a) and condition 5 for the gateway for this proposal. Um, the history of it is that when we received the gateway – or the request for determination, it was on the basis of a rezoning review and the recommendation that the proposal should proceed by the then, um, North Sydney panel.

20

We contemplated what the proposal would mean in the context of what was the draft interim plan for – certainly, there's the Crows Nest area, which was nominated as a strategic area for investigation at the time. Um, we did try to wait out the decision of what would ultimately become the draft 2036 plan for that precinct. Um, however, we weren't afforded the time. So we made a decision in the gateway conditions to make a – room for what may or may not happen as a re – as a consequence of that work.

25

We were, ah, aware at the time that the interim plan – that was the current plan at the time of making the gateway determination – had included the sign in the area to which the investigation related. Um, and then once the gateway was issued, not long after that was when the draft 2036 plan came out for St Leonards/Crows Nest. At that time, the plan, which is draft and up for – has been on consultation and exhibition with the public, um, notes that the site wasn't nominated for further development, in terms of change of land use and/or height of loss-based changes.

35

Um, we had drafted the condition 1(a) to be aware of what may happen. So even though the condition says be consistent with the draft 2036 plan, at this time it would mean no change. There's still an opportunity for change, going forward, if the draft 2036 results, as a final form, um, to change to something else. So there's still an opportunity for a change to happen in the strategic planning work, um, going forward. We don't have a time at this stage for the finalisation of the draft 2036 plan. Um, part of that is in relation to reviewing the submissions and also taking consideration of the recent IPC recommendations for St Leonards South, which forms part of the strategic invest – or the strategic area that is St Leonards/Crows Nest.

45

Um, one of the things, once – after we had a gateway review request put to us by a proponent, um, they did come to us to ask whether or not they had, in fact, satisfied condition 1(a). Ah, in this instance, the planning proposal authority is the panel itself. Council had not taken up the opportunity to be the PPA. So we put a – um, a  
5 report to the panel, asking whether or not they had satisfied condition 1(a) and provided the legal advice that the proponent had put to us to demonstrate why they thought they were, um, consistent. And the basis for their argument was that they were consistent with the interim plan, which, we saw, wasn't any – of any consideration or of that – or of any use any more, because it had fallen away, now  
10 that the draft 2036 - - -

MR WILSON: Sorry. Is it being superseded?

MS HARVEY: It had been superseded. And just to – for clarification, the interim  
15 plan was, really, a vision statement. It was to include some basic principles that guided the investigation work, um, going forward. Um, it doesn't actually include any suggested key land uses, although it was noted that the area which this site sat was straddled between what was the area of Pacific Highway, for potential business and also residential. And at that time, the St Leonards/Crows Nest – St Leonards  
20 South, ah, planning proposal actually included part of that area as well.

So as a result of looking at this request, we are happy to make some alterations to condition 1(a), to make it more clearer, and also take into consideration when it is that the planning proposal proceeds, whether that be sooner or later, um, so that they  
25 can consider the planning proposal and the context of the strategic framework. Ah, and we don't see that condition 5 should be deleted, because, ultimately, we want to be seeing our planning proposals be uniform and consistent with the strategic planning framework that we are setting in place for the St Leonards/Crows Nest area.

30 MR WILSON: Okay. So a question I have is in relation to con – you've raised the issue of consistency. And it's - - -

MS HARVEY: Mmm.

35 MR WILSON: It's a strong theme throughout the, obviously, documentation we have before us. So I'd like to talk about consistency with 2036 and what you believe – where it's con – still inconsistent with 2036, the planning proposal, as it currently is.

40 MS HARVEY: It's inconsistent at the moment. The draft 2036 plan, although the area to which the – the precinct relates includes the site, the draft 2036 plan doesn't actually annotate or demonstrate any changes to the land use, the height or the floor space. So it's, therefore, taken that there would be no change to the planning – therefore, the LEP for that site. And also the adjoining site's no less as well. Do you  
45 want to make any further comment?

MR DORAN: No. That's correct.

MR WILSON: The plan identified appropriate places for shop top housing in the commercial core, and this is not one of them?

5 MS HARVEY: Correct. The other thing to note is that the St Leonards/Crows Nest plan is also about a balance of both employment and housing. And so despite the fact that there's some areas notified and identified for a residential, there is also strong desire to ensure that employment is retained and improved, to support what existing employment base is there. And a lot of that is related to hospital.

10 MR WILSON: And medical precinct?

MS HARVEY: Correct.

15 MR WILSON: What uses – so the existing zoning of the site is consistent with the current – of 2036?

MS HARVEY: Yes.

20 MR WILSON: That's right? And the – so that at this stage that's not expected to change? Well, that's not - - -

MS HARVEY: Correct. Well, we don't know what - - -

25 MR WILSON: Okay.

MS HARVEY: So the - - -

MR WILSON: So in terms – yep.

30 MS HARVEY: So the decision of making the finalisation of draft 2036 - - -

MR WILSON: Sure.

35 MS HARVEY: - - - and making it final is the Minister's decision to make.

MR WILSON: Okay.

MS HARVEY: Yep.

40 MR WILSON: So I know you can't crystal-ball the timing of the outcomes of strategic – but we – we're talking years, aren't we? Or no idea?

MR DORAN: We're reviewing all matters raised, um, from - - -

45 MR WILSON: Yep.

MR DORAN: Received from submissions and local councils and stakeholders.

MR WILSON: Yep.

MR DORAN: Um, these investigations are ongoing, and we can't put a time line on that.

5

MR WILSON: No, that's fair enough.

MR R. MILLER: So, just understanding the redrafted condition 1 - - -

10 MS HARVEY: Mmhmm.

MR MILLER: - - - if I'm the developer, what does this tell me I need to do? At the time I - at the - whatever is relevant at the time community consultation is undertaken - so are we talking about the start of community consultation, the end of  
15 community consultation, in relation to the planning proposal?

MS HARVEY: At the time community consultation is undertaken.

MR MILLER: Right. At the time it starts?  
20

MS HARVEY: Yes.

MR MILLER: Right. So at that point we've either got a draft or a final?

25 MS HARVEY: Mmhmm.

MR MILLER: And the developer can continue to work on the basis of consistency with either the draft or the final, whichever it happens to be?

30 MS HARVEY: Correct.

MR MILLER: That's the intention?

MS HARVEY: That's the intention.  
35

MR MILLER: Okay.

MS HARVEY: I think what we were trying to do is clarify that in that revision of the wording.  
40

MR MILLER: Yes. Yes. Thank you. Um, I had another question about consistency. The, um, proponent says that, ah, the proposal for mixed - in effect, mixed use of the - is consistent because there is some employment, um, uses on the ground floor of the proposed development, and they've provided some legal advice to support that proposition. Could you just give us a sense of the department's view on that?  
45

MS HARVEY: So the – sorry. Say that question again. The - - -

MR MILLER: The proponent says, “But we’re – the proposal is consistent because there is some employment on the ground floor.”

5

MS HARVEY: Yes. But the plan – draft 2036 plan doesn’t contemplate a land use change which would, therefore, introduce residential uses. So the current B3 zone is for commercial purposes, so the expectation would be to retain the full B3 zone and - - -

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MR MILLER: So it’ll be consistent if it’s all used for - - -

MS HARVEY: For employment - - -

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MR MILLER: For employment purposes.

MS HARVEY: - - - or commercial.

20

MR MILLER: Not consistent if it’s only partially used for employment purposes.

MS HARVEY: Potentially, yes. Yep.

MR MILLER: Yes. Thank you. That was all I had at this - - -

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MR WILSON: I don’t have any questions, actually. Um, I think the paperwork’s sufficient.

MS HARVEY: Okay.

30

MR WILSON: Is there anything else you’d like to add?

MR MILLER: Unless there’s anything else you wanted to - - -

MS HARVEY: No.

35

MR MILLER: Thank you.

MR WILSON: Thanks.

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MR DORAN: Thank you.

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**[10.13 am]**