

## ATTACHMENT 5

### **Planning Proposal 3/18 – 50-56 Atchison Street, St Leonards Summary of submissions received during public exhibition period (19 July 2021 to 30 August 2021)**

The following criteria are used to analyse all submissions received, and to determine whether or not the plan would be amended:

1. The Planning Proposal 3/18 – 50-56 Atchison Street, St Leonards **would be** amended if issues raised in the submission:
  - a provided additional information of relevance.
  - b indicated or clarified a change in government legislation, Council's commitment or management policy.
  - c proposed strategies that would better achieve or assist with Council's objectives.
  - d was an alternate viewpoint received on the topic and is considered a better option than that proposed or;
  - e indicated omissions, inaccuracies or a lack of clarity.
2. The Planning Proposal 3/18 – 50-56 Atchison Street, St Leonards **would not be** amended if the issues raised in the submission:
  - a addressed issues beyond the scope of the proposal.
  - b was already in the proposal or will be considered during the development of a subordinate plan (prepared by Council).
  - c offered an open statement, or no change was sought.
  - d clearly supported the proposal.
  - e was an alternate viewpoint received on the topic but the recommendation was still considered the best option.
  - f was based on incorrect information.
  - g contributed options that are not possible (generally due to some aspect of existing legislation or government policy) or; involved details that are not appropriate or necessary for inclusion in a document aimed at providing a strategic community direction over the long term.

Attachment 8.9.5 Public Submissions Summary Table - 50-56 Atchison St PP

Planning Proposal 3/18 – 50-56 Atchison Street, St Leonards SUBMISSIONS SUMMARY (Exhibition Period – 19 July 2021 to 30 August 2021)						
No.	Name and Address	Issue/Theme	Key Points Raised	Council Response	Recommended Action	Criteria
1.	Terry Stone U806, 15 Atchison Street ST LEONARDS NSW 2065	Height  Overshadowing/ Solar Access  Traffic management	<p>Submission relates to another Development Application on an adjacent (DA161/20 at 23-35 Atchison St, St Leonards, which has already been approved by Council). A submission was received from the same submitter and considered as part of the assessment of DA161/20. The issues raised, however, could be equally relevant to the subject Planning Proposal.</p> <p>Objection based on visual and overshadowing impacts of proposal to existing properties, which were purchased under an existing building height limitation of 20m. Concerned a 56m height limit will set a precedent impacting the amenity and character of the area. Objected to the intense development of the eastern side of St Leonards as it is not in sympathy with its surrounds and should remain 5 storeys.</p> <p>It was suggested that any substantial increase in traffic along Oxley Street, which has recently been modified to improve pedestrian access and village atmosphere, would be unsafe.</p>	<p>See section 2.1.1, 2.1.2 and 2.1.6 of Council report.</p> <p>It is recognised that additional height and density will lead to some degree of impact (overshadowing) to surrounding dwellings. However, these impacts need to be considered in the context of the broader strategic direction for St Leonards and its designation as a 'strategic centre' by the NSW State Government. St Leonards is identified under the Regional and District Plans to accommodate significant uplift in employment floorspace and residential dwellings.</p> <p>The proposal is seeking a maximum building height of 58.1m to accommodate a 16-storey mixed use development. This is consistent with the desired outcomes of the Council and community endorsed <i>St Leonards Crows Nest Planning Study – Precincts 2 &amp; 3 (2015)</i> and the DPIE's <i>St Leonards and Crows Nest 2036 Plan (2020)</i>. The building height controls identified in the above Plans are informed by 'stepping down' and 'height transition' principles with the subject site being located within a buffer area, between the taller buildings concentrated around St Leonards and Crows Nest stations and the lower density residential areas to the east of Oxley Street.</p> <p>The proposal is accompanied by a Traffic Impact Assessment (TIA) demonstrating the potential net increase in traffic associated with the proposal is negligible, with 2 additional vehicle trips generated during AM and PM hours. It is expected that surrounding key roads will continue to operate much the same way.</p>	N/A	2E

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<b>No.</b>	<b>Name and Address</b>	<b>Issue/Theme</b>	<b>Key Points Raised</b>	<b>Council Response</b>	<b>Recommended Action</b>	<b>Criteria</b>
2.	Michael Rowledge U1000/48 Atchison Street ST LEONARDS NSW 2060	Height  Overshadowing/ Solar Access  Noise  Traffic management and vehicular access	<p>Objects to the Planning Proposal. Concerned about the proposed height and cumulative overshadowing impacts to surrounding dwellings. The proposed communal area on rooftop will result in adverse noise impacts to residents in adjoining buildings.</p> <p>Concerned about impact to existing infrastructure, in particular road network and the capacity and safety of Atchison Lane with the increased number of entrances to car parks.</p>	<p>Refer to section 2.1.1, 2.1.2, 2.1.4 and 2.1.6 of Council report.</p> <p>For response on height, overshadowing and traffic impacts, refer to comments above (submission 1).</p> <p>A further detailed design at the DA stage will need to consider noise transmission within and between dwellings and demonstrate a reasonable level of acoustic privacy and amenity to nearby residents as required under NSDCP 2013.</p>	N/A	2E

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3.	Alana Wilson U19/45 Chandos Street ST LEONARDS NSW 2065	Height  Wind  Public Benefits	<p>Objects to the Planning Proposal. Concerned about the cumulative impact of numerous DAs and PPs in the area on the wellbeing of residents, particularly the lack of open space and community facilities and increased wind tunnels around St Leonards. Existing maximum building heights should be adhered to.</p> <p>The proposed monetary contribution to Council is not commensurate to the level of impact to St Leonards residents.</p>	<p>Refer to section 2.2.1, 2.1.3 and 2.1.7 of Council report.</p> <p>For response on height, refer to comments above (submission 1).</p> <p>It is noted that the proponent has not provided a formal wind assessment at this stage, however the Concept Plan illustrates that the intended built form will incorporate awnings to mitigate wind impacts at street level. A Wind Impact Report will need to be provided at DA stage with a further detailed design demonstrating pedestrian comfort is not adversely affected by wind at footpaths and public outdoor spaces, in accordance with NSDCP 2013.</p> <p>The <i>SLCN Planning Study – Precincts 2 &amp; 3</i> identifies a set of public benefits (including open space and community facilities) that are considered critical to support future development within the precinct. The public benefits offered as part of the draft VPA, including monetary contribution towards the upgrade of Hume Street Park, is largely consistent with the items in Council's Study. The draft VPA has been negotiated in accordance with Council's VPA Policy, with the expectation that the value of public benefits proposed is commensurate to the land value uplift resulting from the proposed changes to the planning controls on the site. The advice of an independent property consultant and land valuer was obtained by Council during the VPA negotiation.</p>	N/A	2E

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4.	Tom & Kate Derrig 905/15 Atchison Street ST LEONARDS NSW 2060	Height  Overshadowing/ Solar Access  Wind  Environmental impacts	Objects to the Planning Proposal. Concerned about overshadowing impacts to surrounding dwellings with north and north-eastern aspects; overshadowing and wind tunnel impacts on streetscape amenity. The proposal will result in increased energy consumption, contrary to Council's reduced energy commitments. Height should be reduced to mitigate adverse solar access impacts.	<p>Refer to section 2.1.1, 2.1.2, 2.1.3 and 2.1.5 of Council report.</p> <p>For response on height and overshadowing impacts refer to comments above (Submission 1).</p> <p>For response on wind impacts refer to comments above (Submission 3).</p> <p>North Sydney Council seeks to minimise resource consumption by concentrating increased density around transport nodes and transport corridors, with reduced on-site parking requirements to ensure the effective take-up of walking, cycling and public transport use. The implementation of integrated transport and planning outcomes is being actively pursued through Council's planning studies.</p> <p>Council is committed to a community greenhouse gas emissions reduction target of 25% by 2030 from 1996 baseline levels. The reduction to date is largely attributed to improved energy efficiency measures such as upgraded buildings and improved new building design. A further detailed design at the DA stage will consider energy efficiency, including compliance with BASIX requirements.</p>	N/A	2E

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5.	No details provided.	Traffic management and vehicular access	<p>Submission relates to another Planning Proposal on an adjacent site (PP5/21 at 71-89 Chandos Street &amp; 58-64 Atchison Street). However, the issues raised could be equally relevant to the subject Planning Proposal.</p> <p>It is noted that the applicant's traffic management study considers traffic generated by low level commercial uses and not the increased number of residential units. Concerned about the capacity of existing infrastructure, in particular Atchison Laneway, to cope with the increased number of vehicles and waste generated by the number of additional residential dwellings proposed.</p>	<p>Refer to section 2.1.6 of Council report.</p> <p>The location of vehicle access to the basement car park is unchanged from the existing arrangement. The proponent's Traffic Impact Assessment (TIA) considers vehicular access to and from the site, including operation of the proposed loading dock, and demonstrates satisfactory operation of the proposed Atchison Lane access. Notwithstanding, further attention to detail of future vehicular accessway and basement design will be required at the DA stage.</p>	N/A	2E
6.	Sydney Airport Corporation Limited (SACL)	Height & Prescribed Airspace Regulations	No objection to the erection of the proposed development to a maximum height of 146.1m AHD, inclusive of all lift over-runs, vents, chimneys, aerials, TV antennae, construction cranes etc. Should this height be exceeded (including any temporary structures or equipment), a new approval must be sought. Approval to operate construction equipment (i.e. cranes) should be obtained prior to any commitment to construct.	See section 2.2.1 of Council Report. Noted. Should there be any cranes erected at the future construction stage, clause 6.15 of <i>NSLEP 2013</i> will require these matters to be taken into consideration when assessing a DA.	N/A	2D
7.	AirServices Australia	Height & Prescribed Airspace Regulations	No comment on Planning Proposal at this stage. Any future development on the subject site should be first assessed by the operator of Sydney Airport. If further assessment required, the operator of Sydney Airport will request assessment from AirServices Australia.	See section 2.2.2 of Council Report. Noted. Sydney Airport Corporation Limited (SACL) was consulted as part of the public exhibition of the proposal. Refer to SACL comments above.	N/A	2C
8.	Civil Aviation Safety Authority (CASA)	Height & Prescribed Airspace Regulations	No objection to the proposed maximum height of buildings control sought by the Proposal. At this height the proposed building will not infringe the prescribed airspace for Sydney Airport.	See section 2.2.3 of Council Report. Noted.	N/A	2C
9.	Sydney Water	Water and wastewater servicing	Advises on potable water servicing and wastewater servicing requirements and access points for the proposed development. Detailed technical requirements will be provided once the development is referred to Sydney Water for a s73 application.	See section 2.2.4 of Council Report. Noted. This will be addressed at the DA stage.	N/A	2A

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10.	Transport for NSW (TfNSW)	Public Benefits	No objection to the Planning Proposal. Should the proposed monetary contribution be applied towards Hume Street Park, Council and the DPIE may wish to consider whether this may qualify for SIC offset provisions noting this project is identified in the SIC.	See section 1.1 and 2.2.5 of main report.  Council has written to the DPIE seeking an exemption from the payment of the SIC for the site on the basis of there being a duplication between the public benefits proposed under the draft VPA and SIC plan in relation to Hume Street Park. Council is yet to receive a response from the DPIE in relation to its request for a SIC exemption.	N/A	2D
11.	Commonwealth Department of Infrastructure, Transport, Regional Development and Communication (DITRDC)	Height & Prescribed Airspace Regulations	Advised that the proposed maximum building height is below the Obstacle Limitation Surface (OLS) for Sydney Airport and is not considered to constitute a controlled activity in this instance. If there is an increase to the height of the building or if the crane activity associated with construction intrudes into the OLS, an approval should be sought from Sydney Airport prior to construction commencing. It is recommended the proponent continues to advise Sydney Airport of the planned final building height and any associated crane activities.	See section 1.3.1 and 2.2.1 of Council Report.  Noted. Consultation with Sydney Airport Corporation Limited (SACL) was undertaken concurrently with the public exhibition of the Planning Proposal. SACL have no issues with the proposed maximum height of buildings control sought by the proposal. Should the be any cranes erected at the future construction stage, cl. 6.15 of NSLEP 2013 will require these matters to be taken into consideration when assessing a DA.	N/A	2B
12.	Commonwealth Department of Infrastructure, Transport, Regional Development and Communication (DITRDC)	Height & Prescribed Airspace Regulations	As above. Duplicate submission.	As above.	N/A	2B