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12 December 2024

NSW Department of Planning, Housing and
Infrastructure
Locked Bag 5022
Parramatta NSW 2124

Contact
Louise Camenzuli (02) 9210 6621

Attention: Manwella Hawelll

Dear Sir/Madam

SSD-61000021 – Objection – 146 Arthur St, North Sydney - Build-to-Rent

We refer to SSD-61000021 (**SSDA**) lodged on behalf of Aqualand (the **Applicant**) seeking consent for a build-to-rent (**BTR**) housing development at 146 Arthur Street, North Sydney (**Proposed Development**).

We act for Freecity Property (**Freecity**), which is advancing a build-to-rent (BTR) housing and hotel development scheme for the adjacent site at 153-157 Walker Street, North Sydney. The profile for this project (SSD-78073736) on the Major Projects Portal is [linked here](#). Freecity is strongly opposed to the proposal at 146 Arthur Street in its present form and urges the Department of Planning, Housing and Infrastructure (**DPHI**) not to support the scheme for the reasons that are outlined herein.

The overall bulk and height of the scheme are excessive, resulting in burdensome impacts on our site (153-157 Walker Street) and surrounding properties that are not anticipated under local planning controls or the *State Environmental Planning Policy (Housing) 2021 (Housing SEPP)*. Freecity's interests and the existing and future desired character of North Sydney would be materially adversely affected by the proposed development, which adopts an inequitable approach towards built form setbacks, view sharing, and overshadowing.

153-157 Walker Street benefits from a development consent (DA393/22) for a 43-storey commercial tower. However, our client instructs us that it has no intention of proceeding with this development in light of the downtrend in demand for additional office floorspace that North Sydney has experienced in recent years. This realistic ambition is evidenced in Freecity's request for Secretary's Environmental Assessment Requirements (**SEARs**), which was submitted to DPHI on 31 October 2024. Freecity is in the process of preparing a detailed Environmental Impact Statement (**EIS**) for submission in April 2025. Early consultation with North Sydney Council (**Council**) is scheduled to occur this month

(December 2024), and a meeting with the State Design Review Panel (**SDRP**) is planned for March 2025.

At the current proposed scale and height of the proposed development, there are insufficient environmental planning grounds to support the scheme. This is regrettable, given Freecity's commitment to progressing a high-quality BTR/hotel scheme at 153-157 Walker Street and willingness to undertake early engagement with industry stakeholders.

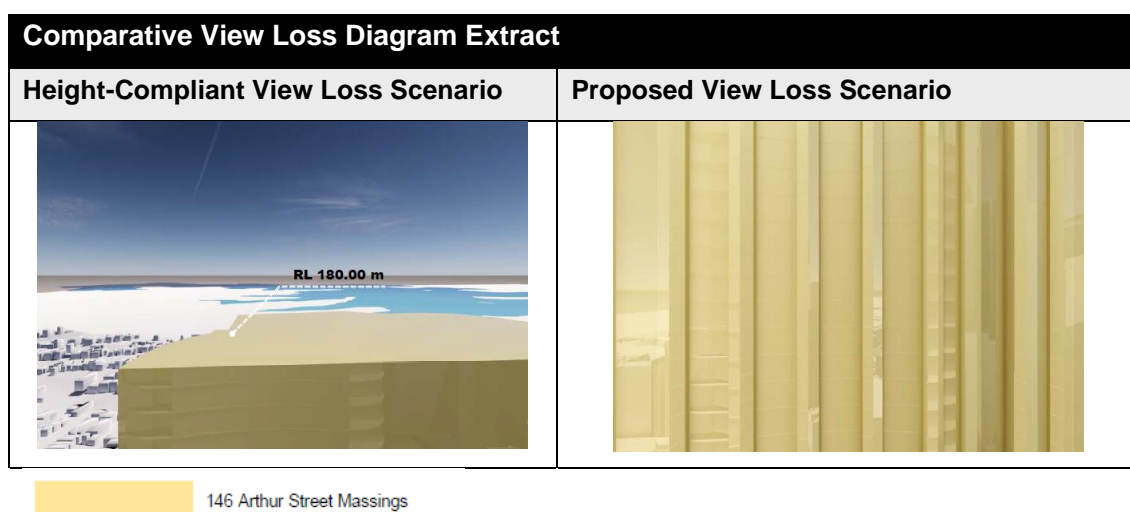
For the reasons set out below following a review of the Proposed Development by our client's architects, planners, urban design experts and other consultants, it is abundantly clear that the need for the bulk and height of the scheme at 146 Arthur Street to be reduced is a terminal issue that must be addressed by appropriate massing reductions, as listed at the conclusion of this submission.

1 View Loss

The Proposed Development exceeds the maximum permitted building height by 19.3m, or 10.27% of the standard to be varied. The proponent relies on clause 6.3 of the *North Sydney Local Environmental Plan 2013 (LEP)*. This exceedance will cause the loss of considerable views from the east-facing residences of the proposed development of the Freecity Property. These views are highly significant, to which our client raises the following concerns:

As DPHI would be aware, view sharing is an important concept in development assessment. In accordance with the established principles in *Tenacity Consulting v Waringah* [2004] NSWLEC 140 (**Tenacity**), water views are valued more highly than those of the land, as are iconic views such as those of the Sydney Harbour Bridge and Opera House. Whole views, such as a view of where water meets land (as shown in the diagram extract below), are more valuable than those that are partially obscured (*Tenacity* at [26]).

Below is a view loss diagram depicting the loss of our client's view assuming a height compliant development as against the height of the proposed development. As is evident from the image, there is an absolute loss of significant views.



The Proposed Development will obscure approximately 10 additional levels of east-facing residences on 153-157 Walker Street, once redeveloped. Many of these would be total, otherwise unobstructed views of Sydney Harbour, including the Bridge and Opera House. Most of these views, as indicated in our client's request for SEARs, would be from living areas, which are to be assessed more sensitively than those from other parts of a dwelling (*Tenacity* at [28]).

Our client accepts that the loss of some views is an inevitable consequence of tower development in a high-density urban area. However, a scheme that is built to the height control would have a considerably diminished impact on views compared to the overly ambitious massing strategy that is currently proposed. Views that are impacted as a result of a non-compliance are to be treated differently to those caused by a compliant scheme (*Tenacity* at [29]). Specifically, view loss that is caused by building mass above the maximum permitted building height is not fortuitous because it is not reasonable to anticipate under the applicable statutory planning controls.

The impact on views could be mitigated by reducing the scale of the Proposed Development, specifically the height of the proposed tower form, to comply with clause 4.3 of the LEP. In this regard, we refer to the recommended massing reductions that are outlined at the conclusion of this submission.

Further detail on the magnitude of the impact on the view loss at 153-157 Walker Street is documented in Part 1 of the **attached Planning Package – 146 Arthur Street Objection** prepared by Architectus dated 9 December 2024 (**Architectus Analysis**).

2 Solar Amenity

The proposed design scheme for 146 Arthur Street will result in additional overshadowing directly attributable to the proposed height variation and especially the Little Walker Street setback reduction. In a similar vein, this additional overshadowing is not reasonable to anticipate under clause 4.3 of the LEP. According to the Shadow Diagrams that were placed on Public Exhibition, the proposed scheme will cast additional shadows on 153-157 Walker Street during the early morning hours on 21 March, 21 June and 21 September.

The Environmental Impact Statement (**EIS**) references these same early morning hours to justify a variation to the solar access provisions of the New South Wales Apartment Design Guide (**ADG**), thereby imposing a potential burden on Freecity's concurrent scheme for a hotel and BTR housing.

Part 2 of the Architectus Analysis documents the impact of the Proposed Development at 146 Arthur Street on the level of direct solar access that will be afforded to Freecity's proposal for 153-157 Walker Street. Architectus has indicated that it is expected that Freecity's scheme for 153-157 Walker Street would benefit from an improved level of compliance with the solar access provisions of the ADG if the Proposed Development was based on a compliant built form envelope. However, the Proposed Development, in its current form, is likely to result in a deleterious solar impact to surrounding development that is not reasonable to anticipate under the applicable built form controls.

We are instructed that the massing reductions that are outlined throughout this submission must be implemented to facilitate an amenable design outcome for 153-157 Walker Street and surrounding development. Specifically:

- a 4m above-podium tower average weighted setback must be adopted along Little Walker Street, as outlined in section 3 of this submission;
- a 6m setback to Doris Fitton Park must be adopted, as outlined in section 5 of this submission. At minimum, this must be implemented in relation to the north-western aspect of the proposed tower form; and
- in the absence of sufficient environmental planning grounds to support the proposed height variation, as outlined throughout this submission, the height of the proposal should be reduced to satisfy clause 4.3 of the LEP.

The above-listed recommendations are justified in detail throughout this submission.

3 Little Walker Street Frontage

Section 2.10 of the *State Environmental Planning Policy (Systems) 2021 (Systems SEPP)* states that Development Control Plans (**DCPs**) are not applicable to State Significant Development. However, there are instances where considering DCP provisions on a merit issue can become essential.

The EIS underscores that the proposed design is consistent with the 'commercial appearance' of the surrounding North Sydney CBD. While this contextual consideration is appropriate to recognise in the context of North Sydney, the EIS' heavy reliance on this point, only when it benefits the Applicant, is a substantial conflict given the scheme's failure to adhere to the intended 4m above-podium average weighted setback from Little Walker Street.

The commercial nature of the North Sydney CBD has been used to justify a significant height variation for a residential project, whereas the Clause 4.6 Variation Request lists several prominent *commercial* developments and argues that the proposed project aligns with the desired future character of the area on this basis.

While there may be some merit to this approach in principle, albeit not in relation to the excessive scale of this particular project, the design does not comply with Control P20 in Section 2.3.1 of the *North Sydney Development Control Plan 2013 (DCP)*, which has established a well-known local design preference for above-podium setbacks, including a 4m average weighted tower setback from Little Walker Street. This should be incorporated by the scheme. The 2.4m setback that is currently proposed at this frontage is not appropriate to achieve the envisaged character of Little Walker Street under the *North Sydney CBD Public Domain Strategy (PDS)*, as outlined below.

Appendix 3 (Statutory Compliance Assessment) of the SSDA provides a poor justification for a 2.4m above-podium setback from Little Walker Street instead of the preferred 4m, citing site constraints that would allegedly affect the building's structural integrity and internal amenities. This reasoning does not consider the context-based arguments presented in the Clause 4.6 Variation Request regarding the prevailing scale of development in the area, which is generally expected to comply with the setback provisions

of the DCP. An adequate merit-based justification for the proposed tower setback from Little Walker Street has not been provided, noting:

- the proposal depends heavily on variations in colour, materials, and textures to ‘distinguish’ the podium from the tower along Little Walker Street. Our client’s review of the SSDA documents that were placed on public exhibition reveals that it is clear that more design effort has been directed towards improving the streetscape amenity of Arthur Street compared to Little Walker Street;
- the PDS outlines a vision for Little Walker Street to become a pedestrian-friendly laneway with public art installations and various enhancements. However, the present design does not focus on achieving a high-quality frontage along Little Walker Street, falling short of the envisioned high-amenity outcome for this important local streetscape; and
- having regard to the above, although the proposed design seems to meet the specific solar access requirements outlined in clauses 6.3(2) and (3) of the LEP, it falls short in adequately addressing the consideration detailed in subclause (5)(c):

In determining whether to grant development consent for development on land to which this Division applies, the consent authority must consider the following –

...

- c) *whether the proposed development enhances the streetscape in relation to scale, materials and external treatments.*

The level of design emphasis that has been placed on contrasting materials does not address the fundamental need for substantial massing reductions to be implemented. This cannot be addressed through superficial design amendments or an amended written argument in the Clause 4.6 Variation Request. The level of design emphasis that has been placed on contrasting materials and colours typically features in applications that present overly ambitious massing strategies that are not proposed on reasonable environmental planning grounds, as is the case in relation to the SSDA.

4 North Sydney CBD Public Domain Strategy

State Significant Development must take into account the local strategic planning framework as outlined in Part 8, Division 5 of the *Environmental Planning and Assessment Regulation 2021*.

The proposal fails to align with the local strategic planning framework, particularly the PDS. The design neglects to prioritise urban design initiatives that Council intends to advance, such as the planned pedestrian-friendly laneway along Little Walker Street.

The current design inadequately addresses the need for an amenable human-environment that prioritises human scale and pedestrian amenity. Increasing the setback depth of the proposed tower form along Little Walker Street would more effectively address an essential objective under clause 6.3(1)(d) of the LEP, which aims to promote scale and massing that ensure pedestrian comfort through weather protection, solar access, human scale, and massing that is not visually obtrusive or overtly dominant.

While the proposed design scheme appears to comply with the specific solar access requirements outlined in clauses 6.3(2) and (3) of the LEP, it fails to meet the broader objectives and discretionary considerations that must be considered by the consent authority. The negative weight of this suboptimal outcome is further compounded by our client's concerns regarding overshadowing, as detailed earlier in this submission.

5 Setback to Northern Site Boundary / Doris Fitton Park

The proposed design scheme does not propose a reasonable built form setback to the northern site boundary. The northern and western aspects of the proposed tower form contribute the most towards overshadowing that would be cast on surrounding development to the immediate east, including additional shadowing that is associated with the proposed height variation. The proposed massing strategy presents an elongated tower form that presents a long uninterrupted frontage to Little Walker Street, which should be further articulated and 'broken up'.

The proposed tower form should be recessed back from the northern site boundary to reduce the extent of overshadowing that is cast to surrounding development, including 153-157 Walker Street. Implementing a 'shadow gap', similar to the approved (discontinued) commercial office tower scheme at 153-157 Walker Street, should also be considered by the design team, but this alone is highly unlikely to supplement the need for substantial massing reductions at the northern interface.

Increasing the built form setback from the northern site boundary would have the added benefit of reducing the perceived scale of development when the scheme is viewed from Doris Fitton Park, which is essential to the public domain vision for North Sydney CBD under the PDS.

The perceived scale of development from Doris Fitton Park will be particularly pronounced at specific points along the frontage. Notably, the tower setback from Doris Fitton Park diminishes to a mere 1m towards the corner of Little Walker Street and Doris Fitton Park.

Doris Fitton Park is a pivotal element of the PDS, and this necessitates a design approach that is sensitive to the north-western corner of the site. Little Walker Street, which is envisioned to evolve into a pedestrian-friendly laneway, will serve as one of the primary access routes to Doris Fitton Park. With reference to the PDS and overshadowing, there are insufficient environmental planning grounds for the design scheme to propose the closest built interface to the park at this critical juncture.

This matter is relevant to clauses 6.3(5)(a) and (c) of the LEP, which outline discretionary considerations that the consent authority must take into account. Most importantly, reducing the scale of development that is presented to the interface with Doris Fitton Park would respond directly to the objectives in clauses 6.3(1)(b) and (d), which are quoted below for reference (**emphasis added**):

- (b) *Promote a height and massing that has **no adverse impact** on land in **Zone RE1 Public Recreation** [Note: including Doris Fitton park] in the North Sydney Centre or land identified as "Special Area" on the [North Sydney Centre Map](#) or on the land known as the Don Bank Museum at 6 Napier Street, North Sydney.*

- (d) *to promote scale and massing that provides for pedestrian comfort in relation to protection from the weather, solar access, **human scale** and **visual dominance**,*

The current alignment of the proposed tower form undermines the intended urban design objectives and compromises the pedestrian experience, necessitating a significant redesign to align with the intended effect of clause 6.3 of the LEP and community expectations.

6 Design Excellence

The Clause 4.6 Variation Request asserts that the proposed height variation is a contributory element in the purported achievement of design excellence, stating:

The proposed variation to the height of building control contributes to the achievement of the building's design excellence and further accentuates its verticality and architectural elegance.

Clause 6.19B of the LEP specifies the criteria that consent authorities must evaluate to determine whether a scheme demonstrates design excellence. However, this clause is inapplicable to 146 Arthur Street, as it is not included on the LEP Design Excellence Map. The current design scheme on public exhibition was not subject to a competitive design process, which the Applicant could have elected to undertake, akin to other high-rise developments in the North Sydney CBD, such as the approved tower at 107 Mount Street (DA/58/2022) and 'Affinity Place' at 110 Walker Street.

There is no mandate for the scheme to achieve design excellence, a fact corroborated by the EIS, where this matter is not addressed. Nonetheless, the term is introduced in the Clause 4.6 Variation Request as a justification to support the proposed height variation, with minimal elaboration.

The 'verticality' of the tower is cited in the Clause 4.6 Variation Request as a merit-based design consideration purportedly supporting the proposed height exceedance. In practical terms, the 'verticality' of the proposed tower is achieved through its slender profile, cantilevered roof, and vertical façade elements that accentuate its narrow presentation. However, these design features do not inherently justify the height variation sought, noting:

- a high-rise development is already anticipated under the standard to be varied;
- in any case, a height-compliant design could still incorporate these features, which are often appropriate to implement for high-rise proposals; and
- the Clause 4.6 Variation Request therefore attempts to substantiate the proposed height variation with a design rationale that does not establish any compelling environmental planning grounds for exceeding the height limit.

7 Skyline Analysis

The Architectus Analysis, prepared in support of this submission, includes a comprehensive Skyline Analysis (see Part 1). This analysis demonstrates that the proposed height of the design scheme for 146 Arthur Street is incongruous with the established North Sydney skyline.

The skyline analysis underscores the necessity for building heights to taper appropriately as they approach the Warringah Freeway, which marks the eastern boundary of the CBD. The proposed height of the tower form fails to adhere to this fundamental urban design principle, resulting in a discordant and visually jarring addition to the skyline. The following is noted in this regard:

- appropriate setbacks are imperative to ensure a seamless transition between podium and tower forms, thereby fostering a harmonious relationship with surrounding buildings. However, the current design's inadequate setbacks result in a bulky and overbearing appearance, which disrupts the balance and cohesion of the skyline;
- the proposed height variation does not consider these essential matters, and instead introduces an exaggerated vertical form that overwhelms adjacent structures and Doris Fitton Park. Rather than complementing the evolving North Sydney skyline, the proposal detracts from its visual harmony, appearing out of scale and inconsistent with the area's established urban character;
- development must balance height with appropriate proportions, setbacks, and tower separation, thereby fostering visual rhythm and ensuring that new projects integrate seamlessly into the broader urban context and contribute positively to the skyline. The design for 146 Arthur Street fails to achieve this critical balance, resulting in a discordant and visually disruptive addition to the North Sydney skyline;
- the difference in height between the approved development at 110 Walker Street ('Affinity Place') and the height of Freecity's preliminary design scheme for 153-157 Walker Street is less than the potential difference in height between Freecity's preliminary scheme and the proposed development at 146 Arthur Street;
- the proposed height variation for the scheme at 146 Arthur Street, amounting to 10.27% of the permitted building height, significantly exceeds the approved height variation for Affinity Place, which stands at 3.9%. It is pertinent to note that Council's Supplementary Assessment Report for DA/19/21 (Affinity Place), dated 18 May 2022, classified the height variation for Affinity Place as 'minor.' The substantial nature of the proposed height variation at 146 Arthur Street is incongruous with the extent of approved height variations for high-rise developments in the local area. In addition to Affinity Place, the approved development at 153-157 Walker Street (DA/393/2022) was granted a height variation equating to approximately 8% of the maximum permitted building height control; and
- we acknowledge that the numerical extent of any height variation, when considered in isolation, is not solely determinative of its appropriateness. In this context, the numerical extent of the proposed height variation for the Proposed Development is referenced merely as a preliminary consideration to the substantive issues outlined above. Notwithstanding, the above-mentioned numerical discrepancies do, to some degree, further reinforce the excessive and unjustified nature of the proposed height variation for 146 Arthur Street, which disrupts the visual and structural coherence of the local skyline.

8 Affordable Housing

The Clause 4.6 Variation Request submitted in support of the proposed height variation includes the following assertion:

If the subject development sought to include an affordable housing component under Part 2, Division 1 of the State Environmental Planning Policy (Housing) 2021, pursuant to Clause 18(2), the proposal could attain a permissible additional height bonus of 30%. This equates to an additional 56.4 metres. By comparison, the proposed development seeks a 19.3-metre encroachment beyond the maximum height standard, which is below the permissible bonus control.

While this statement is factually accurate, it is entirely irrelevant to the matter at hand and does not constitute a valid environmental planning consideration for the SSDA. The bonus provisions for infill affordable housing under the Housing SEPP are unequivocally inapplicable to the Proposed Development. Any reference to these provisions in relation to the proposed height variation is both inappropriate and misleading.

In summary, the invocation of the Housing SEPP's bonus provisions for affordable housing in the Clause 4.6 Variation Request is not only irrelevant but also a diversion from the core planning matters, which revolve around view loss, impacts to solar amenity, wind tunneling, and the negative association that these issues have with unwarranted built form non-compliances. The proposed height variation lacks sufficient justification and fails to meet the requisite planning standards. There are insufficient grounds for the variation under clause 4.6 for the reasons outlined throughout this submission.

9 Wind Tunnelling

The Proposed Development creates considerable potential for an undesirable wind tunnelling effect. It is notable that the SSDA's Pedestrian Wind Study does not compare the Proposed Development against an alternative design that is setback from Little Walker Street in a manner that is consistent with the desired future character of the local area, as framed by the PDS and DCP. This study also fails to mention that, despite concluding that the Proposed Development will create wind conditions that are "*suitable for active pedestrian use along the various pedestrian footpaths*", the Proposed Development includes only a nominal 2m footpath along its western boundary, leaving the majority of pedestrian activation to be undertaken on the opposite side of Little Walker Street.

A narrow, inactive frontage should be avoided at all costs, irrespective of the application of the DCP. Little Walker Street is an existing narrow lane.

Further detail regarding the impacts of the Proposed Development on the public domain is set out in Part 4 of the Architectus Analysis.

10 Privacy

The Proposed Development's western façade is unarticulated. It contains no angulation and proposes to rely on vertical aluminium fins that direct, rather than divert, views towards 153-157 Walker Street. This is inappropriate if 153-157 Walker Street was to be developed as a purely commercial scheme and it is unacceptably inappropriate where it is to be predominantly residential, as outlined in our client's Request for SEARs.

11 Summary of Freecity's Requested Amendments to the Proposed Development

For the reasons outlined throughout this submission, Freecity is strongly opposed to the proposal in its present form and urges DPHI not to support the scheme.

We trust that the Applicant and DPHI will fully consider and respond appropriately to the concerns raised in this submission, noting:

- Freecity has an interest in progressing a BTR housing and hotel development scheme for the adjacent site at 153-157 Walker Street, North Sydney;
- there is a need for a design outcome that is consistent with the desired future character of the North Sydney CBD, which is well-established throughout the local planning framework; and
- there are insufficient environmental planning grounds for the proposed massing strategy, which is overly ambitious and does not deliver an outcome that is in the public interest.

It is our client's firm position that the following design amendments should be implemented in light of the matters raised throughout this submission:

- a 4m above-podium average weighted tower setback must be adopted along Little Walker Street;
- a 6m setback to Doris Fitton Park must be adopted. At minimum, this must be implemented in relation to the north-western aspect of the proposed tower form; and
- in the absence of sufficient environmental planning grounds to support the proposed height variation, the height of the proposal should be reduced to satisfy clause 4.3 of the LEP.

The above-listed interventions would achieve a material improvement in the quality of the proposed design scheme. These essential changes relate to terminal matters that cannot simply be addressed by an elaborate written argument in the Response to Submissions Report or an updated Clause 4.6 Variation Request.

Freecity and its project team would be happy to meet with DPHI to discuss our concerns with the Proposed Development further.

Yours faithfully

Corrs Chambers Westgarth



Louise Camenzuli

Partner

12 December 2024

NSW Department of Planning, Housing and Infrastructure

**SSD-61000021 – Objection – 146 Arthur St, North Sydney -
Build-to-Rent**

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attachments

515

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09/12/2024

Planning Package – 146 Arthur Street Objection

Contents

1. View Study

- Level 40, View 1
- Level 40, View 2

2. Solar Analysis

3. Privacy and Separation Analysis

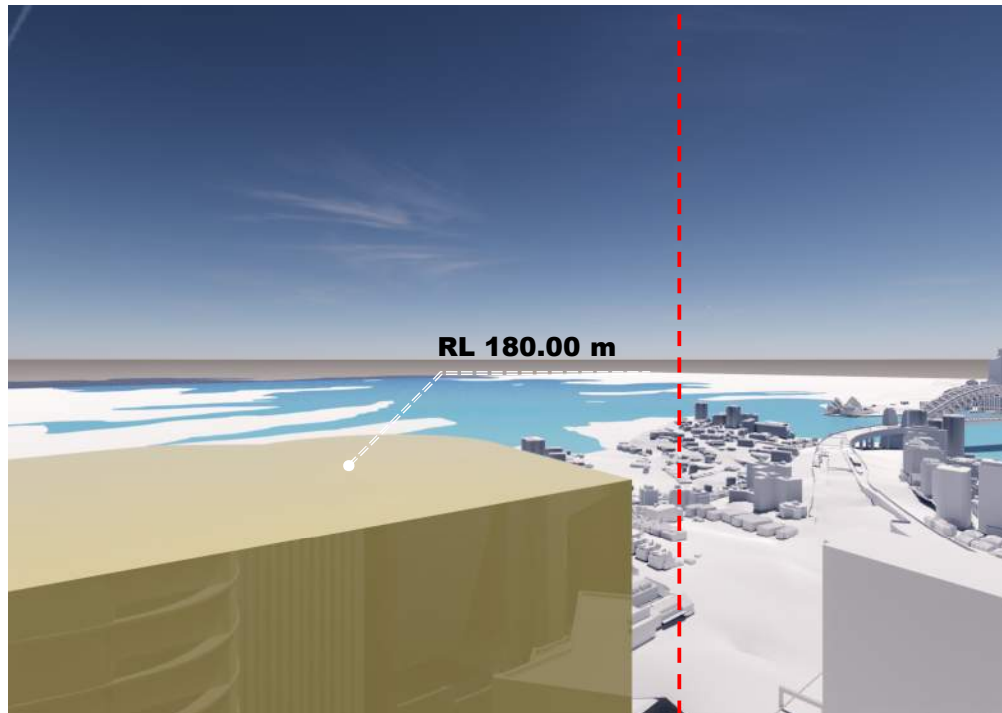
4. Public Domain Analysis

5. North Sydney Skyline Analysis

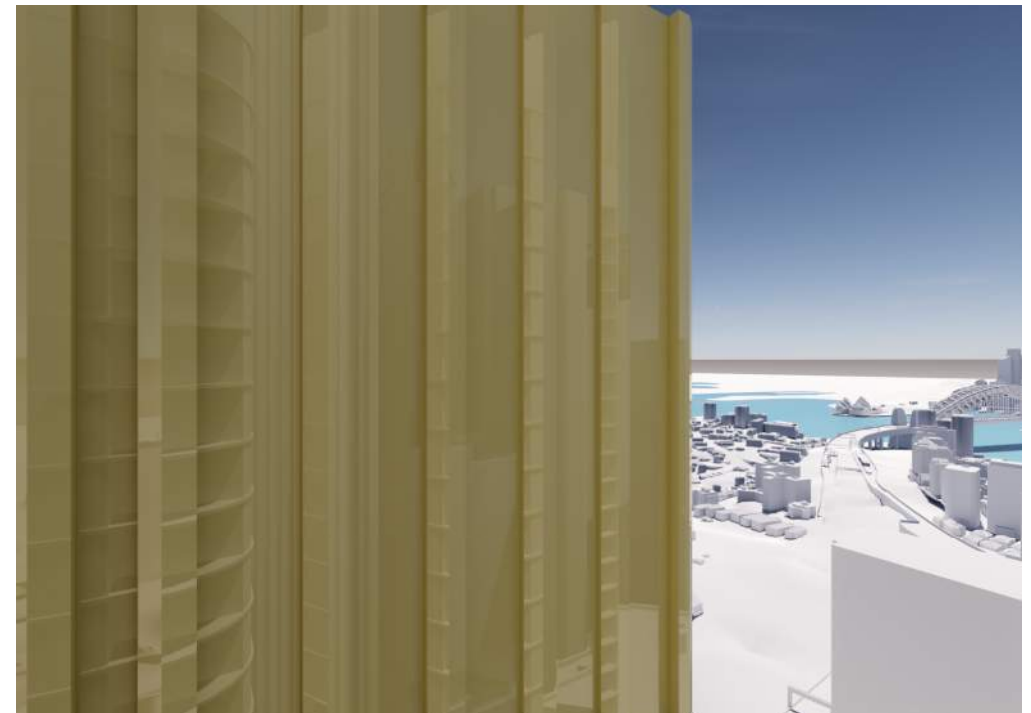
1. View Study

View 1 Comparison Views – Compliant 146 Arthur Street Vs Proposed 146 Arthur Street



Level 40 RL 194.4 m

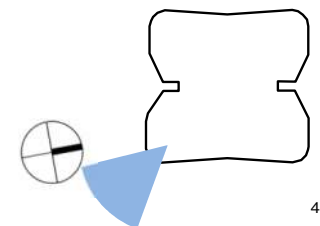


View looking to Harbor Bridge and Opera House – 146 Arthur Street - Compliant LEP / DCP Envelope



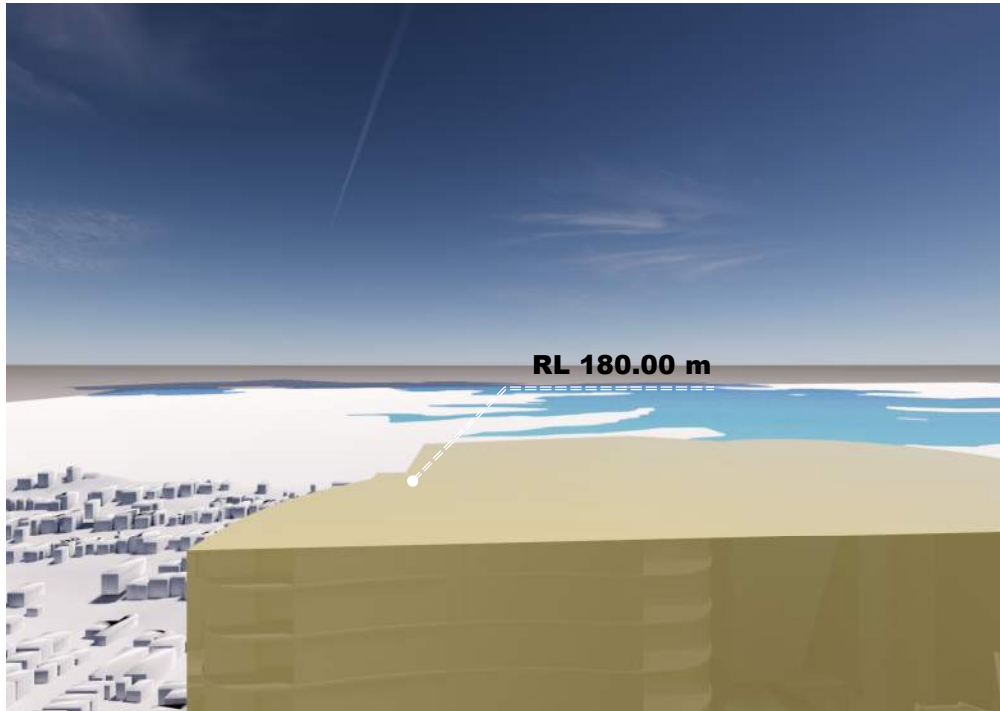
View looking to Harbor Bridge and Opera House – 146 Arthur Street – Proposed Design

-  146 Arthur Street Massings
-  Extent of view blockage of Proposed Design



View 2 Comparison Views – Compliant 146 Arthur Street Vs Proposed 146 Arthur Street



Level 40 RL 194.4 m

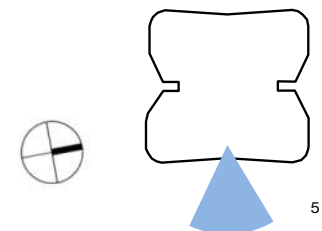


View looking to East – 146 Arthur Street - Compliant LEP / DCP Envelope



View looking to East– 146 Arthur Street – Proposed Design

-  146 Arthur Street Massings
-  Extent of view blockage of Proposed Design



2. Solar Analysis

Solar Access Analysis

Note: ADG requires at least 70% of apartments in a building receive a minimum of 2 hours direct sunlight between 9 am and 3 pm at mid winter.

Solar Access Study

The accompanying visuals illustrate a detailed Solar Access Study undertaken for the massing of 155 Walker Street. This analysis evaluates the duration of direct sunlight received by the building, considering two distinct scenarios:

1.Base Case Scenario: This scenario assumes a compliant envelope for 146 Arthur Street.

1.Proposed Scenario: This considers the proposed massing for 146 Arthur Street.

The study reveals that the proposed massing for 146 Arthur Street results in an increased extent of overshadowing on 155 Walker Street.

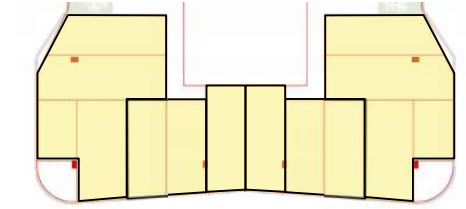
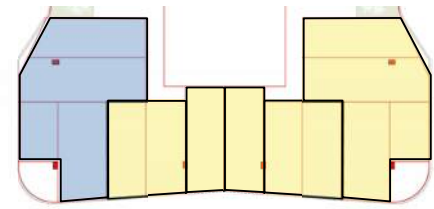
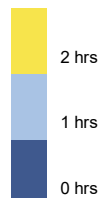
This additional overshadowing reduces the direct sunlight hours received by the building, potentially impacting the amenity, natural light access, and overall livability of its spaces.



Eastern Elevation of 155 Walker Street Solar Access Results with 146 Proposed Design



Eastern Elevation of 155 Walker Street Solar Access Results with 146 Compliant LEP / DCP Envelope



Sun Eye View Study – 146 Arthur Street Proposed Design

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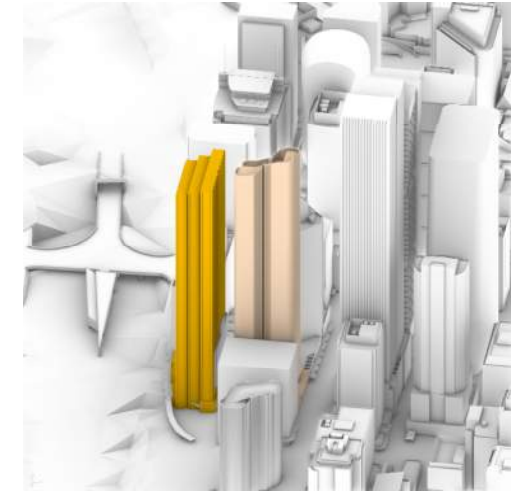
9 AM – Proposed Design



10 AM – Proposed Design



11 AM – Proposed Design



12 PM – Proposed Design



9 AM – Compliant Envelope



10 AM – Compliant Envelope



11 AM – Compliant Envelope



12 PM – Compliant Envelope

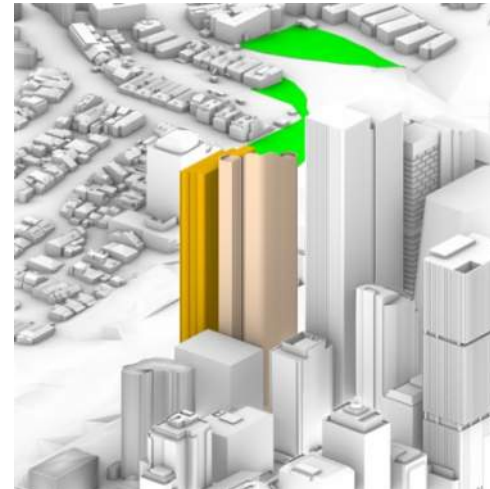
- 146 Arthur Street Envelope
- RE1 Zone
- 146 Arthur Street Proposed Design
- 155 Walker Street Proposed Design

Sun Eye View Study – 146 Arthur Street Proposed Design

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1 PM – Proposed Design



2 PM – Proposed Design



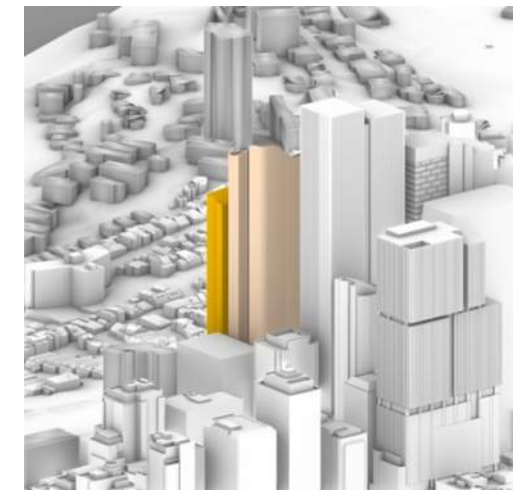
3 PM – Proposed Design



1 PM – Compliant Envelope



2 PM – Compliant Envelope



3 PM – Compliant Envelope

- 146 Arthur Street Envelope
- RE1 Zone
- 146 Arthur Street Proposed Design
- 155 Walker Street Proposed Design

3. Privacy and Separation Analysis

Separation and Privacy Diagrams

Separation and Privacy

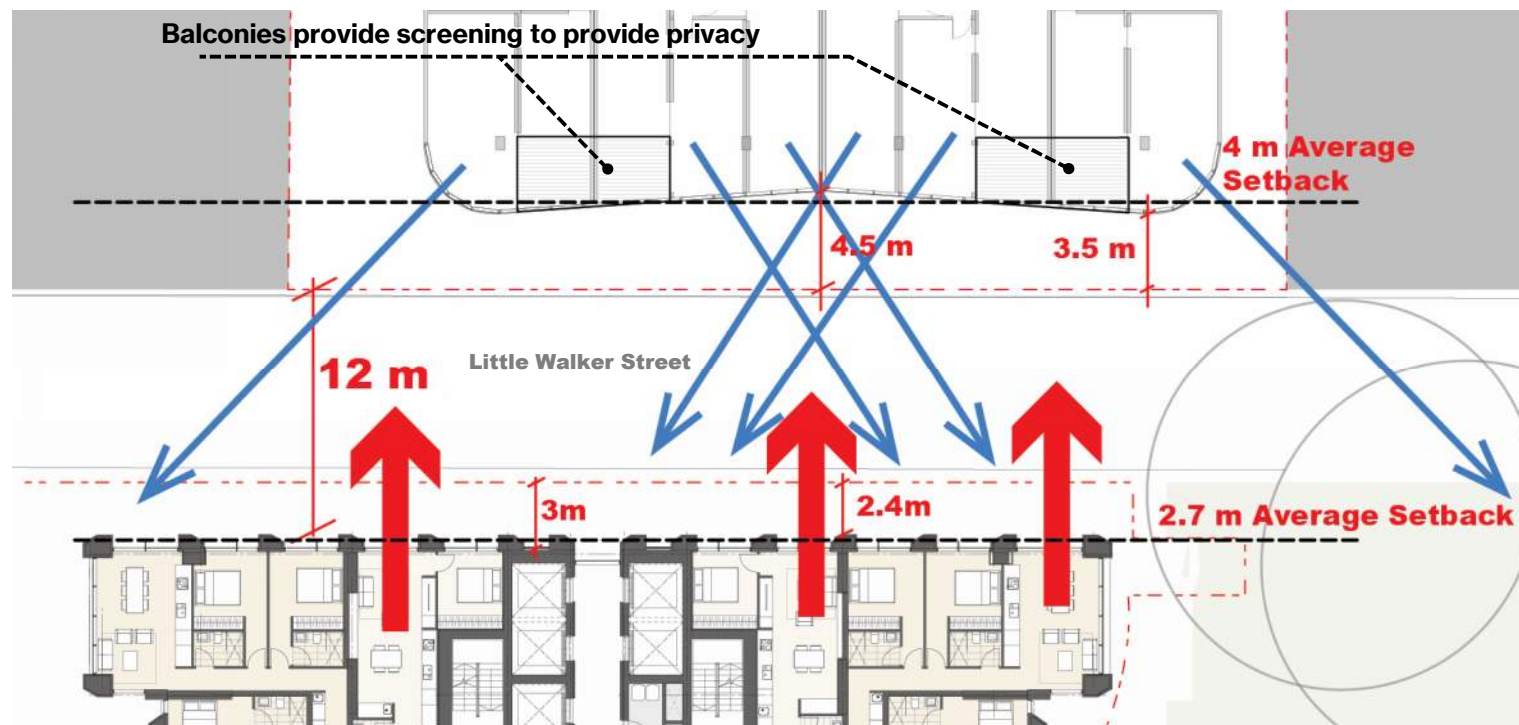
The diagram to the right Analysis privacy and separation aspects of the proposed 146 Arthur Street scheme against 155 Walker Street based on 3 fundamental criteria: Direct Views, Balconies and Average Weighted Setbacks.

Proposed 146 Arthur Street

- Direct Views from living room to 155 Walker Street;
- No balconies to increase separation from bedrooms;
- Insufficient Average Weighted Setback to Little Walker Street (2.7m AWS)

Proposed 1155 Walker Street

- Oblique views from living rooms to create additional separation and privacy to 146 Arthur Street;
- All Apartments comprise of balconies to provide adequate separation and privacy from bedrooms to neighbouring property;
- Sufficient Average Weighted Setback to Little Walker Street (3.5m AWS)



Context including Proposed 146 Arthur Street

4. Public Domain Analysis

Little Walker Street Public Domain Analysis

146 Arthur Street: Insufficient Frontage and Public Domain Impact on Little Walker Street.

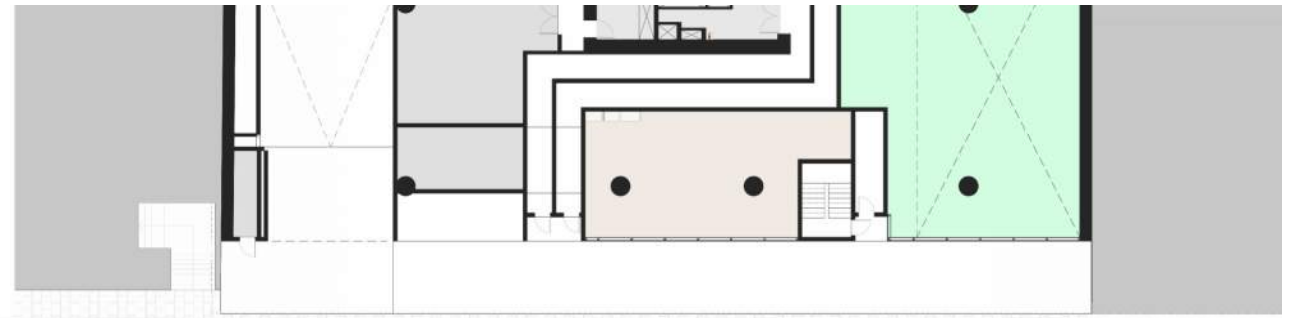
The proposed scheme for 146 Arthur Street provides inadequate frontage to Little Walker Street, conflicting with the principles set out in the North Sydney CBD Public Domain Strategy Plan.

The strategy emphasizes the need for cohesive, high-quality public domains that enhance the pedestrian experience and urban character, goals which are undermined by the minimal interface proposed in this development.

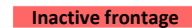
Additionally, the inclusion of a porte-cochère facing Little Walker Street disrupts the intended function of this public domain.


All servicing and vehicular access for developments along Arthur Street should be oriented toward Arthur Street itself, a major thoroughfare designed to handle such activities.

By directing vehicular traffic and servicing onto Little Walker Street, the proposal interrupts the pedestrian flow, diminishes the street's amenity, and conflicts with its intended role as a quieter, pedestrian-focused space within the urban fabric.



 Vehicular Service

 Inactive frontage

 Active frontage

The Importance of an Appropriate Average Weighted Setback to Little Walker Street.

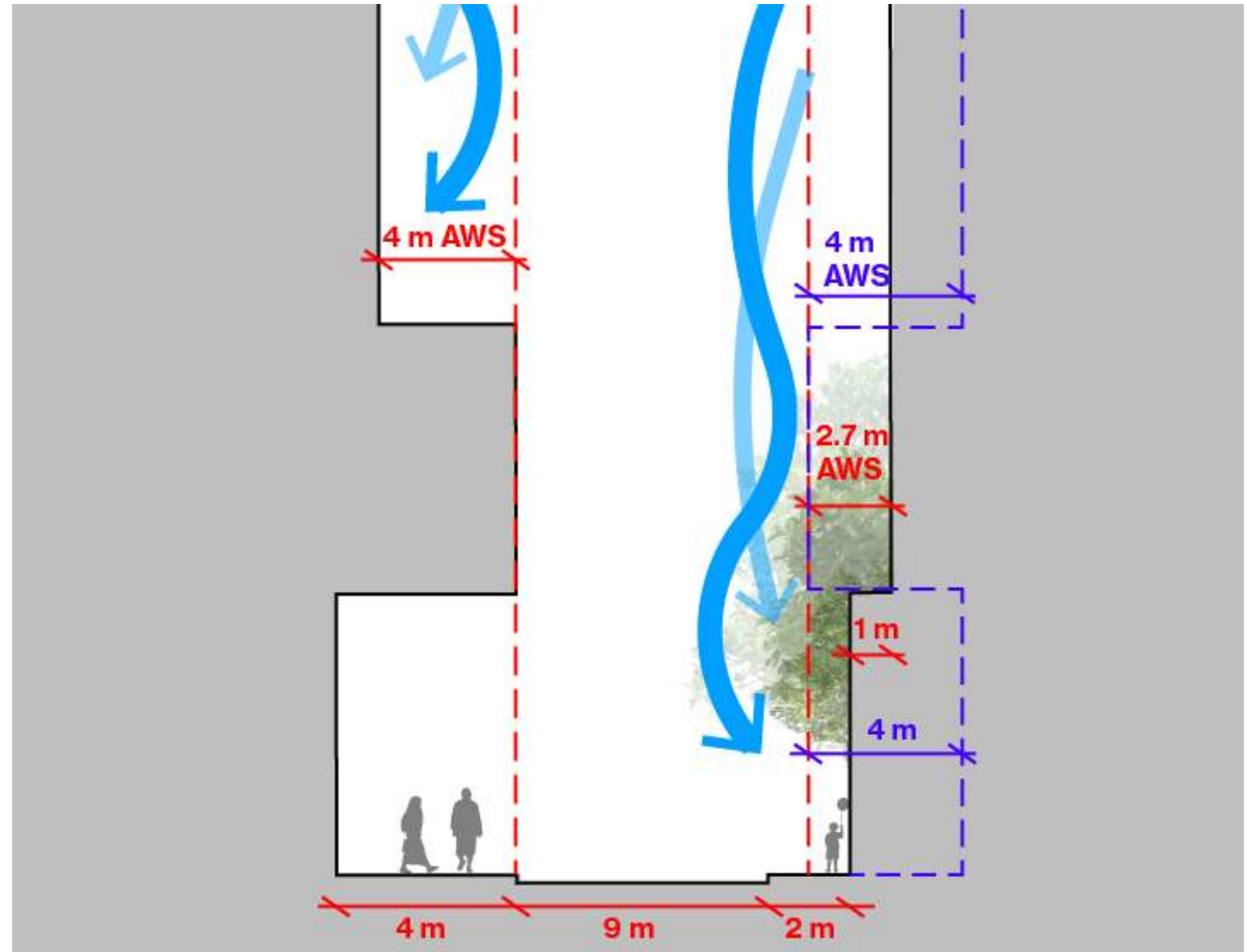
The proposed podium form, insufficient average weighted setbacks, and inadequate tower separation of 146 Arthur Street fail to achieve a high-quality urban design outcome, particularly concerning the amenity and pedestrian comfort of Little Walker Street.

A well-designed podium and appropriate setbacks are essential to establish a sense of scale and transition between the street and the built form, ensuring the public realm remains inviting and accessible.

The insufficient setbacks and limited tower separation create a sense of overbearing bulk along Little Walker Street, reducing opportunities for sunlight, openness, and visual relief.

Additionally, these deficiencies compromise wind mitigation, exposing pedestrians to accelerated wind flows often caused by unbuffered podium and tower designs.

This undermines pedestrian comfort and safety, key elements of a functional urban space. A more considered approach to setbacks and tower design is critical to improving the public domain and ensuring Little Walker Street supports a vibrant, livable urban environment.



4. North Sydney Skyline Analysis

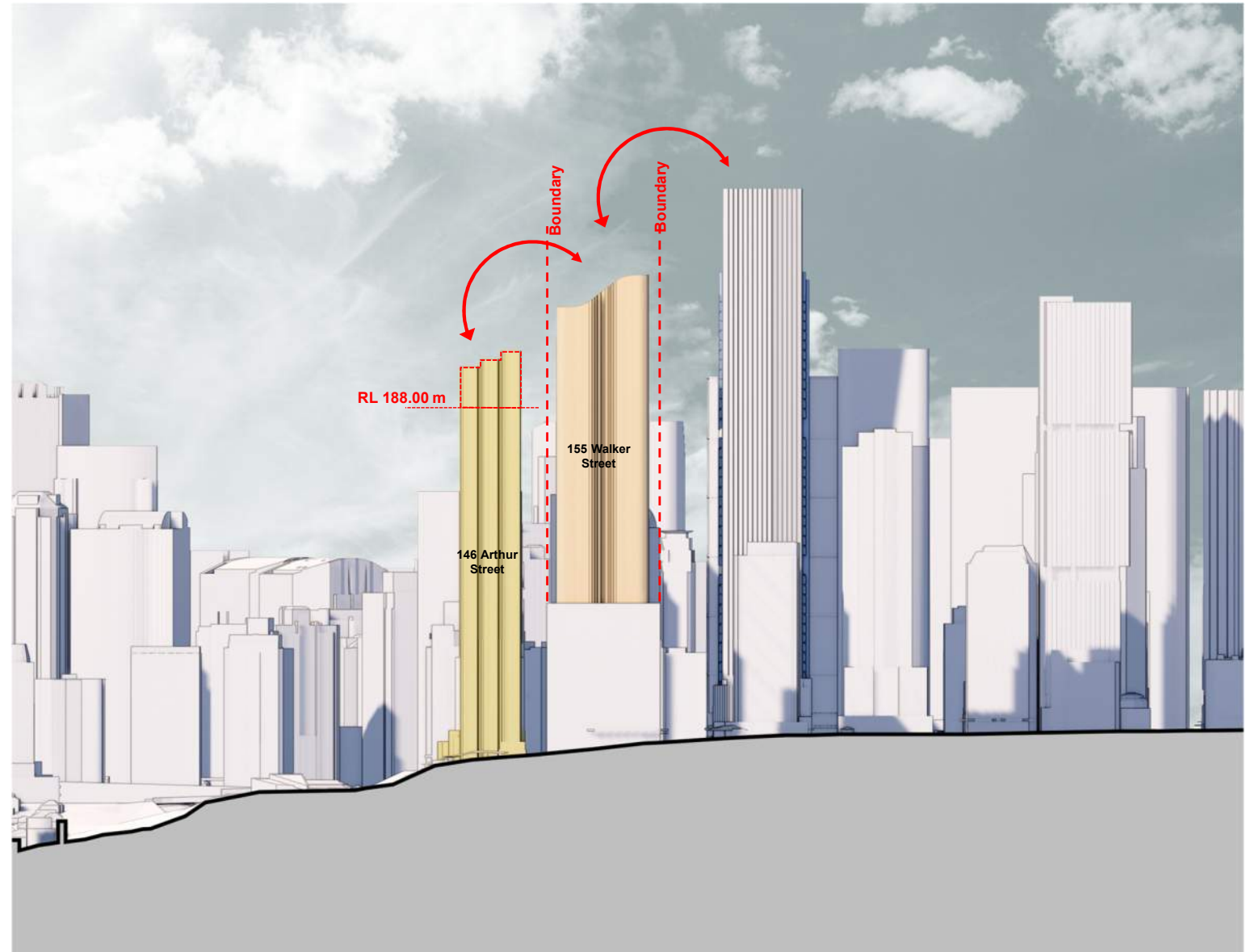
North Sydney Skyline

The proposed design of 146 Arthur Street, with its insufficient setbacks and additional height, fails to provide a positive contribution to the North Sydney skyline.

Appropriate setbacks are essential to ensure the transition between podium and tower forms, creating a harmonious relationship with surrounding buildings. However, the current design's limited setbacks result in a bulky and overbearing appearance, which disrupts the balance and cohesion of the skyline.

The additional height further exacerbates these issues by introducing an exaggerated vertical dominance that overwhelms adjacent structures. Instead of complementing the evolving North Sydney skyline, the proposal detracts from its visual harmony, appearing out of scale and inconsistent with the area's urban character.

To contribute positively to the skyline, developments must balance height with appropriate proportions, setbacks, and tower separation, fostering visual rhythm and ensuring that new projects integrate seamlessly into the broader urban context. 146 Arthur Street's design fails to achieve this balance.



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