



COMMISSION FINDS PLANS FOR NEW 226-METRE NORTH SYDNEY TOWER LACK SITE-SPECIFIC MERIT

7 June 2019

The state's Independent Planning Commission has recommended a proposed 45-storey mixed-use development in the North Sydney CBD should not proceed "in its current form" amid concerns about heritage and overshadowing impacts.

Architectus Group Pty Ltd has sought to amend local planning controls to facilitate the development at 41 McLaren Street, North Sydney. The proposal includes:

- the refurbishment of an eight-storey heritage-listed commercial building
- the addition of a 37-storey residential tower above the existing building (to a maximum building height of 226m), comprising 224 apartments, and
- basement parking for 219 vehicles

In March 2018, the Sydney North Planning Panel determined the proposal had strategic and site-specific merit and that it should be submitted for a Gateway determination*.

The Department of Planning & Environment issued a Gateway determination in August last year subject to conditions.

However, the Department asked the Commission to conduct a review in March this year after North Sydney Council challenged the basis for the Gateway determination.

Commissioners Chris Wilson (Panel Chair), Wendy Lewin and Alan Coutts were appointed to review the planning proposal and provide advice concerning the merits of the review request – including a "clear and concise recommendation" on whether the planning proposal should proceed past Gateway.

The Panel met with the applicant, Department and Council, and conducted an inspection of the site and surrounding areas.

Following careful consideration of all the evidence, the Commission has today (Friday 7 June 2019) provided its advice to the Department – concluding the planning proposal has demonstrated strategic merit but not site-specific merit, "given the significance of impacts likely to result from the bulk and scale of the residential tower."

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In making its recommendation that the planning proposal should not proceed past Gateway “in its current form”, the Commission noted that impacts associated with the residential tower “have not been adequately justified given its proposed bulk and scale”, including:

- the expected increase in overshadowing and the reduction in solar access likely to occur on public open space including the public open space proposed under Council’s draft Ward Street Precinct Masterplan
- the increased impact on the adjoining residential buildings, in particular the increased overshadowing, reduced solar access and reduced visual privacy
- wind impacts upon future public open space
- the likely adverse impacts on the heritage significance of the existing heritage building and heritage items near the site, and
- its inconsistency with strategic planning principles relating to heritage conservation.

“The Commission has also reviewed the conditions attached to the Gateway determination and considers that these are unlikely to overcome the site-specific merit issues associated with the residential tower that would justify progression of the planning proposal in its current form,” the Commission stated in its report.

“The Commission considers that progressing the planning proposal in its current form would be premature as the impacts associated with the residential tower have not been justified. The current residential tower should be reviewed in light of the expected impacts before progressing past Gateway.”

**** For more information about the Gateway process, click onto:***

<https://www.planning.nsw.gov.au/Plans-for-your-area/Local-Planning-and-Zoning/The-Gateway-Process>

The Commission’s Advice Report can be read in full here:

<https://www.ipcn.nsw.gov.au/projects/2019/03/request-for-gateway-determination-review-of-mclaren-street-north-sydney>