



# Mount Street 100 North Sydney

Concept Plan - Environmental Assessment Report

Attached: Appendix A  
Architectural Plans and Area Schedule

July 2009



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# 100 Mount Street North Sydney

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APPENDICES

ATTACHED

- A. Architectural Plans and Area Schedule

IN SEPERATE FOLDER

- B. Construction Management Plan
- C. Architectural Design Statements
- D. Public Domain Report and Concept Plan
- E. Clause 6 Declaration
- F. Minister’s Letter allowing Lodgement of a Concept Plan
- G. Assessment Table Sydney Harbour Catchment REP
- H. North Sydney LEP Assessment Table
- I. Overshadowing Diagrams
- J. Draft LEP Amendment no. 28 Compliance Table
- K. North Sydney DCP 2002 Compliance Table
- L. Heritage Impact Statement
- M. Site Amalgamation Investigation
- N. Wind Impact Study
- O. Traffic Impact Assessment
- P. Noise Assessment
- Q. ESD Report
- R. Drainage and Flood Study
- S. Agency Letters
- T. North Sydney Council Meeting Minutes
- U. Department of Planning meeting Minutes
- V. Summary of meeting with 88 Walker Street Proponents
- W. CBD Rail Report
- X. Quantity Surveyor Statement
- Y. Access Report
- Z. Geotechnical Report
- AA. Waste Management Plan

# Executive Summary

This Environmental Assessment accompanies a detailed Concept Plan Application under Part 3A of the Environmental Planning and Assessment Act 1979 (EP&A Act). The proposal for a landmark commercial building on the corner of Mount and Walker Streets North Sydney, has been declared a Major Project identified as MP08\_241.

The proposal will result in a landmark building achieving 5 Star GreenStar rating in the heart of the North Sydney CBD. It will provide a substantial addition to the North Sydney commercial market. The proposal will assist the government in achieving employment targets for the North Sydney Centre, part of "Global Sydney", enabling a high quality commercial building in close proximity to an established transport node. The design will improve the existing built form interface with the public domain and result in an improved urban experience in the vicinity of the site.

The Minister's discretion is sought as part of this application to waive the requirement for further Environmental Assessment under clause 75P(1)(c) of the EP&A Act. The proposal includes sufficient detail to allow this determination.

The scope of the proposal includes:

- A 39 storey commercial building with ground floor retailing;
- 38,105m<sup>2</sup> GFA commercial floor space;
- 1,435m<sup>2</sup> GFA retail floor space; and
- 5 levels of basement incorporating 130 car parking spaces, bicycle and motor cycle parking and associated amenities

The proposal will inject significant investment into the North Sydney Centre and provide a high quality, 5 Star Green Star/AAA rated commercial space to cater for the current demands of businesses.

Efforts have been made to amalgamate with the neighbouring site at 80 Mount Street which have thus far proven unsuccessful. However, design options have been investigated demonstrating how the development potential of that site can be realised in the longer term, including improving the interface with the public domain at ground level.

Of the potential impacts likely to arise as a result of the proposed development, those relating to overshadowing, public domain treatment, view loss and building setbacks are of most significance.

In terms of public domain, although the approach taken in the design is not strictly within the realms of the Council's DCP controls, it is considered that the building design will improve the appearance and function of the public domain in this location. The building has been designed to relate well to the heritage building (the Firehouse Hotel) on the northern side of Spring Street.

In terms of setbacks to the tower, the proposal will allow for an internal floor plate of a sufficient size to cater for the current demands of tenants, thereby improving the attractiveness of North Sydney Centre to commercial tenants. Being a largely isolated site, the proposed setbacks ensure sufficient separation to any adjoining building and ensure an acceptable level of amenity in this regard.

In terms of amenity impact, overshadowing of Mount Street Plaza will reduce some solar access to this space, yet the proposal is consistent with the draft amendments to these overshadowing requirements (by way of Amendment 28 to North Sydney LEP) and importantly no overshadowing of the space at lunchtime will occur.

View loss is also considered reasonable where a development on the site, and on the sites adjacent, is within the proposed envelopes of the imminent draft LEP and would see the loss of the identified view.

The proposal will result in a range of public benefits including:


- The construction of a world class building of design excellence that will cater for the current demands of businesses;
- A significant improvement to the public domain along the heavily pedestrianised Mount and Walker Streets;
- The provision of increased jobs in the construction industry and associated flow-on effects in related industries;
- Significant investment in the North Sydney Centre; and
- The provision of retrospective funding for the upgrade of North Sydney railway station.

The subject Environmental Assessment demonstrates that the Concept Plan satisfactorily addresses the heads of consideration provided in the Director General's Requirements and the proposal will be subject to the commitments outlined in **Section 7** of this report. It is envisaged that no unreasonable or significant adverse environmental impacts will result from the proposed development, and it will greatly assist the Government in achieving Metropolitan Strategy objectives for Global Sydney.

This report has been written by Urbis, with input from a number of other expert consultants, on behalf of Surfside (Mount St) Pty Ltd and Laing O'Rourke Mount St Pty Ltd. The accuracy of the information contained herein is to the best of our knowledge not false or misleading. The comments have been based on information and facts that were correct at the time of writing the report.



Paul Atree-Williams  
Associate Director



Jacqueline Connor  
Senior Consultant



# 1 Introduction

## 1.1 Background

Application is made to the Minister for a Concept Plan in accordance with Part 3A of the Environmental Planning and Assessment (EP&A) Act, 1979. This Concept Plan application contains sufficient detail to enable the Minister to waive the requirement for further environmental assessment for the project, (in accordance with Clause 75P of the EP&A Act, 1979). In effect, the proposal can be approved without the need for a separate Project Application.

This Concept Plan application is supported by supporting documentation and plans.

## 1.2 Vision for the site

The design of the proposal is informed by the vision for the site, being to:

- Develop the site to its maximum to assist the Government in achieving employment targets and promoting development in locations in close proximity to transport nodes, and within Global Sydney;
- Improve the interface of the site with the surrounding public domain;
- Provide for future improvements to the public domain surrounding the site;
- Ensure a development of high quality that improves the urban experience, including activating the surrounding streets; and
- Provide high quality commercial floor space to attract high-tier tenants.

## 1.3 Project objectives

The objectives for this particular proposal involve:

- A landmark building in the centre of North Sydney;
- Provision of a high quality building design with iconic presence in the heart of the North Sydney CBD;
- Be the most substantial addition to the North Sydney commercial markets and urban environment in a number of years;
- Achieve a high level of sustainability, reaching 5 Star GreenStar; and
- Ensuring that the neighbouring site at 80 Mount Street can achieve its development potential into the future.





## 2 Proponent and consultant team

The proponent for this Concept Plan is Urbis on behalf of Delmege Commercial and Laing O'Rourke.

The consultant team assisting the proponent includes the following key experts:

- Laing O'Rourke – Development and Project Management
- Delmege Commercial - Development Management
- Rice Daubney – Architecture
- Urbis – Environmental Assessment, Statutory Planning, CPTED Assessment
- Hyder – Waste Management
- Noel Bell Ridley Smith – Heritage Conservation
- Hill PDA – Property Economics
- Colston Budd Hunt and Kafes –Traffic and Transport
- PKA - Acoustics
- Waterman – ESD and Climate Change Analysis
- PSN Matter – Shadow Analysis
- Jeffery + Katauskas – Geotechnical Engineering
- Philip Chun – Accessibility and BCA Assessment
- Windtech – Wind Engineering
- Parsons Brinckerhoff – Rail Engineering



COLSTON BUDD HUNT AND KAFES PTY LTD



## 3 Analysis of the site and surrounding area

### 3.1 Regional context

North Sydney, located north of Sydney Harbour, is one of the major commercial CBDs in Australia. It is listed as part of the Global City within Sydney's Metropolitan Strategy being:

*a main focus for national and international business, professional services, specialised health and education precincts, specialised shops and tourism. It is also a recreation and entertainment destination for the Sydney region and has national and international significance.*

The Draft Inner North Subregional Strategy targets the creation of an additional 60,000 new jobs within the subregion. North Sydney LGA is expected to accommodate 25% of these, being an additional 15,000 jobs to 2031.

Through the Subregional strategy, the NSW Government has reiterated the importance of maintaining the commercial core of the North Sydney CBD to support its economic role within Global Sydney. The subject development site provides a strategic opportunity to contribute towards the supply of additional non residential development within a major centre and within close proximity of a major transport node.

### 3.2 Local context

The site is located within the heart of the North Sydney CBD. Land uses surrounding the site are predominantly commercial office space in tall buildings, with ground and lower level retail shops and hotels. Buildings within the CBD step down from the centralised taller forms to the lower scale commercial and mixed use buildings on the fringe of the CBD. Residential development and open space is located on the fringe of the centre.

Streets within the vicinity of the site are characterised by high traffic volumes due to the proximity of on and off ramps from the Warringah Expressway. These streets include:

- Walker Street;
- Miller Street;
- Alfred Street; and
- Mount Street (east).

High frequency pedestrian traffic is also a characteristic of surrounding streets and pedestrian ways:

- Mount Street (the southern boundary of the site);
- Elizabeth Plaza (further to the west); and
- Walker Street (the eastern boundary of the site).

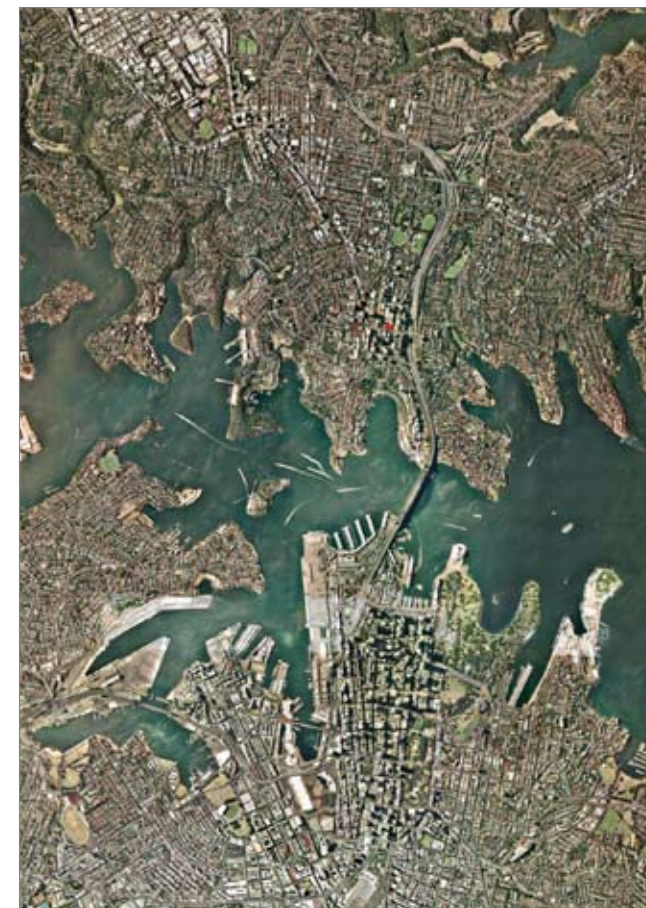
Streets and laneways surrounding the site have a strong pedestrian focus, including Mount Street, Denison Street and Elizabeth Plaza.

Buildings surrounding the site range in height from 2 storeys across Spring Street (the heritage listed Firehouse Hotel), to taller buildings at the following locations:

- Approximately 35 storeys on the south western corner of Walker and Mount Street;
- Approximately 40 storeys on the south eastern corner of Walker and Mount Street;
- Approximately 8 storeys on the north eastern corner of Walker and Mount Street;
- Other buildings fronting Walker Street north of Mount Street range in height to approximately 30 storeys; and
- Other buildings fronting Walker Street south of Mount Street range in height to approximately 20 storeys

A Part 3A application has been lodged for the site known as 88 Walker Street and 77-81 Berry Street, adjacent to the subject site to the north. That application proposes a 35-40 storey commercial building at the Berry Street site and a 28-30 storey hotel building at the Walker Street site. It is understood that the Environmental Assessment report has recently been lodged with the DoP, but is not yet available to the public.

80 Mount Street to the west of the site is currently on the market. Whilst attempts have been made to acquire the site and integrate it with the current proposal, it is not feasible to do so at this stage. Refer Section 6.3 for further discussion.



Locality Plan - Prepared by Rice Daubney



Context Plan - Prepared by Rice Daubney



### 3.3 The site

The subject site is located on the corner of Mount Street, Walker Street and Spring Street within North Sydney CBD. It has the following characteristics:

- Comprises two allotments, being 86-96 and 100 Mount Street (Lot 1 DP 702144 and Lot 100 DP 624581 respectively);
- A total site area of 1,750m<sup>2</sup>;
- A southern frontage to Mount Street, eastern frontage to Walker Street, northern frontage to Spring Street, and western frontage to 80 Mount Street (existing commercial building)

The site is currently developed as two separate commercial and retail buildings.

- 100 Mount Street is a mixed commercial and retail building comprising ground floor retail space fronting Mount and Walker Streets with five storeys of commercial floor space above. Access to the commercial space is gained from Mount Street.
- 86-96 Mount Street is also a mixed commercial and retail building.

#### 3.3.1 Photographs

The following photographs show the subject site.

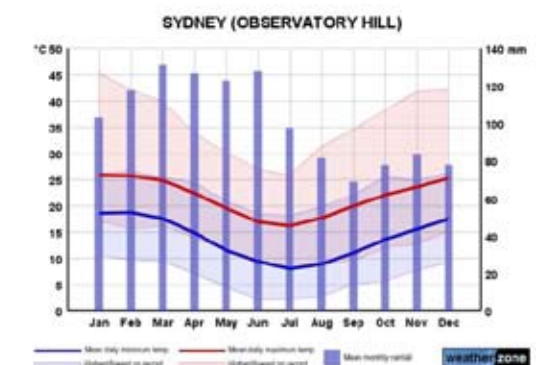
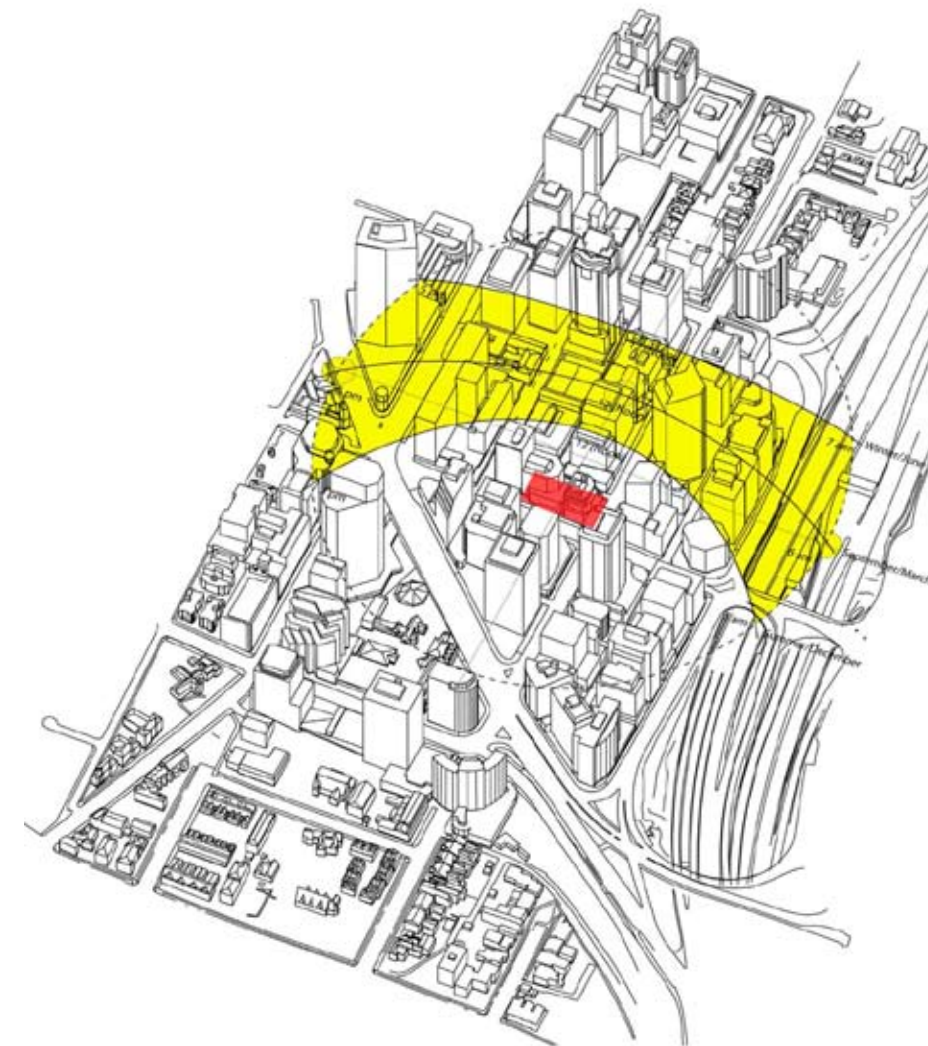


#### 3.3.2 Site analysis plan

Rice Daubney has prepared the following site analysis plan showing the site in its context.

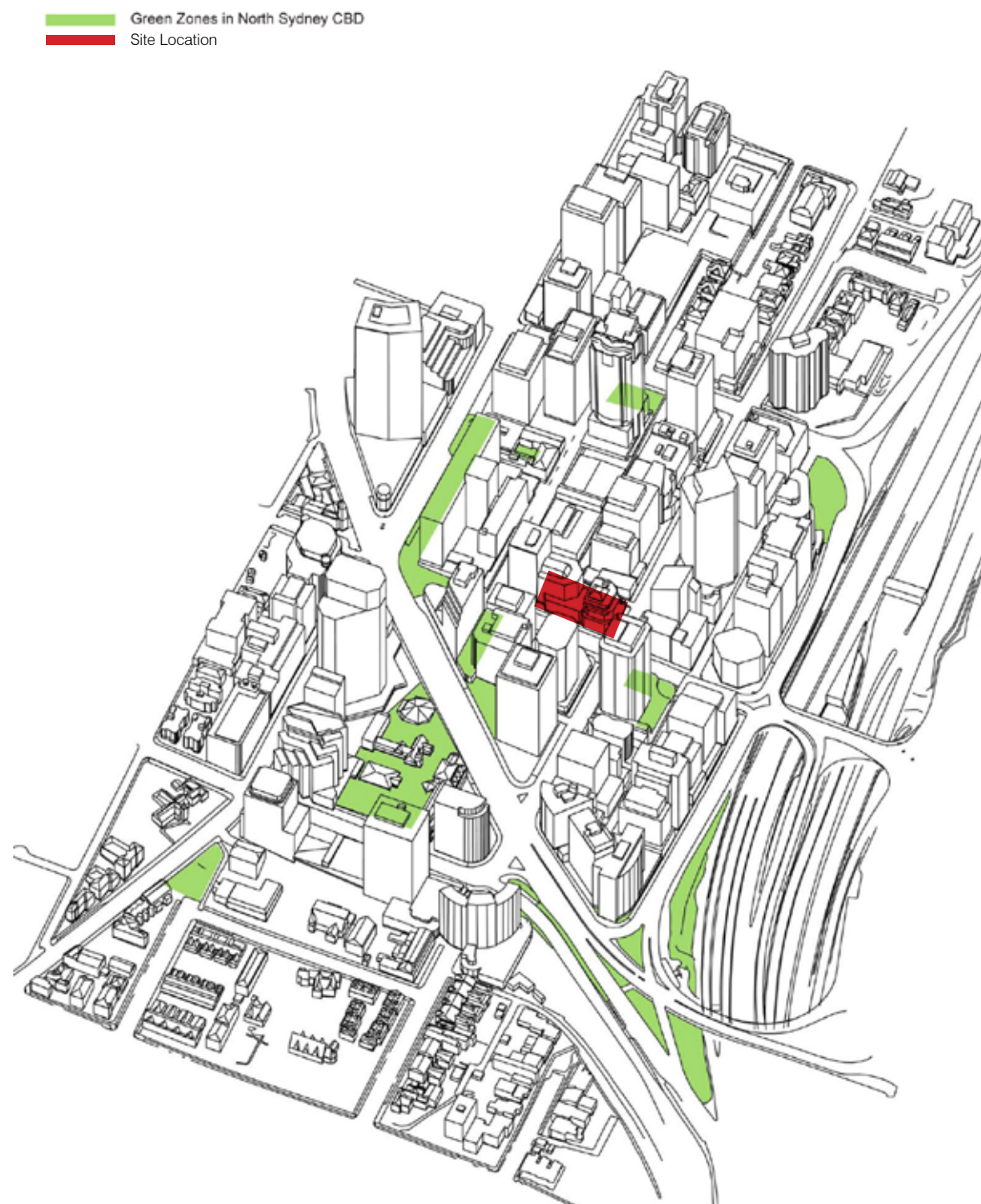
- Solar path and annual climatic conditions
- CBD Green Areas
- Commercial Concentration
- Site Specific Street Analysis
- Transport and Pedestrian Movement
- Figure Ground for Accessible Open Area

#### SOLAR PATH & ANNUAL CLIMATIC CONDITIONS

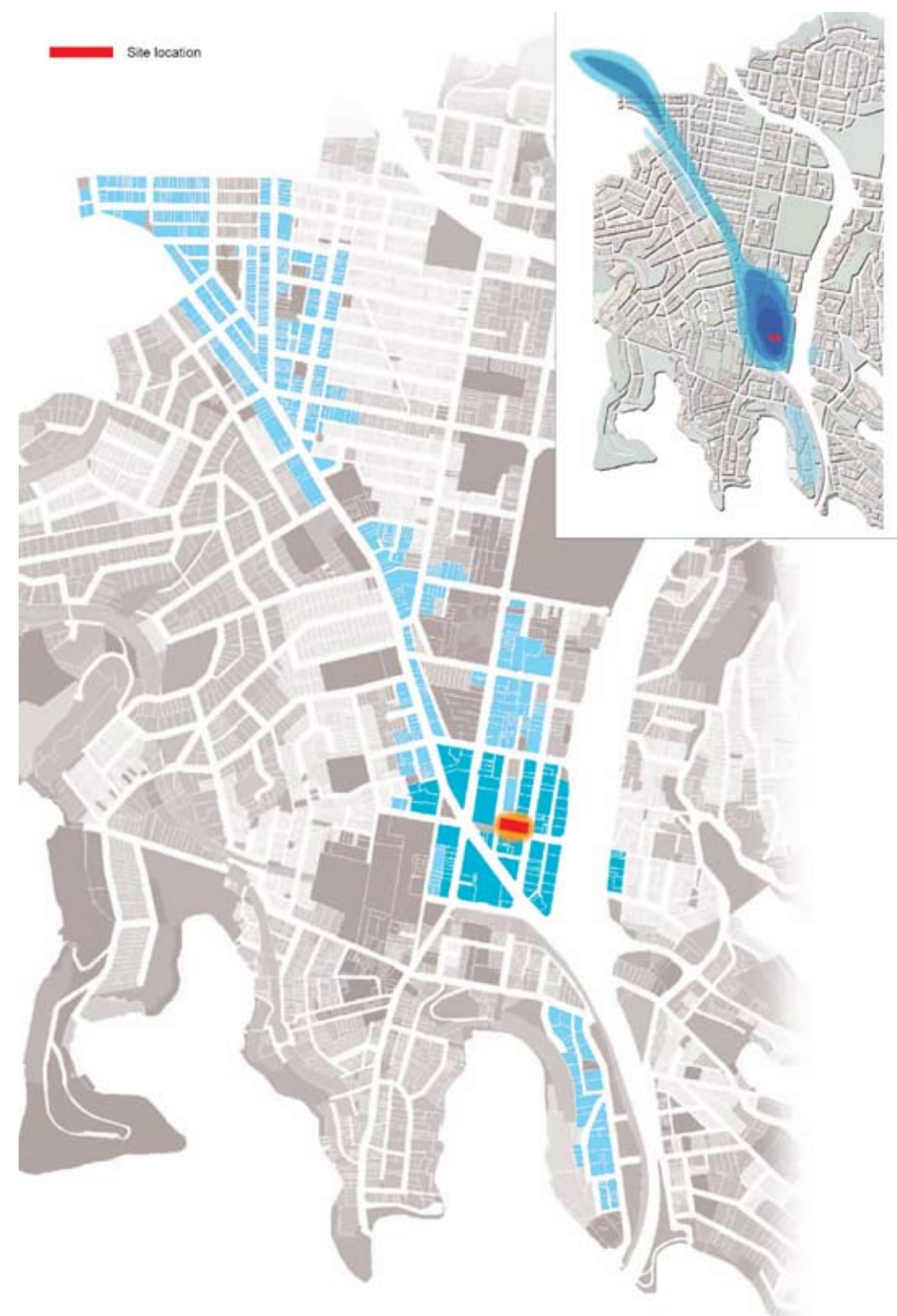


Solar path and annual climatic conditions - Prepared by Rice Daubney





CBD Green Areas - Prepared by Rice Daubney

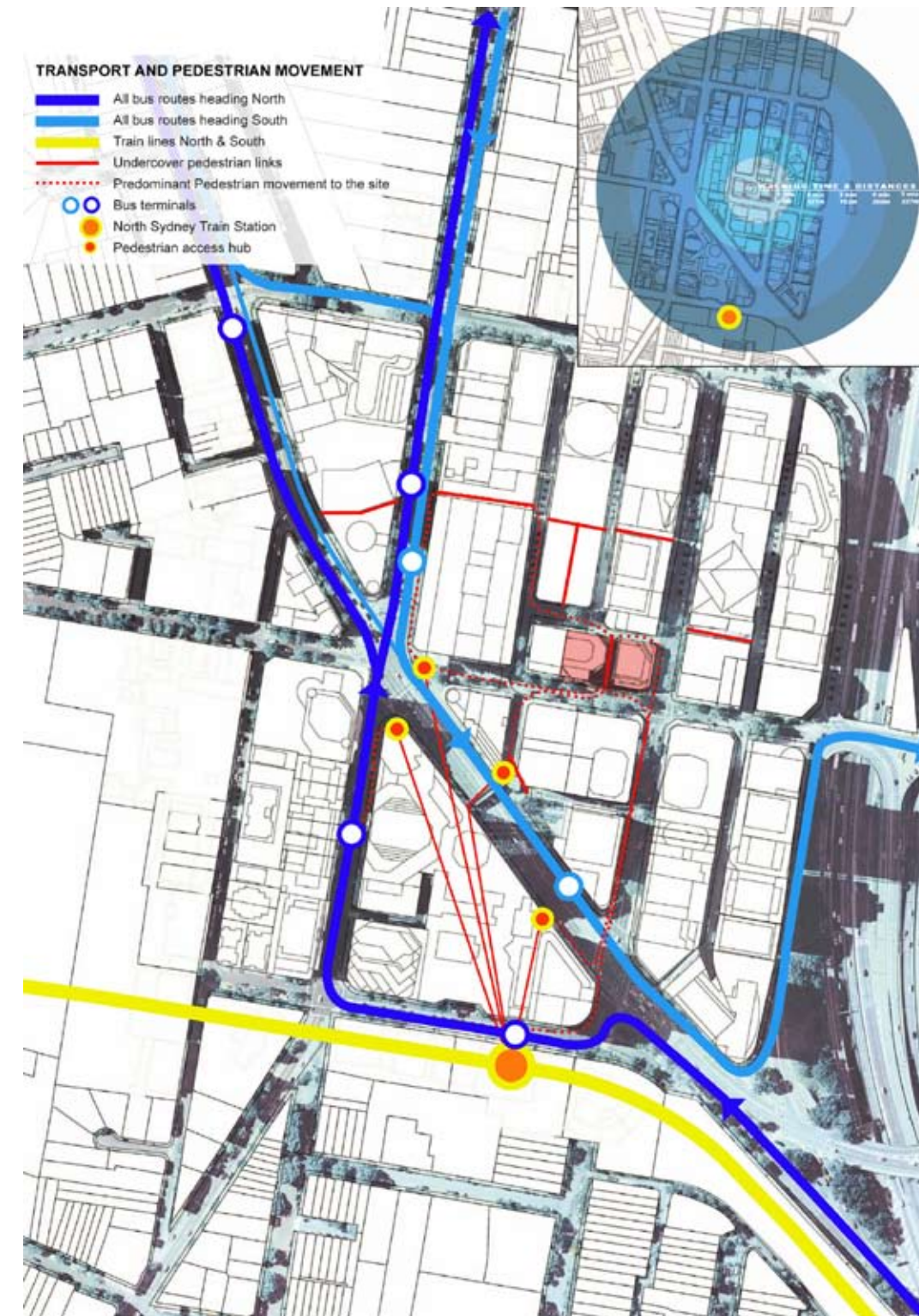


Commercial Concentration - Prepared by Rice Daubney





Site Specific Street Analysis - Prepared by Rice Daubney



Transport and Pedestrian Movement - Prepared by Rice Daubney





Figure Ground for Accessible Open Area - Prepared by Rice Daubney



## 4 The proposal

### 4.1 Overview

The proposal involves demolition of the existing building on the site, excavation for the basements, and construction of a commercial tower with ground floor retail. The building comprises:

- 2 storeys of retail tenancies fronting Walker and Mount Streets;
- 8 storeys of 'low rise' commercial floor space with a floor plate of 1,145m<sup>2</sup> Net Lettable Area;
- 10 storeys of 'mid rise' commercial floor space with a floor plate of 1,250m<sup>2</sup> Net Lettable Area;
- 10 storeys of 'high rise' commercial floor space with four floor plates of 1,250m<sup>2</sup> Net Lettable Area and six floor plates of 1,265m<sup>2</sup> Net Lettable Area;
- Sky garden located between the low and mid rise levels;
- Three sections of plant of approximately 2 storeys height each;
- 5 basement levels accessed from Spring Street accommodating 130 car parking spaces, motorcycle and bicycle parking, and associated amenities and change room facilities; and
- A loading dock accessed from Spring Street.

The overall height of the building (including rooftop plant) equals RL200.7, the highest point of the building (SE corner) being 145.3m the ground level (RL 55.4) immediately below.

Detailed architectural plans of the proposal accompany this EA report at **Appendix A**.

### 4.2 Form of the Application

The proposal takes the form of a Concept Plan lodged pursuant to Clause 75M of the EP&A Act. Pursuant to clause 75P(1)(c) it is requested that the Minister determine the Concept Plan with no requirement for further Environmental Assessment. This Concept Plan includes sufficient detail to allow detailed assessment as if it were a typical Project Application.

### 4.3 Demolition

It is proposed that both buildings currently on the subject sites be demolished. Demolition details and work staging is outlined in the accompanying Construction Management Plan prepared by Laing O'Rourke Australia Construction Pty Ltd (refer **Appendix B**).

### 4.4 Land use and floor area

It is proposed that the ground floor of the building be occupied for retail purposes, with tenancies fronting Mount and Walker Streets. Further consents will be sought for the fitout and occupation of these tenancies. Upper levels will accommodate commercial floor space. An attached area schedule at **Appendix A** details the proposed retail and commercial floor areas. In summary this states:

- Total commercial GFA – 38,105m<sup>2</sup>
- Total retail GFA – 1,435m<sup>2</sup>
- Total GFA – 39,540m<sup>2</sup>
- Resultant FSR = 22.6:1

### 4.5 Built form

100 Mount Street is defined by a strong simple volume with an expressed core to the north and two cantilevered projections to the east and south that take advantage of the harbour views and give a dramatic presentation to the building.

The building presents as an inverted podium, with the lower levels set back from the site boundary and upper levels extended to the boundary. The ground floor setbacks widen the extent of the public domain at ground level, with public access available within the site enabling active spaces fronting this heavily pedestrianised street corner. This ground floor setback will provide for 'rest' spaces alongside the busy pedestrianised Mount and Walker Streets.

Building form will extend to the site boundary with 80 Mount Street. Analysis has been undertaken of the likely possible building form achievable on the site. Refer **Section 6.3** of this report.

The spread of plant levels throughout the building provides for a break-up of building form along the height of the building. An outdoor 'active' space (for use possibly as a restaurant or private commercial entertaining space) is provided at the mid plant level.

An Architectural Design Statement has been prepared by Rice Daubney, which accompanies this EA at **Appendix C**.

### 4.6 Vehicle access, pedestrian circulation and parking

Vehicular access will be gained from Spring Street at the site's northern boundary. A double vehicular crossing (ingress and egress) will provide access to the 130 car parking spaces over five basement levels. A combination of regular and 'small' car spaces will be provided on each basement level.

A separate loading dock entry will be located towards the site's western boundary providing dedicated access for delivery vehicles and waste collection vehicles.

Seven dedicated courier spaces will be provided on basement level 1, along with 215 tenant bicycle spaces and 47 visitor bicycle spaces.

Staff shower and change facilities will be located at basement 1 next to the bicycle parking spaces. 62 lockers will be provided in each of the female and male changerooms, with 11 showers in the females and 10 showers in the male changerooms.

Pedestrian access to the commercial building will be provided from Mount Street, with frontages to retail shops along both Mount and Walker Streets.

A Traffic Impact Assessment has been prepared by Colston Budd Hunt and Kafes which accompanies this report at **Appendix O**.

### 4.7 Public domain concept / landscaping

Works are proposed within the site which will interface with and effectively extend the width of the public domain along Mount and Walker Streets. It is proposed to improve/reconstruct the public domain directly adjacent to the site along Mount, Walker and Spring Streets. In addition, the proponent will contribute by way of s94 contributions to the further upgrade of the nearby public domain area. Discussions of proposed and potential public domain improvements are included in the Public Domain Report and Concept Plan prepared by Oculus and included at **Appendix D**.





## 5 Director General's Environmental Assessment Requirements

The following table provides the Director General's Environmental Assessment Requirements (DGRs) and a reference as to where they are addressed in the report

Table 1 – Type table caption here.

Director General's Requirements		
Issue	Director General's Requirement	Reference
Relevant EPIs, policies and Guidelines to be Addressed	Planning provisions applying to the site, including permissibility and the provisions of all plans and policies including: <ul style="list-style-type: none"> <li>SEPP 55, Draft SEPP 66, SEPP (Infrastructure) 2007</li> </ul>	<b>6.1.2</b>
	<ul style="list-style-type: none"> <li>Draft Inner North Subregional Metropolitan Strategy</li> </ul>	<b>6.1.1</b>
	<ul style="list-style-type: none"> <li>North Sydney LEP 2001 and North Sydney DCP 2002</li> </ul>	<b>6.1.3, 6.1.5</b>
	<ul style="list-style-type: none"> <li>Draft North Sydney LEP 2001 (Amendment no. 28)</li> </ul>	<b>6.1.4</b>
	<ul style="list-style-type: none"> <li>NSW State Plan, Urban Transport Statement</li> </ul>	<b>6.1.1</b>
	Nature and Extent of any non-compliance with relevant environmental planning instruments, plans and guidelines (including DCPs) and justification for any non-compliance	<b>6.1</b>
Architectural, Building and Urban Design Impacts	The EA shall address the visual impact of the project in the context of adjoining development, and the impact on any adjacent heritage item (on-site, adjoining and adjacent the site), and its setting and building mass as viewed from public areas.	<b>6.2.1, 6.2.2, 6.2.3</b>
	The EA shall also address the design of the proposed development relative to the proposed design of the adjoining development at 88 Walker and 77-81 Berry Street, North Sydney in order to ensure a high level of design quality and coordination of outcomes to the public domain are achieved for the North Sydney Centre.	<b>6.14</b>
Site Amalgamation	The proposal should seek to amalgamate with the property to the west known as 80-84 Mount Street on the corner of Mount Street, Spring Street and Denison Street so that a more appropriate and reasonable relationship is established with surrounding development and land uses. Details shall be included in the EA, and shall include details outlining negotiations with the owners of the affected properties.	<b>6.3</b>
	If this is demonstrated to be not possible, the EA shall assess in detail, possible alternative options for this land demonstrating that it can be appropriately and reasonably integrated into the development and land uses proposed for the land immediately adjacent, and also give consideration to the viable future development potential of the isolates site.	<b>6.3</b>
Built Form	The EA shall assess the appropriateness of the height, bulk and scale of the proposed development within the context of the surrounding development and mitigate potential impacts relating to loss of sunlight, privacy and views at neighbouring properties and the public domain.	<b>6.4</b>

Issue	Director General's Requirement	Reference
	In particular, the proposal should seek to provide appropriate building setbacks and a podium to ensure the development makes a positive contribution to the human scale of the North Sydney Centre, and to minimise any amenity impacts on the public domain. It is noted that the resolution of this issue may impact upon the size of the floor plates at upper levels.	<b>6.1.5</b>
	The EA shall also provide the following documents	
	<ul style="list-style-type: none"> <li>Comparable height study to demonstrate how the proposed height related to the height of the existing development surrounding the subject site</li> </ul>	<b>6.4.1</b>
	<ul style="list-style-type: none"> <li>View analysis to and from the site from key vantage points</li> </ul>	<b>6.4.2</b>
	<ul style="list-style-type: none"> <li>Options for building massing and articulation</li> </ul>	<b>6.4.3</b>
Public Domain	The EA shall consider potential improvements to the existing public domain including local streets, footpaths and shared-zones and identify any proposed road closures and re-alignments	<b>6.5.1</b>
	The EA shall consider the interface of the proposed development and public domain (where applicable)	<b>6.5.2</b>
	The EA shall consider the relationship to and impact upon existing public domain	<b>6.5</b>
	The EA shall consider the provision of linkages with and between other public domain spaces including access rights, openness to the sky, legibility and 'safer by design' (CPTED) issues	<b>6.5</b>
Transport and Accessibility (Construction and Operational)	Provide a Transport & Accessibility Impact Study prepared in accordance with the RTA's Guide to Traffic Generating Developments, considering traffic generation, any required road/intersection upgrades, access, loading dock(s), car parking arrangements, measures to promote public transport usage and pedestrian and bicycle linkages. In particular the key intersections the study should consider are: <ul style="list-style-type: none"> <li>Mount Street/Walker Street</li> <li>Berry Street/Walker Street</li> <li>Pacific Highway/Walker Street</li> </ul>	<b>Appendix O and Section 6 of EA report</b>
	Provide an assessment of the proposal with regards to the Governments "Integrating Land Use and Transport" Policy	<b>6.6.6</b>
	Provide an assessment of the implications of the proposed development for non-car travel modes (including public transport, walking and cycling)	<b>6.6.4</b>
	Identify measures to mitigate potential impacts for pedestrians and cyclists during the construction stage of the project	<b>6.6.5</b>

Issue	Director General's Requirement	Reference
Noise and Lighting Impacts	Demonstrate that the proposal will be designed, constructed, operated and maintained so that there is no unacceptable level of noise impacts (including traffic noise) on amenity in the locality	<b>6.7</b>
Construction Impacts	Address measures to ameliorate potential impacts arising from the demolition, excavation and construction phases of the proposed development upon surrounding land uses and public streets, and provide a Construction Management Plan	<b>6.8</b>
Ecologically Sustainable Development (ESD)	The proposal is to be designed to incorporate ESD principles in the design, construction and ongoing operation phases	<b>6.9</b>
	Provide an assessment of how the new commercial tower will achieve a 5 star Green Star and Commercial NABERS rating	<b>6.9</b>
Contributions	The EA shall address provision of public benefit, services and infrastructure having regard to the Council's Section 94/94A Contribution Plan and/or details of any Planning Agreement or other binding legal agreement	<b>6.11</b>
	The EA shall include a Developer Commitment Deed prepared and executed in accordance with the Railway Commitment Deed as required by North Sydney Council (and Railcorp) to ensure the increased demand upon the North Sydney Railway Station generated by the development is addressed satisfactorily	<b>6.11</b>
Utilities	In consultation with relevant agencies, address the existing capacity and requirements of the development for the provision of utilities including staging of infrastructure works	<b>6.12</b>
Staging	The EA must include details regarding the staging of the proposed development (if proposed)	<b>6.13</b>
Consultation	Undertake an appropriate and justified level of consultation in accordance with the Department's Major Project Community Consultation Guidelines October 2007	<b>6.14</b>
<b>Plans and Documents to Accompany the Application</b>		
General	The EA must include 1. An Executive Summary	<b>Page 5</b>
	2. A thorough site analysis including site plans, aerial photographs and a description of the existing and surrounding environment	<b>Section 3 and Appendix 1</b>
	3. A thorough description of the proposed development	<b>Section 4</b>
	4. An assessment of the key issues specified above and a table outlining how these key issues have been addressed	<b>Section 6</b>
	5. An assessment of the potential impacts of the project and a draft Statement of Commitments, outlining environmental management, mitigation and monitoring measures to be implemented to minimise any potential impacts of the project	<b>Section 6 Section 7</b>

Plans and Documents to Accompany the Application		
	6. A Transport and Accessibility Impact Study prepared in accordance with the RTA's Guide to Traffic Generating Developments	<b>Appendix O</b>
	7. The plans and Documents outlined below	<b>Appendices</b>
	8. A signed statement from the author of the Environmental Assessment certifying that the information contained in the report is neither false or misleading	<b>Refer to Executive Summary</b>
	9. A Quantity Surveyor's Certificate of Cost to verify the capital investment value of the project (in accordance with the definition contained in the Major Projects SEPP)	<b>Appendix W</b>
	10. A conclusion justifying the project, taking into consideration the environmental impacts of the proposal, the suitability of the site, and whether or not the project is in the public interest.	<b>Section 8</b>
Plans and Documents	The following plans, architectural drawings, diagrams and relevant documentation shall be submitted: <ul style="list-style-type: none"><li>Existing site survey plan</li><li>Site analysis plan</li><li>A locality/context plan</li><li>Architectural Drawings</li><li>Landscape Concept Plan</li><li>Shadow Diagrams</li><li>CBD Rail Link plan</li><li>Stormwater Concept Plan</li><li>Heritage Impact Statement</li><li>Wind Effects Report</li><li>Isolated Site Design Options</li><li>Access Report</li><li>Traffic and Transport Study</li><li>Geotechnical Report</li><li>Waste Management Plan</li><li>Photomontages</li><li>A Massing Model</li></ul>	<b>Appendix A Section 3 Section 3 Appendix A Appendix D Appendix I Appendix V Appendix R Appendix L Appendix N Section 6.3 Appendix X Appendix O Appendix Y Appendix Z Section 6.2 Under Separate Cover</b>

## 6 Assessment of key issues

### 6.1 Consistency with relevant environmental planning instruments and guidelines

#### 6.1.1 Relevant strategies, MetroStrategy, NSW State Plan, Urban Transport Statement

The NSW State Government has issued the following strategies that provide high level context for development within Sydney.

##### **Metro Strategy and Draft Inner North Subregional Strategy**

Sydney's Metropolitan Strategy is the overarching strategic plan for the future development of the Sydney Region. It identifies a hierarchy of centres across the metropolitan area and sets the framework for subregional urban planning strategies.

North Sydney (combined with Sydney CBD) is identified as 'Global Sydney', within both the Metropolitan Strategy and the Draft Inner North Subregional Strategy, being the main focus for national and international business, professional services, specialised shops and tourism. It's also a recreation and entertainment destination for the Sydney Region with national significance.

Within the Metro Strategy, an employment capacity target of 300,000 is allocated to the Inner North Subregion, being a growth of 54,327 jobs from the 2004 levels. The Draft Subregional Strategy breaks this down by centre, allocating a target of an additional 11,000 jobs to North Sydney centre. The Draft Subregional Strategy states that the Department of Planning and local Councils are to prepare "new planning instruments to provide for significant additional commercial floor space that will support the achievement of employment capacity targets". These plans are in the process of being drafted and implemented, including Draft Amendment No.28 to North Sydney LEP. The Draft Subregional Strategy also states that "additional provision of office space within North Sydney, Chatswood and St Leonards will enable the (Global Economic) Corridor to continue to provide A-grade office space to attract and retain the high order economic activities already associated with the Global Economic Corridor."

##### **NSW State Plan and Urban Transport Statement**

The NSW State Plan outlines areas of priority focus for the State Government across sectors including service delivery, growing prosperity, environmental conservation and fairness and opportunity.

None of the priorities directly affect the subject development site per se, however there are broad aims to improve commercial investment and public transport use.

In a similar vein, the NSW Urban Transport Statement sits below the State Plan and identifies metropolitan-level transport strategies for Sydney's future growth. A number of Capacity and Service Improvement Initiatives are listed within the Statement, with timeframes allocated for delivery.

As part of improving public transport use, the State Government is committed to planning for a third CBD/Harbour rail crossing.

A new Redfern to Chatswood Rail Link is included in the schedule of works within the Urban Transport Statement, due to commence by 2017. This new rail link will provide a second (subterranean) harbour crossing, effectively doubling the capacity of the railway network linking Sydney CBD with the North Shore.

Information gathered from Railcorp suggests that a new railway station is likely to be situated along Mount Street in the vicinity of the subject development site. Due to the topography of the land, however, the station will be located approximately 35m below ground level. Refer **Section V** of this report.

#### 6.1.2 State Environmental Planning Policies

Each of the State Environmental Planning Policies applying to the site are addressed below.

##### **State Environmental Planning Policy no 55**

State Environmental Planning Policy no. 55 Remediation of Land applies to all land within NSW. It requires that land be remediated, if required, to meet standards for proposed future land uses.

As the site is currently developed as a commercial tower, it is considered that it is not contaminated to a point which would affect its ongoing use for this same purpose.

Any hazardous materials used within the existing building will be appropriately handled and disposed of during the demolition process

##### **State Environmental Planning Policy Major Projects 2005**

A declaration under Clause 6 of the Major Projects SEPP has been issued by the Minister for Planning stating that the proposal falls within the realms of Part 5, Clause 13 "Residential, commercial or retail projects" of the SEPP. A copy of the Minister's declaration is attached at **Appendix E**. As such, it is a proposal to which Part 3A of the Environmental Planning and Assessment Act applies.

A further request was made on 17 April 2009 for the Minister to accept the lodgement of a Concept Plan on the site. The Minister accepted this request, declaring that a Concept Plan application is to be lodged in respect to the proposed development. Refer to correspondence at **Appendix F**.

This Environmental Assessment has been prepared and lodged with the NSW Department of Planning in accordance with clause 75M of the Act.

##### **State Environmental Planning Policy Infrastructure 2007**

The proposal triggers the RTA referral provisions contained within clause 104 of the Infrastructure SEPP as it contains more than 10,000m<sup>2</sup> of commercial floor space.

##### **Draft State Environmental Planning Policy no 66 (Integrating Land Use and Transport)**

The Director-General's Planning Circular PS 08-013 dated 13 November 2008 states that Draft EPIs which have not been made within 3 years of their exhibition date no longer need to be considered. The exhibition of Draft SEPP 66 ceased on 14 December 2001, and as such this policy does not need to be considered in the assessment of this Concept Plan application.

It is noted however that the strategic policy associated with this SEPP has been considered. Refer to **Section 6.6.6** of this EA report.

##### **SREP Sydney Harbour Catchment 2005**

The subject site falls within the Sydney Harbour Catchment.

Clause 13 of the SREP outlines the planning principles for land within Sydney Harbour Catchment. A table outlining assessment of the project against the planning principles accompanies this EA at **Appendix G**. Overall it is considered that the planning principles are met.

#### 6.1.3 Local Environmental Plans

##### **North Sydney Local Environmental Plan 2001**

North Sydney LEP is the principal local Environmental Planning Instrument governing development of the site. It is noted that a new Draft LEP has recently been exhibited. This DLEP is set to amend provisions of the existing LEP with respect to development within the City Centre. It includes significant changes relevant to the site, in particular, height and overshadowing. As discussed in **Section 6.1.4** below, the new draft LEP which has been exhibited has been introduced by the Council to ensure the site is developed to an appropriate capacity and ensure achievement of the State's strategic employment targets.

A detailed assessment of the project's compliance with the North Sydney LEP is provided at **Appendix H**. The proposal is considered to meet the relevant objectives of the LEP. Those aspects of the proposal which vary from strict compliance with the numerical standards within the LEP are discussed in detail below.

#### Building Height

Clause 28D(2)(a) requires the maximum building height on the site be RL 195.

The maximum height of the proposed building form is RL 200.7. That part of the building which exceeds the maximum RL height comprises roof level plant room only, which protrudes 5.7m above the height limit on the site. SEPP 1 does not apply to this development standard. The majority of the building including all commercial floors, sits below the RL 195 height limit.

Under clause 75(O)(3) of the EP&A Act the *"Minister may, (but is not required to) take into consideration"* the provisions of North Sydney LEP 2001. In the instance where there is an impending draft LEP that introduces a new height provision we consider it appropriate that more weight be allocated to the new standard.

It is noted that the proposal would meet the intent of the building height control within the Draft LEP, refer to discussion at **Section 6.1.4**.

The LEP requires assessment of the merits of the building design and public benefit. These are discussed below.

#### Overshadowing

Clause 28D(2)(b) requires that there be no net increase in overshadowing of any land between the hours of 9am and 3pm, 21 June outside the Composite Shadow Area.

Clause 28D(2)(c) requires that there be no net increase in overshadowing between 10am and 2pm, at any time of the year, of any land that is within the North Sydney Centre and is within the public open space zone or within a special area.

A shadow will be cast by the building over land outside of the Composite Shadow Diagram (that is not zoned road or railway) between the hours of approximately 2pm and 3pm at midwinter. The extent of this overshadowing is shown on the diagrams at **Appendix I**.

A shadow will be cast by the proposed building over that part of Mount Street Plaza zoned open space, between approximately 10am and 11am at mid-summer.

Clause 28D(4) enables a minor variation to be made to the overshadowing standards if certain criteria are met.

Clause 28D(4) states

*The consent authority may make a determination to vary, to a minor extent only, the operation of subclauses (2) (b) or (c), (being overshadowing outside of the Composite Shadow Diagram Area and within the North Sydney Centre) or both, in respect of a particular development application, but only if:*

- (a) the consent authority is satisfied that the variation is justified due to the merits of the development application and the public benefit to be gained, and*
- (b) the consent authority is satisfied that any increase in overshadowing will not reduce the amenity of any land, and*
- (c) in relation to a variation of the operation of subclause (2) (b), the variation will result in not more than 2 hours net increase in overshadowing of land between the hours of 9am and 3pm, 21 June.*
- (d) in relation to a variation of the operation of subclause (2) (c), the variation will result in not more than 15 minutes net increase in overshadowing of land referred to in that paragraph between the hours of 10am and 12 noon, and no net increase between the hours of 12 noon and 2pm, on any day.*

In respect to these criteria the following comments are made:

*(a) Merits and public benefit:* The public benefits to be gained from the proposed development are significant, particularly in relation to achieving State government employment targets and public domain improvements.

Provision of A-Grade office floor space within the North Sydney Centre, including floor plates of suitable size, will attract new businesses to North Sydney. This supports achievement of the Government's employment targets for the centre. Further, the significant investment in design and construction will create flow-on jobs in wider sectors of the economy.

The design of the building and its interface with the public domain will significantly improve the streetscape at this heavily pedestrianised intersection. The podium design enhances the street for pedestrians. Further, a significant contribution will be made to Council to upgrade the public domain immediately adjacent to this busy central part of North Sydney.

*(b) Amenity of land:* Overshadowing by the proposed building outside of the composite shadow area will not reduce the amenity of the affected land. Most of the land that will be overshadowed is zoned public open space. A small portion of residential land will also be overshadowed from 2.55pm at midwinter.

The net increase in overshadowing of open space land will be less than 2 hours at midwinter, and as such it is not considered that the extent of the overshadowing will affect the amenity of this land.

The additional 5 minutes of overshadowing across residential properties fronting Whaling Road is not considered to reduce the amenity of that residential land. These residential properties will still achieve a minimum of 3 hours sunlight between 9am and 3pm at midwinter.

Overshadowing of the Mount Street plaza in the mornings in mid summer will not reduce the amenity of this public open space land. It is considered that, being the hottest time of the year, shadows cast by buildings over open space increase the amenity of such land by providing shelter from the sun's rays. The minor increase in shadowing between 9am and 11am is considered to be reasonable in this instance.

The extent of additional shadow is therefore considered acceptable and the standard contained within clause 28D(2)(b) and (c) may be varied.

*(c) Not more than 2 hours net increase in overshadowing outside the Composite Shadow Area at 21 June 9am-3pm:* The shadow sweep outside of the Composite Shadow Area will not overshadow any parcel of land for more than 2 hours. The shadow analysis demonstrates that shadowing of the open space and residential areas in the vicinity of Whaling Road will amount to approx 30 minutes over the open space land, and 5 minutes additional shadowing over the residential land. The proposal would comfortably comply with this criterion.

*(d) Not more than 15 minutes net increase in overshadowing between 10am and midday of Mount Street plaza:* Shadowing over the Mount Street Plaza open space will result in an increase of more than 15 minutes in summer. Additional overshadowing of this space will occur from 10am until 12 noon. It is noted that the current Draft Amendment to North Sydney LEP understandably removes the requirement for no overshadowing of this area between 10am and midday. The proposal complies with this amended provision.

It is noted that this standard in particular is being removed under the new Draft LEP.

#### Building Design and Public Benefits

Clause 28D(5) of North Sydney LEP outlines considerations for the consent authority when determining whether or not to grant consent to development within the North Sydney Centre. An assessment is undertaken against these heads of consideration in respect to the building and its impacts. The clause states:



When determining whether or not to grant consent to a development application in respect of land within the North Sydney Centre, the consent authority must consider:

- (a) the impact of the proposed development in terms of scale, form and massing within the context of the locality and landform, the natural environment and neighbouring development and in particular lower scale development adjoining the North Sydney Centre, and
- (b) whether the proposed development provides public benefits such as open space, through site linkages, community facilities and the like, and
- (c) whether the proposed development preserves important view lines and vistas, and
- (d) whether the proposed development enhances the streetscape in terms of scale, materials and external treatments, and provides variety and interest

(a) *Scale, Form and Massing:* The proposed building is located within the North Sydney Centre, nominated as part of the Global City under Sydney's Metropolitan Strategy. The building is appropriately located in this centre of business. The height study of existing buildings within the centre undertaken by Rice Daubney (refer **Section 6.4.1**) demonstrates that the proposed building form and massing is consistent and comparable with other commercial buildings in the centre. The location of the building in the centre of the North Sydney CBD ensures that it is well separated from any sensitive land uses such as residential.

(b) *Public Benefits:* The building provides high quality commercial floor space of a size required for the A grade market, within the North Sydney Centre. This is consistent with the State Government's objectives to increase commercial floor space within the Global City locality. The building's interface with the public domain will increase the perceived width of this public space, providing places for people to stop along the busy pedestrian routes of Walker and Mount Streets. Further, significant contributions will be made to Council for the upgrading of public domain improvements in the vicinity of this busy pedestrianised area.

(c) *Impact on view lines:* No view lines or vistas from the public domain will be affected by the proposed building; however some view loss will result from south facing dwellings within a neighbouring residential building. A view analysis has been undertaken from this building (Beau Monde) at 77 Berry Street, to ascertain the likely impact on views to the south from this building. A thorough discussion regarding view lines is undertaken at **Section 6.4.2** of this report.

Whilst the extent of view loss outside the permissible building envelope is extremely hard to quantify due to the determination of height by way of overshadowing control analysis, the view cone diagram at **Section 6.4.2** shows that:

- Currently, sweeping panoramic views are available from The Heads to Hunters Hill from upper level south facing apartments within Beau Monde over some of the commercial buildings within North Sydney Centre. These views include framed partial views of the Harbour Bridge and Opera House. Views from the mid levels of the residential building are limited, partially obscured by the location of commercial towers. There are minimal or no views available to the south from the lower level apartments.
- The proposed building form will obstruct the view between Garden Island and Walsh Bay from south facing units that have a view in this direction. The view between Garden Island and Walsh Bay will be wholly obscured for both mid level and upper level south facing apartments.
- It is noted that the proposed Amendment No.28 to the LEP allows a building envelope which will completely obscure views from the south facing apartments within Beau Monde ranging from Mosman around to East Balmain.

(d) *Streetscape Impact:* The building form provides variety in its use and appearance, with the lower levels set back off the boundary. The pedestrian environment is reinforced and activation provided through the ground floor setbacks, whilst the upper levels overhang providing a dramatic urban design experience. The mixed palette of colours and textures and façade design will create an interesting building form on this prominent corner of North Sydney.

#### 6.1.4 Draft Local Environmental Plans

*Draft Amendment No 28 to North Sydney LEP*

A Draft Amendment to North Sydney LEP has recently come off public exhibition. It proposes to alter development standards governing the building and siting of development within the North Sydney Centre. Specifically with respect to the subject proposal, the LEP makes the following amendments:

- Amended maximum height provision to 138m from natural ground level directly below;
- Amend the overshadowing provisions to allow overshadowing of Mount Street plaza between 10am and midday, but require no additional overshadowing between 12pm and 2pm on any day (EST) to Elizabeth plaza (south of Mount Street plaza), open space areas north and south of the Greenwood Hotel, Miller street forecourt of the MLC building
- Remove the requirement for no additional overshadowing outside the Composite Shadow Area between 9am and 3pm at midwinter.
- Include provision to promote a scale and massing that provides for human scale
- Maximum FSR of 30:1
- May exceed FSR if the building complies with the height

The proposal generally complies with these amended standards, as detailed in the compliance table at **Appendix J**. As noted in that table, a breach occurs to the 138m height limit. This is addressed in detail below.

##### *Building Height*

The proposed building height at RL 200.7 is equivalent to a maximum of 145.7m (being the western end of plant room) to 148.1m (being the eastern end of plant room), which exceeds the draft building height standard of 138m from the ground level immediately below. That part of the building which is above this 138m height (a line sloping from the low point in the east to the higher point in the west) is 10m at the eastern façade (noting that upper 7.6m relates to a façade extrusion only), 10.5 at the eastern end of the plant room and 8.1m at the western end of the plant room with the western façade complying. All measurements are approximate.

Under this draft policy, SEPP 1 provisions apply to the building height control.

In addition, subclause 4 outlines requirements that must be considered by the consent authority in its decision whether or not to support a variance to the height standard. Although SEPP 1 does not apply to a draft EPI, the relevant criteria within subclause 4 are addressed below to inform a merit based assessment of the issue:

- (4) *Despite subclause (2)(a), consent may be granted for development that exceeds the maximum building height, but only if the consent authority is satisfied that:*

- (a) *the variation is justified by the merits of the development and the public benefit to be gained, and*
- (b) *any increase in overshadowing between the hours of 9am and 3pm, Eastern Standard Time, will not reduce the amenity of any dwelling that is outside the North Sydney Centre.*

(a) *Public Benefits:* As noted above under Section 6.1.3, the proposed building is appropriately located within the North Sydney Centre, will provide a floorplate of a size which will attract A-grade tenants to this part of Sydney's Global City, and will contribute significantly to the public domain in the vicinity.

(b) *Overshadowing:* Additional overshadowing impacts from the proposed building will only result to dwellings outside the North Sydney Centre along Whaling Road. An increase of 5 minutes overshadowing, from 2.55pm at midwinter, will result. This is not considered to reduce the amenity of these dwellings, as three hours sunlight will still be available between 9am and 3pm year round.



The public benefits resulting from the proposal, along with the minimal overshadowing impact are considered to provide adequate justification for the minor breach to the draft height standard and therefore strict application of the standard would not be necessary if it was to be introduced.

#### 6.1.5 Council Development Control Plans and policies

*North Sydney Development Control Plan 2002*

North Sydney DCP 2002 applies to the subject site. An assessment of the proposal against the provisions of the DCP has been undertaken at a Table in **Appendix K** to this report. Where the proposal does not meet the DCP controls, justification is provided below.

#### 9.3 Car Parking Non-Residential Zones

A maximum of 1 car space per 400m<sup>2</sup> of GFA is to be provided on the site.

The car parking provision proposed totals 130 spaces which equates to 1 space per 300m<sup>2</sup> GFA.

The additional car parking is considered necessary to draw high level tenants back to North Sydney. Additional parking has been associated with flagship buildings within the City, and 100 Mount Street is considered to be the flagship building of North Sydney. This rate would be comparable to other recent approvals within North Sydney, namely 40 Mount Street.

#### 20.3 Quality Built Form

This section of Council's DCP covers setbacks, street frontage podiums, laneways and building design. The DCP provides similar and overlapping controls for these four elements of building design. As such, the provisions are listed below, but are addressed together due to their close inter-relationship.

#### Setbacks

The following setback controls within the DCP apply to the site

- *Setbacks for public space should be incorporated at ground level.*
- *A minimum setback of 3m is required above podium level where serviced apartments and residential development is adjacent.*

Within the Character Statement for the CBD, the following additional provisions apply:

- *Street frontage podium height of maximum 5 storeys to Mount and Walker Streets;*
- *Podium height matches height of adjacent heritage items;*
- *Above podium setback along Mount and Walker Streets of a weighted average 5m from edge of podium;*
- *Laneway frontage podium height to Spring Street between 2 and 3 storeys (7-10m);*
- *Above podium setback along laneway frontage of weighted average 4m to Spring Street from edge of podium.*

#### Street Frontage Podiums

The following podium controls apply to the site

- *The street frontage should be consistent and contribute to human scale*
- *The podium should match the height or average height of adjacent buildings having regard to their existing nature and redevelopment potential.*

#### Laneways

The following laneway frontage controls apply to the site

- *Provide a podium at the laneway frontage.*

#### Building Design

The following building design controls apply to the site that the proposal does not comply with

- *Building the podium to the boundary, except where a setback is being provided for public space.*
- *Build to the setback alignment.*
- *Relate building design to that of neighbouring buildings.*

A thorough design analysis of the site and its surroundings has informed the building design and a traditional podium form (built to the street property boundary) is considered inappropriate for the site in this instance. The proposed ground floor treatment and 'inverted podium' contributes to the human scale and plays a critical role in the unification of the streetscape. In order to open up the corner of Walker and Mount Streets and allow more light penetration into Mount Street, the building has been raised five storeys in the air with the first commercial floor starting where usually the podium would finish. This open space lightens the base of the tower and gives breathing space for the adjacent heritage Firehouse Hotel.

In a further move to extend the mount street plaza feeling down Mount Street, the proposal substantially widens this footpath zone along the northern side of Mount Street. The ground plane of the building is set in five metres from the site boundary, effectively more than doubling the footpath width adjacent to the site. This extends the plaza amenity that exists to the western end of Mount Street down to Walker Street while still maintaining a balance with the practicalities of vehicular movements.

The ground floor setbacks allow for semi-active spaces at the interface of the public domain, where people can stop and rest, rather than compete with the pedestrian bustle along Walker and Mount Streets.

Application of the 5m above-podium setback is considered to be inappropriate in this circumstance given that the site has street frontages on three sides. The objective of this upper level setback to ensure appropriate building separation and light penetration will be achieved to neighbouring buildings by the proposed building form. Construction of commercial floors to the allotment boundary on the upper levels provides a prominent corner building that will have an appropriate relationship with its neighbouring buildings. This space will also allow for provision of adequately sized commercial floorplates providing for the needs of A-grade tenants. Refer also discussion at **Section 6.4.3**.

The building's relationship with its western neighbour at 80 Mount Street has been given special consideration, with design options provided at **Section 6.4.2**, demonstrating that future re-construction of this building can still be achieved alongside 100 Mount Street.

## 6.2 Architectural, building and urban design impacts

### 6.2.1 Visual Impact in the context of adjoining development

Photomontages of the proposed building have been generated, taken from different vantage points within and surrounding the North Sydney CBD. These are included below and provide an accurate representation of the contextual appearance of the building.

The building form is shown to fit well within the commercial core context of North Sydney. The height of the building when viewed from the west is comparable to existing buildings. When viewed from the east, the building fits within the overall arc of building heights within the centre.



Photomontages Prepared by Rice Daubney

*The building form is shown to fit well within the commercial core context of North Sydney. The height of the building when viewed from the west is comparable to existing buildings. When viewed from the east, the building fits within the overall arc of building heights within the centre.*





### 6.2.2 Heritage impact

Assessment of the heritage impact by Noel Bell Ridley Smith and Partners finds that the proposal will respect the significance of the adjacent heritage buildings (refer report at **Appendix L**). The following elements have been incorporated into the design to ensure minimal impact:

- Set back of lower levels of the building along Walker Street, allowing a clear view of the Firehouse Hotel when looking north along Walker Street
- Use of new materials that do not conflict, but are complimentary to the form and appearance of the heritage items

The report concludes:

*The proposed project does not significantly, adversely impact upon the identified heritage significance of the adjacent or adjoining heritage items not heritage items or conservation areas further afield. The former North Sydney Fire Station is currently surrounded by tall buildings and the impact of a new high-rise development in the immediate vicinity will not alter the ability of the public to appreciate the heritage significance of the heritage item. The podium of the new development generally maintains the parapet height of the heritage item on the Walker Street frontage. Although the tower is higher than the existing building adjacent to the heritage item, the height of the development is not out of context with the existing buildings in the vicinity and confirms to relevant heritage objectives and conservation policies. The bulk of the tower is separated from the podium by a significant void.*

*The replacement of the intrusive plane tree in front of the entry to the former fire station with one further south as shown on DA20 has a beneficial heritage impact.*

### 6.2.3 Streetscape impact

The ground floor plane will accommodate active semi-public spaces providing places for people to stop and rest, along the busy pedestrianised Mount and Walker Streets. This interface takes its lead from the pedestrian zones along Mount Street plaza. However, whereas Mount Street Plaza provides for resting spaces through the centre of the pedestrian zone, this building design provides resting spaces at the site of the pedestrian area. In doing so, the ground floor setback also relates to the current building configuration of 80 Mount Street. The proposed setback to Walker Street allows for the provision of seating complementary to a café/restaurant style of facility. The design will assist in establishing a sense of place in this central location.

It is considered that streetscape interface approach will significantly improve the quality of the pedestrian environment at this busy corner.

### 6.2.4 Materials and finishes

Details of the proposed materials are indicated on each of the elevations at **Appendix 1**. The range of materials are high quality and durable and include a combination of glass, stainless steel, coloured panelling, off form concrete and granite and sandstone paving to match that existing in the North Sydney Centre. A materials board can be provided if necessary.

## 6.3 Site Amalgamation with 80 Mount Street

The potential for site amalgamation with the neighbouring property at 80 Mount Street has been investigated as part of the design review for the site. Comment from Martin Hill of HillPDA regarding the redevelopment feasibility of the adjacent site at 80 Mount Street is attached at **Appendix M** with an extract below. This appendix also includes a letter from land owner Delmege Commercial detailing the property negotiations had with the adjoining land owner at 80 Mount Street.

*Aspen Group, the owner of 80 Mount Street, currently has the property for sale as a going concern for \$30m. We understand Delmege Commercial part owner of the subject development sites (86-96 and 100 Mount Street) have spoken about purchasing 80 Mount Street for the past 12 months with the Aspen Group. There are however two major barriers that exist to purchasing 80 Mount Street for site amalgamation and development. These are:*

- *Property is fully leased*
- *Improvement Value far exceeds site value.*

*A review of January 2009 valuation report by Knight Frank of 80 Mount Street shows 80 Mount Street has 35 tenancies with lease commitments going out to 2017. We understand there is no demolition clause in the subject leases and that potential exists for lease renewals that could postpone redevelopment even further.*

*The most recent valuation for 80 Mount Street is \$30million. This is below the current owners purchase price and reflects adjustment to current economic conditions. Given a continued global financial crisis the disposal value could dip further to \$27 million but we consider unlikely lower because of the existing income yield of 8%+. Even at this reduced purchase price the highest and best use for the site remains a going concern as an investment property.*

*Based on the current gross lettable area of 80 Mount Street, the site value rate is \$4,738/sqm of GLA which would not encourage any redevelopment.*

Given this situation it is likely that 80 Mount Street will continue to operate on the current leased basis until that lease arrangement expires.

In light of this, the applicant has investigated design options to ensure that future redevelopment of 80 Mount Street is not sterilised. These options are illustrated and described below.

In brief, the options allow for:

- Construction of a 65m<sup>2</sup> 'pop out' to the site boundary at levels above ground, reflecting the upper level setback of 100 Mount Street. This will add 845m<sup>2</sup> GLA in total across the existing floors.
- Construction of a new floorplate of 500m<sup>2</sup> NLA, over a building height of 23 storeys above the lower levels, equalling 9000m<sup>2</sup> total extra NLA. Building form reflects the form of 100 Mount Street.
- Construction of a new floor plate ranging in size from 400 to 520 m<sup>2</sup> NLA, equalling a total NLA of 12,700m<sup>2</sup> over approximately 34 floors above the lower building levels.
- Construction of additional 100m<sup>2</sup> of floor space within the podium levels of the building, totalling an additional NLA of 550m<sup>2</sup>.

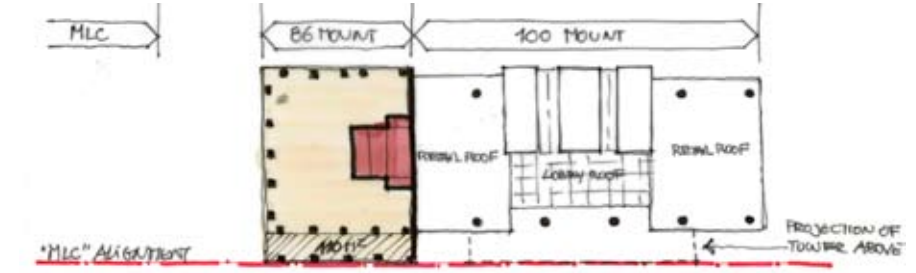
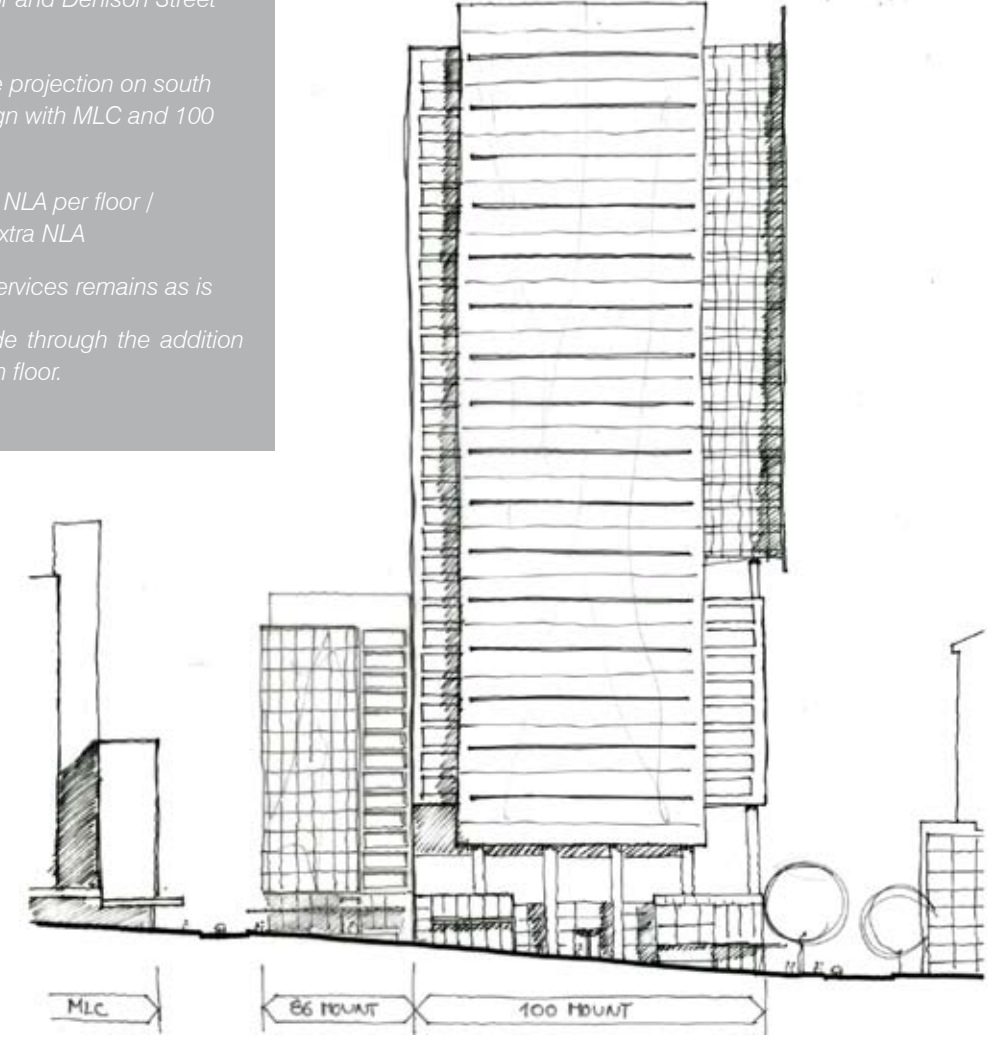
### OPTION A – NEW PODIUM

- New podium to a maximum height of 5 storeys
- Opportunity for new retail spaces facing Denison St through a refurb of the ground floor and Denison Street public domain
- 110sqm of extra NLA per floor / 550sqm total extra NLA
- Existing core/services remains as is
- Public benefit of wider public domain is removed



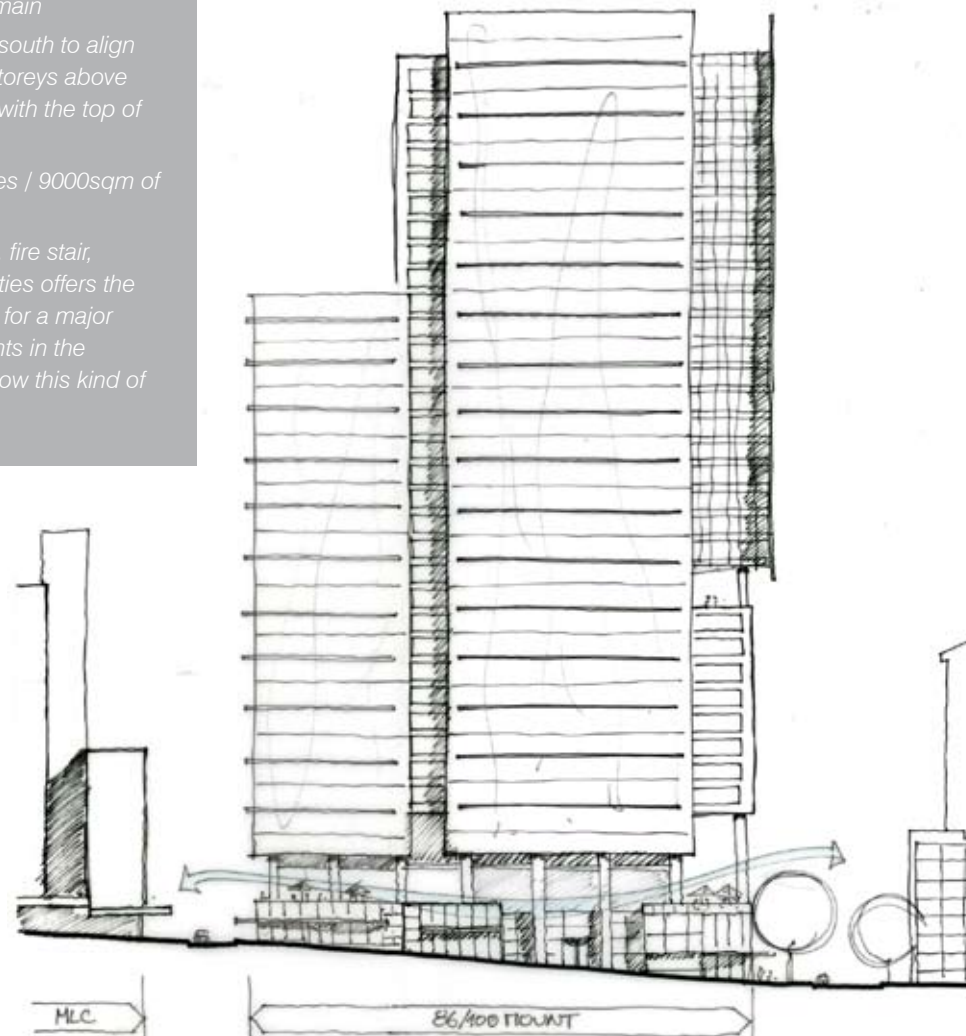
### OPTION B – REFURBISHMENT OF GROUND PLANE AND ADDITION OF FLOOR PLATE TO THE TOWER

- Opportunity for new retail spaces facing Denison St through a refurb of the ground floor and Denison Street public domain
- New "box" type projection on south elevation to align with MLC and 100 Mount
- 65sqm of extra NLA per floor / 845sqm total extra NLA
- Existing core/services remains as is
- Reinvent façade through the addition of area on each floor.



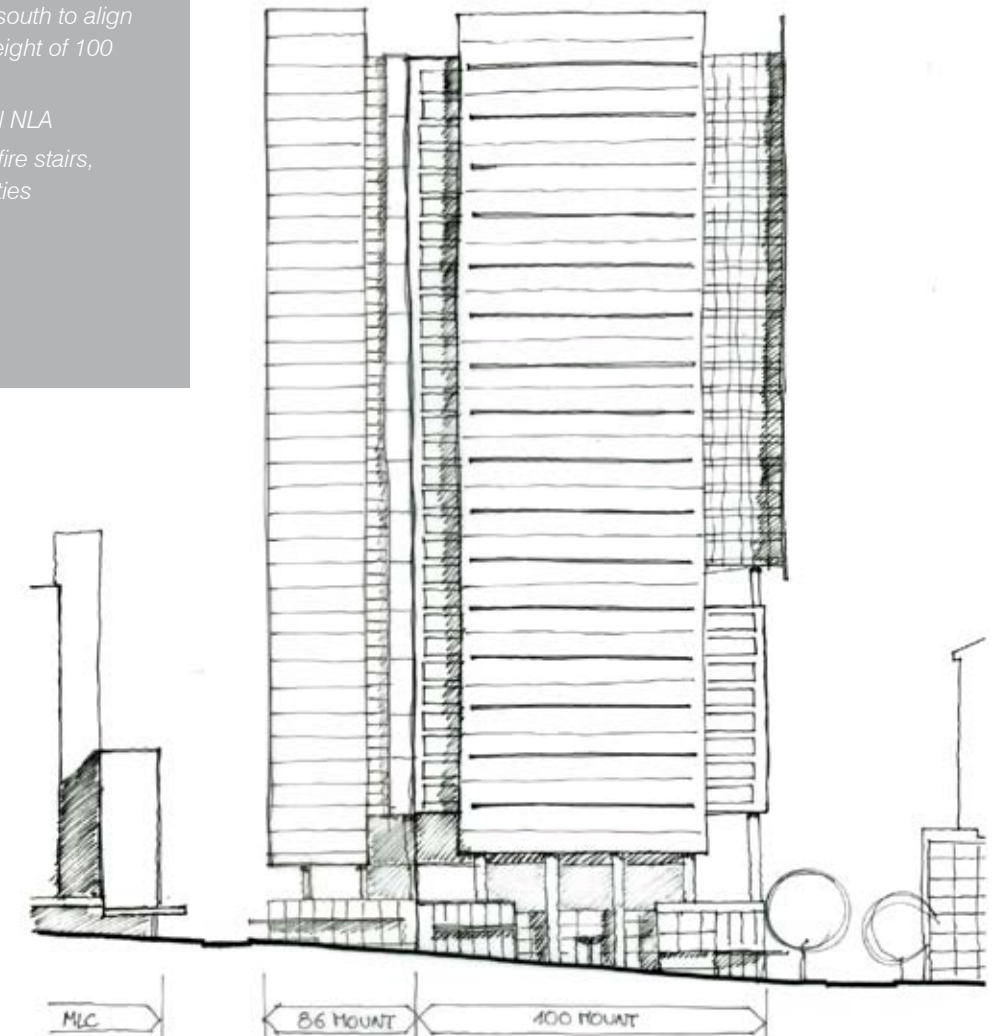
### OPTION C – CONNECTION TO 100 MOUNT COMMERCIAL FLOORS

- Demolish existing and build new to the height of the top mid-rise floors in 100 Mount.
- New retail spaces facing Denison St through a refurb of the ground floor and Denison Street public domain
- Tower floor plates extend south to align with MLC and grows 12 storeys above existing in height to align with the top of the Mid rise
- Approx 550sqm floor plates / 9000sqm of total NLA
- New core with 2 extra lifts, fire stair, services risers and amenities offers the possibility for larger floors for a major tenant. Floor to floor heights in the current building do not allow this kind of connection.



### OPTION D – NEW INDEPENDENT BUILDING

- New inverted podium to match height of 100 Mount with new retail spaces facing Denison St through a refurb of the ground floor and Denison Street public domain
- Tower floor plates extend south to align with MLC and to match height of 100 Mount
- Approx 12 500sqm of total NLA
- New core with 5 to 6 lifts, fire stairs, services risers and amenities





For the taller building options, the upper floors would be aligned with the floor levels of 100 Mount Street, allowing for occupation of both the 80 Mount Street and 100 Mount Street tenancies by the one occupant.

If 80 Mount Street was rebuilt in the future, consideration has been given in the design of 100 Mount Street to facilitate integration of the sites from an operational perspective. The basement design of 100 Mount Street allows for the future entrance to the 80 Mount Street basement from the proposed vehicular entrance off Spring Street. This allows for the opening up of the ground floor plane surrounding 80 Mount Street for better public domain integration.

It is considered that this extensive design work addresses to the best the issue of site amalgamation/ sterilisation of 80 Mount Street.

## 6.4 Built form

The proposed building is appropriate in its context within North Sydney CBD, forming part of “Global Sydney”. The impacts resulting from the proposal are considered acceptable given the quality of the building, metropolitan planning objectives and the current changes being made to height and built form controls as part of Draft LEP Amendment no.28.

Each element of built form impact is addressed below.

### 6.4.1 View analysis

#### Preamble

A view analysis has been undertaken for the proposal, to understand the impact on views from surrounding buildings resulting from the proposed building form. The apartment building Beau Monde, is considered to be most affected in terms of view loss, given its residential use. Beau Monde fronts Berry Street and is located to the north of the existing Shopping World site which is currently subject to a separate development proposal.

Modelling has been undertaken of the proposed building form and its potential impact on views from Beau Monde. Given the complex nature of existing City Centre building form controls, it is extraordinarily difficult to model the potential (complying) building heights for sites in the vicinity of the subject land as extensive shadow line projections are required.

A model of the North Sydney Centre has been prepared which demonstrates the potential building heights of sites in the vicinity of 100 Mount Street and Beau Monde, under the Draft LEP Amendment 28 controls. This model clearly shows that all buildings have additional development potential, and that the majority of views currently enjoyed by Beau Monde to the south and east will be blocked by these complying building envelopes.

In accordance with the Court principles established in “Tenacity Consulting vs Warringah”, the following detailed an assessment has been undertaken on the impact of the proposal on views currently enjoyed by residents of Beau Monde.

#### Assessment of Views to be Affected

In general, the Beau Monde building currently enjoys 360 degree views of Sydney's Lower North Shore, Sydney Harbour and the City. These views become more and more restricted closer to the ground, where urban views of the central CBD location are available. A number of apartments facing south would be affected by the proposal. We understand there to be between 2 and 4 south facing units at each level (2 at the upper levels and 4 at the mid levels). Whilst the internal layout of the Beau Monde apartments is not known, it is likely that views to these locations would be obtained from various rooms within the south facing apartments in the upper half of the building, such as bedrooms, living areas and kitchens.

Most rooms from mid level apartments enjoy slot views of the Harbour and region, partially obstructed by existing building forms, whereas most rooms from upper level apartments look above most of the existing commercial buildings and enjoy uninterrupted panoramic views of the Harbour and the City. Views of the Harbour Bridge are partially obscured.

Views enjoyed from this southerly and easterly orientation include views (and partial views) from The Heads to Hunters Hill, including the eastern suburbs, Sydney Harbour, the Opera House and the Harbour Bridge including its Pylons, the CBD and the inner western suburbs. It is considered that all portions of the panoramic view are of value, with that of water and the City of most value.

#### Extent of View Impact

The views affected would be a portion of the panoramic and slot views from the south facing apartments at the mid level and above. The extent of view lost would relate to that between Garden Island and East Balmain, including the inner east, Sydney Harbour, the Opera House, Harbour Bridge and Pylons and CBD. The views lost from the mid level apartments would be one of a number of views. The slot view toward the Bridge and the City would be lost. The views lost from the upper level apartments would be part of the wider 180 degree panoramic view. The portion to be lost would represent approximately 25 degrees of the 180 degree view. That part of the view lost would include such features as the Opera House, Harbour Bridge and a large portion of the City.

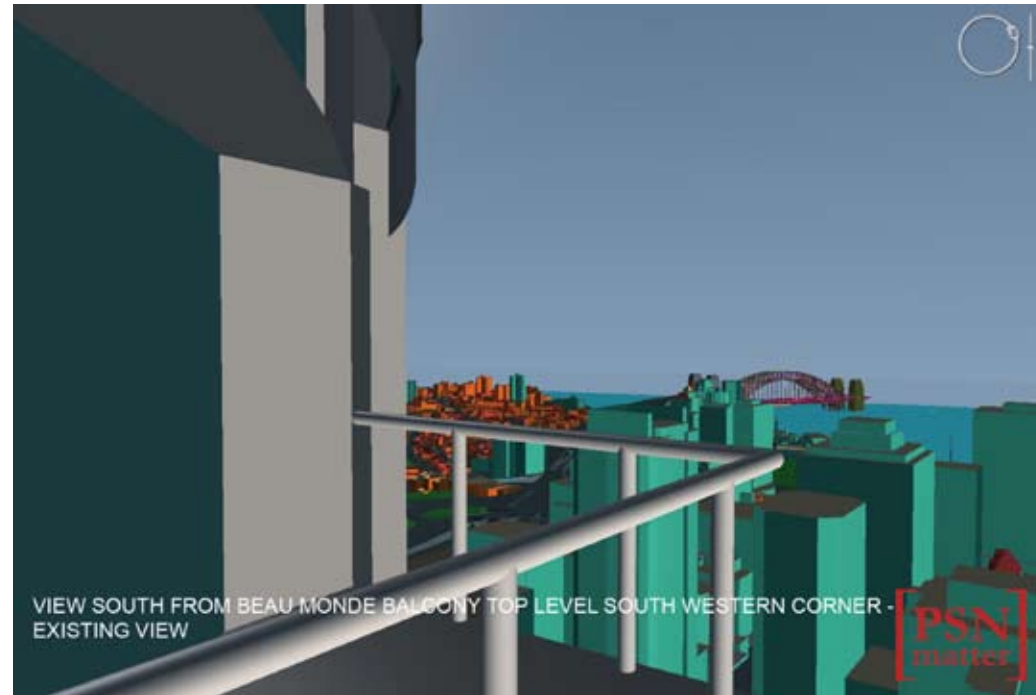
"View Cones" have been compiled by Rice Daubney which demonstrate the potential impact on views. These are shown below.



View Cone Diagrams - Prepared by Rice Daubney

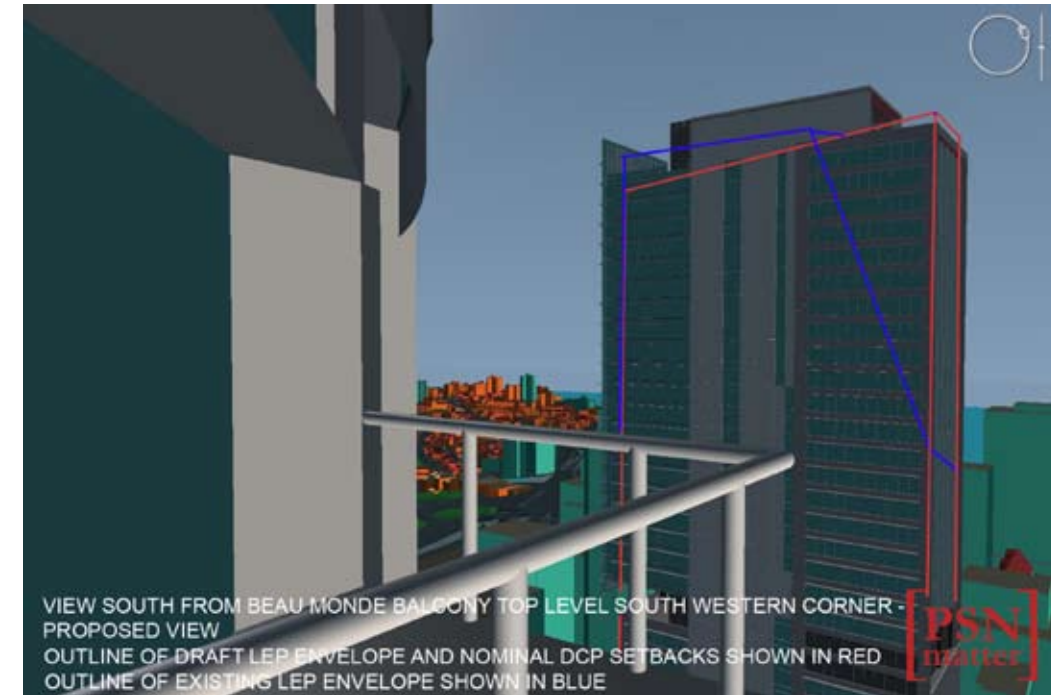


## Existing Views

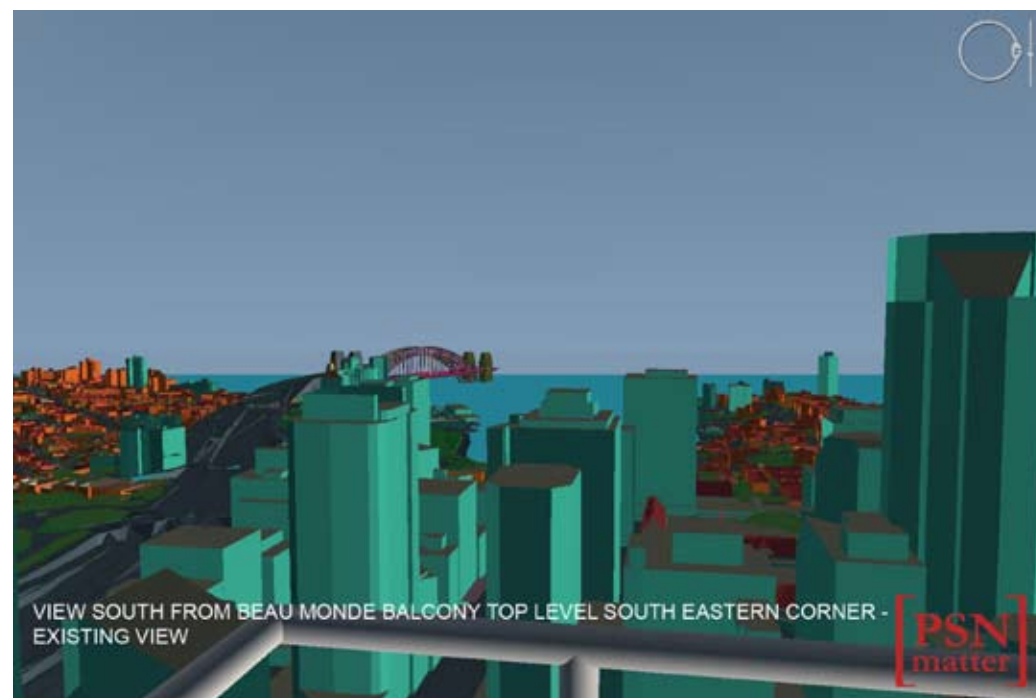


Top Level SW Apartment

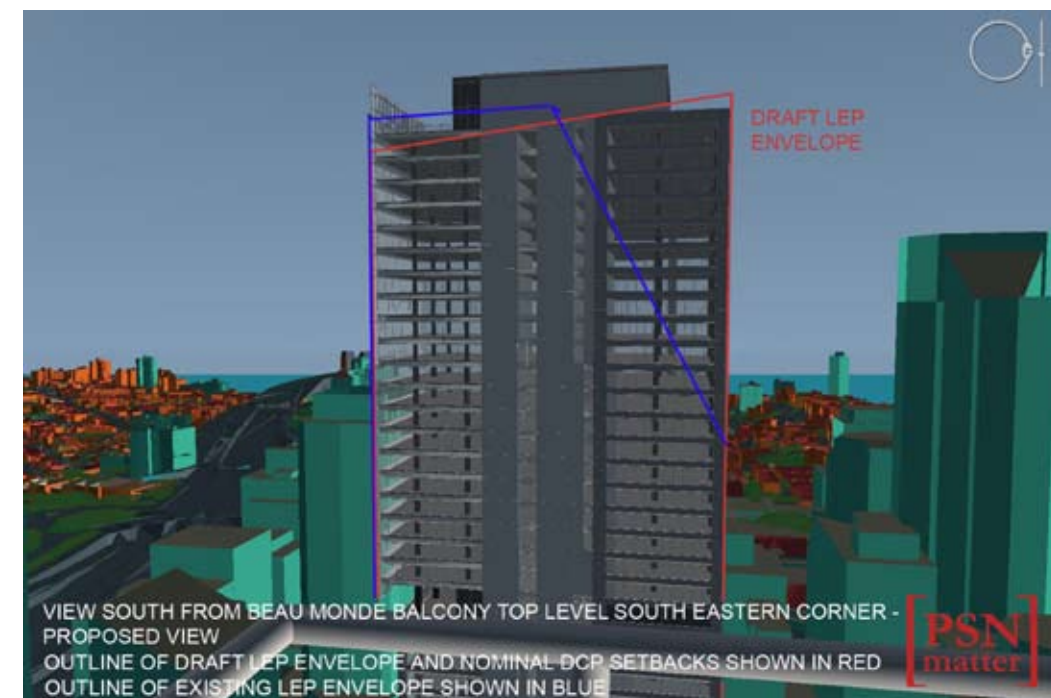
## Proposed Views showing Draft LEP Envelope



Top Level SW Apartment



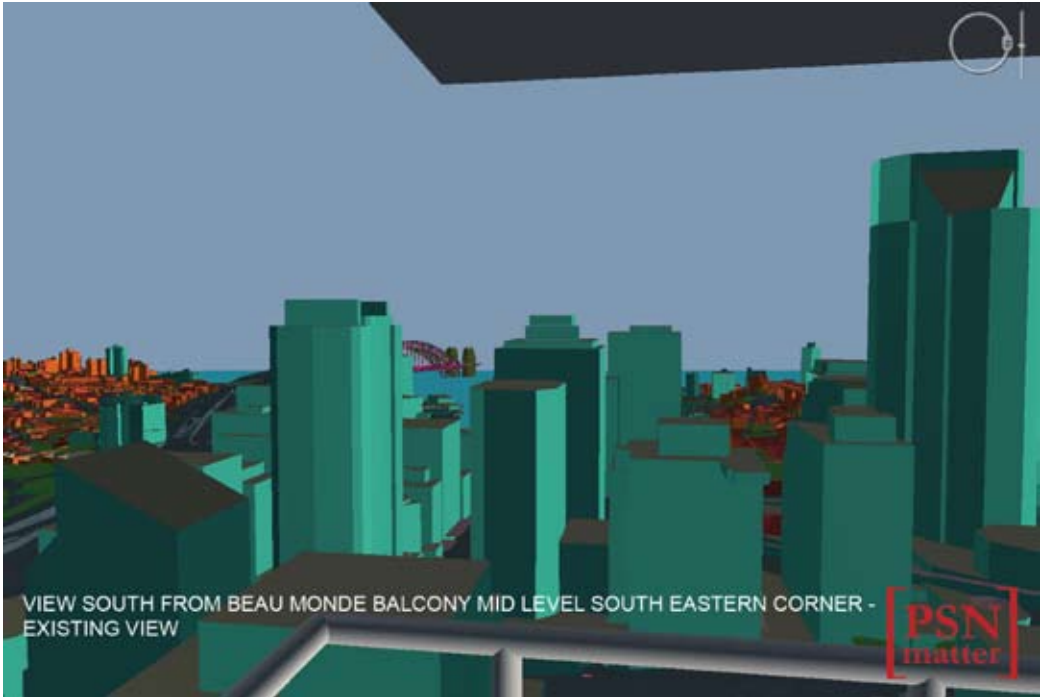
Top Level SE Apartment



Top Level SE Apartment

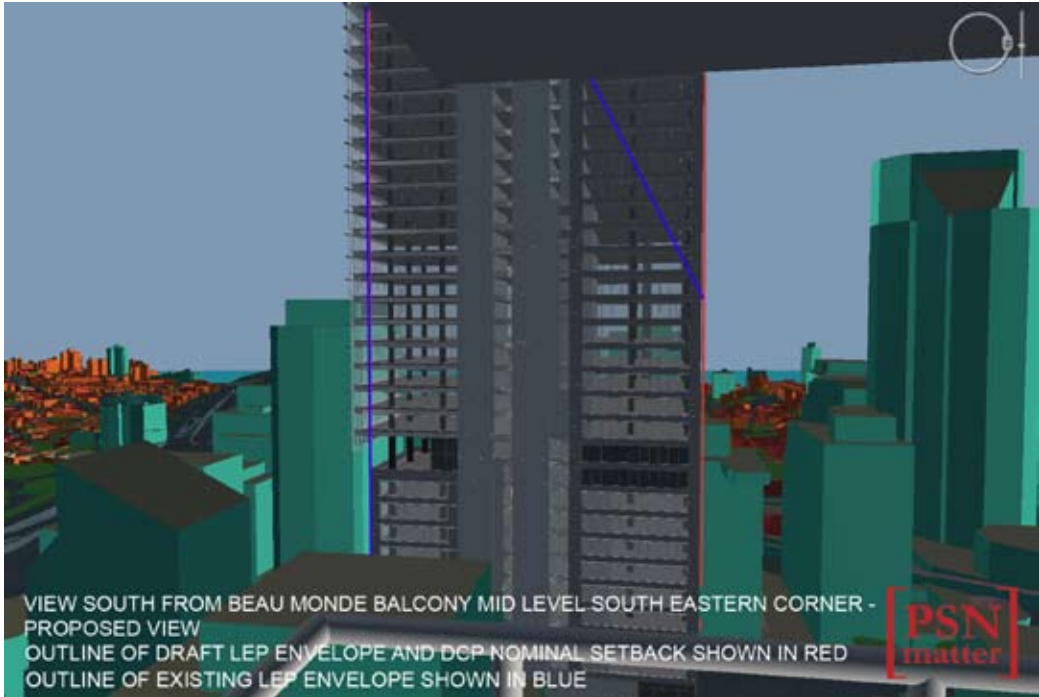


Existing Views

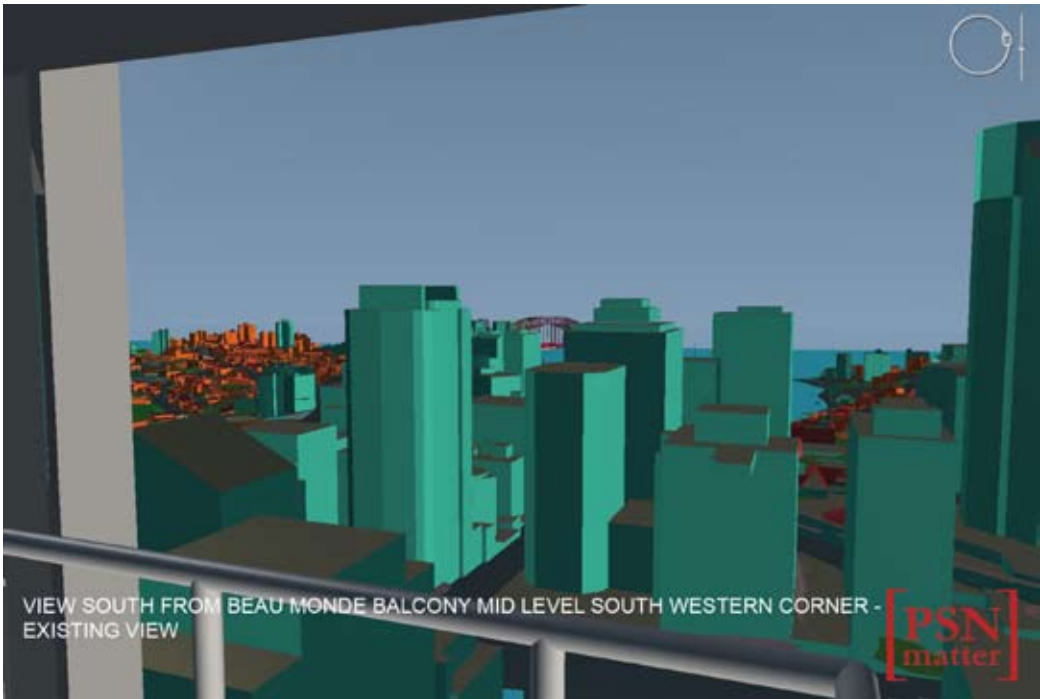


Mid Level SE Apartment

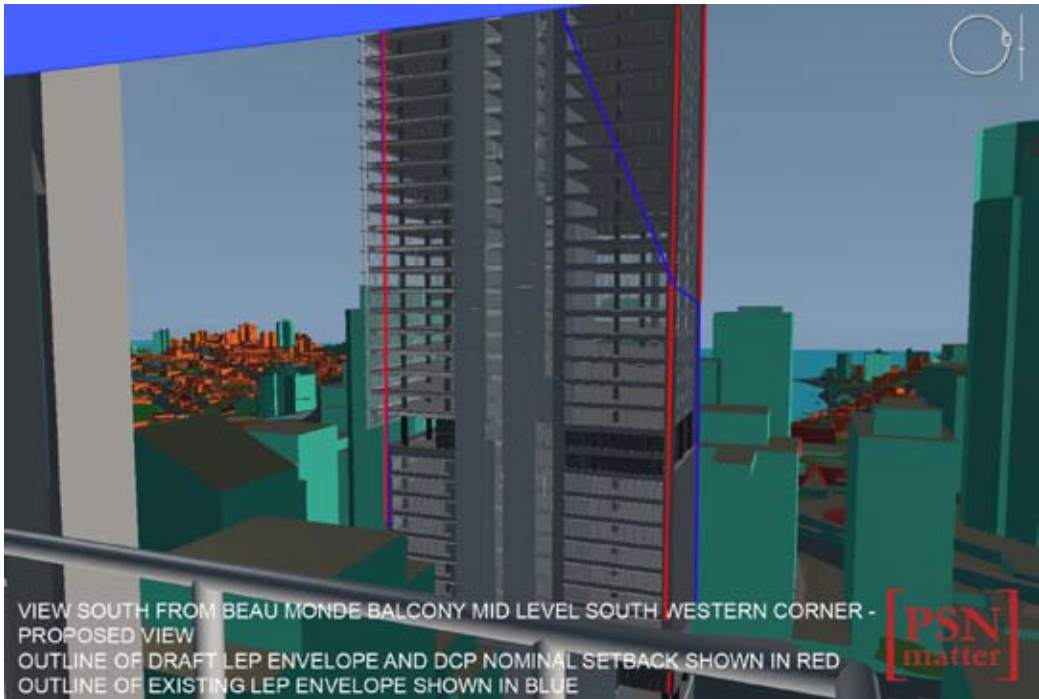
Proposed Views showing Draft LEP Envelope



Mid Level SE Apartment

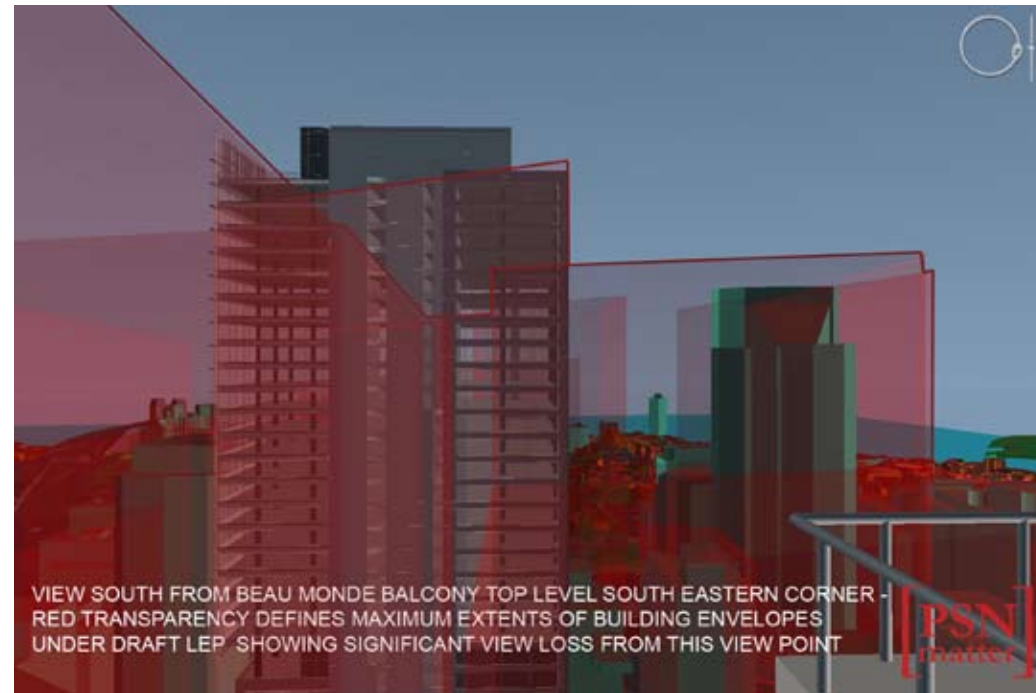


Mid Level SW Apartment

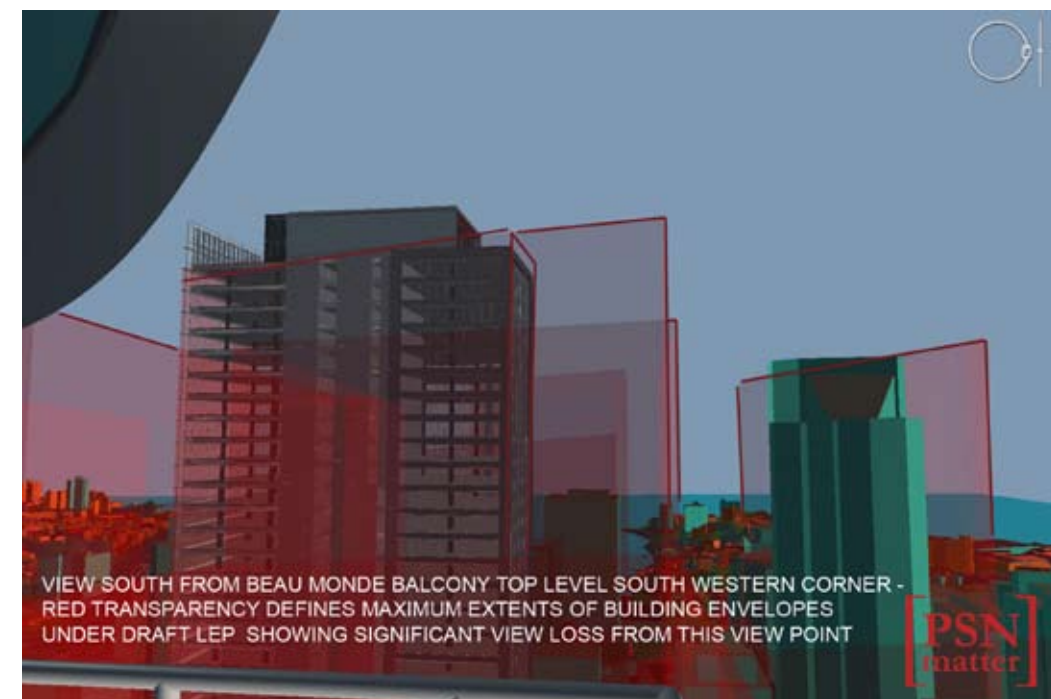


Mid Level SW Apartment

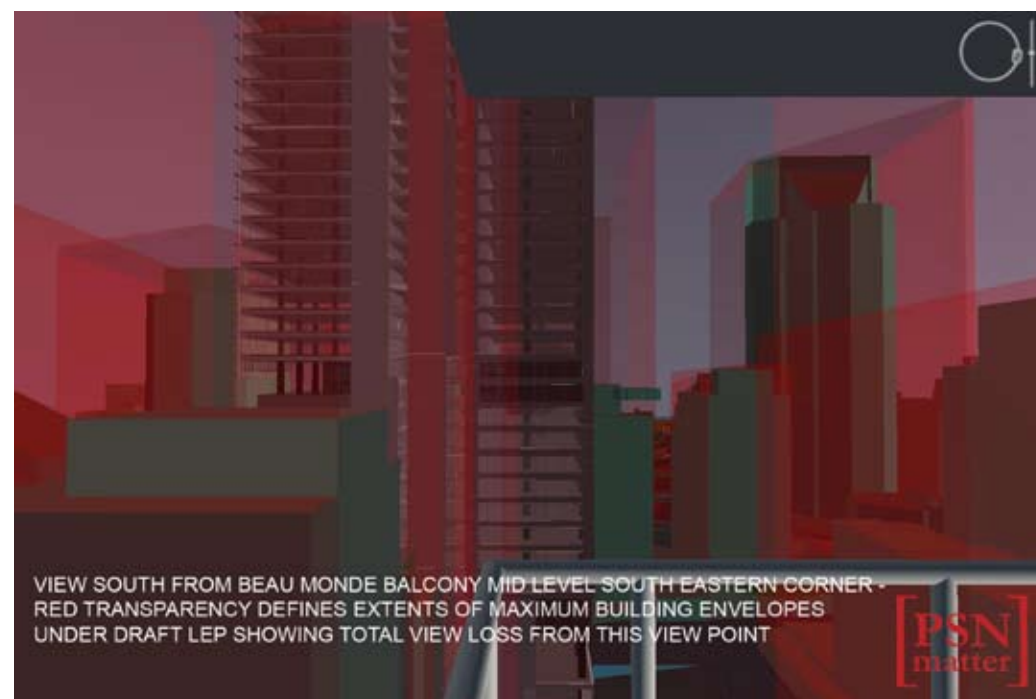
# Draft LEP Envelope View Loss



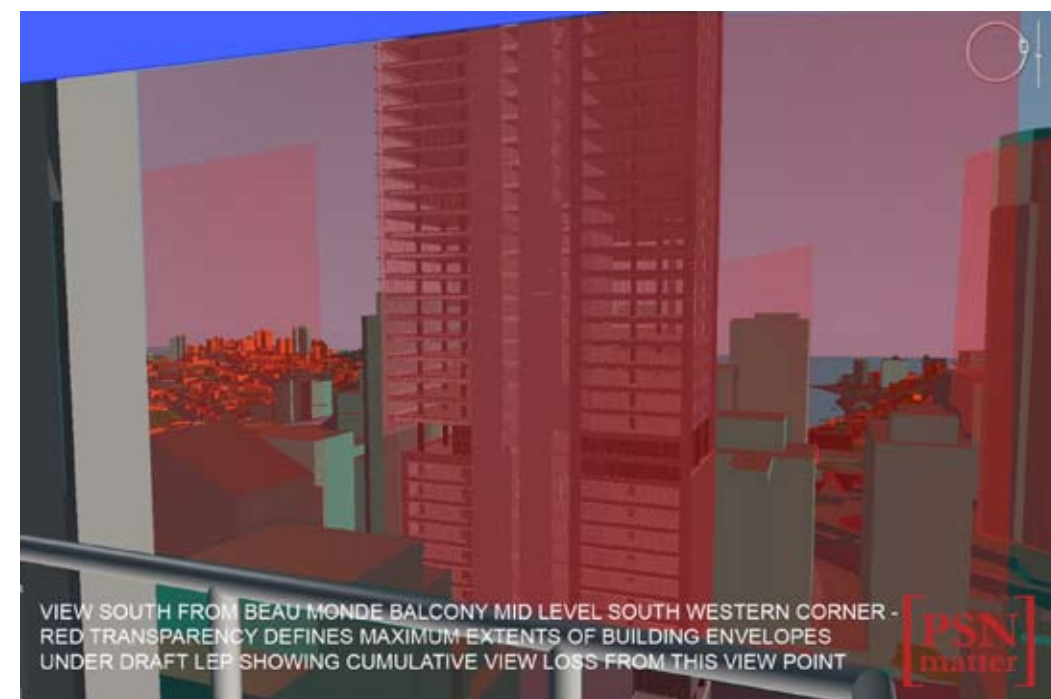
Top Level SE Apartment



Top Level SW Apartment



Mid Level SE Apartment



Mid Level SW Apartment



#### Assessment of View Loss Impact

Although a small percentage of a broader panoramic view (from the upper levels), or one of a number of slot views, the portion to be lost will include some significant features. The extent of view loss in a practical sense is considered to be significant.

#### The Reasonableness of the Proposal

In assessing the reasonableness of the subject view loss, the following matters need to be considered and weighted accordingly:

- The impact of a proposal on the subject site that complies with the existing LEP.
- The impact of a proposal on the subject site that complies with the draft LEP.
- The impact of other surrounding development built to the potential of the proposed controls.
- The imminence and importance of the draft LEP.

It is evident that the views from the upper levels of Beau Monde would be retained for a development complying with the existing LEP standards. The views from the mid levels are likely to be lost for complying development.

It is evident that all of the identified significant views would be lost if the site were developed to the potential of the proposed draft LEP development standards.

It is evident that all of the identified significant views would be lost if the immediately adjacent buildings were developed to the potential of the proposed draft LEP development standards. These immediately adjacent sites include the Shopping World site and the commercial sites along Walker Street. These sites sit between Beau Monde and subject site. Were these sites developed to their full potential, only the very top of the proposed development would be visible from the Beau Monde building. The very top of the building would not detract from any significant views.

In allocating weight to the above matters, it is relevant to note that gazettal of the draft LEP is relatively imminent. Having already been exhibited, the draft LEP is due to be reported to Council prior to going to the Department and Minister for sign-off and gazettal. The draft LEP has been the result of an extensive study of the commercial floor space capacity North Sydney Centre and the proposed LEP represents Council's preferred solution to accommodating the employment targets necessary for North Sydney to maintain its role as an integral part of Sydney as a Global City. Given the extent of the background study and the important role that the proposed LEP will play in the growth of North Sydney, it is considered appropriate to allocate significant weight to the proposed LEP development standards.

A development complying with the draft LEP controls would result in the identified significant views being entirely lost. Where the proposed development (being within a range of approximately nil to 10.5m higher), would not contribute to any further loss in views, the proposed development is not considered to have any unreasonable impact.

#### 6.4.2 Building massing and articulation options

During design development of the proposed building, Rice Daubney has undertaken an options analysis for the subject site. These diagrams are included below. A brief explanation of each scheme is provided along with associated issues/benefits.

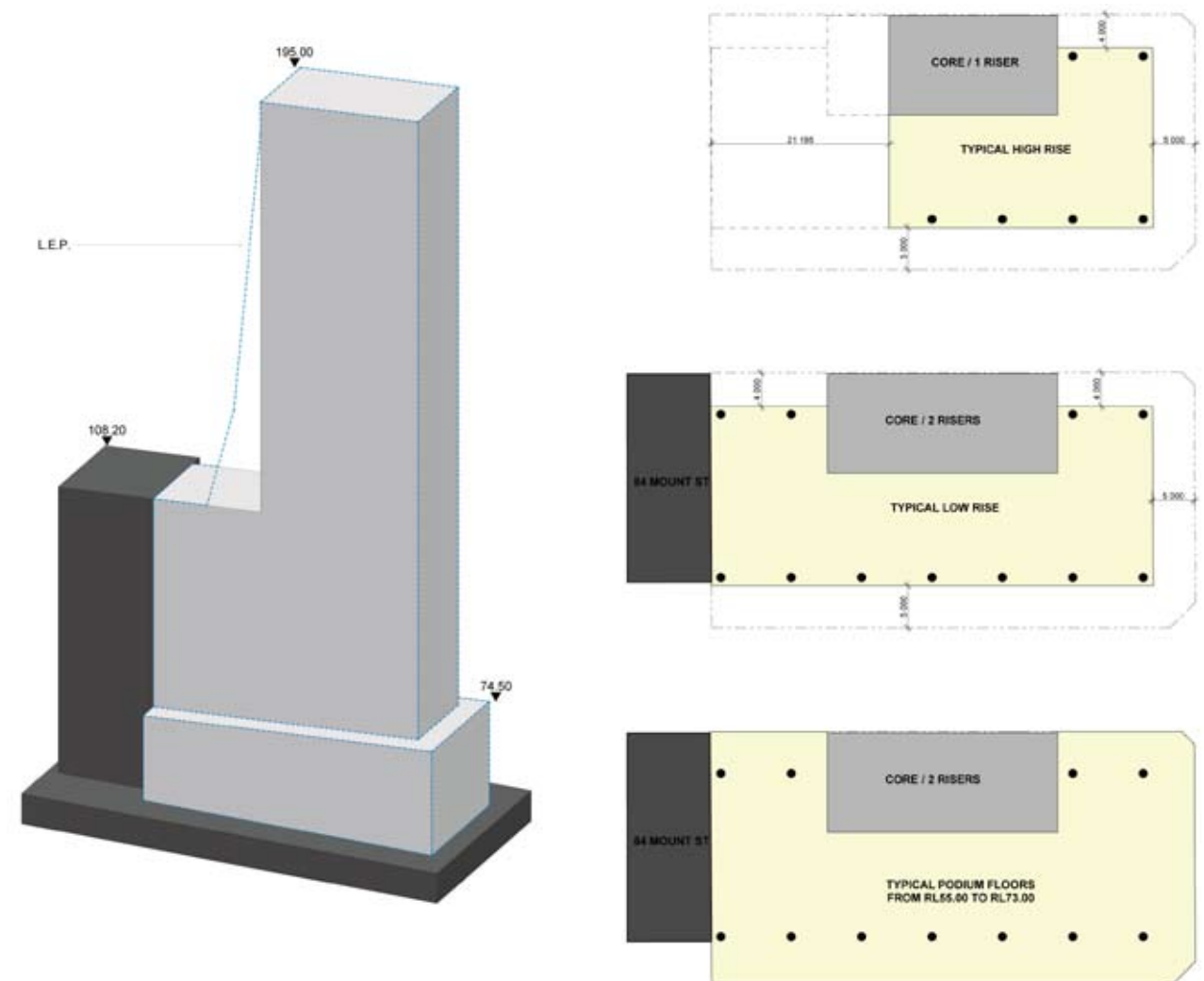
##### Design Study Option 1

Design Study 1 presents the following built form which complies with the North Sydney LEP controls:

- Max building height to RL 195 in the eastern building form, stepping up from a lower tower to RL 108.2 in the east
- Podium to RL 74.5, built to the site boundary
- 5m setback to Walker and Mount Streets above podium
- 4m setback to Spring Street above podium

Issues include:

- Limited if any benefit to public domain at ground level
- Tower with extremely small floorplates which are not feasible for leasing purposes





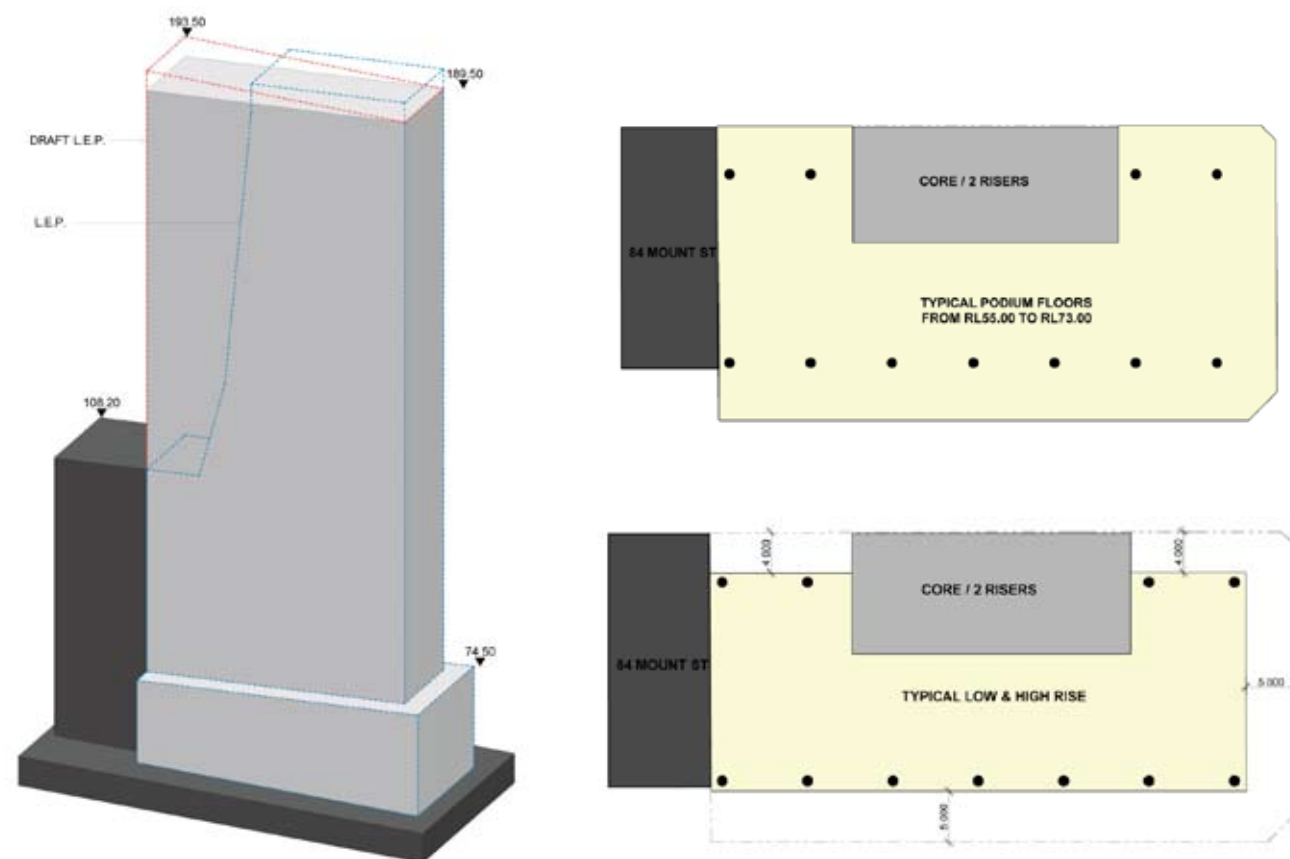
## Design Study Option 2

Design Study 2 presents the following built form:

- Podium up to RL 73.00, built to the boundary
- 5m setback to Walker and Mount Streets above podium
- 4m setback on Spring Street above podium

Issues include:

- Limited if any benefit to public domain at ground level
- Tower with small floor plates (approx 800m<sup>2</sup>)



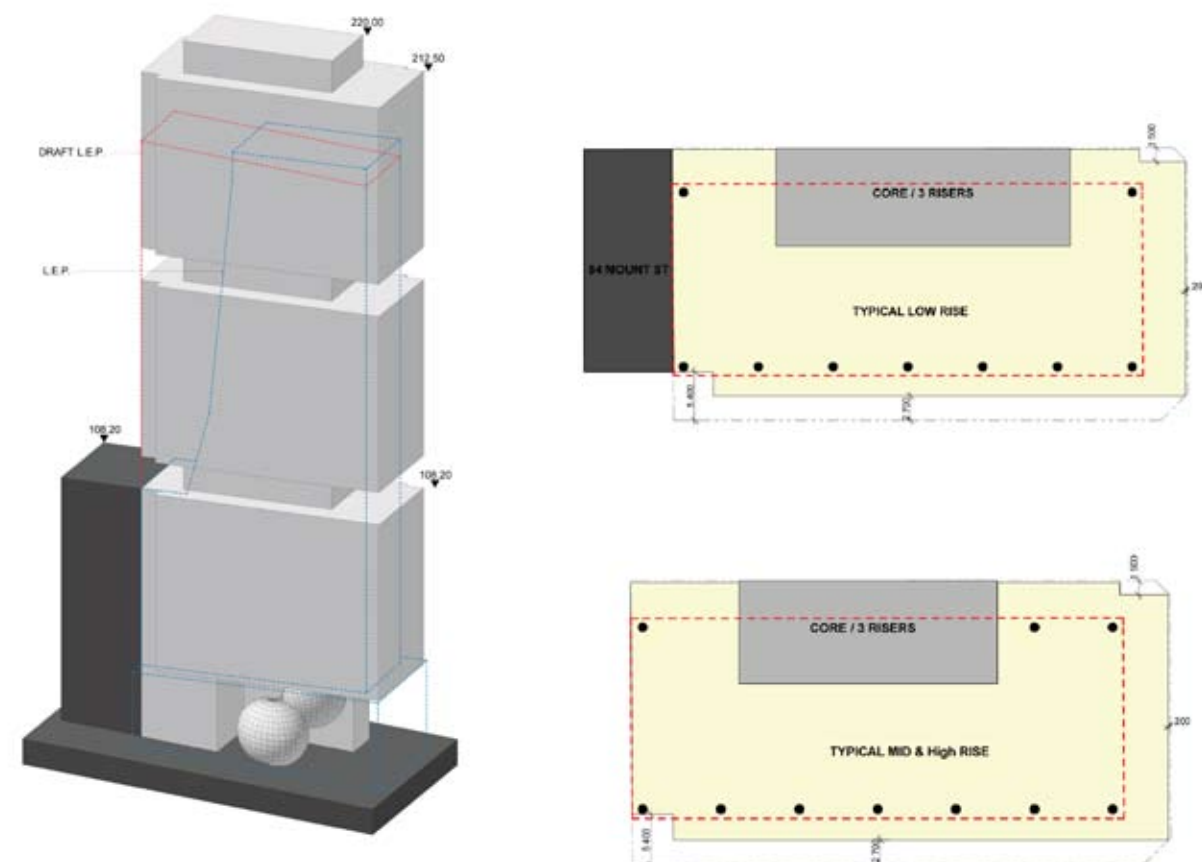
## Design Study Option 3

Design Study 3 presents the following built form:

- Inverted podium up to RL 72.00 (20m high)
- Building volume broken into three banks as per the lift break-up
- South façade is set back 2.7m from boundary and the southwest corner steps in to respect the adjoining building alignment (80 Mount Street)
- East façade is set back 0.2m from boundary on low, mid and high rises
- North façade is built to boundary to align with adjoining building

Issues include:

- Large horizontal volume break-up
- Loss of office floor area on intermediate floors
- Inverted podium offers public benefit opportunity and ground plane presence



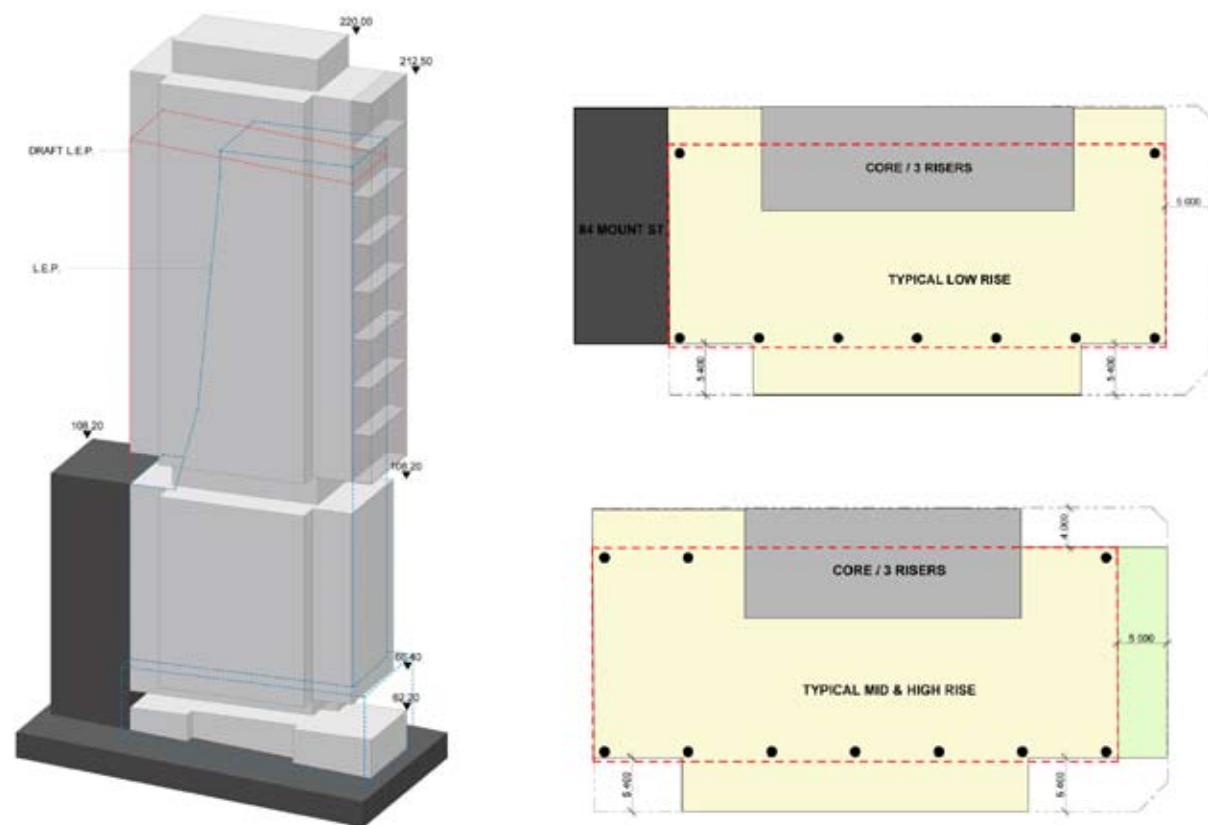
#### Design Study Option 4

Design Study 4 presents the following built form:

- Inverted podium up to RL 67.00 (15m high)
- South façade is broken into 3 elements. Two respect the alignment of the adjoining building and one is built to the boundary
- East façade respects the 5m setback on the low rise but is built to boundary on mid and high rises with winter gardens
- North façade is built to boundary on the low rise and respects the 4m set back on the northeast corner on both mid and high rises

Issues include:

- Reduced podium height creating a constrained space between retail area and tower soffit
- Loss of top value office floor area with the winter gardens in the mid and high rises
- Building top at RL 220.0 / 25m above LEP maximum height to achieve desired area
- Alignment of the height of 80 Mount Street picked up in building volume step.



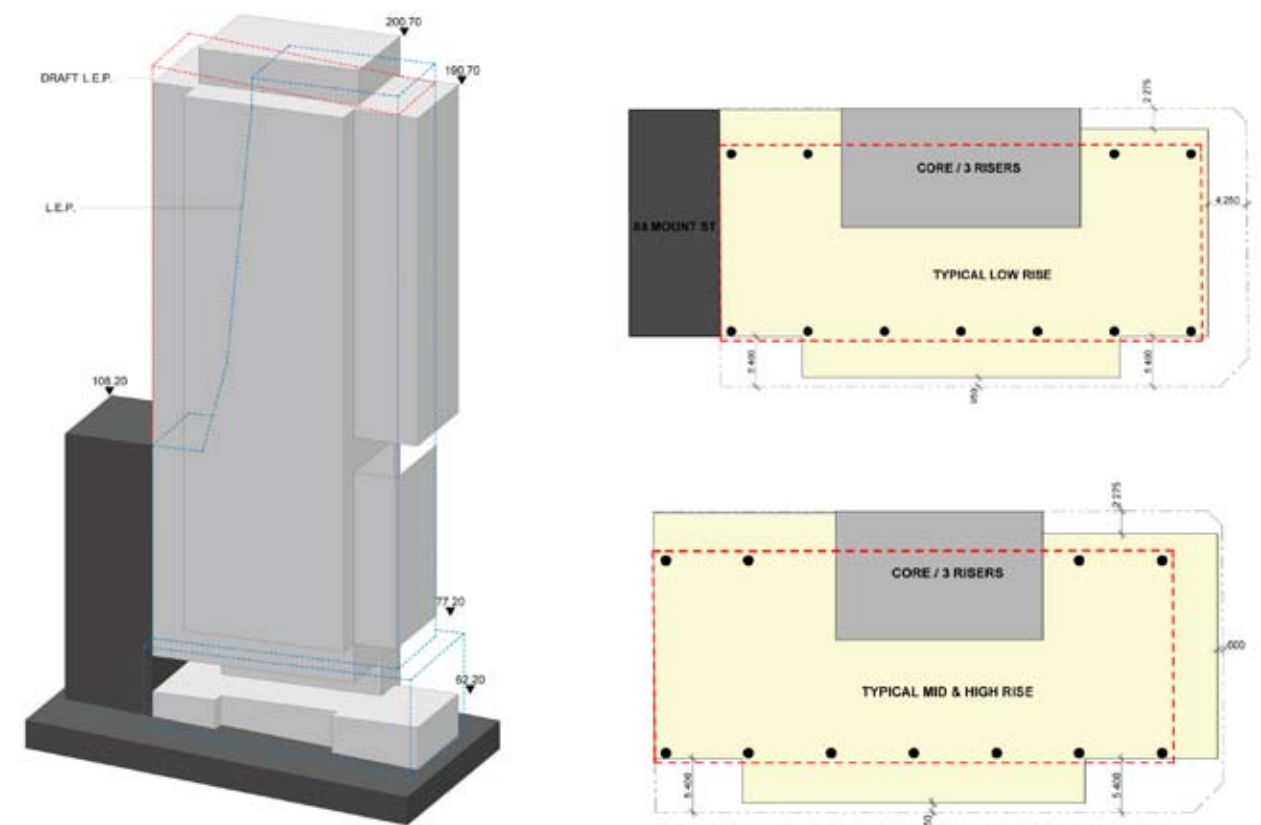
#### Design Study Option 5

Design Study 5 presents the following built form:

- Inverted podium up to RL 77.0 (25m high)
- South façade is broken into three elements. Two respect the alignment of the adjoining building and one is aligned with the heritage listed MLC centre.
- East façade has a setback of 4.2m on the low rise and 0.6m on the mid and high rises
- North façade is aligned with the adjoining building on the north west corner and is setback 2.5m from the boundary on the northeast corner.

Advantages include:

- The higher inverted podium allows for a two storey retail space below the tower soffit and opens the space at the ground plane.
- The low rise is set back from the boundary to minimise urban impact and widen the street feeling
- The mid and high rises are built almost to the boundary to take advantage of views where they attract the highest premium
- Building top at RL 200 (plant).





### 6.4.3 Height study

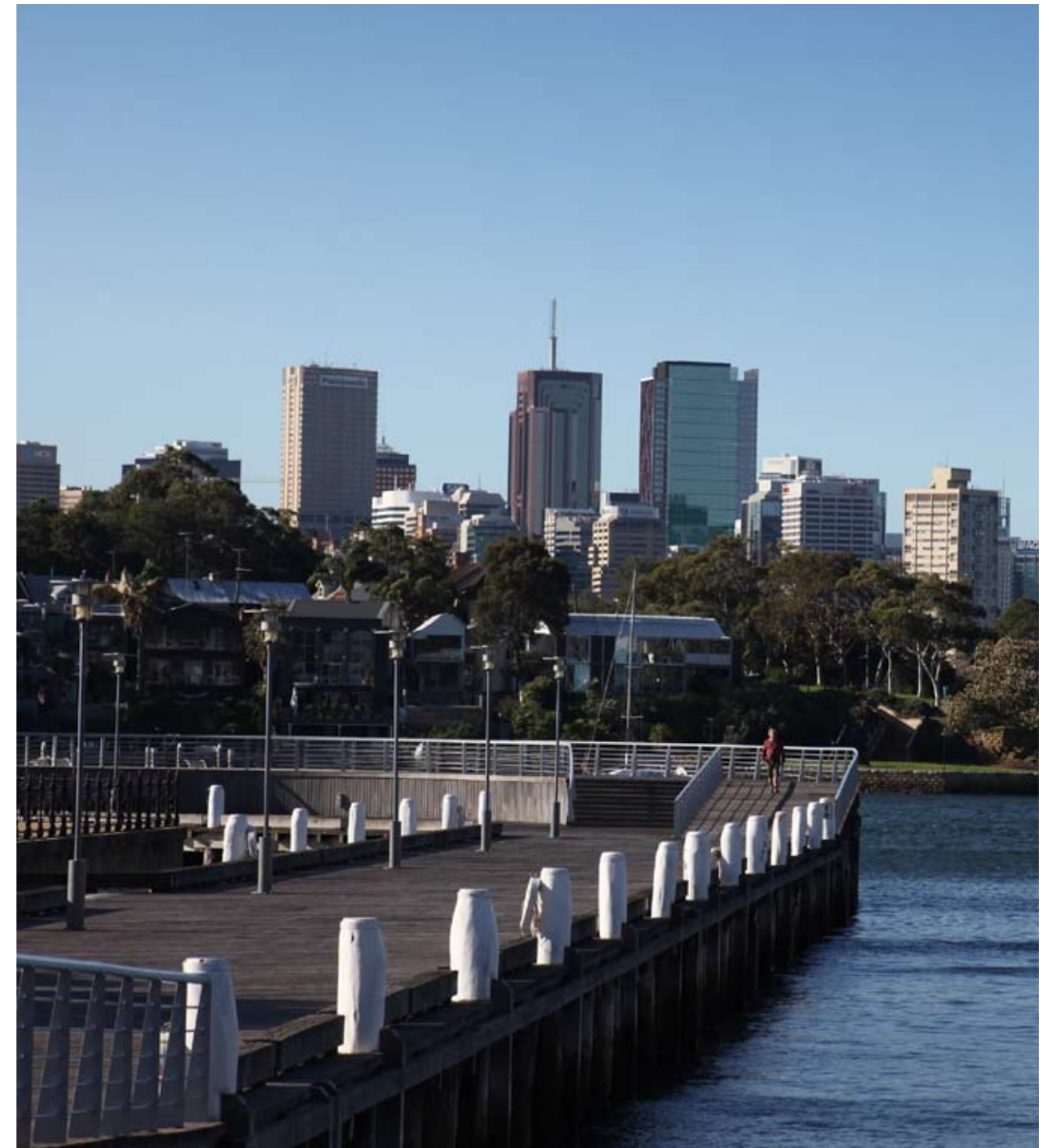
Rice Daubney has prepared a height study of existing buildings within the North Sydney Centre. The site is located almost in the dead centre of the North Sydney Commercial Core. In this location it is considered appropriate to construct a commercial building to the maximum height.

The photomontages on this page demonstrate that the building form fits within the context of predominant building heights within the North Sydney Centre.

The photomontage from Kurraba Road shows that the proposed building form fits within the arc of buildings in a north-south direction across the commercial core. When viewed from the west, the proposed building is comparable in height as the Optus Building.



Photomontage looking west from Kurraba Road, Neutral Bay



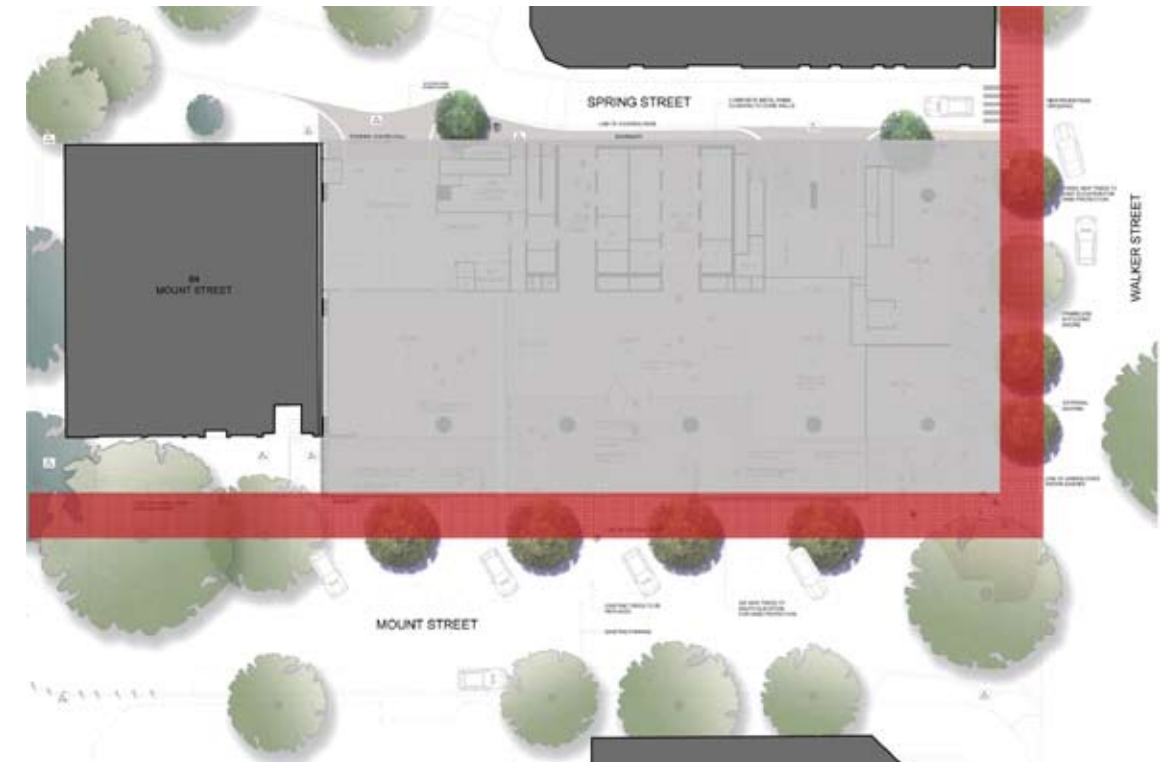
Photomontage looking north east from Pymont



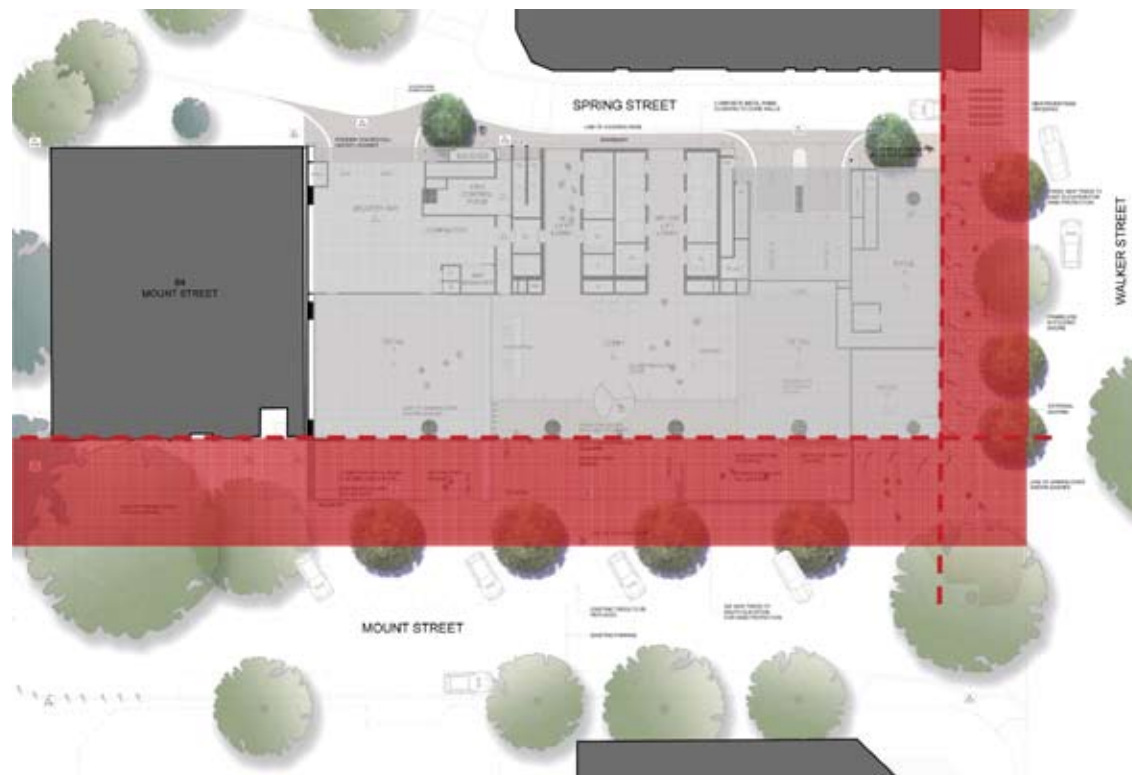
### 6.4.3 Setback and Podium Discussion



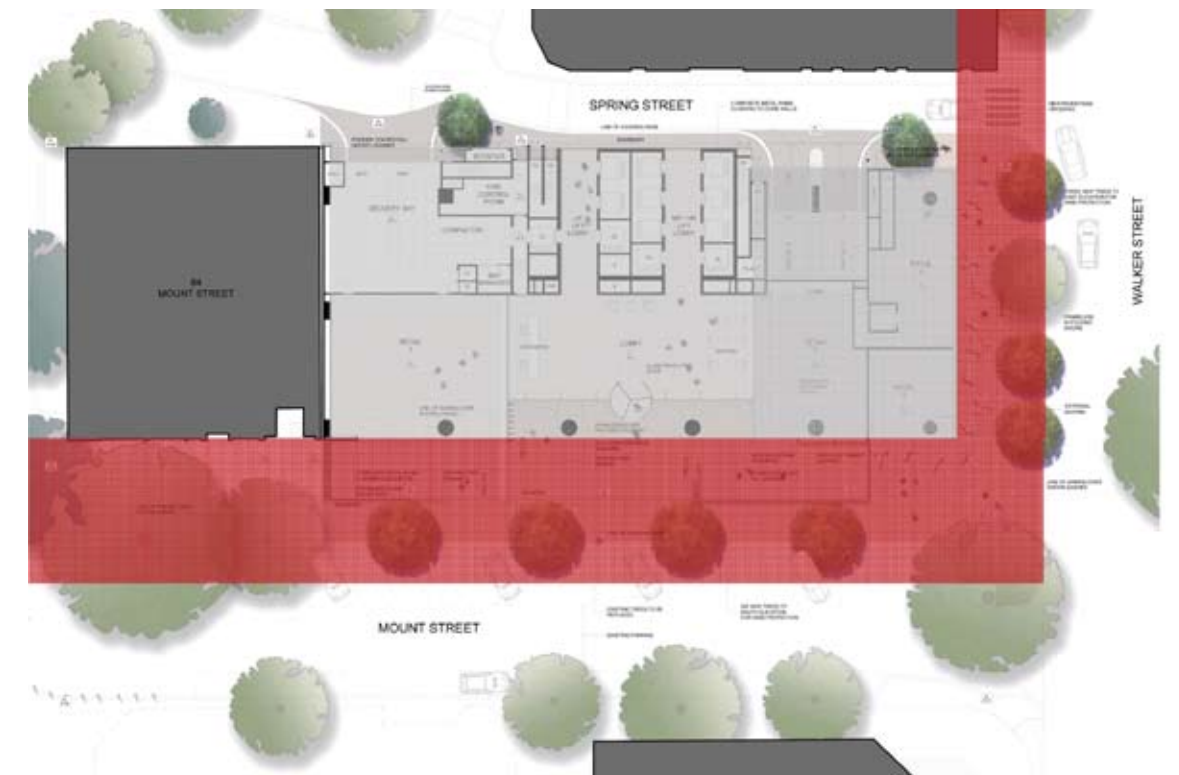
**Ground Masterplan:** Following the precedent set by 80 Mount Street, movement zones have been aligned along the kerb and the seating areas along the built face giving a series of platforms to the street.



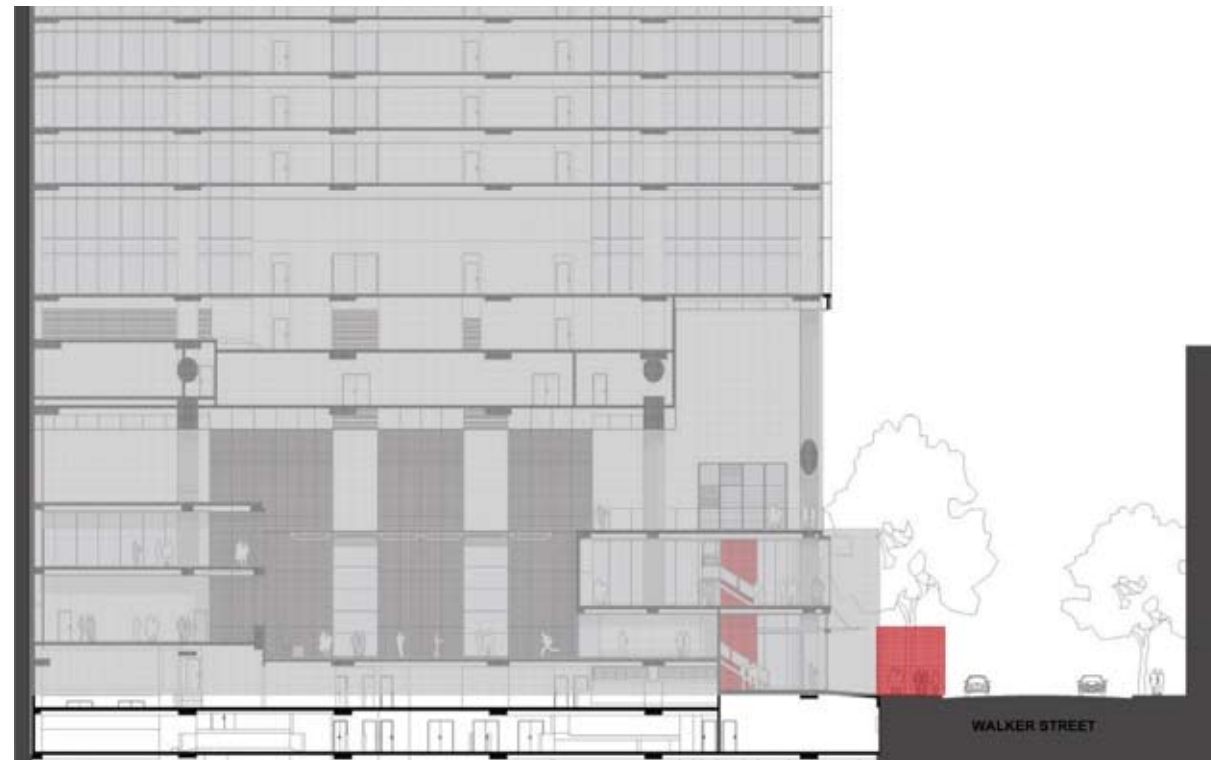
**Typical Podium Outcome:** A typical podium response would result in restricted footpath dimensions to the width of the current path giving nothing to the public domain. Additionally it would project beyond the line of the adjoining 80 Mount Street.



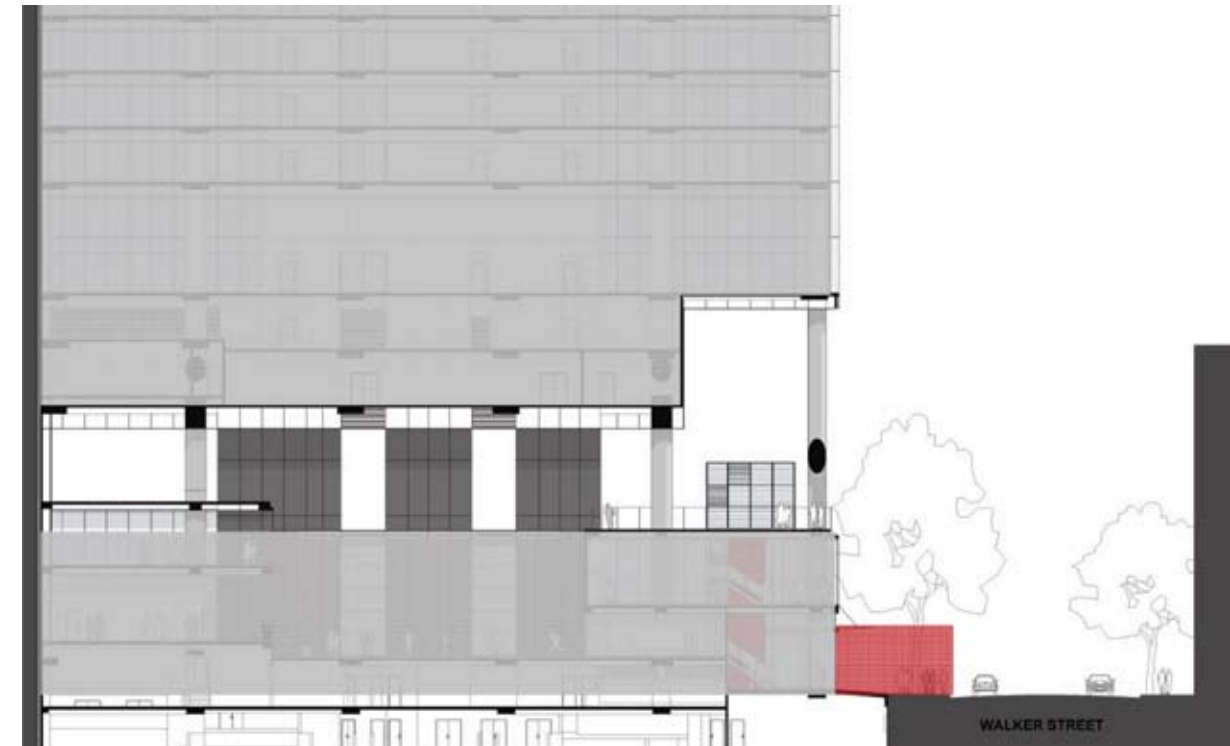
**Realigned Building Edge:** The Walker Street setback extends the footpath dimension at the point in the site that has the highest pedestrian foot traffic. This is also the only point on the site that will get morning sun for a good period of time and as such it could be used as an outdoor seating area addressing the café space at ground level. The setback also helps to "project" the heritage listed facades of the Fire House Hotel adjacent giving it prominence in the street. The Mount Street setback respects the alignment of the adjoining 80 Mount Street and more than doubles the width of the footpath area along Mount Street. The lobby is set in from the alignment of the podium faces adjacent, further articulating the street edge. The setback from the boundary line is treated as a series of stepped terraces giving level platforms that will be activated by seating and outdoor dining opportunities thus bringing life and activity to the street edge in favour of a blank glass façade.



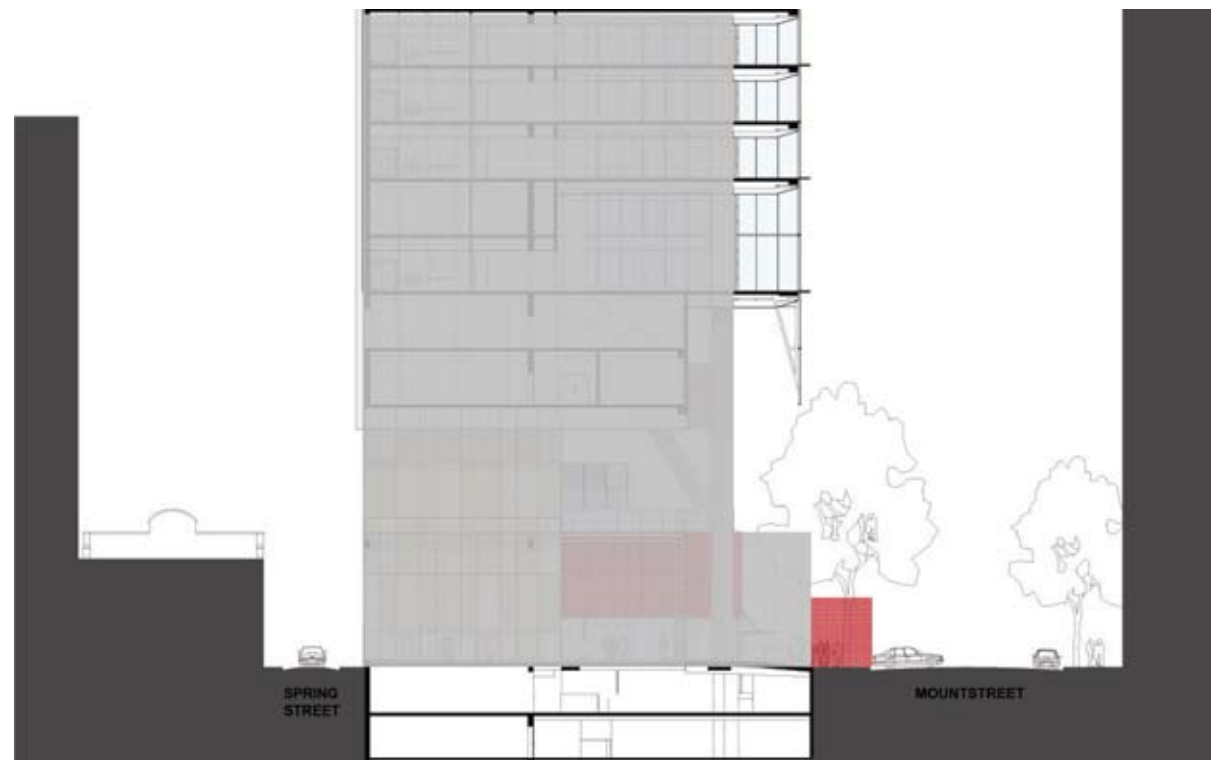
**Realigned Paving Edge:** In addition to the setback from the boundary within the site it is envisaged that the angled parking in front of the building on Mount Street may be removed (in line with council's Public Domain Plan) thereby widening the footpath further along Mount Street from Walker to Denison Streets. The urban outcome of the street beyond the current footpath line is not a part of this application but is envisaged as potential works in kind in lieu of S94 contributions.



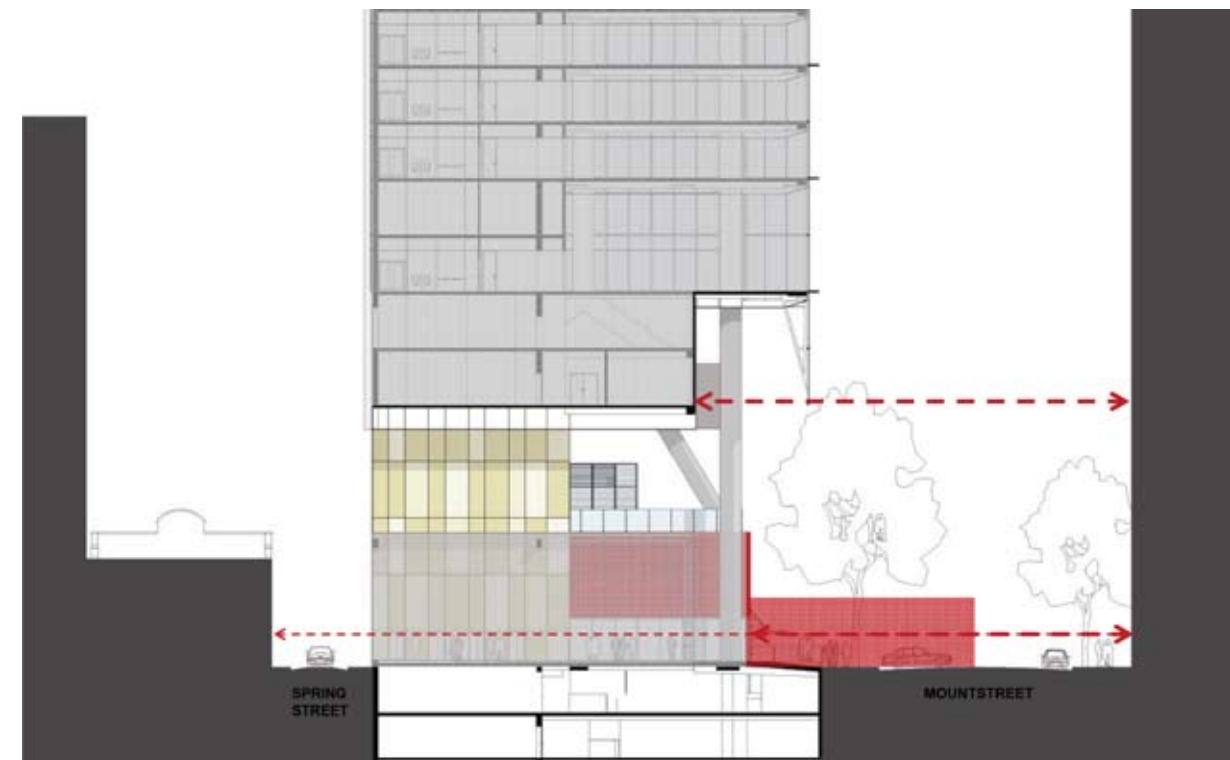
**Typical Podium Outcome:** A typical podium outcome would need to be limited to 2 stories to respect the alignment of the parapet at the adjacent heritage listed Firehouse Hotel on Walker Street. This diagram through Walker Street shows the combined impact of a typical podium and zero setback which sees the tower come a lot closer to the ground and gives nothing to the footpath dimension.



**East/West Section Looking North:** This diagram through Walker Street indicates the alternative which reinforces the 2 storey built form to the street by lifting the tower away and creating an inverted podium that sees the tower start higher. The additional width to the public domain on Walker Street is also evident. This will also reduce the effective length of Spring Street from Walker to Little Spring providing a more activated public domain and improve the interface between cars and people through better sight lines.

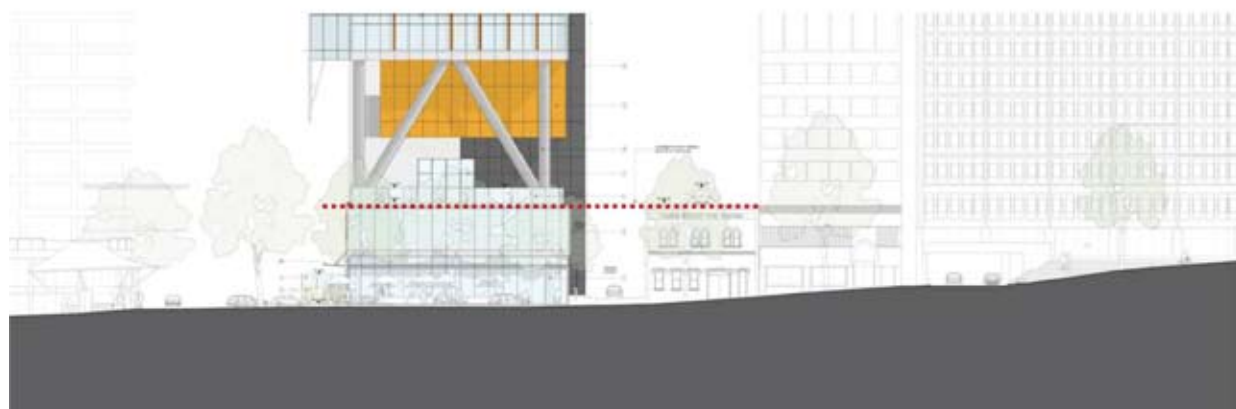


**Typical Podium Outcome:** A typical podium outcome would need to be limited to 2 stories to respect the alignment of the parapet at the adjacent heritage listed Firehouse Hotel on Walker Street. This diagram through Mount Street shows the combined impact of a typical podium and zero setback which sees the tower come a lot closer to the ground and gives nothing to the footpath dimension.



**North/South Section Looking East:** This diagram through Mount Street indicates the alternative which shows the cumulative impact of the wider footpath on Mount Street. It also indicates the volume of the tower above and the visual continuity through the lobby.

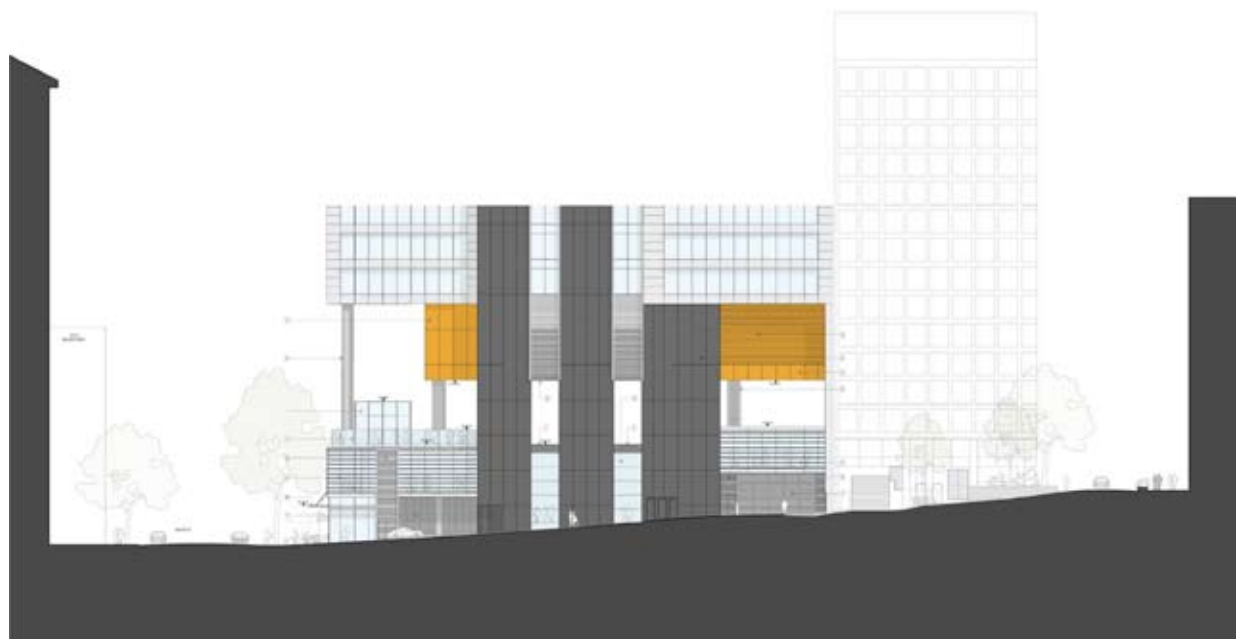




**Walker Street Podium Elevation:** Podium elevation to Walker Street showing the podium connectivity with the Firehouse Hotel adjacent. This volume also creates a human scale to the street and the inverted podium provides separation to the tower above.



**Mount Street Elevation:** The elevation along Mount Street indicates the stepping nature of the tower form opening up to the corner of Walker and Mount Streets. This stepping form is balanced by the two storey form of the base picking up on the Firehouse Hotel and the base of the adjoining 80 Mount Street. Also indicated is the stepping of the street level within the boundary from Denison Street down to Walker Street.



**Spring Street Elevation:** The Spring Street elevation shows the Walker Street retail turning the corner into Spring Street and the visual connection through the lobby to Mount Street beyond. The visual impact of the loading dock is minimised by the first floor over coming out to the street. The separation to the tower over adds to the connection between Mount Street and the streets behind.



#### 6.4.5 Amenity impact

##### Overshadowing

A shadow analysis of the proposal has been undertaken by PSN Matter. The analysis diagrams accompany this report at **Appendix I**.

As identified in **Section 6.1.3** above, the proposal will cause an overshadowing impact across the Mount Street Plaza open space between 10am and midday in summer. Further, it will increase overshadowing to dwellings fronting Whaling Road, North Sydney by 5 minutes at midwinter, commencing a 2.55pm.

In addition, the building will result in overshadowing

- Along Mount Street directly south of the site at midday in March, September, December
- Along the eastern end of Mount Street and across the expressway at 3pm in march
- Along walker Street between Mount Street and the Pacific Highway at midday midwinter , September
- Along Mount Street east of Denison Street in September 9am
- Along Miller Street just south of the Pacific Highway at September 9am

It is considered that the amenity impact resulting from the increased overshadowing will not be significant within the city core of North Sydney. Significant open space areas will retain solar access, whilst residential amenity of dwellings both within and outside the core will not be reduced.

##### Privacy

The proposal will have a negligible impact on privacy to surrounding buildings. The commercial use of the building, and that of surrounding buildings, ensures that no unreasonable impact will be had on residential privacy which has a peak usage converse and therefore complementary to a commercial building. Separation distances between the proposed building and those nearby exceed the minimum required in Council's DCP.

##### Wind impacts

A Wind Impact Study has been undertaken by Windtech, using a 1:400 scale model of the proposed building and the surrounding environments. Refer **Appendix N** for the report. The study found that some treatments were required to ameliorate wind impacts at the public domain interface of the building, and at the mid-level roof garden. Incorporation of these treatments has been undertaken, including the following:

- Strategic placement of 1.2m high impermeable balustrades within and around the development site;
- The addition of an awning above the street level along the eastern and southern aspects of the development;
- Maintaining existing 1.5m high shrub at the corner of Denison and Mount Streets and 1.2m high Garden Wall at the corner of Denison and Spring Streets;
- Densely foliating tree capable of growing to a height of 3 metres with a 3 metre canopy on Spring Street;
- Densely foliating trees capable of growing to a height of 5 metres with a 6 metre canopy on Mount and Walker Streets, and a 6 metre high tree with an 8 metre canopy on the corner of Walker and Mount Street;
- 1.5m high impermeable balustrades along the perimeter of the Level 8 (retail roof) Roof Garden terrace areas; and
- 1.5m high impermeable balustrade along the perimeter of the Level 20 Sky Garden terrace area, setback from the edge.

With these recommended treatments included into the final design of the development, the wind conditions within and around the proposed development site will be acceptable for their intended uses. See Statement of Commitments at **Section 7** of this report.

#### 6.5 Public domain

##### **6.5.1 Proposed and potential public domain improvements**

A public domain design report has been prepared by Oculus which accompanies this EA report at **Appendix D**. The public domain design report outlines the proposed and potential future public domain works surrounding the subject site.

The accompanying Indicative Public Domain Masterplan prepared by Oculus shows how the proposed public domain improvements associated with this development can tie in with those being undertaken as part of the 88 Walker Street proposal, and Council's Public Domain Improvement Plan. The indicative scheme shows one potential public domain concept which includes Mount Street and Mount Street Plaza, Denison Street and the public plaza linking with Mount Street, Little Spring Street, Spring Street and the public plaza to the south of 77-81 Berry Street. That area subject to public domain improvements associated with the proposal for 100 Mount Street are outlined dashed on the plan.

Oculus articulates the design approach for the public domain improvements proposed as part of this scheme as follows:

*The design of the public domain needs to work on a number of levels:*

1. *the public domain works to the footpaths surrounding the site and within the site boundary from the building to the kerb line on Mount, Walker and Spring Streets;*
2. *the interface with the wider public domain of the local area, including Walker, Spring, Denison and Mount Streets as a whole, ie an indicative public domain master plan; and*
3. *the linkages with and between other public domain spaces and the pedestrian network of North Sydney based upon the principles, approach and strategies contained in the North Sydney Centre Public Domain Strategy.*

*The public domain plan submitted as part of this planning submission shows only the first level of public domain works ie between the building line and the existing kerb line immediately adjacent to the site. However, it is recognised that it is necessary to consider the interface with the wider public domain as noted in the DG's requirements, and that there may be public domain works over and above this implemented as part of the development at the discretion of Council and covered by a s94 contribution.*

*It is intended that the new/improved public domain associated with the development of 100 Mount Street will be well defined, integrated and accessible. It will comprise a variety of urban spaces both within the site boundary and the adjacent public domain footpaths. The public domain will provide ample opportunities for people to interact by creating spaces that reflect different uses, whether they are areas for outdoor seating associated with retail uses, gathering areas associated with the commercial lobby, transitional spaces or areas to simply sit and watch.*

It is proposed that works within the site boundary, being an effective extension of the public domain will comprise:

- a significant setback at the ground level podium to create a visual separation of existing public domain or footpath area;
- Construction of publicly accessible spaces along the Mount Street frontage, stepping down along the site topography, providing flat resting spaces for pedestrians; and
- Paving of the ground plane along Walker Street from the site boundary to the building line so as to be the same as the re-paving of the public footpath, enabling these two areas to be read as one.

Works outside the site boundary will involve,

- Reconstruction of the kerb/gutter, crossings, full frontage, footpath pavement and transition works. Footpath paving along Walker Street will be of the same material used within the site, between the boundary line and the building line. Materials used will be consistent with Council's Public Domain Improvement Strategy, and will meet relevant Australian Standards and the BCA.
- Tree plantings within the public domain that are required for wind attenuation will be undertaken along Walker Street.

The public domain frontage to the site on Walker Street will be treated as part of the overall boulevard street character of Walker Street. The setback of the building at ground level and active retail uses will provide the opportunity for outdoor seating. Paving from the property boundary to the building line will be consistent with that within the public domain.

Public spaces along Mount Street will step in the form of platforms, to reflect the sloping topography.

The required contribution under Council's s94 Contributions Plan will be made to Council to contribute to public domain upgrade works, as per their works schedule and Council's Public Domain Improvement Strategy. Oculus' Public Domain Design Report highlights potential public domain improvements for the vicinity of the site.

### 6.5.2 Interface of proposal and the public domain

Having three street frontages, the site has an extensive interface with the public domain and in the context each street has a clear function. It is proposed that the role of the streets surrounding the site will retain their general character.

The eastern section of Spring Street will remain largely a laneway catering for pedestrian and vehicle movement/servicing. Where priority must be given to pedestrians along Walker and Mount Streets, vehicle access must be provided off Spring Street.

Steps at the main building entry from Mount Street will typically be of stone to match the adjacent paving. Stainless steel handrails and tactile ground surface indicators will be provided to all step in accordance with Australian Standards.

Landscape walls will consist of robust materials such as concrete. Where possible, walls will be designed to have a dual use such as seating as well as retaining structures.

There is potential for future linkages with surrounding public domain areas to be enhanced. This can be achieved through:

- Making the section of Mount Street between Denison Street and Walker Street a shared zone as a continuation of the existing shared zone in Denison Street;
- To centre the carriageway of the section of Spring Street between Walker and Little Spring Streets between the buildings so that the footpath on the north side can be widened; and
- To retain the existing shared zones in the section of Spring Street between Little Spring and Denison Streets and in Denison Street between Spring and Mount Streets.

### 6.5.3 Crime Prevention Through Environmental Design

Safety and security have been considered throughout the design of the building, specifically including those principles included in "Crime Prevention and the Assessment of Development Applications" guidelines under s79C of the Act. These principles include surveillance, access control, territorial reinforcement and space management. Each of these elements are addressed below, in respect of the proposed building design.

#### Surveillance

Casual surveillance of the public domain will be achieved through the active street front uses at the ground floor. This active space will be occupied by tenants and in use seven days per week, providing ongoing observation of the public domain. The lower level terrace will also provide casual surveillance of the streetscape from its elevated position. The lower levels of the building and public domain interface will be clearly visible from within the building and surrounding public space. This will act to deter antisocial behaviour surrounding the building.

#### Access control

Access to the internal portions of the building including the commercial floors and basement car parking will be by security swipe card/intercom for deliveries. After hours access to the commercial foyer will also be restricted to security swipe card.

The interactive nature of the ground floor interface will facilitate the establishment of activities which will encourage pedestrians to stop and stay during the day and evening, thereby minimising opportunities for potential offenders to cause nuisance.

#### Territorial reinforcement

The occupation of the ground floor tenancies by retail uses will establish an informal 'ownership' of the semi-public and private domain surrounding the site. The use of this space for outdoor dining/cafes will physically demonstrate the interface between the public and semi public domain, as well as the private building.

#### Space management

Whilst there will be a merging of public and semi-public space around the ground floor frontages to the site, this will assist in providing a demonstrable level of space management. The area will be maintained by the individual businesses at the ground floor interface, as well as building management, assisting in the creation of a well maintained and attractive building interface. The choice of materials and finishes will be hard wearing and will enable easy cleaning, whilst complementing the overall appearance of the public domain.

These elements of security will be clarified through a security management plan prepared prior to occupation of the building. Refer Statements of Commitments at **Section 7** of this report.

## 6.6 Transport and accessibility (construction and operational)

### 6.6.1 Car parking

A total of 130 car parking spaces will be provided over the 5 basement levels, which is greater than the maximum number required by Council's DCP. Given that there are a total of 70 existing car parking spaces within 86-96 and 100 Mount Street, an additional 60 spaces are proposed. As discussed in **Section 6.1.5** the maximum rate under the DCP is 1 space per 400m<sup>2</sup> GFA, which would bring the maximum allowable to 99 spaces. As expanded upon by our traffic consultant below, the proposed rate of 1 space per 300m<sup>2</sup> GFA is comparable to that approved for other landmark buildings within North Sydney, including 40 Mount Street, and is considered to be appropriate also for this site in order to attract top tier commercial tenants back to North Sydney Centre.

Colston Budd Hunt & Kafes (CHBK) has provided an analysis of the proposed car parking numbers and the potential impact on the surrounding road network. The following conclusions are reached in this regard:

*Based on Council's DCP 2002 the proposed development has an allowable parking provision of 99 spaces. Application of this rate would result in a traffic generation of some 40 to 60 vehicles per hour two-way during morning and afternoon peak periods. For the purpose of securing a major anchor tenant pre commitment for the development and for marketing purposes to encourage these tenants into North Sydney CBD the proposed parking provision is some 130 spaces. This results in a peak hour traffic generation of some 55 to 80 vehicles per hour two-way. This is an additional 15 to 20 vehicles per hour two-way. This is equivalent to an increase in traffic generation of one vehicle every three to four minutes two-way during peak periods. Such a small increase in traffic generation will not have a material effect on the operation of the surrounding road network.*

CHBK have concluded that the anticipated traffic generation from the site can be accommodated within the existing road network, and as such the number of car parking spaces proposed is considered acceptable in terms of traffic generation and roadway capacity.

### 6.6.2 Traffic generation and road upgrades

A traffic report has been prepared by Colston Budd Hunt and Kafes in respect to the proposed development. The following comments have been made with respect to operational traffic generation and impacts on the surrounding street network:

#### Existing Situation

- *SIDRA Analysis has found that the signalised intersection of Pacific Highway/Walker Street and Mount Street/Walker Street is currently operating with average delays of less than 30 seconds per vehicle during the weekday morning and afternoon peak periods. This represents a level of Service B/C which is a satisfactory level of intersection operation.*
- *The signalised intersection of Walker Street and Berry Street is operating with average delays of some 25 seconds per vehicle during the morning and less than 30 seconds per vehicle during the afternoon peak periods. This represents a level of service B and B/C for the morning and afternoon peak periods respectively. These are good to satisfactory levels of intersection operation.*
- *The unsignalised intersection of Walker Street and Spring Street is operating with average delays, for the movement with the highest average delay, of less than 20 seconds per vehicle during the peak periods. This represents a level of service B, which is a good level of intersection operation.*
- *The analysis found that the unsignalised intersection of Berry and Denison Street is operating with average delays, for all movements through the intersection, of less than 25 seconds per vehicle during the peak periods. This represents a level of service B, which is a good level of service.*

#### Assessment of Resultant Traffic Generation

*The site has an existing traffic generation of some 10 to 15 vehicles per hour two-way during peak periods. The resultant net increase in traffic generation of the proposed development is therefore expected to be some 40 to 60 vehicles per hour two-way at peak times.*

*In order to assess the traffic effects of the proposed development, the additional traffic has been assigned to the road network. To be conservative, the higher figure of 60 additional vehicles per hour two-way has been used during the morning and afternoon peak periods. This is equivalent to one additional vehicle every minute two-way during peak periods.*

- *The largest traffic increase would occur on Spring Street from where access is proposed. Traffic flows would increase by up to some 45 additional vehicles per hour during peak periods.*
- *Peak period traffic flows on Walker Street, Mount Street, Denison Street and Berry Street would increase by some 10 to 30 vehicles per hour during the morning and afternoon peak periods.*

*The intersections previously analysed were re-analysed using the SIDRA computer program with the additional traffic generated by the proposed development added to the existing flows. The SIDRA analysis found that all intersections previously analysed would continue to operate at their existing good to satisfactory levels of service, with similar average delays per vehicle during the morning and afternoon peak periods.*

It is considered that there are no triggers requiring upgrades to the surrounding road network in order to accommodate the anticipated traffic generation from the site.

#### 6.6.3 Vehicles access and servicing

Appropriate vehicular access is provided to and from the site via Spring Street, both for tenant vehicles and for service vehicles. This laneway ensures that the vehicular crossing is located away from a main pedestrian thoroughfare. SIDRA analysis of this street and the Spring Street/Walker Street intersections shows that with the anticipated level of traffic generation, the intersection will still operate at a good to satisfactory level of service.

#### 6.6.4 Alternate transport (public transport, bicycles and walking linkages)

CBHK report at **Appendix O** provides comments regarding implications for the proposed development for non-car travel modes (including public transport, walking and cycling).

*The site of the proposed development is well located to connect into the pedestrian network within the North Sydney CBD. The existing network comprises traditional footpaths, shared zones/pedestrian plazas and through site pedestrian links in the vicinity of the site. The proposed development will enhance and maintain these facilities.*

*In association with the proposed development and in consultation with North Sydney Council, it is proposed to improve pedestrian amenity in the vicinity of the site and widen the existing northern footpath of Mount Street, adjacent to the development. In addition, substantial urban design improvements will be undertaken along Mount Street and Walker Street, including at the signalised intersection of these two roads. These works will expand the existing public domain improvements within North Sydney, in particular the Denison Street shared zone and the Mount Street pedestrian plaza. The works will also improve accessibility for pedestrians accessing bus services from the Pacific Highway and rail service from North Sydney Station.*

*In regards to cyclists, the proposed development will provide appropriate facilities for cyclists and will integrate with Council's own bicycle plan for the North Sydney CBD.*

The proposal provides more bicycle parking spaces on site than required under DCP2002.

#### 6.6.5 Mitigating impact upon pedestrians and cyclists throughout construction

The following comments have been made by CBHK regarding construction impacts on pedestrians and cyclists.

*Matters in regards to pedestrians and cyclists will be dealt with in the construction traffic management plan, which will be prepared prior to the commencement of construction. However, measures to mitigate potential impacts for pedestrians and cyclists will include the provision of construction hoardings along Mount Street, Walker Street, Spring Street and Denison Street.*

The draft Construction Management Plan (**Appendix B**) proposes some methods by which pedestrian and cycle safety can be maintained. The plans included in the appendix to the CMP detail management strategies for pedestrian access, vehicle access and loading, site storage, and demolition/excavation stage vehicle routes to and from the site.

Pedestrian access routes will be maintained along Mount and Walker Streets but will be restricted along Spring Street.

#### 6.6.6 Assessment against Integrating Land Use and Transport

CBHK has provided the following comments:

*The proposed development is located within North Sydney CBD within some 5 minutes walk from North Sydney Railway Station. Local bus services along the Pacific Highway also provide high frequency public transport links between North Sydney and the surrounding area. The site is therefore well located for access to convenient and regular public transport rail and bus services.*

*The proposed development will increase employment densities close to existing public transport services. The proposal would therefore strengthen the existing demand for bus and rail services. This is consistent with the government policy and planning principles of:*

- *Improving accessibility to employment and services by walking, cycling and public transport;*
- *Improving the choice of transport;*
- *Moderating growth in the demand for travel and the distances travelled, especially by car; and*
- *Supporting the efficient and viable operation of public transport services.*

It is considered that the proposal adequately meets the principles of Integrating Land Use and Transport.



## 6.7 Noise impacts

An Acoustic Report has been prepared by PKA Acoustic Consulting, providing an overview of the likely noise impacts associated with the proposal, due to both construction and operational phases. This report is attached at **Appendix P**.

The report states that:

*“there is likely to be some noise impact during construction stages. These will be mostly at the surrounding commercial properties and to a lesser extent at the distant residential apartment buildings within the precinct. It will be necessary to prepare a Construction Noise Management Plan in order to implement suitable noise mitigating controls.*

*The following operational activities have the potential to generate some noise emissions:*

- *Noise emissions generated by increased traffic generated by the development;*
- *Mechanical ventilation plant in low, medium and high rise plant rooms;*
- *Cooling towers and chillers at roof level high rise plant rooms.*

PKA has concluded that *“mechanical plant noise can be satisfactorily controlled using standard noise control measures such as acoustic screening from the chillers and suitable silencers on the fans.”*

Further, that *“traffic noise generated by the development will be within satisfactory limits. Noise from the delivery bay will also be within satisfactory limits for Day and Evening operation (0700-1800 weekdays).”*

### Mechanical Services Plant Noise

*It will be necessary during the detailed design stages to incorporate appropriate acoustic features to the mechanical plant to ensure that the prevailing consent conditions regarding noise emissions are met.*

*Generally, this can be achieved using low noise specification plant, appropriate enclosures, acoustic louvres and suitable silencers and mufflers as necessary. The noise control requirements cannot be fully detailed as the plant is currently only in concept design stage... we expect that it will be feasible to allow compliance with standard DCP/consent noise limitations by including any necessary acoustic treatment in the design documentation.*

### Noise Generated by Traffic Movements

*We expect that there would be generally little noise impact from traffic flow associated with the development as the estimated increases are either insignificant or well below the 2 dB permissible allowance.*

Recommendations made within the Acoustic Report have been incorporated into the Draft Statement of Commitments at **Section 7** of this report.

## 6.8 Construction impacts

A Construction Management Plan (CMP) has been prepared by Laing O’Rourke which details the proposed management methods to be undertaken in and around the site during demolition and construction phases of the project. This CMP is included at **Appendix B**.

Pedestrian access will be maintained along the Mount and Walker Street frontages, whilst heavy construction traffic use of Spring Street will require the closing of this thoroughfare to pedestrians. Appropriate hoardings will be constructed along the site boundaries where required.

It is proposed that a restricted-hours long vehicle loading bay will be located at the Walker Street frontage. Medium sized vehicles will be serviced from the Mount Street frontage. When the site construction stage permits, smaller vehicles will enter the site itself via the basement ramps.

A Construction Waste Management strategy will be prepared, outlining a methodology by which landfill is minimised through waste material avoidance, reuse and recycling to meet relevant Authority requirements.

Neighbours and interested stakeholders will be informed of key milestones in the demolition, excavation and construction stages, particularly in relation to potential disruptions.

Recommendations within the Construction Management Plan have been incorporated into the Draft Statement of Commitments at **Section 7** of this report.

## 6.9 Ecologically Sustainable Development (ESD)

An ESD and Climate Change Report has been prepared by Waterman for the proposed Project. This accompanies the EA at **Appendix Q**.

In summary the report states:

*In response to the Director General’s Requirements (DGRs), this ESD Assessment Report provides:*

- *Details of the proposed development’s incorporation of ESD principles in the design, construction and ongoing operation phases, and*
- *An assessment of how the proposed development will target a 5 Green Star and a 5 Star NABERS Energy rating.*

*The proponent commits that the proposed commercial development at 100 Mount Street, North Sydney, will be designed and constructed with appropriate Ecologically Sustainable Development (ESD) Measures to minimise adverse impacts to the external environment and to improve the internal working environment in design, construction and ongoing operation phases.*

*The design is targeting a 5 Green Star rating under the Green Building Council of Australia’s Office Design Tool. In doing so, a minimum NABERS Energy rating equal to 5 Stars is being targeted. The building will incorporate potable water saving measures that are anticipated to result in a high NABERS Water rating if the building is rated post occupancy.*

Active ESD elements incorporated into the design include:

- Use of central chilled water plant for air conditioning systems;
- Separate central air handling units for each thermal zone;
- Energy sub-metering of all major electrical uses in the building;
- Possible use of cogeneration including gas fired power generation;
- Provision for integration of artificial lighting and daylight compensation with appropriate controls may be incorporated to reduce or turn off entire areas upon adequate daylight. Lighting zone sizes shall be reduced to allow switching off of unoccupied areas.

Recommendations within the ESD Report have been incorporated into the Draft Statement of Commitments at **Section 7** of this report.

## 6.10 Drainage and Flooding

A Statement on Provision of Site Stormwater Drainage has been prepared by Warren Smith and Partners, which accompanies this EA report at **Appendix R**. The report details the stormwater management system as well as rainwater re-use measures proposed as part of the project.

#### Site Stormwater Drainage

*The proposed commercial office tower... will incorporate a site drainage system that will be designed to comply with the North Sydney Guidelines. The system will drain all the stormwater from the site and will consist of a piped network designed to contain the 1 in 100 year event. Overflow paths will be provided to allow for any flow in excess of that designed for the piped network.*

*No on-site stormwater detention is proposed.*

#### Rainwater Re-Use

*Rainwater reuse measures consistent with North Sydney Council guidelines include a 60,000 litre storage tank for recirculation of treated rainwater for re-use for WC flushing and for irrigation of selected landscape areas. The rainwater reuse tank is located on level 10.*

Additional details are provided on stormwater management during construction stage of the project, which supplement the Construction Management Plan by Laing O'Rourke. Recommendations within the Site Stormwater Drainage report have been incorporated into the Draft Statement of Commitments at **Section 7** of this report.

### 6.11 Contributions

North Sydney's Section 94 Contributions Plan requires the payment of levies on additional floorspace for the provision of public improvements. The applicable rates for commercial floor space are:

- Administration, open space and community services - \$3,204.12/100m<sup>2</sup>
- Public domain - \$7,464.07/100m<sup>2</sup>
- Traffic improvements \$450.67/100m<sup>2</sup>

Therefore the total contribution /100m<sup>2</sup> of additional retail and commercial floorspace is \$14,322.98

The additional Commercial GFA, above that existing on the site is 29,150m<sup>2</sup>. A contribution under Council's s94 Contributions plan is therefore 29,150 (39,540 - 10,390 = 29,150) x \$14,322.98 = \$4,175,148.67

In addition to s94, the proponent will enter into a Deed of Agreement with the Council to pay a retrospective contribution for the upgrade of North Sydney Railway Station.

A Statement of Commitment is provided in **section 7** of this report.

### 6.12 Utilities

All required utilities will be connected to the site. Adequate supply is available in the current network for water, gas, and telecommunications. Refer to Agency letters at **Appendix S**.

We understand that Energy Australia has advised that, based on a 4400A/phase maximum demand, a suburban chamber type substation or upper level substation will need to be established on site.

This new substation will be located on level 10, the lower plant room. Energy Australia are happy with this location.

### 6.13 Staging

The building will be constructed in a single stage.

### 6.14 Consultation

Consultation has been undertaken in accordance with the Department's Major Project Community Consultation Guidelines October 2007. Details of such consultation are provided below.

#### Consultation with North Sydney Council

Discussions have been held with North Sydney Council officers at meetings held on 12 February 2009 and 18 June 2009, seeking their views and ideas relating to the proposal. Notes taken by the applicant at these meetings are attached at **Appendix T**.

The main issues raised by Council on 12 February in response to the briefing were:

- *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*

These details have been addressed as part of the current proposal

The main issues raised by Council on 18 June in response to the briefing were:

- *Extent of public domain works should include reconstruction of the footpath and gutter along the street frontages*
- *Council sought opportunities for public car parking to be relocated from the northern side of Mount Street into the basement. This would be subject to agreements between the site owners and Council. It was noted that the current proposed location of the new rail link and underground station below Mount Street presents a constraint to constructing additional basement levels.*

The public domain improvements as part of this proposal include reconstruction of the public footpaths and gutters adjoining the site along Mount, Walker and Spring Streets. The location of public car parking in the basement does not form part of this proposal, and will be subject to negotiation with Council.

Following the June 18 Meeting with Council, a presentation was made to the North Sydney Design Review Panel. Minutes of this meeting are attached at **Appendix T**.

A Councillor briefing was also held on Wednesday 14th July.

#### Consultation with the NSW Department of Planning

A meeting was held with NSW Department of Planning on Thursday 30th April where Departmental staff were briefed on the proposed scheme. Minutes of the meeting are attached are **Appendix U**. The following points were raised that require further consideration or additional detail:

- Provision of car parking at 1 space/300m<sup>2</sup> rather than 1 space/400m<sup>2</sup> as per Council's DCP;
- Clarification of rail tunnel proposal;
- The need to be clear on extent of public domain work proposed;
- View analysis incorporating the 'view cones' was sufficient in first instance for the DoP assessment team. If further information is required it will be requested after lodgement;
- Department acknowledged situation of neighbouring development at 88 Walker and 77-81 Berry being lodged almost concurrently, and the lack of available information regarding that scheme until it is placed on public exhibition.

These issues have been addressed as part of this application.

#### Consultation with the Proponents for 88 Walker Street/77-81 Berry Street

After the EA for 88 Walker/77-91 Berry Street was placed on public exhibition, a meeting was held between the proponents of that scheme and the subject scheme. A summary of that meeting (in email format to JBA Urban Planning Consultants) is attached at **Appendix V**. The main items of discussion in that meeting are as follows:

- *There was unanimous agreement that the two proposals complemented each other and that they would both contribute to the revitalisation of North Sydney CBD;*
- *The provision of A Grade Australian Best Practise contemporary commercial space will attract Blue Chip companies to lease within North Sydney;*
- *The traffic in the CBD laneways was discussed at length. Both parties acknowledged a desire to work with the Department, North Sydney Council and the RTA to improve traffic circulation on the laneways. Discussion was held about the possibility of further design work with the RTA to look at options for a scramble crossing at Mount Street and Walker Street;*
- *Both parties agreed to continue further discussions as and when necessary.*

Consultation will be undertaken with surrounding land owners during the public exhibition stage of the assessment process post lodgement.

#### **6.15 CBD Rail Consideration**

Consultation has been had with Railcorp in relation to the potential CBD Rail Link Station earmarked for construction under Mount Street adjacent to the site. Planning for the rail link is not sufficiently advanced to allow detailed impact assessment, however, further detail yet to follow and consultation is intended to continue. As outlined in the letter from Parsons Brinckerhoff attached at **Appendix W**, the potential issues are understood and a strategy for resolution is prepared.



## 7 Draft Statement of Commitments

Table 2 – Statement of Commitments

Subject	Commitment	Approval Authority (where applicable)	Timing
BCA and Australian Standards	The building will meet all relevant requirements of the BCA and Australian Standards (where applicable). This shall be detailed and certified prior to issue of Construction Certificate.	<b>PCA</b>	<b>Prior to CC issue</b>
Demolition	The demolition work shall comply with the provisions of AS2601:2001 The Demolition of Structures. The work plans required by AS2601:2001 shall be accompanied by a written statement from a suitably qualified person that the proposals contained in the work plan comply with the safety requirements of the Standard.		<b>Prior to CC issue</b>
Excavation	The Construction Management Plan shall address excavation methodology in detail, including how land stability of the site and adjoining land will be maintained, how natural drainage patterns will be protected, and how adverse impacts on surrounding properties will be minimised.		<b>Prior to CC issue</b>
Pedestrian Access during Construction	Pedestrian walkway access shall be retained along Walker Street and Mount Street during construction.		<b>During construction</b>
Accessibility	The proposal will meet requirements of relevant Australian Standards, the BCA and intent of the DDA in relation to access.		<b>Prior to CC issue</b>
Public Domain Works	A Public Domain Plan will be prepared detailing the upgrading of public spaces (excluding roads) in the vicinity of the site. The Plan shall be signed off to Council's satisfaction prior to issue of a Construction Certificate for the site.  Reconstruction shall be undertaken of the kerb/gutter, crossings, full frontage, footpath pavement and transition works	<b>Council</b>	<b>Prior to CC issue</b>
Construction Hours	Construction hours shall be limited to between 7am and 6pm weekdays, and 8am and 6pm on Saturdays.		
Construction Management	Commit to communicating key construction milestones with surrounding neighbours in particular in relation to potential disruption during demolition, excavation and construction.  The CMP will include the following:  Sound reducing hoardings should be constructed across the Walker, Mount and Spring Street alignments providing a base for site sheds. Where the hoarding and sheds are made continuous with appropriate plywood infill, this will provide a substantial noise reduction (for activities up to say 1st – 2nd levels) to lower level receptors.  The retaining walls for the basement level should be constructed by non-driven CFA piling. This will substantially mitigate noise impacts from this process.  Bulk excavation should be carried out by bulldozer and ripper attachments, with breaking limited to the sandstone bedrock. Where the excavation can exclude breaking to the greatest extent possible, noise and vibration impacts can be minimised.  Work carried out inside the building façade, once installed, should not impose further impacts.	<b>PCA</b>	<b>During Construction</b>
ESD	The proposed development commits to achieve a 5 Green Star Office Design rating and a minimum 5 Star NABERS Energy rating (Base Building)  Prior to construction of the building an ESD strategy will be prepared outlining measures to be incorporated into the building designs to achieve the desired ratings. The strategy will include, but may not be limited to the following: <ul style="list-style-type: none"> <li>5 star building star</li> <li>Efficiency of central plant</li> <li>Natural ventilation to selected areas</li> <li>Integrated building management system</li> <li>Stormwater harvesting and re-use</li> <li>Façade thermal performance</li> <li>Façade shading</li> <li>Energy monitoring</li> <li>Water monitoring</li> <li>Air-conditioning system management</li> </ul>	<b>PCA</b>	<b>Prior to Construction</b>

Subject	Commitment	Approval Authority (where applicable)	Timing
Noise	The managing contractor must prepare a Noise Management Plan prior to construction in order to manage and mitigate noise and vibration impacts on the adjacent 80 Mount Street and the distant residential properties.	PCA	Prior to CC issue
	The project must be designed such that operational noise is limited to within acceptable limits imposed by the consent authority. This will be carried out by the principal during the developed design phases or by the managing contractor as part of an enhanced Design and Construct specification.	PCA	Prior to CC issue
Lighting	All selected lighting of public space is to comply with the requirements of relevant Australian Standards.	PCA	Prior to CC issue
Contributions Framework	<p>A S94 Contribution at a rate of \$14,322.98/100m<sup>2</sup> is to be paid or works to this value to be undertaken in lieu of monetary payment. This contribution will cover</p> <ul style="list-style-type: none"><li>Administration</li><li>Child Care facilities</li><li>Community Centres</li><li>Library Acquisition</li><li>Library Premises and equipment</li><li>Multi-purposes indoor sports facility</li><li>Open space acquisition</li><li>Open space increased capacity</li><li>Olympic pool</li><li>Public domain improvements</li><li>Traffic improvements</li></ul>		
Railway Deed	The proponent shall enter into a deed in relation to the retrospective contributions to the upgrade of the North Sydney Railway Station, in accordance with the prescribed form and costing schedule.		
Utilities	Upgrading of utilities shall occur as per the requirements of the relevant agency.		
Wind	<p>The following set of treatments are to be included in the design:</p> <p>Strategic placement of 1.2m high impermeable balustrades within and around the development site;</p> <p>The addition of an awning above the street level along the eastern and southern aspects of the development;</p> <p>Maintaining existing 1.5m high shrub at the corner of Denison and Mount Streets and 1.2m high Garden Wall at the corner of Denison and Spring Streets;</p> <p>Densely foliating tree capable of growing to a height of 3 metres with a 3 metre canopy on Spring Street</p> <p>Densely foliating trees capable of growing to a height of 5 metres with a 6 metre canopy on Mount and Walker Streets, and a 6 metre high tree with an 8 metre canopy on the corner of Walker and Mount Street.</p> <p>1.5m high impermeable balustrades along the perimeter of the Level 8 (retail roof) Roof Garden terrace areas;</p> <p>1.5m high impermeable balustrade along the perimeter of the Level 20 Sky Garden terrace area, setback from the edge.</p>	PCA	
Safety and Security	A security management plan will be prepared for the building prior to its occupation.	PCA	Prior to CC issue

## 8 Conclusion

This report constitutes an assessment of a Concept Plan application for a 39 storey commercial building in the heart of North Sydney CBD.

- The proposal will assist the Stage Government and North Sydney Council in achieving Metropolitan and Regional planning objectives, through provision of a high quality commercial building within Global Sydney.
- The proposal creates significant employment opportunities throughout and after construction.
- The proposal generally complies with the intent of the planning framework for the site, including the Metropolitan Strategy and the Draft Amendment No.28 to North Sydney LEP;
- The building will provide high grade commercial floorspace of an appropriate size to attract top tier tenants to North Sydney CBD;
- The ground floor design will enhance the public domain and perceptively widen the public space along Walker and Mount Streets. This area will provide for active street-front uses including shops and cafes, providing places for people to stop and rest at this busily pedestrianised corner;
- The building will result in an acceptable overshadowing impact both within and outside the CBD area. Minor increases to overshadowing of residential properties (of a maximum 5 minutes at midwinter) and public domain is considered to be acceptable;
- Although some view loss will occur, the impact is considered to be reasonable in the circumstances; and
- The proposal includes a comprehensive statement of commitments to ensure any potential impacts are appropriately ameliorated;

In conclusion, it is considered the proposal adequately addresses the relevant heads of consideration and it is recommended that the proposal be approved.







# Appendix A

Architectural Plans and Area Schedule







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