

Item	Page/Section	Applicant Assertion	ROLBO Response
1	Page 6 (Declaration)	Applicant states the EIS contains all available information that is relevant to the environmental assessment of the development, activity or infrastructure to which this EWIS relates	Refer to the comments below identifying relevant information that was available prior to the public submission but was not included or considered.
2	Page 6 (Declaration)	Applicant states the EIS does not contain information that is false or misleading	Refer to the comments below identifying information that appears to be inaccurate, incomplete or potentially misleading.
3	Page 8 (Engagement)	Applicant states that relevant groups were consulted and engaged in the preparation of this SSDA including ...adjoining landowners,...and the community.	Adjoining landowners and community members have advised that they were not consulted or engaged in the preparation of the SSDA. The first community engagement consisted of a flyer providing less than 24 hours' notice of a walk-in session. At that session, attendees were advised that there would be no presentation and that feedback would not be considered prior to lodgement of the SSDA, with the opportunity to provide feedback instead occurring during the public exhibition period. The applicant was subsequently invited to attend a Lavender Bay Precinct meeting to provide further information, but no response to the invitation was received. Following further contact, HillsPDA advised ROLBO that it was no longer engaged on the project and that enquiries should be directed to the applicant. The applicant was contacted directly and no response was received.
4	Page 9 (Project Justification)	The EIS states that the environmental impacts of the proposed development are positive, reasonable in the circumstances or can be appropriately managed	This conclusion is not supported by a number of the assessments relied upon in the EIS. As detailed below, there are identified inaccuracies and omissions in the assessment of matters including heritage and solar access, and some impacts are permanent rather than temporary or readily reversible.
5	Page 9 (Project Justification)	The applicant states that the proposal provides an appropriate built form transition to Lavender Bay	The report does not explain how the proposed built form provides an appropriate transition in scale between the high-rise North Sydney centre and the low- to mid-rise, fine-grain residential development of Lavender Bay. The proposed 20-storey tower is directly opposite predominantly low-rise terrace housing on Mackenzie Street and does not step down in scale towards those properties. The description of the site as a transition area therefore requires further justification against the scale and character of the development immediately south of the site.
6	Page 9 (Project Justification)	The EIS states that the proposal celebrates and conserves existing heritage items on site. It also states that it will deliver an additional Parish related space	The statement that the proposal "celebrates" the heritage significance of the church is not consistent with the proposed built-form relationship. At present, the church spire is the dominant vertical element on the site and forms an important part of the church's visual prominence and heritage setting. The proposed 7-storey building immediately behind the church rises to a height approaching that of the spire, substantially reducing the clear space and visual separation around it. The proposed 20-storey tower then becomes by far the dominant built form on the site. Rather than reinforcing the prominence of the church and its spire, the proposed development changes the visual hierarchy of the site so that the heritage item becomes subordinate to the new development. The report does not explain how this outcome can reasonably be described as "celebrating" or reinstating the significance of the church in the public domain.
7	Page 9 (Project Justification)	The applicant states that the proposal will increase provision of open space within the North Sydney CBD	This statement is potentially misleading. The proposed open space is located on the development site in Lavender Bay, not within the North Sydney CBD. The EIS should distinguish between an increase in publicly accessible open space associated with the development and an increase in open space within the North Sydney CBD.
8	Page 9 (Project Justification)	The applicant states that likely environmental, economic and social impacts of the matters listed (including heritage, residential amenity, overshadowing, public and private views, traffic and parking social impacts et al.), including appropriate mitigation, have been assessed as being reasonable in the circumstances	The conclusion that the identified impacts are reasonable relies on assessments that contain material inaccuracies and omissions. Examples include: * The solar-access and overshadowing assessment records a number of terraces on the northern side of Wilona Avenue as receiving no existing solar access. Evidence from affected properties indicates that these properties do receive winter-solstice solar access to private open space and living areas. Existing solar panels have also been omitted from the assessment * The proposed 20-storey tower is located directly opposite predominantly low-rise terrace housing within the Lavender Bay Heritage Conservation Area. The EIS identifies impacts relating to privacy, solar access and residential amenity, but the adequacy of the proposed mitigation should be reconsidered in light of the inaccuracies identified in the underlying assessments. * Further concerns regarding the assessment of impacts on the Lavender Bay Heritage Conservation Area are detailed below.

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9	Section 1.4 (Key Objectives)	Objectives of the development are described as to design a built form that is responsive and appropriate to the site context including heritage conservation area and retained heritage items....minimise residential amenity impacts for neighbouring sites, provide a development that integrates sympathetically with surrounding redevelopment, both existing and proposed	The EIS identifies objectives including responding appropriately to the site context and heritage conservation area, minimising residential amenity impacts and integrating sympathetically with surrounding development. However, the proposed built form introduces a substantial change in scale immediately adjacent to and opposite low-rise development within the Lavender Bay Heritage Conservation Area. The assessments also identify losses of solar access, privacy and residential amenity to neighbouring properties. These impacts raise a question as to whether the stated objectives of minimising amenity impacts and integrating sympathetically with the surrounding context have been achieved.
10	Section 1.6.1 Affordable Housing	The applicant claims in recognition of the additional built form uplift being sought, the proposal commits to providing 77 affordable housing units for a period of at least 15 years	The scale of the built-form uplift sought should be considered against the net affordable-housing benefit being delivered. * The affordable housing is proposed for a minimum period of 15 years rather than in perpetuity. * Approximately 75 existing lower-cost and retirement rooms are proposed to be demolished, resulting in a substantially smaller net increase in dwellings than the headline figure of 77 affordable units suggests. The applicant refers to 43 residential dwellings however they are not taking into account that they are demolishing a large number of 2 bedroom dwellings and replacing them with predominantly co-living which significantly reduces the dwelling capacity. The Citadel consists of 12 2-bedroom dwellings and Xavier Terraces consists of 7 1-bedroom and 22 2-bedroom dwellings * The existing housing includes two-bedroom accommodation suitable for families, while the proposed affordable-housing mix includes very limited two-bedroom accommodation. * At the community walk-in session, attendees were advised that the affordable units would be rented at approximately 75% of market rent. Based on currently advertised rents for comparable modern two-bedroom apartments in Lavender Bay and Milsons Point, this could result in rents above those currently paid for some of the existing lower-cost accommodation on the site. Accordingly, the headline number of 77 affordable dwellings does not, by itself, describe the net change in the amount, duration, dwelling mix or relative affordability of the housing being provided.

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11	Section 1.6.2 Public Domain and Connections	The applicant claims that a through site link will provide pedestrian connections from Lavender bay at Mackenzie Street to Philip Lane, Blue Street Plaza and North Sydney Station. This is claimed to be a significant benefit	A publicly accessible pedestrian connection already exists between Mackenzie Street, Blue Street Plaza and North Sydney Station in substantially the same location. Additional pedestrian connections are also available at the eastern and western ends of Mackenzie Street. Describing the proposed through-site link as a significant new connectivity benefit therefore overstates the extent to which it creates a connection that does not already exist.
12	Section 1.6.3 Retention of Heritage Church Building	The applicant states that the proposal seeks to celebrate the heritage significance of the St Francis Xavier Church and former school house and thoughtfully integrate them into the design outcome which reinstates their significance in the public domain	The statement that the proposal “celebrates” the heritage significance of the church and former school house is qualitative and should be considered against the scale and relationship of the proposed new development to those items. Elsewhere in the EIS, the retained heritage buildings are identified as constraints on the redevelopment of the site. The proposal introduces substantial new built form immediately adjoining the former school house and church, including a 7-storey building associated with the school house and a 20-storey tower near the church. The EIS should demonstrate how this scale and relationship reinstate or enhance the prominence and significance of the heritage items in the public domain.
13	Section 2.1 Site Location and Context	The applicant describes the site as being on the southern edge of the North Sydney centre and that the site forms a transition between the commercial core and the established residential areas of Lavender Bay	The description of the site as being on the “southern edge of the North Sydney centre” and forming a “transition” to Lavender Bay does not fully reflect its immediate context. The site is located on the northern edge of Lavender Bay, adjoining and partly within the Lavender Bay Heritage Conservation Area. Its principal frontage is to Mackenzie Street, which contains low-rise terrace housing and a number of heritage-listed properties. The railway corridor and the steep change in topography also provide a strong physical separation between the North Sydney commercial centre and the established residential area of Lavender Bay. The NSW Apartment Design Guide recognises the need for a transition in scale where apartment development adjoins lower-density residential areas, including through stepping down in building height where appropriate. In this case, the proposed development does not step down towards the established residential area; the proposed tower is higher than the development at 5 Blue Street, immediately to its north. The North Sydney DCP also adopts stepping down of building height as a built-form principle within the Lavender Bay Planning Area, with greater heights towards the ridge transitioning to lower heights towards the bay. The report does not explain how the proposed 20-storey tower achieves the “transition” in scale that it relies upon in describing the site.
14	Section 2.5 Surrounding Development	The applicant states that "The area is undergoing intensification through new commercial towers, mixed use development and major public transport investment, reinforcing its strategic role and proximity to the Sydney CBD"	The development activity described in this statement — including new commercial towers, mixed-use development and major public transport investment — is occurring predominantly within the North Sydney commercial centre. It does not accurately describe the immediate context of the proposed development site in Lavender Bay, which is characterised by established low- to mid-rise residential development and heritage conservation areas.
15	Section 2.5 Surrounding Development (South)	The applicant notes in the section immediately proceeding that the site sits at the southern edge of the high rise centre of North Sydney. The go on to say that Mackenzie Street provides a clear separation between the Site and these neighbouring lower scale uses. Finally, The Lavender Bay Preschool further south is identified	The site is located on the northern edge of Lavender Bay, where the surrounding built form is predominantly low- to mid-rise, fine-grain residential development, including a number of heritage properties. The site is currently zoned R3, with R4 zoning towards the Blues Point Road frontage, and the existing buildings on the site are also low- to mid-rise. In this context, the railway corridor presently forms a strong physical separation between the high-rise North Sydney centre and the lower scale residential area of Lavender Bay. Characterising Mackenzie Street as the point of separation between the proposed development and the lower-scale uses to the south does not reflect the existing character of the site itself or the neighbouring properties immediately to its east and west. The surrounding development description also identifies Lavender Bay Preschool further south, but does not identify the primary school on Miller Street, which is located closer to the site and forms part of the immediate surrounding context.
16	Section 2.5 Surrounding Development (East)	The applicant refers to a mix of 2 and three storey terrace houses alongside the 16-storey Harbour View Hotel to the East	The Harbour View Hotel is located to the north-east of the site, within North Sydney, rather than directly east alongside the lower-scale terrace housing in Lavender Bay. Grouping the hotel together with the two- and three-storey terrace houses to the east gives an inaccurate impression of the immediate eastern context and the relationship between the high-rise North Sydney built form and the lower-scale residential development in Lavender Bay.
17	Section 2.5 Surrounding Development (West)	The applicant identifies St Peter's park to the west and the Presbyterian Church and Shore School are also identified to the west	St Peter's Park is located to the west of the site. However, the Presbyterian Church and Shore School are located further to the north-west within North Sydney, with Shore School located beyond the railway station and 5 Blue Street. The description of the western context also does not identify the Montessori K–6 primary school on Miller Street, immediately to the south-west of the site near Mackenzie Street, despite its closer proximity to the proposed development.

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18	Section 2.6 Future Character	The applicant identifies the future character of North Sydney CBD and identifies that the precinct is undergoing change. The applicant refers to the developments at 5 Blue Street and 15 Blue Street as evidence of this transformation and expected uplift. The applicant further references uplift signalled through the housing SEPP, and the identification of surrounding land for Low-Mid Rise Housing (that can access additional height and FSR bonuses through the Housing SEPP of up to 30% FSR and building height establish a clear trajectory of change in the locality	The future character of the North Sydney CBD should not be presented as equivalent to the future character of Lavender Bay. Lavender Bay is characterised predominantly by low- to mid-rise residential development, including heritage items and heritage conservation areas, which materially affect the form and scale of future development. The report relies on 5 Blue Street and 15 Blue Street as evidence of an established trajectory of transformation and uplift. However, the reference to 5 Blue Street seeking a 29-storey development is outdated. The current proposal is for adaptive reuse of the existing building with substantially reduced height. The 15 Blue Street proposal is also not an approved development and remains only at the Prepare EIS stage. It therefore represents a potential future development rather than an established future character. The report also relies on the Low and Mid-Rise Housing reforms as evidence of a clear trajectory of increased height and density in the locality. However, those reforms establish defined height and density parameters for qualifying R3 and R4 land. Even allowing for the maximum affordable-housing height bonus available under the Housing SEPP, the proposed tower substantially exceeds the height contemplated by those provisions. Reliance on the LMR reforms as evidence of future character therefore does not, of itself, support the substantially greater height sought by this proposal. Figure 7 also identifies the proposed development at 64–66 Lavender Street and 3–7 Middlemiss Street as part of the existing and future context. That proposal is itself still under assessment. Significantly, the Department of Planning has raised substantial concerns regarding its proposed height, built form and scale, including its impacts on surrounding heritage items and the conservation area, local character, visual amenity and overshadowing, and the abrupt transition in scale with adjoining land uses. The Department has requested that the height and form be reconsidered to achieve greater consistency with the applicable R4 zoning and height objectives. Accordingly, the existence of nearby proposals seeking substantial departures from existing planning controls should not be treated as evidence that such scale has been accepted as the future character of Lavender Bay.
19	Section 3.2 (State Strategic Planning Context	The applicant makes a variety of claims to assert its compliance with various State Planning Instruments, this includes repeated claims that: *in regard to the development celebrating the key features of the heritage listed church and other heritage assets *in regard to the suitability of the Site for greater density at the proposed scale * the proposed development enhances local amenity	These claims are not supported by the impacts identified elsewhere in the EIS and its appendices. As detailed throughout this document, the proposal does not preserve the prominence and setting of the heritage items, the proposed scale substantially exceeds the height and density contemplated by the existing and State-led planning controls, and the development results in material adverse impacts on local amenity, including solar access, privacy, visual amenity and neighbourhood character. Refer to the relevant sections below for detailed commentary.
20	Section 3.2.6 Better Placed (Better Fit and Better Look and Feel)	The applicant claims that the proposal carefully integrates into the unique heritage and harbour-side setting. The massing responds to the scale and significance of the heritage listed church, school building and surrounding conservation area, while setbacks, articulation and tower placement minimise visual bulk and preserve important view corridors, including the view of the Sydney Harbour Bridge from St Peter's Park. The built form has also been co-ordinated with emerging neighbouring development to achieve an appropriate precinct outcome. The applicant later claims that the design reinforces the prominence of the heritage church and is carefully articulated to reduce perceived scale.	This statement does not accurately reflect the scale and impacts of the proposed built form: * The proposal introduces a substantially greater scale of development into the Lavender Bay setting. The proposed 20-storey tower would be significantly taller than the existing built form in Lavender Bay, where the predominant character is low- to mid-rise and the tallest existing building is approximately nine storeys. Two additional 7-storey buildings are also proposed. * The proposed massing materially changes the existing visual relationship between the heritage-listed church, former school house and surrounding development. At present, the church spire is the dominant vertical heritage element on the site and is visible from surrounding areas and the harbour. The proposed 7-storey buildings rise close to the height of the spire and substantially reduce its visual separation, while the 20-storey tower becomes by far the dominant built form on the site. This changes the visual hierarchy so that the church and its spire become subordinate to the new development rather than remaining the principal landmark elements. The proposed works to the former school house also involve demolition and alteration of parts of its existing heritage fabric. * The proposed 20-storey tower is approximately 73.5 metres high and 45 metres wide. Its substantial height and width, combined with its elevated position, result in a large continuous built form. The report states that articulation, setbacks and tower placement minimise visual bulk, but the extent to which these measures achieve that outcome is not demonstrated. Existing broader iconic views are also reduced to more confined view corridors between and around the proposed buildings. * The statement that the built form has been coordinated with emerging neighbouring development also requires further explanation. The proposed tower substantially exceeds the height of the current 5 Blue Street proposal. The relationship between the two developments has consequences for building placement, view sharing and overshadowing of properties further south in Lavender Bay. The EIS does not demonstrate how coordination between the two developments has resulted in an equitable precinct outcome for surrounding properties as well as the two development sites.

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21	Section 3.2.6 Better Placed (Better for Working)	The applicant claims that the proposal has been shaped through an extensive collaborative design process involving various parties including the local community	Community members on Mackenzie Street, immediately opposite the proposed development, Lavender Street and on Walker Street have advised that they were not involved in any collaborative design process. At the community walk-in sessions, attendees were specifically advised that their opportunity to provide input would arise once the proposal was placed on public exhibition by the Department of Planning. This is not consistent with the claim that the proposal was shaped through an extensive collaborative design process involving the local community.
22	Section 3.3 Local Context	The applicant makes a number of claims including that the proposal aligns: * the North Sydney Local Strategic Planning Statement 2020; and * the North Sydney Local Housing Strategy 2019	The proposal does not align with these strategies in a number of respects: * The claim that the development respects and enhances North Sydney's distinct heritage and local character is inconsistent with the heritage, built-form and local-character impacts identified elsewhere in this document. * The EIS describes the proposal as "framing" iconic views towards the harbour as though this represents a positive contribution to local character. In practice, existing broader view corridors are substantially narrowed by the proposed built form and become confined between and around the new buildings. * The EIS itself notes that the North Sydney Local Housing Strategy seeks to minimise development in sensitive locations, including foreshore areas and land within or adjoining heritage conservation areas. However, rather than acknowledging that the site is located within and adjacent to the Lavender Bay Heritage Conservation Area, the EIS emphasises its proximity to the North Sydney CBD. This does not properly address the strategic direction to limit significant change in sensitive heritage locations and it is inconsistent with the priorities of the LHS in this regard.
23	Section 3.4 Cumulative Impact	The applicant states that through skillful design, it is able to manage and mitigate impact to the south	The design response focuses on mitigating impacts to public open spaces to the south. It does not provide mitigation for the low- to mid-rise residential properties immediately south of the site, despite those properties being directly affected by the proposed height, bulk, overshadowing and loss of residential amenity.
24	Section 4.5 (Demolition and Site Preparation Works (Figure 15))	The applicant notes that all internal walls and slabs to be demolished. Roof to be replaced to match existing Roof Profile. It is only the Mackenzie Street facade and the Western facade that will be retained	The former school house is a heritage-listed building with significance arising from both its streetscape presentation and internal fabric. The proposal seeks substantial demolition of the building, including removal of internal walls and slabs, with only the Mackenzie Street and western facades retained (note that images depict the eastern facade as being retained however the notes state the western). This level of demolition is not consistent with the stated objective of conserving and celebrating the heritage item and does not represent an appropriate contextual response to its heritage significance. The proposed vehicle entrance from Mackenzie Street is also located directly beneath the retained heritage building. The EIS should demonstrate how this intervention preserves the structural integrity, heritage fabric and setting of the building.

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25	Section 4.6 Affordable Housing	The applicant claims , the proposal commits to providing 77 affordable housing units for a period of at least 15 years. They further claim that 43 dwellings are currently located on the site, with the majority market rentals and a portion below market or part of Parish outreach. The applicant states that the affordable housing will be provided for very low-income, low-income and moderate-income households	The scale of the built-form uplift sought should be considered against the net affordable-housing benefit being delivered. * The affordable housing is proposed for a minimum period of 15 years rather than in perpetuity. * The applicant refers to 43 existing residential dwellings, while the proposed 77 affordable-housing units include individual co-living rooms counted as separate units. On a comparable accommodation-capacity basis, approximately 75 existing lower-cost dwelling/room equivalents are proposed to be demolished. The headline comparison of 43 existing dwellings with 77 proposed affordable units therefore overstates the net increase because it compares conventional dwellings with a future mix that includes predominantly individually counted co-living rooms. On a room for room basis - the increase in affordable housing is only 3 rooms * The existing housing includes a large number of two-bedroom dwellings suitable for families, while the proposed affordable-housing mix includes only 2 two-bedroom accommodation and is predominantly co-living. * At the community walk-in session, attendees were advised that the affordable units would be rented at approximately 75% of market rent. Based on currently advertised rents for comparable modern two-bedroom apartments Milsons Point (The Citadel - to be demolished advertised \$720pw 15/9/26 and 802/80 Alfred Street advertised \$1130pw 15/9/2026), rents calculated at 75% of prevailing market rates would exceed the rents currently paid for the existing lower-cost accommodation on the site by almost 18%. This calls into question the extent to which the proposed replacement housing would be affordable to very low- and low-income households. Accordingly, the headline figure of 77 affordable units does not, by itself, describe the net change in accommodation capacity, dwelling type, duration or relative affordability of the housing being provided.
26	Section 4.8 Landscaping and Open Space	The applicant has advised that the through-site link will include a stairway providing access to Phillip Lane.	Elsewhere in the EIS, the through-site link is promoted as improving access to Blue Street Plaza and North Sydney Station. That claimed benefit is difficult to reconcile with the proposed link terminating at Phillip Lane. Phillip Lane is not itself a pedestrian destination and does not provide direct access to either Blue Street Plaza or the station. The existing site link provides more direct access because it terminates at Blue Street Plaza. There is also already a north-south pedestrian connection from Miller Street to Phillip Lane which serves much the same function as the proposed link, while providing better access to the station and Blue Street Plaza. If the proposed link terminates at Phillip Lane, pedestrians would need to walk along Phillip Lane, which has no pedestrian footpath, to reach the existing north-south connection from Miller Street.
27	4.8.1 Communal Open Space	he applicant advises that communal open space will be provided on Level 3 of the podium rooftop, consisting of paved open spaces, planters, a swimming pool and spa.	Outdoor communal facilities including a swimming pool, spa and entertainment area at the top of the podium raise significant privacy and amenity concerns for nearby residents. Based on the architectural diagrams, the pool is located at approximately RL60.1, while Wilona Avenue is at approximately RL45. Mackenzie Street also slopes downward from west to east along the proposed tower location, from approximately RL48.6 to RL45.4, and the Wilona Avenue homes follow this downward slope. The Wilona Avenue boundary is directly across the road from the proposed development. These properties are predominantly single-storey terraces, with one two-storey terrace, and have private open spaces and windows to main living areas and bedrooms facing Mackenzie Street. An unenclosed pool, spa and entertainment area approximately 21 metres from these properties and significantly elevated above them would provide direct visual access into both outdoor and indoor private spaces, significantly affecting the privacy and amenity of residents. The EIS relies heavily on generic separation distances without adequately addressing the particular issue of vertical overlooking from an elevated position. In addition, noise impacts are likely to be compounded by the outdoor swimming pool and communal area on the Mackenzie Street podium roof. The steep topography means noise generated from an elevated outdoor area has the potential to travel down towards surrounding residences. Measures such as greater setbacks, wintergardens or enclosure of the pool, spa and communal areas do not appear to have been used to provide meaningful protection for neighbouring residents.

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28	5.1.1 Objectives (concurrent re-zoning)	The applicant is seeking to change the land zoning to R4 High Density Residential across the entire site.	The proposed development is not purely residential. It incorporates residential apartments, retail tenancies and the existing church use, yet the applicant seeks to apply R4 High Density Residential zoning across the entire site. While some non-residential uses may be permissible within an R4 zone, the proposal itself has a distinctly mixed-use character and the EIS does not adequately explain why R4 zoning across the whole site is the most appropriate land-use framework. This is particularly relevant given that the proposal also seeks a building height of 73.5 metres, whereas surrounding R4 residential land is generally subject to a 12 metre maximum building height under the NSLEP. The rezoning should not simply facilitate a development whose scale and mix of uses bear little relationship to the residential planning controls ordinarily associated with R4 land. If R4 zoning is considered appropriate, the proposed height, scale and non-residential components should be demonstrated to be consistent with the objectives and intended character of that zone. The applicant wants the benefit of an R4 residential zoning (such as access to precinct parking) while simultaneously seeking a height vastly beyond the residential scale ordinarily associated with that zoning.
29	5.1.2 Intended Outcomes (concurrent re-zoning)	The applicant states that The intended outcomes of the proposed amendments to NSLEP 2013 include: • Deliver new infill affordable housing to meet the needs of low- and moderate-income households. • Enhance the permeability of the area by providing a high quality publicly accessible Church Square and through Site link connecting MacKenzie Street to Blue Street Plaza. • Design a built form that is responsive and appropriate to the Site context including heritage conservation area and retained heritage items, as well as proximity to North Sydney CBD and high frequency transport connections. • Maintain solar access to surrounding public open spaces including St Peters Park, Watt Park and Clark Park. • Minimise potential residential amenity impacts for neighbouring Sites. • Provide a development which integrates sympathetically with surrounding redevelopment, both existing and proposed.	These intended outcomes are not achieved by the proposal. As addressed elsewhere in this submission: • Affordable housing: Taking into account local market rents and the proposed affordable rent level of 75% of market rent, the housing is unlikely to be affordable to many low- and moderate-income households. In addition, the impacts of the rezoning and the proposed height, bulk and scale are permanent, while the affordable housing is proposed for only 15 years. • Through-site link: The intended outcome refers to a connection between Mackenzie Street and Blue Street Plaza. However, the proposed link terminates at Phillip Lane and does not provide a direct connection to Blue Street Plaza. • Responsive and appropriate built form: The proposed development is not sensitive to the church, the School House or the Heritage Conservation Area. Rather than responding to these elements, its height and scale dominate them. • Solar access to St Peters Park: The proposal reduces solar access to St Peters Park and therefore does not maintain the existing level of solar access to this public open space. • Residential amenity: The proposal would result in significant adverse impacts on neighbouring residents, including overshadowing, loss of privacy, noise, traffic and parking impacts. These are permanent impacts which have not been adequately addressed or mitigated in the EIS. • Sympathetic integration: The proposed development does not integrate sympathetically with its immediate surroundings. It dominates the lower-scale development directly to the north and is excessive when viewed against the fine-grain, low- to mid-rise residential character to the south. Overall, the proposed amendments rely on intended outcomes which the development itself does not satisfactorily achieve.
30	5.2.3 Additional Permitted Use	The applicant seeks to apply an additional permitted use for retail premises to 17–19 Mackenzie Street, Lavender Bay and 211 Blues Point Road, Lavender Bay.	The retail premises contemplated by the EIS are proposed at 1–13 Mackenzie Street. The applicant is therefore seeking an additional permitted use over land beyond the area in which retail uses are actually proposed as part of this development. The justification for extending the additional permitted use to 17–19 Mackenzie Street and 211 Blues Point Road is not clear from the EIS. Any additional permitted use should be limited to the land necessary to accommodate the retail component of the proposal, unless a separate strategic justification is provided for extending that entitlement to other parts of the site.

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31	Section 5.3 Strategic and Site Specific Merits (Section C)	In response to the question of whether the Planning Proposal has adequately addressed social and economic effects, the applicant has responded in the affirmative and states that, because it considers the negative social impacts to be reasonable, a Social Impact Assessment has not been prepared.	This conclusion is not adequately supported. The proposal has the potential to create significant social impacts for the surrounding community, including substantial loss of residential amenity through overshadowing, loss of privacy, increased noise, traffic and parking pressure, prolonged construction impacts, impacts on public open space and significant change to the established character of Lavender Bay. The proposal is also located within and adjoining an area of high heritage significance, including the Lavender Bay Heritage Conservation Area and heritage-listed buildings on the site. The scale and dominance of the proposed development have the potential to materially alter the heritage setting, streetscape character and sense of place experienced by the local community. These are social impacts as well as heritage impacts, because they affect how residents experience and identify with their neighbourhood. The applicant's view that the negative impacts are "reasonable" is itself a conclusion that should be supported by a proper assessment rather than used as the reason not to undertake one. Given the scale of the proposed rezoning, the significant increase in height and density sought, the site's relationship with heritage items and the Heritage Conservation Area, and the extent of impacts identified throughout the EIS, a Social Impact Assessment should have been undertaken to properly identify, assess and respond to the social consequences of the proposal. Without such an assessment, the statement that social and economic effects have been adequately addressed is not demonstrated.
32	Section 5.3 Strategic and Site Specific Merits (Section D)	In response to the question of whether there is adequate infrastructure, the applicant has responded in the affirmative and states that the site benefits from existing public infrastructure including public transport connections, road infrastructure, established service infrastructure and nearby social infrastructure.	While the EIS refers to the site's proximity to key public transport infrastructure and relies on this proximity to support the proposed density and parking arrangements, it does not demonstrate how existing and planned transport infrastructure and services will accommodate this growth, nor does it adequately assess the resulting impacts on different road users. This is particularly relevant given the site's location on a well-used cycling corridor. Greater consideration should be given to vulnerable road users, including cyclists and pedestrians, and to the interaction between these users and site-generated vehicle movements. Further assessment is required to demonstrate that the proposal can be accommodated within the surrounding transport network without adverse impacts on safety, accessibility or network operation.
33	Section 7 Engagement	The applicant has summarised engagement activities carried out as detailed in the Engagement Outcomes Report at Appendix I	Please refer to Appendix I for detailed responses regarding the engagement activities. In summary, engagement with the community, particularly Group 2: Sensitive Receivers, was inadequate. The applicant advises that 859 newsletters were delivered on 26 June 2026, while the first community meeting was held the following day, on 27 June 2026. No prior engagement or communication was undertaken with these residents, meaning Group 2 receivers were given less than 24 hours' notice of the only community engagement opportunity offered to them, which was a walk-in session. It is also notable that other groups were given substantially more notice. The applicant has confirmed that the Parish was notified on 14 June and Xavier Terraces residents on 16 June, while other neighbouring residents and landowners were not notified until 26 June. This included residents of Wilona Avenue and the apartments at 16 Mackenzie Street located directly opposite the proposed development. According to our members, there has been no further communication or engagement with Group 2 receivers since that time. The SEARs require meaningful engagement to be undertaken consistently with the Undertaking Engagement Guidelines for State Significant Projects. Providing sensitive receivers with less than 24 hours' notice of a walk-in session, particularly where other groups received significantly earlier notice, does not in our view amount to meaningful engagement.

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34	Section 8.1.1 Peer Review - Matthew Pullinger Architect	The applicant has included an independent peer review by Matthew Pullinger, who concludes that the design is of high quality and responsive to its context.	The EIS identifies Matthew Pullinger as providing an “independent peer review” of the proposal. However, the Design Report also identifies Matthew Pullinger as the project’s urban designer. If he was involved in the development, refinement or design of the proposal, this is inconsistent with the description of his subsequent review as independent. It is notable that the applicant for SSD-86797708 at Middlemiss/Lavender Street also appointed Planning & Co to prepare its EIS and Matthew Pullinger to undertake an independent design review. Mr Pullinger reached similarly favourable conclusions regarding the design quality of that proposal. This does not of itself invalidate the review, but it reinforces the importance of understanding the status, scope and independence of the review process being relied upon here. More importantly, the conclusions in this peer review repeatedly assess the proposal in the context of the North Sydney CBD, rather than its immediate Lavender Bay setting. Mr Pullinger refers to the proposal contributing to the ongoing renewal of North Sydney CBD as a distinctive, amenable, high-density residential neighbourhood. However, the site is located at the interface with Lavender Bay, which is characterised by fine-grain, lower-scale residential development and the Lavender Bay Heritage Conservation Area. The review also describes the proposal as carefully managing the transition from the urban core to lower-scale development to the south. This conclusion is difficult to reconcile with the actual height relationship. The proposal seeks a maximum height of approximately RL120, while 5 Blue Street immediately to the north has a maximum height of approximately RL115 and the low-scale heritage and conservation-area homes immediately to the south around Mackenzie Street are at approximately RL56. Rather than providing a gradual or sensitive transition, the proposal introduces a very substantial change in scale directly beside the lower-scale residential area. The repeated assessment of the proposal against the character and renewal of North Sydney CBD therefore raises concern that the peer review has not given sufficient weight to the site's immediate context within Lavender Bay. The proposal should be assessed not only against the taller buildings of North Sydney CBD, but primarily against the heritage items, conservation area and low-rise residential properties which it directly interfaces with. The peer review's conclusion that the proposal would not result in unreasonable overshadowing is also inconsistent with the significant overshadowing impacts identified elsewhere in this submission, including impacts on neighbouring homes and St Peters Park.
			There is also a separate process issue. The applicant relies on an independent peer review commissioned by the applicant, but the EIS does not explain the status of that review or its relationship to the formal State design review process. The SEARs require the proposal to demonstrate review by the NSW State Design Review Panel where required under the applicable SDRP guidelines. The EIS does not identify any referral to, review by, or determination concerning the State Design Review Panel. Given the exceptional height and density proposed, the substantial departures from existing planning controls, the site's relationship with heritage items and the Lavender Bay Heritage Conservation Area, and the significant visual and residential amenity impacts identified throughout the EIS, the absence of any explanation regarding SDRP consideration is concerning. The applicant should be required to clarify whether the Department determined that SDRP review was not required and, if so, provide the basis for that determination. If SDRP review was required, the Design Quality requirement of the SEARs does not appear to have been satisfied. An applicant-commissioned peer review should not be treated as equivalent to formal State design review unless it forms part of a design excellence pathway accepted by the Department.
35	8.2.1 (Relationship with existing and future context)	The applicant states that the "site is an ideal location for the orderly and economic intensification of housing development", the "ther proposed design responds to the scale and intensity of the North Sydney CBD while also respecting the established heritage character, topography and landscape qualities of the surrounding residential context" and the Matthew Pullinger confirms the proposal succeeds in carefully managing the transition from urban core to smaller heritage items within the site and lower scale development to the south in Lavender Bay"	The applicant’s own statement that the proposal responds to the scale and intensity of the North Sydney CBD highlights the problem. The site is located at the interface with Lavender Bay, a fine-grain, low-rise and heritage-sensitive residential area. As outlined elsewhere in this submission, the steep topography, with the tower located uppermost point of the slope, further increases the tower’s visual dominance over the lower-scale neighbourhood below. The claimed “carefully managed transition” is also difficult to reconcile with a proposal rising to approximately RL120 beside much lower-scale residential development around RL56. Additional housing density could be achieved on this site within the existing planning controls and a design that responds to the established scale and character of Lavender Bay. Proximity to the CBD and public transport does not justify the excessive scale of uplift proposed.

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36	8.2.1 (Relationship with existing and future Context: Interface with North Sydney Station)	The applicant refers to the neighbouring developments at 5 Blue Street as 29 storeys / RL162 and 15 Blue Street as RL162, and seeks to justify the proposed scale in Lavender Bay by stating that the proposed RL120 represents a reduction in height of approximately 40 metres and therefore provides an appropriate and sympathetic transition. In the following paragraph, the applicant acknowledges that 5 Blue Street has amended its scheme to adaptive reuse, with a proposed height of approximately RL116, and states that this reduced height has also informed the urban design analysis.	This reasoning is internally inconsistent. The applicant first relies on a step down from RL162 to RL120 to justify the proposal as an appropriate transition from North Sydney, but then acknowledges that the relevant neighbouring proposal at 5 Blue Street is now only two floors higher than the existing building footprint, at approximately RL116. On that basis, the proposed RL120 is no longer a significant step down from 5 Blue Street at all, nor does it provide a sympathetic or appropriate transition to the lower-scale character of Lavender Bay. The images presented in this section of the EIS also appear to show the proposed tower as lower than 5 Blue Street, when the current proposed height at 5 Blue Street is approximately RL116 and this proposal rises to approximately RL120. This presentation therefore risks giving a misleading impression of the actual height relationship between the two developments.
37	8.2.1 (Relationship with existing and future Context: Interface with Lavender Bay)	The applicant states that the existing interface between high density built form of North Sydney CBD and the residential character of Lavender bay results in a shift from commercial towers to low-medium density town houses and apartment buildings. That the Site provides a unique opportunity to "mediate the scale disparity between the two contexts". They do acknowledge that Xavier terraces contributes to a modest podium scale element on Mackenzie Street forming part of the transitional element. They suggest that an articulated built form can accommodate increased density and height as a part of the broader North Sydney Centre while employing setbacks, modulation, materiality and landscape interfaces to provide and appropriate transition to adjoining low scale areas. The applicant suggest that assign a slope of 11.9 meters over the depth of the tower (approx. 3 storey) ensures solar access for Lavender bay and the heritage conservation area is managed and improves the interface. Finally, the applicant suggests that the intent to prioritise pedestrian movements as well as topographical fall have determined the driveway entry points	The applicant has not accurately described the existing transition between the North Sydney CBD and Lavender Bay. The Citadel currently provides the first step down from the CBD, followed by Xavier Terraces, then the one- and two-storey terraces, townhouses and medium-rise walk-up apartment buildings along Mackenzie Street. That existing sequence provides a genuine transition in scale. The proposed development replaces that transition with an abrupt change from approximately RL120 to around RL54. A 73.5 metre high, approximately 45 metre wide tower is not a transitional form. Setbacks, modulation, materiality and landscaping are insufficient to overcome the fundamental height and bulk of the building. Rather than mediating the disparity between the CBD and Lavender Bay, the proposal accentuates it by inserting a taller and wider built form between the two contexts. The applicant's reliance on the sloping form of the tower does not address this issue. As discussed elsewhere in this submission, the proposal still results in substantial overshadowing across Lavender Bay and the Heritage Conservation Area, and the podium does little to reduce the visual dominance or amenity impacts experienced by the adjoining low-rise homes. Figure 30 also relies on a comparison with the proposed development at 15 Blue Street. That proposal is not an established part of the existing context and is at an earlier stage of the planning process. The visual transition should be assessed primarily against the existing built form and more advanced proposals such as 5 Blue Street, rather than relying on speculative future development to justify the scale sought here. The proposed western driveway on Mackenzie Street also raises separate concerns regarding pedestrian and cyclist safety near the Miller Street intersection, as addressed elsewhere in this submission.
38	8.2.1 (Relationship with existing and future Context: Interface with Existing Heritage Items)	The applicant states that the proposed built form has an appropriate interface with the heritage items on site, incorporating significant setbacks and sympathetic design choices. Matthew Pullinger again confirms a "positive fit" with the locality despite the increased scale and density. The applicant claims that the existing built form is retained as the dominant visual element when viewed from the public domain. They also claim that the tower setbacks and building separation are appropriate and do not "dominate" the existing built form of the Church.	The applicant's claim that the retained heritage buildings will remain the dominant visual elements is not supported by the material shown in the EIS or at the community walk-in session. Figure 33 in the EIS and the applicant's own visualisations (image attached looking north from Sydney Harbour) show the 7-storey building rising to near the height of the Church spire and the 20-storey tower becoming the dominant built form on the site. The same issue is apparent from Blue Street Plaza. The applicant has not provided a full southerly visualisation from this important public viewpoint, relying instead on a narrow view corridor. The current views demonstrate the prominence of the Church and its spire in the landscape. A 7-storey building immediately behind it, together with a 20-storey tower substantially greater in height and width than Xavier Terraces (lower right in attached image of views from Blue Street Plaza), would inevitably reduce the Church's visual prominence and alter its heritage setting. Rather than the heritage items remaining dominant, the proposed towers would become the principal visual elements, with the Church and School House read against and beneath much larger contemporary forms. This is not a sympathetic or subordinate heritage response. Equally, the visual dominance of the site will extend across the heritage Conservation Area.

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			 Current View from Blue Street Plaza  Panoramic harbour view from the centre of Blue St Plaza Harbour view from the southern edge of Blue St Plaza Source: North Sydney Council submission to the SEARs
39	8.2.2 Urban Design, Bulk and Scale: Site organisation	The applicant states that the built form protects and enhances view corridors, reinforces the heritage prominence of the Church and former School House, and maximises access to sunlight.	These matters have been addressed elsewhere in this submission and are not supported by the evidence presented. The proposal reduces the visual prominence of the heritage buildings, impacts important views and view corridors, and results in significant overshadowing of surrounding properties and public open space.
40	8.2.3 Tower and Podium	The applicant claims that the bulk and scale of the development is mitigated by measures including: *massing breaks introduced to the tower * rounded tower corners * the three story podium scales to respond to the character of Mackenzie Street * articulation and setbacks to the south and north * separation introduced at Level 3	The proposed built form resulting from the maximum building height of RL120 does not demonstrate consistency with the R4 land use zone or the height of buildings objectives in the NSLEP 2013. The massing breaks, rounded corners, podium design and separation at Level 3 do not provide sufficient visual relief from the substantial increase in height and scale represented by the 20-storey tower when compared with the surrounding development and the surrounding locality. The resulting built form has significant impacts on the scale, visual amenity and residential amenity.
41	8.2.4 Built Height	The applicant states that the proposal will provide an improved transition in height between North Sydney CBD and the Lavender Bay residential area depicting a suggestion of that transition at Figure 43 and Figure 44. The applicant suggests that the slope at the peak of the 20-storey tower reduces potential impacts on surrounding developments including visual impact and overshadowing.	The proposed development does not provide an improved transition in height between the North Sydney CBD and the Lavender Bay residential area. The proposed tower rises to RL120 and exceeds the height of a number of buildings immediately to its north. Figure 43 presents taller buildings located significantly further north within the CBD, and further east in Milsons Point, as part of the apparent transition in height. These buildings are not representative of the immediate built-form relationship between the proposed development and the surrounding Lavender Bay locality. Their apparent height is also influenced by the higher topography of land to the north, which further exaggerates the impression of a gradual transition in built form. When the geographically remote eastern buildings are removed from the comparison, the transition between the proposed tower at RL120 and the lower-scale development to the south, including buildings around RL56, is substantially more abrupt. The diagram also relies on speculative future development to the north rather than only the existing and approved built form. When the actual scale of the immediately surrounding buildings is considered, the proposed development increases in height at the southern edge of the North Sydney centre rather than stepping down towards Lavender Bay. The sloping form at the top of the tower does not mitigate the broader visual and overshadowing impacts resulting from the overall height and mass of the building. Significant visual and overshadowing impacts remain across the Lavender Bay Heritage Conservation Area.

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42	8.2.5 Building Datums, Setbacks and Separation (Residential Tower - South)	The applicant claims that the setbacks for the residential tower comply in regard to the low-rise terraces on the southerly side and avoids additional horizontal projection and moderates potential amenity impacts.	Horizontal separation is an inadequate measure of privacy impact on this steeply sloping site. The low-rise terraces opposite have ground-floor levels at approximately RL45, while the proposed tower reaches RL120. This creates an extreme vertical relationship between the proposed development and the living spaces, habitable rooms and private open spaces of the existing homes below. The southern face of the development includes balconies, habitable rooms, an outdoor pool and communal entertaining areas facing Mackenzie Street. Because the development sits high above the terraces opposite, residents of the tower and podium will have direct downward sightlines into windows, roof windows and private open spaces. The proposed setbacks do not overcome this overlooking. Apartment Design Guide Objective 3F-1 requires reasonable levels of external and internal visual privacy and specifically recognises the need for appropriate visual separation on sloping sites. In this case, the actual topography intensifies the privacy impact rather than mitigating it.
43	8.2.5 Building Datums, Setbacks and Separation (Residential Tower - West)	The applicant is proposing a 0 metre setback from St Peter's Park, they have advised that the proposed setback is in accordance with the building currently in place at 211 Blues Point Road and is a consistent setback with development to the north and does not result in any amenity impacts to St Peter's Park	Reliance on the setback of the existing building at 211 Blues Point Road does not justify a zero-metre setback for the proposed development. The existing building dates from pre-1920 and its footprint predates both St Peter's Park (established in 1966) and modern planning controls. This is not a minor alteration or adaptive reuse of the existing building: the building is proposed to be demolished and replaced by a substantially larger and higher-density development. The ADG treats separation as important not just between apartments, but also in relation to open space areas, building separation and setbacks are intended to respond to desired future character, massing, sunlight, outlook, privacy and the amenity of adjoining open space. The proposed zero-metre setback must therefore be assessed against its actual relationship with St Peter's Park and the substantially greater height and bulk of the proposed development, rather than simply replicating the setback of the existing pre-1920s building. The appropriate setback must therefore be assessed against the current public-domain context, which includes a heavily used community park and an established view corridor to the Sydney Harbour Bridge. The proposed development substantially increases the height, bulk and scale of the building immediately adjoining St Peter's Park. The zero-metre setback places this substantially larger built form directly on the park boundary, resulting in increased visual enclosure, loss of morning sunlight and substantial narrowing of the existing Harbour Bridge view corridor. The comparison with development to the north is also inaccurate. The relevant development at 5 Blue Street does not directly adjoin St Peter's Park; Phillip Lane separates that site from the park. It therefore does not provide an equivalent setback condition or justify placing the proposed tower directly on the park boundary.
44	8.2.5 Building Datums, Setbacks and Separation (Co-Living Tower - East)	The applicant states that no additional amenity impacts arise for the terraces to the east on the basis that the nil setback of the former school house is unchanged and only a small portion of the seven storey rear extension interfaces with the eastern boundary	The conclusion that no additional amenity impacts arise from the eastern nil setback is not supported by the change in use and intensity proposed. The former school house is currently used for administrative purposes. The proposal introduces residential use and substantially greater occupation through co-living accommodation. This changes the nature, frequency and duration of activity immediately adjoining the terrace houses to the east and creates additional privacy and noise impacts that do not arise from the current administrative use. The proposal also involves substantial demolition of the former school house. The plans state that the western facade will be retained, while the drawings appear to show retention of the eastern facade. This inconsistency requires clarification. A nil setback between the proposed residential use and the adjoining terrace houses does not provide adequate separation for residential amenity, particularly in relation to privacy and noise. The EIS does not demonstrate that alternative design measures have been considered to mitigate these impacts.

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45	8.3.5 Communal Open Space	Lot 1 (the residential 20-storey tower) provides 385sqm for residential dwellings, and 81.7sqm for affordable housing. Communal open space for the market housing component is provided on Level 3 podium and will include pool, spa and entertainment area. For the affordable housing component, the communal open space is located in the north-east corner of Level 2.	There are 19 affordable housing units within the 20-storey tower, however residents of those units are provided with a separate communal open space and do not have access to the pool, spa and entertainment facilities provided for the market-housing residents within the same building. This creates a clear difference in the level of amenity available to residents within the same development. The EIS does not explain the basis for this separation or why affordable-housing residents are excluded from communal facilities available to other residents of the tower.
46	8.4.1 Overshadowing	The applicant has provided an overshadowing report prepared by Windtech. The applicant claims that overall: * for solar access to main living areas, the proposal maintains acceptable levels of solar access to the vast majority of neighbouring dwellings *for solar access to private open spaces, the proposal maintains acceptable levels of solar access for the vast majority of neighbouring dwellings *for solar access to solar panels, the proposal has no impact.	There are significant issues with the baseline information used in the Windtech Overshadowing Report. As a result, a number of the conclusions drawn from that modelling are unreliable or inaccurate. These issues are addressed in detail later in this submission in the review of the full Overshadowing Report. At present, residential properties to the south receive winter-solstice solar access. The development site is located at a high point above these properties and, combined with the proposed scale of the development, the 73.5-metre-high and approximately 45-metre-wide tower casts substantial additional shadow across the residential area to the south as the sun moves through the sky. The resulting overshadowing impacts on the low- to mid-rise terrace houses and St Peter's Park are significant. The applicant's own overshadowing diagrams indicate that a development complying with the applicable height controls would have only minimal additional overshadowing impact on neighbouring properties. The EIS therefore demonstrates that the scale of the proposed uplift, rather than development of the site itself, is the principal cause of the additional overshadowing. Despite this, the alternatives analysis does not include a materially lower-scale built form designed to reduce these impacts. An independent solar impact assessment has been commissioned by ROLBO which shows material adverse impacts for the surrounding homes, in some cases losses of between 50%-100% of solar access
47	8.4.2 Pedestrian Wind Impact	The applicant claims that wind conditions for the majority of trafficable outdoor locations within and around the development will be suitable for intended use	Please refer to the detailed review of the Wind Report elsewhere in this submission. That review identifies that no site-specific wind testing was undertaken for the proposed development against the existing surrounding built form, and no study points were located within the private open spaces of neighbouring residential properties. This omission is significant because testing on the footpath immediately adjoining those properties shows a deterioration in wind conditions under the proposed scenario, including locations changing from conditions suitable for standing to conditions suitable only for walking. The EIS therefore does not establish that wind conditions within neighbouring private open spaces will remain suitable for their intended residential use.
48	8.4.3 Reflectivity	The applicant refers to a Reflectivity Study prepared by Windtech which concludes that the study recommends all glazing on the external facade to have a maximum normal specular reflectance of visible light of 20%. With this inclusion, the study confirms the proposal will not cause adverse solar glare and will comply with planning controls	Significantly, in the Reflectivity Report at Appendix VV, Windtech expressly states that the information contained in the report is for the purpose of wind engineering only and that no claims are made, and no liability is accepted, in respect of matters outside its specialist field which is wind engineering. Reflectivity and solar glare are not wind engineering matters.

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49	8.5 Visual and View Impact	The assessment concludes that "taking into consideration the existing visual context and baseline factors against which to measure change, the level of visual effects of the proposed development and in the context of additional weighted factors, the visual impacts of the proposed development were found to be acceptable"	Please refer to the details under the specific report however in summary the report's findings are internally inconsistent with the weighting applied to a number of the individual viewpoints: * The report concludes that the site's prominent harbourside position, high public visibility and proximity to heritage items and high-amenity public spaces result in medium-high Public View Place Sensitivity. Despite this, Public View Place Sensitivity is weighted as low on two occasions at close proximity and on two occasions at medium proximity. * The report concludes that Physical Absorption Capacity is low at close viewing distances because of the surrounding low- to mid-rise and heritage character, increasing with distance. Despite this, Physical Absorption Capacity is assessed as high on two occasions and medium on one occasion at close proximity, and high on three occasions at medium proximity. * The report concludes that the proposal has high visual compatibility because it would be read as an extension of the existing North Sydney tower cluster in key views. Compatibility with context and visual character is then consistently weighted as high, including from viewpoints where the North Sydney tower cluster does not form part of the immediate visual context and where the proposal introduces a substantially different height, scale and built form. These inconsistencies materially affect the weighting applied to the individual photomontages and predominantly operate to reduce the assessed visual impact. When considered together with the specific issues identified for the photomontages and the significant baseline errors elsewhere in the report, they undermine the reliability and consistency of the report's conclusion that the overall visual impacts are acceptable.
50	8.6.1 Vehicular Access	The development proposes three driveways crossing at MacKenzie Street. The location of these driveways are: * MacKenzie Street entrance close to the Miller Street intersection under the residential tower * MacKenzie Street Street entrance under the old heritage school house * Mackenzie Street between the other two entrances at the Church forecourt	A number of impacts associated with the three proposed vehicle access points have either not been assessed or are not supported by sufficient information in the Traffic Assessment. • The western driveway is located close to the Mackenzie Street/Miller Street intersection, where pedestrian, cyclist and vehicle movements already converge. Introducing additional vehicle movements at this location creates an additional conflict point within the local walking and cycling network. One of the proposed retail premises is also located near this junction, adding pedestrian activity, deliveries and potential short-stay vehicle movements. The Traffic Assessment does not adequately address the combined safety implications of these movements. • The eastern driveway and parking is proposed directly beneath the heritage-listed former school house and the church. This introduces an inappropriate intervention into the immediate setting of the Heritage Conservation Area and to both heritage items. The heritage and structural implications of locating the driveway and basement in this position require specific assessment. • The proposal introduces three separate vehicle access points along a relatively short section of Mackenzie Street. The cumulative effect of these crossings on pedestrians, cyclists, streetscape continuity and the surrounding residential environment has not been adequately assessed. • The central driveway provides vehicle access across the proposed public forecourt for events such as weddings and funerals. Vehicles are proposed to enter the forecourt, cross the through-site pedestrian route, travel towards the church where they will park. They will then undertake a three-point turn before exiting along the same route. Although the applicant states that this access will be managed and used infrequently, these movements introduce direct conflicts between vehicles and pedestrians within an area promoted as a significant new public-domain benefit. The need for vehicle turning and manoeuvring within the forecourt also reduces the extent to which the space can function as a safe, uninterrupted pedestrian and civic space. The Traffic Assessment should specifically assess these vehicle-pedestrian conflicts, including during events when pedestrian activity is likely to be highest. The EIS should also demonstrate why the existing vehicle access arrangements cannot be retained or more effectively utilised to reduce the number of new conflict points on Mackenzie Street. An independant traffic report and peer review has been commissioned by ROLBO that identifies key errors and omissions in the applicant's traffic reports

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51	8.6.2 Residential Parking	The applicant is providing 118 parking spaces for the residential tower, 12 parking spaces for the co-living dwellings, and we understand there will be 22 parking spaces for the place of worship - although Table 26 states only 12. There will be no visitor parking and no parking made available for the retail premises. At the same time the applicants plans show a reduction to onstreet parking of 4 spaces and a reduction to parking available for use by the place of worship is advised to be 42 spaces. The applicant advised that as the proposal seeks to expand the church and parish building, this may result in a compound impact on surrounding on street parking. They also advise that the church typically caters to an older demographic that may have greater reliance on convenient and accessible off street parking opportunities	The proposal introduces 165 dwellings, of which 61 will have no allocated parking: 46 co-living units, 12 affordable-housing dwellings within the residential tower and three build-to-sell dwellings. This means approximately 37% of all proposed dwellings will be provided without parking. In addition, no visitor parking or parking for the proposed retail premises is provided. At the same time, four existing on-street parking spaces will be removed and parking available to the place of worship will be substantially reduced, despite the applicant acknowledging that expansion of the church and parish facilities may create a compound impact on surrounding on-street parking and that church users include an older demographic with greater reliance on convenient off-street parking. These additional demands will be introduced into an area where on-street parking is already heavily constrained. Providing a dwelling without an allocated parking space does not establish that its occupants will not own or use a vehicle. The Traffic Assessment therefore needs to address the potential displacement of parking demand from the 61 dwellings without allocated parking onto the surrounding street network. The Traffic Assessment also relies heavily on residents, workers and visitors using public transport but does not assess the capacity of the existing public transport network to accommodate the additional demand generated by this proposal. This is particularly relevant given existing peak-period crowding on Metro and the number of approved and proposed developments across the North Sydney LGA that are relying on the same public transport infrastructure and mode-share assumptions. A cumulative public transport capacity assessment should therefore be provided, including existing peak-period utilisation, additional demand generated by this development, and the combined demand arising from other significant approved and proposed developments in the surrounding area. Without this assessment, the assumption that reduced on-site parking demand can be absorbed by increased public transport use is not demonstrated. An independant traffic report and peer review has been commissioned by ROLBO that identifies key errors and omissions in the applicant's traffic reports
52	8.6.3 Operational Traffic	The applicant notes that proposed traffic generated is acceptable	This conclusion is not supported by current traffic conditions or the changed operation of the surrounding road network. The Lavender Street, Alfred Street South and Middlemiss Street intersection has undergone significant change since the 2025 data relied upon in the Traffic Assessment was collected. This includes the construction and opening of the Harbour Bridge Bike Path in January 2026 and changes to access arrangements associated with the Warringah Freeway Upgrade. The 2025 traffic data therefore does not reflect the current operation of this intersection. The intersection regularly operates as a bottleneck, with queuing extending along Lavender Street. When this occurs, road users divert via Miller Street and Mackenzie Street to access Middlemiss Street, the roundabout and the Pacific Highway. These diverted movements are directly relevant to traffic conditions surrounding the proposed development. The Warringah Freeway Upgrade has also resulted in changes to local road access and the closure or alteration of previously used routes, redirecting additional local traffic towards Blues Point Road, Blue Street and Miller Street. These changed traffic patterns have not been reflected in the Traffic Assessment. The conclusion that the proposed operational traffic generation is acceptable should therefore be reassessed using current traffic data and the present road-network configuration. An independant traffic report and peer review has been commissioned by ROLBO that identifies key errors and omissions in the applicant's traffic reports

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53	8.6.4 Construction Traffic	The construction traffic management plan identifies extended Saturday construction hours from 7:00am - 3:00pm, construction vehicle movements via Lavender Street, Miller Street, Mackenzie Street and Walker Street, workzone establishment along Mackenzie Street and limited onsite parking for workers	The proposed Saturday construction hours extend substantially beyond the standard construction hours of 8:00 am to 1:00 pm. Given the site's immediate proximity to surrounding residential properties, the proposed hours should be amended to the standard allowable construction hours of 8:00 am to 1:00 pm on Saturdays. The proposed construction traffic has the potential to materially affect residential access and local traffic conditions. Truck movements should be restricted during commuter peak periods and school drop-off and pick-up times, particularly given the proximity of the primary school on Miller Street. The proposed work zones along Mackenzie Street will also remove already limited on-street parking during the construction period. No adequate mitigation has been identified for the resulting loss of parking or for residents and visitors displaced by the construction work zones. Given the forecast of up to six truck movements per hour and approximately 40 truck arrivals per day, the Construction Traffic Management Plan should address truck scheduling, school-hour restrictions, residential access, pedestrian and cyclist safety, and temporary parking impacts on the surrounding community. Construction traffic impacts have not been adequately assessed or mitigated. An independant traffic report and peer review has been commissioned by ROLBO that identifies key errors and omissions in the applicant's traffic reports
54	8.8.2 Heritage Impact	The applicant's Heritage Impact Statement acknowledges that the proposed development will have heritage impact on nearby heritage items but claims that the impacts are mitigated through the design and siting of the proposed built form and on balance, the proposal is supported on heritage grounds	The Heritage Impact Assessment undervalues the heritage significance of the site and the Lavender Bay Heritage Conservation Area. The proposed built form is substantially greater in height, bulk and scale than the established development along the southern edge of the railway line. The proposal also involves the demolition of substantial parts of heritage items and introduces major new built form immediately within their setting and curtilage. The resulting development changes the existing visual hierarchy of the site. At present, the church spire is the dominant vertical heritage element and a prominent feature when viewed from the harbour and surrounding public domain. The proposed 20-storey tower becomes the dominant built form, while the 7-storey development around the church and former school house substantially reduces their visual separation and prominence. The proposal is inconsistent with the established character, scale and fine-grain built form of the Lavender Bay Heritage Conservation Area and does not appropriately respond to the surrounding low-rise residential and heritage context. The proposed vehicle entrance beneath the heritage-listed former School House also introduces a substantial new intervention into the immediate setting of the heritage items. As identified in the Department-commissioned heritage assessment, the heritage and structural implications of this intervention require proper consideration. The podium, setbacks and articulation do not adequately mitigate the substantial height, bulk and scale of the proposed development or its impacts on the setting and prominence of the heritage items.

Item	Page/Section	Applicant Assertion	ROLBO Response
55	8.9 Noise and Vibration	The applicant's assessment concludes the the proposed development is compliant with the relevant noise and vibration criteria controls	This conclusion is not supported by the scope and assumptions of the assessment for the following reasons: *The identification of sensitive receivers is incomplete. The primary school on Miller Street has not been identified as an existing school receiver and the area has instead been categorised as an existing residential receiver. This misclassification means the assessment does not accurately reflect the sensitive land uses surrounding the site. *The assessment assumes that noise from communal outdoor areas, including conversation, will generally be masked by existing urban and traffic noise. However, the communal areas face an established residential area, including dwellings with bedrooms and private open spaces directly opposite. Reliance on signage requesting residents not to shout is not, by itself, an adequate acoustic mitigation measure. The EIS should demonstrate through appropriate acoustic treatment and design that noise from the pool, spa and communal entertainment areas will not unreasonably affect neighbouring residential amenity. *The locations and specifications of mechanical plant and equipment have not yet been finalised. The assessment therefore cannot establish final operational noise impacts from these sources. Appropriate plant selection, location, enclosure and acoustic treatment will need to be demonstrated before compliance can be confirmed. *The proposed retail tenancies have not been determined and their operational noise has therefore not been fully assessed. The assessment cannot establish compliance for these uses without knowing the nature, hours and likely noise-generating activities of the future tenancies. *The assessment acknowledges that construction noise may exceed the "highly noise affected" management level at surrounding receivers because of their proximity and direct line of sight to the site. The proposed mitigation, including limited respite periods and communication measures, does not eliminate these exceedances. More substantial mitigation and management measures are required, particularly for highly sensitive receivers including nearby homes and the primary school. *The vibration assessment does not adequately address the specific characteristics of the surrounding built environment. Heritage-listed and contributory buildings, including properties more than 100 years old, are located immediately adjacent to and opposite the site. Given their age, construction and heritage significance, vibration impacts should be specifically assessed against appropriate conservative criteria, including the risk of cosmetic and structural damage, rather than assuming that general vibration criteria are sufficient. Accordingly, the conclusion that the proposal complies with the relevant noise and vibration criteria has not been demonstrated on the information presently available.

Item	Page/Section	Applicant Assertion	ROLBO Response
56	8.18 Social Impact	Overall the SIA concludes that subject to the implementation of the recommended mitigation measures the proposal's residual social impacts are expected to be generally acceptable and proportionate to the scale and strategic context of the development	The SIA does not demonstrate that it has met the SIA guidelines or that the social impacts are acceptable or proportional. Further detail is provided in the review of the SIA, in summary the following are considered deficiencies in the SIA * inappropriate social locality * baseline does not properly identify those most affected * primary social research is inadequately demonstrated * engagement methodology and representativeness are not demonstrated * it does not demonstrate that social analysis actually changed the design * significance ratings are not disaggregated by affected groups * the Xavier Terrace relocation appears materially under-analysed and considered too narrowly * shadowing residual rating cannot be justified * built-form/scale mitigation rating cannot be justified * construction noise assessment is internally inconsistent * no genuine sensitivity analysis or alternative/no-project scenario * cumulative impacts are discussed but not actually significance-rated * high residual impacts remain, but there is no Social Impact Management Plan framework * adaptive management is not demonstrated * too much mitigation is deferred to later plans * social infrastructure assessment largely measures presence, not capacity HillPDA has completed the Department's 22-question review checklist and essentially answered "Yes" throughout however those answers do not withstand comparison with the body of the report.

Item	Page/Section	Applicant Assertion	ROLBO Response
57	9 & 10 Project Justification and Conclusion	The applicant details the following reasons for justification of the project: * Consistency with strategic context * Compliance with Statutory COntext * Engagement * Likely impacts of the proposed development including, design, natural environment and built environment * Suitability of the site * Public interest	The need for more housing does not justify this particular scale of development. The question is not whether housing should be provided on the site, but whether a 20-storey, 73.5 m tower is necessary or appropriate to achieve it. Significant additional housing could be delivered within existing controls or with a much more modest uplift. Further, the claimed affordable housing benefit is secured for only 15 years, while the height and planning changes are permanent. Accessibility supports redevelopment; it does not establish the appropriate height or density. The site is also immediately adjoining the established low- and medium-scale residential area of Lavender Bay and contains heritage items and land within the Heritage Conservation Area. Those constraints must carry equal weight. Calling the site “underutilised” does not demonstrate that RL120 is the appropriate response. A transition should step down in scale; this proposal does not. The tower rises to RL120 at the southern edge of the CBD and immediately opposite much lower residential development. The current controls of 8.5m and 12m recognise that change in context. The proposal effectively extends CBD-scale development south rather than providing a meaningful transition into Lavender Bay. The EIS itself says the proposal complies with the NSLEP “other than where amendment is sought as part of the PP.” Those amendments are fundamental: rezoning the whole site to R4, increasing the maximum height from 8.5/12 m to RL120 and permitting additional retail uses. Being declared SSD or satisfying procedural requirements does not establish that those very substantial departures from existing planning controls have planning merit. Undertaking consultation is not itself a justification for the development. More importantly, saying that issues were “addressed” does not mean they were resolved. The adequacy of the engagement needs to be judged by who was notified, the time provided, participation achieved and whether community concerns actually resulted in meaningful changes to the proposal. Substantial social impacts arise principally because of the proposed scale. The better planning response is first to avoid or reduce those impacts through an appropriate height and built form, rather than permit excessive scale and then seek to mitigate its consequences. Several of the consultant conclusions have also been challenged elsewhere in this submission, particularly in relation to heritage, visual impact, overshadowing, privacy, noise and cumulative traffic.
			These benefits listed do not require a 20-storey tower. Restoration of the heritage buildings, landscaping and improvements to the public domain could all occur with a substantially lower-scale redevelopment. The claimed through-site-link to Phillip Lane benefit should also be viewed in the context of the existing pedestrian connection from Mackenzie Street to Blue Street Plaza, so it is not an entirely new connection created by this proposal and it is not as useful as existing connections The public-interest argument largely repeats the applicant's earlier claims rather than balancing the benefits against the permanent impacts. Housing and heritage restoration are legitimate benefits, but they do not automatically outweigh excessive height and bulk, impacts on the Heritage Conservation Area, neighbouring residential amenity, traffic and parking impacts, and the precedent created by such a substantial departure from the planning controls. These public benefits could be achieved through a considerably more appropriate development.

Item	Page/Section	Applicant Assertion	ROLBO Response
1	Page 3 (Executive Summary)	The applicant states the engagement was...designed to provide meaningful opportunities for community and stakeholder participation during development of the proposal.	Adjoining landowners and members of the community have advised that they were not given an opportunity to participate during development of the proposal. The first community engagement consisted of a flyer providing less than 24 hours' notice of a "walk-in" session. At that session, attendees were advised that there would be no presentation, that the session would operate as a Q&A, and community concerns would be considered and addressed as a part of the public exhibition, not as a part of the design and development process. The applicant was subsequently invited to attend a Lavender Bay Precinct meeting to provide further information. No response to that invitation was received. Following further contact by ROLBO, HillsPDA advised that it was no longer engaged on the project and that enquiries should be directed to the applicant. The applicant was contacted directly and no response was received.
2	Page 8 (1.2 Project Description)	References the SSDA application is the renewal of a key North Sydney site	The site is located in the suburb of Lavender Bay, rather than North Sydney. It is also located within and adjacent to the Lavender Bay Heritage Conservation Area. Describing it simply as a "North Sydney site" does not accurately identify its locality and planning context.
3	Page 8 (1.2 Project Description)	The applicant refers to the construction as mixed use, heights and usage indicate that MU1 zoning	The proposal is described in the Engagement Report as a "mixed use" development. However, the rezoning sought is to R4 High Density Residential, not MU1 Mixed Use. This distinction is significant because R4 and MU1 zoning have different planning and land-use implications. Describing the proposal simply as "mixed use" in community engagement material may therefore give an incomplete or misleading impression of the actual planning change being sought.
4	Page 12 (2.1 Engagement Principles)	The applicant states that the following additional principles et al. were committed to in delivering community and stakeholder feedback: - relationships -Listen -Timely	The engagement described by adjoining landowners and community members does not appear consistent with the stated principles of "relationships", "listen" and "timely". Adjoining landowners and community members were advised that feedback would only be considered as part of the public exhibition response. Less than 24 hours' notice was provided for the first community walk-in session on the Saturday, and therefore less than 48 hours' notice for the Sunday session. No alternative means of participation was provided for community stakeholders who were unable to attend in person due to accessibility or proximity issues. The applicant was also invited to attend a Lavender Bay Precinct meeting to provide further information, but no response to the invitation was received.
5	Page 21 (Table 4-2 Key Themes and Project Teams Response from Group 1, 2 and 3 engagement)	The applicant indicates that the project team responded to issues raised by group 2 and group 3 engagement	The report indicates that the project team responded to issues raised through the Group 2 and Group 3 engagement. However, Group 2 and Group 3 participants, including adjoining landowners and community members, were not clearly advised of the process or method for providing formal feedback. Only 11 surveys were completed. In addition, adjoining landowners and community members consulted for this review have advised that they did not receive individual responses to concerns raised, including concerns submitted through the survey process. The report indicates that the project team responded to issues raised through the Group 2 and Group 3 engagement. No general or individual responses were provided to participants during the engagement process. The project team's responses only became available when the public exhibition commenced and the Engagement Report was published. This gives the impression that issues raised during engagement were responded to at the time, when participants did not receive those responses before lodgement of the SSDA.

Item	Page/Section	Applicant Assertion	ROLBO Response
1	Page 5 (Project Team)	The applicant lists the members of the Project Team including the urban designer Matthew Pullinger. No listing is included in regard to solar or overshadowing and a part of the Project Team with Windtech noted only as the Wind consultant	The EIS, including Appendix XX, identifies Matthew Pullinger as providing an “independent peer review” of the proposal. However, the Design Report also identifies Matthew Pullinger as the project’s urban designer. If he was involved in the development, refinement or design of the proposal, this is inconsistent with the description of his subsequent review as independent. Windtech is listed in the Project Team only as the wind consultant, with no separate identification of a solar-access or overshadowing consultant. This is consistent with, and further supports, the concern identified in the Overshadowing Report itself regarding the stated limitation of Windtech’s specialist field for the purpose of this project and proposal, to wind engineering. Taken together, these matters raise serious concerns about the specialist basis on which the Overshadowing Report has been prepared and relied upon.
2	Page 6 (Introduction)	The Urban design report refers to Lot 2 as being 57 co-living dwellings + 1 building manager's studio	This is inconsistent with other references throughout the EIS, which state that 58 co-living dwellings will be provided as affordable housing. The Urban Design Report instead identifies 57 co-living dwellings plus one building manager’s studio. The documents should clarify whether the building manager’s studio forms part of the 58 affordable housing dwellings or is additional to them.
3	Page 15 (Strategic Considerations: Extending Public Realm)	The applicant states that Blue St Plaza has the potential to operate as a civic forecourt an urban transition point that stitches together the commercial centre, surrounding residential neighbourhoods, and harbour landscape - extending public life of North Sydney towards the foreshore and reinforcing Lavender Bay's role as a green edge of the CBD. It also states that Blues Street Plaza along with the Church Square has the potential to operate as a hinge point within this network forming a part of the green pedestrian corridor south-west towards parklands and the foreshore. A number of depictions of these pathways is provided.	While the additional landscaping and green space within the church forecourt is welcomed, the broader public-realm benefit is overstated. The proposed through-site link does not extend directly to Blue Street Plaza or to the Lavender Bay foreshore. It terminates at Phillip Lane (on the northern) side and Mackenzie Street (on the Southern side), effectively directing pedestrians into the surrounding street network. From Mackenzie Street, pedestrians must travel east towards Miller Street or west towards Walker Street to reconnect with the existing routes to Lavender Bay, the parklands and the foreshore. Existing pedestrian connections already provide south-west access through St Peter’s Park to Miller Street and Mackenzie Street, as well as south-east connections towards Walker Street and Mackenzie Street. The proposed link therefore does not create a new direct foreshore connection; it largely redirects pedestrian movement through existing residential streets before users return to the established connections. This has the potential to increase pedestrian activity within the surrounding residential streets without delivering the direct regional connection suggested by the Urban Design Report.
4	Page 17 (Strategic Considerations : Balancing the Interface between Heritage and High-density Development)	The applicant claims that the proposed design responds to the scale and intensity of the CBD while also respecting the established heritage character, topography and landscape qualities of the surrounding residential context.	These matters have been addressed elsewhere in this submission. The railway corridor and its steeply cut topography form a strong physical separation between the North Sydney CBD and the established residential area of Lavender Bay. While the site is close to the CBD, its immediate context is defined by the heritage conservation area, low- to mid-rise residential development and the steeply sloping topography of Lavender Bay. The proposal does not respond to that immediate context. Substantial demolition and alteration of the heritage listed former school house is proposed, while the 20-storey tower rises to approximately 73.5 metres and extends approximately 45 metres in width. Its scale substantially exceeds the established built form of Lavender Bay and also exceeds the height of some immediately neighbouring development to the north. Combined with the elevated position of the site and the falling topography to the south, the proposed tower becomes the dominant built form when viewed from the surrounding locality rather than providing a balanced interface between the North Sydney CBD and Lavender Bay.

Item	Page/Section	Applicant Assertion	ROLBO Response
5	Page 18 - 20 (Strategic Considerations: North Shore Urban Morphology & An Intermediate Scale)	The applicant has included an image showing the proposed development against the existing and proposed developments in North Sydney, Milsons Point, Lavender Bay, McMahon's Point and beyond and notes that a key characteristic of the "transitional zone" that they claim the site occupies is a gradual reduction in scale and density and represents an intermediate scale.	Concerns regarding the accuracy and potentially misleading nature of these depictions have been raised elsewhere in this submission. The images rely on proposed development, including development significantly removed from the site, to support the claimed bulk and scale of the proposal. Some of these depictions are inaccurate, including 5 Blue Street, while others rely on unapproved proposals that remain at an early stage of the planning process, including 15 Blue Street. The proposed development at Middlemiss Street / Lavender Street is also included in the depiction, despite the Department of Planning having issued a request for additional information specifically raising concerns about the proposed height, bulk and scale of that development and its relationship with the surrounding context. When these inaccurate, unapproved or uncertain development proposals are removed, the proposed development becomes substantially more prominent in height and scale relative to the surrounding existing and approved built form. The applicant should be required to provide equivalent depictions based on existing and approved development only, so that the visual impact of the proposal can be assessed against the established and approved context.
6	Page 23 (Strategic Considerations : North Sydney Environmental Plan 2013)	The applicant has included a NSW Planning - Height of Building Image which shows the current approved maximum height of all neighbouring and surrounding building.	The image shows that the proposed height of RL120 will exceed the permitted height of the site and all neighbouring buildings to the south, where maximum heights are predominantly 8.5 metres and 12 metres. It will also exceed the height of all but one building immediately to the north. The only taller building shown in the immediate context is 15 Blue Street, which is located further east than the proposed 20-storey tower. Even further north within the North Sydney CBD, along Miller Street towards the Pacific Highway, only a small number of buildings exceed RL120. These taller buildings are significantly further removed from the Lavender Bay residential area. The height-of-buildings map therefore demonstrates that the proposed tower does not form a gradual transitional step-down from the North Sydney CBD towards Lavender Bay. Instead, it introduces a building substantially taller than the permitted built form for the site and immediately surrounding the site, including the low- to mid-rise, fine-grain residential area to the south.
7	Page 28 (Site Analysis)	The applicant has provided a set of images to attempt to depict the local area. Approximately 24 images have been provided	Despite providing approximately 24 site-context images, the Site Analysis does not adequately depict a number of properties and uses immediately surrounding the development site. In particular, it does not show the northern aspect of the Wilona Avenue terrace houses facing Mackenzie Street. The heritage terraces immediately to the east of the site are also not adequately represented. The Mackenzie Street walk-up apartments directly opposite the development, the townhouses at the corner of Mackenzie and Walker Streets, and the terraces along Lavender Street are also omitted. The primary school on Miller Street, between Lavender Street and Mackenzie Street, is similarly not depicted in the site context. These properties and uses are among those most directly affected by the proposed development, yet they are not represented or adequately considered in the applicant's site analysis. Images are included below.

Item	Page/Section	Applicant Assertion	ROLBO Response
		 Wilona Avenue Terraces from the Western Boundary of the Site on Mackenzie Street	 Apartments at 16 Mackenzie Street
		 Townhouses on the corner of Walker and Mackenzie Street	 Terrace houses on Walker Street adjacent to the old school house
		 Terrace houses along Lavender Street	 Primary School on Miller Street Between Mackenzie and Lavender Streets
8	Page 37 (Site Analysis: Existing Site Connections)	The applicant provides an image of existing site connections and states that the site's existing pedestrian connections are limited and fragmented. The only access available from the northern side has been noted as the public staircase from Blues Street Plaza and the transport interchange beyond.	This is factually incorrect. The applicant has omitted two existing north-south connections that are in regular daily use. The first is the pedestrian and cycle connection through St Peter's Park between Blue Street and Mackenzie Street. The second is the public stair connection at the eastern end of Mackenzie Street across the railway corridor. Both connections provide established access between North Sydney and Lavender Bay and are used on a daily basis. Neither connection is included in the applicant's diagram or commentary. The statement that existing pedestrian connections are "limited and fragmented" is therefore based on an incomplete representation of the existing movement network.

Item	Page/Section	Applicant Assertion	ROLBO Response
9	Page 38 (Site Analysis: Key Views)	The applicant notes that St Francis Xavier Church and the former School Building are also prominent elements within the local townscape. It states that views of these buildings are available from sections of Mackenzie Street and surrounding approaches	The depiction of key views is incomplete and understates the visual prominence of the heritage items, particularly St Francis Xavier Church. Views of the church are also available from Blue Street Plaza, where the church contributes to the broader vista. The church spire is also currently a prominent heritage element in the Lavender Bay skyline when viewed from the harbour. These wider and more distant views are relevant to assessing the visual impact of the proposed development on the prominence and setting of the church and should be included in the site analysis.
10	Page 47 (Design Concept: Solar Access)	The applicant states that the proposal attempts to elevate the amenity of the public realm while supporting the residential character of Lavender bay. They claim the building form has been thoughtfully modulated to maximise solar access and views for the apartments whilst minimising overshadowing to the Heritage Conservation Area to the south of the site.	The bulk and scale of the proposal has been addressed elsewhere in this submission. It is important to note that the applicant's own overshadowing diagrams indicate that a development complying with the applicable height controls could deliver additional density with only minimal additional overshadowing of the Lavender Bay Heritage Conservation Area. The terrace houses along Wilona Avenue are contributory items within the Heritage Conservation Area, while a number of heritage-listed properties are also located along Lavender Street, Walker Street and Mackenzie Street. These properties along with apartments and townhouses and other buildings of heritage significance will experience additional overshadowing, principally as a result of the proposed 20-storey tower. While the proposal seeks to maximise solar access and amenity for the new apartments, this is achieved at the expense of existing residential amenity to the south. The EIS does not demonstrate that a materially lower-scale built form was investigated to reduce these impacts, despite its own modelling showing that a complying development would result in substantially less additional overshadowing.
11	Page 61 (Design Concept: Distinct Parts)	The applicant describes the Residential Tower as a slender vertical element and the Residential Podium as providing a transition between the tower and surrounding context	At approximately 73.5 metres high and 45 metres wide, the tower has a substantial horizontal dimension relative to its height. The description of it as a "slender vertical element" is therefore not supported by its overall proportions. The podium also does not provide a meaningful transition between the tower and the surrounding low- to mid-rise context. Rather than stepping the development down towards the surrounding built form, it adds further built mass at the base of the 20-storey tower and increases its perceived bulk when viewed from the surrounding residential area.
12	Page 62 (Design Concept: Massing)	The report says the site envelope was extruded to RL120, with the solar plane then applied to protect Watt and Clark Parks. Other massing moves preserve Harbour Bridge/CBD/church views, provide separation from Zurich, and then "descale" the tower through a cruciform arrangement and rounded corners.	The design process appears to start with the maximum building envelope, and then use architectural treatment to make that mass appear smaller, rather than first establishing a building mass that is appropriate to Lavender Bay and its immediate neighbours. The tower has a gross building area of about 1,145.6 m ² per floor at Levels 4–5 and 1,021.9 m ² per floor at Levels 6–11. The later upper-level plans continue to show 1,021.9 m ² GBA per floor through Levels 12–17. In other words, after Level 6, the tower retains essentially the same substantial floorplate for another 12 levels despite the claims that the form has been "descaled". Throughout the report, the applicant talks about reducing "perceived bulk", "visual mass", creating a "perception of lightness", and "softening" the silhouette. Those architectural techniques are not the same thing as reducing the actual building envelope. A rounded 1,000 m ² floorplate remains a 1,000 m ² floorplate.

Item	Page/Section	Applicant Assertion	ROLBO Response
13	Page 79 (Architectural Concept: Podium)	The applicant states that access to the Residential Tower for the market apartments is via a public footpath at the north west corner of the site.	The proposed entrance is located on the north-south through-site link between Mackenzie Street and Phillip Lane/Blue Street. This path is narrow and is frequently used by pedestrians and cyclists, particularly during peak periods. While the path currently provides access to 211 Blues Point Road, that entrance is located at the northern end of the path where the space opens out, and the existing building contains only 12 apartments. The proposal would instead locate the entrance for 88 dwellings at the narrower southern end of the path, substantially increasing pedestrian activity at this point. The safety and accessibility implications of this intensification have not been adequately addressed, particularly given the existing pedestrian and cyclist use of the path and its regular use by local residents with disabilities, including people with vision impairment.
14	Page 84 (Architectural Concept: Tower Amenity)	The applicant states that: * the floor plate has been designed to maximise the number of apartments achieving at least 2 hours of direct sunlight * overlooking and privacy impacts are not anticipated for other tower orientations (i. other than northern), as these sides of the building are setback from neighbouring buildings at distances greater than the minimum building separation requirements prescribed by the ADG	The applicant has designed the tower to maximise solar access and amenity for the proposed apartments, however the assessment of impacts on existing neighbouring residences, particularly those along Mackenzie Street and Wilona Avenue, is based on inaccurate overshadowing information. As detailed elsewhere in this submission, the baseline modelling contains significant errors and therefore does not reflect the true extent of additional overshadowing experienced by these properties. The conclusion that privacy impacts will be avoided because the proposed setbacks exceed the minimum ADG separation distances also fails to address the significant topographical difference between the development site and the properties to the south. The upper levels of Xavier Terraces already have elevated sightlines towards the Wilona Avenue terraces. The proposed podium pool and communal entertainment area will sit at a higher level again, creating direct downward sightlines into private open spaces and windows. The apartments within the 20-storey tower will be higher still. The substantial difference in elevation means residents will have direct downward views into private open spaces, windows and roof windows/skylights of the Wilona Avenue terraces. Compliance with horizontal separation distances alone does not prevent these overlooking and privacy impacts.
15	Page 88 (Architectural Concept: Co-Living)	The applicant states that the adaptive reuse strategy in regard to the school house preserves the building's embodied heritage value with the new build positioned and sculpted to sit behind the established heritage fabric, ensuring the primary streetscape and civic presence of the church and school buildings remain dominant within the public realm	The majority of the former school house is proposed to be demolished, including all internal fabric and the western facade. These elements comprise a substantial part of the existing building and its embodied heritage fabric. The western facade also forms part of the building's existing presentation to the public domain and its relationship with the church and wider heritage setting. Its demolition represents a substantial alteration to the existing heritage form of the building. The description of the proposal as an "adaptive reuse strategy" that preserves the building's embodied heritage value is therefore inconsistent with the extent of demolition proposed, particularly the loss of the internal fabric and western facade. The proposed 7-storey development behind the church rises to just below the peak of the church spire. This substantially reduces the visual separation between the new built form and the spire and diminishes the church's existing dominance in the public domain, particularly when viewed from north to south. This is inconsistent with the applicant's claim that the new development will sit behind the established heritage fabric while ensuring that the church and school buildings remain dominant.

Item	Page/Section	Applicant Assertion	ROLBO Response
16	Page 89 (Architectural Concept: Typical Co-Living Floorplate)	The applicant suggests that although the western elevation of the school house is proposed to be demolished and "reinstated" ... the reconstructed elevation will be designed to reference the original verandah condition that once defined this edge. They also state that "every studio is provided with its own 1.2m deep private balcony"	The use of terms such as "reinstate", "reconstruct" and "reference the original verandah condition" conveys that the replacement western elevation will reproduce or closely reflect the heritage character of the demolished facade. However, the comparison between the existing western elevation and the proposed replacement elevation does not support that description. The proposed elevation is materially different in form and appearance from the heritage facade being demolished. The western facade, although understood to date from alterations undertaken at a later date rather than the original construction of the school house, forms part of the historical evolution of the heritage-listed building. The fact that it is a later addition does not, by itself, establish that it is without heritage significance. The heritage assessment should identify the significance of this fabric and justify its demolition rather than treating its replacement as a simple "reinstatement" or "reconstruction". In addition, the architectural plans do not support the statement that "every studio" is provided with a 1.2-metre-deep private balcony. The applicant should correct this statement to reflect the actual number and location of studios provided with balconies.
			
17	Page 121 (Environmental Analysis: Solar Access to Public Space)	The applicant states that St Peter's Park is overshadowed presently by 211 Blues Point Road and 5 Blues Street from 9-10am and the proposed development will provide additional overshadowing from 10.30-11am	The assessment does not distinguish between the existing overshadowing of St Peter's Park caused by 211 Blues Point Road and that caused by 5 Blue Street. This distinction is necessary because 5 Blue Street will remain, while 211 Blues Point Road will be demolished and replaced by the proposed development. The relevant assessment should therefore identify the shadow attributable to 5 Blue Street as the continuing baseline and separately compare the existing shadow from 211 Blues Point Road with the shadow from the proposed replacement development. Without this analysis, it is not possible to determine the true additional overshadowing caused by the proposal or whether increased setbacks or reduced building bulk could reduce that impact. In addition, the solar diagrams appear to show additional overshadowing from the proposed development commencing at approximately 10.00 am rather than 10.30 am as stated in the text. This inconsistency should be clarified.

Item	Page/Section	Applicant Assertion	ROLBO Response
18	Page 124 (Environmental Analysis: Preservation of Significant Views)	The applicant states that overall the proposal maintains key public views while enhancing visual prominence and setting of the heritage church within the precinct	It is acknowledged that the landscaped forecourt will improve the immediate setting and presentation of the church, and that this intervention is beneficial. However, this improvement must be considered together with the substantial new built form proposed around the heritage item. The proposed towers will significantly alter the visual outlook along Mackenzie Street through the introduction of substantially greater height and bulk and a considerable reduction in visible sky. This changes the existing visual relationship between the church, the surrounding streetscape and the wider public domain. The claim that the proposal overall “enhances” the visual prominence and setting of the church is therefore not supported by the full built-form outcome. It is also acknowledged that the principal iconic views will remain available. However, those views will be substantially narrowed and more heavily framed by the proposed built form. Retention of the view itself does not mean that its existing openness, width or visual setting is preserved.
19	Page 125 (Environmental Analysis: Visual Impact of Bulk and Scale)	The Visual Impact Analysis refers to 3 options however information relating to any of those options (or which option was selected) is not provided. The conclusion drawn is that public viewpoints indicated that the form within the proposed envelope maintains key visual characteristics of the Lavender Bay and Sydney Harbour settings	The Visual Impact Analysis refers to three design options but does not provide the options, identify which option was selected, or explain the assessment criteria used to compare them. The conclusion that the proposed form maintains the key visual characteristics of Lavender Bay and the Sydney Harbour setting is therefore not adequately supported by the information provided. The Blue Street Plaza viewpoint is also narrowly framed. It does not demonstrate the visual impact of the proposed 7-storey building or the effect on views from locations further north or east within the plaza, where the proposed built form will occupy a substantially greater proportion of the existing outlook. Current views from Blue Street Plaza are broader and available from multiple locations. Views from St Peter’s Park are similarly narrowed, with substantial new built form introduced into the foreground. The east and west views along Mackenzie Street also show a significant increase in built form and a substantial reduction in visible sky. In particular, the proposed 20-storey tower introduces a large new visual mass into the streetscape and materially changes the existing visual amenity. A key visual characteristic of Lavender Bay is its predominantly fine-grain, low- to mid-rise residential form, heritage and conservation listed terraces and houses and the way this lower-scale built form sits within the steep topography and harbour setting. The proposed 20-storey tower and associated 7-storey buildings do not maintain those characteristics; they introduce a substantially different scale, massing and urban form into that context. On the material provided, the conclusion that the proposal maintains the key visual characteristics of Lavender Bay is not demonstrated. The proposed development introduces a scale and built form that is fundamentally different from the low- to mid-rise, fine-grain residential and heritage character that currently defines Lavender Bay.
20	Page 126 (Environmental Analysis: Wind Effects)	The applicant concludes that the proposed tower and podium form will not create adverse wind conditions at ground level within the Square or surrounding public domain	Please refer separate commentary in regard to appendix QQ Pedestrian Wind Environment Assessment. There is insufficient information provided under the “proposed scenario” to ensure the accuracy of the results achieved as development have been included (such as 15 Blue Street) that are only early stage SEARs therefore the individual impacts of this proposal have not been assessed

Item	Page/Section	Applicant Assertion	ROLBO Response
21	Page 153 (ADG Compliance Table)	The applicant claims compliance with Objective 3B-2 : Overshadowing of neighbouring properties is minimised during mid winter	The overshadowing impacts on neighbouring properties have not been adequately assessed or minimised. The baseline information used in the overshadowing analysis contains material inaccuracies, including incorrect assumptions about existing solar access to a number of affected properties. The assessment also excludes further reductions in solar access where a property is already assessed as receiving less than three hours of solar access, meaning additional loss caused by the proposal is not identified as an adverse impact for the purposes of the report. The applicant also relies on a two-hour metropolitan benchmark to support the assessment, rather than the three-hour benchmark otherwise applied to the surrounding residential context. As detailed in the review of the Overshadowing Report, these issues undermine the claim of compliance with Objective 3B-2 that overshadowing of neighbouring properties is minimised during mid-winter.
22	Page 153 (ADG Compliance Table)	The applicant claims compliance with Objective 3C-1 : Transition between private and public domain is achieved without compromising safety and security	The proposed entrance to the market residential tower is located directly on a narrow public path used by pedestrians, cyclists and people with vision impairment. The proposal will substantially increase pedestrian activity at this location through the addition of 88 dwellings. The main vehicle access is also located close to the Mackenzie Street/Miller Street intersection, where pedestrian, cyclist and vehicle movements converge. These arrangements introduce additional conflict points between residents, pedestrians, cyclists and vehicles and are not consistent with the objective of achieving a safe transition between the private and public domain.
23	Page 153 (ADG Compliance Table)	The applicant claims compliance with Objective 3C-2 : Amenity of the public domain is retained or enhanced	The claim that the proposal improves public-domain amenity focuses primarily on improvements within the development site, particularly the landscaped Church Square. It does not account for the impacts of the proposed built form on the wider public domain. The 20-storey tower and associated buildings introduce substantial additional height and bulk when viewed from Mackenzie Street, St Peter's Park and surrounding public spaces, reduce visible sky, narrow existing view corridors and increase overshadowing of St Peter's Park and surrounding streets. These adverse impacts on the wider public domain outweigh the amenity benefit provided by the new landscaped square.
24	Page 155 (ADG Compliance Table)	The applicant claims compliance with Objective 3F-1 : Adequate building separation distances are shared equitably between neighbouring sites, to achieve reasonable levels of external and internal visual privacy	Horizontal separation is an inadequate measure of privacy impact on this steeply sloping site. The low-rise terraces opposite have ground-floor levels at approximately RL45, while the proposed tower reaches RL120. This creates an extreme vertical relationship between the proposed development and the living spaces, habitable rooms and private open spaces of the existing homes below. The southern face of the development includes balconies, habitable rooms, an outdoor pool and communal entertaining areas facing Mackenzie Street. Because the development sits high above the terraces opposite, residents of the tower and podium will have direct downward sightlines into windows, roof windows and private open spaces. The proposed setbacks do not overcome this overlooking. Apartment Design Guide Objective 3F-1 specifically recognises the need for appropriate visual separation on sloping sites. In this case, the actual topography intensifies the privacy impact rather than mitigating it. A nil setback between the proposed residential use and the adjoining terrace houses on the eastern side of the co-living dwellings does not provide adequate separation for residential amenity, particularly in relation to privacy and noise
25	Page 156 (ADG Compliance Table)	The applicant claims compliance with Objective 3G-1 : Building entries and pedestrian access connects to and addresses the public domain	The proposed entrance to the BTS tower is located directly on a narrow public path used by pedestrians, cyclists and people with vision impairment. The proposal will substantially increase pedestrian activity at this location through the addition of 88 dwellings. The impact on the public domain has not been assessed.

Item	Page/Section	Applicant Assertion	ROLBO Response
26	Page 156 (ADG Compliance Table)	The applicant claims compliance with Objective 3H-1 : Vehicle access points are designed to achieve safety, minimise conflicts between pedestrians and vehicles and create high quality streetscapes	The main vehicle access is also located close to the Mackenzie Street/Miller Street intersection, where pedestrian, cyclist and vehicle movements converge. These arrangements introduce additional conflict points between residents, pedestrians, cyclists and vehicles and are not consistent with the objective of achieving a safe transition between the private and public domain.

Item	Page/Section	Applicant Assertion	ROLBO Response
1	Page 2 (Disclaimer)	The Overshadowing Report includes the following disclaimer: "This document is prepared for our Client's particular requirements which are based on a specific brief with limitations as agreed to with the Client. It is not intended for and should not be relied upon by a third party and no responsibility is undertaken to any third party without prior consent provided by Windtech Consultants. The information herein should not be reproduced, presented or reviewed except in full. Prior to passing on to a third party, the Client is to fully inform the third party of the specific brief and limitations associated with the commission. The information contained herein is for the purpose of wind engineering only. No claims are made and no liability is accepted in respect of design and construction issues falling outside of the specialist field of wind engineering including and not limited to structural integrity, fire rating, architectural buildability and fit-for-purpose, waterproofing and the like. Supplementary professional advice should be sought in respect of these issues."	This disclaimer raises serious concerns about the reliability of the Overshadowing Report. The report expressly states that it was prepared to a specific client brief subject to agreed limitations, yet neither the brief nor those limitations have been disclosed in the EIS. The Department and the community are therefore being asked to rely on conclusions without being told the scope, assumptions or constraints under which the analysis was prepared. More significantly, Windtech expressly states that the information contained in the report is for the purpose of wind engineering only and that no claims are made, and no liability is accepted, in respect of matters outside its specialist field which is wind engineering. Overshadowing and solar access are not wind engineering matters. Overshadowing is one of the most significant impacts of the proposal and directly affects residential amenity, public open space and the justification for the proposed height and bulk. Where the consultant itself limits the purpose of its information to wind engineering, the applicant must demonstrate why the overshadowing analysis is nevertheless technically reliable, given the errors and omissions identified below, these concerns are not merely theoretical. The Department should require the applicant to identify the qualifications and relevant solar-access expertise of the persons who prepared and reviewed the report, provide the full commissioning brief and limitations, and explain why a report expressly limited by its own disclaimer to "wind engineering only" should be relied upon as the definitive assessment of overshadowing and solar access. An independant solar impact assessment has been commissioned by ROLBO which shows material adverse impacts for the surrounding homes, in some cases losses of between 50%-100% of solar access
3	Page 3 (Executive Summary)	For main living areas, the key findings state that of the 97 neighbouring properties assessed, 18 properties (20%) are predicted to experience a reduction in solar access below the recommended 3 hour minimum	The report contains apparent inaccuracies in the modelling in relation to its existing solar access. These issues raise concerns about the reliability of the solar-access conclusions presented in the report. Refer to inaccuracies identified below.
4	Page 3 (Executive Summary)	For private open spaces the key findings state that of the 60 neighbouring properties assessed, only 5 properties (8%) are predicted to experience a reduction in solar access below the recommended 3 hour minimum	The report contains apparent inaccuracies in the modelling in relation to its existing solar access. These issues raise concerns about the reliability of the solar-access conclusions presented in the report. Refer to inaccuracies identified below.
5	Page 3 (Executive Summary)	For solar panels, the key findings state that the solar panels tested within the study all are not impacted by the proposed development	This finding is incomplete because existing solar panels within the affected area have not all been included in the assessment. Refer to the solar panel omissions identified below.
6	Page 5 (Introduction)	Point 1.2 states that the application is for the renewal of a key North Sydney site	The site is located in the suburb of Lavender Bay. Describing it simply as a 'North Sydney site' does not identify its specific locality or its relationship with the Lavender Bay residential and heritage context
7	Page 6 (Overshadowing Criteria)	Point 2.2 For this assessment, solar access is determined on the vertical plane of the main window within the living space and to the associated private outdoor space of each residential unit on June 21 between 9am and 3pm.	The assessment measures solar access on the vertical plane of the nominated main window. Given the significant difference in elevation between the development site and properties to the south, the report does not explain whether or how this topography affects the results The Proposed Scenario imagery also does not appear to include the cumulative overshadowing from the 5 Blue Street development

Item	Page/Section	Applicant Assertion	ROLBO Response
8	Page 6 (Overshadowing Criteria)	Point 2.4 states that properties that did not achieve the required 3 hours of direct solar access under the existing conditions and continue to receive less than 3 hours of solar access following the proposed development are not considered to have been adversely affected for the purpose of this assessment. Such properties are therefore not identified as non-compliant as a consequence of the proposed development	This methodology excludes further losses of solar access from the reported non-compliance figures where a property already receives less than three hours under the assumed existing condition. As a result, a property can experience an additional reduction in solar access as a direct consequence of the proposal without that reduction being identified as an adverse impact for the purposes of this assessment. In addition, the existing-condition assumptions for a number of properties appear to be incorrect; examples are identified below.
9	Page 7 (Figure 3)	The applicant has identified the surrounding buildings, private open spaces and solar panels taken into consideration for their report in Figure 3	Figure 3 does not identify the following existing sensitive uses/solar infrastructure within the surrounding area: - There is a Montessori Primary School at 10-12 Miller Street with an outdoor playground - Existing solar panels on the roof of 12 Wilona Avenue - a preschool at 28 Lavender Street with outdoor playground
10	Page 8 (Results and Discussions)	Table 2 shows the assumed solar access with and without the development.	The existing-condition information in Table 2 appears to be inaccurate. Evidence provided by affected property owners, including photographs, indicates that some windows at 2–14 Wilona Avenue recorded as receiving no solar access do in fact receive direct solar access. In addition, 2–14 Wilona Avenue comprises seven properties on the northern side of Wilona Avenue opposite the proposed development, while Table 2 appears to provide information for only six properties. The properties also contain skylights and roof windows that provide solar access to internal living areas. These do not appear to have been considered in the assessment.
11	Page 8 (Results and Discussions)	Point 4.8 the applicant states that the development is adjacent to high density towers and it is in a transition area between North Sydney and Lavender Bay. As such, the application of the 2 hour metropolitan benchmark could be considered an appropriate and reasonable point of reference for assessing the proposal's solar impacts	The report relies on the site's proximity to North Sydney to suggest that a two-hour metropolitan solar-access benchmark may be appropriate. However, the site itself is located in Lavender Bay, and the solar impacts assessed are to properties south of the site within a predominantly low- to mid-rise residential area. The report does not explain why proximity to the North Sydney CBD should justify applying a lower two-hour benchmark to those affected residential properties rather than the three-hour benchmark otherwise used in the assessment.
12	Page 10 (Solar Access Private Open Spaces)	The applicant claims that the proposed development has limited impact on solar access to neighbouring private open spaces	The assessment appears to have incorrectly identified the location of private open space for a number of properties, including 10–24 Lavender Street and 1–13 Wilona Avenue. This affects the reliability of the conclusion that the proposal has only limited impact on neighbouring private open space.
13	Page 11 (Results and Discussions)	The applicant asserts that the development has no impact on solar access to neighbouring private solar panels.	The conclusion that the proposed development has no impact on neighbouring private solar panels is not supported by a complete assessment of existing solar installations. Only one solar panel study point, located at the church on Mackenzie Street, has been assessed. Existing solar panels at 12 Wilona Avenue, which have been in place since 2022, have not been included. Annual production information for these panels has been provided for 21 June from 2023 onwards, demonstrating that the panels currently receive sufficient solar access to generate electricity during the mid-winter assessment period. As these panels have not been assessed, the report cannot establish that the proposed development will have no impact on neighbouring private solar panels.

Item	Page/Section	Applicant Assertion	ROLBO Response
14	Page 20 (Main Living Area Study Points)	The applicant has identified their assumption of main living areas	The basis on which the nominated main living areas were identified is not explained. Affected property owners have advised that they were not contacted to confirm the internal layouts of their properties. For example, a number of the rooms identified as main living areas at 2–14 Wilona Avenue are bedrooms. Many of these properties have been internally renovated, and the principal living areas are generally located towards the centre or rear of the properties, on the Mackenzie Street side.
15	Page 22 (Private Open Spaces Study Points)	The applicant has identified their assumption of main living areas	The locations of private open space used in the assessment appear to be incorrect for a number of properties. Affected property owners have advised that the private open spaces at 1–13 Wilona Avenue are located towards the front, northern side of the properties rather than at the rear as depicted in the study. A similar issue applies to a number of properties in Lavender Street, where the principal private open spaces are located on the northern side of the properties. If the study points do not correspond with the actual private open spaces used by residents, the resulting solar-access assessment does not measure the impact on the relevant private open space.
16	Page 24 (Solar Panel Study Points)	The applicant identifies only 1 solar panel study point at the church	Refer to the inaccuracies in the identification of solar panel study points detailed above.
17	Page 25 (Appendix C.1)	The applicant has identified solar access points for main living areas	Refer to the inaccuracies in the identification of main living area study points detailed above.

Item	Page/Section	Applicant Assertion	ROLBO Response
1	Page 5 (Executive Summary)	The report finds that : * Public view place sensitivity is assessed as medium-high, reflecting the site's harbourside prominence, public visibility and proximity to heritage items and high-amenity public spaces * Physical Absorption Capacity is assessed as low at close viewing distance due to the surrounding low to mid rise and heritage character of Lavender Bay	The report explicitly assesses public view-place sensitivity as “medium-high”, reflecting the site’s harbourside prominence, high public visibility and proximity to heritage items, and assesses the Physical Absorption Capacity as “low” at close viewing distances because of the surrounding low- to mid-rise and heritage character of Lavender Bay. These findings establish that the immediate receiving environment is sensitive to substantial change and has limited capacity to absorb new built form. Despite these findings, the report relies on additional weighted factors to conclude that the overall visual effect is acceptable, these weight factors have been subjectively and incorrectly assessed (refer examples below in this submission). The report does not adequately reconcile that conclusion with its own findings of medium-high sensitivity and low absorption capacity, particularly when the proposal introduces a 20-storey tower at a height and scale substantially exceeding the established and permitted built form of the immediate locality. The assessment also places significant weight on the more distant high-rise context of the North Sydney CBD when assessing the proposal’s visual compatibility. This does not adequately reflect the immediate visual context of the site, which is predominantly the low- to mid-rise, fine-grain residential and heritage character of the Lavender Bay Heritage Conservation Area. The relevant public experience at street, park and other public open spaces is therefore materially different from the broader CBD skyline used to support the assessment. This distinction is particularly important given the site’s prominent harbourside position and its proximity to high-amenity public spaces where views are experienced from static locations and for extended periods. The proposed 20-storey tower introduces a substantial and permanent change in form and scale, reducing open sky and altering established public view corridors. These physical visual impacts cannot be mitigated merely by attributing positive weight to non-visual strategic considerations such as housing delivery or broader planning policy.
2	Page 13 (Visual Context)	Lavender Bay is described as highly developed where the visual character is predominantly characterised by the co-existence of tower forms and limited areas of lower height residential development	This description is inaccurate and reverses the predominant visual character of Lavender Bay. Lavender Bay is not predominantly characterised by the coexistence of tower forms with only limited areas of lower-height residential development. Its visual character is predominantly low- to mid-rise, fine-grain residential development, including a substantial concentration of heritage and contributory buildings, interspersed with established vegetation, parks and ecclesiastical buildings extending towards the foreshore. The existing taller buildings are the exception rather than the defining built form. The tallest existing building in Lavender Bay is approximately nine storeys and there is only one building of that height. Describing the limited number of taller buildings as a predominant visual characteristic, while describing the extensive lower-scale residential fabric as “limited”, materially misrepresents the existing character of the suburb. Lavender Bay is also a small, steeply sloping residential suburb comprising only 14 streets, with very limited commercial development. Its streets, buildings, parks and public spaces have developed at a distinctly human scale. This established context is materially different from the tower-dominated character suggested by the report.

Item	Page/Section	Applicant Assertion	ROLBO Response
3	Page 19 (Visual Character of the Site)	The visual character of the site is described in the Visual and View Impact Analysis as follows: "The site is visually divided into two broad character types; a highly modified landscape to the south-west and more open rural land to the north and east. To the north and east, the land is generally flat to gently undulating, reflecting the broader topography of the Aerotropolis precinct. Vegetation is sparse and primarily consists of grassland, scattered shrubs and occasional small tree clusters located near boundaries or along drainage lines. The vegetation pattern appears informal and contributes to a utilitarian, semi-rural landscape quality rather than a naturalistic or scenic character. Tree canopy cover is very limited, and most of the north and east exhibit broad areas of cleared ground or grassed paddock. The south-western part of the site consists of quarry site that has been used for brick production. The area is highly modified from any natural topography or vegetation which would have been present, with the area now containing of areas of stockpiling, quarry pits, sediment basins and dams set amongst a network of informal, unsealed vehicle tracks. Built form within the site is almost non-existent and restricted to the quarry site, where it is minimal and low scale consisting of simple, utilitarian sheds or small industrial/agricultural buildings or demountables."	This description does not relate to the subject site and appears to have been copied from an entirely different project. References to rural land, grassed paddocks, quarry operations, brick production, sediment basins, dams, unsealed vehicle tracks and an absence of built form are wholly inconsistent with the existing urban and heritage context of the Lavender Bay site. This is a material error in the Visual and View Impact Analysis. When considered together with the report's inaccurate characterisation of Lavender Bay, it raises serious concerns about whether the site-specific visual assessment has been prepared using the correct baseline information. Any findings or conclusions that rely on this erroneous site description cannot be relied upon without clarification and correction.

Item	Page/Section	Applicant Assertion	ROLBO Response
4	Page 19 (Scenic Quality)	The report states that scenic quality is a baseline factor against which to measure visual effects and is an important consideration when assessing visual effects and impacts, however then describes the scenic quality of the site as follows: "The site exhibits a low scenic quality, reflecting its position within a transitioning rural–industrial edge landscape. The visual environment is defined by broad, open ground planes with limited vegetation, producing an expansive but visually simple setting. The flat to gently undulating topography enables long views but does not provide notable landform features that might elevate scenic interest, noting that the only landforms are a artificial and a result of quarry stockpiling. Vegetation is largely unmanaged and sparse, consisting of grassed paddocks and scattered small trees, offering minimal aesthetic variety. The absence of mature canopy and structured planting contributes to a somewhat austere landscape character. The overall characterisation of the site is of productive, working landscape with no natural or cultural focal points. While the openness provides a sense of space, the lack of distinctive natural features, cohesive vegetation patterns, or high-quality built form results in a landscape that reads as visually modest and transitional rather than scenic or valued for its aesthetic qualities."	This scenic-quality assessment does not relate to the subject site and appears to have been taken from an entirely different project. References to a “transitioning rural–industrial edge landscape”, grassed paddocks, quarry stockpiles, sparse unmanaged vegetation, flat to gently undulating topography and the absence of natural or cultural focal points are plainly inconsistent with the Lavender Bay site and its surrounding harbourside, urban and heritage context. Because scenic quality is identified by the report itself as a baseline factor used to assess visual effects, this is not a minor drafting error. It means a key part of the visual-impact assessment has been based on an incorrect description of the receiving environment. When considered together with the other site-description errors identified in this report, the reliability of the Visual and View Impact Analysis is materially undermined. Its conclusions should not be relied upon unless the assessment is corrected and re-undertaken using accurate, site-specific baseline information.
5	Page 19 (Public View Place Sensitivity)	The report describes the site as exhibiting "low public view place sensitivity due to its limited exposure to high-value public spaces and the functional nature of its surrounding context. There are no notable public lookouts, parks, pedestrian corridors, or gathering spaces in the immediate vicinity that would increase visual sensitivity. Potential viewers would typically be motorists, with views primarily obtained from Martin Road, a low-traffic local road serving rural holdings, industrial yards, and emerging Aerotropolis transition uses. These views are transient and not associated with significant recreational, scenic, or heritage values.	This assessment of Public View Place Sensitivity does not relate to the subject site. References to Martin Road, rural holdings, industrial yards, Aerotropolis transition uses and the absence of nearby parks, pedestrian corridors or gathering spaces clearly describe a different location. The error is material because Public View Place Sensitivity is used as an input to the visual impact assessment. The actual Lavender Bay site is adjacent to St Peter’s Park, public pedestrian and cycle connections, heritage items, the Lavender Bay Heritage Conservation Area and highly used public spaces with harbour and district views. Together with the other incorrect site and scenic-quality descriptions identified on the same page, this demonstrates that key baseline components of the Visual and View Impact Analysis have been prepared using information unrelated to the subject site. The resulting visual-impact conclusions cannot be relied upon without a corrected, site-specific assessment.

Item	Page/Section	Applicant Assertion	ROLBO Response
6	Page 19 (Private View Place Sensitivity)	The report notes that Potential views of the proposal (or parts of the proposal) are likely possible from: • 180 Lawson Road. • 190 Lawson Road. • 200 Lawson Road. • 245 Lawson Road. • 255 Lawson Road. • 165 Martin Road. • 210 Martin Road. • 211-217 Martin Road • 355 Badgerys Creek Road. • 360 Badgerys Creek Road.	This Private View Place Sensitivity assessment does not relate to the subject site. The properties listed on Lawson Road, Martin Road and Badgerys Creek Road are not located in Lavender Bay and have no apparent relationship to the proposed development. This is further evidence that the Visual and View Impact Analysis contains baseline material from a different project. As private-view sensitivity forms part of the assessment of visual impacts, the conclusions drawn from this analysis cannot be relied upon without a corrected, site-specific assessment.
7	Page 30 (Photomontage 1)	The applicant classifies the Visual Effects of the Proposal as low, including view composition, scenic quality and view blocking of scenic elements. Weightings applied predominantly have the effect of down weighting the visual impact.	The classification of the overall rating as “low” is heavily influenced by weighted factors that reduce the overall impact rating. In particular, Physical Absorption Capacity is classified as “high”. Given the close proximity of the proposed development to this viewpoint and the substantial proportion of the outlook occupied by the proposed built form, the basis for a high absorption-capacity rating is not adequately demonstrated. The photomontage is also based on a narrowly selected directional view and does not demonstrate the effect of the development across the broader range of views available from Blue Street Plaza. The viewing period is classified as “medium”; however, Blue Street Plaza is a destination and gathering space where people sit and remain for extended periods, including during lunch periods. Views from this location are therefore experienced for sustained periods rather than merely in passing, supporting a higher viewing-period sensitivity. These weighting factors materially influence the final assessment. Applying a high Physical Absorption Capacity and medium viewing period has the effect of reducing the assessed visual impact, despite the close proximity, substantial scale and permanent change to the view created by the proposal. The resulting classification of the visual effect as “low” is therefore not adequately supported.
8	Page 32 (Photomontage 2)	The applicant classifies the Visual Effects of the Proposal as low, or low-medium. Weightings applied have an overall neutral impact on the overall rating	The classification of the overall visual effect as “low-medium” relies, in part, on the weighting assigned to individual factors. In particular, Physical Absorption Capacity is classified as “medium”. Given the close proximity of the proposed development to this viewpoint, including a zero-metre setback to St Peter’s Park, and the substantial proportion of the outlook occupied by the proposed built form, the basis for a medium absorption-capacity rating is not adequately supported. The viewing period is also classified as “medium”; however, St Peter’s Park is a destination and gathering space where people sit and remain for extended periods. It is also a significant viewing location during events such as New Year’s Eve. Views from this location are therefore experienced for sustained periods rather than merely in passing, supporting a higher viewing-period sensitivity. These classifications materially influence the assessment of visual impact. A higher sensitivity attributed to the actual use of St Peter’s Park, together with proper recognition of the limited capacity of this close-range view to absorb the proposed built form, would result in a materially different assessment of the visual effect.

Item	Page/Section	Applicant Assertion	ROLBO Response
9	Page 34 (Photomontage 3)	The applicant classifies the overall Visual Effect of the proposal as low-medium, the weighting applied in all respects has the effect of down weighting the visual impact	The Physical Absorption Capacity is weighted as “high”. This directly contradicts the report’s earlier finding that Physical Absorption Capacity is low at close viewing distances due to the low- to mid-rise and heritage character of Lavender Bay. Photomontage 3 is taken from Mackenzie Street, immediately adjacent to the low-rise Wilona Avenue terraces and the walk-up apartments at 16 Mackenzie Street. There is no clear basis for changing the Physical Absorption Capacity from low to high at this close-range location. The assessment of Physical Absorption Capacity is also internally inconsistent. Photomontage 3 and Photomontage 4 are both located on Mackenzie Street, less than 100 metres apart, yet Physical Absorption Capacity is rated “high” at this location and “low” at the other location. The report does not explain what material difference in the receiving environment justifies this substantial change in rating. Given the close proximity and shared streetscape context of the two viewpoints, this inconsistency calls into question the reliability and consistency of the weighting methodology applied. Compatibility with context and visual character is also weighted as “high”. However, the proposed 20-storey tower is located directly opposite predominantly single-storey terrace housing and low-rise residential development. The substantial difference in height, scale and built form does not support a high compatibility rating with the immediate visual context. The viewing period for the public viewpoint is classified as “low”. This may reflect pedestrians or vehicles travelling along Mackenzie Street, but it does not address the adjoining private residential receptors. The proposed tower will form a permanent part of the outlook from the private open spaces and principal living areas of properties on Wilona Avenue and Mackenzie Street, where views are experienced for extended periods. These private visual impacts require separate assessment and cannot be represented by the low viewing-period rating applied to the street viewpoint. The assessment also gives insufficient weight to the substantial reduction in visible sky experienced from the adjoining low-rise residential properties. The introduction of the 20-storey tower materially changes the existing view composition and sense of openness at this location. Taken together, the high ratings applied to Physical Absorption Capacity and compatibility with context materially down-weight the visual impact and are inconsistent with both the report’s earlier findings and the immediate built-form context of Photomontage 3.
10	Page 36 (Photomontage 4)	The applicant classifies the overall Visual Effect of the proposal as medium-low, the weighting applied predominantly has the effect of down weighting the visual impact	Compatibility with context and visual character is weighted as “high”. However, the proposed 20-storey tower sits within an immediate context characterised by predominantly low-rise residential development. The substantial difference in height, scale and built form does not support a high compatibility rating with the immediate visual context. The assessment also gives insufficient weight to the substantial reduction in visible sky experienced from nearby low-rise properties. The introduction of the 20-storey tower materially changes the existing view composition and sense of openness at this location. The report itself assesses Physical Absorption Capacity as “low”, acknowledging the limited ability of the setting to absorb the proposed built form. Despite this, the overall visual effect is reduced to “medium-low”. The high compatibility rating materially down-weights the impact and is inconsistent with both the low absorption capacity and the immediate built-form context shown in Photomontage 4.

Item	Page/Section	Applicant Assertion	ROLBO Response
11	Page 44 (Photomontage 8)	The applicant classifies the overall Visual Effect of the proposal as medium-low, the weighting applied predominantly has the effect of down weighting the visual impact	Compatibility with context and visual character is weighted as “high”. However, the proposed 20-storey tower sits within an immediate context characterised by predominantly low-rise residential development. From this viewpoint, the tower becomes the dominant element in the skyline. The substantial difference in height, scale and built form does not support a high compatibility or visual-character rating. Prior to the proposal, this view was characterised by low- to medium-rise residential development, open sky, tree canopy and the heritage school house. The introduction of the proposed development fundamentally changes that visual composition and introduces a scale and form that is not present in the existing view. The high compatibility rating therefore materially down-weights the assessed visual impact and is inconsistent with the actual change shown in Photomontage 8.
12	Page 46 & 48 (Photomontage 9 & 10)	The applicant classifies the overall Visual Effect of the proposal as low, the weighting applied predominantly has the effect of down weighting the visual impact on the basis that the proposed development replaces the 5 Blue Street development in an urban skyline	From the harbour, the proposed tower is viewed against the more distant North Sydney CBD skyline. However, this does not mean that it is visually absorbed into that skyline. The proposed tower extends the high-rise built form southwards into Lavender Bay and is substantially taller than the low- to mid-rise residential development immediately to its east and west. It also rises above much of the built form immediately behind it, causing the tower to read as a distinct high-rise element at the southern edge of the skyline rather than simply forming part of an established continuous high-rise context. The relevant visual effect is therefore not merely whether the tower can be seen against other high-rise buildings in the distance, but the extent to which it changes the existing edge, profile and extent of the North Sydney skyline when viewed from the harbour. On this basis, classifying the visual effect as “low” understates the material change created by introducing CBD-scale built form into the Lavender Bay side of that skyline.
13	Page 52 (Summary)	The visual impact analysis concludes : Of the 10 representative public domain views, the impact ratings were: • 6 ‘Low’ impact ratings • 1 ‘Low-medium’ impact rating • 2 ‘Medium-low’ impact ratings • 1 ‘Medium-high’ impact rating. Overall, visual impacts are acceptable and the proposal is supported on visual impact grounds.	The report’s findings are internally inconsistent with the weighting applied to a number of the individual viewpoints: * The report concludes that the site’s prominent harbourside position, high public visibility and proximity to heritage items and high-amenity public spaces result in medium-high Public View Place Sensitivity. Despite this, Public View Place Sensitivity is weighted as low on two occasions at close proximity and on two occasions at medium proximity. * The report concludes that Physical Absorption Capacity is low at close viewing distances because of the surrounding low- to mid-rise and heritage character, increasing with distance. Despite this, Physical Absorption Capacity is assessed as high on two occasions and medium on one occasion at close proximity, and high on three occasions at medium proximity. * The report concludes that the proposal has high visual compatibility because it would be read as an extension of the existing North Sydney tower cluster in key views. Compatibility with context and visual character is then consistently weighted as high, including from viewpoints where the North Sydney tower cluster does not form part of the immediate visual context and where the proposal introduces a substantially different height, scale and built form. These inconsistencies materially affect the weighting applied to the individual photomontages and predominantly operate to reduce the assessed visual impact. When considered together with the specific issues identified for the photomontages and the significant baseline errors elsewhere in the report, they undermine the reliability and consistency of the report’s conclusion that the overall visual impacts are acceptable.

Item	Page/Section	Applicant Assertion	ROLBO Response
1	Page 18 (Working Hours)	The following construction hours are proposed and summarised as follows: - Monday to Friday 7:00am to 5:00pm; - Saturday 7:00am to 3:00pm; and - Sunday and Public Holidays No work proposed on these days (unless separate/specific approvals are obtained from related authorities.	The proposed Saturday construction hours of 7:00 am to 3:00 pm extend substantially beyond the standard construction hours of 8:00 am to 1:00 pm. Given the site's immediate proximity to surrounding residential properties, the proposed hours should be amended to the standard allowable construction hours of 8:00 am to 1:00 pm on Saturdays.
2	Page 21 (Traffic and Pedestrian Management)	Access for construction vehicles will be via Mackenzie Street, workzones will need to be established along Mackenzie Street. Truck routes will be along Lavender Street, Miller Street and Mackenzie Street then along Walker Street and Lavender Street. Up to 6 truck movements per hour are expected with 40 truck arrivals per day.	The proposed construction traffic has the potential to materially affect residential access and local traffic conditions. Truck movements should be restricted during commuter peak periods and school drop-off and pick-up times, particularly given the proximity of the primary school on Miller Street. The proposed work zones along Mackenzie Street will also remove already limited on-street parking during the construction period. No adequate mitigation has been identified for the resulting loss of parking or for residents and visitors displaced by the construction work zones. Given the forecast of up to six truck movements per hour and approximately 40 truck arrivals per day, a detailed construction traffic management plan should address truck scheduling, school-hour restrictions, residential access, pedestrian and cyclist safety, and temporary parking impacts on the surrounding community. An independant traffic report and peer review has been commissioned by ROLBO that identifies key errors and omissions in the applicant's traffic reports
3	Page 27 (Worker Vehicles)	All site staff related to the works are to park in designated off-street areas or be encouraged to use public transport and not park on the public road.	The proposal does not demonstrate that sufficient designated off-street parking will be available for construction workers. Given that work zones cannot be used for worker parking, there is a clear risk that worker vehicles will be displaced onto surrounding residential streets, further reducing already limited on-street parking available to local residents. A specific worker parking strategy should be provided before construction commences, identifying where worker vehicles will be accommodated and how parking demand will be prevented from spilling into surrounding residential streets. Construction workers should be prohibited from using local residential streets for all-day parking. Where construction activities remove existing on-street parking through work zones or other temporary restrictions, mitigation should also be provided for the resulting impact on local residents. An independant traffic report and peer review has been commissioned by ROLBO that identifies key errors and omissions in the applicant's traffic reports

Item	Page/Section	Applicant Assertion	ROLBO Response
1	Page 2 (Executive Summary)	The report surmises that based on the assessment undertaken, the proposed development is considered capable of operating safely and efficiently with the surrounding transport network and is not expected to result in unacceptable impacts on traffic operations, access arrangements, public transport infrastructure, or active transport facilities. It concludes that overall the proposal is considered supportable from a traffic and transport planning perspective.	This conclusion is not supported by the scope of the assessment undertaken. A number of critical traffic and transport matters have not been assessed or have not been assessed in sufficient detail, including: *no assessment of the impact of the development and increased pedestrian movements on the existing pedestrian and cycle connection through St Peter's Park; *no assessment of the convergence of pedestrian, cyclist and vehicle movements at the proposed western driveway near the Mackenzie Street/Miller Street intersection; *no assessment of whether existing public transport infrastructure has sufficient capacity to accommodate the additional demand generated by this development together with cumulative approved and proposed development relying on the same Metro, rail and bus services; *no assessment of the impacts on different road-user groups, including cyclists using the St Peter's Park/Mackenzie Street connection to the Middlemiss Street cycle route and school children accessing the primary school on Miller Street during morning and afternoon peak periods; *no assessment of current traffic conditions at key local intersections taking into account road-network changes associated with the Warringah Freeway works; *no adequate assessment of the parking impacts arising from the proposed expansion of church and parish activities while simultaneously substantially reducing the parking available to those uses. If the 12 spaces identified in Table 26 are correct, this represents a reduction of approximately 78% from the previous 54 spaces; *insufficient assessment of waste-vehicle egress near the Mackenzie Street/Miller Street intersection and its interaction with on-street parking, with the submitted swept-path analysis not providing sufficient detail to establish safe operation; *no assessment of sight distances at the proposed driveways; and *no assessment of sight lines and pedestrian safety associated with vehicle access across the proposed public forecourt, including the interaction between vehicles using the forecourt and pedestrians using the through-site link. Given these omissions, the conclusion that the development can operate safely and efficiently without unacceptable impacts on traffic, access, public transport or active-transport infrastructure has not been demonstrated.
2	Page 18 (Key Intersections)	6.3.1 Lavender Street, Miller Street, and Waiwera Street intersection is described	Miller Street is described only as a northern approach providing a single lane in which all movements are permitted. However, Miller Street also includes a southern approach from Mackenzie Street, providing a single lane in which all movements are permitted.
		6.3.2 Lavender Street, Walker Street, and Waiwera Street intersection is described	Walker Street is described only as a northern approach providing a single lane in which all movements are permitted. However, Walker Street also includes a southern approach from Mackenzie Street, providing a single lane in which all movements are permitted.
		6.3.3 Lavender Street, Alfred Street South, and Middlemiss Street	Lavender Street is described only as a western approach providing a single lane in which all movements are permitted. However, Lavender Street also includes an eastern approach, providing a single lane in which all movements are permitted. Alfred Street South is described only as a southern approach providing a single lane in which all movements are permitted. However, Alfred Street South also includes a northern approach, providing a single lane in which all movements are permitted.

Item	Page/Section	Applicant Assertion	ROLBO Response
3	Page 21 (Existing Intersection Volumes)	The report identifies that intersection surveys were completed to identify existing volumes	The report does not identify the dates on which the intersection surveys were undertaken. This is important because the surrounding road network has been subject to regular closures, diversions and blockages associated with construction activity and other developments. Without the survey dates, it is not possible to determine whether the recorded traffic volumes reflect normal operating conditions or were affected by temporary external influences. The survey dates and any relevant road closures, diversions or construction impacts should therefore be disclosed so that the reliability of the baseline traffic volumes can be assessed.
4	Page 23 (2025 Intersection Performance)	The applicant notes that the assessed intersections have a level of service classified as A - Good Operation. This is noted as being assessed based on 2025 data	The Lavender Street, Alfred Street South and Middlemiss Street intersection has undergone significant change since the 2025 data relied upon in this assessment was collected. This includes the construction and opening of the Harbour Bridge Bike Path in January 2026 and changes to access arrangements associated with the Warringah Freeway Upgrade. The 2025 traffic data therefore does not reflect the current operation of this intersection. This intersection regularly operates as a bottleneck, with queuing extending along Lavender Street. When this occurs, road users divert via Miller Street and Mackenzie Street to access Middlemiss Street, the roundabout and the Pacific Highway. These diverted movements are directly relevant to the traffic environment surrounding the proposed development. The conclusion that the intersection operates at Level of Service A should therefore be reassessed using current traffic data that reflects the changed road network and current traffic patterns.
5	Page 24 (On Street Car Parking Surveys)	The applicant only conducted car parking surveys on Tuesday and Saturday between 6am and 6pm which indicated that on Tuesdays on-street parking was on average between 77% and 91% capacity and on Saturdays between 89-99% capacity. From this they concluded that there is spare capacity within the vicinity of the site	There are a number of limitations in the parking survey and the conclusion that there is spare on-street parking capacity: * The survey relies on theoretical parking capacity. In practice, vehicles do not park at perfectly uniform intervals and gaps between vehicles can reduce the number of spaces that can actually be used, particularly where spaces are not individually marked. * Only a Tuesday and Saturday were surveyed. Local experience indicates that parking demand is generally higher from Thursday through Sunday, and the report does not demonstrate that the selected survey days are representative of peak parking demand in the area. * A substantial proportion of the existing on-site parking at the Church site is currently made available to third-party parking provider. If that parking is removed as part of the redevelopment, some of that existing demand may be displaced onto the surrounding street network. This displacement has not been accounted for. * Much of the surrounding on-street parking is subject to one-hour restrictions on weekdays until 6.00 pm. Parking demand changes in the late afternoon and evening as residents return home and restrictions cease to apply. A survey ending at 6.00 pm does not capture the unrestricted evening parking period. Notwithstanding these limitations, the Saturday survey recorded on-street parking occupancy of between 89% and 99%. This represents very limited practical spare capacity and does not support a broad conclusion that sufficient on-street parking is available to absorb additional demand. This is particularly relevant given the proposed reduction in parking available to the church, the expansion of church and parish activities, the removal of four on-street spaces, the absence of visitor and retail parking, and the 61 proposed dwellings without allocated parking. The conclusion that surrounding streets have sufficient spare capacity to accommodate the resulting additional demand has not been demonstrated.

Item	Page/Section	Applicant Assertion	ROLBO Response
6	Page 31 (Bicycle Facilities)	Shared paths are noted as being available between the eastern end of Blue Street and the western end of High Street. Also along the eastern side of Alfred Street South linking on-road and off road bicycle path	The report has failed to identify the existing shared pedestrian and cycle path through St Peter's Park linking Blue Street with Mackenzie Street and continuing towards Middlemiss Street. This is a significant omission because the applicant proposes to locate the main entrance to the residential tower directly on this shared path, substantially increasing pedestrian activity at a location already used by pedestrians and cyclists. The shared cycle connection along the Pacific Highway and through the underpass linking to Middlemiss Street has also not been identified. These omissions mean the report does not accurately represent the existing cycling network surrounding the site or adequately assess the interaction between the proposed development and existing active-transport routes.
7	Page 49 (Church Expansion)	The report claims that the proposal seeks to remove 42 church car parking spaces, likely resulting in a shift to sustainable travel to and from the site	The conclusion that removing 42 church parking spaces is likely to result in a shift to sustainable travel is not supported by the report's own findings. Elsewhere, the report acknowledges that the church typically caters to an older demographic that may have greater reliance on convenient and accessible off-street parking. That acknowledgement weakens the assumption that reduced on-site parking will materially reduce vehicle trips associated with church use. If a substantial proportion of parishioners continue to travel by car, the traffic generation associated with church services and events will remain similar or potentially increase
8	Page 51 (Public Transport)	The report states that in relation to public transport capacity, the proposal is expected to generate relatively modest increase in residential and retail trips and is unlikely to materially affect the operation of the surrounding public transport networks	The conclusion that the proposal will not materially affect public transport capacity is not supported by any capacity or utilisation data. Elsewhere, the Traffic Assessment relies on increased use of public transport and mode shift to justify reduced vehicle movements and reduced reliance on private parking. If the proposal's traffic and parking assumptions depend on a greater proportion of residents, visitors and users travelling by public transport, the assessment should quantify that additional demand and demonstrate that the surrounding Metro, rail and bus network has sufficient capacity to accommodate it, including cumulative demand from other approved and proposed developments in the area.

Item	Page/Section	Applicant Assertion	ROLBO Response
1	Page iii Executive Summary	Testing for this development was performed for the following scenarios : * with only existing site and surrounding buildings (existing scenario); * with the proposed subject development and existing surrounding buildings utilising the adaptive re-use for the Zurich Building as well as the SEARs massing concept for the Fujitsu Building (proposed scenario) * with the proposed subject development and future surrounding buildings utilising the SEARs massing for both the Zurich building and the Fujitsu Building (future scenario)	Testing does not include a scenario comprising the proposed subject development with the existing surrounding built form. The stated “proposed scenario” incorporates the adaptive-reuse proposal for the Zurich Building and the SEARs massing concept for the Fujitsu Building and therefore does not represent existing surrounding conditions. While the Zurich proposal has progressed further through the assessment process, the Fujitsu proposal remains at the Prepare EIS stage and its final built form is not established. Reliance on this preliminary massing in the “proposed scenario” means the analysis does not isolate the wind effects attributable to the subject development against the existing environment. A separate scenario comprising the proposed development and existing surrounding buildings should have been tested to identify the site-specific wind impacts of this proposal.
2	Page v Executive Summary	The SEARs requirement includes "Provide a Pedestrian Wind Environment Study. This assessment must be informed by a Wind Tunnel Study and any mitigation measures provided in built form and not landscaping. "	Despite this very specific requirement et Windtech's final mitigation expressly relies on dense planters, proposed trees, existing trees in St Peters Park, and further planters at Level 3. (Refer page 36 and 36 which details all areas where mitigation is in the form of Landscape Treatment. It is clear that this landscape treatment is not merely decorative landscaping: their treatment testing specifically states the second test dealt with comfort failures using architectural and landscaping elements together.
3	Page 17 Layout of Study Points	The wind study identifies 78 study point locations; however, none are located within the private open spaces of the surrounding residential properties. The SEARs require a high level of environmental amenity to be demonstrated for surrounding residential and other sensitive land uses.	Of the 78 study points selected, only five assess wind conditions immediately adjoining surrounding residential properties: P40 ; P08 and P11 on the footpath in front of the Wilona Avenue terraces; P21 the footpath in front of the apartments at 16 Mackenzie Street; and P26. The assessment applies a walking comfort criterion to these locations, despite several of the study points immediately adjoining private residential open spaces where sitting and standing are normal activities. Under the existing scenario, the relevant residential study points achieve a higher standard of wind comfort. Under the proposed scenario, wind conditions deteriorate at all of these points except P40. In particular, the analysis shows that wind conditions on the footpath immediately outside the Wilona Avenue properties deteriorate from a comfort level suitable for standing under existing conditions to a level suitable only for walking under the proposed scenario. This demonstrates a material increase in wind impact immediately adjoining these residences. No study points have been located within the private courtyards directly behind the approximately 1.8-metre boundary fences. While the fences may provide some localised shelter, it cannot be assumed that they will eliminate the increased wind effects identified immediately outside the properties. Wind can pass over and around the fences and affect the adjoining private open spaces. The private open spaces should therefore be specifically assessed to determine whether the proposal causes any deterioration from the existing wind comfort conditions appropriate for sitting and standing and where necessary mitigation implemented to ensure the comfort condition is restored to a standing comfort level.
4	Page 35 Treatment Test Results	The results of the wind tunnel treatment test indicate that wind conditions for the majority of trafficable outdoor locations within and around the development will be suitable for their intended uses. However, the bridge connection to Phillip Lane may experience strong winds which will exceed the relevant criteria for comfort and/or safety	Some of the final mitigation has not actually been demonstrated by the wind tunnel treatment — it is only “in-principle” or “expected” to work. This is particularly important around the Phillip Lane connection. It then proposes further screens and a new cut-in that was introduced after the initial wind-tunnel study and says it is merely “expected” to ameliorate the winds. It then jumps to the conclusion that, with those measures, all areas are expected to be suitable. That is a significant weakness: the SEARs asked for a wind-tunnel-informed assessment, yet the ultimate compliant outcome has not all been wind-tunnel verified.

Item	Page/Section	Applicant Assertion	ROLBO Response
5	Page 31 Table 5 Wind Tunnel Report Summary: Location P41	P41 the annual gust increases from 24 m/s existing to 25 m/s proposed. Both are marked as failures P41 the annual gust increases from 24 m/s existing to 25 m/s proposed. Both are marked as failures, yet the report describes the proposal as “Better than or equivalent to Existing Conditions.”	P41 contains what looks like a direct internal contradiction. Windtech says that where existing conditions already exceed the criteria, the proposed development must at least match the existing conditions. The result is not equivalent on the annual-gust result: 25 m/s is worse than 24 m/s.
6	Page 36 Treatment Test Results	Location P48 is shown before treatment comfort of 10.2 m/s against a 6.0 m/s criterion and an annual gust of 24 m/s against the report's 23 m/s safety criterion and after treatment of 10.8 m/s and 24 m/s — so it fails both comfort and safety even after mitigation	The report therefore has an actual tested configuration that still fails, followed by additional "in-principle" and untested design measures that it says are expected to solve the problem.

Item	Page/Section	Applicant Assertion	ROLBO Response
1	Page 6 (Site Surrounds)	The applicant states that the surrounding context to the south includes low and medium density residential housing, including dwelling houses terraces, Lavender Bay Preschool, Christ Church Lavender Bay and a residential flat building, other SSD proposals within the immediate vicinity and that the site adjoins the Lavender Bay Conservation Area	Reference is also made to SSD-86299960 (15 Blue Street), which is recorded on the Planning Portal as having expired SEARs.
2	Page 7 (SIA Requirement)	The SEARs requires that a SIA must be prepared in accordance with the SIA Guidelines for SSDs	The SIA does not demonstrate that it has met the guidelines, refer additional detail provided below. HillPDA has completed the Department's 22-question review checklist and essentially answered “Yes” throughout however those answers do not withstand comparison with the body of the report. The SIA Guideline specifically says a social locality is defined by where people experience impacts, should not be arbitrarily based on a suburb or similar predefined area, and should identify different gradients of impact. The SIA does not do this. The Engagement Report itself defines Group 2 – Potential sensitive receivers as the residents, businesses, landowners and social infrastructure users “most likely to be directly affected”, expressly because of construction noise/dust/vibration/traffic and operational traffic, noise, parking, character, views and solar access. It says these properties were selected according to proximity to the site and likelihood of experiencing project impacts. HillPDA had already identified a geographically discrete group based precisely on the spatial distribution of impacts—the test required by the SIA Guideline—but the SIA instead used the entire North Sydney–Lavender Bay SA2 as its social locality. The comparative image of the area from the engagement report and the SA2 area used by the social impact assessment is included below with the representative area shown in perspective by the orange line added into the social locality :
			 The left map is a detailed street view of North Sydney, showing the site (yellow) and Tier 2 stakeholders (blue). The right map is a broader view of the North Sydney area, showing the site (green) and the social locality (blue). An orange line is added to the social locality boundary on the right map. Source: HillPDA, ESRI (2025) Source: HillPDA, ABS

Item	Page/Section	Applicant Assertion	ROLBO Response
3	Page 12 (Social Advantage and Disadvantage)	The baseline is dominated by SA2-wide Census statistics.	This project actually displaces an existing residential community and affects immediately adjoining households. The Guideline specifically requires consideration of vulnerable people including low-income people, elderly people, people in insecure housing, people with poor health/disability and people unable to represent themselves. There is no meaningful baseline profile of the Xavier Terrace residents or of the immediately adjoining affected community, which includes vulnerable residents, including at least one person with disability. The Guideline says primary data is important for understanding differences in how vulnerable groups experience impacts, and where detailed assessment is required there should be primary data and targeted engagement. Appendix A of the SIA describes its evidence base principally as desktop research, ABS, BOCSAR, DPHI and information supplied by the proponent. It does not document a proper primary social-research methodology.
4	Page 19 (Engagement)	The applicant acknowledges the SAI Guidelines outlining that community engagement forms a fundamental component of social impact assessment and provides a summary of the engagement report findings.	HillPDA expressly acknowledges that some stakeholders had only one day's notice of the information sessions because the community newsletter was not letterbox-dropped until 26 June, while the first session was 27 June. In contrast, the Parish newsletter advertised the sessions two weeks in advance. The report combines the results of Groups 1, 2 and 3 together. It records 347 unique website visitors, only 11 online surveys, 7 emails, one phone enquiry and around 120 attendees, of whom only 15 completed feedback forms. It provides no attendee breakdown showing how many were Parish members, immediate neighbours or broader community members. The report does not demonstrate that the people experiencing the greatest impacts were adequately represented. The SIA Guideline says participatory techniques such as interviews, focus groups and workshops are appropriate where engagement is being used to collect information and evaluate impacts, rather than merely disseminate information. There is no documented interviews, focus groups or other primary social-research process specifically with the immediately affected Group 2 households. The Engagement Report documents a letter to Xavier Terrace residents and says the community was concerned about where they would go. The substantive response is essentially that relocation is not immediate, notice will be given, and retirement-village residents will receive their legal entitlements. The Engagement Report still does not demonstrate the kind of primary research into residents' individual experience, vulnerability, attachment to place, housing alternatives and consequences of involuntary relocation that I would expect for what the SIA itself rates as a High social impact. The context scan expressly identifies the Lavender Bay Precinct Committee and ROLBO as active local groups. Yet no engagement was undertaken with ROLBO and an invitation to attend the Lavender bay Precinct Committee provided on two separate occasions was not accepted. Residents' most frequent concern was height/scale, and people expressly asked for a lower building or amended design. The project response to building height is essentially an explanation of housing objectives and why the tower is proposed; the response to bulk likewise defends the existing proposal. The report asserts feedback informed refinement, but does not demonstrate any change to the design or alternatives considered as a result of that feedback

Item	Page/Section	Applicant Assertion	ROLBO Response
5	Page 25 (Social Infrastructure)	The SIA inventories nearby parks, schools, childcare and health services.	For education and health it expressly does not undertake a quantitative capacity assessment and then concludes that additional education and healthcare demand would nevertheless be “minimal”. The local high school (Cammaraygal High School) reached capacity forcing the Cammaraygal High School intake area to be changed, including the introduction of a new Lower North Shore Enrolment Zone. The SIA itself acknowledges that local school catchments are currently being altered in response to enrolment growth, school utilisation and capacity, yet undertakes no quantitative education-capacity assessment and nevertheless concludes that additional demand would be minimal. https://www.smh.com.au/politics/nsw/this-sydney-school-is-full-and-turning-students-away-before-3255-new-homes-are-built-nearby-20241229-p5l11x.html?utm_source=smh-web&utm_medium=share_article&utm_campaign=politics&utm_content=subscriber+alldigital&utm_term=product_feature https://cammeraygal-h.schools.nsw.gov.au/about-us/our-principal-and-staff Based on the Northern Sydney Local Health District – Chief Executive’s Board Report – February 2026 , Royal North Shore Hospital recorded the highest growth in emergency department presentation at 4.8%. Royal North Shore Hospital was the only hospital in the health district that did not meet transfer of care benchmarks in December 2025. Given the SIA itself identifies substantial cumulative development in the precinct, actual capacity/utilisation should be necessary to inform descisions than simply identifying nearby facilities.
6	Page 53 (Assessment of Impacts - Construction)	The SIA says the acoustic assessment predicts that under the worst-case scenario several nearby residences would exceed the “highly noise affected” criteria, especially dwellings immediately east and south. Its health section separately describes construction health/wellbeing impacts as “moderate”. Yet Table 14 assigns the combined noise/vibration/dust/lighting/visual wellbeing impact Possible + Minor = Low before mitigation	Construction noise assessment is internally inconsistent with Construction noise being substantially more serious than the SIA rating suggests The acoustic report reproduces the ICNG explanation that 75 dB(A) represents the level above which there may be “strong community reaction” and may require restrictions/respite negotiated around community sensitivity. This makes a “Minor” social magnitude hard to reconcile. The acoustic assessment assumes approximately 6 months demolition, 12 months excavation/civil works and 24 months structural works. This cannot therefore characterise the effects as a short-lived minor inconvenience. Even if stages overlap, the report is assessing major noise-generating activity over a very substantial period. The NVIA expressly says there is no detailed construction methodology and no contractor appointed; its measures are therefore indicative and must be developed later in a Construction Noise and Vibration Management Sub-Plan. Its recommendations include a one-hour daily respite during intensive works and proactive communication. The SIA therefore has not demonstrated that those future measures will reduce an impact to a particular residual significance.
7	Page 56 (Assessment of Impacts - Operation)	The SIA refers to the NVIA which states that the site would generate a small amount of noise in the form of car parking, loading dock and waste collection noise, and mechanical plant and equipment noise. The NVIA finds that noise generated would not impact on surrounding noise-sensitive receivers	The NVIA says the outdoor communal areas include gardens, residential lounge and lap pool, assumes passive residential use and casual conversation, and states that this should generally be masked by urban/traffic noise. It provides no quantitative receiver modelling, unlike the detailed calculations it performs for the substation, gym and church. The appended architectural material also shows a pool deck and spa. The proposed controls are essentially 7am–10pm access and signage prohibiting shouting, amplified music and parties. The SIA relies on the NVIA to conclude operational noise will not significantly affect neighbours, but the outdoor communal-area conclusion is primarily assumption-based. Given the elevated podium location and nearby residential receivers, The claimed acceptability of those impacts should be demonstrated through receiver-specific quantitative modelling of the pool, spa and communal deck areas

Item	Page/Section	Applicant Assertion	ROLBO Response
9	Page 59 (Cumulative Impacts)	The SIA acknowledges overall cumulative social impacts during constructions and operation however suggested these will be manageable	The NVIA does not identify or model construction noise from 5 Blue Street, 15 Blue Street, Middlemiss/Lavender Street or other nearby projects. The SIA discusses construction fatigue from multiple projects, but there is no supporting acoustic assessment of the combined external noise environment if those construction periods overlap.
10	Page 62 (Enhancement, Mitigation and residual impacts)	The SIA provides a summary of the applicant's proposed mitigation and management measures including the preparation of future plans	Too much mitigation is deferred to later plans, The SIA repeatedly says CMP, CTMP, Noise and Vibration Management Plan, Community Communications Strategy and Operational POM will be prepared later. The Guideline permits social measures to sit in other environmental plans, but the SIA itself should specify when/where they apply, how effectiveness will be monitored, measurable criteria where appropriate, and identify residual impacts after those measures. The concern is not merely that further plans are to be prepared, but that residual significance ratings have already been reduced on the assumed effectiveness of measures whose detailed content, implementation, monitoring and triggers have not yet been established
11	Appendix C Question 17	Sensitivity analysis / alternatives. Appendix C Question 17 HillSPDA Respond "yes"	The body of the SIA does not demonstrate a meaningful social-impact sensitivity analysis, no-project scenario or alternative development scenario.
12	Appendix C Question 19	Failure to disaggregate significance. Appendix C Q19 asks whether significance ratings distinguish how different people and vulnerable groups experience impacts	HillPDA says "yes". But Tables 14 and 15 generally give one significance rating to each impact across all affected people. This is particularly problematic for immediate neighbours and Xavier Terrace residents. Table 14 leaves High residual impacts for both stress/anxiety/uncertainty and relocation/community cohesion even after mitigation. The Guideline says projects with high and/or complex impacts or high uncertainty should include a Social Impact Management Plan framework, including desired outcomes and monitoring indicators. Shadowing. Table 15 reduces shadowing from Likely + Moderate = High to Possible + Moderate = Medium, yet the listed "mitigation" is essentially "N/A where impacts are acceptable", communicating outcomes and considering refinements where practicable. Communication cannot make physical shadow less likely.
13	Appendix C Question 21 and 22	Q21: "Does the SIA demonstrate how people can be confident that social impacts will be monitored and reported...?" Q22: asks how the proponent will adaptively manage unanticipated events, breaches, grievances and non-compliance; HillPDA merely says "Yes — refer Chapters 5.0, 6.0 and 7.0."	Q21: HillPDA's answer is not about monitoring at all. It says HillPDA is independent, uses impartial sources and incorporated community consultation. Q22: No framework showing what happens if impacts prove worse than predicted, mitigation fails, thresholds are breached, or unanticipated impacts arise. The Guideline specifically asks for adaptive responses to unanticipated events, grievances, breaches and non-compliance.