Appendix AL - Detailed Planning History of the site and Alfred Street Precinct

Planning Background

The site and the Alfred Street Precinct has an extensive planning background which is detailed below. The Alfred Street Precinct includes the following sites:

- 283 Alfred Street (Site A)
- 275 Alfred Street (Site B)
- 271-273 Alfred Street (Site C)
- 263-269 Alfred Street/4 Little Alfred Street (Site D)

1. Original Planning Proposal (2015)

In late 2014 initial discussions for the rezoning and renewal of 275 Alfred Street, North Sydney were held with North Sydney Council (**Council**) and Department of Planning and Environment (**the Department**). While the site is part of the North Sydney CBD, its dislocation from the commercial core of North Sydney CBD was acknowledged by both Council and DP&E officers.

A Planning Proposal for 275 Alfred Street was submitted to Council on the 3 September 2015 to facilitate a mixed-use development including 24 levels of residential apartments above 2 levels of retail/commercial uses. The original Planning Proposal sought to amend the LEP for the 275 Alfred Street building (Site B) as follows:

- Rezone the site from B3 Commercial Core to B4 Mixed Use;
- Increase the maximum building height for the site from 13m (existing building 52.36m) to 85m; and
- Increase the maximum FSR for the site from 3.5:1 (existing building 7.3:1) to 10.2:1.

On 15 February 2016, Council resolved to not support the Planning Proposal proceeding to Gateway Determination.

On 17 February 2016, Mecone submitted a request for a Pre-Gateway Review to the Department. A review of the Planning Proposal was undertaken, and it was determined to have merit to proceed to the Sydney East Joint Regional Planning Panel (**JRPP**).

On 13 September 2016, the JRPP concluded the Planning Proposal should not be submitted for a Gateway Determination. The JRPP acknowledged the sites isolation from the main commercial centre and considered a change in zoning to enable residential use would be appropriate. However, the JRPP recommended that any future rezoning apply to the entire B3 area (Alfred Street Precinct) to demonstrate a holistic planning approach.

The basis of the JRPP determination is as follows:

'1. The Panel considers that this site and the street block zoned B3 in which it is located is isolated from the main commercial centre of North Sydney and closely related to the adjoining residential area. Therefore, a change in zoning that would allow residential use in the street block, would be appropriate.

2. The main reason why the Panel does not recommend that this Planning Proposal proceed to Gateway Determination is that it deals with one site only rather than the area zoned B3 in which it is located. This piecemeal approach is contrary to the strategic intent of zoning decisions. In addition, the Planning Proposal leads to this site having three times the development potential of the other sites within the B3 zone. It fails to achieve the desirable separation distances between residential buildings and adversely affects the development potential of the adjoining sites.

3. The Panel considers that, in any future Planning Proposal for the block zoned B3, it would be appropriate to grant this site the density it now enjoys by virtue of the existing building on it, with some additional height so that a mixed use building with appropriate amenity may be developed on it. As concerns the other sites within the B3 zone, the existing density of 3.5:1 may be combined with some additional height, so that it becomes possible to develop them to their development potential for mixed use buildings with appropriate amenity.'

1.1 Meetings with Department and Council

Following the determination of the JRPP, the proponent met with Department and Council to discuss submitting a Planning Proposal for the entire Precinct. However, Council suggested the proponent wait until it prepared a Planning Study for the Precinct which would provide a framework for a future Planning Proposal. The proponent was willing to work with Council and agreed not to submit a revised Planning Proposal until Council had prepared its study.

2. Draft Alfred Street Precinct Planning Study (2017–18)

Following the JRRP decision, Council responded to the Planning Proposal (2015) by resolving to prepare the draft Alfred Street Precinct Planning Study (Precinct Planning Study) at its meeting on 20 February 2017:

1. That Council endorse the preparation of a planning study for the Alfred Street precinct as a basis to guide the preparation of any future Planning Proposal for the site at 275 Alfred Street, North Sydney.

On 26 March 2018 Council resolved to adopt and publicly exhibit the Precinct Planning Study which was exhibited from 26 April 2018 to 8 June 2018.

Council's preferred option

Council's preferred option of the Precinct Planning Study proposed (refer to figure below):

- A maximum 23 storey residential tower over a three storey commercial podium at the northern end of the precinct;

- A maximum six storey residential tower over a three storey commercial podium at the southern end of the precinct, with a three storey apartment block fronting Little Alfred Street;

- Shared basement access; and
- Public benefits including a new pocket park between Alfred and little Alfred Streets, new pedestrian links and through site links, street setbacks and an upgraded public domain.

Figure 1: Draft Alfred Street Planning Study: Preferred Option

Source: North Sydney Council

2.1 Amended Alfred Street Planning Study and Council Meeting – 29 January 2019

Following public exhibition of the Precinct Planning Study, the Study was amended in response to submissions.

The key amendments made to the Study which were then put to Council on 29 January include:

- Fine grain residential accommodation up to 3 storeys located along the length of Little Alfred Street to create a better transition with the Whaling Road HCA;

- Retaining the existing 275 Alfred Street building floorplate (rather than a knock down rebuild) and incorporate specific built form principles that promote architectural detailing to the façade and balconies.

- The 275 Alfred Street building was lowered from 26 to 24 storeys while the bulk of the building was increased from 20m to 24.75m along Alfred Street. The maximum width of the eastern façade was to remain the same as the existing tower and the height was to be tapered along the eastern boundary;

- The efficiency of the floorplate was adjusted 70% to 80% and a higher rate of residential floorspace was recommended to reduce the height and bulk and allow for a more feasible scheme;

- Revision to the amalgamation patterns – with 275 and 283 Alfred Street amalgamated and the remainder of the sites to the south amalgamated;

- For Site A, the built form would include a three storey commercial podium (with through site links) with a new tower to align with the 275 Alfred Street building (including its width along Little Alfred Street) with an additional 6 storeys which would be tapered along the eastern boundary;

- For Site B, the ground floor would be commercial with a 4 and 9 storey built form along Alfred Street;

- Removal of the pocket park along the northern boundary to create a 10m wide through site link;

- Create a 6m setback along Little Alfred Street to allow for public domain upgrades and canopy trees;

- Public benefits included a public through site link to the northern edge of Site A, a laneway which straddles Sites A and B, street frontage setbacks and an upgraded public domain.

- Affordable housing was not recommended to be pursued given it would create greater pressure on the height and bulk of the development; and

- The amended Precinct Planning Study noted ongoing transport concerns which were to be addressed in a future Planning Proposal, including:

- Driveway access, shared path, street parking, traffic through Little Alfred Street, Mount Street Overpass Upgrade and intersections at Whaling Road.

Note: *the FSR targets in Council's Precinct Planning Study for each site did not allow for Sites A, C and D to achieve their current maximum permissible FSRs in the LEP (3.5:1). Refer to the table below which outlines the target FSRs for each site based on Council's draft Precinct Planning Study.*

	Site A	***Site B***	***Site C***	***Site D***
Precinct Planning Study – Target FSRs	*1.39:1*	*10.58:1*	*1.62:1*	*3.42:1*

Source: Grimshaw

Refer to the figures below for Council's preferred scheme and proposed public benefits.

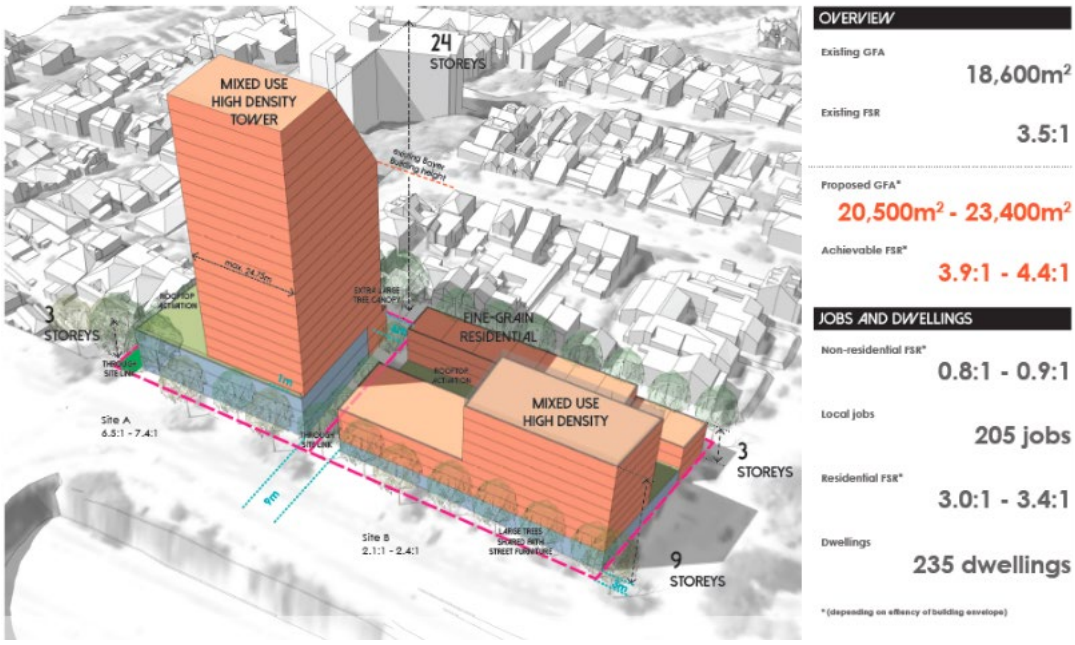

Figure 2: Council's Preferred Option

Source: North Sydney Council

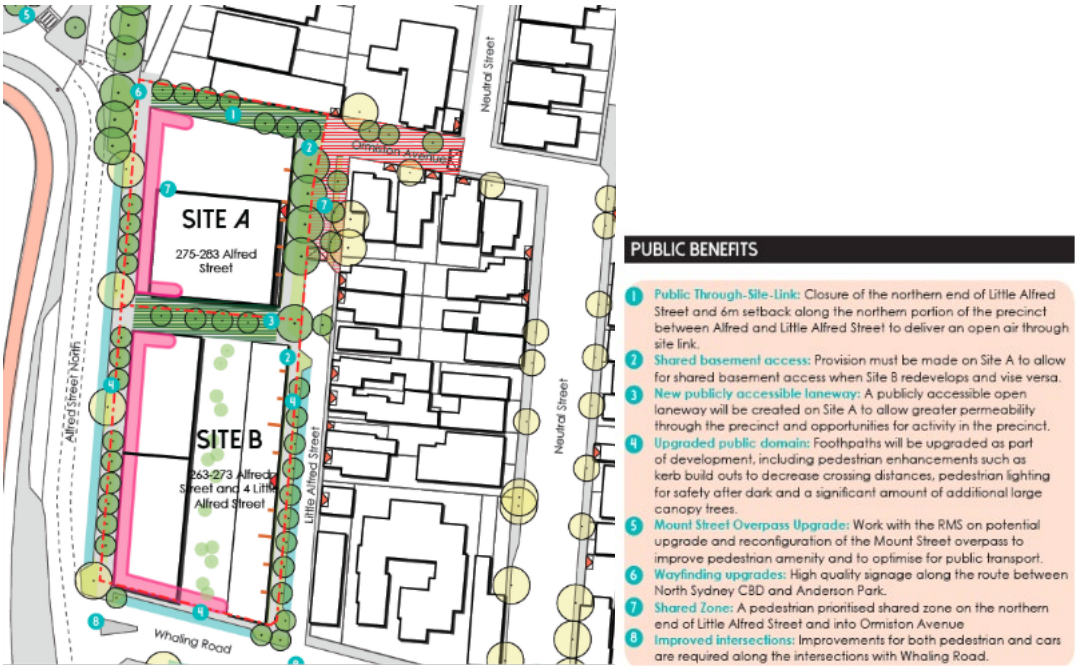

Figure 3: Public benefits

Source: North Sydney Council

The amended Precinct Planning Study was put to Council on 29 January 2019 for adoption. However, Council resolved not to adopt Precinct Planning Study despite two years of work and consultation. While the Precinct Planning Study has no statutory force given it was not formally adopted by Council it is considered to have probative value. It has been used to inform this Planning Proposal and should be

given evidentiary weight as it is based on the professional opinion of Council officers. This Planning Proposal is also generally consistent with the objectives and design requirements outlined in the Precinct Planning Study.

3. Revised Planning Proposal (2019)

Following Council's decision not to proceed with its own Precinct Study, in March 2019 the proponent submitted a revised Planning Proposal to Council addressing the concerns raised by the JRPP (Sep 2016) by including all sites in the precinct (Sites A, B, C and D).

On 14 August 2019, North Sydney Local Planning Panel (NSLPP) considered the proposal at its meeting acknowledging its strategic merits. However, it raised several matters of site-specific merit that needed to be addressed and/or required further information and clarification.

3.1 Rezoning Review (2019)

In mid-2019 the Proponent requested a rezoning review of the revised Planning Proposal.

On, 5 November 2019 Sydney North Planning Panel (SNPP) considered the rezoning review request and determined the proposal be submitted for a Gateway determination as the Planning Proposal demonstrated strategic and site-specific merit. The Proponent requested that the SNPP act as the Planning Proposal Authority (PPA) for the Planning Proposal.

On 4 November 2020, the Department reviewed the revised Planning Proposal and advised the SNPP Secretariat that the conditions of the Gateway determination had been addressed to the Department's satisfaction.

3.2 Public Exhibition (2020-21)

From 10 December 2020 to 19 February 2021 the Planning Proposal was publicly exhibited. On 5 May 2021 the Proponent provided a detailed response to submissions received during public notification.

In November 2021, the Department prepared its Response to Submissions (RtS) Report. The Report recommended that the Planning Proposal should not proceed to finalisation in its current form, noting that the proposal demonstrates strategic merit, but not sufficient site-specific merit.

3.3 SNPP Determination (Dec 2021)

On 10 December 2021, after consideration of public and agency submissions as well as the Department's Response to Submissions Report, the SNPP resolved to seek further advice from the Department prior to making a final determination of the Planning Proposal.

In their determination, the SNPP advised:

> *The Panel believes the Proponent has generally satisfied the following site-specific concerns: traffic and pedestrian safety; overlooking and privacy; environmental impacts; and public exhibition process.*
> *However, the Panel concurs with the Department that the following site-specific concerns need further review and refinement prior to the proposal proceeding to finalisation.*

- The extent of overshadowing on public open space and neighbouring properties including the Whaling Road Heritage Conservation Area and how any such overshadowing could be further minimised;
- The timing, execution and requirement of a **site-specific DCP** to be prepared between the Proponent and Council;
- Consideration of the Western Harbour Tunnel and Warringah **Freeway upgrade**, particularly with the proposed changes to nearby public open space;
- The inclusion of a **maximum retail floor** space cap to manage traffic generation, as requested by Transport for NSW;
- The formalisation and execution of **public benefit offers** with Council;
- The extent of setbacks consistent with the additional landscaping proposed along Little Alfred Street and a more appropriate **transition to the low-density** heritage conservation area; and
- The **ADG building separation** controls be applied to ensure it is compliant with the distances required for the heights proposed.

Consideration could be given to the final mix of land uses and whether this could accommodate a reduction in building height as to reduce potential amenity impacts on open space and the Whaling Road HCA.

*Consequently, the Panel requests the Department work with the Proponent and Council to review and **refine the Proposal**, **in relation to the above points, prior to presenting the Proposal to the Panel again** for further consideration within the first quarter of 2022.*

(our emphasis)

3.4 Gateway Alteration (Mar 2022)

Given that the Planning Proposal had not met its Gateway determination completion date, the Department altered the Gateway determination not to proceed on 2 March 2022. This was to allow for a new consolidated and amended Planning Proposal to be lodged and re-exhibited.

3.5 Proponent Meetings with the Department (Feb-Apr 2022)

Between February and April 2022, the Proponent met with the Department a total of three times to address the SNPP's recommendations of December 2021. During this time, the Department's Urban Design Branch reviewed the proposed amendments and provided feedback on the Proponents response to the SNPP's recommendations.

During this liaison with the Department this included:

- Responses to the JRPP's Dec 2021 determination matters to be confirmed, including an updated urban design package
- Further investigations and responses to matters outlined in the Department's Urban Design Team's Review, including:
    - Through-site connections
    - Building Separation
    - Building Size
    - Internal Overshadowing

On 5 May 2022, the Proponent provided their response to the Department's advice, requesting the Planning Proposal proceed for sites A and B, with a site-specific DCP to be prepared for those two sites only. This was in response to further urban design feedback from the Department and their Urban Design Team (dated 21 April 2022) on the amended Alfred Street Precinct Planning Proposal and discussed during the meeting on 29 April 2022.

The process of further work and investigations with the Department demonstrated that, despite all reasonable efforts, the Department remained unsatisfied that there was clear case for change for Sites C and D, or that a feasible redevelopment option was available for Sites C and D that satisfactorily addressed:

- Building separation
- Sunlight and daylight access
- Outlook
- Natural ventilation
- Visual and acoustic privacy
- Transition to Little Alfred Street and the low-density heritage conservation area
- Overshadowing on public open space and neighbouring properties
- Building floorplate sizes

The Department's concerns in relation to Sites C and D did not extend to Sites A and B (283 and 275 Alfred Street) whose renewal had been well established as having strategic and site-specific merit in its own right. Therefore, the proponent formally requested that the Planning Proposal proceed for Sites A and B, with a site-specific DCP to be prepared for these two sites only.

3.6 Panel Consideration (Jun 2022)

On 29 June 2022, the SNPP held a briefing with the Department to discuss the progress in resolving key issues.

3.7 Panel Consideration (Jul 2022)

Following the June 2022 briefing, the SNPP held a further briefing with the Department on 13 July 2022. At this briefing the SNPP generally concurred with the analysis and recommendations contained in the Department's Briefing Report of 23 June 2022. The SNPP unanimously determined as part of their record of decision that the proposal should proceed onto the Gateway assessment stage for re-exhibition for sites A and B and including the rezoning of sites C and D to B4 Mixed Use only. Additionally, the SNPP suggested the Department, Applicant and Council work together to identify an appropriate mix of all uses having regard to traffic considerations.

3.8 Response to Panel Consideration

Following the SNPP's resolution, the proponent liaised with the Department to examine potential issues arising in relation to building height, in addition to various procedural matters concerning the forum of the resolution.

As part of negotiations with the proponent the Department advised that, as there was no active Planning Proposal, the Panel's 13 July 2022 recommendation constituted advice to the Secretary that did not have a binding effect on any future applications.

The Department met with the Proponent several times from early to mid 2023 to discuss the process and form of lodging a new Planning Proposal. These meetings included discussions with the

Department's Urban Design Branch on the proposed built form and potential impact on the surrounding area.

4. Planning Proposal (2023)

4.1 Pre-lodgement discussions (Early-mid 2023)

In a letter dated 9 May 2023, the Department invited the proponent to make a submission to support a preferred building height and FSR. The submission would be submitted to the SNPP for consideration and then for the SNPP to provide advice back to the Department. In response to this request, the Proponent prepared two packages of documents on 31 May and 21 August 2023 respectively. These comprised:

- First package 31 May 2023:
  - Response to the Department
  - Overshadowing Analysis
  - Assessment of the Department's Feasibility Peer Review

- Second package 21 August 2023:
  - Cover letter
  - Urban Design Expert Opinion
  - Preliminary Visual Impact Assessment
  - Preliminary Wind Assessment

4.2 Council Memorandum (Sept 2023)

The SNPP invited Council to attend a scheduled Pre-Planning Proposal Briefing for the Planning Proposal on 19 September 2023. In Council's memorandum to the SNPP dated 14 September 2023, Council advised:

Council respectfully declines to attend the Briefing noting that Council's position has been established and that position has not changed in the absence of any alternate resolved policy position and that Council will no longer be taking carriage of the progression of any future Planning Proposal.

Despite this position, Council would like to bring to the Panel's attention a number of issues for consideration in determining its recommendation to the Department of Planning with regard to the progression of the future Planning Proposal. In particular:

- *Proposed height limits for Sites A and B should be presented in "RL" and not "m". The reason for this is to reflect the difficultly in the application and interpretation of a "m" rate over a site which has complex topography and significant falls diagonally across the sites. An RL would also provide greater certainty for the community, especially in terms of understanding how much more height may potentially be being sought relative to the existing building.*

- *For the Panel's benefit, Council staff have undertaken a review of its property files and have established the following reference heights in relation to 275 Alfred Street:*
  - *Topmost part of signage structure – RL 100.97*
  - *Topmost part of original building roof plant – RL 98.37*
  - *Topmost part of parapet to tower – RL 92.4*

- *Any proposed maximum RL to be imposed should be made to the nearest metre (rounded up). This is to avoid requests to vary any new height requirements imposed on the site. If the Panel is of a mind to set a more accurate figure, then it should be to a maximum of 1 decimal place.*

- *The proposed Floor space Ratio (FSR) for Sites A and B should be revised to account for modifications to the built form envelopes as outlined by the DPE in its briefing note.*

- *It is requested that the FSR control applying to the remaining Sites C and D be removed in its entirety. This control is incapable of being met under the current height limits as applied to those two sites. In addition, this control had initially been applied as though the entire Alfred Street block which is zoned E2 Commercial Centre was to be redeveloped as a single entity (i.e. the FSR of the buildings in the Alfred Street block currently have an FSR of approximately 3.5:1, and the control was imposed to avoid increased density in this block).*

- *A non-residential FSR/s should be applied to the entire Alfred Street block, consistent with that applied by Council to all land zoned MU1 Mixed use. Imposition of such a control will also help to ensure that the objectives of the MU1 zone can be met. It is further recognised that Clause 6.12 prevents residential flat buildings to be erected on land within the MU1 Mixed Use zone, unless it forms part of a mixed use development and there are no dwellings at the ground level of any building.*

- *Consideration should be given to the necessity to retain clause 25 to Schedule 1 - Additional permitted uses of NSLEP 2013 as it relates to the site at 263 Alfred Street. This clauses enables residential accommodation to be permitted on this site despite the prohibition of such uses under the Land Use Table.*

- *NSDCP 2013 has recently been subject to a number of amendments that affect the subject sites. In particular, there have been substantive amendments in relation to carparking and built form controls for development in the E2 Commercial Centre zone (formerly B3 Commercial Core zone). In light of this, the Planning Proposal should include an assessment of the concept proposal's compliance against NSDCP 2013 as amended.*

- *Any site specific DCP controls proposed to be incorporated are to be adequately justified.*

- *Further advice is required as to how the associated draft DCP amendment is to be progressed concurrently with the Planning Proposal. If the Department of Planning is not willing to take the responsibility of its progression and implementation, then consideration needs to be given to either:*
    - *Ensuring that the Planning Proposal and Draft DCP (as adopted by Council) are placed on public exhibition concurrently; or*
    - *The Planning Proposal include a provision that effectively prevents the approval of any development application on the Alfred Street block, unless there is a site specific DCP in force.*

4.3 Consideration (Sep 2023)

On 19 September 2023, the Proponent met with the SNPP and Department to discuss the history of the site, previous Planning Proposals, the Proponent's current intentions, North Sydney Council's Memorandum of 14 September 2023, and the Department's Memorandum and analysis of 12 September 2023.

With the benefit of further detailed analysis contained in the two information packages submitted by the Proponent, the SNPP was requested to provide advice to the Department on what form a new Planning Proposal should take in terms of height and FSR.

The panel subsequently deferred providing advice on the proposal until it could receive the further information from the proponent. This included the proposed relative heights, application of FSR and floor to floor heights.

On 28 September 2023, the Proponent provided clarifying information which formed the basis of a further briefing and detailed discussions between the Proponent and the SNPP on 29 September 2023.

4.4 SNPP Decision (Oct 2023)

On 5 October 2023, the SNPP published their record of decision which included:

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*
4. *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);*
5. *Detail a Site Specific MasterPlan for setbacks and podium height of Site B; and*
6. *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.

4.5 Submission of New Planning Proposal (Nov 2023)

In response to the SNPP's record of decision from 5 October 2023, a new Planning Proposal was prepared and submitted to the Department. The Planning Minister's delegate requested the Panel undertake an independent review of the Planning Proposal under S2.15(C) of the EP&A Act due to the complex and lengthy history of planning for the site and precinct.

The proposal was then referred to the SNPP for independent review. The Department also referred the new Planning Proposal to North Sydney Council for review and comment.

4.6 Council Memorandum (Feb 2024)

In response to the Department's invitation for comment on the new Planning Proposal, North Sydney Council issued a letter to the Department dated 2 February 2024, identifying matters for the SNPP's consideration.

On 6 and 11 March 2024, the proponent provided a letter to the Department and SNPP respectively, responding to the matters raised by Council.

4.7 SNPP Consideration & Decision (March 2024)

On 15 March 2023, the Proponent met with the SNPP and Department regarding the new Planning Proposal. On 22 March 2024, the SNPP issued their determination on the new Planning Proposal. The SNPP's recommendations were as follows:

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 a 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.

4.8 Revised Planning Proposal (April 2024)

In response to the SNPP determination, the Proponent on 24 April 2024 issued a letter to the SNPP confirming it agreed to revise the Planning Proposal to be consistent with the Panel's

recommendations. On 8 May 2024, the revised Planning Proposal package was emailed to DPHI to address the SNPP's decision 22 March 2024.

4.9 Appointment of alternate PPA

On 17 May 2024, the DPHI's Planning Landuse, Strategy, Housing and Infrastructure (PLUSHI) team confirmed that the SNPP should be appointed as the Principle Planning Authority (PPA) under Section 3.32(c) of the EP&A Act.

4.10 Gateway Assessment

In June 2024, DPHI's PPA team undertook an adequacy check of the revised Planning Proposal package and liaised with the SNPP to confirm they are satisfied with the package. The Planning Proposal was then sent to DPHI's PLUSHI team which undertook a Gateway Assessment between June and November 2024.

4.11 Gateway Determination

The Gateway Determination was issued on 21 November 2024 subject to the conditions below and noted that the LEP should be completed on or before 25 September 2025.

Gateway Conditions

7. 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. *Remove 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 newbuilding 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. *Update the Planning Proposal to 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 on Site B 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).*

5. Housing Delivery Authority

In January 2025, a HDA EOI (EOI number 234993) was submitted for the site under the NSW Government's HDA program. The Department of Planning, Housing and Infrastructure recommended in March 2025 that the project be declared as a SSD and concurrent rezoning process. A condition of the recommendation was that the current PP (PP-2024-122) be withdrawn and replaced with a SSD and concurrent rezoning.