Key Issue (Theme of objection, e.g. height, traffic, views)	Number of Submissions (total 141 submissions)	Specific Reasons (Highlight the key issues and specifics raised around the theme)	Proponent's Response	Department's View and Recommendation
View loss and view sharing	110	<ul> <li>79% of submissions related to View loss.</li> <li>Residents around Miller Street are concerned about view losses east to the harbour.</li> <li>View loss was a concern for residences on Walker and Hampden Streets.</li> <li>Concern was raised about loss of privacy with proposed apartments able to look in to existing apartments.</li> <li>Critical of Richard Lamb's view analysis being dismissive of loss of views from Miller Street.</li> <li>View analysis for properties to the west of the site is inadequate and requires further refinement.</li> <li>Analysis only considers sharing of harbour views and not the extensive district views to the east.</li> <li>The proposal does not address this critical principle, whether the view loss from affected properties is reasonable.</li> <li>The View Impact Assessment submitted with the original planning proposal does not appear to have been updated to respond to the revised schemes.</li> <li>Allow for reasonable view sharing in accordance with the principles</li> </ul>	<ul> <li>The proponent has prepared an updated Visual Impact Assessment prepared by Richard Lamb and Associates to support the proposal.</li> <li>In response to 168 Walker St (Aqualand – north of site) submission the proponent states that development would continue to have expansive views including of Sydney Harbour and the Sydney Harbour Heads.</li> <li>The Planning Proposal concept design has been significantly amended and adjusted to cater to feedback from surrounding landowners.</li> <li>The Panel and Council sought to achieve objective of maximising views through the site from the West towards the East, rather than from the North to the South.</li> <li>The view image in the Aqualand Visual Impact Assessment (VIA) claims loss of Opera House views, actually illustrates that the proposed location and height of the building envelope would not obstruct those</li> </ul>	<ul> <li>The Department considers that the majority of submissions raised concerns about missing out on the morning sun and views through the site from the West to the East, and rightly this has been the focus of refinements to the proposal.</li> <li>The site is at the edge of a major CBD, where high rise commercial and residential towers are characteristic of surrounding development. On a site that is zoned high density residential it is expected that some views will be impacted, however the proposal does provide for view sharing.</li> <li>The Panel has already supported development of a tower on the site up to 29 storeys (RL 148m) having regard to environmental factors such as overshadowing and view sharing.</li> <li>The view loss experienced from nearby low level residences would be similar to the effects expected from development controls ie. R4, 12m height. At the higher levels the</li> </ul>

and all the band in Taxan in the set	
established in Tenacity Consulting v	views (Figure 8 in Department's RtS proposal only blocks views of areas o
Warringah Council [2004] NSWLEC.	Report). open sky.
	The significant physical distance     A number of submissions refer to the
	(100m) of Aqualand to the site and earlier concept proposal that was
	higher ground level (15-20m) results reviewed by Ingham Planning in 2019
	in the proposed building envelope on for the independent report to North
	the site being only a minor built Sydney Council.
	element in the expansive viewshed.
	The VIA only provides images of     with:
	affected view locations and does not or removal of the additional
	confirm the extent of the available density sought under the
	wider panoramic view. A full and special provisions clause (6.9
	proper analysis of the extent and down to 6.1:1);
	impact of the view has not been oreducing the length of the
	provided. Therefore, the VIA has not tower form along Walker
	been legitimately prepared in Street through consolidation
	accordance with the assessment of the tower form to north of
	criteria for Tenacity. site on corner of Walker and
	In the Visual Assessment Report     Hampden Streets;
	(VAR) prepared by Richard Lamb (for $\circ$ a physical building break alon
	proponent) (Figure 8 in Department's the Walker Street frontage
	RtS), the Opera House is not visible (Figures 5 and 7 Department'
	from the Aqualand site at RL119.6m RtS Report).
	as any view corridor from this level is • These changes allow for improved
	blocked by Century Plaza. view sharing from Walker Street
	• The proposed building envelope has (Figure 10 Department's RtS Report)
	been tested and refined to promote and further west and reduces the
	view sharing within a sensitive bulky nature of the original proposal.
	location at the eastern edge of a
	CBD. The surrounding area is of a
	high density residential nature. It is
	accepted that some private domain
	views will be compromised.

However, the development
promotes the principles of view
sharing.
The proponent states that Belvedere
(west of site) submission has not
properly reviewed the new revised
proposal. In which, the building
envelope shifts the tower form to the
north with the specific objective of
addressing previous feedback about
view loss and overshadowing. By
shifting the built form north this
preserves the majority of views from
the Belvedere tower (Figure 10 in
Department's RtS Report).
The break within the building
envelope has been designed to retain
views from within Belvedere, across
the site. This view corridor is evident
in the draft building envelope plan
(Figures 5 and 7 in Department's RtS
Report). A full view corridor from
west to east is provided in the 12m
gap between built forms and above 8
storeys over the southern building.
The Belvedere tower is 20 storeys.
Aerial imagery and the location of
the tower confirm that the tower is
located to the north west of the
Belvedere apartments and therefore,
upper level views from these
apartments would likely be retained.

Overshadowing	95	68% of submissions raised concerns	<ul> <li>Submissions were received from residences in Miller Street, which is approximately 160m from the site. Work for Council's Ward Street Precinct Masterplan, states that these buildings do not have critical views.</li> <li>The location of the proposed tower only forms a small portion of the broader arc of view to the east. Any view that has the potential of being impacted is of distant views and not icon or highly valued views.</li> <li>The proposed building envelope promotes view sharing by consolidating the tower form to the northwestern corner, enabling a view corridor across the southern portion of the site.</li> <li>The proponent's Visual Assessment Report dated August 2020 reflects the intended building envelope that was refined to satisfy the recommendations of the Sydney North Planning Panel and the Gateway Conditions.</li> <li>Additional solar modelling by SJB,</li> </ul>	The Urban Design Report (SIB)
oversnauowing		<ul> <li>68% of submissions raised concerns about loss of solar access.</li> <li>Concern was raised from residents on the western side of Walker St about the loss of morning sun.</li> </ul>	<ul> <li>Additional solar modelling by SIB, confirms that solar access is maintained for a minimum of 2 hours to 70% of apartments within Belvedere building opposite the site.</li> <li>The solar modelling illustrates that between 9am – 10am on 21 June the</li> </ul>	<ul> <li>The Urban Design Report (SJB) demonstrates development can be undertaken at the site which is compliant with the requirements of the SEPP 65 Apartment Design Guidelines. The building envelopes have considered requirements under</li> </ul>

Traffic and       118	<ul> <li>Concern was raised re. excessive overshadowing of surrounding dwellings and nearby parks ie. Doris Fitton Park.</li> <li>The proposal does not meet the requirements of the Apartment Design Guide for neighbouring buildings in terms of overshadowing and solar access.</li> <li>84% of submissions related to traffic</li> </ul>	<ul> <li>eastern facade of the Belvedere tower is partially overshadowed. However, from 10am onwards, the proposed concept envelope does not overshadow the Belvedere (attachment 4).</li> <li>The overshadowing impacts are considered to be minor and for a short duration (i.e. less than 1 hour), and overall, the proposal satisfies the ADG solar access objectives with respect to maintaining the amenity of neighbouring properties.</li> <li>The Walker Street 'Heritage' residences are located to the north of the Belvedere tower. At 9am, the building envelope does not result in any overshadowing to these properties. (Attachment 4).</li> <li>Solar access is therefore maintained for a minimum of 2 hours to 70% of apartments within 'The Heritage'.</li> </ul>	<ul> <li>the SEPP including; separation distances, solar access, overshadowing, communal open space, deep soil planting, pedestrian and vehicular access and parking.</li> <li>The proposal has changed since 2019 with: removal of the additional density sought under the special provisions clause (6.9:1 down to 6.1:1); reducing the length of the tower form along Walker Street through consolidation of the tower form to north of site on corner of Walker and Hampden Streets; a physical building break along the Walker Street frontage.(Figures 5-7 in the Department's RtS Report)</li> <li>These changes will also provide for improved solar access for properties to the west of the site.</li> <li>Whilst a maximum building height of RL148 applies to the entire site, the building envelope would be constrained to satisfy the special provision solar access plane, so that there is no net increase to overshadowing of Doris Fitton Park – 12 - 2pm on 21 June. (Figure 15 in the Department's RtS Report)</li> <li>The site is located within 200m of the</li> </ul>	Commented [BM1]: Where can I find the figures referred to here. It's not clear
pedestrian movement	<ul> <li>Specific concern was raised re. congestion of Walker St, and its limited</li> </ul>	RMS in preparing the planning proposal and in response a lower car	Victoria Cross Metro Station and 600m of the existing North Sydney Railway Station and associated bus services.	

		<ul> <li>No proper assessment of the likely cumulative impact of the increased number of dwellings and commercial spaces within the immediate vicinity.</li> <li>The proposal also does not provide sufficient ratio of number of onsite parking (resident and visitors) to the number of apartments.</li> <li>The traffic data was collected in 2014. Analysing the traffic situation using more recent data would be appropriate.</li> </ul>	<ul> <li>Berry Street / Walker Street intersection.</li> <li>Discussions with Transport for NSW were undertaken to confirm the most suitable form of access so as not to impact the operation of these traffic lights.</li> </ul>	
Building Height Bulk and Scale	60	<ul> <li>43% of submissions related to an objection to building height.</li> <li>The requested heights do not provide an appropriate transition of building heights from the existing CBD development to the subject R4 zoned land and the heritage area.</li> <li>The highest buildings should be in the centre of the CBD and slope down towards the edge.</li> <li>A high-rise building in the centre of a natural valley, the natural topography should be respected.</li> <li>Excessive bulk and scale.</li> <li>The building FSR of 6:1:1 is excessive in comparison to the existing controls.</li> <li>Location alone does not constitute planning justification for an almost tenfold increase in height.</li> </ul>	<ul> <li>The Planning Panel supported the Planning Proposal on 20 February 2020, with the Gateway Determination being issued on 6 July. The Civic Precinct Planning Study, which proposes a 20 storey height for the site was not adopted by Council until 30th November 2020. It is evident that the Planning Proposal was well advanced prior to Council endorsing the Civic Precinct Study.</li> <li>The Civic Precinct Study describes a desired character of the precinct which includes taller residential towers (between 20 and 28 storeys). The Proposal is consistent with the desired character of this precinct.</li> <li>The endorsed height of RL148 for the East Walker Street Precinct provides a height transition down from the planned heights within the Ward Street Precinct.</li> </ul>	<ul> <li>With the Planning Panel indicating support of the proposed building height (RL 148 – 29 storeys) prior to Council's Civic Precinct Planning Study coming into place, it would be unreasonable to now apply a 20 storey height limit.</li> <li>The proposed building envelope provides a height transition down from the planned heights of RL168 - RL225 within the North Sydney CBD Ward Street Precinct Masterplan to RL148 on the site, providing for a height transition which falls way to the Freeway and low density residential areas in the east. (Figure 16 in Department's RtS Report)</li> <li>Given the site's location within 200m of the future Victoria Cross Metro Station it is appropriate to apply the proposed density. It is consistent with the strategic direction of the <i>Sydney</i></li> </ul>

			<ul> <li>There is no logical planning basis or demonstrable improved environmental amenity outcome for the Civic Study to vary building heights on the site.</li> <li>Given the strategic drivers set by the Greater Sydney Commission (GSC) to accommodate housing growth close to the new metro station, it would be contrary to good strategic planning to unnecessarily future reduce density on the subject site when the impacts have met the required amenity tests.</li> <li>The proponent has removed the additional FSR and the height has enabled a smaller, slender tower with reduced external impacts (visual bulk, view loss &amp; overshadowing).</li> </ul>	•	Region Plan to maximise residential floor space close to major transport infrastructure. The proposal's previous FSR has been reduced from 6.9:1 to 6.1:1, thus reducing the bulk and scale of the earlier proposal. Apart from the tower on the corner of Walker Street and Hampden Place the bulk of the development is within an 8 storey built form, which complies with Council's recommendation in the Civic Precinct Planning Study.
Heritage	29	<ul> <li>21% of submissions raised concerns about heritage impact.</li> <li>Concern about major impact on the heritage listed buildings in the area.</li> </ul>	<ul> <li>The site is not identified as a heritage item nor is it located in a heritage conservation area.</li> <li>The proposal has been designed to by sympathetic to the Hampden Street heritage properties to the north. This has been achieved through the introduction of podium setbacks and vertical proportions within the built form that mimic the subdivision pattern of the heritage terraces.</li> </ul>	•	The proposal has been designed with consideration of nearby heritage items, in a manner that is not anticipated to generate severe adverse impacts. The proposal is supported by a Heritage Impact Statement that concludes that the proposal is sympathetic of nearby heritage and has been designed to mitigate visual impacts. Post gateway the design concept has been altered to incorporate a 3m landscaped setback on the third level

			to the new metro station. The site presents such an opportunity.		
Construction associated impacts	15	<ul> <li>11% of submissions related to Construction associated impacts.</li> <li>If development occurs residents will suffer significant noise and dust.</li> <li>Not possible to allow for the regular traffic to get in and out during the building process as the Walker St is extremely narrow due to the heritage listed wall that is causing a split in the road.</li> </ul>	<ul> <li>Construction related impacts are a matter for consideration, following a determination of a development application.</li> <li>It is standard protocol for council to include conditions of consent requiring the preparation of a dilapidation report and construction management plans.</li> <li>Any conditions imposed at that stage will be complied with.</li> </ul>	noise, du traffic ma through o developn	tion related impacts such as st, hours of operation, and anagement will be addressed consideration of the nent application and ate consent conditions will be
Population density / crowding	21	<ul> <li>15% of submissions raised concerns about population density and crowding.</li> <li>Concern was raised in terms of limited resources, risk management and overcrowding/crowd control.</li> <li>The present infrastructure cannot cope with the increased population.</li> </ul>	• na.	terms of transport accommo apartmer Council's strategy a	h Sydney CBD is well served in jobs, retail, services and infrastructure and capable of odating the proposed 254 hts. Stage 2 public domain aims to improve pedestrian ility in and around the CBD.
Loss of property values	44	<ul> <li>31% of submissions raised concerns about loss of property values.</li> <li>Due to loss of views and overshadowing.</li> <li>This proposal will undermine and devalue property investments.</li> </ul>	• na.	<ul><li>impact or</li><li>Steps have overshad</li></ul>	e a number of variables that n property value over time. ve been taken to minimise owing from the proposal and e view sharing.
Inconsistency with the North Sydney LEP 2013	30	<ul> <li>21% of submissions related to consistency with the LEP.</li> <li>Development is contrary to the objectives of the R4 High Density Residential zone in that it will</li> </ul>	• na.	zone obje housing r	osal is consistent with the R4 ectives to provide for the needs of the community nigh density residential

		compromise the amenity of the surrounding area.		•	environment, and to provide a variety of housing. Steps have been taken in the redesign of the proposal to minimise amenity impacts.
Special provisions	21	<ul> <li>15% of submissions related to the special provisions clause.</li> <li>The benefits of the Special Provisions Design have not been adequately demonstrated.</li> </ul>	• na.	•	The Special Provisions clause provides a bonus height incentive for lot amalgamation, and provision of adequate social and community infrastructure, and requires no net increase in overshadowing to Doris Fitton Park between 12pm-2pm during mid-winter.
				•	Design analysis to support the proposal indicates that Doris Fitton Park will not have a net increase of overshadowing.
				•	Lot amalgamation will enable construction of a taller narrower tower on the corner of Walker Street and Hampden Street, thereby allowing for view sharing and reduced shadowing.
Public benefit	25	<ul> <li>18% of submissions related to the public benefit offer.</li> <li>Insufficient information for Council to determine if the applicant's public benefit offer is reasonable.</li> </ul>	• na.	•	The public benefit offer put forward by the proponent in a draft Voluntary Planning Agreement (VPA) includes: 5% of the residential yield for affordable housing; and a contribution for the provision of community infrastructure at a rate of \$15,100 per net dwelling.
				•	It is proposed that a delayed commencement clause be included in the LEP to ensure that a DCP is in

					place. This additional time will provide Council with an opportunity to negotiate the VPA outcome.
Regional and District strategies	21	<ul> <li>15% of submissions related to the Regional and District strategies.</li> <li>Inconsistent with a number of objectives and actions under the relevant Regional and District strategies applying to the land.</li> </ul>	• na.	•	Note that this is a general statement and no specific objectives/actions are mentioned. The proposal is consistent with objectives in the <i>Greater Sydney</i> <i>Region Plan</i> , in particular: Objective 4: Infrastructure use is optimised; Objective 10: Greater housing supply Objective 11: Housing is more diverse and affordable; and Objective 14: A Metropolis of Three Cities – integrated land use and transport creates walkable and 30-minute cities.
				•	The proposal is in keeping with priorities in the <i>North District Plan</i> : (N5) Providing housing supply, choice and affordability, with access to jobs and services; (N6) Creating and renewing great places and local centres and respecting the District's heritage; (N12) Delivering integrated land use and transport planning and a 30-minute city; and (N20) Delivering high quality open space.
Over supply of apartments	10	<ul> <li>7% of submissions raised concerns about the over supply of apartments</li> <li>NSC LGA is already ahead of the dwelling targets set by the NSW State Government for 2036.</li> </ul>	• na.	•	The proposal will accommodate approximately 254 residential dwellings. Given the highly fragmented nature of North Sydney and the forecasted population increase of 32.9% by 2036

Wind tunnel	3	<ul> <li>2% of submissions related to wind</li> </ul>	• na.	•	(.idcommunity), these dwellings will assist Council in achieving the dwelling density targets and alleviating the pressure of residential encroachment on the commercial core. The North District has a housing target of an additional 92,000 dwellings by 2036. The proposal notes that the Greater Sydney Commission has confirmed that Council will fall short of its minimum 5-year housing target by 170 dwellings. The proposal will deliver 254 dwellings in the short-medium term which will provide a reasonable contribution to Council's 6-10 year housing target. A Wind Tunnel Study has been
effect	5	<ul> <li>2% of submissions related to wind tunnel effect.</li> <li>The proposal's structures will intensify the winds that flow from the Harbour. This will make balcony use impossible on windy days.</li> </ul>	• Ha.	•	undertaken by Windtech Consultants and found that the "proposed development will have minimal impact on the wind conditions in Hampden Streetand along Walker Street." The provision of street trees along the Walker Street and Hampden Street frontage, as per the landscape concept plan will ameliorate impacts from wind.
Loss of green space - tree canopy and biodiversity habitat	14	<ul> <li>10% of submissions related to loss of green space - tree canopy and biodiversity habitat.</li> </ul>	• na.	•	The development footprint provides for large communal open space areas along the eastern portion of the site that could be used for lawns and community gardens including trees.

		<ul> <li>All of the proposed landscape is either over basements or on roofs and there can therefore be no true deep soil planting.</li> <li>Loss of biodiversity. There are few trees left in North Sydney and there are 20 mature habitat trees on the subject site.</li> </ul>		•	Redevelopment is expected to include the loss of mature trees. However, the subject site is located in an established urban area and there are no endangered or threatened ecological communities on the site.
		Provide roosting for currawongs, magpies and lorikeets.		•	The planning proposal does not include the provision of publicly accessible open space, rather as part of the public benefit offering that the proponent proposes to transform the eastern extent of Hampden Street into a pocket park which is Council owned land. As such the revised proposal is not considered to reduce the provision of public open space.
				•	The landscape design report anticipates that new trees will be planted along the Walker Street and Hampden Street frontages and the internal communal garden. Requirements for landscaping will be addressed at the development application stage.
Lack of strategic merit	2	<ul> <li>1% of submissions related to lack of strategic merit.</li> <li>The Walker Street East site is not the place for an expansion of the Centre.</li> </ul>	• na.	•	Strategic merit has been established in consideration against the <i>Greater</i> <i>Sydney Region Plan</i> and the <i>North</i> <i>District Plan</i> as per above.
Lack of credibility and inconsistency of the planning system	14	<ul> <li>10% of submissions related to Lack of credibility and inconsistency of the planning system.</li> <li>No faith in the decision making process when speculative proposals allowing for</li> </ul>	• na.	•	The rezoning review process and the subsequent planning proposal has been overseen by the Sydney North Planning Panel. The Panel provides independent expert advice.

		<ul> <li>massive uplift on sites contrary to the existing planning framework, despite the detrimental impacts.</li> <li>It is unfathomable that the developer can just circumvent the process undertaken by Council.</li> <li>Council is the best placed body to decide the application.</li> <li>Inconsistency of planning decisions.</li> <li>Claim of corruption in Government to enable proposal to get so far - unsubstantiated.</li> <li>Critical of the form of the public exhibition which has not assisted the wider community fully engaging with the process given the volume and manner in which exhibition material has been presented.</li> </ul>		•	The Panels were introduced to strengthen decision making on regionally significant planning matters. In this case North Sydney Council has declined the Department's request to act as the Planning Proposal Authority, so the Sydney North Planning Panel has taken on this role. There has been no evidence provided to support the claim of corruption in decisions related to the planning proposal.
Loss of low cost (affordable) housing	3	<ul> <li>2% of submissions raised concerns about the loss of low cost housing.</li> <li>Affordable housing offer viewed as a cynical bid by developers to get approval.</li> <li>It is unclear to me what "housing affordability" means within the context of the Proposal.</li> <li>Many North Sydney renters currently live in the 100 or so affordable dwelling units on the site.</li> </ul>	• na.	•	The VPA being prepared for the proposal will dedicate 5% of the floor space to affordable rental housing, in accordance with the North Sydney Affordable Housing Strategy. It is intended that this floor space would be dedicated to Council in perpetuity. The provision of additional housing in general has the potential to contribute to housing affordability by increasing general housing supply which places downward pressure on housing costs.
Dilapidation report	3	• 2% of submissions related to the need for a dilapidation report.	<ul> <li>It is standard protocol for council to include conditions of consent requiring the preparation of a</li> </ul>	•	Construction related impacts and dilapidation report requirements will be addressed through consideration of

	• Neighbouring property owners (incl. 171	dilapidation report and construction	the development application and
	Walker Street) concerned that a	management plans.	appropriate consent conditions will be
	dilapidation report doesn't seem to have		set.
	been prepared.		