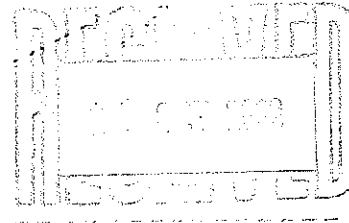




Mr Paul Atree-Williams  
Urbis  
Level 21  
321 Kent Street  
SYDNEY NSW 2000

Our ref: MP08\_0241  
File: S08/01874/1



Dear Mr Atree-Williams,

**Commercial/retail development, associated car parking and public domain improvements (MP08\_0241) at 86-96 & 100 Mount Street, North Sydney.**

Thank you for your Environmental Assessment (EA) for the proposed redevelopment of 86-96 & 100 Mount Street, North Sydney. The Department publicly exhibited the application from 29 July 2009 until 28 August 2009.

I have forwarded a copy of the submissions received to date, pursuant to Section 75H(5) of the *Environmental Planning and Assessment Act, 1979*. These submissions include responses from relevant Government agencies and North Sydney Council.

The Department has reviewed the submissions received and considered the proposal as detailed in the EA. The Department has identified a number of key issues with the proposal relating to North Sydney LEP 2001 and Draft North Sydney LEP 2001 (Amendment 28) and height, some design/public domain elements of the proposal, cumulative wind impacts and cumulative traffic impacts. These issues are outlined in **Attachment 1**.

The Department will also require additional information to complete our assessment as outlined in **Attachment 2**.

The Director General, pursuant to Section 75H(6) of the Act, requires that you provide a response to the issues raised in these submissions. It is considered that a Preferred Project Report (PPR) should be prepared identifying how you have addressed these issues (including those raised by the Department) and how the PPR minimises the environmental impacts of the proposal.

A revised Statement of Commitments is also to be provided incorporating any amendments following your response to the submissions.

It is recommended that you meet with Departmental Officers to discuss the issues raised in the public submissions and in this letter. In this regard, please contact Andrew Smith, Team Leader, Urban Assessments on (02) 9228 6369 or [andrew.smith@planning.nsw.gov.au](mailto:andrew.smith@planning.nsw.gov.au).

Yours sincerely

Michael Woodland  
Director  
Urban Assessments

## **ATTACHMENT 1 – DEPARTMENT OF PLANNING KEY ISSUES**

### **1. North Sydney LEP 2001 & Draft North Sydney LEP 2001 (Amendment 28) and Height**

The Department has concern with the height exceedence under the provisions of the existing North Sydney LEP 2001 and Draft LEP 2001 (Amendment 28). The current EA does not provide sufficient justification to depart from this height requirement. Any departure from the existing and draft LEPs require strong justification including an assessment of the impacts arising from the non-complying height of the proposed development, particularly in relation to bulk and scale and overshadowing. In addition, a more comprehensive justification as to overall public benefits is required, particularly in relation to public domain improvements and the creation of high quality interfaces on all street frontages.

### **2. Design Elements**

- **Public Domain**

#### **Through site pedestrian link**

The Department is concerned with the loss of the existing through site link which currently provides amenity and convenience to the public and contributes to a quality pedestrian environment. Further design resolution is required to incorporate a through site pedestrian link from Spring Street to Mount Street which makes a strong visual statement, including retail uses to ensure ground floor activation.

#### **Location of loading dock and service areas on Spring Street**

The Department is concerned with the location of the proposed loading dock and adjacent service areas and the potential impacts on the public domain. Further design resolution is required to consolidate/rationalise all services areas and vehicular access points into one location on Spring Street and for servicing to occur within the basement of the proposed building.

- **Built Form**

#### **Mount Street setback levels**

The Department is concerned with the proposed terracing within the Mount Street setback area as it creates a barrier between the existing pavement level and the proposed retail uses, and impacts upon the quality of the public domain. Further design resolution is required to ensure level access is provided along the Mount Street frontage.

#### **Walker Street Podium Setback**

The Department is concerned with the setback treatment of the proposed building along Walker Street between levels 8 and 12. Further design resolution of the exposed structural frame (concrete columns) is required. This may involve consideration of other design options for this area.

#### **Walker Street Elevation**

The Department is concerned with the proposed projection forward of the tower at level 22 and above on the Walker Street façade, which is inconsistent with established setbacks and the prescribed setback controls. A site analysis is required demonstrating the existing setbacks of buildings in Walker Street to determine average building setbacks and should consider the current proposal for 88 Walker Street.

### **3. Wind Impacts**

The Wind Report prepared by Windtech Consultants Pty Ltd has not taken into account the cumulative impacts from the proposal and future developments surrounding the subject site (in particular the proposal for 88 Walker Street and 77-81 Berry Street). The Department requests the lodgement of a revised Wind Report that addresses the above matters.

#### **4. Traffic Assessment**

The Department has a number of concerns regarding the Traffic Assessment Report prepared by Colston Budd Hunt & Kafes Pty Ltd and requires that additional matters be considered as follows:

- The cumulative effects of future developments surrounding the subject site (in particular the proposed development at 88 Walker Street and 77-81 Berry Street);
- The traffic generation rate of 0.6 veh/space as detailed in the traffic report, which is considered low and requires further analysis;
- In the event that additional trucks arrive when the loading dock is full what measures are proposed to minimise congestion and impacts on the public domain; and
- A swept path analysis is required to demonstrate that large truck vehicles would be able to enter/exist the subject site and local road network.

#### **ATTACHMENT 2 - ADDITIONAL INFORMATION REQUIRED / COMMENTS**

In addition to any revised architectural plans and analysis of options and designs reflecting the matters raised in **Attachment 1**, the following information is also required:

- A report addressing potential impacts from reflectivity and glare generated from the northern elevation of the building and the impacts on surrounding buildings, including the Beau Monde residential building and identifying any measures needed to ameliorate impacts.
  - Provide a comparative study of the heights of existing buildings in the surrounding area.
  - Architectural Drawing DA 23 is at a scale of 1:350. An amended drawing needs to be submitted at a scale of 1:300.
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