

## DESIGN EXCELLENCE PANEL MEETING

- PROPERTY:** 100 Mount Street, North Sydney
- DATE:** 7 July 2009 @ 3.00 pm in the Supper Room
- ATTENDANCE:** Panel Members: David Chesterman; Phillip Graus; Peter Webber; Russell Olsson.  
Council staff: Geoff Mossemeneer (chair), Andy Nixey.  
Proponents: Paul Reidy (architect), Darren Tims (architect), Perry Milledge (developer), Robbie Delmege (developer), Paul Atree-Williams (planner).

A site inspection was carried out by the Panel and Council staff prior to the meeting.

This proposal is a Major Project under Part 3A of the Environmental Planning & Assessment Act 1979. The Minister for Planning is the consent authority. The application is with the Department of Planning but is not yet on exhibition.

### **The Proposal:**

The proposal involves the following:

- demolition of existing buildings at 90 and 100 Mount Street and construction of a high rise office tower with vehicle access and loading facilities from Spring Street,

The project architect Paul Reidy provided a presentation of the proposal and was available for questions and discussion with the Panel.

### **Panel Comments:**

The Panel felt that the height of the tower was less important in urban design terms than the achievement of a high quality improved public domain and interface of the development with the public domain. The Panel understands that the proposed tower does not overshadow any residential properties and that it sits within the envelope calculated not to overshadow the nominated Greenwood Plaza area between noon and 2pm as required.

The Panel considered the height to be appropriate in its context within the centre of the CBD. The Panel raised no concern with the proposed finishes and materials.

The Panel had concern about potential wind impacts caused by the building on street level and was advised that a wind impact study had been carried out and had recommended a number of design features to minimise impacts.

The Panel raised concern about proposed signage on top of the building but was advised that the drawings merely showed the intended location of future signage and that any signs required further development consent with regard to the scale and content of the signs.

The Panel noted that Council's Public Domain Strategy identified a need to remove the angled parking in Mount Street to improve traffic congestion and pedestrian amenity. This would allow for a widening of the footpath in Mount Street.

The Panel considered the proposed ground floor setback in Mount Street to have limited value as it was to the south of the building. The proposed terracing of the setback area would create a barrier between the existing pavement level and the proposed retail uses. This would create a less accessible and therefore less viable retail edge than currently exists and would reduce the quality of the public domain. It was not supported and it was strongly felt that the paved setback should be consistent with the levels of the footpath along Mount Street. The benefit of a wide pedestrian space should not be lost by subdividing it up into terraces that are not really public areas.

There is at present a pedestrian link across the site that lines up with Little Spring Street. The Panel were strongly of the view that this link should be retained, but in a clearer form. The ground levels at Spring Street at the south end of Little Spring Street are similar to the ground level in Mount Street and security would not be an issue as the link would be straight and short and highly visible from Little Spring Street and Mount Street. Preferably the link would be in the form of an arcade fronted by retail at least on one side and not a narrow passage. The Panel noted that that substantial development is feasible in the future on either side of Little Spring Street and that indeed there is a very large development application currently being processed. The link is also considered necessary because the safety of pedestrian access along Spring Street (which has narrow footpaths) from Walker Street would be compromised by the additional traffic that would be generated by the proposed development, and its access to the site. The Panel would also support a widening of the northern footpath in Spring Street adjacent to the Fire Station hotel with a reduced kerb line adjacent to the subject site to further improve pedestrian safety. The Panel considers that loss of the existing through site link would reduce the amenity and convenience of the public domain.

The Panel was advised that the Character Statement for the CBD under Council's Development Control Plan recommends a weighted average setback of the tower of 5m from Walker and Mount Street and 4m from Spring Street.

The Panel accepts the proposed (non complying) setbacks of the tower from Spring Street and Mount Street, but is strongly of the view that the proposed projection forward of the tower at level 22 on the Walker Street facade should not be permitted.

The Panel is not convinced that the building is consistent with the established setbacks of the buildings in Walker Street to the north and south of the site. A site analysis needs to be provided demonstrating the existing setbacks of buildings in Walker Street to determine the average setbacks. Accurate dimensions are not shown on the plans showing the exact setback of the tower from Walker Street. It is felt that, if permitted, the upper portion of the Walker Street façade would set a precedent and that the cumulative effect would be to close the apparent width of Walker Street.

The Panel also has considerable concern with the setback treatment of the building between levels 8 and 12. The recess above the two levels fronting Walker Street with the very assertive exposed structural frame is inappropriate in this context. This is not justified and is grossly out of scale with the building's setting.

As indicated above the Panel supports the proposed setbacks in Mount Street and Spring Street on the basis of existing setbacks of the MLC building and 80 Mount Street. The Panel does not support the proposed tower projection on the Walker Street elevation above level 22 and considers the building to be overbearing to the immediate locality. The Panel does not accept that the building setbacks should be treated differently because the site is on a corner and deserves to be more prominent. The Panel felt that an undesirable precedent would be set for future development in Walker Street. The Panel noted that with an increased setback of the upper levels from Walker Street, the developers could still achieve floor plates in excess of 1000m<sup>2</sup>. It was noted that the building as proposed would have an FSR in excess of 20:1.

### **Conclusion:**

In summary, the Panel does not support the proposal until the matters noted above concerning a through site link; the levels of the ground level setback in Mount Street; the treatment of the building in the Walker Street elevation between levels 8 and 12 and the breach of the required building setback from level 22 up are addressed by the applicant.

*Meeting concluded at 4.30 pm*

# minutes

**For:** 100 Mount Street North Sydney – proposed commercial development  
**Held at:** North Sydney Council  
**On:** 18 June 2009  
**Attendees:**

Andy Nixey - Council	Mark Maryska – Laing O’Rourke
Stephen Beatie - Council	Robbie Delmege - Delmege
Geoff Mossemenear - Council	Paul Reidy – Rice Daubney
Brad Stafford – Council	Sergio Azevedo – Rice Daubney
Greg Cooper - Council	Paul Atree-Williams – Urbis
Perry Milledge – Laing O’Rourke	Jacqui Connor - Urbis

Item	Action	Responsibility
1. Introduction – PAW set the context of meeting being the second pre-DA meeting prior to exhibition of the proposal. No date for commencement of exhibition has been set.	Note	All
2. The site and design development – PR presentation.	Note	All
3. Discussion of the issues:	Note	All
a. Site amalgamation – MM and PAW outlined the existing feasibility of developing the adjacent site and suggested that a staged approach needs to be taken. Our investigation has found that 80 Mount is subject to long leases out to 2015 and options extending beyond this which makes staged approach necessary. Vendors asking \$30m, conversations had been entered into over the years but at \$30m its highest and best use as is, not feasible for developer to purchase. PR noted that variety of development options for 80 Mount to ensure site has potential for upgrade and that importantly the ground level can be improved/activated to address the surrounding public domain.		
b. Public domain, setbacks and podium – PR recapped on the philosophy behind the chosen podium form and benefits including enhancing the public realm and improving relationship with adjacent heritage building. PR demonstrated that proposed servicing off Spring Street is being improved. Appropriate	Note	All

Item	Action	Responsibility
<p>relationship with space to north can be achieved through good finishes and foyer which visually engages the street.</p> <p>PAW noted that proposal includes reconstruction of footpath directly adjacent to site and s94 contribution provided to enable Council to undertake further improvements to Mount Street in accordance with Council's Public Domain Strategy.</p> <p>GC noted this approach to footpath/public domain contribution as reasonable.</p>		
<p>c. Views – PAW suggested that view loss is reasonable where proposal generally complies with DLEP envelope. Noting that Beaumonde is expected to be the only source of objection in this regard.</p>	<p><b>Note</b></p>	<p>All</p>
<p>d. Car parking – MM and PAW stated preferred car parking rate to be 1/300 (guideline 1/400) as the additional car parking required to draw high level tenants back to North Sydney. MM noted that additional parking has been associated with certain flagship buildings in the City. 100 Mount Street considered the flagship of North Sydney. Noting also that rate would be comparable to other recent approvals in North Sydney. Justification in that instance (ARC) was more car parking for floor plate greater than 1000m<sup>2</sup>.</p> <p>GC requested that the proponent allocate say 15 basement spaces to Council for Council's management. Spaces would allow the removal of all existing parking (but for some loading spaces) from the northern side of Mount Street and improve public domain and traffic congestion on Mount Street in peak hours and lunch time. GC suggested the improved public domain will benefit the development and therefore justify the cost to the proponent, particularly where parking in addition to the guideline is being sought.</p> <p>PM outlined the physical restriction to providing an additional level of parking due to CBD Rail Link tunnel location.</p> <p>MM outlined the cost in transferring ownership (long term lease) of 15 spaces and the significant impact upon the feasibility of the development. Requested that a discount be given to s94 contribution to offset cost.</p> <p>GM and SB suggested it would be difficult to discount through s94 and volunteered to consider offers that Council might put to the proponent to offset cost. The possibility of</p>	<p><b>Note</b></p> <p>GC to consider offers to be put to proponent to offset car parking transfer cost.</p>	<p>All</p> <p>GC</p>

Item	Action	Responsibility
sharing of on-going revenue of the spaces was tabled.		
e. CBD rail link – PM and PAW outlined that engineering investigation and consultation with Railcorp being undertaken, noting that a report will be included with the exhibited EA. The report concludes that the proposal can practically occur.	<b>Note</b>	<b>All</b>
4. Program – PAW indicated that after minutes of this meeting is fed back to the Department, the Department will issue letter assessing adequacy of draft EA and date for exhibition can be set.  GM indicated that Council would like to put the proposal to the Design Review Panel and organise a Councillor briefing. The proponent is happy to participate in this process which is likely to occur in parallel with exhibition.	<b>Note</b>	<b>All</b>
5. Other business – no other business raised	<b>Note</b>	<b>All</b>

## **Delmege/Laing O'Rourke Joint Venture at 90 – 100 Mount Street North Sydney**

These notes arise from a briefing at Rice Daubney (architect's) offices on the 12<sup>th</sup> February 2009 with representatives of North Sydney Council.

Attendees

### **Proponents**

#### **Delmege/Laing O'Rourke Joint Venture**

- Robbie Delmege – Chief Executive Officer
- Perry Milledge – Senior Project Manager (Laing O'Rourke)
- Mark Maryska – Development Manager (Laing O'Rourke)

#### **Rice Daubney Design Team**

- Paul Reidy
- Darren Tims
- Sergio Ajevido
- Jon Voss

#### **Town Planner**

- Ross Fleming – Boston Blyth Fleming

#### **North Sydney Council**

Warwick Winn

Greg Cooper

Cathy Edwards-Davis

Joseph Hill

Geoff Mossemear

1. Paul Reidy, the principle architect outlined the site context, constraints and issues associated with the redevelopment of the site. These issues included:
  - Confined site dimensions
  - Three street frontages
  - Pedestrian areas along Mount and Walker Street frontages
  - Proximity of heritage listed 'Fire House' in Walker Street
  - Activate street frontages to maintain retail and hotel landuse and provide tower lobby
  - Effective loading and parking access from Spring Street
  - Provide a 5 greenstar energy efficient building

- Provide a commercially efficient 1200m<sup>2</sup> floor plate within the tower
2. Issues of strict compliance with the Council DCP were noted as:
- Ground floor setbacks were compliant but upper floor setbacks to both the mid height and upper floor towers project (in part) towards the street alignment
  - Absence of a formal podium with the building incorporating a void space above the lobby to the mid floor tower
  - Absence of setback to Spring Street reflecting its functional role as a service lane
  - The building maintained the alignment of the MLC building to Mount Street and the alignment of 80 Mount Street to both Mount and Spring Streets.
  - The overall height of the building to the plant rooms was RL 198 providing an FSR of 22.5:1 and floorspace of 32,000m<sup>2</sup>
3. Council comments were generally favourable. The building setbacks as proposed reflected the objectives of the Council DCP in providing an effective relationship between the street/public spaces and the building. In this instance these were dealt with by:
- An increased setback to Walker Street and the activation of the space in association with café seating
  - Increased site lines along Walker Street to the Fire Station heritage item
  - The increased setback to Mount Street in association with a reduction of angle parking providing for a significantly augmented street/pedestrian space.
  - The street areas were complimented by the void above lobby assisting a sense of open area and improved opportunity for light and ventilation into the Mount Street plaza space
  - The building provided for an elegant outcome with visual articulation between the ground floor public elements of the building and the mid and upper floor towers, utilising upper floor double height volume plant spaces in association with tower reception floors.
  - The relationship of the lower floor elements and the void provided for an improved vista down the slope of Mount Street from Miller Street towards Neutral Bay and was an effective precedent for future outcomes to Mount Street.
4. Issues.
- Shadow details for the project need to be completed and reviewed in terms of the objectives of the LEP and impacts to public spaces, although the initial indications are that the building is compliant
  - Loading arrangements from Spring Street are dependent upon a reversing movement into the dock area reflection the restricted site dimensions. Whilst

Council did not have a major objection to the proposal they foreshadowed possible RTA concerns

- Whilst Council does not object to the removal of public parking spaces from Mount Street they are in favour of those spaces being replaced. In that respect there was a general discussion going to opportunities to augment the basement beneath the adjacent roadway including possible future opportunities to link basements to adjacent sites. Management options for Council controlled operation of the car parks were discussed and it was agreed this opportunity was to be examined further.