

15 July 2021

North Sydney Council
PO Box 12
North Sydney, NSW 2059

Att: Neal McCarry
Team Leader Policy
Per email: Neal McCarry <Neal.McCarry@northsydney.nsw.gov.au>

Dear Neal

RE: PLANNING PROPOSAL – PP2/21 AT 253-267 PACIFIC HIGHWAY NORTH SYDNEY

I refer to the Planning Proposal at Nos 253-267 Pacific Highway, North Sydney which seeks to amend the North Sydney Local Environmental Plan 2013 (NSLEP 2013) to allow for:-

1. a split height control, allowing 14m to the north, 29m (mid-block) and 37 metres (southern end);
2. a split FSR control, with a maximum FSR of 5.35:1 to Nos. 253-261 Pacific Highway and a maximum FSR of 1.85:1 to Nos. 265-267 Pacific Highway; and
3. a minimum non-residential FSR control of 1:1 across the entire site.

A preliminary assessment of the Planning Proposal has been carried out following an inspection of the subject site and adjoining/nearby properties. The preliminary review of the Planning Proposal has identified the following matters to be addressed and/or clarified:-

1. Heritage

The CPPS scheme includes all the land between McLaren and West Streets, whilst the Concept Reference Scheme excludes Nos. 6-8 McLaren Street with no discussions as to the reasoning behind this exclusion.

In addition, the Concept Reference Scheme demonstrates that a conventional podium and tower form is incongruous with Nos 6-8 McLaren Street, resulting in a massing which dominates Nos. 6-8 McLaren Street. The documentation submitted does not adequately address the impact on the contributory item, nor how this item could in the future be incorporated into the development.

The interface with the contributory building needs to be resolved.

In addition, McLaren Street has been identified as an important visual corridor. It is recommended that a vista analysis along McLaren Street looking west, towards the site be submitted.

2. Zone interface and transition in scale

It is recommended that additional massing studies be provided illustrating the proposed built form / visual massing as viewed from the surrounding lower scale R3 zoned land (the adjacent McLaren Street heritage conservation area), consistent with the request by the Design Excellence Panel.

AK Planning

3. Podium

The Concept Reference Scheme does not allow the podium to step down Pacific Highway. Whilst it is acknowledged that the Concept Reference Scheme does achieve the 3 storey street wall height recommended under the CPPS (aligning with the streetscape to the north) the continuation of the podium results in a massing which dominates the contributory item to the south at No. 6-8 McLaren Street.

There is a potential to pay homage to the original streetscape pattern by breaking up the continuous street wall. This would also alleviate the massing presented to No. 6-8 McLaren Street. The rhythm and scale should be different from the developments to the south, since the site is not part of the contiguous CBD.

4. Building Mass

It is noted that the proposed allocation of the maximum height is not consistent with the envelope suggested under the CPPS (10 storey tower envelope is larger than the suggested envelope). Insufficient justification for this variation has been provided.

5. Proposed Height

It is assumed that the Concept Reference Scheme applied Section 2C Building Height “considerations in setting height controls” of the ADG, to identify an appropriate height in meters. However, this analysis has not been provided within any of the documentation submitted. The applicant is encouraged to provide this analysis in plan form, which will be very useful for not only the community but also the approval authority.

6. Proposed FSR

For the purposes of establishing an appropriate FSR for the site, the building envelope must adhere to setbacks as outlined in the CPPS, the NSDCP and the ADG.

Concern is raised regarding the level of articulation to the towers. In this regard, the ADG recommends that typically a building envelope should be 25%-30% greater than the achievable FSR. It appears that the proposed envelope equals the proposed FSR.

The applicant is requested to demonstrate how the Concept Reference Scheme arrived at the proposed FSR. What is the Gross Building Area (GBA) and what is the efficiency rate applied? Provide an analysis similar to the Conybeare Morison analysis (p53 of Civic Precinct and Surrounds Planning Study) or demonstrate in plan form how articulation of the envelope has achieved the proposed FSR/yield (noting that most of the balconies are counted as GFA because they are enclosed / wintergardens).

In addition, a reduced site area (not including the offering to dedicate land to facilitate the widening of Church Lane) has been applied on the PTW plans for the purposes of calculating FSR. No planning justification / explanation has been given pursuant to Clause 4.5 of the North Sydney LEP 2013 for this exclusion.

7. Overshadowing

The Planning Proposal report prepared by Urbis states:- “the proposed building envelope will not result in any additional overshadowing to the playground as envisaged under the CPPS”.

AK Planning

However, the shadow analysis prepared by PTW demonstrate some additional overshadowing beyond the existing school buildings and the projected CPPS shadow during the 8:15am period. It is acknowledged that this will not materially impact on the overall achievement of the required solar access to the playground, however consistent with the CPPS and historical approach no additional shadow to the playground will be supported.

In addition please confirm whether the shadow analysis include the additional 1m as annotated on the plans for roof services.



Extract from PTW plans – red outline showing additional overshadowing

In order to clarify or address the matters discussed above the applicant is requested to provide the following:-

1. Provide additional massing analysis at the zone interface with the McLaren Street HCA, including a vista analysis along McLaren Street;
2. Address the massing impact and interface to the contributory building at Nos 6-8 McLaren Street by potentially stepping the podium along Pacific Highway;
3. Amend plans to allow for no additional overshadowing to the playground to the North Sydney Demonstration School;
4. Justify the allocation of height (building mass) where it varies from the CPPS;
5. Provide an analysis in plan form for the achievable height in meters; and
6. Demonstrate the achievable FSR.

Should you wish to discuss or seek clarification on the issues above, please do not hesitate to contact me.

Kind regards



Annelize Kaalsen