

## North Sydney Local Environmental Plan 2001 Compliance Table

Control	Requirement	Comment	Compliance
Clause 6 – Definitions and Interpretation		The proposed development can be defined as a 'commercial premises' meaning <i>"a building or place used as an office or for other business or commercial purposes"</i>	
<b>Part 2 – General Provisions for the Development of Land</b>			
<p>Clause 10 Permissible Development</p> <p>Clause 14 Consistency of aims and Objectives</p>	<p>The site is zoned 'Commercial'.</p> <p>The objectives of the Commercial zone are:</p> <ul style="list-style-type: none"> <li>(a) To prevent the loss of commercial floor space to residential use, and</li> <li>(b) To encourage a diverse range of employment opportunities, and</li> <li>(c) To minimise adverse effects of development on residents and occupiers of existing and new development.</li> </ul> <p>Commercial and Retail land uses are listed as permissible within this zone.</p>	<p>Commercial premises are permitted with consent in the Commercial zone and the proposal is consistent with the zone objectives.</p> <p>The building will increase the amount of commercial floor space in the CBD, and will provide for flexible tenancy arrangements.</p> <p>As discussed in the EA report, the impacts arising from the proposal are considered to be acceptable given the style and location of development.</p>	complies
<b>Part 3, Division 4 – North Sydney Centre</b>			
Clause 28B – North Sydney Centre Objectives	<p>Provides a range of objectives for the North Sydney Centre. Those most relevant to a commercial premises are:</p> <ul style="list-style-type: none"> <li>(a) to maintain the status of the North Sydney Centre as a major commercial centre within Australia,</li> <li>(f) to allow for 250,000 square metres (maximum) non-</li> </ul>	<p>The proposal meets these objectives.</p> <p>Additional commercial floorspace within the CBD will promote the status of North Sydney as a major commercial centre within Australia.</p> <p>The additional floor space will not push the</p>	complies

	<p>residential gross floor area in addition to the estimated existing (as at the commencement of this Division) 700,000 square metres non-residential gross floor area,</p> <p>(g) to encourage the provision of high-grade commercial space with a floor plate, where appropriate, of at least 1000 square metres,</p> <p>(h) to achieve a variety of commercial space,</p> <p>(i) to encourage the refurbishment, recycling and rebuilding of older buildings,</p> <p>(j) to encourage a diverse range of employment, living, recreation and social opportunities,</p> <p>(q) to maintain areas of open space on private land and promote the preservation of existing setbacks and landscaped areas, and protect the amenity of these areas.</p>	<p>total commercial floorspace quantum over the maximum additional 250,000m<sup>2</sup></p> <p>The floorplates of the building range from 1,145 to 1,265m<sup>2</sup> in area.</p> <p>The floorplates vary in area between floors, providing flexible tenancy spaces.</p> <p>The proposal will not obstruct redevelopment of the neighbouring site at 80 Mount Street. The new commercial building will provide more efficient floor plates than those existing within the current buildings.</p> <p>Ground floor retail will support the employment and social opportunities within the North Sydney centre.</p> <p>Setbacks at the ground floor will increase the perception of width of the public domain, thereby enhancing this pedestrian area.</p>	
Clause 28D – Building heights and massing	<p>This clause provides for the following controls within North Sydney Centre:</p> <ul style="list-style-type: none"> <li>Maximum height RL 195 AHD, and</li> <li>There should not be a net increase in overshadowing of any land between 9am and 3pm, 21 June outside the LEP Composite Shadow Diagram.</li> <li>There should not be a net increase in overshadowing between 10am and 2pm, any time of the year of any land within the North Sydney Centre and is within the public open space zone or within a designed special area under the LEP.</li> <li>Site area is not less than 1,000sqm.</li> </ul>	<p>Max height of building form (being the plant) is RL 200.70. This is 5m above the height limit on the site. Refer discussion within <b>section 6.1.3 of the EA</b> report.</p> <p>For overshadowing, refer discussion at <b>section 6.1.3 of the EA</b> report</p> <p>For overshadowing, refer discussion at <b>section 6.1.3 of the EA</b> report</p> <p>The site area is 1750m<sup>2</sup></p>	Complies with the intent of these provisions. Refer <b>section 6.1.3 of the EA</b> report.

Part 4 – Heritage Provisions			
Clause 50 – Development in the Vicinity of a Heritage Item	Development should not adversely affect the significance of a heritage item in the vicinity.	One neighbouring building at 86 Walker Street (Firehouse Hotel) is a heritage building. Further, three additional nearby heritage buildings are located at 105-153 Miller Street (MLC), 51 Mount Street and 67-69 Mount Street. A heritage impact statement has been prepared for the proposal with respect to potential impacts on these heritage buildings.	Complies. Refer <b>section 6.2.2 of the EA</b> and the Heritage Report at <b>Appendix L</b>