

802/2-10 Mount Street
North Sydney 2060
5 August 2010

The Hon Tony Kelly
Minister for Planning, Infrastructure and Land
Department of Planning
GPO Box 39
Sydney NSW 2001

Dear Minister Kelly Re. MP 09_0214 (177 Pacific Highway North Sydney)

I have been an Owner of the above Apartment for over 10 years.

When I bought the Apartment, one of the primary reasons was that Sunshine in the Winter was able to enter the Living Room in the early morning which was a wonderful asset.

This was more so because for some time during Winter, the Sun is blocked by the NEC Building located in Napier Street.

However as I purchased this Apartment with that knowledge, that is not an issue.

The major issue is the planned development of a large Building at the corner of Berry Street and Pacific Highway (177 Pacific Highway) and the impact this Building will have on "shadowing" of my Apartment, particularly in the Winter mornings.

I have yet to see an independent plan which details the impact of this Building and the "shadowing" on my Apartment and respectfully ask that before any determination is made in relation to the proposed development, that this independent study be undertaken.

For your information, Winten were the Developers for 2-10 Mount Street in about 1994 and their specifications detailed that there would be no chance of shadowing for the Level 8 Apartments on the North east side of my Building.

It is my understanding that independent advice has not as yet been sought for this critical aspect of proposed development.

I also understood that there would not be High rise development in the proposed area as it was not in the North Sydney CBD---why has Planning Department allowed this to occur, to date?

Minister, in summary, the proposed development should not be able to proceed until an independent analysis of "shadowing", particularly in Winter, is undertaken and the results provided to the impacted Residential Owners---we are relying on you, Minister, for this analysis.

Thanking you in anticipation.

Yours sincerely

M. Bosser and D. Penfold

Handwritten signatures of M. Bosser and D. Penfold. The signature of M. Bosser is written in a cursive style, and the signature of D. Penfold is written in a more formal, slightly cursive style.

803/2-10 Mount Street
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Minister for Planning, Infrastructure and Land
Department of Planning
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Sydney NSW 2001

Dear Minister Kelly Re. MP 09_0214 (177 Pacific Highway North Sydney)

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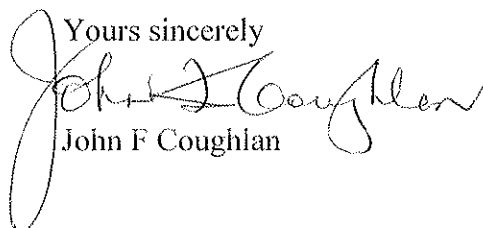
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John F Coughlan



The Hon Tony Kelly
Minister for Planning, Infrastructure and Land
Department of Planning
GPO Box 39
Sydney NSW 2001

Dear Minister Kelly

Re: Project Application MP 09_0214 at 177-199 Pacific Highway, North Sydney
Applicant: JBA Urban Planning on behalf of the Winten Property Group

A number of concerns have arisen regarding the project application mentioned above.

1. Overshadow on Mary MacKillop Place Museum is an immediate concern as any more loss of sunshine through high rise buildings effects the general well being of visitors and staff particularly in the winter months. Another impact is the cost of re-landscaping our grounds due to overshadowing.
2. Other impacts in general.

Wind: There will be major wind impacts from a west facing building. Cold southerly and sou' westerly winds will be channelled even more down to the highway and cast to the eastern side of the building as well.

Public Open Space: In its current form it appears not to be a public benefit if it is to be an enclosed private space. Suggest it be left open and established as a Special Area as it receives northerly sun.

Thank you for your attention to this matter.

Yours sincerely

Brigitte Siparsj
Director
5 August, 2010

Mary MacKillop Place
7-11 Mount Street North Sydney 2060
PO Box 1081 North Sydney NSW 2059
Telephone: (02) 8912 4899 Facsimile: (02) 8912 4835
www.marymackillopplace.org.au

1/18 Toongarah Rd,
Waverton 2060

06.08.10.

The Hon. Tony Kelly.

Minister for Planning, Infrastructure & Lands,
Dept. of Planning,

G.P.O. Box 39,

Sydney N.S.W. 2001.

Dear Minister,

Re Project Application MP 090214 at
177-199 Pacific Highway, North Sydney Submissions on
177 Pacific Highway Concept Approval Application.

This afternoon, I inspected the current building on site. I wish to voice my concern, shared by a large number of North Sydney residents, re the proposed oversized development at 177-199 Pacific Highway. I realise that development will occur in North Sydney CBD but this mammoth development ignores the Council's Planning framework. I bring the following points to you for consideration.

1. Height and Massing.

The proposed building is far too large for the site especially in this position. It far exceeds the height limits set out in the draft LEP. There will be major negative impacts on the adjoining residential areas.

2. Setbacks

The current building "Norberry Terraces" comprises three and four storey commercial terraces. At the corner of Berry St. and the Pacific Highway, the base of the building is set well back from the streets' kerbing with the balconies and roof even further back. If these setbacks are not replicated, there will be

a canyon effect which will result in dark wind-blown canyons replacing the friendly streetscapes enjoyed by workers and residents alike.

3. Overshadowing / Solar Access.

(a) Residents of Edward and adjoining streets will suffer a loss of sunlight. This loss will be felt especially during winter in Edward, Oak, Lord, Short and Mount Streets including houses and apartment blocks as well as the Mackillop Museum, Shore School and its local playing fields. The draft 2009 North Sydney LEP promised no adverse shadowing impacts on residents or on Special Areas.

(b) Among Special Areas, Don Bank and 101 Pacific Highway Park will be adversely impacted. The North Sydney LEP includes an absolute prohibition on an increase of overshadowing on Don Bank. This prohibition should be upheld in your judgment of the submission.

4. Wind

There are already major impacts from cold southerly and now westerly winds channelled down streets bordered by high rise buildings. This is very obvious now in Miller Street beside the M.L.C. building, the Pacific Highway and Mount Street. If the proposed buildings' above-basement floors are built in line with pavement's edge, pedestrians will suffer great discomfort as winds are channelled southwards.

5. Traffic.

The proposed four levels of basement parking can only increase traffic congestion especially with ^{cars} exiting into Berry Street. The right hand turn from the Pacific Highway to Berry Street already causes congestion along Pacific Highway. Additional traffic entering Berry Street from the proposed site will compound the issue.

6. Public Open Space.

This is already in short supply in North Sydney. The sale of Graythwaite to Shore School caused further restrictions. The enclosed private space within the proposed building will benefit neither North Sydney residents nor CBD workers apart from those employed in the proposed building.

This application which breaches prohibitions and restrictions in the North Sydney planning controls should not have been accepted by yourself in the first place. I request that you consider the adverse impacts the proposed building would have on residents in adjoining areas and on CBD workers as well as through traffic and that you ensure that the provisions of the draft LEP echoing the wishes of North Sydney Council and residents are given priority in your decision.

Yours sincerely,
Nan Manefield.

The Hon Tony Kelly
Minister for Planning, Infrastructure and Land
Department of Planning
GPO Box 39
Sydney NSW 2001

28 Edward St
NORTH SYDNEY 2060
S. 8. 10

Dear Minister Kelly

Re: Project Application MP 09_0214 at 177-199 Pacific Highway, North Sydney
Submissions on 177 Pacific Highway Concept Approval Application:

I write to voice my concern over the proposed oversize development at 177 Pacific Highway and seek your assistance in refusing this size of development. I do not oppose development in the CBD but I do oppose oversize ones that ignore the Council Planning framework. My comments are as follows:

1. Height and Massing
 - a) The building is too large for the site. It exceeds the heights in the draft LEP and will have major impacts on the residential area from its size.
2. Setbacks
 - a) There should be setbacks on both northern and western sides. If there is no setback on the highway we will get a canyon effect. Council has had setbacks for years to stop us getting dark wind-blown canyons in place of worker and resident friendly streetscapes.
3. Overshadow/Solar Access
 - a) These will affect my way of life in Edward St- major amenity impact by material loss of sunlight to Edward, Oak, Lord, Short and Mount Sts including houses, blocks of apartments, Mackillop Museum and Shore Prep School and playing fields. Further mapping of impacts should be done outside the 9.00am winter solstice figure. Part of the draft 2009 NSLEP was undertakings that there would be no adverse shadowing impacts on residential or Special areas. And these aren't just immaterial but quite marked for the winter months.
 - b) Special Areas- Donbank and 101 Pacific Highway park and Miller St Special Areas. As the applicant points out public open space in Nth Sydney is very limited. Which is why it is so core to protect the limited solar access that workers and residents enjoy in the Special Areas. Increase in overshadow to Donbank is an absolute prohibition under the NSLEP. The scale of the application should be refused on this ground alone.
4. Wind

There will be major wind impacts from a west facing building. Cold southerly and sou'westerly winds will be channeled even more down to the highway and cast to

the eastern side of the building as well. Pedestrians already get blown off their feet in Miller St and on the Pacific Highway. North Sydney sits on the prow of a south facing hill and gets a lot more wind than the city.

5. Public Open Space

The proposal is just a glorified enclosed foyer. In current form it is not a public benefit. It is an enclosed private space. North Sydney needs open spaces generally and particularly outside office hours and this space won't contribute much more than to the immediate inhabitants of the building. It should be left open and established as a Special Area as receives northerly sun. With appropriate tree cover to the west to prevent wind impacts.

It should also be tied in with a green zone linking the other Berry St and Miller St open areas to provide a green artery through the CBD.

6. Traffic

This is a heavily congested area and particularly the right hand turn from Pacific Highway to Berry. It already backs up down the Highway during morning and evening peaks. And this has increased since 100 Pacific Highway and 16-40 Mount St came on line. An increase of 26 vehicles per hour will add to the gridlock and danger here. And as Council's Traffic Engineer states these are conservative figures. When combined with loading dock use a sub-arterial road will be severely impacted. A dual width loading dock entry will also impact on the activation of the streetscape and disconnect the building from Miller St.

There have been many pedestrian accidents on Berry Street already and this will make it more dangerous.

7. Part 3A

Is it really a Part 3A development? What is the "state significance" of another commercial building in the North Sydney CBD. It should be subject to the usual planning controls and integrated as part of a holistic approach to planning and not an ad hoc aberration.

Summary:

This application clearly breaches prohibitions in the North Sydney planning controls. I respectfully submit that it should not have been accepted by yourself in the first place. It has marked adverse impacts on adjoining residents as well as CBD workers. It defeats the planning (and related undertakings to all residents) aims of graduated interface between the residential and CBD areas, and creates a wall of building on the north eastern edge of the CBD area.

Yours sincerely

Shirley C. Clare JP
HCC 140209

The Hon Tony Kelly
Minister for Planning, Infrastructure and Land
Department of Planning
GPO Box 39
Sydney NSW 2001

5th August 2010

Dear Minister Kelly

Re: Project Application MP 09_0214 at 177-199 Pacific Highway, North Sydney
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I write to voice my concern over the proposed oversize development at 177 Pacific Highway and seek your assistance in refusing this size of development. I do not oppose development in the CBD but I do oppose oversize ones that ignore the Council Planning framework. My comments are as follows:

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- a) There should be setbacks on both northern and western sides. If there is no setback on the highway we will get a canyon effect. Council has had setbacks for years to stop us getting dark wind-blown canyons in place of worker and resident friendly streetscapes.

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- a) These will affect my way of life in Edward St- major amenity impact by material loss of sunlight to Edward, Oak, Lord, Short and Mount Sts including houses, blocks of apartments, Mackillop Museum and Shore Prep School and playing fields. Further mapping of impacts should be done outside the 9.00am winter solstice figure. Part of the draft 2009 NSLEP was undertakings that there would be no adverse shadowing impacts on residential or Special areas. And these aren't just immaterial but quite marked for the winter months.
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Yours sincerely

Morten Jensen
46 Edward Street
North Sydney 2060
Morten Jensen

The Hon Tony Kelly
Minister for Planning, Infrastructure and Land
Department of Planning
GPO Box 39
Sydney NSW 2001

43 Edward St
North Sydney 2060
6th August 2010

Dear Minister Kelly

Re: Project Application MP 09_0214 at 177-199 Pacific Highway, North Sydney
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I write to voice my concern over the proposed oversize development at 177 Pacific Highway and seek your assistance in refusing this size of development. I do not oppose development in the CBD but I do oppose oversize ones that ignore the Council Planning framework. My comments are as follows:

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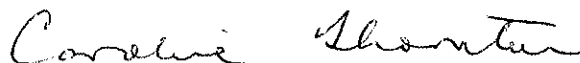
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A-8-10

Lin Blomfield
65 Edward Street
North Sydney
NSW 2060

John McMath
15 Priory Rd
Waverton
2060

The Hon Tony Kelly
Minister for Planning, Infrastructure and Land
Department of Planning
GPO Box 39
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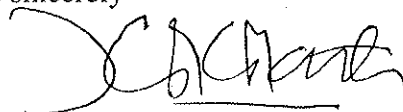
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Yours sincerely



P.S. It is this kind of arrogance and disregard for voters' opinions that has doomed NSW Labor & ^{the} those Government.