

Objection to SSD-82599709 at 153-157 Walker Street, North Sydney

This objection has been prepared in response to the proposed development at 153–157 Walker Street, North Sydney (SSD-82599709). The following matters are raised as key planning concerns and grounds for objection, based on identified non-compliances and inconsistencies with the North Sydney Local Environmental Plan 2013 (NSLEP 2013), the Apartment Design Guide (ADG), and amenity impacts of the proposed development.

Consistency with Clause 6.3 of NSLEP 2013

The proposed development exceeds the height of buildings standard under Clause 4.3 of the NSLEP 2013 and instead seeks to rely on Clause 6.3 (Height of Buildings in Commercial Core) to permit additional height.

While Clause 6.3 provides a mechanism to exceed the mapped height control, the proposal fails to satisfy the objectives of Clause 6.3, particularly Objective (1)(c), which seeks *“to minimise overshadowing of land zoned RE1”* and *“promote scale and massing that provides for pedestrian comfort”*.

The applicant has sought to justify the overshadowing impacts by referencing the previously approved (but discontinued) commercial tower scheme (DA393/22). However, the EIS acknowledges that the proposed development will overshadow the RE1 Public Recreation land located to the southeast at 2:00pm, with no meaningful effort to reduce or mitigate this impact. While the extent of overshadowing may not exceed that of the earlier commercial approval, the proposal demonstrably fails to “minimise” overshadowing as required by the LEP.

As such, reliance on Clause 6.3 is not adequately justified, and the resultant building form generates excessive visual bulk, overshadowing, and dominance, contrary to the objectives and intent of the LEP.

Setbacks and appropriate activation of Little Walker

The proposal fails to respond appropriately to desired urban form principles which encourage building setbacks to narrow streets such as Little Walker Street to improve sky exposure, pedestrian amenity, and the overall quality of the public domain. Instead, the proposed development presents a sheer podium wall built to the boundary, with no meaningful modulation or relief. This approach results in a canyon-like streetscape that diminishes visual comfort and restricts opportunities for landscaping, human-scale articulation, or active street-level engagement.

The combination of excessive height and zero setback also contributes to significant overshadowing of the streetscape and creates a tunnelled, visually enclosed character along Little Walker Street. This outcome is inconsistent with Clause 6.3(1)(c) of the North Sydney LEP 2013, which seeks to *minimise overshadowing of public places, streets, and nearby residential properties*. Furthermore, the building’s rigid boundary alignment fails to provide a transitional interface to adjoining developments, some of which incorporate modest setbacks and façade articulation. The proposal

therefore disregards opportunities to enhance the public domain along the laneway and undermines the intended cohesive urban form of the precinct.

The proposed development contributes limited ground-level activation and fails to provide a meaningful interface that enhances pedestrian amenity along Walker Street.

The hotel lobby occupies approximately two-thirds of the Walker Street frontage, with the remaining third dedicated to a hotel restaurant. Along Little Walker Street, activation relies almost entirely on the hotel lobby frontage, resulting in minimal engagement or permeability.

This configuration falls short of achieving the desired active street frontage and public domain integration envisioned for the North Sydney centre and represents a missed opportunity to deliver a vibrant, pedestrian-friendly streetscape.

It is considered that the design should explore opportunities for an increased setback to the podium along Little Walker Street, with the aim of improving visual openness, pedestrian comfort, and public domain quality. A setback or façade modulation at the podium level could introduce valuable relief to the streetscape, reduce the sense of enclosure, and create opportunities for landscaping or active frontage treatments. This refinement would assist in delivering a more balanced interface with the laneway, supporting improved urban form outcomes and ensuring that Little Walker Street functions as an inviting and pedestrian-friendly space within the precinct.

Achievement of Apartment Design Guideline Design Objectives

The proposal fails to meet the minimum solar access requirements of the Apartment Design Guide (ADG, Objective 4A-1). The EIS identifies that 25% of apartments receive no direct sunlight, which substantially exceeds the ADG's 15% maximum threshold.

No sufficient mitigation or compensatory design measures have been proposed to offset the poor solar performance. The outcome will lead to diminished residential amenity, with several apartments relying heavily on artificial lighting and mechanical ventilation for acceptable living conditions.

Several apartment layouts exceed the ADG's maximum permitted habitable room depth of 6.75 metres, with some reaching depths of up to 8.05 metres.

These excessive room depths compromise daylight penetration and natural ventilation, resulting in poor internal amenity and increased dependence on artificial lighting and mechanical cooling. The EIS provides no evidence of design amendments or compensatory measures that could mitigate these adverse outcomes.

The solar access analysis presented within the EIS is incomplete, as demonstrated within Figure 1 below, it does not include the approved development at 146 Arthur Street within its modelling. Given the close proximity and height of that approved tower, its inclusion is likely to have a material impact on the extent of sunlight available to the proposed development. As a result, the reported levels of solar compliance may be overstated and do not accurately reflect the true conditions that will exist once both developments are realised. The omission undermines the reliability of the EIS conclusions

regarding solar access and amenity, and further assessment is required to demonstrate genuine compliance with the Apartment Design Guide and SEPP 65 objectives.

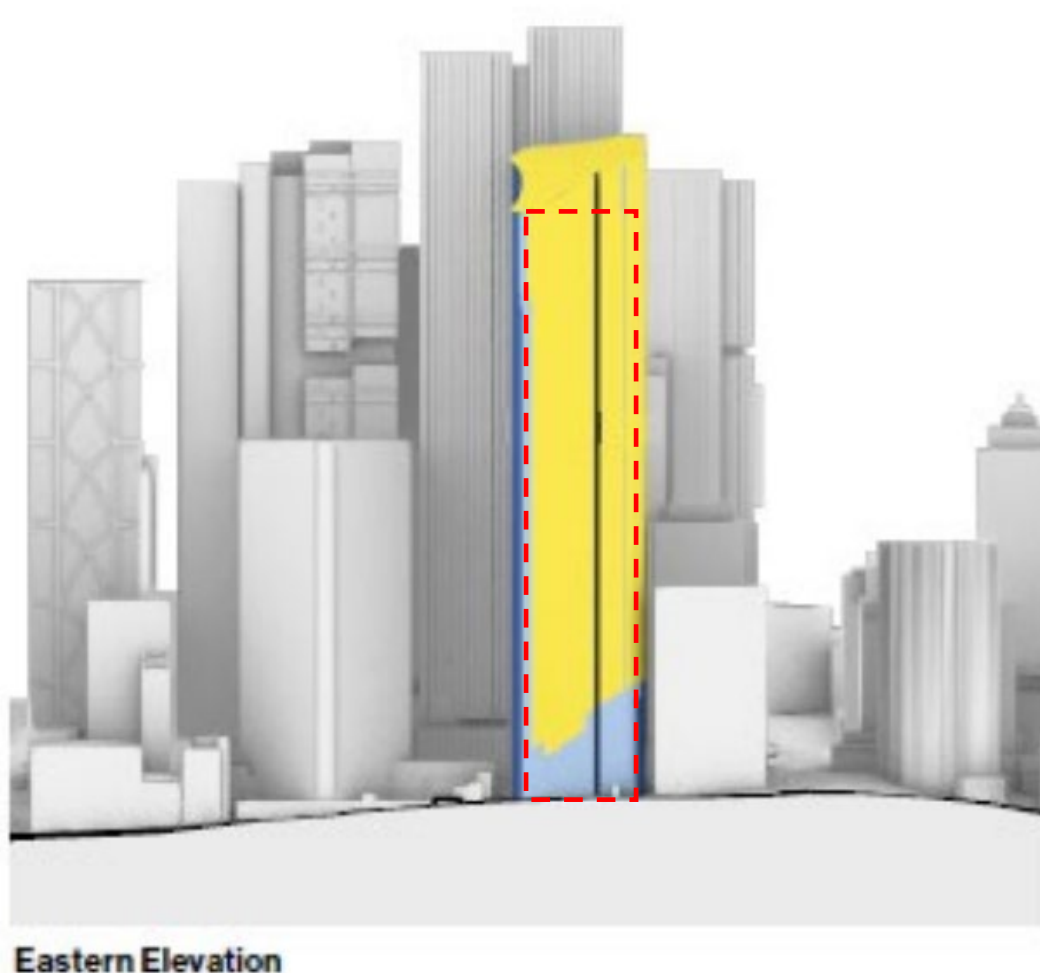


Figure 1 Solar access elevations as identified within the EIS. Indicative outline of 146 Arthur Street in red, not shown within solar analysis

The proposal exhibits reduced tower separation from the adjoining development at 146 Arthur Street, particularly at the upper levels (Levels 15–22). The separation distances do not meet the ADG’s minimum 24-metre requirement for buildings above nine storeys.

Rather than achieving compliance through appropriate setbacks, the design relies on façade louvres and privacy screens to manage overlooking and privacy conflicts. These devices are a poor substitute for spatial separation and often result in further reductions in solar access, exacerbating existing non-compliance with ADG solar access objectives.

The resulting configuration creates unacceptable privacy conflicts and amenity impacts on adjacent developments and fails to deliver the high-quality residential environment intended by the ADGs. Introducing a greater setback along Little Walker Street would not only reduce visual and privacy

conflicts but also enhance solar access and outlook for apartments, contributing to a more comfortable and liveable residential environment.

Amenity Impacts

Wind tunnel testing undertaken for the EIS identified exceedances of AWES wind safety criteria at two locations on the Level 33 terraces.

These results indicate unsafe wind conditions for occupants and visitors, particularly within rooftop communal areas. The proposal therefore fails to provide an acceptable level of pedestrian comfort and safety and will require redesign or additional mitigation measures to address the identified exceedances prior to determination.

The proposed development fails to achieve compliance with key provisions of the North Sydney LEP 2013 and the Apartment Design Guide, resulting in unacceptable impacts on solar access, visual privacy, amenity, and the public domain. The building's excessive height, visual bulk, and overshadowing are inconsistent with the objectives of Clause 6.3, and the proposal does not demonstrate sufficient design excellence or environmental performance to justify these departures.

Accordingly, it is submitted that the proposal, in its current form, should not be supported unless substantial amendments are made to address the above issues.