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27 February 2023

Adam Iskander
Department of Planning and Environment
12 Darcy Street, Parramatta
Locked Bag 5022
Parramatta NSW 2124

Dear Adam,

PP-2021-2926 - RESPONSE TO PUBLIC SUBMISSIONS - 253-267 PACIFIC HIGHWAY, NORTH SYDNEY

This letter has been prepared to respond to public submissions received during the exhibition of PP-2021-2026 for 253-267 Pacific Highway, North Sydney.

During this period submissions were received from:

- 36 submissions objecting to the proposal, plus a petition signed by 23 residents; and
- 16 submissions in support of the proposal

The key matters raised in the submissions in support of the proposal include:

- Proposal will result in the demolition of existing buildings which are in poor condition with a new contemporary mixed-use development which will improve the streetscape.
- Proposal will improve housing availability the area which is currently in short supply particularly for young professionals.
- Additional housing will support local small businesses and provide new retail opportunities.
- Location of additional housing is appropriate given proximity to new Victoria Cross Metro station and will encourage public transport usage.
- Proposal provides additional onsite parking in a highly accessible location and therefore will reduce the demand for on street parking which is currently lacking in the area.
- Proposal will restore the existing heritage building at 265 Pacific Highway.

The key matters raised in the submissions objecting to the proposal include:

- Building height - bulk and scale
- Overshadowing
- Visual privacy

- Heritage impact
- Impact on skyline
- Traffic and parking
- Wind tunnel effects
- Councillors' decision to not support the Planning Proposal
- Lack of community engagement

The following table provides a response to the key issues raised in the public submissions objecting to the proposal.

Table 1 – Response to Public Submissions

| Issue | Applicant Response |
|---|---|
| Building height – bulk and scale | <p>The Planning Proposal seeks an amendment to the built form LEP controls in line with Council's own strategic vision for the site. The Proposal facilitates future development that would achieve a built form and scale outcome that is consistent with Council's endorsed Civic Precinct Planning Study (CPPS), which was subject to formal public exhibition processes and refinement based on community feedback. Consistent with the CPPS, the indicative reference design associated with the Planning Proposal provides a distinct podium and tower form with the maximum built form height of 10 storeys stepping down to 8 further north towards the Civic Precinct. Above podium setbacks provide transitions in height and scale to the adjoining heritage buildings and ensure adequate separation is provided between the tower form and the heritage conservation area.</p> <p>The reference scheme and proposed building heights have been designed to achieve a human scale podium level, building heights and breaks which provide for view sharing, and to promote a shared and active environment and a high-quality landscaped outcome within both the public and private domain.</p> <p>Overall, the proposed building heights:</p> <ul style="list-style-type: none"> ▪ Are based on the urban design framework adopted by North Sydney Council as outlined in the CPPS which identifies the site as a transition site with an opportunity for density uplift. ▪ Will provide increased opportunities for height and density within 300m of the station to contribute to the transit-oriented development around the new Metro Station. ▪ Respond to the role of Pacific Highway within North Sydney CBD whilst also transitioning from the increased height of the CBD to the city edge. |

| Issue | Applicant Response |
|---|---|
| | <ul style="list-style-type: none"> ▪ Achieve an appropriate built form relationship to the existing heritage items and conservation areas consistent with the character of North Sydney. ▪ Minimise any adverse shadow impacts to the adjoining houses and school. ▪ Moderate scale to the laneway. <p>The tailored building height controls provided in the draft site specific DCP will further ensure that any future development provides a contextually appropriate outcome having regard to the future higher building heights to the south and the established residential area to the east.</p> |
| Overshadowing – particularly to school | <p>The consideration of off-site environmental impacts such as overshadowing have been extensively considered. Arising from the ongoing feedback during the earlier stages of the process, the indicative reference design was previously amended resulting in reduced podium height, increased setbacks and lower building height, which ultimately ensures that the site will achieve an acceptable impact on the locality, consistent with that envisaged by Council when adopting the CPPS.</p> <p>In terms of overshadowing, the shadow study submitted with the Planning Proposal demonstrates that no additional overshadowing will impact the primary school play areas during school hours 9am – 3pm during mid-winter. During school hours, the overshadowing caused by the proposal will fall within the existing shadow of the school building. Between 8:30am and 9am, a minor area of additional overshadowing will impact the southwestern corner of the school site however, the additional overshadowing falls within the overshadowing cast by the building envelope anticipated in Council's CPPS.</p> |
| Visual privacy | <p>The proposed building achieves reasonable separation, amenity and outlook for neighbouring dwellings. To address visual privacy concerns to dwellings across Church Lane, an increased secondary setback to Church Lane (east) has been provided as part of the vertical tower articulation zones fronting Church Lane. Further, the proposed internal layout locates the lift core to the eastern side of the tower building. A blank feature wall is also provided to part of the upper levels of the eastern façade and all apartment balconies have been oriented away from the eastern boundary to minimise the potential for overlooking. A draft site specific DCP has been prepared which provides additional detailed built form controls to ensure that any future</p> |

| Issue | Applicant Response |
|-------------------------------|---|
| | <p>development on the site has regard to the visual privacy of adjoining residences.</p> |
| <p>Heritage impact</p> | <p>A Heritage Impact Statement prepared by NBRS confirms the proposal will have an acceptable impact in relation to the curtilage and relationship to the existing heritage item on the site at No. 265 Pacific Highway and its height relationship with the adjoining heritage conservation area.</p> <p>The proposed building envelope will deliver a three-storey podium which is consistent with the CPPS building envelope plan and which matches the scale of the mid-block heritage item and prevailing streetscape along the Pacific Highway.</p> <p>The heritage item on site will be retained and integrated as part of the podium development. Adequate legibility and articulation is provided at the podium level to highlight the heritage item. The single form with appropriate setbacks to the heritage item, conservation area and the laneway will support the desired intensification around the station whilst responding to the heritage and conservation area context.</p> <p>Whilst the new building will form a backdrop in some views across the conservation area, it will not diminish the appreciation of the scale and character of the buildings that lie within the conservation area, nor will it alter how the conservation area is appreciated from the public domain given the density of development that already exists along Pacific Highway.</p> <p>The McLaren Street conservation area is characterised by a mix of residential and civic buildings; this variety in character will continue to be appreciated and be interpreted by those living, working and passing through the streets of the conservation area.</p> <p>A 9m tower setback to the conservation area to the east ensures a high-quality urban outcome with appropriate transitional separation between the existing and future context. This includes achieving an appropriate interface with the scale and character of the adjacent conservation area.</p> <p>Overall, the proposed will:</p> <ul style="list-style-type: none"> ▪ Provide an appropriate curtilage around the heritage item. ▪ Continue the visual connection between McLaren Street and Crows Nest Conservation areas. ▪ Concentrate height and scale along the Pacific Highway frontage to maximise separation to the conservation area. <p>The heritage assessment was supported by the Local Planning Panel and Council officers who concluded the following in their assessments:</p> |

| Issue | Applicant Response |
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| | <ul style="list-style-type: none"> ▪ <i>The proposal includes a stepped podium resulting in human-scale spaces along Pacific Highway and an appropriate interface and scale with the contributory building at No. 6-8 McLaren Street; and</i> ▪ <i>The proposal will have an acceptable impact in relation to heritage and conservation in relation to the curtilage and relationship to the existing heritage item on the site at No. 265 Pacific Highway and its height relationship with the adjoining conservation area.</i> |
| Impact on skyline | <p>The skyline of North Sydney is set to undergo a transformation, with a number of key factors contributing to the evolution of North Sydney as a strategic centre within the global economic corridor.</p> <p>The stepped podium form proposed improves the street wall proportions as the desired stepped tower skyline profile transitions from the taller tower clusters in the CBD (south) to the lower scale areas further north.</p> <p>The proposed massing provides a distinct podium and tower form with the maximum built form height of 10 storeys stepping down to 8 further north towards the Civic Precinct, as per the building envelope map in the CPPS.</p> <p>The reference design includes vertical indentations/articulation to reduce the perceived bulk and scale of a larger scale development and to break up the continuity of the street wall to in response to the existing lot patterns and/or finer-grain context.</p> <p>Overall, the proposal provides a gradual transition between the lower scale development to the north and CBD high density area to the south with a stepped massing of the main building. It locates a taller building form on the southernmost block to transition between the Civic Precinct and the CBD high-density area and building heights that are consistent with the building envelope identified in CPPS.</p> |
| Traffic and parking | <p>A Traffic Impact Assessment prepared by JMT Consulting accompanies the Planning Proposal which confirms the proposal is acceptable from a traffic and parking perspective.</p> <p>The key findings are summarised below:</p> <ul style="list-style-type: none"> ▪ Under the indicative architecture concept vehicle access would be provided off Church Lane to minimise conflicts with pedestrians and general traffic along the Pacific Highway. ▪ The proposed on-site parking provision, based on the reference design prepared for the Planning Proposal, is less than the maximum permissible under Council's DCP parking rates for B4 zoned areas. |

| Issue | Applicant Response |
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| | <ul style="list-style-type: none"> ▪ The site is located in close proximity to various public transport facilities, including North Sydney transport interchange, nearby bus stops and the future Victoria Cross Metro station only 260m away, with any future development not expected to not generate significant traffic impacts. ▪ Analysis indicates that the potential increase in traffic as a result of the Planning Proposal is an additional 11 vehicles in the AM peak hour and 10 vehicles in the PM peak hour. This volume of additional traffic is considered negligible in the context of existing traffic flows and would not impact the operation of the surrounding road network. ▪ Service vehicle parking is proposed in accordance with the requirements set out in the North Sydney DCP. ▪ Secure bicycle parking would be provided as a component of any future proposed development, in line with rates specified in the North Sydney DCP. <p>In the above context, the traffic and transport impacts arising from the proposal are considered acceptable.</p> |
| Wind | <p>A review of the indicative reference design supporting the Planning Proposal has been undertaken by Vipac Engineers and Scientists to provide an opinion on the likely impact of the local wind environment to the critical outdoor areas within and around the subject site. The assessment confirms that:</p> <ul style="list-style-type: none"> ▪ The adjacent footpaths are expected to have wind levels within the walking comfort criterion; ▪ The wind conditions at the building entrances are expected to be within the recommended standing criterion; and ▪ The Level 7 communal terrace is expected to have wind levels within the recommended walking comfort criterion with the proposed 1.8 metre balustrades incorporated. <p>Overall, whilst the proposed development is anticipated to result in some changes to wind conditions to adjacent ground level areas, it is expected that wind levels will remain within the recommended comfort criteria, and therefore minimal mitigation is required.</p> |
| Councillors' decision to not | <p>The Council officers and Local Planning Panel both recommended the Planning Proposal proceed to Gateway, however the elected Councillors</p> |

| Issue | Applicant Response |
|--------------------------------------|--|
| support the Planning Proposal | <p>subsequently put forward an alternative resolution that did not support the Planning Proposal proceed to Gateway.</p> <p>Noting Council's position, this Planning Proposal requested a fresh and independent review from the Sydney North Planning Panel, because:</p> <ul style="list-style-type: none"> ▪ The Planning Proposal demonstrates both strategic merit and site-specific merit. ▪ The Planning Proposal is entirely consistent with Council's Civic Precinct Planning Study. ▪ The Council officer assessment report was supportive of the amended Planning Proposal as informed by the DEP review. ▪ The Local Planning Panel (LPP) was supportive of the progression of the amended Planning Proposal to a Gateway Determination. ▪ However, notwithstanding the above, the Councillors ultimately resolved to amend the officer recommendation and refused to support the Planning Proposal proceed to Gateway. <p>The issues underpinning the elected Councillors ultimate resolution have all been addressed through the 2-year process since lodgement of the original Planning Proposal.</p> |
| Community engagement | <p>Extensive landowner-initiated engagement has been undertaken with the local community to address a range of matters. A Stakeholder and Community Consultation Strategy was developed following submission of the Planning Proposal.</p> <p>In summary, the consultation activities included:</p> <ul style="list-style-type: none"> ▪ Distribution of a letter and project fact sheet to residents and neighbours notifying them of the Planning Proposal; ▪ Door knock of residents in nearby properties; ▪ Community information and feedback sessions; ▪ Consultation with stakeholders and interest groups; and ▪ Communication channels including a dedicated project phone number and email address. <p>The feedback received is summarised in the Community and Stakeholder Engagement Outcomes Report submitted with the Planning Proposal.</p> |

Kind regards,



A handwritten signature in black ink, appearing to read "Croucamp", written over a horizontal line.

Christopher Croucamp
Senior Consultant
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ccroucamp@urbis.com.au

From: [Douglas Cunningham](#)
To: [Rachel Hughes](#)
Subject: FW: Confirmation of submissions - 253-267 Pacific Highway North Sydney (PP-2021-2926)
Date: Tuesday, 18 April 2023 3:03:00 PM
Attachments: [image015.png](#)
[image016.png](#)
[image017.png](#)
[image018.png](#)
[image019.png](#)
[image020.png](#)
[image021.png](#)
[image001.gif](#)
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[image006.png](#)
[image007.png](#)

From: Christopher Croucamp <ccroucamp@urbis.com.au>
Sent: Thursday, 13 April 2023 3:15 PM
To: Renee Ezzy <renee.ezzy@dpie.nsw.gov.au>
Cc: Kendall Clydsdale <kendall.clydsdale@dpie.nsw.gov.au>
Subject: RE: Confirmation of submissions - 253-267 Pacific Highway North Sydney (PP-2021-2926)

Hi Renee,

Thanks for your email, the below is noted.

Kind regards,

CHRISTOPHER CROUCAMP

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From: Renee Ezzy <renee.ezzy@dpie.nsw.gov.au>
Sent: Thursday, April 13, 2023 3:05 PM
To: Christopher Croucamp <ccroucamp@urbis.com.au>
Cc: Kendall Clydsdale <kendall.clydsdale@dpie.nsw.gov.au>
Subject: Confirmation of submissions - 253-267 Pacific Highway North Sydney (PP-2021-2926)

Hi Christopher,

We are currently finalising our report package for the Panel and I wanted to just highlight that the final submission numbers for this proposal includes a total of 53 submissions. These are broken down as follows:

- 50 public submissions (16 in support, 34 objections)
- 1 petition containing 88 signatures
- 2 agency responses

I note that your response to submissions refers to the following numbers which are slightly different:

- *36 submissions objecting to the proposal,*
- *plus a petition signed by 23 residents; and*
- *16 submissions in support of the proposal*

These numbers will be detailed within the report to Panel so I wanted to ensure that you were aware of any difference between the Department's report and your proponents response.

If you have any queries at all in relation to this matter, please don't hesitate to contact me.

Kindest regards,

Renee Ezzy

Senior Planning Officer, Agile Planning
Delivery, Coordination, Digital and Insights | Planning Group

Department of Planning and Environment

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Working days Monday to Friday, 08:30am - 05:00pm



I acknowledge the traditional custodians of the land and pay respects to Elders past and present. I also acknowledge all the Aboriginal and Torres Strait Islander staff working with NSW Government at this time.

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