

Summary of Submissions

PP 2021-2926

Submission Name	Issues Raised	Proponent Response	Department Response
Council Submission			
North Sydney Council	N/A	No response provided	Council confirmed by email on 6 March 2023 that it would not provide a submission on the proposal.
Agency Submissions			
Sydney Water	Water servicing: Amplifications, adjustments and/or minor extensions may be required to the potable watermain (DN125 PE, laid in 2012) on Pacific Highway.	No response provided	Noted. Infrastructure capacity can be further addressed and assessed at the DA stage.
	Waste water servicing: Amplifications, adjustments and/or minor extensions may be required to the wastewater main (DN225 SGW, laid in 1895) on Church Lane.	No response provided	
	Proponent to contact Sydney Water to discuss servicing. Detailed requirements will be provided once the development is referred to Sydney Water for a Section 73 application.	No response provided	

Summary of Submissions

PP 2021-2926

Submission Name	Issues Raised	Proponent Response	Department Response
Transport for NSW (TfNSW)	<i>Noise:</i> Future development on the site should consider appropriate noise attenuation measures through design measures, architectural treatments, setbacks etc. particularly along the Pacific Highway frontage to mitigate current and future road traffic noise.	No response provided	Noted. A draft site-specific Development Control Plan (DCP) was exhibited with the planning proposal. The draft DCP provides for built form and character controls. The site-specific DCP will be finalised by North Sydney Council. The recommendations provided by TfNSW will be forwarded on to Council for consideration in the finalisation of the DCP. Appropriate noise attenuation measures can be further addressed and assessed at the DA stage.
	<i>Transport Planning:</i> Loading and servicing demands should be accommodated within the site and not rely on kerbside space. Spaces for freight and service vehicles should be provided within the development.	No response provided	This recommendation will be forwarded on to Council for consideration in the finalisation of the site-specific DCP. The proposal is an indicative building form only. Any potential traffic impacts and infrastructure capacity can be further addressed and assessed at the DA stage.
	<i>Active Transport:</i> Cycling facilities should be provided above the minimum required by	No response provided	This recommendation will be forwarded on to Council for

Summary of Submissions

PP 2021-2926

Submission Name	Issues Raised	Proponent Response	Department Response
	<p>Council's DCP to encourage active transport, as the site is located close to North Sydney Station. Suggested provisions for the draft DCP and/or future DA for the site include:</p> <ul style="list-style-type: none">i. A minimum of 1 secure bicycle space per 100sqm of commercial/retail floor space;ii. Adequate end of trip facilities including lockers, showers, etc. for use by commercial or retail tenants; andiii. Providing a bicycle rack within the site boundary for use by visitors/customers.		<p>consideration in the finalisation of the site-specific DCP.</p> <p>The proposal is an indicative built form only. The provision of active transport facilities can be addressed and assessed at the DA stage.</p>
	<p>Cycling Network / Strategy:</p> <p>It is noted that the proposal is adjacent to cycle links that have been identified by North Sydney Council along both the Pacific Highway and Church Lane (Identified in Council's Integrated Cycling Strategy).</p> <p>The cycling link may form part of TfNSW's Strategic cycleway corridors network.</p>	No response provided	<p>A draft site-specific DCP was exhibited with the planning proposal that provides for built form and character controls, including the widening of Church Lane to 6m. The recommendation to install a shared zone with a 10km/per hour speed limit along Church Lane, will be forwarded on to Council for consideration in the finalisation of the site-specific DCP.</p>

Summary of Submissions

PP 2021-2926

Submission Name	Issues Raised	Proponent Response	Department Response
	An increase in residential density and therefore vehicle use resulting from the development may negatively impact the proposed cycle link along Church Lane. TfNSW recommends that the proponent note the above cycling connections in their proposal and acknowledge the potential negative impacts by identifying suitable mitigations such as the installation of a 10kmh shared zone on Church Lane.		The recommendation by TfNSW for the proponent to note and amend the proposal to address the potential impact of an increase in residential density and vehicle use on the cycling connections along the Pacific Highway and Church Lane identified in Council's Integrated Cycling Strategy is noted. As this is an indicative proposal, further input and design changes will be available as part of the DA process.

Key Issue	Number of Submissions	Issues Raised	Proponent Response	Department Response
Community Submissions				
Petition	88 people signed the petition	<ul style="list-style-type: none"> Objection to height limit: Objection to proposed building heights of 29 to 37 m (8-10 storey residential buildings) as excessive. The increase in heights is considered to be inconsistent with the unique and transitional character between North Sydney and Crows Nest, as well as the 	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	The proposed amendments to the built form LEP controls will facilitate the delivery of new housing in proximity to retail and services, public transport and infrastructure, consistent with the <i>Greater Sydney Region Plan (A Metropolis of Three Cities)</i> , the <i>North District Plan</i> , the <i>North Sydney Local Strategic Planning Statement (LSPS)</i> , the

Summary of Submissions

PP 2021-2926

Key Issue	Number of Submissions	Issues Raised	Proponent Response	Department Response
		<p>existing step down of building heights along the Pacific Highway.</p> <ul style="list-style-type: none"> Recommends: Change the proposed building height limit to a maximum of 12 to 18m (up to 5 storeys). This is considered to still achieve the strategic planning goals, with significantly less adverse impacts on solar access to surrounding properties. 	<p>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.</p> <p>Above the 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><i>North Sydney Local Housing Strategy</i> (LHS) and <i>North Sydney Council's Civic Precinct Planning Study</i> (CPPS).</p> <p>The concept reference scheme provided with the proposal is consistent with the CPPS as a medium-scale building that supports the transition between the North Sydney CBD and the Civic Precinct. The site is supported by accessibility to jobs, services, transport, social infrastructure and recreational areas in the North Sydney LGA where there is a growing demand for housing.</p>
Object: Building height and scale	30	<ul style="list-style-type: none"> 60% of submissions raised concern with the increased building height. The 37m height limit will dominate the conservation area of Church 	<p>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 	<p>The proposed height limits are consistent with the CPPS.</p> <p>The increased height limit for the site will enable the delivery of 37 new</p>

Summary of Submissions

PP 2021-2926

Key Issue	Number of Submissions	Issues Raised	Proponent Response	Department Response
		<p>and McLaren Streets creating amenity issues, including overshadowing and the loss of views.</p> <ul style="list-style-type: none"> The height changes are not in the character of the Stanton precinct. The increase in height is excessive and does not serve to meet the purported strategic planning benefits not already served by the existing height limits. Excessive bulk and scale of the proposal. Poor height transition outcomes to 6-8 McLaren Street. The proposed building height will cause overlooking of the school playground. The project will create a precedent for other buildings in the area, particularly for 1 McLaren Street. 	<p>which identifies the site as a transition site with an opportunity for density uplift.</p> <ul style="list-style-type: none"> 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. 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. The tailored building height controls provided in the draft site specific DCP will further ensure that any future development provides a 	<p>dwelling, supported by accessibility to jobs, services, transport, social infrastructure and recreational areas in the North Sydney LGA where there is a growing demand for new housing.</p> <p>The site is located outside of the McLaren Street Heritage Conservation Area however the proposal includes the adaptive reuse of the local heritage item "The Cloisters" at 265 Pacific Highway. The design has considered the podium height and setback from the local heritage item in accordance with the CPPS.</p> <p>The proposed amendments respond to nearby ongoing infrastructure development in the North Sydney area (eg. construction of Victoria Metro Station) and will allow for a moderate increase to housing supply within the North Sydney Civic Precinct.</p>

Summary of Submissions

PP 2021-2926

Key Issue	Number of Submissions	Issues Raised	Proponent Response	Department Response
			contextually appropriate outcome having regard to the future higher building heights to the south and the established residential area to the east.	

Summary of Submissions

PP 2021-2926

Key Issue	Number of Submissions	Issues Raised	Proponent Response	Department Response
Object: Overshadowing impacts	19	<ul style="list-style-type: none">38% of the submissions raised overshadowing as a negative impact of the project.The proposal would result in overshadowing impacts to:<ul style="list-style-type: none">Nearby residential apartmentsthe North Sydney Public School playground including during recess/morning tea.The proposed building height will erode solar access for businesses and pedestrians	<p>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>Regarding the overshadowing impacts into the local school (North Sydney Public School) 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>	<p>A shadow analysis prepared by PTW Architects demonstrates some additional overshadowing beyond the existing school buildings and shadow impacts modelled in the CPPS. The additional overshadowing occurs briefly during the 8:15am period. This additional shadow is not considered to have a material impact beyond that considered by the CPPS as at 8:30am the proposed shadow aligns with the anticipated CPPS shadow.</p> <p>The proposed building envelope will not result in any significant overshadowing to the North Sydney Public School playground during school hours (9:00am to 3:00pm) and generally aligns with the overshadowing impacts envisaged in the CPPS.</p>

Summary of Submissions

PP 2021-2926

<p>Object: Traffic flow, congestion and noise</p>	<p>14</p>	<ul style="list-style-type: none"> • 28% of the submissions raised traffic as a negative consequence of the project. • Questioned the findings of the traffic modelling that only 11 extra car trips per hour during peak times will occur as a result of the future development. • Increases in traffic will only add to congestion and make the safe transportation of our primary school children more difficult. • The proposed development would increase traffic congestion in the area. • Flow on traffic congestion from the Western Harbour Tunnel will occur on Pacific Highway and Berry Street, as well as Bay Road, Rocklands Rd and Shirley Rd. • Traffic flow on Church Lane will be an issue with heavy trucks making deliveries. 	<p>The key findings of the traffic impact assessment prepared by JMT Consulting are:</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 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 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. 	<p>The proposal enables increased commercial and residential density near North Sydney Railway Station, North Sydney CBD, and the future Victoria Metro Station. The proposal is consistent with the CPPS and North District Plan as it is accessible to public transport and encourages a walkable neighbourhood to reduce the need for car dependency.</p> <p>The Traffic Impact Assessment prepared by JMT Consulting forecasted travel demand across all travel modes, including public and active transport which is expected to account for 79% of all morning trips, with cars representing only 18%.</p> <p>Vehicular access to the site is proposed to be provided via Church Lane, consistent with the CPPS.</p> <p>Any potential noise impacts associated with the increased traffic travelling to and from the site should be adequately investigated and assessed at the DA stage.</p>
--	-----------	---	--	---

Summary of Submissions

PP 2021-2926

Key Issue	Number of Submissions	Issues Raised	Proponent Response	Department Response
Object: Heritage impacts	11	<ul style="list-style-type: none"> 22% of submissions were concerned that the project would lead to loss of character and impact on surrounding heritage items. The site contains a building of historic interest which will be impacted by the development. The proposed amendments will have an adverse visual impact on nearby heritage items and adjoining heritage conservation areas. Consideration of the sandstone church is requested. 	<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 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>The proposed development 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. 	<p>The proposal seeks to retain and adaptively reuse the local heritage item I0959, "The Cloisters" at 265 Pacific Highway.</p> <p>The draft site-specific DCP requires a maximum 2 storey street wall height at the interface with 6-8 McLaren Street. A 1.3m setback of the podium from The Cloisters is shown in Figure C-2.3.3, with a further setback of 1m from the podium facing The Cloisters. This will provide façade articulation, wind mitigation, and separation from the heritage item is illustrated as part of the draft site-specific DCP.</p> <p>The proposal is an indicative built form only. The impact of any future development on the surrounding heritage items and conservation areas will be further addressed and assessed at the DA stage.</p>

Summary of Submissions

PP 2021-2926

Key Issue	Number of Submissions	Issues Raised	Proponent Response	Department Response
			<ul style="list-style-type: none"> Concentrate height and scale along the Pacific Highway frontage to maximise separation to the conservation area. 	
Object: Incompatibility with character	9	<ul style="list-style-type: none"> 18% of submissions were concerned that the project is not consistent with the character of the area. The proposed amendments erode and shift the transition point between the North Sydney CBD and Crows Nest. The area should be protected from development. The project will not fit with the surrounding suburb. The widening of Church Lane is not considered in line with the area. 	<p>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>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>The concept reference scheme provided with the planning proposal is generally consistent with the CPPS design guidelines through the development of a mixed-use building. The site seeks to bridge the gap between the mid-rise residential buildings to the south of Pacific Highway and the low-scale environment of the North Sydney Civic Precinct to the north.</p> <p>The proposed building envelopes and setbacks included in the site-specific DCP support Council's vision for a medium-scale building and are generally consistent with the CPPS.</p>
Object: Parking	6	12% raised parking provision as an issue.	The key findings of the traffic impact assessment prepared by JMT Consulting are:	The Department is satisfied that any future proposed development would be required to address the car

Summary of Submissions

PP 2021-2926

Key Issue	Number of Submissions	Issues Raised	Proponent Response	Department Response
			<ul style="list-style-type: none"> 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. 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. 	parking requirements of Council's DCP. Car parking requirements can be further resolved and assessed at the DA stage.
Object: Wind tunnel impacts	4	<ul style="list-style-type: none"> 8% of submission raised wind tunnelling as a concern with the project. The proposal will lead to an increase in wind tunnel effect on the area. 	<p>The wind 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 	<p>The proposal is to amend the maximum building height, FSR and minimum non-residential FSR applicable to the site. The draft site-specific DCP includes a requirement that any future DA for the site is accompanied by an Environmental Wind Assessment to confirm the design meets all relevant criteria.</p> <p>The concept reference scheme supporting the proposal is an indicative built form only. Any</p>

Summary of Submissions

PP 2021-2926

Key Issue	Number of Submissions	Issues Raised	Proponent Response	Department Response
			<p>criterion with the proposed 1.8 metre balustrades incorporated.</p> <ul style="list-style-type: none"> The proposed development is anticipated to result in some changes to wind conditions to adjacent ground level areas. However, it is expected that wind levels will remain within the recommended comfort criteria, and therefore minimal mitigation is required. 	<p>potential wind tunnel impacts should be adequately investigated and assessed at the DA stage.</p>
<p>Object: Loss of views</p>	3	<ul style="list-style-type: none"> View loss was raised by 6% of the submissions. The development will set a precedent for destruction of views in the area. By allowing the 253 Pacific Highway development to have such a significant increase in height it will block district views to the north and set a precedent for the No. 1 McLaren Street site to also request an increased building height. 	<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</p>	<p>The proposal is to amend the maximum building height, floor space ratio (FSR) and minimum non-residential FSR applicable to the site. The concept reference scheme supporting the proposal is an indicative built form only. View sharing should be adequately investigated and assessed at the DA stage.</p>

Summary of Submissions

PP 2021-2926

Key Issue	Number of Submissions	Issues Raised	Proponent Response	Department Response
		<ul style="list-style-type: none">Request for compensation for loss of value and loss of rental income during construction.The project will interrupt the northerly view from the rooftop entertainment area of 245 Pacific Highway which is a key building feature and asset.	<p>the eastern boundary to minimise the potential for overlooking.</p> <p>A draft site specific DCP has been prepared which provides additional detailed built form controls to ensure that any future development on the site has regard to the visual privacy of adjoining residences.</p>	
Object: Pedestrian safety	3	<ul style="list-style-type: none">Pedestrian safety was a concern within 6% of the submissions.The Pacific Highway is a busy street with a lack of crossing options, creating a hostile environment for pedestrians and impacting businesses with street frontage.Children safety during peak traffic hours is an issue and there are already insufficient crossings.Increase in heavy trucks will be dangerous for pedestrians in Church Lane.	No response provided	<p>The Traffic Impact Assessment prepared by JMT Consulting has indicated that vehicular access to the site is proposed to be provided via Church Lane, consistent with the CPPS.</p> <p>The Department is satisfied that any proposed driveway access for the site and car parking requirements will be adequately considered and assessed at the DA stage.</p> <p>Any redevelopment on the site will need to demonstrate adequate traffic management and infrastructure capacity for both construction stage and ongoing operation of the development at the DA stage.</p>

Summary of Submissions

PP 2021-2926

Key Issue	Number of Submissions	Issues Raised	Proponent Response	Department Response
Object: Stakeholder engagement process	3	<ul style="list-style-type: none">6% of submissions raised the community consultation process as an issue.Community consultation and door knocking was limited to adjacent properties only and those on the Eastern side of the Pacific Highway.	<p>The following consultation activities have been undertaken:</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; andCommunication channels including a dedicated project phone number and email address.The feedback received is summarised in the Community and Stakeholder Engagement Outcomes Report submitted with the Planning Proposal.	<p>The Department has undertaken the necessary public consultation requirements in accordance with the Gateway Determination associated with the planning proposal.</p> <p>The planning proposal was made available for public consultation for 58 days from 7 December 2022 to 3 February 2023.</p>
Object: Excessive excavation in area	2	<ul style="list-style-type: none">4% of submissions raised excavation as an issue.Excavation associated with the development may damage other buildings in the area.	No response provided	The proposal is to amend the maximum building height, FSR and minimum non-residential FSR applicable to the site. The concept reference scheme supporting the

Summary of Submissions

PP 2021-2926

Key Issue	Number of Submissions	Issues Raised	Proponent Response	Department Response
		<ul style="list-style-type: none">There are already plans for excavation in the area for the harbour tunnel which is likely to cause a nuisance to residents.		proposal is an indicative built form only. Any potential construction impacts to any nearby properties should be adequately investigated and assessed at the DA stage.
Support: Site revitalisation	11	<ul style="list-style-type: none">23% of submissions supported the project as contributing to the revitalisation of the area.Ageing buildings in the area need to be revitalised.Current buildings need to be upgraded.The area needs a modern look.Restoration and refurbishment of heritage shop at 265 Pacific Hwy will have positive impact on the area.Existing building is in very poor condition and deteriorating, with no economic benefit to North Sydney or surrounding residents.	No response provided	Noted. The proposed amendments seek to increase building height and FSR controls to facilitate future redevelopment of the site. Any future redevelopment of the site will be subject to a separate DA.
Support: Supports local businesses and future	10	<ul style="list-style-type: none">21% of submissions believed that local businesses would benefit from the project.	No response provided	Noted.

Summary of Submissions

PP 2021-2926

Key Issue	Number of Submissions	Issues Raised	Proponent Response	Department Response
commercial opportunities		<ul style="list-style-type: none"> The project will benefit local businesses. Increasing the population will support local businesses. More activity needs to be delivered within the North Sydney CBD. 		
Support: Housing supply and housing affordability	9	<ul style="list-style-type: none"> 19% of submissions supported increased housing supply in the region. The area will benefit from the height increase. Delivering housing supply is a better use of the land. Young professionals are looking to live a short distance from the North Sydney CBD or the Sydney CBD. North Sydney has long needed additional residential apartments to stimulate the area and make it more vibrant 	No response provided	<p>Noted. The proposal will facilitate the delivery of new housing in accordance with the North District Plan, LSPS, LHS and CPPS.</p> <p>The development of new housing on the site will be subject to separate DA.</p>
Support: Supports Metro line and existing public	7	<ul style="list-style-type: none"> 15% of submissions supported the project for its relationship with local public transport. New metro station will be supported by this development. 	No response provided	<p>Noted. The site was identified for redevelopment in the CPPS due to its proximity to the proposed Victoria Cross Metro Station. The proximity of the site to a wide range of existing</p>

Summary of Submissions

PP 2021-2926

Key Issue	Number of Submissions	Issues Raised	Proponent Response	Department Response
transport infrastructure		<ul style="list-style-type: none">• Development will justify more public transport for the area which will lead to less cars on the road.• The development will encourage the use of more public transport.		and proposed public transport services seeks to encourage residents to reduce their car dependency.
Support: Safer for pedestrians and cyclists	3	<ul style="list-style-type: none">• 6% of residents supported the proposal as it would provide safer spaces for pedestrians and cyclists.• Widening Church Lane will be safer for pedestrians and cyclists.	No response provided	Noted. North Sydney Council and TfNSW have identified cycle links adjacent to the site along Pacific Highway and Church Lane. The draft site-specific DCP has included the widening of Church Lane to 6m to support and improve neighbourhood amenity for both cyclists and pedestrians.