

CONCERNS RAISED IN SUBMISSIONS	RESPONSE
<b>Overshadowing</b> - Overshadowing will be excessive	The proposed development has been carefully designed to ensure any overshadowing as a consequence of the proposal is consistent with that envisaged impacts within the St Leonards South Landscape Masterplan. The proposal was amended and the overall built envelope reduced by 1-storey at the northern portion of the building 3-storeys at southern portion of the building. Solar access diagrams were submitted with the amended DA which demonstrated that the proposal would not result in unacceptable shadow impacts onto the site or surrounds.
<b>Communal Open Space</b> - Shadows on Pocket park - Insufficient open space. - will be perceived as private open space	The 400sqm public park fronting Marshall Avenue provides communal open space with two pedestrian entries off Marshall and Holdsworth Avenues. The pocket park would be located at the northern side of the development at Area 12 and would receive acceptable solar access. The retention of the original stone wall would not discourage members of the public utilising the space. If required, a draft condition can be included requiring signage adjacent to the entrances.
<b>View Sharing</b> - Loss of views to properties on northern side of Marshall Avenue	In developing the St Leonards South Master Plan, nominated maximum building heights were prescribed and therefore, a level of view impacts was expected with redevelopment of the precinct for high rise residential developments. The built form, height and scale of the proposed development have been resolved and comply.  The proposal fully complies with the prescribed maximum 44m height limit and therefore the associated view impacts align with that expected for the site.
<b>Topography</b> - The proposal does not reflect the topography of the area	The proposed development complies with height in metres control, the height in storeys controls and building setbacks. The proposal steps down 2 storeys at the southern end. The vehicle entrance is proposed at the lowest end of the site which further reduced bulk. The proposal appropriately responds to the topography of the site and surrounds.
<b>Height</b> - In excess of DCP height in storeys controls.	The proposed development has been amended and reduced the northern portion of the building by 1 storey and 3-storeys at southern portion of the building. The amended design complies with the maximum building storey height of a part 10 and part 12 storey building as envisaged for the site and wider St Leonards South precinct.
<b>Building depth</b> -	The maximum depth of the building is approximately 19.8m which complies with the recommended ADG guideline of 18m – 22m.
<b>Building Length</b> - Articulation not significant enough - In excess of the 40m width control	The proposed is approximately 55m in length. However, the building length has been appropriately articulated with a 3m x 6m recess in the central section of the Holdsworth Avenue frontage. The articulation results in the building

	being visually broken up into two x 25m long blocks and complies.
<b>FSR</b> - The calculation ought to be correct /density	The proposal as amended achieves a FSR of 3.35:1 which is significantly below the anticipated density envisaged for the site of 3.45:1.
<b>Property Value</b> - Loss in value	There is no evidence that there will be a loss in property prices.
<b>Green Spine</b> - Gating the green spine is not appropriate. - Insufficient open green space or communal open space.	The proposal provides a significant amount of communal open space to future residents including: •Green spine with active and passive areas, 2 x BBQs, bubblers and seating. •Level 10 rooftop 220sqm in area communal garden with seating, BBQ areas, pergola. •400sqm public par fronting Marshall Avenue •Direct connection to open spaces including the green spine and Newlands Park
<b>Traffic</b> - Does not address traffic volume impact - Amount of traffic movement is unacceptable. - Traffic study is misleading and assumptions flawed. - Impacts of removalist trucks and delivery trucks - Concerns with pedestrian and bicycle safety	A detailed traffic and car parking impact assessment report is submitted with the DA. The traffic assessment was prepared by a qualified engineer in regard to the relevant traffic requirements in the Lane Cove Development Control Plan 2009 and Transport for NSW (TfNSW). The assessed traffic impact is considered acceptable.  The basement entry level includes a HRV loading area which contains adequate dimension to accommodate removalist and delivery trucks.  The parking area and vehicle access to the site were reviewed by Council's traffic engineers and considered to have adequate pedestrian and cyclist safety.
<b>Parking</b> - The proposal provides too many parking spaces. - Reduced street parking	The proposed car parking complies with the recommended minimum car parking rates prescribed by the Lane Cove Development Control Plan 2009. All parking generated by this development will be accommodated on site.  The four existing crossovers along Marshall and Holdsworth Avenue will be consolidated into a single access. The redundant driveways will be removed with kerb invert be reinstated to match the adjacent footpath and kerbing. The reduction of crossovers would free up space for additional on-street parking.
<b>Closure of Canberra Avenue</b>	The closure of Canberra Avenue is not relevant to this Development Application.
<b>Construction Impacts including Noise, Traffic and Pollution</b>	A construction traffic management plan and construction noise and vibration plan have been submitted with the application. Accordingly, appropriate mitigation measures will be implemented during construction to minimise adverse impacts to neighbouring properties.  Further, the developer will provide a telephone number for the "Responsible Person" in the event of a noise complaint.

	<p>If the complaint is on-going, an investigation by a qualified acoustical consultant may be necessary to determine if the complaint is bona-fide</p> <p>Standard conditions of consent will also assist with managing construction impacts.</p>
<p><b>Setbacks and Building Separation</b></p> <ul style="list-style-type: none"> <li>- Development ought to comply with DCP setback requirements</li> <li>- Non-compliance with building separation provisions of the ADG to the southern boundary</li> </ul>	<p>The proposed building design includes setbacks which were established following an extensive urban design process with Council and the Design Review and Excellence Panel.</p> <p>The southern elevation complies with the ADG separation requirements for non-habitable elevations. The 'defensive' design with high-sill windows ensures no opportunities for sightlines between habitable rooms of the subject site and Area 14.</p> <p>Overall, the proposal achieves the objectives of the building separation requirements under the ADG and the objectives of the St Leonards South planning precinct controls including the envisaged housing target density.</p> <p>The proposed design achieves urban design excellence through its unique design and careful response to the above process.</p>
<p><b>Loss of privacy and amenity to south facing apartments of 25 Marshall Avenue</b></p>	<p>The northern elevation of the building has been setback approximately an average of 9.5m from the front boundary. The separation distance from habitable rooms of Area 12 and across the street at 25 Marshall Avenue is approximately 30m. This significantly exceeds the ADG requirement of 24m. The proposal has been designed to comply with the objectives of the Apartment Design Guide with regards to privacy and amenity.</p>
<p><b>Solar Access</b></p> <ul style="list-style-type: none"> <li>- Concerns raised of shadow impacts of built form</li> </ul> <p>The solar access ought to comply with the minimum 70% and 60% ADG solar access and cross ventilation requirements</p> <p>Solar access to balconies and terraces</p>	<p>The proposal complies with the minimum required solar access to apartments as required under SEPP 65 and the Apartment Design Guide. A total of 70.8% of apartments achieve 2 hours compliant solar access. This includes terraces and balconies.</p>
<p><b>Natural Ventilation</b></p>	<p>The DA included a qualitative natural ventilation assessment which concluded 61.19% of apartments met the cross-ventilation requirements of the ADG. A significant number of the compliant apartments will include naturally cross ventilated kitchens which would minimise energy costs.</p>
<p><b>Tree Removal and Landscaping</b></p> <ul style="list-style-type: none"> <li>- Tree retention ought to be ensured</li> </ul>	<p>A detailed arborist report has assessed the potential to retain trees and recommends that they the majority be removed. Suitable replacement planting is provided as part of the proposal as detailed in the updated landscape plans to the satisfaction to both Council's Tree Officer subject to recommended draft conditions including 1:1 tree replacement. All street trees</p>

	are proposed to be retained with the exception of 1 to be removed for the proposed driveway.
<b>Loss of Wildlife and their Habitats</b>	There was no requirement for a flora and fauna assessment as part of the DA. There would be no loss of endangered or threatened species with the proposed removal of trees on site.
<b>DCP &amp; LEP Requirements</b> - Does not meet DCP objectives.	The DCP objectives are achieved where the proposal predominantly meets or are appropriately clarified/justified for site specific reasons and how an equal or a better planning outcome has been achieved in this instance. The proposal meets the relevant DCP controls as clarified in the main report or the DCP compliance table.
<b>Design Excellence</b> Does not meet design excellence, some submissions raising general issue with each clause.	<p>The proposed building and landscape design have been developed by PTW architects and Site Design + Studios following an urban design process with Council and the Design Review and Excellence Panel.</p> <p>This design evolution resulted in the Panel being generally satisfied with the overall design intent, building height and form.</p> <p>The proposed development achieves urban design excellence through its unique design and detailed response to the sites constraints and opportunities whilst achieving the overall objectives of St Leonards South precinct planning controls</p>
<b>Adverse impacts to the existing streetscape character</b>	<p>The proposal will provide urban renewal to the existing streetscape consistent with the high-rise built form envisaged for the St Leonards South precinct.</p> <p>The proposed building form, materiality, design and connection to the east west pedestrian link have appropriately responded to the Marshall and Holdsworth Avenue and Newlands Park streetscape character.</p>
<b>Wind impacts</b> <b>Wind tunnel of green spine/pocket park</b>	A qualitative wind assessment was submitted which demonstrated that ground level wind speeds within all public access areas would remain at their present levels. The recommendations of the wind impacts report have been implemented in the design and are considered acceptable in mitigating associated wind impacts.
<b>Lack of additional amenities to accommodate increased residential population – eg parks, community facilities, schools.</b>	The proposed development is consistent with the strategic objectives for the area. The proposal is within the planned density for the site and is a permissible use. The St Leonards South (SLS) Precinct will deliver a large number of public benefits for use by the existing and future residents community including multiple, pocket parks, childcare centres, multiple east west pedestrian/bicycle links, multi-purpose community facilities and a new road linking Park and Berry Street, affordable housing dwellings, improved street tree plantings which have

	<p>unimpeded growth as overhead powerlines will be relocated below ground, The SLS Precinct is within walking distance to major transport hub of St Leonards railway station and major bus links on the Pacific Highway.</p> <p>The delivery of new school/education infrastructure is the responsibility of NSW State Government and not Lane Cove Council.</p>
<p><b>Heritage impacts</b> Removal of 4 federation dwelling houses should not be permitted</p>	<p>The 4 federation houses are not heritage items and are not required to be retained under Council's controls. The stone wall along Marshall Avenue is proposed to be retained as a boundary of the public park to reference the original character of the streetscape.</p>
<p><b>Non-compliance with affordable housing requirements.</b> - Concerns only (7) seven affordable dwellings are required</p>	<p>The application proposed two (2) affordable dwellings as per the requirements of the DCP. A draft condition has also been recommended</p>
<p><b>Noise impacts during construction and occupation</b></p>	<p>The DA included the submission of an acoustic report which addressed the potential of surrounding noise impacts on the proposed development and surrounding nearby receivers. Mitigation and acoustic treatments have been incorporated throughout the duration of the demolition and construction phases, relating to roads traffic noise, on-site works, waste collection and mechanical plant. Council has recommended the inclusion of a draft condition requiring compliance with the recommendations of the acoustic report.</p>
<p><b>Apartment layout and design</b></p>	<p>The proposed design as amended provides a high quality of amenity for future residents. The apartment layout is generally compliant with the ADG requirements. A SEPP 65 Design Statement has been submitted with the application.</p>