

Environmental plan is ruled misleading

NORTH SYDNEY COUNCIL'S draft CBD local environment plan has been ruled invalid by the Land and Environment Court because it was misleading and contained a number of misrepresentations.

Judge David Lloyd ruled that the council had produced a summary of submissions that was misleading and had failed to consider submissions by the Urban Taskforce, a group representing developers.

He also ruled that the public exhibition process had miscarried because of misrepresentations relating to floor space and the rezoning of residential land.

The court found misleading the council's assurances that the plan would deliver the necessary commercial space and its denial that the plan could reduce the amount of residential development.

The Urban Taskforce has called on the Minister for Planning, Frank Sartor, to strip the council of its planning powers for the CBD. "The council should have been upfront about its plans to reduce the potential for new homes in North Sydney's heart," said the chief executive of the taskforce, Aaron Gadiel.

The court ordered that the council must pay Castle Constructions, who is the applicant, its costs.

Harvey Grennan