

Submissions Report

*SSD-87486461
20-22 Atchison Street, St
Leonards*

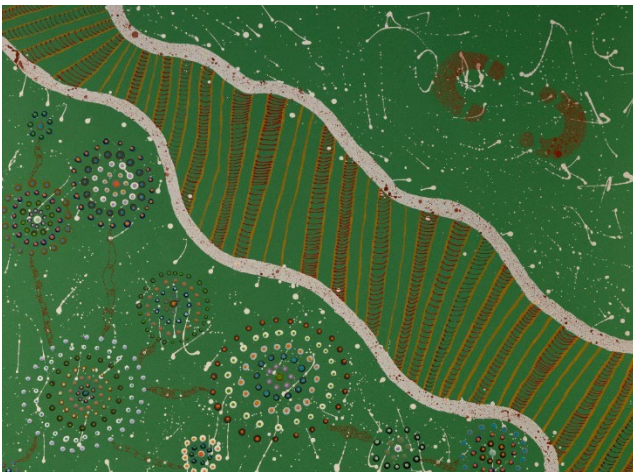
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Project Code P0060848
Report Number FINAL_MARCH 2026

Acknowledgment of Country

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The river is the symbol of the Dreaming and the journey of life. The circles and lines represent people meeting and connections across time and space. When we are working in different places, we can still be connected and work towards the same goal.

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1 Introduction

This Response to Submissions Report (**Submissions Report**) has been prepared on behalf of Setia Sydney Pty Ltd (the **Applicant**) in relation to State Significant Development Application (**SSDA**) 87486461 for the residential development at 20-22 Atchinson Street St Leonards (the **site**). This report has been prepared to address the matters raised by public agencies, local Council, the community and other relevant stakeholders throughout the public exhibition period.

The SSDA was lodged with the Department of Planning, Housing and Infrastructure (**DPHI**) in October 2025 (SSD- 87486461). The SSDA was placed on public exhibition for 14 days between 2 December 2025 to 15 December 2025. During this period, a total of 11 submissions were received from members of the public and community groups. In addition, 7 agency referrals were provided (Sydney Metro, Sydney Airport, Australian Government Civil Aviation Safety Authority (**CASA**), NSW Government Fire and Rescue, NSW Department of Climate Change, Energy, the Environment and Water (**NSW DCCEEW**), Ausgrid and Sydney Water), a submission from North Sydney Council (**Council**) and a 'Key Issues' letter from DPHI.

Each of the submissions received in response to the public exhibition and external referrals have been reviewed by the Applicant and project team in detail.

This Report responds to those submissions and agency comments. It provides:

- An analysis of the matters raised;
- A summary of the Applicant's actions and responses since exhibition; and
- An updated justification for the proposed development.

The Report is accompanied by supporting documentation and technical assessments prepared by specialist consultants.

This Submissions Report has been prepared in accordance with DPHI *State Significant Development Guidelines – Preparing a Submissions Report (Appendix C) March 2024* (**the Guidelines**).

Overall, the project received a low number of public and agency submissions. While agencies provided recommendations, none formally objected to the project. This provides a strong level of support for the project, noting however that some areas of the project have required further refinement following the exhibition period.

This Submissions Report provides an analysis of the submissions received, outlines further engagement with stakeholders which has occurred following public exhibition, a formal response to the submissions, and an overview of some amendments to the project (as lodged) which final approval is now sought within SSD- 87486461.

1.1 Applicant Details

The applicant details for the proposed development are listed in **Table 1**.

Table 1 Applicant Details

Proponent	Setia Sydney Pty Ltd
Postal Address	Level 1, 155 Franklin Street, Melbourne, VIC, 3000
ACN	673 798 304
Nominated Contact	Cynthia Chau

1.2 Exhibited Project

This Submissions Report relates to 20-22 Atchison Street, St Leonards within the North Sydney LGA as identified in aerial photograph at Figure 1. The site is legally described as Lot 1 in DP740017 and Lot 120 DP564606.

Figure 1 Aerial Photograph



Source: Urbis

The exhibited proposal sought consent for:

- Demolition of the existing structures on the site.
- Bulk excavation up to 21m and basement dewatering.
- Construction of a 40-storey mixed use development comprising:
 - A four storey mixed use podium, featuring commercial floorspace at Lower Ground to Level 1, two levels of residential apartments at Level 2 and Level 3 and a level of associated residential amenities at Level 4.
 - Tower comprising an additional 34 levels of residential apartments from Level 6 to Level 39.
 - Five basement levels accommodating car, bicycle and motorcycle parking, storage, waste, loading, plant and end of trip facilities.
- Landscaping and public amenities within a 5-metre-wide setback, creating a stepped linear park along Mitchell Street, at Ground and Lower Ground Level.
- Consolidated vehicular and loading access from Atchison Lane.
- Amalgamation of Lot 1 in DP740017 and Lot 120 DP564606.

- Provision of a monetary contribution equating to 10% of the gross floor area of the residential component of the development, paid to North Sydney Council, to fund/provide affordable housing in the LGA in partnership with their nominated Community Housing Provider.
- The intended outcomes of the project are to:
- Facilitate a high-quality mixed-use development that delivers housing and employment-generating floor space in a highly accessible location
- Deliver a built form outcome that positively contributes to the public realm consistent with the existing and emerging character of St Leonards and the wider Crows Nest TOD precinct.
- Deliver a high-quality ground plane that supports activity and creates a welcoming, human-scaled interface to enhance the public domain.
- Provide an affordable housing contribution to assist in meeting NSW Government targets

1.3 Supporting documentation

This RTS Report is supported by the following technical reports and documentation which have been amended to reflect the amended application.

Table 2 Supporting Documentation

Appendix	Report	Prepared by
Appendix A	Community Submissions register	Urbis
Appendix B	Mitigations Measures	Urbis
Appendix C	Architectural plans	Cox Architects (Cox)
Appendix D	Wind Impact Assessment	SLR Consulting Australia
Appendix E	Metro Impact Assessment	Meinhardt
Appendix F	Electrolysis Report	Corrosion Control engineering
Appendix G	Noise and Vibration Impact Assessment	Pulse White Noise Acoustics
Appendix H	Reflected Glare report	Inhabit
Appendix I	Response to Comment on Landscaping Opportunity	Tract
Appendix J	Waste Management Plan	Salt3
Appendix K	Clause 4.6 FSR Variation	Urbis
Appendix L	Urban Design Report	Cox
Appendix M	Landscape Plans	Tract

1.3.1 Architectural Plans

Appendix C provides the full architectural plans prepared by Cox, for which consent is sought. The revised plans dated 12 March 2026, relevant to this RTS report are identified in Table 3.

Table 3 Revised Architectural Plans

Reference	Description	Date
A-DA-2110	Lower Ground	12/03/2026
A-DA-2112	Ground Floor	12/03/2026
A-DA-3100	Building Elevations – North & East	12/03/2026
A-DA-3101	Building Elevations – South & West	12/03/2026
A-DA-9100	Development Calculations GFA Sheet 1	12/03/2026
A-DA-9101	Development Calculations GFA Sheet 2	12/03/2026

2 Analysis of Submissions

2.1 Overview of Submissions

This section provides a summary of the submissions received including a breakdown of respondent type, nature/ position and number of submissions received.

The SSDA was publicly exhibited between 2 December 2025 to 15 December 2025. There were seven (7) submissions received from public agencies, one (1) from the local Council, and eleven (11) submissions received from members of the public and community groups. All submissions were managed by DPHI, which included registering and uploading the submissions onto the 'Major Projects website' (SSD-87486461).

2.2 Analysis of Council and Government Agency Submissions

A total of seven (7) submissions were received from Government Agencies during the public exhibition of the SSDA. The following agencies made submissions during the exhibition period:

- Sydney Metro
- Sydney Airport
- Australian Government Civil Aviation Safety Authority (CASA)
- NSW Government Fire and Rescue
- NSW Department of Climate Change, Energy, the Environment Water (NSW DCCEEW)
- Ausgrid
- Sydney Water

A submission was also received from North Sydney Council.

In addition, on the 17 December 2025 the DPHI issued a Request for information letter which identified that a written response is required with regards to the issues raised from North Sydney Council, government agencies and public submissions.

Section 4.1 provides a response to the key issues raised by the DPHI, and section 4.2 provides a response to the agency submissions.

2.3 Summary of Key Issues

Of the seven (7) submissions received by Government Agencies and the one (1) submission received from Council, all provided comments on the proposal. A summary of these has been prepared as a submissions matrix and is available from Urbis upon request. The 'comments' are genuine requests by agencies for the DPHI to further consider aspects of the application or request additional information and have been considered individually in **Section 4.1** due to the technical nature of the comments.

2.4 Analysis of Public and Community Groups

Overall, eleven (11) submissions were received from members of the public and community groups during the exhibition period, summarised in Table 4 below.

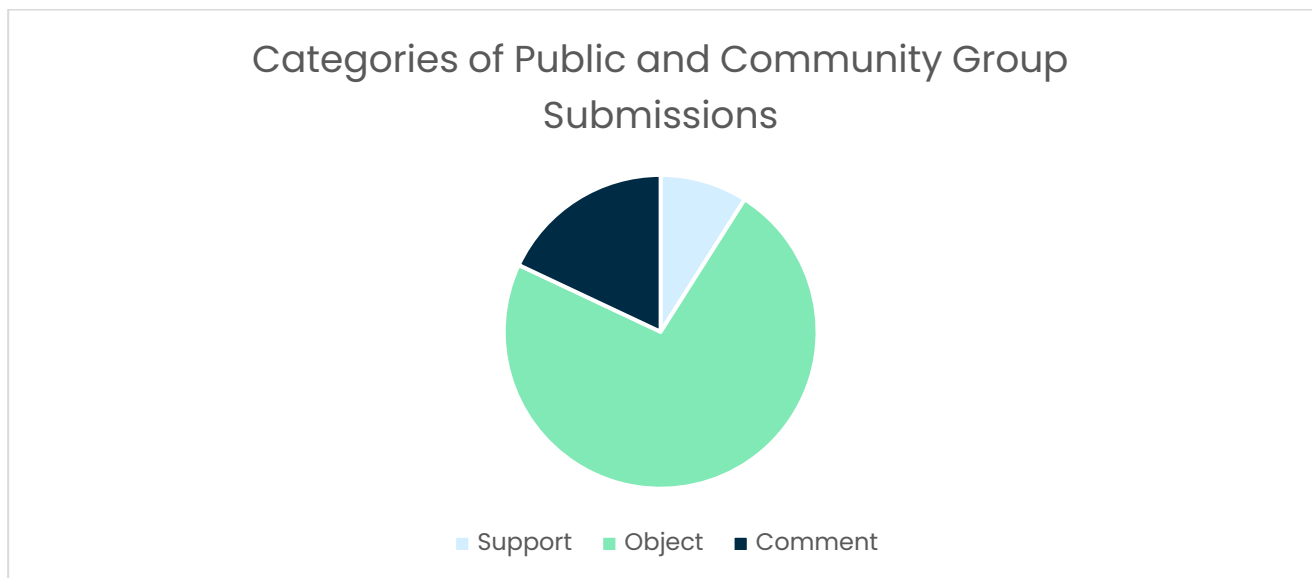
Table 4 Overview of public and Community Group submissions

Parameter	Number of Submissions Received
Total public and community organisation submissions	11
Submissions in support	1
Submissions in objection	8
Submissions providing comment	2
<i>Received from Sydney Water and Keep Squash and Indoor Racquet Sports In Willoughby</i>	

Figure 2 illustrates the position that each submission provided. All submissions received from public and community organisation groups were unique submissions, with no-proforma submissions received.

Of the submissions that provided locational addresses, eight (8) submissions were received from within the local area (<5km), no submissions were received from the regional area (5 – 100km), and one (1) submission from the broader community (>100km, on the NSW and Queensland border). The remaining submissions did not provide addresses.

Figure 2 Analysis of Public Submissions received during exhibition



2.4.1 Public Submissions

Nine (9) individual community submissions were received in relation to the proposed development. Of these, eight (8) objected to the proposal and one (1) expressed support.

2.4.1.1 Categorisation of Public Submissions Key Issues

Urbis have reviewed and analysed the key issues identified in the public submissions.

In accordance with the DPPI “Preparing a Submissions Report” Guidelines, issues raised have been categorised in a systemic and impartial way to enable a clear response to each key issue. This includes analysis of submissions by category (for example, the project, procedural matters, etc.) and key issues (for example, overshadowing, traffic impacts, etc.).

Table 5 provides a summary of the key issues identified from the public submissions received for the project.

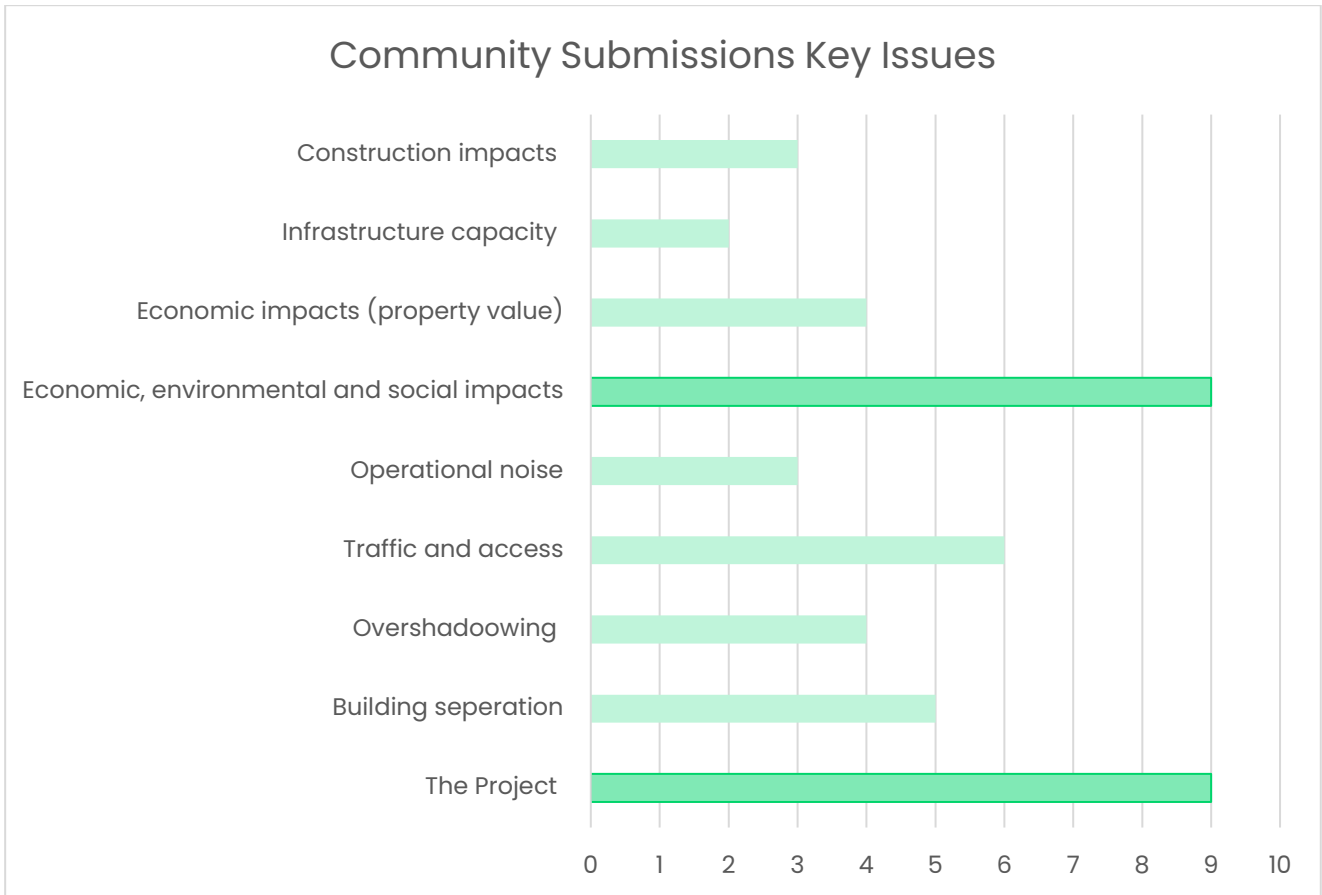
Table 5 Categorisation of key issues

Category	Issue
The project	<ul style="list-style-type: none"> ▪ Building Separation: concerns regarding the proximity of the proposed tower to existing residential buildings. Recurrent issues include lack of privacy and risks of vibration during construction impacting surrounding building foundations ▪ Overshadowing: concerns about the building, particularly its height reducing sunlight and impacting on residents views. ▪ Traffic and access constraints; concerns that the proposed development will increase existing congestion conditions, particularly on Christie Street and Chandos Street. ▪ Operational noise: concerns regarding noise generated by after-hours waste collection and late-night deliveries.
Procedural Matter	Issues relating to the State Significant Development application process.
Economic, environmental and social impacts	<ul style="list-style-type: none"> ▪ Economic Impacts: concerns about declining surrounding property values due to amenity impacts from the proposed development. ▪ Infrastructure capacity: concerns about whether existing local infrastructure can accommodate population growth, particularly public transport, schools, hospitals and parking. ▪ Construction Impacts: noise, vibration, dust and foundational impacts (e.g. cracks) on surrounding buildings due to construction

2.4.1.2 Prevalence of Public Submissions Key Issues

Figure 1 illustrates the number of times an issue was raised across all the public submissions.

Figure 3 Community Submissions Key Issues



It should be noted that no public submissions raised issues regarding procedural matters. Additionally, the above graph does not include the one submission which supported the project as a whole (no specific sub-categories were identified).

It is also important to note that the submission from Keep Squash and Indoor Racquet Sports community action group raised community opposition to the proposed loss of the tennis and indoor racquet sports facility, including concerns about impacts on the community and broader social and health outcomes.

3 Actions taken since Exhibition

In response to the key issues raised within the submissions, minor design refinements and clarifications have been made to the proposed development since public exhibition. A number of additional amendments are proposed in response to ongoing design development for the project.

This section outlines those changes and highlights the additional technical assessments undertaken to address concerns raised by government agencies, Council, community organisations, and members of the public, as detailed in **Section 2**.

3.1 Further Engagement

Since the lodgement of the SSDA, the applicant's waste consultants have continued to engage with North Sydney Council regarding the proposed waste management arrangements. In summary, engagement between SALT3 Waste Engineers and North Sydney Council has included:

- Email from SALT to North Sydney Council on Friday 13 February 2026 requesting the specification of the waste contractor's collection vehicles.
- Email from North Sydney Council to SALT on Friday 13 February 2026 providing specifications for two vehicles, one 7.2m long and the other 10.5m long.
- Email from SALT to North Sydney Council on Wednesday 18 February 2026 providing swept path analysis of the 10.5m long truck accessing the loading bay, however requiring a corrective movement to reverse into the bay.
- Email from North Sydney Council to SALT on Friday 20 February 2026 advising that their waste contractor believed the site to be too tight for their trucks to manoeuvre and requesting off site collection with temporary holding bay at Atchison Lane.
- Email from SALT to North Sydney Council on Wednesday 25 February 2026 providing swept path analysis of the truck entering the site from the west, which does not require a corrective movement to enter the loading bay. Also advising that a temporary holding bay at Atchison Lane would not be feasible due to the location of services infrastructure that cannot be moved.
- Email from North Sydney Council to SALT on Tuesday 3 March 2026 requesting further information regarding confirmation of the vehicle clearances used and for an exit swept path to be provided.
- Email from SALT to North Sydney Council on Tuesday 3 March 2026 advising that the clearance shown on swept paths is 600mm and also providing an exit swept path for the collection vehicle.
- Email from North Sydney Council to SALT on Friday 6 March 2026 advising that Council's Traffic Engineer deemed the swept paths to be acceptable, however a response from Council's contractor had not yet been received.
- Email from North Sydney Council to SALT on Friday 6 March 2026 advising that the contractor was concerned it was too tight and could result in damage.
- Email from SALT to North Sydney Council on Friday 6 March 2026 reiterating that swept paths show safe access for the collection vehicle with sufficient clearance and that there is no alternative other than a private waste collection if Council's contractor is unwilling to collect the bins.
- Email from North Sydney Council to SALT on Thursday 12 March 2026 confirming that the proposed plan was acceptable to Council.

3.2 Refinements to the Project

The following summarises the minor refinements and clarifications proposed since public exhibition and in response to submissions made, and as a result of further engagement with DPHI.

Importantly, these refinements are changes that fit within the limits set by the project description. These refinements do not change what the application is seeking consent for, and therefore a formal amendment to the proposal is not required.

3.2.1 Summary of Changes to Architectural and Landscape Plan

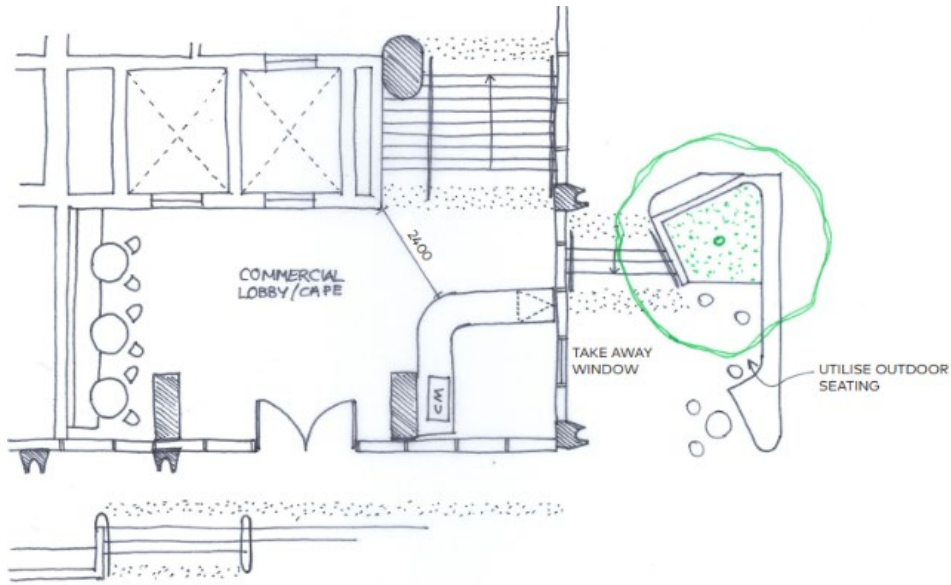
A summary of the changes proposed to the design of the project are provided below. Appended to this RTS includes amended architectural and landscape plans that detail the amendments proposed.

- Widening of vehicle crossing to lower ground floor vehicle entrance to accommodate Salt3 updated swept paths, refer to Appendix J (Waste Management Plan) for further details.
- Activation of the Commercial Lobby to the ground floor through the insertion of a café that trades both internally and through a takeaway window adjacent to the Mitchell St Landscaped setback.
 - Refer to Figure 4 for the Ground Floor Activation Plan details.
- Nomination of public art zone to western wall of podium.

Refer to

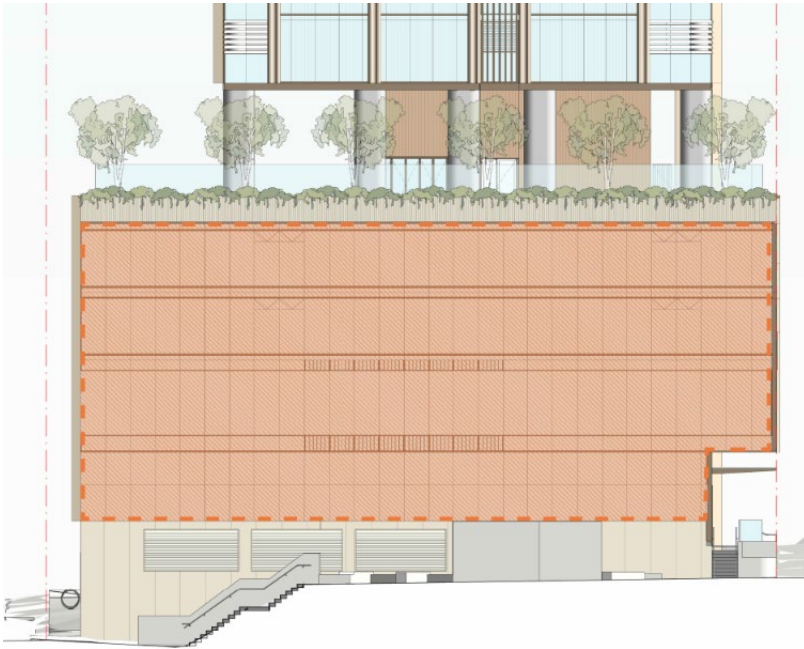
- Figure 5 for details on the Western Elevation Public Art Zone.
- Modification to louvres on residential balconies. Refer to Section 3.2.1.1 for further details.
 - This has resulted in the inclusion of L30-39 balconies in GFA calculations.

Figure 4 Ground Floor Café Activation Plan



Source: Cox Architects

Figure 5 Western Elevation – Public Art Zone



Source: Cox Architects

3.2.1.1 Modifications to louvres on residential balconies

Figure 7 and Figure 8, (read with the legend at Figure 6) illustrate the updated balcony design across the development. The proposal introduces a modified approach with different balustrades and louvres proposed on different level sections, responding to the wind exposure identified in Appendix D (Wind Impact Assessment) . These changes are justified further in Section 4.1.

In summary, the balcony designs now incorporate:

- **Podium typical Plan Level 2&3:** solid balustrade
- **Tower typical plan level 6-14:** glass balustrade and glass balustrade with fixed louvres above
- **Tower typical plan level 15-29:** glass balustrade and glass balustrade with fixed louvres above
 - Note levels 15-29 contain more fixed louvres than levels 6-14 in response to the wind report.
- **Tower typical plan level 30-38:** glass balustrade, glass balustrade with fixed louvres above and glass balustrade with operable louvres above
 - The south-western is entirely enclosed in response to the wind report.
- **Tower Plan Level 39:** glass balustrade with fixed louvres above
 - This level contains entirely enclosed balconies which results

It is important to note that fully enclosed balconies on levels 30-39 fully are included in the developments GFA calculations.

Figure 6 Balcony Legend for Figure 7 and 8

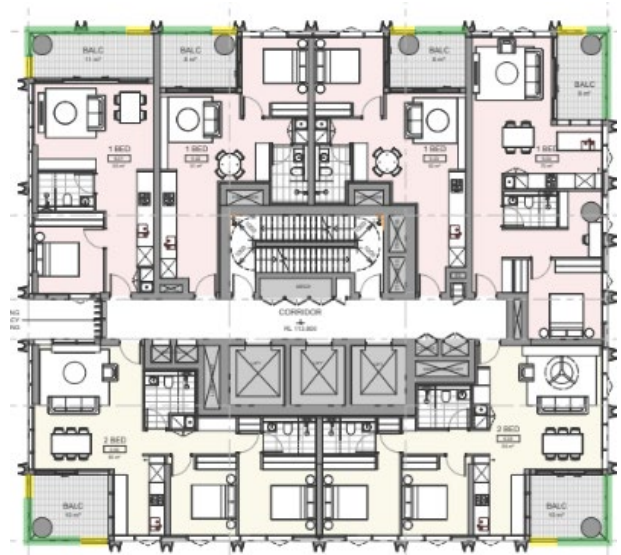
- 1100mm Solid Balustrade
- 1400mm Glass Balustrade with Fixed Louvres Above
- 1400mm Glass Balustrade
- 1400mm Glass Balustrade with Operable Louvres Above

Figure 7 Balcony Design



Picture 1 Podium Typical Plan Level 2 and 3

Source: Cox Architects



Picture 2 Tower Typical Plan Level 6-14

Source: Cox Architects



Picture 3 Tower Typical Plan Level 15-29

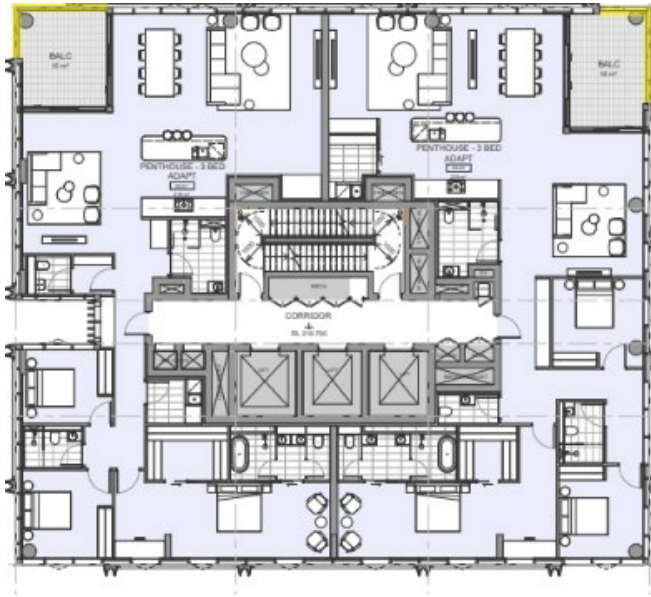
Source: Cox Architects



Picture 4 Tower Typical Plan Level 30-38

Source: Cox Architects

Figure 8 Balcony Design (continued)



Picture 5 Tower Plan Level 39

Source: Cox Architects

4 Response to Submissions

All submissions were received and managed by the Department of Planning, Housing and Infrastructure (DPHI), including registration and publication on the Major Projects website (SSD- 87486461).

This section provides a detailed summary of the Applicant's response to the issues raised in submissions, together with the additional information and clarifications requested by DPHI.

4.1 Response to DPHI Key Issues Letter

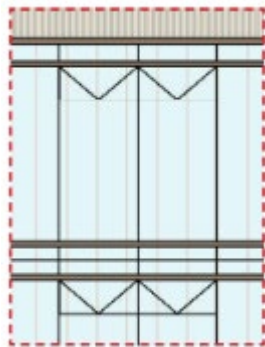
The following section provides a response to each key area of comment of the Department's RFI letter. Whilst extracts from the letter have not been provided in full in this Submissions Report, the submission responds to each matter raised.

Table 6 Response to DPHI Key Issues Letter

Key Issue	Description	Response	Refer to
1. Gross Floor Area	<i>The fixed glass louvres included throughout the residential levels of the building allow for fully enclosed balconies and are therefore considered residential gross floor area (GFA) in accordance with the North Sydney Local Environmental Plan 2013. The balcony balustrades on Levels 2 and 3 also exceed 1.4 metres in height, potentially contributing to additional GFA. The total GFA of the development must be confirmed taking into account these matters. Any exceedance of the maximum floor space ratio (FSR) control for the site must be addressed in a clause 4.6 variation request.</i>	<p>To minimise the amount of fully enclosed balconies, the following changes are proposed:</p> <ul style="list-style-type: none"> ▪ Levels 2 and 3: 1100mm glass balustrade. ▪ Levels 6-14: contain primarily a 1400mm glass balustrade, with fixed louvres in certain positions. ▪ Levels 15-29: majority contain fixed louvres; however a 1400 glass balustrade is provided in certain positions. ▪ Levels 30-39: majority contain fixed louvres, however some on the southwest corner contain operable louvres. <p>The fixed louvres proposed are not fully enclosed with 30% openings. Therefore, the GFA on these balconies has not been incorporated into the total GFA calculation.</p> <p>As a result, the total GFA proposed is 18,961sqm with an FSR of 13.82:1.</p>	Appendix D Appendix K Appendix L
2. Urban design	<i>a) Consider alternative design options or removal of the fixed glass louvres to reduce the bulk and scale of the development and ensure compliance with the FSR control.</i>	<p>Alternative design identified above have been considered to remove the fixed glass louvres on specific levels of the development in order to reduce perceived bulk and scale. The proposed alternative design options are illustrated in Figure 7 and Figure 8.</p> <p>The proposed louvres are glass and therefore do not contribute to bulk, as they are integrated into the tower</p>	Appendix D Appendix K Appendix L

Key Issue	Description	Response	Refer to
		<p>design and will not be visible from the public domain.</p> <p>The exceedance of the maximum floor space ratio (FSR) is addressed in the Clause 4.6 Variation Request (Appendix K).</p> <p>Further detail on the design is provided in the Urban Design Report and the Architectural Plans.</p>	
	<p><i>b) Street activation along the Atchison Street and Mitchell Street frontages should be further explored to accord with the Crows Nest TOD Precinct Design Guide .</i></p>	<p>A café tenancy is proposed at the corner of Atchison Street and Mitchell Street. The Cafe can operate within the Commercial Lobby, servicing staff internally, and the public through a take away window opening onto the Mitchell Street green link.</p> <p>Cafe customers can utilise and activate the landscaped seating of the Mitchell Street green link in accordance with the TOD Design Guide.</p>	Appendix C
	<p><i>c) Consider improved street activation and/or landscaping of the through -site link along the western boundary of the site to screen the inactive facade.</i></p>	<p>A proposed public art zone has been proposed along the western boundary of the site. This public art zone is to be implemented by the applicant post-approval during the detailed design development stages. This provides an opportunity to activate the blank edge of the podium facing the existing through-site link. This is considered a more feasible and long-term design solution to landscaped walls, as feasible testing on a successful Greenwall (by a Landscape Architect) identified that the western façade is subject to a significantly unfavourable microclimate due to:</p> <ul style="list-style-type: none"> ▪ Severe lack of natural light due to overshadowing from adjacent built form ▪ Persistent wind exposure and downdraft effects, typical within narrow through-site links and high-rise urban environments ▪ Temperature fluctuations that create plant stress and reduced survivability 	Appendix I Appendix L

Key Issue	Description	Response	Refer to
Other Issues	<p>a) <i>The proposal involves a significant variation to the non-residential FSR development standard and is a key concern raised by Council. Consider increasing the provision of non-residential FSR to more closely align with the standard.</i></p>	<p>The Economic Analysis prepared by Urbis (September 2025) identifies:</p> <p><i>The commercial office market in St Leonards/Crows Nest is facing significant challenges, with vacancy-rates anticipated to remain above 25% over the next ten years.</i></p> <p><i>Considering the existing stock, planned additions and withdrawals of office floor stock in the area, the market would support a limited amount of commercial floorspace in the podium of the proposed development, of approximately 1,500 sqm in 2028, when the development is due for completion</i></p> <p><i>As of January 2025, the vacancy in the Study Area was 108,927 sq.m (30.5%), the highest for any commercial office market in Sydney, a worrying prospect for owners of buildings located in the Crows Nest/St Leonards office market.</i></p> <p><i>In addition to this, weak absorption levels in Crows Nest/St Leonards continue, as the market has been subdued by competition from newer stock in other office markets and the better located North Sydney and Sydney CBD markets.</i></p> <p>The development proposes 1,938sqm commercial floor space. A further increase in commercial floor space would not be supported by the market as the current and forecast demand does not justify additional supply. Introducing more office floorspace in this context risks long-term vacancy and underperforming assets. Prioritising non-residential uses that support a diverse, active and resilient centre better aligns with contemporary planning objectives and the current housing crisis.</p> <p>The Submissions Report therefore does not seek to increase the non-residential FSR however there is an increase in the diversity of the commercial floor space provided. As outlined previously, a café tenancy is proposed on the ground</p>	Appendix K

Key Issue	Description	Response	Refer to
		<p>level to diversify the market and activate the street frontages.</p> <p>The total non-residential FSR is 1.41 FSR.</p>	
	<p><i>b) Consider increased setbacks for the residential podium Levels 2 and 3 to more closely align with the building separation distances recommended in the Apartment Design Guide (ADG).</i></p>	<p>Alternative design options have been considered to increase setbacks at Levels 2 and 3; however, it is concluded that these options do not result in an improved planning or urban design outcome when compared with the current proposal. Increased setbacks would likely lead to a two-level street wall height, which would be inconsistent with the TOD Design Guide and the established and emerging character of the surrounding area.</p>	<p>Appendix L</p>
	<p><i>c) Confirm that the apartments identified as achieving natural cross ventilation can achieve this, as recommended in the ADG. Particularly the apartments on Levels 2 and 3 given the western elevation of building is a solid wall</i></p>	<p>As per SSDA submission, the cross-ventilation approach is to have operable awning panels at high level to facilitate cross ventilation while not providing views to neighbouring building. Refer to Figure 9 for details.</p> <p><i>Figure 9 Operable Awning Panels</i></p>  <p><i>Source: Cox Architects</i></p>	<p>Appendix L</p>
	<p><i>d) Confirm that the development has been designed to enable on-site waste collection by Council's waste collection fleet, including adequate access and manoeuvring space.</i></p>	<p>An updated Waste Management Plan has been prepared by Salt3.</p> <p>In summary the WMP provides a waste truck swept path using the specifications of the collection vehicle used by Council's contractors and indicates the truck can enter and exit the site without hitting any objects, which, in the waste consultant's expert opinion, indicates a satisfactory waste collection arrangement. It is further noted that a 600mm clearance has been adopted for the swept path assessment, which is double the minimum required by AS2890.2 of</p>	

Key Issue	Description	Response	Refer to
		<p>300mm for low-speed manoeuvres. This provides a more conservative assessment of the vehicle movement.</p> <p>North Sydney Council have confirmed that the proposed plan is acceptable to Council.</p>	
	<p><i>e) Prepare a Reflectivity Report to assess reflectivity impacts from the extensive use of glass panels and louvres , including any mitigation measures to minimise such impacts .</i></p>	<p>A Reflectivity Report has been prepared by Inhabit. In summary:</p> <ul style="list-style-type: none"> ▪ An initial assessment was undertaken which identified reflected glare exceeding the performance criteria at several observer regions including the Royal North Shore Hospital. ▪ In response mitigation measures have been incorporated into the building design to address the critical reflected glare instances. ▪ The updated modelling results suggest that the proposed vertical glare mitigation fins effectively mitigated identified glare caused by the glazed louvres to RNSH, Gore Hill Oval and 88 Christie St. There is a 'new' glare instance identified for Region 15 88 Christie St due to the change in the extent of glazed louvres at SE balconies. This is an infrequent marginal exceedance against the performance criterion and can be addressed by a reduction in glazing reflectance should it be required. ▪ The findings of the report indicate that reflected glare exceedances occurring from the proposed building's façade have been observed at two nearby roads, the Royal North Shore Hospital, Gore Hill Oval and one neighbouring building. <ul style="list-style-type: none"> – The exceedances identified at the road regions are marginal to moderate. The exceedances to the road regions can be blocked by a typical car visor. – Infrequent marginal exceedances were identified at 	<p>Appendix H</p>

Key Issue	Description	Response	Refer to
		<p>Gore Hill Oval. These exceedances are unlikely to cause safety issues due to the infrequency of occurrence and the users' ability to look away from the glare source.</p> <ul style="list-style-type: none"> <li data-bbox="836 461 1278 1066">– The exceedances identified at the Royal North Shore Hospital (RNSH) were caused by typical tower glazed façades. It has been confirmed by the project's aviation consultant that the identified reflections are close to perpendicular to the helicopter flight path. As such, the reflected light is unlikely to be within the pilot's field of view to impact the safety of helicopter operation. In addition, the loading / unloading procedure is likely to be shielded by the helicopter's fuselage. <li data-bbox="836 1084 1278 1576">– The exceedances observed on the northeast and southeast façades of the RNSH building are likely to occur on the opaque walls based on the approximate affected areas and due to the low window-to-wall ratio. An occupant of a room must be seated by the window and looking towards the glare source for their vision to be impacted by the reflected light should it reach the windows. <li data-bbox="836 1594 1278 1912">– Infrequent marginal exceedances were identified at a neighbouring building, caused by glazed louvres. An occupant of a room must be seated by the window and looking towards the glare source for their vision to be impacted by the reflected light. 	
	<p>f) <i>Ensure a comprehensive response is provided to Sydney Metro in its advice on</i></p>	<p>A Metro Impact Assessment has been prepared by Meinhardt. It identified that the impact of the proposed</p>	<p>Appendix E</p>

Key Issue	Description	Response	Refer to
	<i>the application including the additional information requested.</i>	development is negligible on the tunnel lining and there will be no adverse impacts on the on the metro infrastructure.	

4.2 Response to Agency Submissions

A total of seven (7) submissions were received from government agencies during the public exhibition of SSD-87486461.

4.2.1 North Sydney Council

The following table provides a response to each key recommendations of North Sydney Council's submission. It is noted a number of issues raised in the Council submission has also been previously raised and addressed in response to the DPHI Key issues letter (**Section 4.1**). To avoid duplication, this report references the previous response and relevant appendices as required.

Note, details surrounding the issues can be found in North Sydney Councils Submission on the Major Projects Page (SSD-87486461).

Issue	Recommendation	Response	Document
Traffic and parking	1. Provide a car wash bay.	A carwash bay is not proposed. Setia has extensive experience in managing residential projects and has confirmed a car wash bay is not required for the development based upon market feedback. In addition, a car wash bay is located approximately 300m from the site at 448 Pacific Highway, Crow's Nest.	N/A
	2. Modelling of traffic impacts and recommendations to address adverse impacts are required.	Modelling of traffic impacts it not required. The Traffic Impact Assessment Report submitted with the SSDA and dated 19 September 2025 confirms: <ul style="list-style-type: none"> The proposed development is expected to generate a relatively low level of traffic. The addition of up to 37 vehicles during a peak hour equates to one vehicle entering or exiting the site every 1.6 minutes on average. Traffic is expected to be well distributed amongst the surrounding road network such that all vehicles are not added to any particular intersection. 	N/A

Issue	Recommendation	Response	Document
		<ul style="list-style-type: none"> The level of traffic generated by the proposal is lower than that of the existing buildings in the peak hours. The proposal is therefore expected reduce the level of traffic on Atchison Lane (and the surrounding road network), improving its operation <p>Given the proposal will reduce traffic generation, there is no need to model traffic impacts.</p>	
	3. A Construction Traffic Management Plan should be prepared.	Noted and supportive of a condition of consent.	N/A
Waste	4. Impose a condition or conditions to ensure construction and operational waste management plans and facilities are consistent with Council's DCP and other relevant standards.	Noted and supportive of a condition of consent.	N/A
Housing SEPP Design Principles	5. Revise setbacks, to reduce bulk and scale and associated impacts of the building and avoid the cumulative impacts of repeated non-observance of building separation design controls in the TOD precinct.	Refer to discussion in Section 4.1.	Appendix C.
	6. A reflectivity report be submitted that appropriately assesses all materials proposed to be used and makes suitable recommendations to control or limit reflectivity of building materials in accordance with applicable Australian or other standards.	A Reflectivity Report has been prepared by Inhabit and is provided at Appendix H. The results are discussed in Section 4.1.3.	Appendix H
Design	7. That SSD projects be reviewed by the State Design Review Panel.	<p>The DPHI has confirmed on 18 June 2025 via email to the applicant that the project does not require a review by the SDRP.</p> <p>The Government Architect NSW (GANSW) recently mandated only the following projects within in the Accelerated TOD Precincts be subject to SDRP review:</p> <ul style="list-style-type: none"> those subject to a design excellence clause in an LEP with a requirement for design review (clause 7.4 of the North Sydney LEP 	N/A

Issue	Recommendation	Response	Document
		<p>does not specifically require design review)</p> <ul style="list-style-type: none"> ▪ those granted a design competition exemption and where the SDRP is identified as the alternative design excellence pathway ▪ those subject to a design excellence clause in an LEP and a bonus provision applies (i.e. additional height and FSR) if design excellence is demonstrated <p>None of the above criteria apply and therefore design review by the SDRP is not mandated.</p>	
Crows Nest TOD Precinct	<p>8. Whether the quantum of the affordable housing contribution will be sufficient to arrest the high numbers and distances of commuter trips of the present and recent past will be reduced as anticipated, is unknown. This should be regularly monitored and the plan adjusted to amend the proportions of affordable housing to be delivered, if required.</p>	<p>Not relevant to the project. The proposed contribution to affordable housing is in accordance with the TOD provisions and the LEP.</p>	N/A
	<p>9. Dialogue should be entered into between the Department and Council to develop a strategy based on an estimate of the total contributions that may be expected and how to deliver affordable housing with those funds, in the TOD precinct, or elsewhere in the North Sydney Council area. It would also be practical to undertake such an exercise for the North Shore, or Lower North Shore.</p>	<p>Not relevant to the project.</p>	N/A
Connecting with Country	<p>10. Guidelines be developed to ensure a consistent approach to addressing Connecting with Country principles and consultation with local First Nations communities.</p>	<p>Not relevant to the project.</p>	N/A
Land use	<p>11. Monitoring of the effects of the precinct's development against established objectives for the TOD should be undertaken, with regard to:</p> <ol style="list-style-type: none"> a. Defining and achieving an appropriate balance of jobs and housing, 	<p>Not relevant to the project.</p>	N/A

Issue	Recommendation	Response	Document
	<p>b. Ability of land use mix to optimise the investment made in public transport,</p> <p>c. Adequacy of public spaces, in terms of size, type and location, and</p> <p>d. Sufficiency of the affordable housing to be delivered, to satisfy community demand for affordable housing, and reduce travel demand, e. While considering longer term impacts on the community, and local infrastructure.</p>		

4.2.2 Government Agencies

Summary	Recommendation	Response	Document
Ausgrid			
Ausgrid Cables are in the vicinity of the development.	<p>Special care taken to ensure that construction activities do not interfere with existing underground cables.</p> <p>Minimum separation distances between overhead powerlines must be maintained throughout the construction phase.</p>	Noted and supportive of a condition of consent.	N/A
Ausgrid Chamber Substation in the vicinity of the development	The substation openings must be separated from ventilation and air conditioning of the site.	Noted and supportive of a condition of consent.	N/A
New driveways – proximity to existing poles	Proposed driveways shall be located to maintain a minimum clearance of 1.5m from the nearest face of the pole to any part of the driveway.	Noted and supportive of a condition of consent.	N/A
New or modified connection	To connect or modify a connection, it is recommended to engage an accredited service provider and submit a connection application to Ausgrid.	Noted and supportive of a condition of consent.	N/A
NSW Government Civil Aviation Safety Authority (CASA)			
Not applicable	CASA has no objections to the proposed building height. Identified	Noted and supportive of a condition of consent.	N/A

Summary	Recommendation	Response	Document
	that during construction cranes will need to be assessed and approved.		
NSW Department of Climate Change, Energy, the Environment and Water (DCCEEW)			
Not applicable	Site is not subject to flood constraints, and no further flood information is required. Development is consistent with the biodiversity development assessment report (BDAR)	Noted.	N/A
Fire and Rescue			
Not applicable	No comments or recommendations.	Noted.	N/A
Sydney Airport			
Airspace Protection	Controlled activities (development higher than 156m AHD) must not be carried out unless an approval has been obtained under the Regulations.	Noted and supportive of a condition of consent.	N/A
Airport Safeguarding	Advises that approval to operate construction equipment (ie cranes) should be obtained prior to any commitment to construct.	Noted and supportive of a condition of consent.	N/A
Industrially zoned employment land should be protected	The existing land zoning should be retained.	Agreed. The existing land zoning is MUI (Mixed Use) and the proposal delivers an appropriate mix of residential and commercial use that supports housing targets, employment, activation, consistent with the objectives of the MUI Zone.	N/A
Sydney Metro			
Insufficient information provided to confirm that the project will not impact Sydney Metro land, infrastructure and underground corridors.	Provide additional detailed documentation and assessments, including: <ul style="list-style-type: none"> A registered survey plan and critical sections clearly defining boundaries, reserves, easements and interfaces with Sydney Metro land and infrastructure. Engineering impact assessments (geotechnical and structural) in accordance with the Sydney Metro Underground Corridor Protection Technical Guidelines. 	Meinhardt has prepared a Metro Impact Assessment (MIA) that provides the following: <ul style="list-style-type: none"> A registered survey plan clearly identifying boundaries, reserves, easements and interfaces with Sydney Metro land and infrastructure. Geotechnical and structural engineering impact assessments prepared in accordance with the Sydney Metro Underground Corridor Protection Technical Guidelines. 	MIA Appendix F Appendix G

Summary	Recommendation	Response	Document
	<ul style="list-style-type: none"> A stray current and electrolysis assessment Confirmation or updating of the Noise and Vibration Impact Assessment to reflect Sydney Metro's operational status. Clarification of groundwater modelling assumptions and consideration of impacts on Metro tunnels. Detailed structural, shoring and footing plans, including confirmation of any anchors, tension piles or ground anchors within Metro reserves 	<ul style="list-style-type: none"> An updated electrolysis assessment, provided as appendix F within the MIA and included as Appendix F of this package. An updated Noise and Vibration Impact Assessment reflecting Sydney Metro's operational status, provided as appendix G within the MIA and included as Appendix G of this package. Clarification of groundwater modelling assumptions and consideration of potential impacts on Metro tunnels, provided in Appendix B of the MIA. Detailed structural, shoring and footing drawings, including confirmation of any anchors or ground support elements within Metro reserves, provided in Appendix A of the MIA. 	

Sydney Water

Provided a comment to include a Section 73 Compliance Certificate and a Building Approval Plan.	Include Section 73 Compliance Certificate and a Building Approval Plan	Noted and supportive of a condition of consent.	N/A
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4.3 Response to Public and Community Group Submissions

Table 7 Response to Public and Community Group Submissions

Category	Issue	Response	Document
The project	Building Separation: concerns regarding the proximity of the proposed tower to existing residential buildings. Recurrent issues include lack of privacy and risks of vibration during construction impacting surrounding building foundations	Refer to 'Other Issues' in Section 4.1.	N/A

	Overshadowing: concerns about the building, particularly its height reducing sunlight and impacting on residents views	As above.	N/A
	Traffic and access constraints; concerns that the proposed development will increase existing congestion conditions, particularly on Christie Street and Chandos Street.	Refer to 'Traffic and Parking' in section 4.2.1.	N/A
	Operational noise: concerns regarding noise generated by after-hours waste collection and late-night deliveries.	A Noise and Vibration Impact Assessment prepared by Pulse White Noise Acoustics identified that the impacts associated with the number of vehicles on surrounding public roads is compliant with noise standards.	Noise and Vibration Impact Assessment
Procedural Matter	Issues relating to the State Significant Development Application (SSDA) process.	Not applicable. No submissions raised concerns regarding the SSDA Process.	N/A
	Economic Impacts: concerns about declining surrounding property values due to amenity impacts from the proposed development.	Refer to 'Other Issues' in Section 4.1 which justifies the sites proposed setbacks. In addition, refer to the Economic Impact Assessment provided as part of the original SSDA (SSD- 87486461).	N/A
	Infrastructure capacity: concerns about whether existing local infrastructure can accommodate population growth, particularly public transport, schools, hospitals and parking.	The site is strategically positioned within Crows Nest accelerated TOD precinct near infrastructure that supports residential growth.	N/A
	Construction Impacts: noise, vibration, dust and foundational impacts (e.g. cracks) on surrounding buildings due to construction	A Noise and Vibration Impact Assessment prepared by Pulse White Noise Acoustics identified recommendations to ensure the compliance with noise standards.	Noise and Vibration Impact Assessment

5 Update Project Justification

This Submissions Report has considered the submissions received from DPHI, government agencies, Council, community organisations and members of the public during the exhibition of the EIS for 20-22 Atchison Street.

Following consideration of the submissions, the applicant has:

- Provided additional information as requested.
- Undertaken further consultation with Sydney Metro and North Sydney Council waste team.
- Incorporated a café tenancy on the ground level to further diversify the non-residential FSR provision and contribute to activation along the Mithcell Street and Atchison Street frontage.
- Reviewed the reflectivity impacts of the proposal and with updated modelling confirming that the revised design and vertical glare mitigation fins effectively mitigate identified glare impacts, with only a minor and infrequent exceedance identified.
- Provided further justification of the building setback, separation distances and podium form.
- Prepared a Clause 4.6 Variation Request to support the technical departure from the FSR control due to enclosure of balconies for amenity purposes.
- Demonstrated that, subject to the various mitigation measures recommended by the specialist consultants, the proposal does not have any unreasonable impacts on adjoining properties or the public domain in terms of traffic, social and environmental impacts.

The proposed development as refined is considered appropriate for the location, is in the public interest, will deliver a positive outcome and has significant planning merit. This SSDA should therefore be supported by the Minister.

Disclaimer

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