

Annexure 3 – Summary of Submissions

Annexure 3 – Summary and Response to Submissions	
Issue	Comment
Newlands Park and Open Space	
- High usage for off-leash dog amenity. - Will reduce winter usability by 2 hours from 5pm to 3pm (some say to 2pm). - Improvements should be made to the artificial lighting of Newlands Park before construction commencements. - Newlands Park will become standing room only due to density proposed. - Request for a secure fence on Newlands Park (Duntroon and Canberra). - Temporary fencing should be installed to protect users of Newlands Park during construction. - Insufficient open space. - The render drawing is misleading showing sun over the buildings. - Would the Canberra Avenue road closure create 3500m²? The existing verge and footpath on Canberra Avenue should not be counted in this calculation. - It should be insisted the developer expand the Holdsworth Avenue pocket park.	The existing patronage of Newlands Park is acknowledged. The overshadowing of Newlands Park has been minimised and is no greater than anticipated under the planning controls. Annexure 11 details the shadow cast on Newlands Park (Drawing No. DA.21.001), noting the render does not accurately reflect the shadow diagrams. The shadow from the proposed development does not fall over the central playground area in Newlands Park until 3pm mid-winter and considered to be minimised as anticipated by the planning controls applying to the Precinct. The closure of Canberra Avenue does not form part of the Development Application. However, the proximity of Canberra Avenue to the park and potential safety considerations during demolition/construction is acknowledged. A comprehensive assessment of demolition and construction traffic management including the need to fence the park would be undertaken as part of the CTMP required as a recommended draft condition of consent. The proposal does not provide for density greater than anticipated under the planning scheme (330 dwellings compared to 354 dwellings anticipated). Open space to provide for the planned density includes Holdsworth Avenue Pocket Park and the potential to expand Newlands Park. The upgrade of Newlands Park could be considered by Council as part of the use of funds collection under Section 7.11 and the Planning Agreements to expand Newlands Park, noting a works in kind mechanism exists in the draft Voluntary Planning Agreement.

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	The provision of Holdsworth Avenue Pocket Park would be provided by Council (or the developer under works-in-kind as part of the draft Voluntary Planning Agreement).
View Sharing	
- Loss of views (Kelly submission) from the impact of Building 8. - Loss of views (Huang and Evershed submissions) to 2 Canberra Avenue. - Loss views to Marshall Avenue (Croxall and Teo submission). - Loss of views to Duntroon Avenue (2, 4-6, 8-10 and 12 Duntroon Avenue, Chapman Planning)	The proposal does not exceed the planned for building height and is not considered to unreasonably impact views being at the lower part of the Precinct and providing for significant building separation in a north/south direction. Further the views to be impacted have not been detailed or suitable evidence been provided to specify the view lost and the extent of impact.
Height	
- In excess of DCP controls. - Height of buildings fronting Canberra Avenue up to 3 storeys above DCP. - LEP Height limits are excessive. - Height above Canberra Avenue excessive. - GM indicated sawtooth effect and max one part storey which is not the case with up to 3 part storeys proposed particularly to Building 7, 9 and 11. - Area 11 building should transition 4, 6, 8 storeys as per the DCP. - Area 11 edge treatment of basement non-compliant. - Clarification required between basement protrusion (Edge treatment) and part storey controls. - 4 of the 5 buildings have 2 or more storeys above the height control. - View that Area 8 is non compliant with LEP.	The proposal complies with the maximum number of storeys, the maximum building height and provides for a number of part storeys which are allowed for under LCDCP 2009 to address the topography of the site. The LEP incentive height limit is activated by the applicant meeting the incentive provisions and is established under existing planning controls. The utilisation of a greater number of part storeys is primarily due to the significant cross-fall of this part of the Precinct and is unlikely to occur elsewhere to the same degree. Area 11 provides for a greater than required setback from River Road which gives the impression of a greater than allowable height, however the proposed design is rather not using the 4 and 6 storey zones. It provides greater separation from River Road but gives the appearance of a taller building. On balance, a greater landscaped setback to River Road is considered the better planning outcome noting the setback controls are a minimum rather than a requirement. The greater setback to Area 11 also allows for landscaping of the basement edge to Area 11.

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Building Length	
- Articulation difficult to work out whether sufficient or not (dimensions required).	Dimensions are provided within Annexure 8 and are sufficient based on the building lengths being broken by strong articulation (as allowed for by the DCP).
FSR	
- The averaging of FSR is not appropriate (2 submissions). - The inclusion of the pedestrian path area is not allowed for under the definition of site area. - 8 and 10 don't comply if averaging not used.	The concern regarding calculation of site area is acknowledged. The inclusion of the pedestrian link is allowable (as it is dedication of R4 zoned land) and the averaging of FSR is addressed in detail in the report and is considered allowable given the construction of LCLEP 2009 and the universal FSR applying across the site.
Property Value	
- From loss of views (Kelly submission)	Loss of property value in isolation is not a planning consideration. View sharing is considered above.
Green Spine	
- Should be made public open space. - Gating the green spine is not appropriate.	The communal open space is provided for in the green spine. Public open space is provided for elsewhere in the Precinct.
Traffic	
- Duntroon Avenue barely functions as two way presently and would not be able to cater for increased demand. - The slip lane to Duntroon Avenue can cater for 3 vehicles only, and would not be able to cater for increased demand. - 20 Dwellings being replaced with 300+ apartments and there being only an increase of 10 vehicle movements does not make sense (repeated numerous times). - Canberra Avenue too narrow (as per Duntroon comment). - The removal of Holdsworth Avenue entry point for the benefit of future residents is to the detriment of existing residents on Duntroon Avenue. - Resulting noise and air pollution. - Access points should be split on Holdsworth and Canberra Avenue to split. - Should address Canberra Avenue road closure. - Does not address traffic volume impact on serviceability of a number of key intersections (North Sydney Council submission)	The Precinct includes multiple ingress and egress roads. The proposal does not seek to change the existing road network noting that the closure of Canberra Avenue does not form part of the subject Development Application. The DCP seeks to consolidate driveway entries which is provided for in the subject design. It provides for greater safety and a higher quality public domain. The applicant amended the Traffic Impact Assessment Report as provided in Annexure 17. Council's Traffic Section reviewed the Traffic Impact Assessment Report and raised no objection to the proposal on the grounds of traffic or parking. The proposal provides for less than the anticipated density for the site (330 dwellings compared to 354 dwellings forecast) and does not increase the vehicle movements as anticipated when the Precinct was rezoned

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- Traffic report should discuss route choices. - Amount of traffic movement directly adjacent to the park is unacceptable. - Traffic study assumptions completely flawed. - Public consultation required on closure of Canberra Avenue. - Canberra Avenue should be kept open. - North Sydney views should be taken into consideration.	to allow for higher density residential development.
Parking	
- The proposal provides insufficient parking. - Inadequate visitor parking impacting local streets. - Parking is in fact 372 vehicles plus 66 visitor spaces? - Parking reduced to reduce demand.	The proposal provides for compliant parking in accordance with Part R of LCDCP 2009. Increased parking beyond the DCP is not able to be requested and in addition would create additional demand on the road network and undermine the future operation of the Precinct as a sustainable transport orientated development. The proposed parking is considered satisfactory.
Visual Privacy	
- Impact on dwellings on south of River Road with views into backyards. - Little to no assessment provided.	The proposal provides for visual privacy appropriate for a zone transition through the width of River Road and a minimum 20m building setback from River Road.
Setbacks	
- Disagreement with averaging setbacks being a compliant part of the proposal, and the impacts on bulk and scale. - The design should be set back parallel with Canberra Avenue. - Intrusion into 4m zone not appropriate.	The averaging of setbacks is addressed in the report and appropriate for Building 9 and 11.
Solar Access	
- The solar access of building 11 and 9 are below 50% which is unacceptable. - The assessment doesn't assess impact of future buildings within SLS. - Many units are subterranean including in Building 8 and 10 to Holdsworth Avenue, sunken terraces in Building 7 to 9. - Overshadowing of Newlands Park, green spine, public domain, site walk-through, Area 20 and 28. - Building 10 also not sufficient. - inconsistency in calculations between SEE and Appendix 2.	The solar access is 70.2% across the development as a whole which is considered satisfactory as addressed in the report.

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Tree Removal and Landscaping	
- 86 out of 103 trees removed. - Where is the habitat assessment? - The 'retention' of street trees should not be counted in the applicants assessment of trees to be retained. Only 4 site trees are to be retained out of 77. - 120 trees removed. - 117 trees removed.	Tree removal and retention is detailed in the report and has been reviewed in detail by Council's Landscape Architect and Tree Preservation Officer. The proposed development will provide for significant canopy planting in deep soil zones, street tree vitality and planting infrastructure to provide for long-term health of on-structure planting.
Construction	
- 1700 truck trips. - Impact on local streets, as being currently experienced by residents on Park Road from 5:30am.	A Construction Traffic Management Plan would require Council approval prior to demolition or construction/excavation works commencing which will address traffic impacts.
Infrastructure	
- Impact on Greenwich Public School Catchment.	The proposed density has been approved by the Department of Planning and Council and adequate mechanisms are available to address increased populations through school infrastructure upgrades as and when the demand arises.
Character	
- Not in keeping with village character.	The Precinct while integrating with the surrounding character is not intended to provide the same character.
DCP	
- Does not meet DCP objectives.	The DCP objectives are achieved through the planning controls which the proposal predominantly meets and/or provides justification for site-specific reasons why an alternate is appropriate (e.g. average setbacks) and how an equal or better planning outcome is achieved.