



IRF24/1490

Gateway determination report – PP-2024-122

Alfred Street Precinct – 263-283 Alfred Street and 4
Little Alfred Street

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Acknowledgment of Country

The Department of Planning, Housing and Infrastructure acknowledges the Traditional Owners and Custodians of the land on which we live and work and pays respect to Elders past, present and future.

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Table 1 Reports and plans supporting the proposal

Relevant reports and plans
Attachment A Planning Proposal
Attachment B Urban Design Report
Attachment C Transport Impact Assessment
Attachment D SNPP Resolution 5 October 2023
Attachment E SNPP Record of Determination 22 March 2024
Attachment F Wind Impact Assessment
Attachment G Draft site specific DCP
Attachment H Proposed LEP maps
Attachment I Independent Review ROD 24 March 2024
Attachment I Letter of Offer to purchase adjoining site

1 Planning proposal

1.1 Overview

Table 2 Planning proposal details

LGA	North Sydney Local Government Area	
PPA	Sydney North Planning Panel	
NAME	Alfred Street Precinct	
NUMBER	PP-2024-122	
LEP TO BE AMENDED	North Sydney LEP 2013	
ADDRESS AND LOT	283 Alfred Street (Site A)	Lot 16 DP67882 Lot 15 SP67882 Lot 14 DP67882 Lot 3 DP554750 Lot 1 DP554749
	275 Alfred Street (Site B)	Lot 1 DP54856
	271-273 Alfred Street (Site C)	Lot 1 DP532504 SP6830
	263-269 Alfred Street/4 Little Alfred Street (Site D)	SP71563 SP71454
RECEIVED	7/06/2024	
FILE NO.	IRF24/1490	
POLITICAL DONATIONS	There are no donations or gifts to disclose and a political donation disclosure is not required	
LOBBYIST CODE OF CONDUCT	There have been no meetings or communications with registered lobbyists with respect to this proposal	

1.2 Objectives of planning proposal

The planning proposal contains objectives and intended outcomes that adequately explain the intent of the proposal.

The objectives of the planning proposal are to facilitate the renewal of the Alfred Street precinct to provide a high-quality mixed-use development in close proximity to public transport, recreation facilities and services while ensuring appropriate transition in height from the North Sydney CBD to the adjoining low scale residential areas and Whaling Street Heritage Conservation Area.

The objectives of this planning proposal are clear and adequate.

1.3 Explanation of provisions

The planning proposal seeks to amend the North Sydney LEP 2013 per the changes below:

Table 3 Current and proposed controls

Control	Current	Proposed
Zone	E2 Commercial Centre	MU1 Mixed Use
Maximum height of the building	13 m	Site B - 120.00 RL Site A, C and D – no change
Floor space ratio	3.5:1	Remove FSR on all sites
Design Excellence	No controls	Introduce a Design Excellence Clause and Map into the North Sydney LEP 2013 that: <ul style="list-style-type: none"> - Requires consideration of design excellence including a competitive design process where a proposed building on Site B (275 Alfred Street) exceeds RL 101.00 up to RL 120.
	Clause 6.19B Design excellence in the area adjacent to Crows Nest Metro Station	Amend Clause 6.19B to clarify that clause only applies to land in the area adjacent to Crows Nest Metro Station as shown on the Design Excellence Map - Sheet DEX_001
Site Specific Provisions	No controls	Introduce a Development Control Plan Clause into North Sydney LEP 2013 that: <ul style="list-style-type: none"> - Requires a Development Control Plan be prepared for the land that provides for detailed development controls for Site B (275 Alfred Street).

A gateway condition is recommended for the proposed draft wording of clauses to be removed from the planning proposal. The drafting of provisions is a matter for Parliamentary Counsel. The explanation of provisions should contain clear statements setting out the proposed amendments to the LEP. This is to facilitate accurate drafting of the amendments to ensure they adequately achieve the intended objectives of the proposal.

The proposed amendment to clause 6.19B Design Excellence in the area adjacent to Crows Nest Metro Station is considered unnecessary as the legend on the Design Excellence map is appropriately labelled and clearly demonstrates the land where this clause applies. A gateway condition to remove this element of the proposal is recommended.

1.4 Site description and surrounding area

The planning proposal (**Attachment A**) applies to land known as the Alfred Street Precinct (the precinct). The precinct encompasses four sites including 283 Alfred Street (Site A), 275 Alfred Street (Site B), 271-273 Alfred Street (Site C) and 263-269 Alfred Street/4 Little Alfred Street (Site D). The site has an area of approximately 5,217 sqm (**Figure 1**) and is bordered by Little Alfred Street to the east, Whaling Road to the south and Alfred Street North to the west.

The precinct is currently zoned E2 Commercial Core and comprises a range of commercial and residential uses. This includes 3-4 storey commercial buildings on Sites A and C, as well as 3-5 storey building with townhouses, residential units and some commercial uses on Site D.

On Site B is an 18-storey commercial building (formerly known as the Bayer Building) with a height of RL 100.97 to the top of the signage panel. The building includes ground floor retail with office uses above. The planning proposal notes the total office space has a net lettable area of 7,920sqm with additional underground parking. The planning proposal notes the existing building has an FSR of 7.3:1 and is nearing the end of its economically useful life as a commercial building being constructed in 1971.

The topography of the precinct has a range of level variations with a fall from Alfred Street to Little Alfred Street by approximately 3m. To the eastern boundary, there is a steep embankment of 7m on Little Alfred Street with the northern and southern ends descending down.



Figure 1 Subject site (source: Planning Proposal)

There are no items of heritage significance within the precinct however it is adjacent to the Whaling Road Heritage Conservation area. The North Sydney Development Control Plan 2013 outlines the significance of the conservation area as follows:

- *For its unity that relates to its subdivision history and which is evident in the development and streetscape of the area.*
- *As a consistent and intact Victorian and Federation residential area that consists of modest housing on small lots.*
- *As a largely intact late 19th and early 20th century subdivision that retains much of the urban fabric and detail associated with its development over time such the street formations, sandstone kerbing, fencing, gardens and a strong relationship to topography.*
- *For the quality and collective significance of the buildings within the area.*

There are also several local heritage items within the conservation area in the vicinity of the site.

The precinct is surrounded by low to medium residential development to the north and east including terrace and detached dwellings. Several high-density residential buildings are located to the north-east and south-east of the precinct, including a 9-10 storey building on Doris Street and a 23-storey building at 50 Whaling Road.

The precinct is bordered by the Warringah Expressway to the west. Further west of this is the North Sydney CBD. The North Sydney CBD is characterised by medium to high density buildings comprising of a range of commercial offices with some retail and residential uses filtered in between.

To the south of the precinct, is a small reserve adjacent to Whaling Road that provides green buffer between the Warringah Expressway, Alfred Street Precinct and residential areas to the east.

The Precinct is located within 600m of North Sydney Train Station, approximately 500m from regular bus services along the Pacific Highway and approximately 500m walking distance from the Victoria Cross Metro Station.



Figure 2 Site context (source: Planning Proposal)

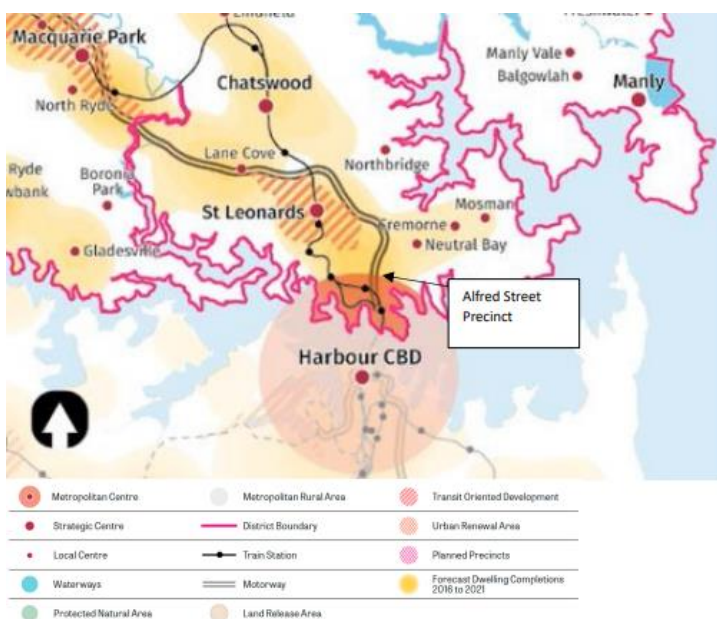


Figure 3 Harbour CBD (North District Plan)

1.5 Mapping

The planning proposal includes mapping showing the proposed changes to the Land Zoning, Height of Buildings, Floor Space Ratio and Design Excellence maps, which are suitable for community consultation.

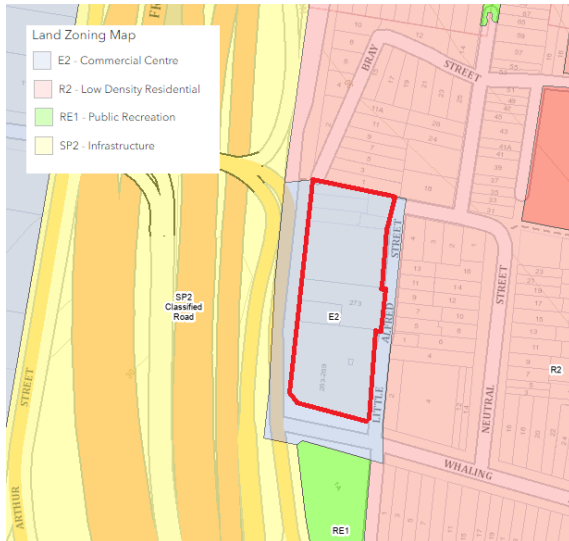


Figure 4 Current zoning map

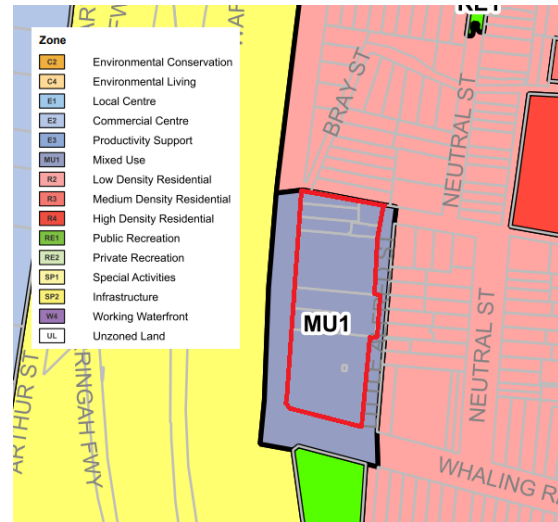


Figure 5 Proposed zoning map



Figure 6 Current height of buildings map

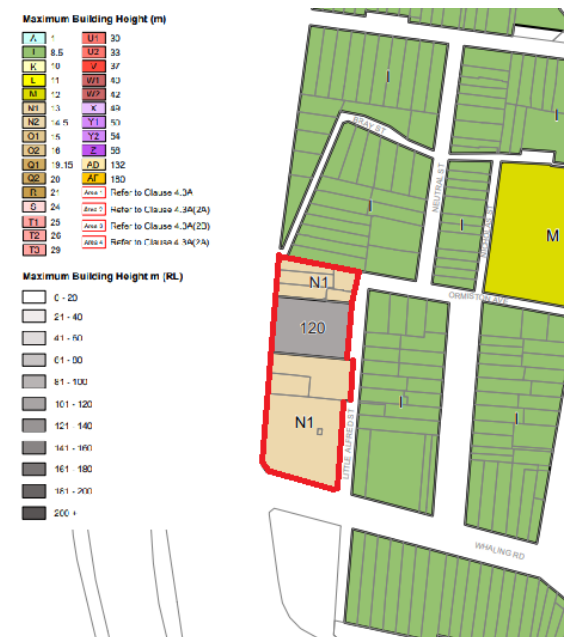


Figure 7 Proposed height of buildings map

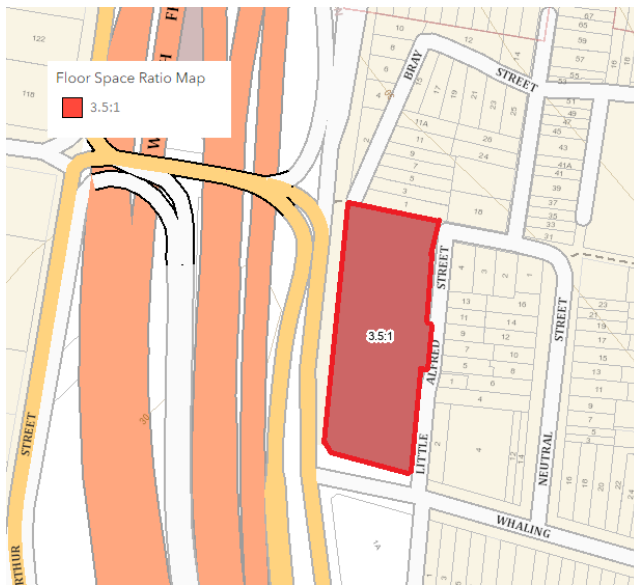


Figure 8 Current floor space ratio map

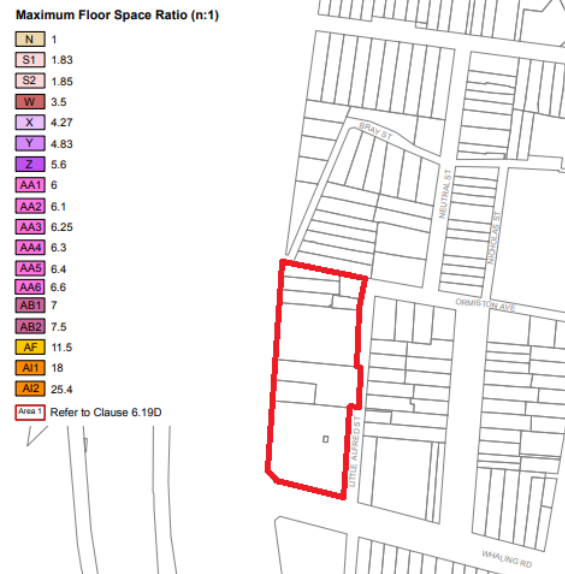


Figure 9 Proposed floor space ratio

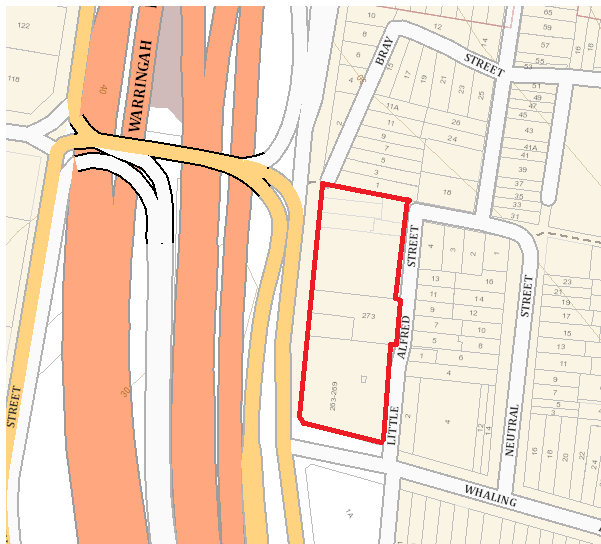


Figure 10 Current design excellence map



Figure 11 Proposed design excellence map

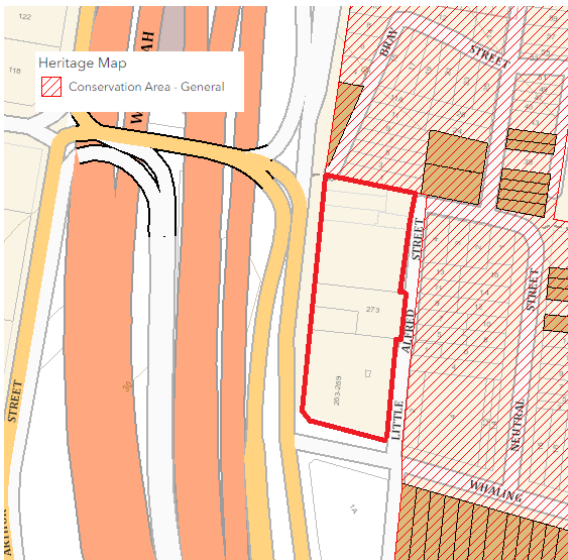


Figure 12 Current heritage map

1.6 Background

Planning in the Alfred Street Precinct has an extended history dating back to 2015. This has involved a number of planning proposal variations for 275 Alfred Street (Site B) and the Precinct as a whole that has been considered by Council, the Sydney North Planning Panel and the Department. A brief history of planning within the precinct has been provided below that has informed the current planning proposal.

1.6.1 Planning Proposal 2015

In September 2015, a planning proposal was lodged with North Sydney Council for 275 Alfred Street (Site B) which proposed the rezoning of the site to B4 Mixed Use, increase in the maximum height of building from 13m to 85m and increase the maximum FSR from 3.5:1 to 10.2:1. It is noted that the existing building on the site had a height of 52.26m and FSR of 7.3:1.

The Joint Regional Planning Panel (JRPP) assessed the proposed but did not initially support the proposal as it considered that a change in zoning to allow residential development would be inappropriate, only deals with one site rather than the Alfred Street Precinct as a whole and results in a disjointed approach for the precinct with 275 Alfred Street having three times the development potential that other sites within the B3 Commercial Core zone.

The JRPP determined it would be appropriate to permit the existing building at 275 Alfred Street (Site B) to retain its current density as built with additional height subject to appropriate amenity. It was considered the other sites existing 3.5:1 FSR was appropriate, but could be combined with some additional height, subject to appropriate amenity.

1.6.2 Draft Alfred Street Precinct Planning Study

The Draft Alfred Street Precinct Planning study (the study) was prepared by North Sydney Council following the JRPP decision to not support the 2015 planning proposal. The study sought to provide a framework for the entirety of the precinct to guide future development. The study also considered implications in regard to solar access, visual impact, built form and heritage for the site and surrounding areas. Council's preferred option for the precinct included a mix of residential towers at the northern and southern end with commercial podiums and commercial 3 storey building at the centre of the site.

Council resolved to not support the study in the January 2019. It is the proponent's view that it is appropriate to use the study as evidentiary weight as it is the work of Council officers and has been

updated following consultation with the community. Given the study was not adopted by Council or adopted by the Department the study cannot be considered in the assessment of strategic merit of this proposal.

1.6.3 Planning Proposal 2019

In March 2019, the proponent lodged a planning proposal which sought to address the concerns raised by the JRPP. This proposal was lodged as a result of Council not supporting its Alfred Street Precinct Planning Study. The proposal included all sites in the Precinct (Sites A, B, C and D).

The proposal was considered by the North Sydney Local Planning Panel (NSLPP) on the 14 August 2019, refer to **Section 3.3** for further information. The NSLPP acknowledged the proposal had strategic merit however raised several matters of site-specific merit that needed to be addressed or further clarified.

The proponent requested the proposal be submitted for rezoning review. The proposal was considered by the Sydney North Planning Panel (SNPP) on 5 November 2019. The SNPP supported the proposal as it had demonstrated strategic and site-specific merit.

On 10 December 2021, following public exhibition of the planning proposal, the SNPP resolved to seek further advice on a range of matters from the Department including overshadowing on public open space, requirement of a site-specific DCP, inclusion of maximum retail floor space, transition to the low-density heritage conservation area and the ADG building separation, prior to making a final determination of the planning proposal. The Panel requested the Department work with the proponent and Council to review and refine the proposal before presenting the proposal to the Panel for another review in the first quarter of 2022.

As a result of this further work, the planning proposal did not meet its gateway completion date. The Department altered the Gateway determination to not proceed on 2 March 2022.

1.6.4 Briefings with the Department 2022/2023

On 29 June 2022 and 13 July 2022, the SNPP held briefings with the Department to discuss the progress of the proposal to address Panel recommendations. At the 13 July 2022 briefing, the SNPP agreed that the proposal should proceed to Gateway assessment for sites A and B and including the rezoning of sites C and D to B4 Mixed Use (now MU1 Mixed Use) only. The SNPP also requested the Department, proponent and Council work together to identify the appropriate mix of all uses with regard to traffic considerations.

The Department advised the proponent that as there was no active planning proposal, the SNPP 13 July recommendation was considered to be advice only and did not have an obligatory effect on future applications.

On the 19 September 2023 and 29 September 2023, the SNPP met with the proponent and the Department for a pre-lodgement discussion. In its record of decision from 5 October 2023 (**Attachment D**) the SNPP made a number of recommendations that were to be included in the new planning proposal as follows:

The majority of the Panel have provided advice that the Proponent's proposed development should be amended to:

1. *Rezone sites A, B, C and D from E2 Commercial Centre to MU1 Mixed Use;*
2. *Remove FSR controls from sites A, B, C and D;*
3. *Introduce a Design Excellence Clause and Map into the North Sydney LEP 2013 (similar to Clause 6.19B of the LEP) which includes the requirement for completion of a Design Excellence Competition to trigger an increase in height for Site B to RL120.00 for the Topmost part of building roof plant (including lift overrun and contingency);*
4. *Detail a Site-Specific Master Plan for setbacks and podium height of Site B; and*

5. *Confirm non-residential uses for the ground floor of Site B and application of Transport for NSW's retail cap for each site. As a result, the majority of the Panel advise that should the Proponent wish to submit a new proposed planning proposal then it should consider the above points and details in the Mecone letter of 29 September 2023.*

1.6.5 Planning Proposal 2023/2024

A new planning proposal was prepared and submitted to the Department following the SNPP record of decision from 5 October 2023. Under S2.15(c) of the Environmental Planning and Assessment Act 1979, the Planning Minister's delegate requested the SNPP undertake an independent review of the planning proposal due to the complex and lengthy history of the site and precinct.

The Department also referred the planning proposal to North Sydney Council for review and comment. In March 2024, the proponent provided a letter to the Department and SNPP, responding to the matters raised by Council.

SNPP Consideration and Decision - April 2024

The proponent met with the SNPP and the Department in relation to the new planning proposal on 15 March 2024. On 22 March 2024, the SNPP provided advice on the new Planning Proposal (Attachment **E**). The SNPP recommended additional changes be made to the planning proposal prior to the Panel as the PPA which included:

The majority of the Panel recommends that prior to the Planning Proposal Authority (PPA) submitting the Planning Proposal for a Gateway determination, the Planning Proposal is to be revised to address the following:

- *removing the proposed height increase for Site A thereby retaining the current height limit of 13m;*
- *amending the proposed new Clause 6.19E - Design Excellence so that the Design Competition criteria requires a Design Competition for any height increase over RL 101 up to an absolute maximum including all roof plant of RL 120, whether the existing building is retained and altered or whether the site is redeveloped;*
- *including a proposed LEP provision for a site specific Development Control Plan (DCP); and*
- *updating the planning proposal and supporting reports and studies in accordance with the above two points and the LEP Making Guidelines (August 2023) to reflect the Panel's decision.*

The majority of the Panel also recommends that:

- *the Proponent works with Council to produce a Site Specific DCP and public benefits offer which may include:*
 - *affordable housing – contribution rate in perpetuity with a Community Housing Provider; and*
 - *confirming with Transport for NSW an acceptable non-residential GFA for Site B and the proposed removal of a non-residential GFA for sites A, C & D.*
- *given the prominence of this site, the very protracted evolution of the planning proposal and the additional height of the current planning proposal, the Panel requests the Department consider identifying Site B for exclusion from further bonus height or FSR available under the amended State Environmental Planning Policy (Housing) 2023.*

The Panel requests it be appointed as the PPA for the planning proposal. Should the Panel be appointed the PPA for this planning proposal, the Panel requires confirmation from the proponent that they agree to:

- (a) *revise the planning proposal to be consistent with the Panel's recommendations above; and*

(b) subsequently provide a revised planning proposal to address the Panel's concerns.

1.6.6 Revised Planning Proposal May 2024

On the 24 April 2024, the proponent issued a letter to the SNPP which confirmed they agreed to revise the planning proposal to ensure consistency with the SNPP's recommendation. An updated planning proposal was submitted to the Department and underwent an Independent Review by the SNPP.

The Panel supported the updated proposal and was appointed as the Planning Proposal Authority (PPA). This updated planning proposal was submitted to the Department on 6 June 2024 for Gateway Determination in accordance with the SNPP recommendations.

2 Need for the planning proposal

Q1. Is the planning proposal a result of an assured local strategic planning statement, or Department approved local housing strategy, employment strategy or strategic study or report?

The planning proposal (and its earlier iterations) was prepared after North Sydney Council resolved to not adopt the draft Alfred Street Precinct Planning Study.

Q2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The planning proposal seeks to implement specific LEP provisions. There are no other mechanisms other than a planning proposal to amend statutory planning controls to facilitate the intended outcome.

3 Strategic assessment

3.1 District Plan

The site is within the North District. The former Greater Sydney Commission released the North District Plan on 18 March 2018. The plan contains planning priorities and actions to guide the growth of the district while improving its social, economic and environmental assets.

The planning proposal is consistent with the priorities for infrastructure and collaboration, liveability, productivity, and sustainability in the plan as outlined below.

The Department is satisfied the planning proposal gives effect to the District Plan in accordance with section 3.8 of the *Environmental Planning and Assessment Act 1979*. The following table includes an assessment of the planning proposal against relevant directions and actions.

Table 5 District Plan assessment

District Plan Priorities	Justification
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2 – Infrastructure and Collaboration

District Plan Priorities	Justification
N1 – Planning for a city supported by infrastructure	<p>Objectives 1-3 of the District Plan aim to provide infrastructure that aligns with the forecasted growth, future needs, and is of optimal use.</p> <p>The proposal aims to provide housing growth near existing infrastructure including:</p> <ul style="list-style-type: none"> local bus routes from Pacific Highway, within 500m of the Precinct, connected to Chatswood, Sydney CBD and the northern suburbs; and North Sydney Train station within 600m walking distance, and the future Victoria Cross Metro Station within 500m.

3 - Liveability

N4 – Fostering healthy, creative, culturally rich and socially connected communities	<p>The proposal looks to enhance accessibility through and across the site to the surrounding residential area and to the North Sydney CBD encouraging active transport and public transport use.</p> <p>The future residents and workers to the site will benefit from proximity to social connectors including childcare, schools, Stanton Library, North Sydney Olympic Pool, open space and markets.</p>
N5 – Providing housing supply, choice and affordability, with access to jobs, services and public transport	<p>The proposal will facilitate additional high-density housing in a well-located area providing access to jobs, retail, health services and public transport.</p> <p>The reference scheme identifies approximately 115 dwellings on Site B. The proposal seeks to deliver these dwellings as a mix of housing types including 1,2 and 3-storey bedroom apartments.</p>
N6 – Creating and renewing great places and local centres, and respecting the District's heritage	<p>The precinct is located adjacent to the Whaling Road Heritage Conservation Area and in the vicinity of heritage items within the conservation area. The precinct does not contain any heritage listed items.</p> <p>Given the proposal includes changes to the built form, it is recommended that a heritage impact statement is prepared to ensure the impact of the proposal on the adjoining heritage conservation area and nearby heritage items is appropriate.</p>

4 – Productivity

<p>N7- Growing a stronger and more competitive harbour CBD</p> <p>N10 – Growing investment, business opportunities and jobs in strategic centres</p>	<p>The precinct is located within the northern part of the Harbour CBD and is identified as a location of existing jobs and services in the metropolitan centre.</p> <p>Although currently zoned as E2 Commercial Core, the precinct is physically disconnected from the North Sydney CBD by the Warringah Freeway. The Department notes the precinct is not mapped as part of the North Sydney Centre in the North Sydney LEP 2013. Although the proposal will reduce the number of existing jobs on the site with the proposed rezoning to mixed use, it looks to retain some employment uses on the site. See section 3.4 for further discussion.</p>
N12 – Delivering integrated land use	<p>The planning proposal is consistent with this priority as it supports future and existing transport infrastructure such as heavy rail, bus routes, Sydney Metro</p>

District Plan Priorities	Justification
and transport planning and a 30-minute city	and Western Harbour Tunnel. The proposal will increase the number of dwellings and provide jobs within the 30-mins of a strategic centre via public and active transport.

5 - Sustainability

N19 – Increasing urban tree canopy and delivering Green Grid connections	<p>The planning proposal notes the intention to provide some additional mature landscaping along Little Alfred Street and Alfred Street to increase the urban tree canopy.</p> <p>Additional tree canopy including any tree removal will be further assessed during the detailed development assessment stage.</p>
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3.2 Local

The proposal states that it is consistent with the following local plans and endorsed strategies. It is also consistent with the strategic direction and objectives, as stated in the table below:

Table 6 Local strategic planning assessment

Local Strategies	Justification
Local Strategic Planning Statement	<p>The North Sydney LSPS was endorsed by the former Greater Sydney Commission on 20 March 2020. The LSPS sets the 20-year direction for housing, employment, transport, recreation, environment and infrastructure for the North Sydney LGA.</p> <p>The proposal is consistent with the LSPS particularly:</p> <ul style="list-style-type: none"> <i>Planning Priority L1 Diverse housing options that meet the needs of the North Sydney community:</i> The planning proposal will facilitate additional dwellings on Site B. Dwelling mix will be considered during the detailed development assessment stage. <i>Planning Priority L3 Create great places that recognise and preserve North Sydney's distinct local character and heritage:</i> As discussed in Section 3.4 below, a heritage impact statement is recommended to be prepared considering the impact of the proposal on the adjoining heritage conservation area. It is noted that heritage impacts will also be assessed during the detailed development assessment stage. <i>Planning priority P6 Support walkable centres and a connected and sustainable North Sydney:</i> The proximity of the site to the North Sydney CBD and its supporting infrastructure supports this priority. The proposed through site link may provide a convenient connection from the surrounding residential area.
Local Housing Strategy	<p>The North Sydney Local Housing Strategy (LHS) aligns with the Greater Sydney Region and the North District Plans and outlines the strategic direction for housing in the North Sydney LGA over the next 20 years. By 2036, the</p>

Local Strategies	Justification
	<p>population of the LGA is expected to increase by 19,500 representing a 21% growth and predicted to require a further 11,450 dwellings.</p> <p>The planning proposal is considered inconsistent with the LHS as it seeks to provide a mixed use redevelopment in an area not identified for housing potential.</p> <p>Although currently zoned as E2 Commercial Core, the precinct is physically disconnected from the North Sydney CBD by the Warringah Freeway and is not mapped as part of the North Sydney Centre in the North Sydney LEP 2013.</p> <p>Planning Approach 1 of the LHS looks to <i>Continue Council's long-term housing approach of concentrating residential density in and around existing centres and relying on the existing capacity of current land use planning controls</i>. The proposal aligns with this approach in that aims to provide mixed use development including retail/commercial and residential land uses near the North Sydney Strategic Centre. However, in order to achieve this outcome, it is necessary that land use planning controls be amended to facilitate the redevelopment of the Site B from commercial to mixed use.</p> <p>This planning proposal seeks to facilitate 115 new dwellings in an area close to existing and new proposed public transport with links to other strategic centres and beyond. It is noted that Site D currently contains residential uses.</p>
North Sydney Centre Review – Capacity and Land Use Study	<p>The North Sydney Centre Capacity and Land Use Study was prepared to explore opportunities for growth in order to improve the Centre's employment capacity, its resilience and vibrancy as well as its investment attractiveness within the North Sydney Centre Commercial Core (the 'Commercial Core').</p> <p>The study notes approaches to rezone the precinct to mixed use and acknowledges its physical disconnect from the North Sydney Centre. Notwithstanding, the study highlighted the precinct as a "valuable employment generator".</p> <p>The study also acknowledges the findings of the JRPP decision in 2016 and recommends that "any future rezoning proposal would need to include the precinct as a whole and demonstrate that significant land use, amenity and urban design improvements would result".</p> <p>See further discussion in section 3.4 and 4.1 of this report.</p>

3.3 Local planning panel (LPP) recommendation

In March 2019 a previous version of the planning proposal was submitted to Council following Council's decision to not proceed with its Alfred Street Precinct Study. The planning proposal was considered by the North Sydney Local Planning Panel (NSLPP) on 14 August 2019. The Panel acknowledged the proposal had strategic merit however, raised concern over several matters of site-specific merit that needed to be further addressed or clarified. This included concerns that related to the requested building height as the Panel believed these not respond adequately to the site in its context and would result in significant public and private amenity impacts such as overshadowing of the Whaling Road Heritage Conservation Area, adjoining properties and Alfred Street North Park.

Following the NSLPP recommendation, the planning proposal was submitted for a rezoning review and further assessed by the Sydney North Planning Panel on 5 November 2019 (refer to **Section 1.6**).

The planning proposal in its current form has not been reviewed by the NSLPP. The planning proposal was lodged directly with the Department for assessment and then referred to the SNPP for Independent Review.

As a part of the process, the Department requested comment from Council on the planning proposal. Council staff had intended to take the new planning proposal to the NSLPP and Council for comment however, given the timing for requested comments, Council staff sent back their comments during the Independent Review, noting that Council will have further opportunity to comment during any exhibition of the new PP following a Gateway determination.

3.4 Section 9.1 Ministerial Directions

The planning proposal's consistency with relevant section 9.1 Directions is discussed below:

Table 7 9.1 Ministerial Direction assessment

Directions	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
Focus area 1: Planning Systems – Place-based		
1.4 Site Specific Provisions	Inconsistent, considered justified	<p>The objective of this Direction is to discourage unnecessarily restrictive site-specific planning controls including imposing any development standards or requirements in addition to those already contained in the planning instrument being amended.</p> <p>The proposal is inconsistent with the direction as seeks to add site-specific provisions. These include:</p> <ul style="list-style-type: none"> - the requirement for a site-specific Development Control Plan to be prepared for Site B; and - a provision for design excellence for a building height between RL101 and RL120 including a competitive design process. <p>The Department notes a site-specific provision is the most appropriate mechanism to facilitate the requirement of a site specific DCP for the site. The preparation of a site-specific DCP will ensure the redevelopment of Site B appropriately responds to the site and its surrounding context.</p> <p>A site-specific provision is the most appropriate mechanism for the addition of a design excellence provision. The proposed design excellence provision looks to introduce a design excellence clause and map into the North Sydney LEP 2013 that applies to 275 Alfred Street (Site B) if a proposed building on the site exceeds RL 101 and up to a maximum of RL 120 as well as a competitive design process. . It is noted that the North Sydney LEP 2013 does not include a design</p>

Directions	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
		<p>excellence provision that applies to the LGA. The inclusion of a design excellence clause for the site was a recommendation made by the SNPP on 24 March 2024 to ensure proposed development would respond to heads of consideration and complete a competitive design process.</p> <p>The Department's notes the prominence of the site and its proximity to the adjoining heritage conservation area and locally significant heritage items. The Department notes that while the intent of the concept scheme to reuse the structural frame of the existing building, this will result in a substantially different building to what currently exists. The concept has also noted that a new build is a viable option for Site B.</p> <p>The Department notes that if a development application sought to vary the proposed maximum height of building control for the site (above RL 120) it may not trigger the application of the design excellence control as proposed.</p> <p>The Department recommends the design excellence clause to apply to 275 Alfred Street (Site B) for the erection of a new building or external alterations to an existing building, not just a proposed building that has a height above RL 101 and up to RL 120.</p> <p>It is the Department view that a competitive design process for a new building or external alterations exceeding a specified RL is appropriate. However, the Department notes that the design competition clause should be triggered at above RL 92.6 (the height of the existing main habitable building structure) not RL 101 (noting the top of the existing signage is RL 100.97).</p> <p>Gateway conditions in response to the above are recommended accordingly.</p> <p>The Department considers the inconsistency with this direction is justified. The planning proposal is recommended to be updated to include an assessment against Direction 1.4 Site Specific Provisions.</p>

Focus area 3: Biodiversity and Conservation

3.2 Heritage Conservation	Unresolved, further justification required	<p>This direction seeks to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.</p> <p>The direction applies as the site is adjacent to the Whaling Street Heritage Conservation area. The site does not contain any individual heritage listed items.</p> <p>The proposal notes it seeks to provide an appropriate transition through built form controls to the low scale</p>
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Directions	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
		<p>dwelling to the north and east within the conservation area and is not expected to result in adverse impacts on its heritage significance.</p> <p>The Department notes that a heritage impact statement was prepared in October 2020 to support a previous version of the planning proposal. No updated heritage impact statement has been submitted with the planning proposal. The proposal acknowledges heritage impacts will be considered at the detailed development assessment stage. However, given the proposed changes to the built form controls, a heritage impact statement is recommended to be provided prior to exhibition. The heritage impact statement should address a proposed FSR for site B. See discussion in Section 4.1.</p> <p>It is recommended this direction remain unresolved until further justification has been provided.</p>

Focus area 5: Transport and Infrastructure

5.1 Integrating Land Use and Transport	Consistent	<p>This direction seeks to improve access to housing, jobs and services by walking, cycling and public transport and reducing dependency on private vehicles.</p> <p>The planning proposal intends to amend the planning controls on the site to facilitate to 115 residential dwellings within walking distance to a variety of public transport options including bus services along the Pacific Highway and rail services from North Sydney. The site will also be within 500m walking distance to the new Victoria Cross Metro station.</p> <p>The supporting Transport Impact Assessment (Attachment C) states proposal is not expected to result in any significant traffic impacts on the surrounding road network. This is further discussed in Section 4.3.</p> <p>The proposal is consistent with the direction.</p>
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Focus area 6: Housing

6.1 Residential Zones	Consistent	<p>Under this Direction, a planning proposal must broaden housing choice, make efficient use of existing infrastructure, reduce consumption of land for housing on the urban fringe and be of good design.</p> <p>The planning proposal will facilitate the supply for approximately 115 new high-density residential dwellings. The additional housing will provide residential development in an established urban area with existing infrastructure and services. The future redevelopment of</p>
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Directions	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
		<p>the site will be required to demonstrate design excellence.</p> <p>As such, the planning proposal is consistent with the Direction.</p>

Focus area 7: Industry and Employment

7.1 Employment Zones	Unresolved, further justification required	<p>The objectives of this direction are to:</p> <ul style="list-style-type: none"> (a) encourage employment growth in suitable locations, (b) protect employment land in employment zones, and (c) support the viability of identified centres. <p>The planning proposal is considered inconsistent with this direction as the proposal seeks to reduce the amount of floor space for employment uses and rezone land from E2 Commercial Core to MU1 Mixed Use to with the intent of providing a mixed-use development including up to 115 units on Site B (275 Alfred Street). It is noted that commercial uses are permitted in the mixed-use zone and the proposal seeks to retain some employment uses.</p> <p>Although currently zoned as E2 Commercial Core, the precinct is physically disconnected from the North Sydney CBD by the Warringah Freeway.</p> <p>The Department notes the existing provisions for the North Sydney Centre aim to facilitate employment growth and maintain its status as a major commercial centre. The precinct is not mapped as part of the North Sydney Centre in the North Sydney LEP 2013. It is also noted that the existing uses for Site D currently include residential uses.</p> <p>The supporting Urban Design Report (Attachment B) notes that detailed economic feasibility studies have been undertaken for the precinct to determine the minimum commercial redevelopment viability. The planning proposal notes this work finds existing building on Site B is nearing the end of its economic useful life and is not financially viable for redevelopment or refurbishment as a commercial building.</p> <p>The Department notes an Economic Impact Assessment was prepared in March 2019 to support a previous version of the planning proposal that had been publicly exhibited. The assessment considered change across the precinct and included the proposed changes to 275 Alfred Street (Site B). Given the time passed since the assessment has been prepared and the likely change in</p>
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Directions	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
		<p>market conditions since 2019, the Department considers inconsistency with the direction has not been justified as no updated study has provided to support the reduction in employment land. An Economic Impact Statement is recommended to be provided prior to exhibition.</p> <p>It is recommended this direction remain unresolved until further justification has been provided.</p>

3.5 State environmental planning policies (SEPPs)

The planning proposal is consistent with all relevant SEPPs as discussed in the table below.

Table 8 Assessment of planning proposal against relevant SEPPs

SEPPs	Requirement	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
SEPP (Housing) 2021	Chapter 4 – This chapter aims to improve the design quality of residential apartment development in NSW.	Yes	<p>Chapter 4 – Design of residential apartment development</p> <p>The planning proposal notes that the redevelopment of Site B is capable of satisfying the relevant design objectives of the Apartment Design Guide with the exception of deep soil areas.</p> <p>The Department notes that compliance with this SEPP will be further considered during the detailed development assessment stage.</p> <p>It is recommended that a gateway condition requires the planning proposal to consider Chapter 4 of this SEPP.</p>
SEPP (Transport and Infrastructure) 2021	This SEPP aims to provide well designed and located transport and infrastructure integrated with land use.	Yes	<p>Subdivision 2 of Part 2 Division 17 of the Transport, and Infrastructure SEPP identifies the requirements for development adjacent to road corridors and road</p>

SEPPs	Requirement	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
			<p>reservations. Consistency with these provisions including the impact of road noise or vibration will be considered as part of the detailed development assessment stage.</p> <p>A condition of gateway is recommended for the planning proposal to consider the requirements of this SEPP.</p>

4 Site-specific assessment

4.1 Environmental

The following table provides an assessment of the potential environmental impacts associated with the proposal.

Table 9 Environmental impact assessment

Environmental Impact	Assessment
Built form	<p>The proposal looks to retain the existing structural frame of the building on Site B (275 Alfred Street) and adapt from its current commercial use to mixed use.</p> <p>The existing building has a height of RL 100.97 to the top of the roof signage and a height of RL 92.60 to the top of the habitable building (Figure 13). The proposal seeks a maximum building height of RL 120.00 for Site B.</p>

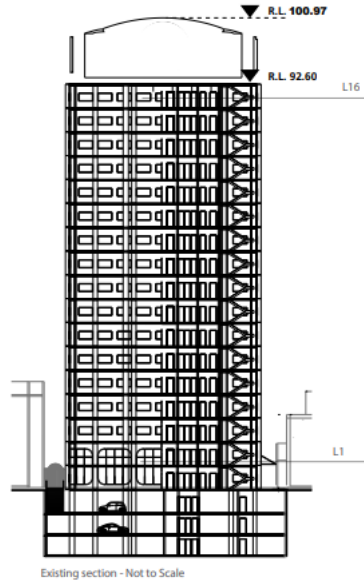


Figure 13 Existing built form (source: Urban Design Report)

The proposed concept scheme includes a 3-storey podium along the Alfred Street frontage of Site B with the tower above set back from the podium edge.

The proposed concept scheme illustrates minimum setbacks of 4.8m at the podium level and 6.5m for the tower levels from Alfred Street and a 9m from Little Alfred Street. The Department notes the bulk and scale of the proposal as well as impacts on privacy and amenity will be considered at the detailed development assessment stage.



Figure 14 Proposed concept along Alfred Street (source: Urban Design Report)




Figure 15 Proposed concept along Little Alfred Street (source: Urban Design Report)

The proposal also seeks to include a pedestrian through-site link to be located at ground level between Sites A and B to connect Little Alfred Street to Alfred Street and onto the North Sydney CBD. The Urban Design Report (**Attachment B**) notes that this through site link is to be integrated, shared across the boundaries of the two northern sites. The Department notes that the location of the through site link will be further considered in the preparation of the site specific DCP and development assessment stage.


The Department notes that a view impact analysis has not been undertaken as a part of the proposal. The Urban Design Report (**Attachment B**) provides assessment of the views and vistas from the development however does not provide analysis against the view impact of the development from the surrounding area. It is recommended that a gateway condition requires a view impact analysis of the development be undertaken.

The proposal includes the removal of the FSR control across the precinct. This was a recommendation of the SNPP in its record of decision on 5 October 2023. Further to this, the proposal includes a design excellence provision for Site B (275 Alfred Street) that will be triggered when a development application is submitted for the site with a building height higher than RL101. While the intent of the planning proposal is to reuse the existing structural frame of the building, the Department notes a significantly different building is likely to be the result of a future redevelopment as indicated in the supporting Urban Design Report (**Attachment B**). The Department also notes the possibility that existing building on site could be demolished and consent sought for the erection of a new residential building. The Urban Design Report notes a new build is a viable option. Given this, the likely scale of the development, the prominence of the site and its proximity to the adjoining heritage conservation area, it is the Department's view that amendments to the proposed design excellence provision are required as outlined in section 3.4 of this report.

Noting the above, it is also the Department's view that a FSR control for Site B is necessary to provide certainty on the future building envelope. It is also recommended that the planning proposal be updated to delete the proposed removal of the FSR

Environmental Impact	Assessment
	<p>control for Sites A, C and D given there is no intended development outcome for these sites.</p> <p>Conditions of gateway are recommended accordingly.</p>
Overshadowing	<p>The planning proposal notes solar access within the proposed concept scheme is consistent with the criteria in the Apartment Design Guide (ADG). The ADG specifies that living rooms and private open spaces of at least 70% of apartments receive a minimum of 2 hours direct sunlight between 9 am and 3 pm at mid-winter in the Sydney Metropolitan Area.</p> <p>The Urban Design Report (Attachment B) provides shadow analysis assessment for residential properties predominantly to the east on 21 June. The analysis has a focus on maintaining a minimum of 2 hours sunlight to existing properties between 9:00am and 3:00pm. The report notes that in principle all residential properties in this area maintain existing solar access conditions prior to 12:00pm on 21 June (Figure 16).</p> <div data-bbox="387 826 1422 1384">  <p>21ST JUNE - 9:00 AM - PROPOSED SHADOWS</p> <p>21ST JUNE - 11:00 AM - PROPOSED SHADOWS</p> <p>21ST JUNE - 12:00 PM - PROPOSED SHADOWS</p> </div> <p>Figure 16 Shadow analysis 9:00am-12:00pm (source: Urban Design Report)</p> <p>It is untested where living spaces have been arranged for residential properties to the south of Whaling Road, which include semi-detached dwellings oriented north-south. Currently, any south orientated living spaces would not receive solar access and these dwellings are also likely to overshadow their own rear private open space given their orientation. Any rooms within these dwellings to the north will receive 3 hours of morning solar and maintain a portion of afternoon solar access.</p> <p>Adjacent dwellings located between Little Alfred Street and Neutral Street would receive similar conditions to what is currently experienced in the afternoon prior to 2:00pm. This is because the existing precinct building shadows reach the corner of Neutral Street and Whaling Road at 2:00pm (Figure 17). It is expected that dwellings along Little Alfred Street may have minor solar access impacts dependent on the location of actual living space. Although, as per existing conditions, these dwellings will receive 3 hours of morning solar access to their north and east facades.</p>

Environmental Impact	Assessment
	<div data-bbox="384 293 1414 719"> </div> <div data-bbox="437 831 1347 846"> <p>21.ST JUNE - 01:00PM _ PROPOSED SHADOWS 21.ST JUNE - 02:00PM _ PROPOSED SHADOWS 21.ST JUNE - 03:00PM _ PROPOSED SHADOWS</p> </div> <p data-bbox="379 891 1340 952">Figure 17 Shadow analysis between 1:00pm-3:00pm (source: Urban Design Report)</p> <p data-bbox="379 981 1372 1048">It is noted that the public open space, the small reserve south of Whaling Road, will have additional overshadowing between 11:00am-2:00pm (Figure 17).</p> <p data-bbox="379 1070 1420 1131">The overshadowing impact will be further assessed as part of the detailed development assessment phase.</p>
Wind Impacts	<p data-bbox="379 1171 1420 1238">The proposal is unlikely to result in significant adverse wind impacts, and these impacts are considered manageable.</p> <p data-bbox="379 1261 1420 1496">The planning proposal is supported by a Wind Impact Assessment (Attachment F). This assessment noted the existing building on Site B (275 Alfred Street) likely poses challenges in terms of adverse wind effect, particularly in the southern corners. The alignment of the building with respect to winds from the northeast and changes in surrounding topography can create high wind effects in the southeast corner of the existing building. The comfort and safety along Alfred Street is also currently impact by the wind shedding from the existing tower.</p> <p data-bbox="379 1518 1420 1680">The assessment notes that the proposed increase in height is unlikely to significantly alter the existing wind conditions on site. The assessment concludes the proposed design features such as the built form articulation, the rounded corner profiles and deep canopies/setbacks closer to the ground level will contribute to improving wind conditions on site considerably (Figure 18).</p>

Environmental Impact	Assessment
	 <p>Figure 18 Reference Massing Scheme (source: Wind Impact Assessment)</p> <p>The assessment recommends a range of further design advice that should be thoroughly investigated during the initial phases of development. The assessment also recommends for further understanding of wind impact, in-depth examination employing wind tunnel studies should be conducted in the later stages of detailed design.</p>
Site amalgamation with 283 Alfred Street	<p>The planning proposal outlines unsuccessful attempts to purchase the site at 283 Alfred Street (Site A) have been made by the owner of Site B in February 2019.</p> <p>The planning proposal notes that the attempts to purchase the site is consistent with the relevant planning principle for site amalgamation, <i>Karavellas v Sutherland Shire Council [2004] NSWLEC 251</i>. However, it is recommended that the planning proposal be updated to reflect recent attempts to consolidate Sites A and B. A gateway condition is recommended.</p>

4.2 Social and economic

The following table provides an assessment of the potential social and economic impacts associated with the proposal.

Table 10 Social and economic impact assessment

Social and Economic Impact	Assessment
Housing	<p>The proposal will facilitate the delivery of housing supply, choice, and diversity. The accompanying development concept proposes the adaptive re-use of the existing building on Site B (275 Alfred Street) to accommodate approximately 115 dwellings. The planning proposal will have acceptable economic benefits as it will provide housing choice and diversity in an established residential area near infrastructure and services.</p> <p>In its record of decision on 22 March 2024, the Sydney North Planning Panel recommended that <i>“given the prominence of this site, the very protracted evolution of the planning proposal and the additional height of the current planning proposal, the Panel requests the Department consider identifying Site B for exclusion from further bonus height or FSR available under the amended State Environmental Planning Policy (Housing) 2023”</i>.</p> <p>The Department notes that intent of the SEPP is to facilitate the delivery of more affordable and diverse housing. If a future redevelopment of the site sought to utilise the provisions, the development assessment process requires the consideration of the likely impacts of the additional uplift. In some instances, the full uplift may not be achievable where there are site constraints. The exclusion of the site from the bonus provisions under the SEPP is not supported.</p>
Jobs	<p>The planning proposal will result in a loss of employment floor space on Site B. The planning proposal refers to the 450 jobs lost as a result of the Alfred Street Precinct Planning Study noting this study applied across Sites A-D. The exact commercial floor space and jobs lost has not been identified within the planning proposal, refer to section 3.4 for further discussion. It is recommended the planning proposal be updated with approximate loss of job numbers for Site B. A gateway condition has been included accordingly.</p> <p>A number of temporary jobs will be provided during the construction phase.</p>

4.3 Infrastructure

The following table provides an assessment of the adequacy of infrastructure to service the site and the development resulting from the planning proposal and what infrastructure is proposed in support of the proposal.

Table 11 Infrastructure assessment

Infrastructure	Assessment
Road, traffic and transport	<p>The planning proposal is supported by a Transport Impact Assessment (TIA) Report (Attachment C). The report concludes that the proposal will not result in increased traffic volumes and recommends a number of measures to manage the impact of this increase. Transport and traffic impacts have only been considered for Site B (275 Alfred Street) as the only development uplift proposed is on this site. The report has been informed by ongoing consultation about traffic and parking management and infrastructure requirements between TfNSW, Council and the proponent.</p> <p>The SNPP recommended an acceptable non-residential GFA for Site B and the proposed removal of a non-residential GFA for Sites A, C and D be confirmed with TfNSW. The Department notes that with the proposed rezoning of the precinct to MU1 Mixed use, clause 6.12A of the North Sydney LEP will apply to any development proposing residential flat buildings in the mixed-use zone. This clause requires no part of the ground floor of residential flat buildings facing the street to be used for residential accommodation in the mixed-use zone. As a result, the Department recommends a non-residential GFA for Sites A, C and D as well as Site B be determined noting residential development on these sites would be unlikely without some non-residential ground floor uses. A gateway condition has been included to update the planning proposal accordingly.</p> <p>The planning proposal looks to provide uplift for Site B (275 Alfred Street) only. This includes adapting the use of the existing building on the site from its existing commercial use to residential with ground floor retail/commercial floor space. The TIA report acknowledges that the proposal is expected to result in a net reduction in traffic when compared to the existing potential traffic generation potential of the site. The report expects that there will be a net reduction in traffic generation from 233 trips to 96 trips in the AM peak and 175 trips to 72 trips in the PM peak. This is a result of the proposed development reducing the commercial floor space on site which typically generates higher rate of traffic than high density residential.</p> <p>The proposal notes that car parking will comply the minimum ADG requirements and maximum DCP requirements.</p> <p>Public transport and traffic are discussed against the provisions of Section 9.1 Directions in Section Error! Reference source not found. of this report. The recommended conditions of the Gateway determination require consultation with TfNSW given the proximity of the site to significant road infrastructure. It is noted that traffic and parking will be further considered during the detailed development assessment stage.</p>
Utilities	<p>The site is within an established urban area. A Gateway condition is recommended to refer the planning proposal to the relevant utility providers.</p>

5 Consultation

5.1 Community

The Department recommends a community consultation period for a minimum of 20 days.

5.2 Agencies

It is recommended the following agencies be consulted on the planning proposal and given 30 working days to comment:

- Transport for NSW (TfNSW)
- Ausgrid
- Sydney Water

6 Timeframe

The proponent proposes a 6 month time frame to complete the LEP.

The LEP Plan Making Guidelines (August 2023) establishes maximum benchmark timeframes for planning proposal by category. This planning proposal is categorised as a standard

The Department recommends an LEP completion date of 8 May 2025 in line with its commitment to reducing processing times and with regard to the benchmark timeframes. A condition to the above effect is recommended in the Gateway determination.

It is recommended that if the gateway is supported it is accompanied by guidance for the PPA in relation to meeting key milestone dates to ensure the LEP is completed within the benchmark timeframes.

7 Local plan-making authority

The Department will be the local plan-making authority for this proposal.

8 Assessment summary

The planning proposal is supported to proceed with conditions for the following reasons:

- The planning proposal is generally consistent with the strategic planning framework including the North District Plan.
- The planning proposal is consistent with the North Sydney Local Strategic Planning Statement.
- The proposal will contribute to the NSW Government's targets under the National Housing Accord.
- Is generally consistent with the relevant section 9.1 Directions. Assessment against Direction 1.4 Site Specific is recommended. Assessment against Direction 3.2 Heritage Conservation and 7.1 Employment Zones remains unresolved and further justification is required.
- The proposal will contribute towards housing targets providing a mix of market value dwellings consistent with the existing use and maximum permissible density of the site.
- Is generally consistent with relevant SEPPs.
- The proposal has considered the likely environmental, social and economic, and infrastructure impacts.

Based on the assessment outlined in this report, the proposal must be updated before consultation to:

- Propose an appropriate FSR control for Site B and delete the proposed removal of the FSR control for Sites A, C and D;
- Provide further assessment against the North District Plan, Direction 1.4 Site Specific, Direction 3.2 Heritage Conservation, 7.1 Employment Zones and Chapter 4 of the SEPP (Housing) 2021;
- Provide approximate loss of job and commercial floor space numbers for Site B;
- Provide a Heritage Impact Statement, Visual Impact Assessment and Economic Impact Statement to support the proposal; and
- Determine the total non-residential GFA for the precinct. This may require consultation with TfNSW prior to exhibition.

Gateway conditions are recommended in this regard.

9 Recommendation

It is recommended the delegate of the Secretary:

- Agree that any inconsistencies with section 9.1 Directions 1.4 Site Specific Provisions are justified.
- Agree that any inconsistencies with section 9.1 Directions 3.2 Heritage Conservation and 7.1 Employment Zones remain unresolved, further justification is required.

It is recommended the delegate of the Minister determine that the planning proposal should proceed subject to conditions.

The following conditions are recommended to be included on the Gateway determination:

1. Prior to exhibition, the planning proposal is to be amended and forwarded to the Minister under s 3.34(6) of the Act with the following changes:
 - (a) Removed proposed draft wording of clauses from the planning proposal and provide clear statements setting out the intent of the proposed amendments to the LEP;
 - (b) Update the intent of the proposed design excellence clause to apply to a new building or external alterations to a building on Site B (275 Alfred Street) with a competitive design process applying to a building that has, or will have, a height above RL 92.7;
 - (c) Remove the proposed amendment to clause 6.19B Design excellence in the area adjacent to Crows Nest Metro Station;
 - (d) Propose an appropriate FSR control for Site B and update supporting documentation;
 - (e) Update the planning proposal to remove the proposed deletion of the FSR control for Sites A, C and D;
 - (f) Include the existing and proposed LEP maps in the planning proposal;
 - (g) Provide a Heritage Impact Statement to assess the impact of the development on the Whaling Street Heritage Conservation Area and heritage items within the vicinity of the site. The Heritage Impact Statement must consider the proposed FSR of Site B. Update the planning proposal including justification against Ministerial Direction 3.2 Heritage and supporting documentation where relevant;
 - (h) Provide an Economic Impact Statement that considers loss of employment land;
 - (i) Include assessment against the North District Plan *Planning Priority N6 – Creating and renewing great places and local centres, and respecting the District's Heritage*;
 - (j) Address Ministerial Direction 1.4 Site Specific Provisions;
 - (k) Update the planning proposal to include approximate loss of jobs and loss of commercial floor space for the existing building on Site B (275 Alfred Street). Provide approximate jobs numbers to be provided on Site B (275 Alfred Street).

- (l) Update the planning proposal to consider Chapter 4 of the SEPP (Housing) 2021;
 - (m) Provide a View Impact Analysis to assess the visual impact of the development from the surrounding area and update the planning proposal including supporting documentation;
 - (n) Update planning proposal to include a maximum non-residential GFA for Sites A, B, C and D. This may require consultation with Transport for NSW;
 - (o) Update the planning proposal to reflect recent attempts to consolidate Sites A and B;
 - (p) Update the Project timeline;
 - (q) Update Urban Design Report figures under *Section 5.4 Mixed-Use Program* to accurately identify proposed commercial locations.
2. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:
- (a) the planning proposal is categorised as standard as described in the *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023) and must be made publicly available for a minimum of 20 working days; and
 - (b) the planning proposal authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023).
3. Consultation is required with the following public authorities and government agencies under section 3.34(2)(d) of the Act and/or to comply with the requirements of applicable directions of the Minister under section 9 of the Act:
- Transport for NSW (TfNSW)
 - Ausgrid
 - Sydney Water
- Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material via the NSW Planning Portal and given at least 30 working days to comment on the proposal.
4. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).



9 September 2024

Eleanor Robertson

A/Director, North, East and Central Coast

Assessment officer

Jordan Clarkson

Planning Officer, North, East and Central Coast

02 9407 2131