

## Attachment 1 – Detailed Response to Submissions



Subject	Objection	Response
<b>Council concerns regarding Exhibition Period</b>		
<p><b>1. Exhibition Period</b></p>	<p><b>1.1 No landing page and availability of exhibition documentation on the DPIE website</b></p> <p><i>No documentation of even a landing page was made available on the DPIE website at the commencement of the public exhibition period contrary to the notification advert within the Mosman Daily of 10 December 2020. Exhibition documentation was not made available on DPIE website until 22 December 2020.</i></p> <p><i>(North Sydney Council)</i></p> <hr/> <p><b>1.2 Notification letters and length of available time</b></p> <p><i>Formal notification letters dated 22 December 2020 outlining the public exhibition of the planning proposal were circulated from this date. Whilst council received a copy of this letter by email on 22 December 2020, it is unlikely that many of the affected resident did not receive their notification letter until well after this date given the closeness to Christmas and residents often taking extended period of leave at this time.</i></p> <p><i>The length of available time granted to residents to comment was poor especially given the circulation of notification letter from the 22 December and no subsequent newspaper advert advising of revised exhibition dates to that first indicated on 10 December 2020.</i></p> <p><i>(North Sydney Council)</i></p>	<p>We have been advised by the Planning Panel Secretariat that the notifications were carried out in accordance with the Planning Panel's Operational Procedure Guidelines and that the Exhibition period was extended from 10 December 2020 until 29 January 2021, to 10 December 2020 until 19 February 2021 (refer to <b>Attachment 2</b>). Whilst the exhibition documentation was not made available on DPIE's website til 22 December, the notification period was extended which allowed for the minimum required 28 days.</p> <p>There is a landing page on the planning portal for the 'Alfred Street Precinct' which outlines amendments to the North Sydney LEP 2013. The format of the landing page appears to be standard practise for all other Planning Proposals.</p> <hr/> <p>An accompanying email from DPIE (refer to <b>Attachment 2</b>) confirmed that the notification letters sent on 22 December 2020, allowed for the required minimum 28 days notification. The notification period took into consideration the Christmas period.</p> <p>There was a subsequent newspaper advertisement in the Mosman Daily on the 14 January 2021 which noted that the notification period for the Planning Proposal would be extended from 29 January 2021 to 19 Feb 2021 (refer to <b>Attachment 3</b>). This is contrary to Council's submission which suggested that there was no subsequent advertisement notifying the community of the extended notification period.</p>

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	<p>The timing of the exhibition, which effectively covers the whole of the of the Christmas school holiday period, appears to a cynical mind to have been specifically engineered to ensure that it is as difficult as possible for people such as us to have adequate time to make an adequate response. Further it seems to have be chosen to ensure that north Sydney council would not be able to act appropriately as:</p> <ul style="list-style-type: none"> <li>• Council would not be able to make a submission, as their next meeting will be able to make a submission, as their next meeting will not be until late February effectively excluding council from the process.</li> <li>• The planning panel has not liaised with council to enable notification of interested residents and other of the exhibition.</li> </ul> <p>I support the request made by my neighbour that the exhibition period be extended to at least well into march in order to allow sufficient time to address this proposal.</p> <p>(Rosemary Townsend)</p>	
	<p><b>1.3 Discrepancies in information</b></p> <p>It was found that there was a significant discrepancy between the quantum of documents made available on the DPIE website (48) and the hard copies provided to council (15) for the display in its Customer Service Centre and Stanton Library. (North Sydney Council)</p>	<p>We have been advised by the Planning Panel Secretariat that the notifications undertaken were carried out in accordance with the Planning Panel's Operational Procedure Guidelines and that all documents that were available in a hard copy were also placed on the Planning Portal for a minimum of 28 days. Furthermore, based on the advice of the Planning Panel Secretariat, and an accompanying email from DPIE (refer to <b>Attachment 2</b>), we have confidence in the fact that Council and all interested parties were appropriately informed of the Planning Proposal and were not prejudiced in providing ample opportunity to respond to the Planning Proposal.</p> <p>If however, DPIE determine there was an error with the public exhibition process, we are happy for re-notification to occur. If re-notification is required, this should be undertaken straight away rather later in the process.</p>
	<p><b>1.4 Inconsistent documentation on exhibition</b></p>	<p>DPIE have confirmed that documentation is generally uploaded in a random manner onto its website. However, all</p>

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	<p><i>The display of documents placed on public exhibition has not assisted the wider community fully engaging with the process. More specifically, the display of documentation material on the DPIEs website included the placement of 48 separated documents in an illogical and confusing sequences, incorporated duplicated documents, confusing title reference, no logical grouping of document type and inclusion of superseded information with no explanation or contextual reference. It is therefore unclear which document comprises the most recent planning proposal (including attachments) that is being requested to comment upon.</i></p> <p><u>Documentation not being updated</u></p> <p><i>Difficulty in understanding what is being proposed and its impact due to the documentation not being sufficiently updated.</i></p> <p><i>(North Sydney Council)</i></p>	<p>of the relevant information was made publicly available on DPIE's website including the final and redundant documents.</p> <p>The 'Final Assessment Report – Signed Assessment Report – Alfred Street Precinct' (IRF20/3677) on the planning portal is essentially the main assessment report for consideration by the community whilst the other Planning Proposal documentation (including the superseded documentation) are considered to be accompanying documentation.</p> <p>It is highlighted that whilst there has been amendments to the documentation throughout the Planning Proposal process, the proposed amendments to the North Sydney LEP 2013 have not changed.</p>
	<p><b>1.5 VPA not exhibited</b></p> <p><i>Whilst a draft amendment to NSDCP 2013 and letter of offer to enter into a VPA is included within the exhibition documents, these are not deemed to have been formally exhibited for the purposes of the environmental planning and assessment Act, 1979 (EP&amp;A Act).</i></p> <p><i>It is best practice to publicly exhibit endorsed draft DCPs and draft VPAs with planning proposals concurrently as it improves clarity and certainty around what is being proposed and what is likely to be delivered.</i></p> <p><i>Council had requested DPIE in March 2020 when declining to accept the Planning Proposal Authority (PPA) role, that the appointed PPA for the planning proposal also be appointed to progress the exhibition of a formal OCP amendment and VPA associated with the Planning Proposal. The DPIE has firmly advised Council that neither it nor the Sydney North Regional Planning Panel (SNRPP) will take carriage of the associated draft DCP amendment or draft VPA.</i></p> <p><i>(North Sydney Council)</i></p>	<p>A draft VPA is to be prepared and exhibited at the Development Application stage of the process. However, a letter of offer has been prepared for the Planning Proposal to give DPIE and Council some certainty as to what would be included in the draft VPA. We are willing to continue consulting with Council in relation to the letter of offer throughout the Planning Proposal process.</p>

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	<p><b>1.6 Non-compliance with condition 2 of Gateway determination</b></p> <p><i>The exhibition process has not been undertaken in accordance with best practice, not fully compliant with condition 2 of the Gateway determination. If the planning proposal is progressed there is a significant possibility that any future LEP giving effect to the planning proposal could be invalidated. It is therefore recommended that:</i></p> <p>1.4.1 The planning proposal be reexhibited in its entirety with:</p> <ul style="list-style-type: none"> <li>a) A common commencement and end date to the exhibition</li> <li>b) Notification letters being distributed before the commencement of the exhibition period</li> <li>c) The exhibition documents be labelled and grouped in a form that is easy to interpret</li> <li>d) The number of documents exhibited on the website, being the same as that provided to council in hard to copy to display at its Customer Service Centre and Stanton library; council endorsed version of the draft DCP amendment and draft VPA.</li> </ul> <p>(North Sydney Council)</p>	<p>We have been advised by the Planning Panel Secretariat that the notifications were carried out in accordance with the Planning Panel's Operational Procedure Guidelines and the proposal was publicly available for comment for a minimum of 28 days in accordance with the Environmental Planning and Assessment Regulations 2000. In this regard it is not considered necessary for the Planning Proposal to be re-exhibited.</p>
	<p><b>1.7 Assessment of the exhibited Planning Proposal</b></p> <p><i>The overall intent of the proposal remains largely identical to that when the proposal was first lodged and considered by Council, except that it now includes a letter of offer to enter into a Voluntary Planning Agreement and a revised site-specific DCP. Accordingly, the issues raised within Council's original assessment remain relevant. These are detailed in the report considered by Council on 26 August 2019.</i></p> <p>(North Sydney Council)</p>	<p>The acknowledgment by Council that the overall intent of the Planning Proposal remains largely identical to that when the Planning Proposal was first lodged and considered by Council, clearly confirms that Council has not been prejudiced in providing ample opportunity to respond to the Planning Proposal. In other words, Council acknowledges that the current Planning Proposal is "largely identical" to that previously considered by Council.</p> <p>The points of objection raised by Council to the current Planning Proposal have been previously considered by the North Sydney Local Planning Panel and the Sydney North Planning Panel, wherein both Planning Panels considered the Planning Proposal and decided not to stop the Planning Proposal. In fact, the Sydney North Planning Proposal resolved to proceed to public exhibition.</p>

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<b>Site Specific DCP</b>												
<p><b>2. Site Specific DCP</b></p>	<p><b>2.1 Inconsistencies between the Site Specific DCP and Reference Scheme</b></p> <p><i>The site specific DCP requires significant revisions to address inconsistencies and omissions and to provide for appropriate setbacks and landscaping to the boundaries of the Precinct to provide an appropriate transition to Little Alfred Street.</i></p> <p><i>(Design Collaborative on behalf of Bayer Building Neighbours Committee)</i></p> <p><i>The exhibited Site Specific DCP is supposedly closely aligned to the reference scheme, though it proposes a different spatial arrangement for Ground Floor, Level 1 and Level 2, together with larger setback to Little Alfred Street for the upper residential envelope (now 15.5 meters in the DCP, in lieu of 14.8m as illustrated in the reference Scheme.</i></p> <p><i>(Mayoh Architects and dmp Town Planning on behalf of the owner of 271 and 273 Alfred Street, North Sydney)</i></p> <p><u>Inconsistencies with amendments</u></p> <p><i>Lack of amendments to key controls within the planning proposal to reflect amendment to the built form controls within the draft DCP.</i></p> <p><i>(North Sydney Council)</i></p> <p><b>2.2 FSR reduction to Site C – when comparing Site Specific DCP and Reference Scheme</b></p> <p><i>Impacts of overlaying the Site Specific DCP's envelope controls over the Reference Scheme demonstrate that a reduction of FSR would be required to comply with the DCP for site C. This will result in Site C achieving an FSR of approximately 2.6-2.7:1, approximately 25% below the maximum prescribed FSR of 3.5:1.</i></p> <p><i>We have found that a building demonstrating compliance with the suggested maximum building height control, and using a building envelope that is consistent with the prescribed controls in the exhibited site specific DCP</i></p>	<p>Where there are inconsistencies between the Site Specific DCP and Reference Scheme in the Urban Design Report, the Site Specific DCP should be relied upon.</p> <p>The 'Reference Scheme' demonstrates how a mixed use development could be achieved on the site using the LEP and DCP density controls and illustrates the layout of each floor. The Reference Scheme is not a requirement for a Planning Proposal and only acts as a general guide for illustrative purposes.</p> <p>The 'Site Specific DCP' assists in providing parameters for the design (for example number of storeys heights, setbacks, vehicle access points etc) and demonstrates the potential building envelope. However, it is not required to be finalised during the Planning Proposal stage. Once the Planning Proposal is finalised, it is intended for the Site Specific DCP to be negotiated with the Council given it is currently a 'draft' document and therefore will be further refined during this process. Furthermore, the DCP will undergo it's a separate exhibition period in due course. It is noted that issues raised in relation to the through site links, depth of built form along Little Alfred Street and signage are able to be addressed when the Site Specific DCP is considered by Council.</p> <p>Council's Preferred Option in their draft Precinct Planning Study only allowed for an FSR of 1.62:1 for Site C (refer to the figure below) and the current proposal significantly improves the potential FSR for the site. Furthermore, there is an opportunity to increase the commercial proportion for the site to increase the FSR achieved.</p> <table border="1" data-bbox="1413 1246 2110 1378"> <thead> <tr> <th></th> <th>Site A</th> <th>Site B</th> <th>Site C</th> <th>Site D</th> </tr> </thead> <tbody> <tr> <td>Precinct Planning Study – Target FSRs</td> <td>1.39:1</td> <td>10.58:1</td> <td>1.62:1</td> <td>3.42:1</td> </tr> </tbody> </table> <p>Source: Grimshaw</p>		Site A	Site B	Site C	Site D	Precinct Planning Study – Target FSRs	1.39:1	10.58:1	1.62:1	3.42:1
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	<p><i>is not able to achieve the existing 3.5:1 FSR for a mixed-use development on Site C. This is a fundamental failure of the PP documents, as the proposed controls are not able to deliver their claimed outcomes.</i></p> <p><i>The environmental impacts of the PP, such as overshadowing, have been assessed and justified based on the 3D modelling and shadow analysis resulting from the reference scheme the site specific DCP has also developed in response to the reference schemes, however, through in its latest iteration of the DCP further restricts the development potential of Site C without justification.</i></p> <p><i>(Mayoh Architects and dmp Town Planning on behalf of the owner of 271 and 273 Alfred Street, North Sydney)</i></p>	<p>The Economic Feasibility Study prepared by AEC suggested for Site C to be economically feasible a minimum FSR of 2.75:1 should be achieved.</p> <p>Grimshaw undertook a massing study to determine the FSRs that could be achieved on each site using the proposed Site Specific DCP controls. The massing study assumed that Site C could achieve an FSR of 3.41:1 (with a height of 8 storeys) which is well above Council's Preferred Option and the minimum FSR for the redevelopment of the site to be economically feasible.</p> <p>The Planning Proposal has established building envelopes that are consistent with the Study's objectives and design requirements and will enable Site C to achieve an FSR that are closer to 3.5:1. The FSR controls are a maximum provision and there is no guarantee that the maximum can be achieved on the site. Furthermore, the mix of commercial and residential floor space could also be altered to ensure that the site can achieve the target FSRs of 3.5:1.</p>
	<p><b>2.3 Understanding the built form along Little Alfred Street</b></p> <p><i>Section 3.12 of the Planning Proposal states that in response to issues raised by the SNRPP, a response package was submitted to DPIE on 5 June 2020 to address these issues which included the following amendments to the draft site specific DCP.</i></p> <ul style="list-style-type: none"> <li><i>• <u>Ground floor plan amendments:</u> The ground floor plane in the DCP was revised to improve pedestrian linkages and increase building setbacks. The building setbacks along Alfred Street and Whaling Road were increased (by about 1.5m) to allow for greater landscaping opportunities and improvements to the public domain. The northern ground floor setback of Site A was increased from 2.4m to 6m which will create a better interface and provide a greater building separation with the properties to the north. Furthermore, the floor plate to the upper levels have been reduced to create a stepped built form along the northern boundary.</i></li> <li><i>• <u>Slimmer profile for the Bayer Building:</u> A provision in the DCP has been inserted to ensure the Bayer Building has a slimmer profile (as</i></li> </ul>	<p>The existing built form along Little Alfred Street is generally built to the boundary and 3 to 4 storeys. The proposed building envelope along Little Alfred Street was always intended to be built to the boundary and 3 storeys in height (with partially 4 storeys due to the topography). The proposal will create an opportunity for elevated landscaping podiums which will soften the built form for the adjoining neighbours. This will be a significant improvement from the current streetscape appearance which incorporates a number of driveways and back of house facilities and has limited landscaping.</p> <p>Whilst there is no 'number of storeys' control for the built form along Little Alfred Street in the Site Specific DCP, this can be easily inserted when Council consider the DCP.</p>

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	<p>recommended by the NSPP) at its topmost levels which could incorporate chamfering to the edges of the building.</p> <ul style="list-style-type: none"> <li>• <u>Basement entry</u>: The DCP relocated the vehicle entry for Sites C and D from Little Alfred Street to Whaling Road to improve traffic flows and reduce traffic congestion.</li> </ul> <p>The applicant has omitted the proposed reduction in the proposed building setback from Little Alfred Street from a minimum of 4.2m to 0 m as indicated in the figures for the draft DCP.</p> <p>These amendments have resulted in a significant change to the anticipated built form on the site compared to that as originally lodged. However, the images and statistic of the concept proposal which inform the planning proposal and many of its supporting appendices have not been revised to reflect this amended built form. This has resulted in a very difficult to understand proposal given that all the image presented of the proposed built form do not reflect the proposed amendment to the planning control. This in turn has made it difficult to determine the potential implication arising from the implementation of the proposed controls. The key issues arising from this are further addressed in the flowing subsections.</p> <p>(North Sydney Council)</p> <p>There is nothing in the Site Specific DCP which limits the height of development fronting Little Alfred Street. As shown below, the site specific DCP only specifies the overall heights in storeys on each of the Sites in the Precinct. The setback controls only apply at ground, Level 1 and then Level 7 so, on the basis of those controls alone the development could occur on the Little Alfred Street frontage with no setback up to a height of 7 storeys.</p> <p>(Design Collaborative on behalf of Byer Building Neighbours Committee)</p>	
	<p><b>2.4 Reduction to achievable FSR when complying with DCP</b></p> <p>Compliance with the DCP will result in a substantial reduction in achievable floorspace. However, no subsequent change has been made to the concept proposal of the proposed FSR requirement within the planning proposal. This results in an overinflated future redevelopment potential of the precinct in comparison to that which is fully complaint with all other built form controls being proposed. This subsequently place pressure on breaching other built form controls to achieve the maximum floor space control.</p>	<p>The FSR targets in Council's draft Alfred Street Precinct Study for each site did not allow for Sites A, C and D to achieve their current maximum permissible FSRs in the LEP (being 3.5:1) as illustrated below:</p>

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	<p>Therefore, the planning proposal needs to be revised to adequately demonstrate what built form outcome will be achievable in accordance with all the proposed built form control's including a revised FSR control.</p> <p>(North Sydney Council)</p>	<table border="1" data-bbox="1415 272 2085 352"> <thead> <tr> <th></th> <th>Site A</th> <th>Site B</th> <th>Site C</th> <th>Site D</th> </tr> </thead> <tbody> <tr> <td>Precinct Planning Study – Target FSRs</td> <td>1.39:1</td> <td>10.58:1</td> <td>1.62:1</td> <td>3.42:1</td> </tr> </tbody> </table> <p>Source: Grimshaw</p> <p>With regard to Sites A, C and D, the current 13m height control does not allow for these sites to achieve the maximum permissible FSR of 3.5:1 and there is an anomaly between the FSR and height controls. The Planning Proposal has established building envelopes that are consistent with the Study's objectives and design requirements and will enable Sites A, C and D to achieve FSRs that are closer to 3.5:1. The proposal seeks a balance between amenity, public benefit, quality built form, economic viability and development surety of Precinct renewal.</p> <p>Grimshaw undertook a massing study to determine the FSRs that could be achieved on each site using the proposed Site Specific DCP controls. The massing study assumed that all the sites could generally achieve the FSR of 3.5:1 that they currently enjoy. It is noted that the the FSR controls are a maximum provision and there is no guarantee that the maximum can be achieved on the site. However, in saying this, it is not considered that the proposal will put pressure on breaching other controls to comply with the 3.5:1 FSR. Furthermore, the mix of commercial and residential floor space could be altered to ensure that the sites can achieve the target FSRs of 3.5:1.</p>		Site A	Site B	Site C	Site D	Precinct Planning Study – Target FSRs	1.39:1	10.58:1	1.62:1	3.42:1
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	<p><b>2.5 Proposed revisions to Site Specific DCP</b></p> <p>Overall, the planning proposal represents an exceptionally dense built form with poor separation and interface to the surrounding low density residential area. It is recommended that the proposed setback in the draft DCP be revised to:</p> <ul style="list-style-type: none"> <li>Provide a minimum 3m whole building setback to the lot boundary to improve pedestrian safety and amenity at ground level and achieve a landscaped green buffer to the conservation area along</li> </ul>	<p><b>Setback along Little Alfred Street:</b> The nil setbacks along Little Alfred Street are consistent with the existing built form whilst the proposal allows for elevated landscaping podiums which will create a landscaping buffer with the Heritage Conservation Area.</p> <p>The proposal will significantly improve pedestrian amenity and safety with the removal of 2 x driveways and unsightly back of house facilities. Whilst the proposal will incorporate fine grain residential accommodation (with access via Little</p>										



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	<p><i>Little Alfred Street. This setback should extend below ground level to enable deep soil for large tree canopies.</i></p> <ul style="list-style-type: none"> <li><i>Provides at least a 7.5m setback from the upper levels of Site A with the conservation area to the north, consistent with the minimum ADG requirement for unhabitable facades and including an additional 3m due to the changes in zoning. The setback should provide vegetated transition to the conservation area in line with the ADG requirement.</i></li> <li><i>Strictly comply with ADG requirement across the Precinct and that further information to be provided to demonstrate the feasibility of supporting non habitable room to the north and south</i></li> <li><i>In addition to implementing setback, it is recommended that at least Site A&amp;B and Sites C&amp; D be amalgamated</i></li> </ul> <p><i>(North Sydney Council)</i></p>	<p>Alfred Street) and create an opportunity for a café/plaza along the street.</p> <p>If the built form was setback 3m and deep soil landscaping was introduced, the floorplates would be too small to allow for residential floorplates and the basement would be restricted. Furthermore, the FSR would be significantly reduced which would impact upon the development potential of the Precinct.</p> <p><b>ADG compliance:</b> The residential accommodation will be orientated east or west up to 8 storeys for all sites and will incorporate blank facades along the site boundaries. Where the Bayer Building is greater than 8 storeys the residential accommodation will comply with ADG separation distances with surrounding with surrounding neighbours.</p> <p>The ground floor northern elevation of Site A incorporates a 6m setback to allow for a landscaping buffer with the Heritage Conservation Area.</p> <p><b>Site amalgamation:</b> A number of attempts to purchase Site A has been made by the landowner of Site B at a fair market value, however the landowner of Site A is not willing to negotiate. The attempt to purchase the site is consistent with planning principle for site amalgamation, <i>Karavellas v Sutherland Shire Council [2004] NSWLEC 251 at 17-19</i>. This is addressed in detail in the Planning Proposal report.</p> <p>The proposal will require 271 and 273 Alfred Street to amalgamate to create Site C and for 263-269 Alfred Street and Little Alfred Street (strata buildings) to amalgamate to create Site D. The proposal minimises the number of landowners required to amalgamate to ensure the Precinct is able to be redeveloped. Furthermore, the sizes of the sites are generous in that they can be redeveloped individually with meaningful floor plates and a high level of amenity. In this regard, it is not considered necessary to amalgamate Sites C and D.</p>

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	<p><b>2.6 Spill Height Controls for Little Alfred Street</b></p> <p><i>Split height controls should be established across the eastern portion of the site to set depths from Little Alfred Street to ensure the desired built form outcomes are achieved. This would be best achieved by further revision to the height of Building Map to NSLEP 2013 and supported by additional details in the proposed DCP amendment. Such an amendment would warrant a re-exhibition of the planning proposal.</i></p> <p><i>(North Sydney Council)</i></p> <p><u>Revision of height controls along Little Alfred Street</u></p> <p><i>In order to properly address these issues and the lack of certainty regarding the future built form, significant revisions of the proposed height standards in the Planning proposal to ensure an appropriate height and built form for Little Alfred Street.</i></p> <p><i>(Design Collaborative on behalf of Byer Building Neighbours Committee)</i></p>	<p>The built form along Little Alfred Street is to be 3 storeys in height (with partially 4 storeys due to the topography). The heights along Little Alfred Street are discussed throughout the Planning Proposal report and Urban Design Report. Therefore in this regard it is not considered necessary to provide a spill height control in the LEP or update the DCP to reflect this and re-exhibit the Planning Proposal.</p>
	<p><b>2.7 Issues with through site links (connecting Alfred Street and Little Alfred Street)</b></p> <p><i>The through site link is not well aligned with the topography to Alfred and Little Alfred Streets. This results in unnecessary stairs in the concept proposal and little to no deep soil landscaping opportunities. Amalgamating site, A &amp; B and site C &amp; D would create an opportunity to provide a wide, at grade through site link, with better natural light.</i></p> <p><i>(North Sydney Council)</i></p>	<p>The site slopes from east to west by a minimum of 3m whilst Little Alfred Street has a steep hill to the middle of the street. The through site links have been designed with stairs to suit the sloping topography and to create a level through site link. It would be difficult to provide an at grade through site link without stairs as the links would slope and the ground floor would need to be staggered.</p> <p>However, we would be open to the possibility to consider alternate through site links, but this should be negotiated with Council during the consideration of the Site Specific DCP following the adoption of the Planning Proposal.</p>
	<p><b>2.8 Signage</b></p> <p><i>The Planning Proposals draft DCP included clause 9.2 – “Advertising design Analysis” that would foreshadow rooftop signage “with business/building identification signs and roof or sky advertisements”.</i></p> <p><i>Rooftop signage is not in line with the change of zoning and the new character the concept proposal should aspire to align with. The view from</i></p>	<p>The site currently comprises of a number of building identification and general advertising signs. It is anticipated that signage would be required within the Precinct given it is to be rezoned to mixed use which would incorporate retail and commercial uses. The Site Specific DCP incorporates provisions to consolidate and minimise the amount of signage in the Precinct.</p>

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	<p>Warringah Expressway should clearly reflect the change to a predominantly residential use. Further this would provide a better relationship with the adjoining neighbouring residential conservation area. Despite the inclusion of the proposed DCP amendment there is insufficient information contained within the planning proposal to identify its need or justification.</p> <p>(North Sydney Council)</p>	<p>The proposed signage will minimise the impacts to the Heritage Conservation Area and along Little Alfred Street and Whaling Road as it is to be restricted to the following:</p> <ul style="list-style-type: none"> <li>• No advertising or signage structures should be located along the ground floor of</li> <li>• Little Alfred Street or Whaling Street;</li> <li>• Business and or building identification signage along Alfred Street is to be limited to small scale signage at ground floor;</li> <li>• Given the prominent location of the Precinct adjacent to the Bradfield Highway and views from Sydney Harbour large wall signs should be limited to the northern and western elevations;</li> <li>• Business/building identification signs and rooftop advertisements should be limited to the north, west and south elevations and no larger than as is presently existing; and</li> <li>• All such signs should be incorporated into the overall design of the building(s).</li> </ul> <p>The signage controls are able to be negotiated with Council at a later stage when considering the Site Specific Controls.</p>
<b>Strategic plans</b>		
<p><b>3. Consistency with the LSPS</b></p>	<p><b>3.1 Questionable statements for LSPS assessment</b></p> <p><i>In accordance with Condition 3 of the Gateway Determination, Table 9 to the Planning Proposal outlines the proposal's consistency with Council's LSPS. However, some of the statements are questionable or exaggerated. In particular, the proposal will not:</i></p> <ul style="list-style-type: none"> <li>• <i>result in the delivery of significant levels of infrastructure to reflect the level of uplift within the Precinct (i.e., delivery of more open space to cater for increased population);</i></li> <li>• <i>create an opportunity to collaborate with the DPIE to deliver new housing, jobs, and infrastructure to North Sydney (this is Council's responsibility not the applicant's);</i></li> </ul>	<p>Each of the points raised by Council are considered below:</p> <ul style="list-style-type: none"> <li>• The proposal will provide a monetary contribution as detailed in the letter of offer which could be put towards open space upgrades. Furthermore, the proposal will also deliver through site links and upgrade the Mount Street Overpass.</li> <li>• Whilst it is the Council's responsibility to collaborate with DPIE, the proposal will contribute to the delivery of new housing, jobs and infrastructure.</li> <li>• The proposal will provide retail shops, cafes and a series of pedestrian arcades which will create opportunities for</li> </ul>

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	<ul style="list-style-type: none"> <li>• <i>guarantee that it will provide increased community facilities and services to support a healthy, creative, diverse, and socially connected community; improve the contextual relationship to the heritage conservation area to the east, due to a nil setback to Little Alfred Street;</i></li> <li>• <i>necessarily deliver a prosperous economy as the delivery of commercial floor space cannot be guaranteed without the imposition of a minimum non-residential floorspace control;</i></li> <li>• <i>protect and enhance North Sydney's natural environment and biodiversity, by increasing overshadowing over existing public open spaces; or</i></li> <li>• <i>result in an improved integrated green space system, by not providing sufficient deep soil areas across the Precinct to accommodate large canopy trees.</i></li> </ul> <p><i>Therefore, the proposal does not align with the desired outcomes of Council's LSPS to the extent purported.</i></p> <p><i>(North Sydney Council)</i></p>	<p>social interaction amongst the community. The built form along Little Alfred Street will be of an appropriate scale and incorporate elevated landscaping podiums and fine grain residential accommodation.</p> <ul style="list-style-type: none"> <li>• A minimum non-residential floorspace control is not considered necessary, however the Urban Design Report Reference Scheme demonstrates how a mix of uses is able to be achieved for the site and incorporates retail to the ground floor and commercial up to Level 3 for Sites A, C and D and up to Level 7 for Site B. By not including a minimum non-residential floorspace control, it provides greater flexibility for the redevelopment of the Precinct.</li> <li>• An independent overshadowing specialist (John Denton) was appointed to determine the full extent of shadowing impacts to Alfred Street North Park, who concluded that the park will generally retain sufficient solar access between 10am and 2pm at mid winter.</li> <li>• The proposal seeks to provide additional mature landscaping along Little Alfred Street and Alfred Street to increase the urban tree canopy by introducing areas for landscaping.</li> </ul>
<p><b>4. Current Planning Study to support the increase in height</b></p>	<p><b>4.1 No current planning study</b></p> <p><i>The area known as the Alfred Street Precinct consists of 4 sites. Site A, B, C and D. There is no current planning study from North Sydney Council to manage the growth to support good development of this site. The key aspect of Planning Proposal PP-2020-74 is to facilitate a height increase of site B and there is limited benefit for Sites A, C &amp; D.</i></p> <p><i>(Stephen Bool)</i></p>	<p>The draft Alfred Street Precinct Planning Study was prepared as a result of the former JRPP decision. Whilst it was not formally adopted, the Study was prepared to create a framework for a future land owner led Planning Proposal for the entire Precinct. The proposal is generally consistent with Council's preferred option which proposes a height of 24 storeys for the Bayer Building and 3 and 9 storeys for Sites A, C and D.</p> <p>Furthermore, the JRPP decision considered appropriate to grant the Bayer Building the density it currently enjoys with additional height subject to appropriate amenity.</p>
<p><b>5. Regional and district plan</b></p>	<p><b>5.1 Non-compliance with regional and district plan</b></p>	<p>A thorough assessment has been undertaken against A Metropolis of Three Cities – the Greater Sydney Region Plan</p>

Subject	Objection	Response
	<p><i>It is inconsistent with a number of objectives and action under the relevant regional and district strategies applying to the land.</i></p> <p><i>(North Sydney Council)</i></p>	<p>and North District Plan in the Planning Proposal report dated October 2020 which addresses any inconsistencies with the objections and actions.</p>
<p><b>6. Ministerial Directions</b></p>	<p><b>6.1 Non-compliance with Ministerial Directions</b></p> <p><i>Potential for significant reduction of commercial floorspace across the precinct, contrary to Direction 1.1 of the s9.1 Ministerial Directions.</i></p> <p><i>(North Sydney Council)</i></p>	<p>The Planning Proposal report dated October 2020 addresses the relevant Ministerial Direction.</p>
<p><b>7. Redundant Council Strategies</b></p>	<p><b>7.1 Reference to redundant strategies</b></p> <p><i>The Planning Proposal references that it has been prepared broadly consistent with the North Sydney Local Development Strategy (2009) and North Sydney Residential Strategy (2009). Its inclusion clearly relates to the previous versions of the Planning Proposal which have not been updated to reflect current policies. By retaining these references, it creates a level of confusion as to what is relevant in the assessment of the proposal.</i></p> <p><i>These strategies have since been replaced with a Local Strategic Planning Statement (LSPS) and a Local Housing Strategy (LHS) both of which were adopted by Council in November 2019. The LSPS was assured by the Greater Sydney Commission (GSC) on 20 March 2020. Whilst at the time of writing, the LHS remains to be endorsed by DPIE it represents a more contemporary strategy that accounts for the required level of population and housing growth as outlined in the Greater Sydney Commission's strategic directions.</i></p> <p><i>(North Sydney Council)</i></p>	<p>Whilst the assessment against the North Sydney Local Development Strategy (2009) and North Sydney Residential Strategy (2009) has been retained in the Planning Proposal report, the latest strategies have been assessed including the North Sydney Local Strategic Planning Statement and Local Housing Strategy.</p>
<p><b>Council recommendations</b></p>		
<p><b>8. Council Recommendations</b></p>	<p><b>8.1 General Recommendations</b></p> <p><i>The planning proposal is not progressed for the following reasons:</i></p> <p>a) <i>The Planning Proposal and associated supporting documents have not been sufficiently amended prior to public exhibition to clearly indicate the likely built form outcome resulting from the changes to</i></p>	<p>Each of the general recommendations are addressed below:</p> <p>a) Section 3 (Planning background) of the Planning Proposal report details the amendments made to the scheme throughout the process. Furthermore, the Gateway Determination requested that a consolidated package be lodged to DPIE which incorporated all the</p>

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	<p><i>the proposed planning controls, preventing the potential impacts of the anticipated development to be properly assessed;</i></p> <p>b) <i>Overshadowing remaining a key impact;</i></p> <p>c) <i>Insufficient height controls being established across the eastern portion of the site to minimise amenity and heritage impacts to the east;</i></p> <p>d) <i>The Floor Space Ratio (FSR) controls as outlined in the Planning Proposal being far in excess of what could be achieved if the intent of the proposed DCP built form controls was to be complied with, which could compromise and undermine other built form controls applying to the site;</i></p> <p>e) <i>The absence of a minimum non-residential floor space ratio despite purporting to provide for employment floor space as a benefit of the development;</i></p> <p>f) <i>The bonus FSR controls cannot be supported, without some quantifiable increase in public benefit;</i></p> <p>g) <i>Setbacks and separation distances proposed within the draft DCP are sub optimal and require revision to ensure that the negative impacts on the heritage significance and residential amenity on the eastern side of Little Alfred Street and internally are minimised;</i></p> <p>h) <i>An amalgamation arrangement for the future development of the Precinct has not been stipulated which would result in a more orderly and managed development outcome.</i></p> <p><i>That if the planning proposal is progressed:</i></p> <p>a) <i>that the following amendments be incorporated:</i></p> <p><i>(i) if retained, a revised bonus FSR clause to ensure that no more 2:1 over the base amount can be achieved to avoid ambiguity or confusion;</i></p> <p><i>(ii) New height limits be established across the eastern side of the Precinct on the Height of Buildings Map to NSLEP 2013 and accompanying draft DCP to ensure that adverse impacts to the residential heritage area to the east are minimised;</i></p> <p><i>(iii) The Floor Space Ratio (FSR) controls be revised to reflect compliance with all other built form controls being proposed to be imposed;</i></p>	<p>latest revisions. This package was provided to DPIE in October 2020.</p> <p>b) An independent overshadowing specialist (John Denton) was appointed to determine the full extent of shadowing impacts to Alfred Street North Park and surrounding residential properties. The analysis concluded that the park will retain sufficient solar access between 10am and 2pm at mid winter and the Planning Proposal will generally result in the same or less overshadowing to the Alfred Street North Park than Council's draft Precinct Planning Study. Refer to page 81 of the Planning Proposal report for further discussion.</p> <p>c) A 3 storey height is proposed along Little Alfred Street (with partially 4 storeys where the site slopes down along the street). The height along this boundary is discussed throughout the Planning Proposal report and Urban Design report.</p> <p>d) As discussed above, the Planning Proposal has established building envelopes that are consistent with the Study's objectives and design requirements and will enable Sites A, C and D to achieve FSRs that are closer to 3.5:1. Furthermore, the FSR controls are a maximum provision and there is no guarantee that the maximum can be achieved on the site. It is reiterated that Grimshaw undertook a massing study to determine the FSRs that could be achieved using the proposed Site Specific DCP controls. The massing study determined that all the sites could generally achieve an FSR of 3.5:1 that they currently enjoy. The mix of commercial and residential floor space could also be altered to ensure that the sites can achieve the target FSRs of 3.5:1.</p> <p>e) As discussed previously, a minimum non-residential floorspace control is not considered necessary. By not including a minimum non-residential floorspace control, it provides greater flexibility for the redevelopment of the Precinct.</p> <p>f) The design competition process will ensure that a high level of architecture, urban and landscape design is</p>

Subject	Objection	Response
	<p>(iv) A minimum non-residential floor space ratio reflective of a revised concept proposal;</p> <p>(v) Any reference to signage be excluded from the Planning Proposal and draft DCP as it has not been adequately discussed or justified as part of a future concept development for the site and being inconsistent with the future residential use of the building and its setting in a low scale residential area with a significant Heritage Conversation Area status;</p> <p>(vi) That the planning proposal be re-exhibited to enable an appropriate assessment of the likely impacts of the proposed planning controls.</p> <p>It is recommended that should the DPIE be of a mind to progress the Planning Proposal, that a savings provision be incorporated that prevents the determination of a Development Application within the Precinct, until such time as a DCP detailing development controls within the Precinct has been adopted by Council.</p> <p><b>Proposed amendment to North Sydney Development Control Plan (NSDCP) 2013</b></p> <p>Recommendations:</p> <p>That if the planning proposal is progressed:</p> <p>a) That a new provision be incorporated that prevents a development application from being approved within the Precinct unless a Development Control Plan for the Precinct has been adopted by Council; and</p> <p>b) A savings provision which defers the commencement of any LEP amendment giving effect to the planning proposal to enable Council to negotiate with the applicant.</p> <p>(North Sydney Council)</p>	<p>achieved for the site which will benefit the community. In particular, the design competition will ensure optimal outcomes are achieved for the ground floor plane, through site links, interface with residential properties and façade treatments which directly impact the community.</p> <p>g) Along the northern elevation, the proposal will improve the existing built form (which is generally built to the boundary) as it will create a 6m wide landscaping buffer. Furthermore, a reduced floor plate has been provided to the upper levels which are stepped back along the northern boundary. Along Little Alfred Street, the built form will be 3 storeys and whilst it will be built to the boundary it will create opportunities for elevated landscaped podiums. Furthermore, the Site Specific DCP has provisions that encourage landscaping to the ground floor where possible.</p> <p>h) An amalgamation arrangement has been proposed which encourages some sites to be amalgamated however doesn't severely restrict the future redevelopment of the Precinct.</p> <p><u>Response to recommendation re: consideration of DCP and savings provision:</u> From discussions with DPIE, the Site Specific DCP is to be negotiated with Council following the approval of the LEP amendment. Therefore we do not accept the recommended conditions Council has suggested.</p>
<b>Voluntary Planning Agreement</b>		
<p><b>9. Voluntary Planning Agreement (VPA)</b></p>	<p><b>9.1 Recommendations for the VPA</b></p>	<p>The Letter of Offer is a draft at this stage and gives certainty as to what would be included in the draft VPA. It is our intention to prepare and crystallise a VPA during the</p>

Subject	Objection	Response
	<p><i>The Planning Proposal is accompanied by an offer to enter into a VPA with Council to deliver the following benefits:</i></p> <p><i>Monetary contributions towards:</i></p> <ul style="list-style-type: none"> <li>• <i>affordable housing and/or provision of affordable housing within the North Sydney Local Government Area;</i></li> <li>• <i>embellishment of surrounding public open spaces (with the option of upgrading Alfred Street North Park);</i></li> <li>• <i>the upgrade of the Mount Street overpass;</i></li> </ul> <p><i>Works in kind, including:</i></p> <ul style="list-style-type: none"> <li>• <i>Upgrade works to the footpaths along all street frontages.</i></li> <li>• <i>Works for ground floor pedestrian arcade, with the value and scope of works to be negotiated with Council.</i></li> </ul> <p><i>Council also has issues with the letter of offer. In particular, the letter of offer is very light on detail and only provides a high-level indication to enter into a VPA. However, as a result, it is not possible to undertake any meaningful analysis of the quantum and value of the offer. In a broad sense, the matters outlined would be beneficial, but to be meaningful, a measure of value would need to be ascribed to better understand the extent of this value.</i></p> <p><i>Recommendations:</i></p> <p><i>That should DPIE support the Planning Proposal to progress, that a deferred commencement date be included by DPIE to allow additional time for Council and the proponent to negotiate the offered draft Voluntary Planning Agreement.</i></p> <p><i>That if the planning proposal is progressed:</i></p> <ul style="list-style-type: none"> <li>a) <i>A savings provision which defers the commencement of any LEP amendment giving effect to the planning proposal to enable Council to negotiate a VPA with the applicant.</i></li> </ul> <p><i>(North Sydney Council)</i></p>	<p>Development Application stage. Therefore it is not considered necessary to incorporate a savings provision which defers the commencement of any LEP amendment until a VPA is negotiated with Council. Furthermore, it is reiterated that we are willing to continue discussions with Council regarding the VPA during the Planning Proposal process.</p>
<b>Heritage Conservation Area</b>		
	<b>10.1 Adverse visual impacts and reduced setbacks</b>	The proposal has been designed so that it responds to the context of the Whaling Road Heritage Conservation Area



Subject	Objection	Response
<p><b>10. Heritage Conservation Area</b></p>	<p><i>Increased heritage impacts due to a reduced setback to an adjoining Conservation Area.</i></p> <p><i>It will have an adverse impact on the adjoining Whaling Road heritage conservation area.</i></p> <p><i>It will have an adverse visual impact and detract from the existing and desired future character of the area.</i></p> <p><i>The proposal as amended for exhibition purposes results in a more significant impact upon the heritage significance of the Whaling Road Conservation Area and therefore cannot be supported in its current form until these issues can be adequately addressed.</i></p> <p><i>(North Sydney Council)</i></p> <p><i>If approved, we fear the development to the Bayer building and surrounding building will have an irreversibly deleterious effect on a unique enclave of period homes within North Sydney. Amendments to the LEP would also lead to continued redevelopment, corroding their character and fabric of a precinct that all who live in it hold dear.</i></p> <p><i>(Yasmin Tadich)</i></p> <p><i>The development would in no way sustain or enhance the significance of the heritage Conservation Area but would instead detract from it.</i></p> <p><i>(Sandra Burke)</i></p> <p><i>The proposed development is totally out of character with its surrounds and would detract from the ambience of the area.</i></p> <p><i>(Andy Esteban)</i></p> <p><i>The Planning Proposal will have a significant adverse impact on the heritage significance of the heritage Conservation Area and the residential amenity of those living in that area as a result of the likely future build form on the Little Alfred Street frontage, in particular, which is poorly resolved and offers no meaningful mitigation. The site specific DCP controls are inconsistent and vague and do not offer any degree of certainty o adjoining residents regarding that future development.</i></p> <p><i>(Anonymous)</i></p>	<p>and provides an improved transition between the two areas. The building envelope along Little Alfred will be built to the boundary however the Site Specific DCP encourages landscaping along the ground floor and to the podium to soften the built form. The proposal will provide fine grain residential accommodation which is 3 storeys along Little Alfred Street which is generally consistent with Council's preferred option in the draft Precinct Planning Study.</p> <p>The northern elevation of the existing commercial building (283 Alfred Street) is built along the boundary with the Whaling Road Heritage Conservation Area. The proposal will improve the built form along this elevation by providing a landscaping buffer at the ground floor which is 6m wide which will soften the built form. A reduced floor plate has been provided to the upper levels which are stepped back along the northern boundary.</p>

Subject	Objection	Response
	<p><b>10.2 Overdevelopment and inconsistency with Heritage Conservation Area</b></p> <p><i>Taking off the Heritage listing and increasing rates above the norm and opening it up to overdevelopment is making the area even less attractive for ordinary Australians.</i></p> <p><i>(Brenda Park)</i></p> <p><i>These changes, (Height and FSR) if approved, will then facilitate further increases in the heights, bulk and scale of buildings within the precinct, which will be in sharp contrast and wholly out of scale and character with the adjacent Whaling Road Heritage Conservation Area.</i></p> <p><i>(Anonymous)</i></p> <p><i>The proposed commercial building with increase height, FSR and bulk is directly adjacent to terrace houses listed within the conservation area, while the residential tower loom over heritage houses in Bray Street. North Sydney councils planning controls serve to preserve the character of the area, which is medium density, low rise, heritage. The proposed precinct development is in direct opposition to the character of the area and furthermore directly impacts the character of the area by way of overshadowing and diminished amenity.</i></p> <p><i>(Elizabeth Powell and Cliff Bromiley)</i></p> <p><i>Excessive level of development in the Alfred street Precinct – too high and too bulky. This sort of development belongs in the North Sydney CBD and not adjoining a unique heritage conservation area</i></p> <p><i>(Rosalie Windust)</i></p> <p><i>The precinct sits out like a sore thumb in a heritage conservation area. The dramatically large development will overpower those heritage values.</i></p> <p><i>(Ken and Lesley Parker)</i></p> <p><i>This proposal and the results of the environmental study before it, are again essentially repeating and amplifying what were already bad planning decision from 1970, resulting in an unsympathetic built form and significant loss of character of the area. The buildings in the precinct are, and have</i></p>	<p>The site falls just outside to the North Sydney CBD and the built form provides an appropriate transition from the CBD to the adjoining Whaling Road Heritage Conservation Area. The existing Bayer Building (Site B) was constructed around the 1970s and its façade has dated and deteriorated. The Bayer Building is a key component of the North Sydney's skyline and creates an 18 storey iconic landmark building. The represents a 'Gateway' to North Sydney and Sydney CBD and should be treated as such. The Precinct is located in very close proximity to three world iconic items, comprising of the Sydney Harbour Bridge, Sydney Opera House and Sydney Harbour.</p> <p>The Planning Proposal creates a unique opportunity to improve the appearance of the Bayer Building which is currently intrusive. The proposal represents a significant improvement to the existing development in terms of Urban Design, Planning and Architecture and will improve the gateway to the city by creating a building in the skyline which is showpiece. If one does not initiate the Planning Proposal, one is faced with the prospect of the existing intrusive development remaining on the subject site, which is a very undesirable outcome.</p> <p>The proposed heights are generally consistent with the preferred scheme in Council's draft Alfred Street Precinct Planning Study. The proposed height of 24 storeys for the Bayer Building is consistent with the draft Precinct Study. Whilst Sites A, C and D slightly differ from the heights in the draft Precinct Study (3 storeys to Sites A and C and 3 and 9 storeys to Site D) the proposed heights of 8 storeys with 3 storeys along Little Alfred Street allow each site to be redeveloped individually.</p> <p>The Site Specific DCP incorporates a provision or the Bayer Building which requires a slimmer profile at its topmost levels as recommended by the Sydney North Planning Panel. There is also an opportunity for the Bayer Building to undergo a Design Competition process if the redevelopment of the site</p>

Subject	Objection	Response
	<p><i>been since 1970, an unsympathetic intrusion into the low-density housing of the conservation area.</i></p> <p><i>(Anonymous)</i></p> <p><i>This is a heritage precinct, and the bulk and scale of the proposal is inappropriate for the area.</i></p> <p><i>(Rowan Wall)</i></p> <p><i>This is a heritage precinct, and the bulk and scale of the proposal is inappropriate to the area. The Bayer building is already 48m higher than the 13m height limit and the plan shows a new height of 80m which is 67m above LEP height control.</i></p> <p><i>(Paula Taylor)</i></p> <p><i>Any increase in height or scale is fundamentally at odds with the heritage character of the adjoining Whaling Road Heritage conservation precinct.</i></p> <p><i>(Andrew Want)</i></p> <p><i>Excessive level of development in the Alfred street Precinct – too high and too bulky. This sort of development belongs in the North Sydney CBD and not adjoining a unique heritage conservation area</i></p> <p><i>(Rosalie Windust)</i></p> <p><i>The proposed development is in conflict with the heritage nature of the surrounding precincts, and outside current planning limits.</i></p> <p><i>(Stephen Bool)</i></p> <p><i>The proposed increase in height would be even more out of keeping with the area it adjoins and is one that would only be appropriate in an existing high-rise area, namely the North Sydney CBD.</i></p> <p><i>(Kriegers)</i></p> <p><i>The current Bayer building was an anomaly on the eastern side of the freeway our heritage conservation area will be visually and irrevocably changed forever with the planned increase in heights &amp; gross floor areas.</i></p> <p><i>(Cristine James)</i></p>	<p>is higher than its existing height. This process will ensure that a high standard of Architectural design is achieved and will significantly improve the appearance of the Bayer Building.</p> <p>The existing built form of the Bayer Building presents an intrusive form that needs urban renewal. The proposal creates a unique opportunity to improve the façade of the building and create a building envelope which is what Council, North Sydney Planning Panel and the JRPP envisaged for the site.</p>

Subject	Objection	Response
	<p><i>This gross over development will also result in the site becoming even more out of character with the adjacent dedicated heritage area (the Whaling Road Conservation Area). As long term. Resident of this precious heritage precinct, we are most concerned that the scale of the proposed development presents yet a further erosion of the amenity of life of residents.</i></p> <p><i>(Jon Kluger)</i></p> <p><i>We reside in a heritage conservation area. These towers will have detrimental impact on the Whaling Road Conservation Precinct. They will dominate our heritage conservation area &amp; will result in offsite amenity impact as a result of increased Visual Bulk and loss of Privacy.</i></p> <p><i>(Cristine James)</i></p> <p><i>The Bayer building is already out of character for this conservation area and increasing the height of this building and surrounding building is just a perversion of a mistake.</i></p> <p><i>(Dan McMillan)</i></p> <p><i>The majority of the precinct to the east of the Bayer building is a residential low-rise conservation protected zone and included many federation homes of more than 100 years. The size, structure and design of a 24-storey building will not improve the amenity, attractiveness and historical importance of the precinct, but rather seriously destroy the area beauty.</i></p> <p><i>(L.S Morrow)</i></p> <p><i>The precinct is located directly adjacent to the whaling road HCA, a low-rise residential area with significant local history and heritage value. The existing B3 zoning and 3.5:1 Floor Space Ratio (FSR) of the precinct are already inappropriate given the proximity to the HCA, with the Bayer Building in particular, in direct juxtaposition and highly unsympathetic to the adjacent heritage properties. The planning proposal does not in any way improve the precincts existing negative impact on the HCA, nor are the proposed designs within the Planning Proposal (especially proposed heights) architecturally sympathetic to the design and feel of the local area, further detracting from the send of local cultural heritage. Instead, the inappropriate bulk and scale of the planning proposal significantly increases the unappealing and overbearing nature of the precinct on the surrounding HCA.</i></p>	

Subject	Objection	Response
	<p>(Anonymous)</p> <p>Adjacent to the low-rise residential context of the Whaling Road Heritage Conservation Area, the existing B3 zoning and 3.5:1 Floor Space Ratio of the Precinct are already discordant anomalies, and the existing 17-storey "Bayer Building" is even worse: any enlargement of any buildings for any use would be worse still.</p> <p>At the south end of the Precinct and the entry to the Whaling Road Heritage Conservation Area [HCA] is the quite sympathetic, late 20th Century, 3-storey "Portman Place" [263 269 Alfred Street]: the proposed 8-storey towers in this location would be completely discordant. The enormous 24- storey tower proposed on the "Bayer Building" site looming over the whole HCA to the east would be even worse.</p> <p>(Diana and John Wyndham)</p> <p>The proposed site borders a Conservation area peppered with heritage items. There are tight DCP plans for the local neighbourhood to maintain facades and build heritage sympathetic buildings. The proposed 24 storey building on the Bayer Building site would dominate the entire area. Scaling the design to the existing height of site B would be a better outcome for the community.</p> <p>(Stephen Bool)</p>	
	<p><b>10.3 Height transition to Heritage Conservation Area</b></p> <p>One of the requirements of the development is that it should be provide an appropriate lead into the adjacent Whaling Road Heritage Conservation Area. There has been not attempted to do this. Instead, the plan is to have building of up to 8 Storeys adjoining the Bayer building which would loom over the nearby solely residential area blocking western light and sunshine.</p> <p>(Rosemary Townsend)</p> <p>Much is made in the Planning proposal documentation of providing appropriate transition to the neighbouring development in the Heritage Conservation Area through references to. Fine grain residential accommodation' along the Little Alfred Street frontage as well as landscaping to that frontage. This reflects the significance of Little Alfred Street as the precincts interface with the Heritage Conservation Area.</p>	<p>The proposal will create an appropriate height transition to the Whaling Road Heritage Conservation Area along northern and eastern boundaries. The built form will step down to a 3 storey podium along these boundaries which is generally consistent with Council's draft Precinct Study.</p> <p>Along the eastern boundary, the upper levels for Sites A, C and D above the podium will be setback approximately 15.5m from the front boundary which is considered to be generous. Along the northern boundary, the ground floor of the podium will be indented 6m to allow for a landscaping buffer whilst the upper levels will be setback 6m from the boundary.</p>

Subject	Objection	Response
	<p>However, this outcome is not supported by either the provisions in the site Specific DCP or the reference scheme (to the extent that the scheme can be relied upon). As shown in the extracts from the site specific DCP blow, no setback is required from the Little Alfred Street frontage for the majority of that frontage through landscaping, as suggested in the Planning Proposal. The DCP shows a built form extending along the length of the little Alfred Street frontage (apart from site B), separated only by the pedestrian arcades.</p> <p>(Design Collaborative on behalf of Byer Building Neighbours Committee)</p>	
<b>Building envelope</b>		
<p><b>11. Bulk and scale</b></p>	<p><b>11.1 Excessive Height</b></p> <p>Whilst not supporting the proposed heights, it is understood the site would not unfortunately be replaced by lower rise buildings which would be the preferred result from a nearby resident's perspective. However, the building height of what will replace the Bayer Building in the proposal remains one of the main concerns. It is too high. "Design excellence" could make it even higher.</p> <p>(Anonymous)</p> <p>The current 17 storey tower is proposed to increase to 24, over 40% higher and the accompanying dwellings also have a dramatic height increase to 8 storeys and that has major repercussions.</p> <p>(Ken and Lesley Parker)</p> <p>The planning proposal will have an adverse visual impact on the adjoining residential area as it will exacerbate the already discordant built form relationship between the development in the Precinct and the neighbouring residential area. Under the Planning Proposal, not only will the building on the Bayer site 'loom' over the neighbouring area to a greater degree but the development on sites A, C and D will also intrude the backdrop of the residential area as a result of the proposed more than doubling the height and bulk. There is nothing in the planning proposal submission support documentation that demonstrate that these impacts can be appropriately mitigated or managed.</p> <p>(Design Collaborative on behalf of Bayer Building Neighbours Committee)</p>	<p>The existing Bayer Building is 18 storeys whilst the Planning Proposal seeks to increase the height to 24 storeys. The proposed height of the Bayer Building is consistent with the height proposed in the draft Precinct Planning Study and furthermore, is consistent with the JRPP decision which stipulated it would be appropriate to grant the precinct the density it now enjoys with additional height so that a mixed use building with appropriate amenity may be developed on it. It is noted that the FSR bonus of 2:1 for the Bayer Building, is able to be achieved within the 24 storey building envelope.</p> <p>With regard to Sites A, C and D, the current 13m height control does not allow for these sites to achieve the maximum permissible FSR of 3.5:1. Therefore the heights have been increased (to 8 storeys) to ensure there is no anomaly between the FSR and height controls. Whilst the 8 storey heights slightly vary from the draft Precinct Planning Study (between 3-9 storeys), the proposed heights will allow for these sites to be redeveloped in isolation to achieve the existing maximum FSRs. Sites A, C and D will incorporate a 3 storey podium and landscaping along the street frontages to ensure there is not a dramatic height increase to 8 storeys.</p>

Subject	Objection	Response
	<p>The indicative concept design fails to demonstrate how the site could be acceptably developed to the requested heights in so far that it does not respond adequately to the site attribute and context and will result in significant level of public and private amenity issues.</p> <p>(North Sydney Council)</p>	
	<p><b>11.2 Excessive built form</b></p> <p>The planning proposal will give rise to development in the precinct with an excessive height and FSR and an excessive bulk and scale in the context of adjoining area, including the homes occupied by the member of the Neighbours Committee and will exacerbate existing adverse impact on the area associated with the development in the precinct. The existing poor relationship will be substantially worsened as a result of the planning proposal. The planning proposal will result in a further deterioration in the relationship by permitting development on each site within the precinct with an increased height of up to 6 additional storeys, 2:1 bonus FSR, an increase height and bulk over and above it already incongruent 18 storeys and 7.3:1 FSR, i.e., up to 9.3:1 and 24 storeys. The relatively small size of each of the 4 sites means that there is minimal flexibility in the distribution of building bulk across the Precinct and limited opportunity for separation of built forms to mitigate that bulk. As shown in the reference scheme, there is no separation between the building on Sites C and D in the southern part of the Precinct above ground level resulting in a built form of excessive width in that part of the precinct.</p> <p>(Design Collaborative on behalf of Byer Building Neighbours Committee)</p> <p>The proposal if approved will pave the way and open the floodgate for other high rise and more “commercial” style developments. The North Sydney CBD already provide many opportunities and proper zoning for retail and</p>	<p>Overall, the approach to the future redevelopment of the Precinct is to seek a balance between amenity, public benefit, quality, economic viability and development surety. An urban form has been developed as a holistic approach which responds to the topography and existing context of the Precinct.</p> <p>The built form is considered to be reasonable given it provides a suitable transition between North Sydney CBD and the adjoining Whaling Road Heritage Conservation Area and has been based generally on the building envelopes established in Council's draft Precinct Planning Study. It is noted that the site is unique in that it is isolated from the North Sydney CBD and will not create a precedent for the area.</p> <p>The existing Bayer Building has an FSR of 7.3:1 and the proposal seeks to increase the FSR control from 3.5:1 to 7.3:1 so it is consistent with the FSR it currently enjoys. The bonus FSR of 2:1 is only triggered when a Development Application is lodged for a building exceeding 62m in height (with the existing height being 60.97m including the signage). It is highlighted that the proposed FSR (including the design</p>

Subject	Objection	Response
	<p><i>commercial uses and it is clearly separated and divided by Warringah Freeway.</i></p> <p><i>The sheer size and mass of the proposal would dwarf the small homes surrounding</i></p> <p><i>(Ray Djani)</i></p> <p><i>The size and scale of this development is inappropriate and would involve considerable reduction of privacy and create more overshadowing</i></p> <p><i>(Dan Mcmillan)</i></p> <p><i>The ideal solution would be to demolish the present structure as proposed and replace it with a building reduced height and bulk more appropriate, modernise and 'green' the current building to create attractive, desirable workplace accommodation incorporating café facilities at street level which would not only enhance the building aesthetic contribution to the local area but provide a pleasant local eatery.</i></p> <p><i>(Alistair Stevenson)</i></p> <p><i>If the current proposal is approved, and any subsequent development goes ahead with the increased FSR due to 'design excellence', the outcome will be a built form that is excessive in height, bulk and scale and will effectively loom over the adjacent and nearby low density heritage housing.</i></p>	<p>excellence bonus) is below the anticipated FSR in Council's preferred option in the draft Precinct Planning Study.</p> <p>Furthermore, the DCP has a provision which stipulates that the Bayer Building is to have a slimmer profile at its topmost levels which was recommended by the North Sydney Planning Panel. This will ensure that a slender building envelope is created.</p> <p>The current Bayer Building is intrusive and the Planning Proposal creates an opportunity to address this building which represents a 'Gateway' to North Sydney and Sydney CBD and located in very close proximity to three world iconic items, comprising of the Sydney Harbour Bridge, Sydney Opera House and Sydney Harbour.</p> <p>The Proponent is proposing a Planning Proposal which represents a significant improvement to the existing development in terms of Urban Design, Planning and Architecture which more properly respects the Gateway location and the nearby World Iconic Sites. If one does not initiate the Planning Proposal, one is faced with the prospect of the existing intrusive development remaining on the subject site, which is a very undesirable outcome. Based on the previous decision of the North Sydney Local Planning Panel and the Sydney North Planning Panel, both Planning Panels take a contrary view to that of Council by seeking to remove the existing intrusive development.</p> <p>For Sites A, C and D, the current FSR control will be retained at 3.5:1 whilst the building height control will be increased to ensure the sites can achieve FSRs closer to the existing maximum FSR control.</p>



Subject	Objection	Response
	<p><b>11.3 FSR Calculations for Site B</b></p> <p><i>It appears the FSR has been calculated on the entire area of the "Alfred Street Precinct" - Sites A, B, C &amp; D combined, rather than just the site area of Site B.</i></p> <p><i>Site B proposes 24 storeys whilst the maximum height for the remaining 3 sites is 8 storeys. The proposed height of 24 storeys will result in a taller/ bulkier building which will provide no positive attributes to the existing residential amenity. In summary it appears the Gross Floor Area (GFA) will increase by 60% for the site of the existing building on site B. Site B appears to have calculated the entire area combining Site A, B, C &amp; D and applied the uplift in FSA to Site B.</i></p> <p><i>(Stephen Bool)</i></p>	<p>The FSR for Site B has been calculated using the site area for Site B and not the entire Alfred Street Precinct.</p>
<p><b>12. Built form along Little Alfred Street</b></p>	<p><b>12.1 Built form along Little Alfred Street</b></p> <p><i>The proposed ground level and above podium setback combined with nil basement setbacks, will facilitation and overbearing form with poor interface to the heritage conservation area along Little Alfred Street and to the north.</i></p> <p><i>(North Sydney Council)</i></p> <p><i>The site specific DCP provides at P4 in section 1.1.6 that the ground floor setbacks along Little Alfred Street and the northern boundary are to incorporate landscaping where possible. In this regard, the site specific DCP provisions are inconstant with the setback requirement illustrated and it appears that the likely outcome would be no landscaping on the majority of the frontage, contrary to the suggestions elsewhere in the planning Proposal.</i></p> <p><i>The photomontage (p.100 of the Urban Design Report) cannot be considered to show a future development which provides for fine grain development along Little Alfred Street, or which provides for an appropriate transition or relates well to its surrounding context. It is considered to how a very poor urban design outcome which will adversely affect the character and amenity of the adjoining residential Heritage Conservation Area.</i></p> <p><i>(Design Collaborative on behalf of Byer Building Neighbours Committee)</i></p>	<p>The existing built form along Little Alfred Street is 3 to 4 storeys and the proposal will be generally consistent with this. The proposed 3 storeys (with partially 4 storeys due to the topography) will provide an appropriate transition to the 1 to 2 storey residential properties along Little Alfred Street. The DCP will encourage landscaping along this elevation along the ground floor and on the elevated podiums. The future Development Application will also explore how to further reduce the bulk and scale along the street through the use of articulation and certain materials and colours.</p> <p>Furthermore, it is noted that a photomontage is not a requirement for the Planning Proposal and has only been provided for illustrative purposes</p>

Subject	Objection	Response
	<p><b>12.2 Exposed basement along Little Alfred Street</b></p> <p><i>In rationalising the built form level across the length of the site rather than working with the significant level changes of the street and laneway, the proposal would result in exposed basement/lower floor levels that create a hard, continuous edge along the eastern frontage to Little Alfred Street for approximately 80% of the frontage. Even is just looking at the basement level, it rises a full floor to the southern end of Little Alfred Street and two whole floors to the north. While less extreme it creates and awkward interface along the southern end of Alfred Street.</i></p>	<p>Little Alfred Street has a steep hill to the middle of the street and therefore the built form along this frontage varies between 3 to 4 storeys. The existing street has 4 x driveways and large expanses of back of house facilities with limited landscaping. The proposal will create an opportunity to improve the streetscape appearance as it will reduce the number of driveways to two, encourage landscaping opportunities and create a more activated frontage. The exposure of the basement has been limited along this façade and where exposed the future Development Application will incorporate design elements to minimise long expanses of blank facades through articulation and using materials and colours.</p>
	<p><b>12.3 Narrow built form along Little Alfred Street</b></p> <p><i>The proposed setbacks would result in an approximately 6m deep building, fronting Little Alfred Street, which provides poor potential for use as either residential or business uses. In addition, it removes the ability to establish a landscaped buffer to the Whaling Road Conservation Area.</i></p> <p><i>(North Sydney Council)</i></p>	<p>The proposed building form and bulk along Little Alfred Street is a suitable response to the site and surrounding context. Furthermore, the minimum ADG width for units is 4m to avoid narrow apartments, which the proposal complies with.</p>
<p><b>13. FSR bonus and design competition process</b></p>	<p><b>13.1 FSR bonus has not been justified</b></p> <p><i>The provision of an LEP provision allowing an addition 2:1 FSR subject to Design Excellence Competition requirement in contrary to the existing LEP provision, has not been sufficiently justified and would result in a building of excessive height and/or bulk.</i></p> <p><i>(North Sydney Council)</i></p> <p><i>The most objectionable aspect of the Planning Proposal is a 60% increase in Gross Floor Area [GFA] in the "Alfred Street Precinct", including an increase from the existing "Bayer Building" 7.3:1 Floor Space Ratio to 9.3:1: most of our objections relate to the effects of an increase in GFA.</i></p> <p><i>(Stephen Bool)</i></p>	<p>Council's Preferred Option in their draft Precinct Planning Study showed a height of 24 storeys and an FSR of 10.58:1 for Site B. We have largely adopted Council's suggested building envelopes and crafted planning controls in order to achieve the best possible planning outcomes. The FSR bonus of 2:1 is able to be achieved within the 24 storey building envelope and the Urban Design report and Planning Proposal provides justification for the FSR bonus.</p>

Subject	Objection	Response
	<p><b>13.2 Design excellence to entire precinct</b></p> <p><i>We object to the concept of design excellence being rewarded with additional floor space in part of the development: "design excellence should be a requirement of the whole development, within current height and FSR controls.</i></p> <p><i>(Yasmin Tadich)</i></p> <p><i>The area A design excellence bonus overlay appears to have been applied on a site-specific basis related to the site under ownership of the PP proponent. Our client sees no merits reason why design excellence bonus design should not be extended to include the entire Alfred Street Precinct. Applying the design excellence overlay to the precinct, the planning Proposals would more accurately reflect a consistent precinct approach towards the planning and design of the Alfred Street Precinct and support high quality design in future development applications. On this basis our client's position is that the proposed 'Area A' design excellence bonus overlay with contextually appropriate FSR and HOB bonuses should be applied to the whole precinct to drive high quality architectural and urban design outcome across the precinct.</i></p> <p><i>(Tract Consultant on behalf of Site D)</i></p>	<p>The design competition and design excellence provision is only triggered for the Bayer Building when its redevelopment exceeds the existing height. To require the entire precinct to undergo a design competition process and achieve design excellence for buildings that are only 8 storeys is an onerous task and not considered necessary in this instance.</p>
	<p><b>13.3 Wording of the Clause is not supported</b></p> <p><i>Whilst the logic behind the inclusion of the bonus FSR provision is understood it is not supportable. The justification of this, a 2:1 FSR bonus based solely on the "design excellence" alone is unacceptable. All development should strive to achieve design excellence. Despite council's overall objection to the inclusion of the clause, if DPIE is of mind to progress the planning proposal, the wording of the proposed clause is not supported. The proposal is currently worded, suggests that an FSR or 9.3:1 can be granted in addition to a base FSR of 7.3:1 (i.e., a total of 16.6:1), which is not the intent of the clause. Therefore, it is recommended that, the working of the clause be revised.</i></p> <p><i>(Design Collaborative on behalf of Byer Building Neighbours Committee)</i></p>	<p>The base FSR is 7.3:1 whilst the bonus additional FSR is 2:1. The new Clause (Clause 4.4) is worded to suggest that the 9.3:1 is the 'total' FSR not 'in addition' to the base FSR of 7.3:1.</p>
	<p><b>13.4 Unreasonable advantage</b></p>	<p>The bonus FSR is only to be granted if the proposal exhibits design excellence and undergoes a design competition</p>

Subject	Objection	Response
	<p>The submission is designed to give applicant a special FSR for 275 Alfred St North Sydney. In my view this is an unreasonable advantage over the other properties and their current FSR, in the Alfred St Precinct</p> <p>(Bruce Abraham)</p>	<p>process. The bonus is not considered to give an advantage over the other properties. The design competition is considered to be an onerous task to achieve an FSR uplift.</p>
<p><b>14. Design</b></p>	<p><b>14.1 Non-compliances with HOB and FSR control objectives</b></p> <p><i>It is contrary to the objective (c) (e) and (f) of Height of Building Controls under clause 4.3 of the NSLEP 2013; It is contrary to the objective (a) and (b) of the FSR controls under clause 4.4 of NSLEP2013</i></p> <p>(North Sydney Council)</p>	<p>These objectives are generally a consideration during the Development Application stage. However, the relevant HOB objectives have been addressed below:</p> <p><b>4.3 Height of Buildings</b></p> <p><b>(c) to maintain solar access to existing dwellings, public reserves and streets, and to promote solar access for future development,</b></p> <p>The overshadowing analysis prepared by the independent overshadowing expert demonstrated that the proposal will generally result in the same or less overshadowing to the Alfred Street North Park and adjoining properties.</p> <p><b>(e) to ensure compatibility between development, particularly at zone boundaries,</b></p> <p>The proposal will create an appropriate transition to the adjoining low density residential zone with a 3 storey podium, landscaping and fine grain residential accommodation.</p> <p><b>(f) to encourage an appropriate scale and density of development that is in accordance with, and promotes the character of, an area.</b></p> <p>The built form is considered to be reasonable given it provides a suitable transition between North Sydney CBD and the adjoining Whaling Road Heritage Conservation Area and has been based generally on the building envelopes established in Council's draft Precinct Planning Study.</p> <p>The relevant FSR objectives have been addressed below:</p>

Subject	Objection	Response
		<p><b>(a) to ensure the intensity of development is compatible with the desired future character and zone objectives for the land,</b></p> <p>The Precinct is located between the high rise North Sydney Commercial Core and fine grain, low rise residential buildings to the north and east which are within the Whaling Road Conservation Area. The proposal will be consistent with the objectives of the B4 Mixed Use zone given it will provide a mixture of compatible uses; integrate office, residential and retail uses; and create a vibrant mixed use centre.</p> <p><b>(b) to limit the bulk and scale of development.</b></p> <p>The proposal has been carefully designed to minimise bulk and scale of the development. The proposal will incorporate a 3 storey podium around the street frontages, provide increased street setbacks, encourage a slimmer profile to the Bayer Building and incorporate through site links will provide for breaks in the built form.</p>
	<p><b>14.2 Suggested design modifications</b></p> <p><i>AJ+C generally supported the approach but noted that any result uplift is not equally shared across each of the sites. AJ+C in their study and analysis on behalf of the client has modified the proposed design scheme to more appropriately consider the other site and achieve a balance precinct wide development. The AJ+C design scheme included the following improved urban design outcomes:</i></p> <ul style="list-style-type: none"> <li><i>Introduction of clear open to the sky 6m setback from the north boundary, limiting the building height Site A to 8 storeys. This setback will secure a critical through site connection via Mount Street and the North Sydney CBD.</i></li> <li><i>Proposed 4.5m setbacks from the Site B boundaries to both Site A and Site C based on minimum ADG 3F-1 requirements. These changes have considered the apartment planning ability to provide openings from either non-habitable rooms or only secondary openings (screened) from habitable rooms to provide ADG compliant cross ventilation</i></li> </ul>	<p>Our response to the proposed changes are outlined below:</p> <ul style="list-style-type: none"> <li>• There are already two through site links which connect Little Alfred Street with Alfred Street and it is considered excessive to propose another through site link.</li> <li>• The residential accommodation will be orientated east or west up to 8 storeys for Sites A and C and will incorporate blank facades along the site boundaries. The residential accommodation for Sites A and C will comply with ADG separation distances and therefore it is not considered necessary to amend the side setbacks.</li> <li>• Above the podium level the proposal will incorporate a clear sightline in between Little Alfred Street and Alfred Street along the southern elevation of Site B.</li> <li>• The proposal will allow for up to 3 storeys along Little Alfred Street, however if a setback of 1.5m was allowed it would reduce the width of the north-south laneway.</li> </ul>

Subject	Objection	Response
	<ul style="list-style-type: none"> <li>Reinforced permeable connection with clear site lines along the southern side of the Site B tower from Alfred Street North to Little Alfred Street.</li> <li>Introduced a three-four storey wide frontage townhouse product to Alfred Lane that is setback 1.5m to enable improved public domain outcome;</li> <li>The pedestrian laneway is reduced to 6m wide, open to the sky, to deliver the Little Alfred Street widening (1.5m footpath + 1.5m private open space setback;)</li> </ul> <p>(Tract Consultant on behalf of Site D)</p>	
<b>Apartment Design Guide</b>		
<b>15. ADG Compliance</b>	<p><b>15.1 Compliance with ADG separation requirements</b></p> <p><i>In addition, insufficient tower separation internally will ultimately result in poor amenity for future occupants. The proposed setback is also inconsistent with recommended setbacks under the Apartment Design Guideline (ADG). Application of a more appropriate setback in this context will result in a lower of the achievable FSR than the concept design relied upon under the planning proposal.</i></p> <p><i>The majority of proposed tower setback to the north and south are in fact non-compliant. The non-compliance is particularly acute to the north where the proposal provided a minimum 2.4. setback to the R2 Low Density Residential zone when a minimum setback between 7.5m if non-habitable, or 12, if habitable, is required.</i></p> <p>(North Sydney Council)</p> <p><b>15.2 Solar Access</b></p> <p><i>The Site C northern façade cannot be counted upon for solar access for two reasons: Firstly, the Site B tower casts shadow on the northern facade throughout much of the day, and secondly, given the proposed setbacks between Site B and Site C are well below ADG standards for habitable space to habitable space relationships, there is an expectation windows on the north facade of the Site C residential tower would be limited to non-habitable spaces such as bathrooms and laundries, or that blank wall</i></p>	<p>The internal residential accommodation will be orientated east or west up to 8 storeys and will incorporate blank facades along the site boundaries which complies with ADG separation requirements. Where the Bayer Building is greater than 8 storeys the residential accommodation will comply with ADG separation distances with surrounding properties.</p> <p>The Urban Design package provided by Grimshaw and 92% of the Precinct comply with Solar Access requirements, whilst each individual site complies:</p> <ul style="list-style-type: none"> <li>Site A – 100%;</li> <li>Site B – 85%;</li> <li>Site C – 100%; and</li> <li>Site D – 90%.</li> </ul>

Subject	Objection	Response
	<p>conditions would exist. The western façade of the Site C residential tower receives sunlight from approximately 12pm to 2pm, however, this is clearly not the desirable outlook for a residential tower that has views of Sydney Harbour. The Reference Scheme therefore indicates a scheme that would fail ADG compliance with design criteria for solar access and is also not able by the suggested design to satisfy natural ventilation design criteria either, despite the claims made within the Design Report.</p> <p>(Mayoh)</p>	
<b>Amendments to Site D</b>		
<p><b>16. Request for increase in height for Site D</b></p>	<p><b>16.1 Request for increase in height for Site D</b></p> <p><i>The Height of Building (HOB) reflects an FSR of 3.5:1 with two storeys at commercial heights of 4m and the additional residential at 3m mostly in accordance with the principles of the proposed DCP. To facilitate the required minimum feasible base case FSR of 4.0:1, the HOB required is to be a minimum of 39m. To ensure that site D can be redeveloped at the optimally feasible FSR of 4.5:2, an additional floor should be allowed, increasing the overall HOB to 42m.</i></p> <p><i>The FSR that has been applied to our client's site does not match the minimum FSR that is required to adequately support the cost of the redevelopment as indicated with the proponent's feasibility study; therefore, site D is not able to be redeveloped under the proposed FSR. The planning proposal includes a proposed FSR for site D of 3.5:1. We understand that the premise of this ratio reflects the previously abandoned Council Planning Study. However, we note that the council study was prepared without the benefit of an economic feasibility study and did not reflect a base case required to support the sites redevelopments. In preparing the enclosed modelling AJ+ C has approximately recreated the proponents illustrative design scheme example modelled by Grimshaw. AJ+C has advised that the design scheme concepts submitted with the proposal highlight the sites potential redevelopment with an FSR closer to 3.05:1 rather than the proposed 3.5:1. Our client submit that the starting point for site D redevelopment must be a minimum FSR of 4.0:1. It is submitted further that an FSR of 4.5:1 Would, in reality represent an appropriate additional margin</i></p>	<p>The Planning Proposal seeks to retain the existing FSRs for Sites C and D (3.5:1) and only increases the height to ensure that the sites can achieve the maximum FSR as there is currently an anomaly between the height and FSR provisions. The heights for Sites C and D (8 storeys with a 3-4 storey podium along the street frontages) were proposed to be generally consistent with the draft Precinct Study (3 storeys to Sites A and C and 3 and 9 storeys to Site D). Whilst Site D does not propose a height of 9 storeys, a blanket height of 3 and 8 storeys has been proposed for Sites A, C and D to ensure they can be redeveloped individually and are consistent.</p> <p>If the height is increased by 1 or 2 levels, then the FSR provision would need to be increased to reflect this. However, if the height and FSR was increased for this site, it would be inconsistent with Sites A and C and would result in excessive bulk and scale to the surrounding Whaling Road Conservation Area, residential properties and Alfred Street North Park.</p>

Subject	Objection	Response
	<p>beyond minimum base case better to encourage future site consolidation and the redevelopment of the site.</p> <p>(Tract Consultant on behalf of Site D)</p> <p><b>Request for increase in height for Site C</b></p> <p>With only very small residential floorplate available several additional floors above the 28-metre height limit are required to achieve the existing 3.5:1 FSR (refer to section 4 of this document for proposed amendments to the height limit with associated shadow diagram, assessment and justification)</p> <p>(Mayoh Architects and dmp Town Planning on behalf of the owner of 271 and 273 Alfred Street, North Sydney)</p>	
<b>Amenity</b>		
<p><b>17. Overshadowing</b></p>	<p><b>17.1 Issues with Overshadowing Analysis and overshadowing impacts from North Sydney Council</b></p> <p>With respect to the revised overshadowing analysis:</p> <ul style="list-style-type: none"> <li>It is unclear why it only considers the impact at the winter solstice and not extend to include impacts between March and September equinoxes which result in a range of different impacts;</li> <li>It is unclear if the concept proposal impact represents the base case or bonus case scenarios and</li> <li>It appears to consider the concept proposal as lodged and not as modified by the revised draft DCP (e.g., it is assumed with reduced proposed setback controls to Little Alfred Street, that there would be an associated increased in overshadowing impact to the properties to the east over the originally lodged)</li> </ul> <p>Accordingly, the information presented does not enable the impacts of a development that complies with future controls as proposed by the planning proposal and the draft DCP to be adequately determined.</p> <p>Notwithstanding these shortcomings:</p> <ul style="list-style-type: none"> <li>Additional solar impact will occur on the southern properties along whaling road from May until July.</li> </ul>	<p>The overshadowing impacts have been considered during the winter solstice as this is the worse case scenario. The overshadowing impacts for the March and September equinoxes are not considered as it is considered that solar access will be improved.</p> <p>An independent overshadowing specialist (John Denton) was appointed to prepare an overshadowing analysis to determine the full extent of shadowing impacts to Alfred Street North Park and surrounding residents.</p> <p>The elevational shadow diagrams demonstrate that the proposal will have minimal overshadowing impacts to properties along Whaling Road and will be less than proposed in Council's draft Precinct Planning Study.</p> <p>Along Neutral Street, the proposal will only result in additional overshadowing between 2-3pm at mid winter to a small proportion of the street, whilst the proposal will not create any additional overshadowing between 9am and 2pm. It is noted that this is at mid winter which is worst case and during the warmer months the overshadowing will be reduced.</p>



Subject	Objection	Response
	<ul style="list-style-type: none"> <li>• The additional height on site B will have additional solar impact north of Neutral street during the Equinox.</li> <li>• The upper-level setback and 8 storey height on Sites A, C and D have only a minor solar impact on the properties north of Little Alfred Street compared to the existing overshadowing.</li> <li>• Solar impact of site D onto the RE1 zone south of the area is comparable to the unendorsed Alfred Street Planning Study was in response to feedback regarding the solar and visual impacts arising from the additional height proposed.</li> </ul> <p><i>It is therefore recommended that any amendment to the planning controls should ensure that the bulk and impact of any new tall building in the precinct be similar to that of the existing tall building.</i></p> <p><i>(North Sydney Council)</i></p> <p><i>It will result in excessive overshadowing of adjoining properties including Alfred Street North Park.</i></p> <p><i>(North Sydney Council)</i></p>	<p>Along Little Alfred Street, the proposal will not result and any additional overshadowing between 8am and 1pm during the winter solstice and between 1-3pm the additional overshadowing will be similar to Council's draft Precinct Planning Study.</p> <p>We have confirmed that the overshadowing analysis was based on a 4m setback along Little Alfred Street. However, Grimshaw have confirmed that if the setback was reduced to 0m along the street there would be no additional detrimental overshadowing impacts. Furthermore, it is noted that the properties along the eastern side of Little Alfred Street are generally characterised with garages along the front boundary with secondary living spaces above.</p> <p>The overshadowing diagrams demonstrate that the proposal will result in the same or less overshadowing to the Alfred Street North Park than the draft Precinct Planning Study. The proposal will retain solar access to more than 50% (approximately) of the park at 10am, 11am, 1pm and 2pm at the winter solstice which is at the worse case. Furthermore, it is noted that the park is an RMS owned reserve and there is no guarantee that it is to be used in the future as a park. The Council does not include a Management Plan for the park and its amenity is limited given it is next to a Freeway.</p>
	<p><b>17.2 Reduction in solar access and excessive overshadowing</b></p> <p><i>It is clear that the diagram submitted (shadow diagrams) with the planning proposal show that it will give an addition overshadowing impact on the existing residential development to the east of the site during the afternoon and to Alfred Street North Park to varying degrees throughout the whole day. The drainage show that the additional overshadowing primarily affects existing development in Little Alfred Street and Whaling Road and the extent of additional shadow if significant. Given the density of the adjoining residential. Area any reduction in solar access will reduce residential amenity. The lack of separation between the built form as shown in the reference scheme, exacerbate this impact by preventing solar access penetration between buildings particularly to the south east of the precinct. When</i></p>	<p>The independent overshadowing specialist (John Denton) prepared an overshadowing analysis to determine the full extent of shadowing impacts to Alfred Street North Park and surrounding residential properties. The analysis included overshadowing plans at hourly intervals between 9am and 3pm during the winter solstice and elevational shadow diagrams along Whaling Road.</p> <p>The overshadowing analysis provides a comparison between the following:</p> <ul style="list-style-type: none"> <li>• Existing built form contained within the site;</li> <li>• The envelopes proposed under the Planning Proposal; and</li> </ul>

Subject	Objection	Response
	<p><i>considered on its own merits, the proposed additional overshadowing is extensive and excessive, reflecting the height/FSR increase proposed.</i></p> <p><i>(Design Collaborative on behalf of Byer Building Neighbours Committee)</i></p> <p><i>The additional height of the proposed building will deliver a reduction in solar access for the residential amenity. There will be a loss light and brightness to many homes making them darker and less desirable to live in. Work needs to be done to protect existing neighbours' quality of life rather than impede it.</i></p> <p><i>(Stephen Bool)</i></p> <p><i>We are concerned about the overshadowing that will be caused by the proposed increased height to buildings. Some home will have their access to sunlight severely and untenably reduced.</i></p> <p><i>The proposed overshadowing is extensive on my property to the south east of the proposed development and will mean more than half of Whaling Rd precinct in shadow in the afternoon during the low winter sun.</i></p> <p><i>(Paula Taylor)</i></p> <p><i>An increased of 40% of the existing height of the building to 24 storeys will cause excessive and disproportionate overshadowing on the existing residents' homes.</i></p> <p><i>(L.S. Morrow)</i></p> <p><i>Bayer already casts a large shadow and over looks many houses to the east: it is axiomatic that the proposed higher building would cause more overshadowing and especially with 24/7 residential occupancy, would allow significantly more overlooking.</i></p> <p><i>(Brenda Park)</i></p> <p><i>There is clearly an overshadowing impact on the amenity of existing residential building and residents, and there is a broader impact of the overshadowing for all the pedestrian in the area. Congested and overshadowed area repel pedestrian and are dangerous to pedestrians. The effect of the overshadowing impact a much larger population than the immediate residents also affected.</i></p> <p><i>(Elizabeth Powell and Cliff Bromiley)</i></p>	<ul style="list-style-type: none"> <li>• The envelopes proposed under Council's draft Precinct Planning Study for the area.</li> </ul> <p>The overshadowing diagrams demonstrate the maximum building envelope. The design changes at Development Application stage can be used to further mitigate overshadowing issues if they exist such as chamfering and articulation. It is highlighted that these diagrams illustrate overshadowing during the winter solstice which is the worst case scenario and solar access will improve throughout the year.</p> <p>It has been confirmed that the overshadowing diagrams are based on a 24 storey building for the Bayer Building. The FSR bonus of 2:1 is able to be achieved within the 24 storey building envelope.</p> <p>Along Little Alfred Street and Whaling Road, the proposal will not result and any additional overshadowing between 9am and 12pm during the winter solstice. Between 1-3pm the additional overshadowing will be similar to Council's draft Precinct Planning Study with only minor additional overshadowing.</p> <p>The elevational shadow diagrams along for Whaling Road will still retain at least 2 hours solar access to the western side elevation of no. 1 Whaling Road and the northern front elevations of nos. 1, 3, 5, 7, 9 and 11 Whaling Road.</p>

Subject	Objection	Response
	<p><i>The Bayer building already cast a large shadow over many houses to the east including mine: In winter I lose the sun courtesy of the Bayer Building at 2pm. Obviously any increase in height of this and any adjoining building will only cause more over shadowing.</i></p> <p><i>(Rosemary Townsend)</i></p> <p><i>The development proposed is grossly inappropriate in terms of height and scale, and would result in dramatic worsening of loss or solar access, of shadowing, loss of privacy and loss of amenity for our home and adjoining properties.</i></p> <p><i>The gross overshadowing of the existing R2 Zone 8.5m high Whaling Road Conservation Area houses</i></p> <p><i>(Humphrey Armstrong and Di Derenzie)</i></p> <p><i>The increased heights of the building which already exceed permitted heights would cause overshadowing of many properties and the resulting overlooking of these properties would impact on their privacy.</i></p> <p><i>(Sandra Burke)</i></p> <p><i>The towers will completely overshadow our homes, creating loss of light &amp; winter sunshine, with adverse effects on energy efficiency &amp; our privacy.</i></p> <p><i>(Cristine James)</i></p> <p><i>The size and scale of this development is inappropriate and would involve considerable reduction of privacy and create more overshadowing.</i></p> <p><i>(Dan Mcmillan)</i></p> <p><i>The Bayer building already casts a large shadow over many houses in the HCA to the east, significantly limiting solar access to dwellings directly adjacent to the precinct. An increase in building heights across the precinct will further exacerbate these issues, impacting additional dwelling as shown in the shadow drawings provided with the planning proposal. With older properties, particularly those that are heritage listed more prone to experiencing issues with rising damp and mould, blocking additional sunlight hours to these properties will potentially have serious implication for the moisture levels and associated mould problems, and in turn, the health of residents and future value of the properties.</i></p>	

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	<p><b>17.3 Overshadowing impacts from North Sydney CBD</b></p> <p><i>Concerning the public realm, modelling done by AJ+C indicated that the public park located south of the site may be impacted by overshadowing – particularly. During the 12pm to 1:30pm period mid-winter. Further the impact from the proposed hob increased for Site D on existing residential properties to the east and any resultant overshadowing are not likely to be substantial. Those siting residential properties to the east would continue to enjoy the required solar access. Between 10am and 2pm. Any overshadowing beyond those hours would need to be considered together with the shadow cast mid to late afternoon by the existing North Sydney CBD, which already eclipses any likely shadow from the proposed site D development.</i></p> <p><i>(Tract Consultant on behalf of Site D)</i></p>	<p>The shadow impacts from the North Sydney CBD have been considered and the North Sydney CBD will not create any additional overshadowing to the Precinct.</p>
<p><b>18. Privacy</b></p>	<p><b>18.1 Reduction of privacy and potential overlooking</b></p> <p><i>We as residents will have our privacy invaded by overlooking, our sunshine and light disappear with overshadowing and our very limited road space, including steep inclination, irrevocable disrupted with intolerable continuing traffic issues.</i></p> <p><i>(Cristine James)</i></p> <p><i>The size and scale of this development is inappropriate and would involve considerable reduction of privacy and create more overshadowing.</i></p> <p><i>(Dan Mcmillan)</i></p> <p><i>The planning proposal would, if approved, result in very significant loss of privacy through overlooking because residential users under the proposed mixed-use zoning will tend to be outward looking rather than inward looking as in commercial premises; even more-so given that the planning proposal proposed the residential areas will include balconies facing east.</i></p> <p><i>(Andrew Want)</i></p> <p><i>The proposal will have profound adverse impact on the amenity of the adjacent low rise residential area, including in regard to overlooking, overshadowing, increased traffic and parking congestion.</i></p>	<p>The properties along the eastern side of Little Alfred Street are generally characterised with garages along the front boundary with secondary living spaces above. Their primary habitable spaces are generally orientated to the rear gardens.</p> <p>To maintain privacy concerns along Little Alfred Street, the proposal will generally comply with the ADG separation distances. Design elements (such as offsetting windows or privacy screens) can be provided at the Development Application stage if it is determined that ADG separation distances are not adequate to protect privacy of adjoining neighbours.</p> <p>The upper levels above the podium along Little Alfred Street for Sites A, C and D will be approximately 23m from the front boundaries of the adjoining properties to the east, whilst the ADG requires 12m (between habitable rooms/balconies) up to 4 storeys and 18m (between habitable rooms/balconies) for 5 to 8 storeys.</p> <p>Given Sites A and C will incorporate blank side elevation walls with the Bayer Building, there will not be any significant privacy concerns. Where the residential accommodation for the Bayer Building will be set above the properties along</p>

Subject	Objection	Response
	<p><i>(Jon Kluver)</i></p> <p><i>The size and scale of this development is inappropriate and would involve considerable reduction of privacy and create more overshadowing</i></p> <p><i>(Dan Mcmillan)</i></p> <p><i>Bayer already casts a large shadow and over looks many houses to the east: it is axiomatic that the proposed higher building would cause more overshadowing and especially with 24/7 residential occupancy, would allow significantly more overlooking.</i></p> <p><i>(Brenda Park)</i></p> <p><i>The Bayer Building already looms over surrounding houses to the east: If there were to be any further increase in the height of this building once again this will only exacerbate the problem. This will be particularly the case if the building contains residential apartments which would allow significantly more over-looking and breach of privacy.</i></p> <p><i>(Rosemary Townsend)</i></p> <p><i>I will have 24 stories of mostly residential units looking directly into my back yard after business hours.</i></p> <p><i>(Rowan Wall)</i></p> <p><i>The development proposed is grossly inappropriate in terms of height and scale, and would result in dramatic worsening of loss or solar access, of shadowing, loss of privacy and loss of amenity for our home and adjoining properties.</i></p> <p><i>The towers will completely overshadow our homes, creating loss of light &amp; winter sunshine, with adverse effects on energy efficiency &amp; our privacy.</i></p> <p><i>(Cristine James)</i></p> <p><i>Given the building heights included in the Planning Proposal, and the proximity of the precinct to a large number of low density residential houses and private open space we are concerned that the visual privacy of adjoining dwellings and nearby residential will be significantly negative impacts, with the precinct having direct and close views into windows,</i></p>	<p>Little Alfred Street, they will generally be orientated to enjoy more distant views rather than overlook into the properties along Little Alfred Street.</p>

Subject	Objection	Response
	<p><i>balconies and private open space of local residents – exacerbating the problem already experiences as a result of the existing Byer building.</i></p> <p><b>18.2 Change of use (from commercial to residential) and no respite</b></p> <p><i>I am overshadowed by the Bayer building of 18 storeys. However, at nights and the weekends there is respite as it is an office building Imaging the noise pollution, over shadowing and lack of privacy from 24 storeys of residents.</i></p> <p><i>(Rosalie Windust)</i></p> <p><i>The Planning Proposal PP-2020-74 will create a 24 x 7 opportunity for residents in new apartments to look into many homes in the Whaling Road Conservation Area. Site B will be designed to capture the harbour views which will overlook the local neighbourhood and residents. The Bayer Building is currently commercial so this is not an issue a change to residential with increase height will facilitate overlooking.</i></p> <p><i>(Stephen Bool)</i></p>	<p>The Bayer Building generally complies with ADG separation distances. Any actual or perceived privacy impacts can be resolved by way of design elements or conditions of consent at the Development Application process. Furthermore, the surrounding residential accommodation is generally 1-2 storeys and the residential units for the Bayer Building will generally be orientated to enjoy more distant views rather than overlook into the surrounding residential properties. An appropriate mix of uses will be incorporated into the proposed mixed use development.</p>
<b>Traffic and parking</b>		
<p><b>19. Traffic and accessibility</b></p>	<p><b>19.1 Onstreet parking availability</b></p> <p><i>Residents/CBD workers will lose a significant number of parking space along Alfred Street North when road construction commences, and I believe only 20 will be reinstated when completed. This will cause further pressures on residents, visitors and tradesmen who require on street parking.</i></p> <p><i>(Brenda Park)</i></p> <p><i>With such a dramatic increase in occupancy there will be a greater strain on already highly limited parking.</i></p> <p><i>(Ken and Lesley Parker)</i></p> <p><i>Most houses in the area cannot provide off street parking and as previously indicated there is already inadequate on street parking for residents, visitor and trades: the increased occupancy arising from the proposed larger building would exacerbate the existing parking problems.</i></p> <p><i>(Brenda Park)</i></p>	<p>Issues related to onstreet car parking and construction will be addressed as part of the future Development Application.</p> <p>However, the North Sydney Development Control Plan 2013 has maximum car parking rates. The proposed basements have considered these rates however given the site is well serviced by public transport, there will be an opportunity to reduce car parking. The use of public transport will be encouraged which will minimise the constraint on onstreet car parking.</p>

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	<p><i>Where are the additional residents and visitors in the development going to park in the heritage precinct area? Parking already a problem and the narrow street access has no room for additional off-street parking</i></p> <p><i>(Paula Taylor)</i></p> <p><i>Parking is already at a premium in the area. Any change from commercial to mixed use, i.e., residential component, would worsen that problem.</i></p> <p><i>(Lynda M. Fraser &amp; Mark S. Krieger)</i></p> <p><i>Most houses in the area (being either 19<sup>th</sup> century cottages, Victorian terraces of semis) do not provide off street parking and there is already inadequate. On street parking for residents and visitors. Any increased occupancy arising from the proposed larger building would exacerbate the existing parking problems, particularly given the proposal of 150+ apartments in the Bayer Building. Although the area is serviced by public transport inevitable such a large increase of residents in the area would place significantly more pressure on traffic and parking.</i></p> <p><i>(Rosemary Townsend)</i></p> <p><i>I cannot imagine the noise, traffic and congestion a 24 storey plus 3 x 8 Storey residential towers will bring to the area. Parking is already at a premium with the majority of the other homes having no off-street parking.</i></p> <p><i>(Rosalie Windust)</i></p> <p><i>Poor access to the proposed development site, creating increased traffic congestion in an area which already has insufficient street parking for tradespeople and visitor of current residents.</i></p> <p><i>(Sandra Burke)</i></p> <p><i>Parking in the area is also in extremely high demand, with most houses in the local area unable to provide off street parking and inadequate on street parking available for use by residents and visitors. The significant increase in occupancy arising from the planning proposal would further exacerbate the existing parking problems experienced by local residents.</i></p> <p><i>(Anonymous)</i></p> <p><i>Most houses in the area cannot provide off-street parking, and there is already inadequate on-street parking for residents and visitors; the increased</i></p>	

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	<p>occupancy arising from the proposed larger buildings would increase these problems.</p> <p>(Diana and John Wyndham)</p> <p>The area already suffers from a lack of parking and the proposed new 156 residential units will put a great deal of pressure on the local streets that are already at parking capacity. Due to the site bordering on the Whaling Road Heritage Precinct area many of the homes were built before the arrival of the motor car and have no scope for parking.</p> <p>(Stephen Bool)</p> <p>Additional density and change from commercial land use to residential land use will put additional pressure on vehicular access in and around the precinct. The availability of adequate existing and future on street parking is also a problem. Parking restriction. Only apply during workdays until 6pm, so the area is effectively unregulated after 6pm and on weekends. Parking management should therefore be improved in addition and more off-street parking should be provided if new development occurs.</p>	
	<p><b>19.2 Vehicle Access</b></p> <p>Consideration needs to be given to the incorporation of below ground breakthrough wall to limit vehicular entries to no more than two to the precinct, preferable of little Alfred Street and subject to an appropriate transport impact assessment which determined that the level of impact is acceptable.</p> <p>(North Sydney Council)</p>	<p>The proposal will reduce the number of vehicle access points from 6 (5 x along Little Alfred Street and 1 x along Alfred Street) to 2 x along Little Alfred Street (for Site A and B) and 1 x to Whaling Road (for Sites C and D). The proposal significantly reduces the number of vehicle access points whilst it minimises the number of sites that need to provide a consolidated basement and potential conflicts between the sites. Therefore it is not considered necessary to reduce the number of vehicle access points.</p>
	<p><b>19.3 Number of vehicle access points proposed inconsistent with Traffic Impact Assessment</b></p> <p>The revised Planning Proposal incorporates a number of amendments to the concept proposal which are also reflected in the revised version of the draft DCP. These amendments included changes to the vehicular access and achievable density. The accompanying Traffic Impact Assessment, however, has not been updated to reflect these changes. It is therefore unclear as to</p>	<p>There were originally 4 x vehicle access points proposed along Little Alfred Street. However, Council recommended in their report (considered on 26 August 2019) that the number of vehicle access points should be minimised and furthermore, the Sydney North Planning Panel recommended on 5 November 2019 that a site specific DCP</p>



Subject	Objection	Response
	<p><i>the extent of likely impacts that might arise from any future development of the Precinct.</i></p> <p><i>At a high level, there are potential safety concerns with regard to the location of the access point to Whaling Road adjacent to Little Alfred Street and Alfred Street.</i></p> <p><i>(North Sydney Council)</i></p> <p><i>The Traffic Impact Assessment forming part of the Planning Proposal documentation is not consistent with the current version of the Planning Proposal as it shows and assesses 4 vehicular access points off Little Alfred Street, where as the Planning Proposal and site specific DCP now provide for two access point off Little Alfred Street and one-off Whaling Road.</i></p> <p><i>Accordingly, the Traffic Assessment cannot be relied upon as it has not assessed the current proposal.</i></p> <p><i>There is no certainty that the proposed vehicular access off whaling road would provide for appropriately functionality and safety and it is considered likely that it would worsen existing traffic congestion issues in the area.</i></p> <p><i>(Design Collaborative on behalf of Byer Building Neighbours Committee)</i></p> <p><i>The DCP prepared a part of the Planning Proposal initially proposed to provide access to Site C through Site B. In the last revision of documents, access to Site C now appears to be through site D. Respectfully, we submit that access to each of the Alfred Street Precinct sites within the precinct should be available independently from the other as per existing condition, consequently enabling individual redevelopment if required.</i></p> <p><i>(Tract Consultant on behalf of Site D)</i></p>	<p>should be provided and special attention should be given to the public domain (amongst other items).</p> <p>In this regard, the 2 x vehicle access points for Sites C and D were consolidated and relocated from Little Alfred Street to Whaling Road. These amendments were also proposed to improve and reduce traffic flows and congestion.</p> <p>A letter prepared by TTPP (refer to <b>Attachment 4</b>) addresses the amended vehicle access points. The letter concludes that the previous traffic modelling undertaken is still considered a robust assessment for the proposal, which concluded that Little Alfred Street / Whaling Road and Neutral Street / Whaling Road intersections would continue to operate satisfactory with the proposed development traffic. All vehicles will continue to enter and exit the site via the left in / left out arrangements at Alfred Street North and Whaling Road.</p>
	<p><b>19.4 Increased Congestion</b></p> <p><i>As the site is only accessible for vehicles from Alfred Streets, then Whaling Road and finally Little Alfred Street, via two problematic junctions in Whaling Road, and the very narrow and steep Little Alfred Street: the increased occupancy would extend their occurrence throughout the day and week. Traffic in and out of the conservation area via Whaling Road is already backed up in peak hour by residents, workers and visitors and sometimes</i></p>	<p>The proposal is supported by a Traffic Impact Assessment prepared by TTPP (21 March 2019) which provides an assessment on the traffic generation. The site currently comprises of 33 residential units and 3 commercial buildings (with a combined GFA of 14,235m<sup>2</sup>) which generate 233 trips in the AM peak and 175 trips in the PM peak. The proposal however will reduce the future trips generated by 41 during the AM peak and 30 trips during the PM peak given the</p>

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	<p>tradesman trying to enter or leave the area. If there is ever a fire, medical emergency, tree branches falling this creates even further havoc in the area.</p> <p>(Brenda Park)</p> <p>There is only one access road for parking for the sites within Planning Proposal PP-2020-74. PP-2020-74 proposes all traffic to enter via Little Alfred Street which is a narrow street with a blind hill on the street. It is doubtful that this laneway can handle the increased traffic load generated from potentially 156 new residences. Access via Alfred St should be considered rather than Little Alfred St.</p> <p>(Stephen Bool)</p> <p>The site is only accessible for vehicles from Alfred Street then Whaling Road via two problematic junctions in Whaling Road, and finally the very narrow and steep Little Alfred Street. The increased occupancy arising from the proposed larger buildings would increase the existing traffic problems, and 24/7 residential occupancy would extend these problems throughout the day and week.</p> <p>(Diana and John Wyndham)</p> <p>Already you have traffic jams along Alfred Street North in the morning and the afternoon peaks. This proposal can only make matters worse, and not just on Alfred Street, but in/out of Whaling Rd and how Little Alfred St will cope is unthinkable.</p> <p>(Ken and Lesley Parker)</p> <p>A number of developments over the past years on Alfred St North and Little Alfred Street have resulted in congestion at the intersection Whaling Road and the Alfred Street North freeways of ramp both for entering and leaving Whaling Road. This is due to the current volume of traffic turning off Whaling Road into Little Alfred Street or traffic turning out of Little Alfred Street to Whaling Road and then onto Alfred Street. Given that it already suffers considerable congestion impacts Whaling Road and the freeway off road (Alfred St Norths), the addition of a tower block of mixed use residential and a large commercial building can only make this situation extreme and very dangerous for pedestrians (many people walk in this area) and motorists.</p> <p>(Elizabeth Powell and Cliff Bromiley)</p>	<p>residential trip generation rates are lower than the commercial rates.</p> <p>Traffic modelling was undertaken for the existing base case and the proposed development to the intersections of Little Alfred Street/Whaling Road and Neutral Street/Whaling Road. The intersections are currently operating at a 'A' (good operation) level of service and will continue to operate at this level as a result of the proposal.</p> <p>The TIA concludes that the proposal is not expected to result in any noticeable traffic impacts on the surrounding road network and therefore, no mitigation measures are required as the existing road network is expected to accommodate the proposed development traffic.</p> <p>In addition, there may be an opportunity to reduce the car parking spaces given the Precinct is well serviced by public transport (including the proposed Victoria Cross Metro Station, North Sydney railway station, bus services along Pacific Highway and North Sydney Ferry).</p>

Subject	Objection	Response
	<p>Warringah freeway upgrade: Increased traffic volume on Alfred street North combined with increased traffic turning left into whaling road and then immediately left again into little Alfred street because of the residential tower and commercial building in little Alfred Street is a perfect storm for extreme traffic congestion and dangerous conditions for motorists and pedestrians.</p> <p>The area is becoming an increasingly unpleasant place to live and walk around because of traffic noise and traffic congestion.</p> <p>(Elizabeth Powell and Cliff Bromiley)</p> <p>The precinct is only accessible for vehicles from Alfred Street, the whaling road and finally little Alfred Street, via to problematic junctions in Whaling road and the very narrow and steep little Alfred Street: the increased occupancy arising from the proposed larger buildings would exacerbate the existing traffic problems and 24/7 residential occupancy would extend their occurrence through the day and week.</p> <p>(Rosemary Townsend)</p> <p>Little Alfred is very narrow and only allows for the passage of a single vehicle. It simply would not be able to cope with the additional traffic in particular that access of heavy traffic for any development works.</p> <p>(Rosalie Windust)</p> <p>The likely increased am &amp; pm traffic bottlenecks at the Whaling Road, Little Alfred and Alfred Street intersection, as a result of not only the Alfred Street N development proposal but also the current residential town house proposal for the Little Alfred Street Tennis Courts. This increased congestion at the end of Whaling Road is likely to be exacerbated by the proposed Warringah Express Upgrade</p> <p>(Humphrey Armstrong and Di Derenzie)</p> <p>Poor access to the proposed development site, creating increased traffic congestion in an area which already has insufficient street parking for tradespeople and visitor of current residents.</p> <p>(Sandra Burke)</p> <p>Traffic in Whaling road is already at a standstill during peak hours and would be a disaster if such development were to proceed.</p>	

Subject	Objection	Response
	<p>(Andy Esteban)</p> <p>The neighbour committee is also concerned about the impact of the future residential development within the precinct on the availability of on street parking in the wider area. Parking is already significantly constrained in the area around the precinct with many existing residential properties do not have off street parking and parking restriction in place.</p> <p>(Design Collaborative on behalf of Byer Building Neighbours Committee)</p> <p>Traffic issues will increase &amp; be detrimental creating further adverse effects on our limited road space &amp; current lack of parking. With the two tower Bayer building increased tenant and tenanted 27/7 where will the overflow of 2<sup>nd</sup> cars, visitors &amp; tradesman park? Where will we as residents park? Our streets will face unprecedented disruptions to flow of traffic, not just at peak our by day &amp; night Whaling Road Heritage Precinct is a "NO THRU" road area of very limited accessibility &amp; road space.</p> <p>(Cristine James)</p> <p>Getting into and out of Whaling road is already hard with the amount of traffic that is banked up on Alfred Sr. The size and scale of this development would make this much worse. Parking in the area is already non-existent and this development would make this worse.</p> <p>(Dan McMillan)</p> <p>Whaling road is believed by RMS personnel to be the largest single traffic dead end in NSW. This one dead end street led to a closed network of 12 streets, 532 separate residences (including some residences on Clark road and on Alfred street norths) and over 15000 residents. The total number of resident vehicles in this large cul-de-sac is over 900. All of these vehicle's ingress and egress through just one point; a single un-signalled t-intersection where whaling road meet Alfred Street North.</p> <p>(Colin Lynch)</p> <p>Increase in density and associated impact on local traffic and parking – the Planning Proposal aims to increase the Gross Floor Area (GFA) by 60% across the Precinct, including by increasing the existing FSR of the Bayer Building from 7.3:1 to 9.3:1. This large increase in density would be accompanied by a significant increase in traffic and infrastructure/parking demands. The</p>	


Subject	Objection	Response
	<p><i>precinct is only accessible via Alfred St, Whaling Road and little Alfred Street, which encompasses two problematic junctions on Whaling road and a narrow and steep little Alfred Street. Increasing the density. And residential occupancy (as opposed to commercial occupancy) across the precinct would exacerbate existing traffic problems and extend these problems well beyond business hours throughout the week.</i></p> <p><i>(Anonymous)</i></p> <p><i>The increase in traffic from a 24-storey building of retail, office and residential apartments will severely impact the traffic flows in the area. Residents of such a building will have at least one if not two cars added to the current residential traffic flow that already was waiting period to get in and out of Whaling road in peak hour times. Having traffic entering and exiting such a high rise will cause a significant and potentially dangerous increase in congestion onto Whaling Road. This will affect those residents and those coming from neutral and Doris streets, including residents from the high-rise units at 22 Doris Street and those in the tower at the end of Whaling road.</i></p> <p><i>(L.S. Morrow)</i></p> <p><i>The Bayer proposal and associated re-development would only make resident vehicle. Access through the one Whaling Road entrance even more problematic for an already extremely difficult access (given its location to the bridge and other routes) which is a virtual stalemate at peak hours. This is exacerbated by endless parking issues for residents and visitors because of the intrinsic cramped residential and road situation for this enclave.</i></p> <p><i>(Barratt Hodson)</i></p> <p><i>Inadequate road infrastructure and concentration of use at peak times (e.g., Current use of roads is spread over 24 hours with commercial use during business hours and residential use after business hours. But converting to residential all uses will be concentrated on the non-business hours of the day) The existing Byer building already stresses the infrastructure and road network of our heritage precinct. The increased density and conversion to residential will stretch the limit beyond capacity closing off Little Alfred street during construction will be cause havoc and further congestion.</i></p> <p><i>(Paula Taylor)</i></p>	

Subject	Objection	Response
	<p><i>In the last few years there have been a number of high-rise apartments built and occupied, and the traffic around peak and school times has increased substantially. Adding another 156 residential dwelling I feel is not appropriate in the context of this neighbourhood.</i></p> <p><b>19.5 Western Harbour Tunnel</b></p> <p><i>It is further noted that the State Government has recently approved the EIS for the Western Harbour Tunnel proposal which includes changes to the road layout along Alfred Street, adjacent to the Precinct. This will have implications for the operation of the intersection of Alfred Street and Whaling Road.</i></p> <p><i>No decision should be made to progress the Planning Proposal until such impacts can be properly quantified and assessed.</i></p> <p><i>(North Sydney Council)</i></p> <p><i>The development proposed in the planning proposal would exacerbate existing traffic flow problems along Alfred Street between Mount Street and High Street and in Whaling Street.</i></p> <ul style="list-style-type: none"> <li><i>The planning proposal appears to take no account of, and it does not integrate with, planning and road changes proposed by Transport for NSW with respect to the Warringah Busway, Western Harbour tunnel and associated interchange at mount street and high street; the planning proposal and the transport for NSW changes are not compatible. In particular, the proposal for vehicle access to the building contemplated in the planning proposal to be via Whaling road and little Alfred street will cause significant and potentially dangerous disruption to traffic flow along Alfred Street pas the mount street towards the high street interchanges.</i></li> </ul> <p><i>(Andrew Want)</i></p> <p><i>The service roads around the freeway will be improved and expanded, including Alfred Street North. The southbound freeway off-ramp to Alfred Street North will be completely re-designed, as will the intersection of Alfred Street North and High Street. For the roadway as the front of the Bayer building and it neighbour, the main change will be a realignment and widening of lanes to improve safety and the abolition of on street parking spaces. The project planning assumes that driveway access from Alfred</i></p>	<p>The Western Harbour Tunnel &amp; Warringah Freeway Upgrade State Significant Infrastructure was approved on 21 January 2021. The Western Harbour Tunnel &amp; Warringah Freeway Upgrades were not considered in the Traffic Impact Assessment prepared by TTPP as the report was dated 21 March 2019 and these projects were not anywhere near as advanced as they are to date.</p> <p>A letter has been prepared by TTPP (refer to <b>Attachment 4</b>) which addresses the traffic impacts (during construction and operation) of the Western Harbour Tunnel &amp; Warringah Freeway Upgrade on the proposal. The letter concludes, the construction traffic travelling along Alfred Street North are considered to be minimal and are not expected to result in any adverse impact on Alfred Street North from a traffic perspective.</p> <p>In terms of operation, the proposal is expected to result in a net reduction in traffic compared to the existing potential traffic generation of the site. This is a result of the proposal significantly reducing the commercial floor area onsite, compared to existing conditions, to provide high density residential.</p> <p>On this basis, the proposed operational impacts associated with the project on the proposal is considered satisfactory.</p>

Subject	Objection	Response
	<p><i>Street North will be required for building on that block, and the lanes and land width have been aligned to cater for this. In contrast, it is important to note that the intersection of Alfred Street North and Whaling Road (the access to the whaling road dead end) will not be changed, in line with RMSs expectation that traffic flow in and out of the dead end will not change.</i></p> <p><i>(Colin Lynch)</i></p> <p><i>In addition, since PP2020-74 was lodged the Western Harbour Tunnel and Beaches Link has been approved – this involves upgrades to the Warringah Freeway. The site is adjacent to the 16 lanes of the Warringah Freeway and the impact of this should be taken into consideration.</i></p> <p><i>(Stephen Bool)</i></p> <p><i>The elements of the freeway upgrade project are not appropriately referenced in the proposal but have the potential to affect what is proposed at the Alfred street north interface. The changes proposed as part of the freeway upgrade must be considered in the context of the Alfred Street precinct proposal.</i></p>	
	<p><b>19.6 Closing off Little Alfred Street and turning circle</b></p> <p><i>Intense concentration of new residents and traffic in a heritage area without the infrastructure to accommodate such a massive increase in the size of this building. I live in a no through road area that can only exit via Whaling Road. This development plans to cut off my main access route, Little Alfred Street.</i></p> <p><i>(Rowan Wall)</i></p> <p><i>I will face a massive increase in traffic congestion as the current residents and residents in this enlarged tower go to and from work. Under the proposal we will be facing a solid wall with no setback on little Alfred Street, and a questionable turning circle once the street is closed.</i></p>	<p>There is no intention to close off Little Alfred Street and therefore the access to this objectors site will remain and there will be no turning circle created.</p>
	<p><b>19.7 Compliance with AUSTRROADS standards for Little Alfred Street</b></p> <p><i>Little Alfred Street is unsafe for more than very occasional traffic. The evidence for this is:</i></p>	<p>Little Alfred Street is a public road and compliance with AUSTRROAD standards is not a consideration for the Planning Proposal.</p>

Subject	Objection	Response
	<ul style="list-style-type: none"> <li>• <i>Non-compliant width. The width of the street is insufficient for two vehicles to pass each other in safety, and not compliant with AUSTRROAD standard</i></li> <li>• <i>Non-compliant gradient. The gradient of the street, at almost 1:3 where it is adjacent to the planning proposal site is one of the steepness in North Sydney, and non-compliant with AUSTRROADS standards</i></li> <li>• <i>Non-compliant form. The street included a blind corner on an incline (where it intersects with Ormiston Avenue) not compliant with AUSTRROADS standards</i></li> </ul> <p><i>(Colin Lynch)</i></p>	
	<p><b>19.8 Increased traffic and issues of access, amenity and safety along Little Alfred Street</b></p> <p><i>The current Bayer building has existing vehicular access from the rear. It may seem reasonable to simply continue this arrangement in any new development, however there are reasons why such equivalency does not apply in this case, as follows:</i></p> <ul style="list-style-type: none"> <li>• <i>Low use: The current 94 underground parking space in the Bayer building are mostly unused due to size. Built for the type of a typical car in 1970, the parking spaces are simply too small, and with access that is too tight, for most modern vehicles, even smaller ones. As a result, the rear access has never been heavily used, with many tenants preferring to simply park on local streets instead. A new building with AUSTRROADS compliant access and AUSTRROAD compliant parking space sizing count does not face this limitation and is likely to be fully utilised.</i></li> <li>• <i>The mixed use proposed zoning is likely to further increase traffic compared to the present, all commercial, use of the building.</i></li> </ul> <p><i>Continued availability of vehicular access via Little Alfred Street in any future development is thus likely to result in substantially increased traffic flow on Little Alfred Street compared to the present, with consequent issues of access, amenity and safety for all involved, including the new residents.</i></p> <p><i>(Colin Lynch)</i></p>	<p>It is reiterated that the proposal will reduce the future trips generated by 41 during the AM peak and 30 trips during the PM peak given the residential trip generation rates are lower than the commercial rates. Furthermore, the traffic modelling for the intersections of Little Alfred Street/Whaling Road and Neutral Street/Whaling Road demonstrated that these intersections will continue to operate at an 'A' (good operation) level of service. The proposal is not expected to result in any noticeable traffic impact on the surrounding road network. Furthermore, the proposal will reduce the number of vehicle access points along Little Alfred Street from 5 to 2 which will improve the amenity and safety along the street.</p>



Subject	Objection	Response
	<p><b>19.9 Consideration of Access Points</b></p> <p><i>It is noted that the illustration below (Extract from photo montage showing Little Alfred Street Montage (p.100 of the Urban Design Report) fails to show the vehicular access points at the northern end of the frontage which would also contribute to a very poor visual outcome for the streetscape. Added to this, is the fact that the landscaped setback is no longer required under the current planning proposal.</i></p> <p><i>(Design Collaborative on behalf of Byer Building Neighbours Committee)</i></p> 	<p>The photomontage is not a requirement for the Planning Proposal and has only been provided for illustrative purposes. The vehicle access points detailed in the site specific DCP which is to be negotiated with the Council given it is currently a 'draft' document and therefore will be further refined during this process.</p>
	<p><b>19.10 Safety concerns along Little Alfred Street</b></p> <p><i>The proposed two access point off the northern end of little Alfred Street is also of significant concern to the Neighbours committee on the basis of existing safety concern associated with the narrow and steep nature of that street with many drivers ignoring the existing 20km/hr speed limit.</i></p> <p><i>(Design Collaborative on behalf of Byer Building Neighbours Committee)</i></p>	<p>Concerns raised in relation to drivers speeding along Little Alfred Street would be a matter that should be raised separately with Council and the Planning Proposal is not the correct forum for this concern to be addressed.</p>

Subject	Objection	Response
	<p><b>19.11 Vehicle access to Site C if it redeveloped prior to Site D and restrictions for consolidated basement (for Sites C and D)</b></p> <p><i>The Site Specific DCP contains Section [1.1.10] Vehicle Access and Figure D-1.11, which is reproduced over page with red highlight added, and Provision P1: " Vehicle access for the Precinct is to be provided along Little Alfred Street and Whaling Road which is generally consistent with Figures D-1.10 to D-1.11". Currently Site C has vehicular access from both Alfred Street and Little Alfred Street. With amalgamation of Nos. 271 and 273 to form Site C, at least one vehicular access directly to the site from a public road is required to enable rational redevelopment to occur independently of the other sites.</i></p> <p><i>Independent development of the four sites (A – D) is a stated objective of the PP, which is contradicted by the above proposed vehicle access arrangements. It is considered that Little Alfred Street is the more likely of the two street frontages to retain vehicular access to Site C due to higher traffic volumes on Alfred Street, impacts of the Beaches Link project and via application of requirements in State Environmental Planning Policy (Infrastructure) 2007.</i></p> <p><i>Concern would still however be raised in relation to the mechanism or necessity of Site C to rely upon redevelopment of an adjoining site to enable its redevelopment potential – its redevelopment in isolation should be considered as part of this PP.</i></p> <p><i>(Mayoh Architects and dmp Town Planning on behalf of the owner of 271 and 273 Alfred Street, North Sydney)</i></p>	<p>Site C currently has vehicle access along Alfred Street. If Site C was to be redevelopment prior to Site D, whilst a consolidated basement could not be achieved (for Sites C and D), Site C could rely upon the existing vehicle access as a temporary solution until Site D is redeveloped.</p>
	<p><b>19.12 North-south pedestrian arcade has not been justified to include in the design</b></p> <p><i>We do not support the proposed north-south pedestrian link and proposed arcade. Firstly, this orientation of pedestrian arcade is repeating the public pedestrian access on both Alfred Street and Little Alfred Street which are already only 40 metres apart. There is no time saving or convenience offered to pedestrians from the proposed north-south link, and little amenity or visibility for retail or commercial activity likely to be afforded within this sunken arcade. Most of the local neighbourhood resides to the north and east of the</i></p>	<p>The north-south pedestrian arcade provides a linkage for pedestrians accessing the site from the south along Whaling Road to North Sydney CBD. The pedestrian arcade will provide further retail opportunities to activate the site and for social interaction. The pedestrian arcade will be partially open to the sky which will allow for solar access deep into the precinct.</p> <p>However, we would be open to the possibility to consider alternate through site links, but this should be negotiated</p>

Subject	Objection	Response
	<p><i>Precinct, rather than to the south, and the intensity of pedestrian movement in this proposed direction does not provide the necessary pedestrian density to justify its inclusion.</i></p> <p><i>Secondly, the arrangement of the pedestrian arcade as set out in the Site Specific DCP has several negative consequences. Refer to DCP Figures D-1.6 and D-1.3 Ground Floor Setbacks (reproduced below/over page). The position of the pedestrian arcade alongside the vehicular entrance ramp for Site D eliminates the potential to activate much of the arcade's western frontage. Building envelopes on the east side of the arcade are only 6 metres in depth. This depth is too narrow, when also allowing for structural support to Little Alfred Street and necessary wall thicknesses, to effectively occupy this space with active retail. The residential development above would also be similarly constrained in its design. None of the arcade frontages are visible from Alfred St or Little Alfred St.</i></p> <p><i>(Mayoh Architects and dmp Town Planning on behalf of the owner of 271 and 273 Alfred Street, North Sydney)</i></p> <p><i>The pedestrian arcade and through site link are of questionable utility given that the area to the east of the block as not high, permeable and pedestrian access limited to whaling road and Ormiston Avenue' (p.27) at either end of the precinct and therefore the need for multiple through site link is doubtful. In addition, the arcade and pedestrian through site link provide limited amenity and take up potential floor area that could be utilised to reduce the building heigh which is the aspect of the proposal that creates the greatest impact' (p.28).</i></p> <p><i>(Design Collaborative on behalf of Byer Building Neighbours Committee)</i></p> <p><i>The ground/level 1 links should be reconsidered and reviewed, together with the built form, to reduce the height of proposed built form and to provide a built form response which appropriately address the level of Little Alfred Street and the residential area beyond.</i></p> <p><i>(Design Collaborative on behalf of Byer Building Neighbours Committee)</i></p>	<p>with Council during the consideration of the Site Specific DCP following the adoption of the Planning Proposal.</p>

Subject	Objection	Response
	<p><i>Rather than providing a 9.5 metre wide privately owned pedestrian arcade within the centre of Sites C and D, it is suggested the north-south pedestrian arcade be abandoned to accommodate the widening of Little Alfred Street, and by increasing buildings setback, private landscaped entries could be achieved for fine grain residential development, and significant public domain improvements promoted. This situation would also accommodate local neighbourhood scale retail / commercial frontage. We suggest a 3.0 M to 4.5 M setback would be appropriate subject to further design study.</i></p> <p><i>(Mayoh Architects and dmp Town Planning on behalf of the owner of 271 and 273 Alfred Street, North Sydney)</i></p>	
	<p><b>19.13 Basement ramp to Site C will eliminate the potential for a pedestrian arcade</b></p> <p><i>The position of the pedestrian arcade eliminates the potential for a ramped vehicular access to Site C from Little Alfred Street (Refer to 3.2.1 for the need for this vehicular access). Owing to the topography of the site, with Little Alfred Street being an approximate full level above Alfred Street, access to Site C from Little Alfred Street is at Level 1 and will need to ramp down through the Ground Floor level before reaching a basement level. (Refer to DCP extract of Figure D-1.3 above).</i></p> <p><i>(Mayoh Architects and dmp Town Planning on behalf of the owner of 271 and 273 Alfred Street, North Sydney)</i></p>	<p>The scheme has been amended to remove the vehicle access point to Site C and it has been relocated to Site D along Whaling Street.</p>
	<p><b>19.14 Increased pedestrian activity</b></p> <p><i>Claimed public benefits such as expansions of pedestrian access are of questionable value particularly when the proposal Warringah freeway upgrade and its impacts are also taken into account. If the Alfred Street precinct proposal goes ahead it will result in increased pedestrian traffic, pedestrian noise, nocturnal light spill and other impact by drawing pedestrian and visitor attending commercial premises in the precinct right into little Alfred Street, which is a quiet residential street with limited car parking. This will be particularly problematic.</i></p> <p><i>(Anonymous)</i></p>	<p>The Planning Proposal seeks to revitalise the Precinct and create a lively mixed use precinct which will provide activities for day and night. However, in saying this, the main activities will be focused internally within the pedestrian arcade whilst the proposal will limit activity along Little Alfred Street. The pedestrian arcade is to create a community hub with a series of cafes/restaurants and public art displays spilling out which will promote community interaction.</p>

Subject	Objection	Response
	<p><b>19.15 Traffic Noise</b></p> <p><i>Given the location of the precinct adjoining the freeway, it will always be adversely affected by traffic noise which will reduce the attractiveness of the location for such leisure activities. In this regard it is noted that road and bus land changes proposed as part of the Harbour Tunnel/ Beaches link lock in Alfred, Mount and High Street as a critical part of the Arterial road system which is unlikely to support improved pedestrian and shopping environment in the Alfred Street precinct.</i></p> <p><i>(Design Collaborative on behalf of Byer Building Neighbours Committee)</i></p>	<p>Issues concerning traffic noise will be addressed in the future Development Application. Design measures will be considered in the design development that will mitigate traffic noise from the adjoining freeway. Furthermore, the main activities of the Precinct are anticipated to be focused internally within the pedestrian arcade to minimise impacts from the freeway.</p>
	<p><b>19.16 Accessibility during construction</b></p> <p><i>Such a proposal in this residential area would create enormous construction issues and you've got an Elevated busway to be constructed and increased Nth Sydney off ramp traffic to feed into Alfred street.</i></p> <p><i>(Ken and Lesley Parker)</i></p>	<p>Issues concerning construction will be addressed at the Development Application and Construction Certificate stage.</p>
<b>Community benefits</b>		
<p><b>20. Community benefits</b></p>	<p><b>20.1 Thoroughfare and limited open space opportunities</b></p> <p><i>It provides minimal public benefit in that the public accessible area within the site are mainly thoroughfare that provide access to commercial uses and have limited potential for use as open space and limited amenity.</i></p> <p><i>(North Sydney Council)</i></p>	<p>The proposal seeks to improve the public domain appearance by providing mature tree planting along the street frontages. The site falls just outside of the North Sydney CBD and whilst the proposal doesn't provide any open space, the nature of the CBD is generally not to incorporate open space. However, the site is located in close proximity to a number of open space opportunities including Alfred Street North Park, Warringa Park, Anderson Park, Milson Park and Forsyth Park.</p>
	<p><b>20.2 Legitimacy of proposed benefits</b></p> <p><i>The benefits associated with the proposal are considered to be questionable and do not justify its height and FSR or otherwise outweigh its adverse impacts. In particular, the Planning Proposal documents refers to landscaping along the site boundaries, setbacks to Little Alfred Street and pedestrian arcaded and link through the site. The outcomes suggested by</i></p>	<p>The proposal has demonstrated strategic and site specific merit and furthermore, the proposal outlines a number of public benefits which are considered to be legitimate and provide the community with a wide range of benefits. The public benefits are outlined below:</p> <ul style="list-style-type: none"> <li>• Improving the ground floor plane and public domain by providing a generous amount of landscaping,</li> </ul>

Subject	Objection	Response
	<p><i>the Planning Proposal in this regard, and the public domain outcomes should at 1.1.9 of the Site Specific DCP, are unsubstantiated and question at best.</i></p> <p><i>(Design Collaborative on behalf of Byer Building Neighbours Committee)</i></p> <p><i>As a resident, Planning Proposal PP-2020-74 feels like "all pain and no gain. It will substantially change the living amenity for the existing residents and there are no obvious benefits for the existing residential community. Green space, trees and sunshine are all scarce in this neighbourhood and will not be improved with Planning Proposal PP-2020-74.</i></p> <p><i>(Stephen Bool)</i></p>	<p>increasing the street setbacks and providing a pedestrian arcade at the ground floor which provides a series of laneways and through site links to improve permeability;</p> <ul style="list-style-type: none"> <li>• Create a lively mixed use precinct which will ensure activity throughout the day and night, activate the Precinct and provide opportunities for social interaction;</li> <li>• Create a mixed use Precinct which will integrate housing, employment opportunities and services and reduce the need for car travel whilst promoting cycling and walking in the locality;</li> <li>• Upgrading existing outdated commercial floor space which will provide employment opportunities and commercial spaces for small businesses, start ups and creative uses;</li> <li>• Increasing housing choice and stock in close proximity to a range of public transport options and other services;</li> <li>• Provide a monetary contribution to upgrades for surrounding open spaces and</li> <li>• affordable housing (or potentially within the development);</li> <li>• Providing an appropriate transition to the low scale development in the Conservation Area with a residential fine grain typology along Little Alfred Street, greater building envelope setbacks and a landscaping buffer;</li> <li>• Providing an opportunity to improve the façade and appearance of the existing Bayer Building through undertaking a design competition process; and</li> </ul> <p>Proposing a building envelope which will comply with ADG building separation distances and minimise amenity impacts to the surrounding Conservation Area with regard to overshadowing, privacy and view loss.</p>
<b>Construction issues</b>		
<b>21. Construction issues</b>	<b>21.1 Health impacts during construction</b>	Issues concerning construction will be addressed in the future Development Application, in particular construction

Subject	Objection	Response
	<p><i>If the proposal is approved, and development commences concurrently with the proposed Warringah Freeway Upgrade, health impacts on nearby residents will be of particular concern. The freeway upgrade construction, now approved, is likely to be over prolonged period of time. For residents, the likely cumulative impacts of these issues, particularly construction noise and vibration including sleep deprivation and disturbance, reduced air quality (dust generation), risk associated with asbestos removal, nocturnal light spill and traffic disruption from heavy vehicle movements, are unknown. They will, however, cause considerable anxiety so the mental health impacts on residents of this uncertainty cannot be overstated.</i></p>	<p>noise and vibration, air quality (dust generation), asbestos removal and construction traffic will be considered during the process.</p>
	<p><b>21.2 Asbestos removal and dust pollution</b></p> <p><i>Fallout from air borne dust and other particulates from the existing Warringah freeway and from on-going construction activity in the north Sydney CBD are already impacting on downwind residents such as those in Kurraba Road. It is unreasonable to expect that residents suffer an additional air pollution and fall out burden from any subsequent construction at the Alfred St precinct. This is of particular concern due to our understanding that there is asbestos in the Bayer building which will need to be removed or otherwise managed effectively in a safe way should the building be demolished or upgraded.</i></p>	<p>Issues concerning asbestos removal and dust pollution will be addressed in the future Development Application and standard conditions are generally imposed to minimise impacts to surrounding neighbours.</p>
	<p><b>21.3 Potential damage during excavation</b></p> <p><i>Height increases from double to up to six times the existing building would necessitate extensive excavation. Recent experiences around Sydney have demonstrated that neighbouring houses (and depending on fault lines those some distance away) are likely to be significantly damaged.</i></p> <p><i>(Lynda M. Fraser &amp; Mark S. Krieger)</i></p>	<p>The extent of excavation and potential impacts to surrounding neighbours will be considered as part of the future Development Application. If Council considers appropriate, a Dilapidation Report may be requested for sites that may be impacted.</p>
	<p><b>21.4 Construction noise</b></p> <p><i>The noise impact during what is likely to be several years of building activity right next to a low-density residential area would be severe.</i></p> <p><i>(Lynda M. Fraser &amp; Mark S. Krieger)</i></p>	<p>Issues concerning construction noise will be addressed in the future Development Application. Standard conditions will be imposed to mitigate construction noise for surrounding neighbours.</p>
<p><b>Other</b></p>		

Subject	Objection	Response
<p><b>22. Consultation</b></p>	<p><b>22.1 Consultation with Neighbours</b></p> <p><i>I have to say that within the current submission there seems to have been a number of statements by the applicant, these refer to myself my Company and our property 283 Alfred St North Sydney. Please note, I have different recollections to these statements. Since the Applicant included these statements in their application as supporting statements and reasons for their Application and now on the Public Record. Would like the Applicant to clarify these and the opportunity to discuss them before the Planning Panel.</i></p> <p><i>(Bruce Abrahams)</i></p>	<p>We have provided a detailed and honest recollection of the activities/correspondence provided to attempt to purchase 283 Alfred Street on pages 84 and 85 of the Planning Proposal Report.</p> <p>A number of attempts to purchase Site A has been made by the landowner of Site B at a fair market value, however the landowner of Site A is not willing to negotiate. The attempt to purchase the site is consistent with planning principle for site amalgamation, <i>Karavellas v Sutherland Shire Council [2004] NSWLEC 251 at 17-19</i>. This is addressed in detail in the Planning Proposal report.</p> <p>In addition, we have provided evidence of our dealings with the adjoining neighbour including correspondence to Bruce Abrahams regarding the purchasing of the adjoining site with the latest evidence in the letter dated 14 February 2019 from Fivex and independent site valuation dated 7 February 2019 and prepared by Cushman &amp; Wakefield. This demonstrates that we have made a genuine attempt to purchase the adjoining site at a fair market value.</p> <p>We are willing to continue to purchase the adjoining site, however we believe that the prospect of buying the site is very low.</p>
<p><b>23. Environmental issues</b></p>	<p><b>23.1 Air pollution issues</b></p> <p><i>There will be even greater environmental issues with the increased air pollution from stationary traffic, with engines running, waiting to get in and out of whaling Road in peak hours. This higher level of air pollution will be concentrated in a small area around residential home.</i></p> <p><i>(L.S. Morrow)</i></p>	<p>Issues concerning air pollution will be addressed in the future Development Application and are not a consideration for the Planning Proposal.</p>
<p><b>24. Diminish employment opportunities</b></p>	<p><b>24.1 Diminish employment opportunities</b></p> <p><i>By replacing commercial floor space with residential as proposed would surely diminish rather than enhance opportunities for new employment as argued in the proposal.</i></p>	<p>The current commercial floor space is coming to the end of its useful economic life and the proposal will provide an opportunity to improve the existing commercial floor space. The new commercial floorspace will be suited to current employment needs and will provide spaces for small</p>



Subject	Objection	Response
	<i>(Alistair Stevenson)</i>	businesses, start ups and creative uses that will support the North Sydney CBD.
<b>25. Local infrastructure</b>	<p><b>25.1 Impacts on local Infrastructure</b></p> <p><i>No mention is made of the increased pressure this proposal will place upon already overstretched local resources such as recreational facilities.</i></p> <p><i>(Alistair Stevenson)</i></p>	<p>Whilst the Planning Proposal will increase the potential density to the site, it is not considered to but significant additional pressure on surrounding local infrastructure. Generally, the proposal seeks to utilise and support local infrastructure including the new Sydney Metro station.</p>
<b>26. Setbacks of the Bayer Building</b>	<p><b>26.1 Existing structure and setback of Bayer Building</b></p> <p><i>In reviewing both the Reference Scheme and the Overshadowing Analysis, we have found that the Site B tower footprint is larger than the existing Bayer building footprint. We also note the Site Specific DCP setback diagrams do not prescribe any setback restrictions on the Site B tower.</i></p> <p><i>(Mayoh)</i></p>	<p>It is intended to retain the existing building frame of the Bayer Building, overhaul the services and update the commercial floorplates. This would involve significant reconfiguration of the ground floor to accommodate retail uses and deliver the pedestrian arcade.</p>
<b>27. Electricity infrastructure and solar energy</b>	<p><b>27.1 Impact on solar energy</b></p> <p><i>For neighbours with solar panelling, this will naturally cause more issues and a further drain on the grid. Whilst there appears to be continual maintenance on our power supply, during the heat wave I have suffered blackouts as has North Sydney CBD with the higher demand for energy.</i></p> <p><i>(Brenda Park)</i></p>	<p>If additional power supply is required, this will be addressed at the future Development Application stage. Also, the impact upon solar panelling will be an issue addressed at Development Application stage.</p>
<b>28. Economic benefits versus community benefits</b>	<p><b>28.1 Impacts to community so the proponent can economically benefit</b></p> <p><i>It is not appropriate, or fair, that existing owner in the Whaling Road Precinct should in effect be compelled against our will to subsidise the development of the Alfred Street Precinct, by suffering loss so that the proponent can economically benefit from the Planning Proposal.</i></p> <p><i>(Andrew want)</i></p>	<p>The proposal seeks to revitalise the existing precinct and improve the interface with the Whaling Road Heritage Conservation Area. The redevelopment of the precinct incorporates a number of public benefits for the community which include:</p> <ul style="list-style-type: none"> <li>• Improving the public domain by widening the footpaths and providing mature trees along the street frontages;</li> <li>• Improving permeability in and around the precinct;</li> <li>• Providing a lively mixed use precinct with activity during the day and night and opportunities for social interaction; and</li> </ul>

Subject	Objection	Response
		<ul style="list-style-type: none"> <li>Provide a monetary contribution for upgrades to surrounding parks.</li> </ul>
<b>29. Excavation and landscaping</b>	<p><b>29.1 Extent of excavation and limited landscaping potential</b></p> <p><i>The lack of amalgamation across the precinct also increases the extent of excavation required to provide the necessary facilities for each development on each site. The planning proposal shows that the precinct will be fully excavated at the Basement levels. This will, in turn, compromise any landscaping provided at the ground level above.</i></p> <p><i>(Design Collaborative on behalf of Byer Building Neighbours Committee)</i></p>	<p>The site falls just outside of the North Sydney CBD and whilst the proposal doesn't provide any deep soil landscaping, its typical for Mixed Use zones to not incorporate any landscaping. Furthermore, the existing site has limited landscaping. However, the proposal will incorporate mature tree plantings along the street frontage and elevated landscaping podiums which will increase the urban tree canopy.</p>
<b>30. Through site link to Site C</b>	<p><b>30.1 Function of through site link for Site C</b></p> <p><i>With Sites C and D intended to be independently developed, a staged implementation of this arcade would also prove to be a further disincentive for the first of the two Sites to redevelop, i.e., the pedestrian arcade would only ever function safely and effectively if both or all sites re-develop concurrently.</i></p> <p><i>(Mayoh Architects and dmp Town Planning on behalf of the owner of 271 and 273 Alfred Street, North Sydney)</i></p>	<p>It is reiterated that we are open to the possibility to reconsider the north-south through site links, but this should be negotiated with Council during the consideration of the Site Specific DCP following the adoption of the Planning Proposal.</p>
<b>31. Amalgamation</b>	<p><b>31.1 Issues associated with amalgamation</b></p> <p><i>It does not encourage the amalgamation of lots to</i></p> <ul style="list-style-type: none"> <li><i>Allow adequate flexibility in the manner in which built form is distributed on the site to minimise impact;</i></li> <li><i>Minimise vehicular access point and parking related structure on little Alfred Street and</i></li> <li><i>Allow an appropriate and efficient basement parking arrangement</i></li> </ul> <p><i>(North Sydney Council)</i></p> <p><i>The piecemeal approach reduces the flexibility of the built form response and the ability of the planning proposal to minimise external impacts, particular bulk impacts associated with the built form as described above, as well as access and parking and public domain/landscape impacts. This issue arises as each site is to be developed to meet its individual development</i></p>	<p>The proposal will require 271 and 273 Alfred Street to amalgamate to create Site C and for 263-269 Alfred Street and Little Alfred Street (strata buildings) to amalgamate to create Site D. The proposal minimises the number of landowners required to amalgamate to ensure the Precinct is able to be redeveloped.</p> <p>The built form has been established to seek a balance between amenity, appropriate building envelope, public benefit, economic viability and development surety. The building envelopes are generally consistent with Council's draft Precinct Planning Study whilst it allows individual sites to be redeveloped in isolation.</p> <p>If a consolidated basement and singular vehicle access point was proposed it would be difficult to deliver given the</p>

Subject	Objection	Response
	<p><i>potential, reducing the flexibility in the siting of FSR relative to the neighbouring areas.</i></p> <p><i>Difficulties in amalgamating the site as suggested in the Planning proposal should not outweigh the achievement of a better planning outcome for the precinct and wider area.</i></p> <p><i>(Design Collaborative on behalf of Byer Building Neighbours Committee)</i></p>	<p>number of land owners that would need to be coordinated. The proposed basement layout and vehicle access points, enables the proposal to be delivered.</p>
<p><b>32. Economic impacts</b></p>	<p><b>32.1 Viability of retail development along pedestrian arcade</b></p> <p><i>The lack of street frontage to the pedestrian arcade retail frontages will result in floorspace which is not viable to let as retail, and at best will be occupied by low-cost commercial floorspace which will not drive pedestrian foot traffic as intended.</i></p> <p><i>(Mayoh Architects and dmp Town Planning on behalf of the owner of 271 and 273 Alfred Street, North Sydney)</i></p>	<p>It is reiterated that we are open to the possibility to reconsider the north-south through site links, but this should be negotiated with Council during the consideration of the Site Specific DCP following the adoption of the Planning Proposal.</p>
<p><b>33. Owners consent</b></p>	<p><b>33.1 Owners Consent</b></p> <p><i>Despite the proponent stating that communication was attempted with the owners of this land, no reply had apparently been received this then begs the question of how a proposed rezoning (and subsequent development) can be feasible over land not owned by the proponent without consent of the other owners.</i></p> <p><i>(Anonymous)</i></p>	<p>Land owners consent is not required under the Environmental Planning and Assessment Act 1979 (EP&amp;A Act) nor the Environmental Planning and Assessment Regulations (Regulations) to lodge or determine a Planning Proposal. However, North Sydney Council requires owners consent to be provided as part of the Planning Proposal lodgement process. In this regard, we attempted to obtain owners consent from all the landowners however they did not respond. Notwithstanding this, consent was provided by Benmill Pty Ltd &amp; JB No. 3 Pty Ltd who own 275 Alfred Street.</p>
<p><b>34. Precinct response</b></p>	<p><b>34.1 Benefits to one landowner</b></p> <p><i>Despite appearing to represent a whole of precinct response, the current proposal has been drafted so that it only benefits one landowner in reality. The other properties adjoining from the proposes are effectively sterilised by the proposed planning controls.</i></p> <p><i>(Tract Consultant on behalf of Site D)</i></p>	<p>The Planning Proposal has been prepared as a Precinct wide proposal to benefit the entire Precinct and not just the Bayer Building. The proposal seeks an increase in density to the entire precinct and not just the Bayer Building.</p>