

MODIFICATION TO
APPROVED TOWER
BUILDING AT

100 Mount Street, North Sydney

Section 75W Application to
Modify Project MP 08_0241

September 2011



urbis

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Executive Summary	i
1 Introduction.....	1
2 Background.....	3
2.1 Approved Scheme	3
3 Proposed Modifications.....	4
3.1 Objectives for approved scheme	4
3.2 Objectives for proposed Modifications	4
3.3 Summary of modifications	4
3.4 Detailed description of Proposed Modifications	6
3.4.1 Built Form	6
3.4.2 Land Use and floor area	8
3.4.3 Vehicle Access, Pedestrian Circulation and Parking	8
3.4.4 ESD	9
3.4.5 Proposed Modification to the Existing Consent Conditions.....	10
4 Consultation.....	13
4.1 Department of Planning and Infrastructure (DoPI)	13
4.2 North Sydney Council.....	13
4.3 Roads and Traffic Authority	14
5 The Site and Context.....	15
5.1 The Site	15
5.2 Regional Context	15
5.3 Local Context.....	15
6 Statutory Context	18
6.1 Part 3A of the Environmental Planning & Assessment Act	18
6.2 Section 75W Modification of Project Approval	18
7 Environmental Assessment	19
7.1 Director General's REquirements.....	19
7.2 Statutory assessment	22
7.2.1 NSW State Plan.....	22
7.2.2 Metro Strategy and Draft Inner North Subregional Strategy	22
7.2.3 North Sydney LEP	22
7.2.4 North Sydney DCP	25
7.2.5 North Sydney Draft Local Environmental plan 2009	27
7.3 environmental impact considerations	28
7.3.1 Architecture, Building and Urban Design Impacts.....	28
7.3.2 Built Form	28
7.3.3 Public Domain	29
7.3.4 Transport and Accessibility.....	29
7.3.5 Noise and Lighting.....	29
7.3.6 Construction impacts	30
7.3.7 ESD	30
7.3.8 Contributions	30
7.3.9 Utilities	30
7.3.10 Staging.....	30
7.3.11 Consultation.....	30
7.3.12 CBD Rail Consideration.....	31

8	Revised Statement of Commitments	32
9	Summary and Conclusion	36
Appendix A	Concept Plan and Project Approval	37
Appendix B	Urban Design Report.....	38
Appendix C	Architectural Plans and Perspectives	39
Appendix D	ESD Report	40
Appendix E	Design Excellence Panel Minutes	41
Appendix F	Landscape Plan and Report	42
Appendix G	Wind Impact Assessment	43
Appendix H	Transport Report	44
Appendix I	Shadows	45
Appendix J	CBD Rail Letter.....	46
Appendix K	Stormwater Report	47
Appendix L	Heritage Impact Statement	48
Appendix M	Access Report.....	49
Appendix N	Waste Management Report.....	50
Appendix O	Architectural Design Statement	51
Appendix P	Noise Impact Assessment	52
Appendix Q	Construction Management Report.....	53
Appendix R	Utilities Letter	54

FIGURES:

Figure 1 - Traffic Pattern, Land use and Public Transport.....	16
Figure 2 - Pedestrian Routes, Public Space and Heritage Items	17

TABLES:

Table 1 – Comparative Table	5
Table 2 – Comparative GFA.....	8
Table 3 – Statement of Commitments	32

Executive Summary

This report has been prepared to accompany a Section 75W application by Laing O'Rourke Mount Street Pty Ltd to modify the existing consent for a commercial tower at 100 Mount Street, in the heart of the North Sydney CBD.

Since obtaining indifferent market feedback on the approved scheme and Laing O'Rourke obtaining 100% control of the project, the redesign was necessary to:

- Create the most efficient and flexible floor plate for the end user that moved the building from A grade to Premium grade.
- Improve the sustainability of the design.
- Create the ground floor plane with respect to the office vision and enhance ground floor amenity and human activation
- Enhance the general appearance.

World renowned tower architects and engineers Skidmore Owings and Merrill were commissioned in combination with local architects Architectus. The process has indeed arrived at a superior floor plate design, more efficient plant and energy efficiency features, improved interface with the public domain and improved architectural resolution in general. All these modifications can occur without any additional impact on the surrounding area, noting that the overall height and setbacks remain similar.

In a practical sense, the modified design includes the following improvements:

- Relocated lift core to the western side yielding significant savings in energy efficiency.
- Localised plant on each level allowing the reduction in dedicated plant levels.
- Improvement to ESD performance resulting from superior façade treatment and full chilled beam air-conditioning system.
- A state-of-the-art double skin closed cavity façade system to allow high light penetration and excellent thermal insulation.
- An above-ground shower and change-room facility to enhance the amenity for cyclists and building occupants.
- An open-plan ground plane with operable walls to allow use as public-commercial space throughout the entire year – this space will be activated by a restaurant type facility.
- Reduction in vehicle access points to a single location off Walker Street thus reducing traffic movement, improving pedestrian amenity in the surrounding circuit and allowing flexible options for North Sydney Council including possible closure to Spring Street.
- Excellent pedestrian through-site accessibility and visibility with an improved relationship with adjoining public spaces.
- An elegant architectural expression.

Consultation has been undertaken with Council's Design Excellence Panel. The Panel's comments were favourable and recommendations including increase in awning width, stair/public domain relationship to be improved, ensuring through-site link is one plane, retention of street trees where possible and articulation of the façade have all been incorporated into the final design.

The modified proposal has been assessed against the relevant planning provisions under Section 75W and all issues raised in the Director General's Requirements have been readdressed. The overall height of the building is no taller than the approved scheme and no additional amenity impact upon nearby residential or open space areas result. Building setbacks are similar to that approved, noting that the

4.2m setback to Walker Street remains as per the previous condition of approval. Car parking numbers comply with Council's prescribed rate.

With construction of this building in this central location, opportunity exists for a key part of the North Sydney CBD to be more appropriately activated and the aesthetics of the public domain enhanced. Reconstruction of the surrounding public domain in lieu of s94 contributions will ensure the proposals benefits are far reaching. The proposal is recommended for approval.

1 Introduction

This report accompanies a request to modify Major Project No08_0241 pursuant to Section 75W of the Environmental Planning and Assessment Act, 1979 (the Act) on behalf of the Proponent for the project, Laing O'Rourke Mount Street Pty Ltd.

This report provides:

- A description of the site and context.
- A summary of the approved project and details of the proposed further modifications.
- Consideration and environmental assessment of the proposed modifications in relation to the Director General's Requirements issued.

In summary, the proposed modifications include:

- Relocation of the tower core from a central north position to a more appropriate western position.
- Improved typical floor plate layout demonstrating greater efficiency of design and accommodating more expansive and contiguous space.
- Reduction in levels devoted to building plant due to the provision of localised plant on each level.
- Improved ground floor plane to improve public space and movement through site.
- Reduction in vehicle access points, from two off Spring Street to one access point off Walker Street to allow opportunity to create shared zone or possible closure of Spring Street.
- Simplification of building setbacks to north and south boundary.
- Improvement to ESD performance resulting from a superior façade treatment, including a double skin closed cavity facade system.
- Although generally within the approved building envelope, increase in GFA 38,733m² to 45,067m² achieved primarily through the improvement of the efficiency of the floor plate and plant systems.
- Relocation of amenities floor from basement to above ground including an open glazed frontage to improve amenity for building patrons and activate the podium

These amendments to the project will be implemented through modification of the following conditions of Major Project Approval MP08_0098:

- Condition A2 - to include new plans for reference.
- Condition B1 Design Modifications – to be deleted.
- Condition B5 Monetary Contributions – to be amended to reflect revised cost of works.
- Condition B6 Railway Infrastructure – to be amended to reflect revised cost of works.
- Condition B13 Details of Materials, Colours and Finishes – to be amended in accordance with revised plans.
- Condition B38 Number of Parking Spaces – to be amended to reflect revised number of parking spaces.
- Condition D1 Construction Hours – to be amended to reflect revised construction timeframe.

The following team of experts have provided input into the design of the scheme:

- Architectural – Skidmore Owings & Merrill LLP and Architectus
- Landscape – Oculus
- Structure – Skidmore Owings & Merrill LLP and Enstruct
- ESD - Cundall
- Heritage - NBRS + Partners
- Stormwater Drainage – ARUP
- Traffic - Colston Budd Hunt & Kafes
- Waste Management – ARUP
- Wind Environment – Windtech
- Construction Management – Laing O'Rourke
- Shadow Analysis – PSN Matter
- Urban Design – Urbis
- CBD Rail – Parsons Brinkerhoff
- Noise – ARUP
- Vertical Transportation – Norman Disney & Young
- Access – Philip Chun and Associates
- BCA – Philip Chun and Associates
- Building Services - ARUP

2 Background

2.1 APPROVED SCHEME

On the 25th May 2010 the Minister for Planning approved Major Project (MP 08_0241) for a Concept Plan pertaining to 86-96 Mount Street and 100 Mount Street North Sydney, see Approval at **Appendix A**.

The development approved under MP 08_0241 is summarised as follows:

- *“Demolition of the existing buildings on both sites.*
- *Excavation for 5 levels of basement.*
- *Construction and use of a 38 storey commercial and retail building together with 5 levels of basement car parking with vehicular access via Spring Street; and*
- *Construction of through-site pedestrian link and on-site streetscape, footpath reconstruction and infrastructure works in Mount Street, Walker Street and Spring Street together with public art works.”*

3 Proposed Modifications

3.1 OBJECTIVES FOR APPROVED SCHEME

The objectives for the original scheme included:

- 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.
- Ensuring that the neighbouring site at 80 Mount Street can achieve its development potential into the future.

3.2 OBJECTIVES FOR PROPOSED MODIFICATIONS

The modifications proposed to the approved scheme are in response to market testing carried out by the new owner of the land, Laing O'Rourke. The proposed modifications were motivated by the revised design objectives:

- An improved fit for tenant and investor market.
- Improved ESD performance.
- Creation of more efficient floor plate areas with contiguous areas of space, minimal columns and increased natural light penetration.
- Creation of more efficient building design by the minimisation of building area devoted to building plant (all building plant now occurs on roof level).
- Simplification of the building envelope design.
- The improvement of the proposed relationship with the public domain including the through site link, active street frontages and continuous and level access connecting private and public areas.

3.3 SUMMARY OF MODIFICATIONS

In summary, the proposed modifications include:

- Relocation of the tower core from a central north position to a more appropriate western position.
- Improved typical floor plate layout demonstrating greater efficiency of design and accommodating more expansive and contiguous space.
- Reduction in levels devoted to building plant due to the provision of localised plant on each level.
- Improved ground floor plane to improve public space and movement through site.
- Reduction in vehicle access points, from two off Spring Street to one access point off Walker Street to allow opportunity to create shared zone or possible closure of Spring Street.
- Modification to building setbacks to north and south boundary.
- Improvement to ESD performance resulting from a superior façade treatment, including a double skin closed cavity facade system.

- Although generally within the approved building envelope, increase in GFA to 45,067m² through the improvement of the efficiency of the floor plate and plant systems.
- Relocation of amenities floor from basement to above ground including an open glazed frontage to improve amenity for building patrons and activate the podium

Table 1 – Comparative Table

	APPROVED SCHEME	PROPOSED MODIFICATION
GFA	38,733m ²	45,067m ²
Net Lettable Area	34,568m ²	40,893m ²
Building Height	145.7 metres – maximum height 145.7 metres to roof	145.7 metres – maximum height 144.25 metres to roof (top of screen wall)
Retail tenancies	5 tenancies over 2 storeys	1 large retail space at lower ground (retail) level and café at the ground (lobby) level above.
Storeys	Total 38 (including high plant levels) <ul style="list-style-type: none"> • 2 retail • 1 void (including garden) • 6 storeys of plant (low, mid, high) • 9 storeys of low rise commercial • 10 storeys of midrise commercial • 10 storeys of high rise commercial 	Total 36 including: <ul style="list-style-type: none"> • 1 retail • 1 plaza/ lobby level • 1 amenity level • 1 storey of plant at roof top • 32 storeys of commercial
Parking (including accessible spaces)	5 parking levels 97 spaces	6 parking levels 113 spaces
Vehicle Access	Two points of vehicle access from Spring Street. <i>(An entrance for parking at basement levels and an entrance for delivery vehicles).</i>	One point of access from Walker Street.

A full set of comparative drawings have been submitted to clearly illustrate the proposed modifications, see **Appendix C**.

As outlined in the summary table included as part of the plans, the reasons for changes to GFA have been identified and categorised. In short, the changes fall into one of four categories as outlined in an extract of the table below.

A	Proposed replaces low and mid plantrooms with office (4100m2 over 4 levels)
B	Proposed simplifies built form to uniform setback (2602m2; average 80m2 per level over 28 levels)
C	Proposed reduces retail space by 986m2 and provides greater public space
D	Proposed increases miscellaneous space by 618 m2, including cyclist end of trip facilities on Level 1 for maximum Greenstar points.

Further description of the changes is made below.

3.4 DETAILED DESCRIPTION OF PROPOSED MODIFICATIONS

3.4.1 BUILT FORM

Ground Level and Circulation

The modified proposal includes a greatly improved open-plan ground floor plane with operable glass walls which will facilitate seamless transition from the public domain through the commercial space at the ground floor of the building.

The relocation of the lift core to the west has enabled a more open and versatile use of the ground floor plane. The change of gradient from the Walker Street frontage to the rear of the site will be better addressed by “splitting” the ground floor levels into an upper ground floor (lobby / plaza level) and a lower ground floor level (retail level at Walker Street) allowing the upper ground floor to be almost level with Spring Street to the north and Mount Street to the south and thereby facilitating accessibility through the site. The upper ground floor will step up in large planes to accommodate the retail space at the lower ground floor fronting Walker Street.

In addition, the operable glass walls proposed along the Mount Street, Spring Street and Walker Street elevations at the upper ground floor level will allow use as public-commercial space throughout the entire year, encourage pedestrian traffic to pass through the site and invite the public to gather in the public/commercial space at the ground floor level.

An Urban Design Report has been prepared regarding the modifications proposed at the ground floor level (refer **Appendix B**). It highlights the motivation for the proposed modifications in relation to the public domain as follows:

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. The key public domain spaces and interfaces associated with the development are discussed in more detail below.

The design of the public domain works on a number of levels:

- *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 & Spring Streets;*
- *The interface with the wider public domain of the local area, including Walker, Spring, Denison and Mount Streets as a whole i.e. an indicative public domain master plan; and*
- *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.*

Building Height

The proposed building height will be a maximum of RL 199.7 (145.7 metres measured from existing ground below that point) relating to the top of the brace structure proposed to the eastern facade of the building. This maximum height is the same maximum height as approved under the current scheme and will not result in any additional amenity impact upon nearby residential or open space areas.

As the lift core of the modified building has been relocated to the western extent of the site the lift overrun will result in an increased portion of height relative to the approved scheme, but no higher than the total approved height. Otherwise, the majority of the roof of the plant room is lower than that approved. The portion extending up the approved height relating only to an architectural roof feature.

The proposed building height relative to the approved building height is indicated by the Roof Section and Axonometric View included in the plans as **Appendix C**.

Building Setbacks

The proposed building setbacks are similar to that approved, noting that the 4.2m setback to Walker Street remains in accordance with the existing condition of approval.

The proposed tower setbacks have been revised in line with the modified building concept which aims to create more efficient floor plates in addition to creating an integrated public/commercial space at the ground (lobby) level of the podium.

The modified proposal includes more regular building setbacks for the tower and will read as a more elegant form incorporating an open area at the base with a streamlined tower above. The tower building includes a setback of 1.2 metres to the south, nil metres to the north and nil metres to the west. The east setback presents a continuous setback to Walker Street of 4.2 metres in keeping with Condition B1 in the approval for MP 08_0241. The northern setback is similar to that approved and the southern setback is within that already approved but for portions at the western and eastern extent.

The base of the proposed tower building including the ground (lobby) level will read as an open and integrated space seamlessly transitioning to the public domain with no formal setbacks to Mount Street. The setback from Walker Street to the operable glass walls will also be 4.2 metres as per the tower building above. The proposed setbacks to Spring Street and Mount Street at the “podium” level will range between 5 and 9 metres to the operable glass walls. The retail tenancies at Walker Street level are setback approximately 5 metres to allow room for chairs and tables associated with the café.

The approved building adopts a “reverse” podium at the tower base, a void above, but otherwise includes similar side setbacks to Spring and Mount Street.

Building Facade

The proposed building facade has been modified to improve ESD performance and appearance. The modified building facade adopts a more regular shaped, simplified tower presenting an elegant architectural expression.

A state-of-the-art double skin closed cavity façade system has been adopted to allow high light penetration and excellent thermal insulation. The building facade will also incorporate a finished concrete surface with exposed structural columns, curtain wall system and an architectural structural steel brace featured on the Walker Street elevation which will terminate in the highest building point.

This facade treatment will represent a refinement of the approved building facade which included a “reverse podium” below the tower, a facade with varied setbacks incorporating subtle but effective protruding design features and exposed structural columns.

3.4.2 LAND USE AND FLOOR AREA

Although the building envelope will be largely consistent with the approved concept plan, the proposed modifications will result in an increase in GFA. This is largely due to the fact that the building floor plates have been more efficiently configured by the relocation and the minimisation of building core services and the provision of localised plant on each level allowing the reduction in dedicated plant levels.

A summary of the difference in the proposed GFA relative to the approved GFA is provided in the table below.

Also reflecting the improved efficiency of the floor plates, the net lettable area of the proposed building will be increased from 34,568m² to 40,893m².

The proposed land use mix will not be changed from the approved concept, including a mix of retail and commercial. However, the retail use has been refined to better coordinate with the revised ground plane, making the area accessible for both passive and active public use. A retail space (café/restaurant) will occupy the Walker Street space and this use will be connected to an indoor/outdoor restaurant space off Mount Street level above, accessed via a central stair.

Thirty-three levels above will accommodate commercial floor space as well as one dedicated plant level (at roof level).

An area schedule included with the architectural plans at **Appendix C** details the proposed retail and commercial floor areas.

The proposed areas in contrast to the approved areas are summarised as follows:

Table 2 – Comparative GFA

	PROPOSED GFA	APPROVED GFA	DIFFERENCE
Retail	216m ²	1,528m ²	-1,312m ²
Commercial	44,851m ²	37,205m ²	+7,646m ²
Total	45,067m ²	38,733m ²	+6,334m ²

Note: GFA is calculated under Draft LEP 2009 for both approved and proposed.

3.4.3 VEHICLE ACCESS, PEDESTRIAN CIRCULATION AND PARKING

Vehicle Access and Parking

The proposed modifications include the reduction in vehicle access points from two points of access on Spring Street to a single point of access located off Walker Street. A single vehicle access from Walker Street is supported by the RTA (see **Appendix B of Appendix H**).

This change enables key strategic improvements to the site enabling the opening up of the Spring Street facade to facilitate pedestrian circulation through and around the site and enabling a larger through site link from Spring Street to Mount Street.

Removal of the vehicular access points from Spring Street will also reduce the traffic movements in Spring Street and enable the use of Spring Street, and the entire Mount Street/Spring Street circuit as a pedestrian priority zone. In addition, all servicing will now occur at basement level as opposed to in Spring Street.

The modifications proposed will result in some key changes to the parking and access provisions at the basement level as follows:

- Deletion of one vehicular circulation ramp through the basement levels and relocation of existing circulation ramp providing access to Walker Street (not Spring Street).
- Relocation of the amenities area from Basement Level 1 to above ground.
- Relocation of loading dock from the western boundary at ground level to Basement Level 1.
- Increase and reconfiguration of parking spaces from 97 to 113 (including accessible spaces) over six levels.
- Centralisation of critical services (gas meter, fire control and fire booster) at the basement level with ground level access from the single storey wall at the eastern end of Spring Street.
- Relocation of bicycle storage facilities from Basement level 1 to Basement level 2,3,4,5 & 6 and increased provision for parking from 262 spaces to 272 spaces;
- Relocation of courier spaces from Basement Level 1 to Basement Level 1 and 2 and reduction of spaces from 7 to 6.
- Relocation of parking level lifts from northern site boundary to western site boundary to reflect changes to lift core location above.
- Inclusion of a substation at Basement Level 1 accessible via a hatch and stairs at ground level of Spring Street.

Overall, the proposal will result in more efficient utilisation of the approved basement area by minimising the area dedicated to circulation and plant room and removing the amenities area from the basement level.

Pedestrian Access

The relocation of the core to the west and the reduction in vehicle access points from two points of access on Spring Street to a single location off Walker Street has enabled a new concept for the site including a stronger focus on the public domain, the pedestrianisation of Spring Street and the provision of an improved through site link from Spring Street to Mount Street.

The proposal better integrates the ground floor plane with Spring Street and Mount Street and improves visibility toward the site from the public domain and improved relationship with adjoining public spaces.

Pedestrian access through and around the site is otherwise from Walker Street through the retail space via stairs between the ground floor and retail levels. Access to the low, mid and high rise levels above is from the lift core via the lobby located at the western extent of the building.

The eastern half of the ground floor gains level access from both Spring Street and Mount Street and with operable walls will exist as a comfortable commercial/public space that can be used all year round.

3.4.4 ESD

The modified design will represent a significant improvement to ecologically sustainable design principles, exceeding a 5 Green Star v.3 and a 5 Star NABERS Energy rating.

This improvement has been enabled by the proposed state-of-the-art double skin closed cavity façade system to allow high light penetration and excellent thermal insulation and the relocated lift core to the western side yielding significant savings in energy efficiency.

A revised ESD and Climate Change Report has been prepared by Cundall for the proposed Project. This accompanies the EA at **Appendix D**.

3.4.5 PROPOSED MODIFICATION TO THE EXISTING CONSENT CONDITIONS

The proposed modifications will result in amendments to the following approval conditions of MP 08_0241 as shown below (note additional text is underlined).

Condition A2 Development in Accordance with Plans and Documentation

Amendment to Condition A2 of MP 08_0241 to include the insertion of the following words:

The development will be undertaken in accordance with MP No. 08_0241, the Environmental Assessment dated July 2009 prepared by Urbis; subsequent Preferred Project Report dated December 2009 prepared by Urbis; the Section 75W Application dated September 2011 prepared by Urbis, the additional information and reports provided with the Section 75W Application and the following drawings prepared by Skidmore, Owings & Merrill LLP and Architectus:

Architectural (or Design) Drawings prepared by Skidmore, Owings & Merrill LLP and Architectus at Appendix C of the Section 75W Application and as listed below

Drawing Number	Revision	Name of Plan	Prepared by	Date
DA 100	A	Cover Sheet	SOM/Architectus	12 August 2011
DA 101	A	Photo Montage – District View	SOM/Architectus	12 August 2011
DA 102	A	Vehicular Traffic Analysis	SOM/Architectus	12 August 2011
DA 103	A	Pedestrian Traffic Analysis	SOM/Architectus	12 August 2011
DA 104	A	Existing Site Survey	SOM/Architectus	12 August 2011
DA 105	A	Solar Radiation Study	SOM/Architectus	12 August 2011
DA 106	A	Solar Radiation Study	SOM/Architectus	12 August 2011
DA 107	A	Ground Plane	SOM/Architectus	12 August 2011
DA 108	A	Plaza Perspective	SOM/Architectus	12 August 2011
DA 109	A	Site Plan	SOM/Architectus	12 August 2011
DA 110	A	Plaza Topography Diagram	SOM/Architectus	12 August 2011
DA 111	A	Plaza Topography Diagram	SOM/Architectus	12 August 2011
DA 112	A	Plaza Sections	SOM/Architectus	12 August 2011
DA 113	A	Plaza – Southeast Perspective	SOM/Architectus	12 August 2011
DA 114	A	Plaza – Northeast Perspective	SOM/Architectus	12 August 2011
DA 115	A	Typical Floor Design	SOM/Architectus	12 August 2011
DA 116	A	Ground Floor Plan	SOM/Architectus	12 August 2011
DA 117	A	Retail Level Plan	SOM/Architectus	12 August 2011
DA 118	A	Plan – B1 Level	SOM/Architectus	12 August 2011
DA 119	A	Plan – B2 Level	SOM/Architectus	12 August 2011
DA 120	A	Plan – B3 Level	SOM/Architectus	12 August 2011
DA 121	A	Plan – B4 Level	SOM/Architectus	12 August 2011
DA 122	A	Plan – B5 Level	SOM/Architectus	12 August 2011

Architectural (or Design) Drawings prepared by Skidmore, Owings & Merrill LLP and Architectus at Appendix C of the Section 75W Application and as listed below

Drawing Number	Revision	Name of Plan	Prepared by	Date
DA 123	A	Plan – B6 Level	SOM/Architectus	12 August 2011
DA 124	A	Plan – Level 1 Amenity	SOM/Architectus	12 August 2011
DA 125	A	Plan – Typical Low Rise Level	SOM/Architectus	12 August 2011
DA 126	A	Plan – Typical Medium Rise Level	SOM/Architectus	12 August 2011
DA 127	A	Plan – Typical High Rise Level	SOM/Architectus	12 August 2011
DA 128	A	Plant Level Plan	SOM/Architectus	12 August 2011
DA 129	A	Roof Plan	SOM/Architectus	12 August 2011
DA 130	A	North + East Elevations	SOM/Architectus	12 August 2011
DA 131	A	South + West Elevations	SOM/Architectus	12 August 2011
DA 132	A	Building Sections	SOM/Architectus	12 August 2011
DA 133	A	Roof Sections	SOM/Architectus	12 August 2011
DA 134	A	Roof Rendering	SOM/Architectus	12 August 2011
DA 135	A	Basement Sections	SOM/Architectus	12 August 2011
DA 136	A	Facade Design	SOM/Architectus	12 August 2011
DA 137	A	Façade – Closed Cavity Façade Southeast perspective	SOM/Architectus	12 August 2011
DA 138	A	Core Wall Façade Southwest Perspective	SOM/Architectus	12 August 2011
DA 139	A	Area Schedule	SOM/Architectus	12 August 2011
DA 140	A	Material Board	SOM/Architectus	12 August 2011
DA 141	A	Comparison with Approved Scheme – Retail Level + Ground Floor	SOM/Architectus	31 August 2011
DA 142	A	Comparison with Approved Scheme – Void Above Ground Floor	SOM/Architectus	31 August 2011
DA 143	A	Comparison with Approved Scheme – Level 1 + Level 2-3	SOM/Architectus	31 August 2011
DA 144	A	Comparison with Approved Scheme – Level 4-11 +Level 12	SOM/Architectus	31 August 2011
DA 145	A	Comparison with Approved Scheme – Level 13 + Level 14-23.	SOM/Architectus	31 August 2011
DA 146	A	Comparison with Approved Scheme – Level 24-25 + Level 26-33	SOM/Architectus	31 August 2011
DA 147	A	Comparison with Approved Scheme – Plant Levels	SOM/Architectus	31 August 2011
DA 148	A	Comparison with Approved Scheme - Roof	SOM/Architectus	31 August 2011
DA 149	A	Comparison with Approved Scheme - Sections	SOM/Architectus	31 August 2011

Condition B1 Design Modifications

Condition B1 (1) pertaining to the increased setback of 4.2 metres from the Walker Street boundary alignment should be deleted as the revised plans incorporate the 4.2 metre setback required by this condition.

Condition B1 (1) is no longer relevant and reads as follows:

~~The eastern facade of Levels 22 to 41 inclusive fronting Walker Street shall be setback a further 2 metres to an overall setback of 4.2 metres from the Walker Street boundary alignment to match the setback to the glass line of Levels 12 to 19 below.~~

Condition B5 Monetary Contributions

Condition B5 pertaining to monetary contributions in accordance with the North Sydney Section 94 Contributions Plan should be amended to reflect the revised GFA. See calculation at **Section 7.3.8**.

Condition B6 Railway Infrastructure

Condition B6 pertaining to a Railway Infrastructure Contribution totalling \$3,038,304 should be amended to reflect the revised GFA proposed as per the calculation at **Section 8**.

Condition B13 Details of Materials, Colours and Finishes

Condition B13 pertaining to the colour and type of all external materials and finishes should be amended as follows:

The colour and type of materials and finishes shall generally be in accordance with the finishes schedule drawing DA140 submitted with the Section 75W Application dated September 2011 prepared by SOM LLP and Architectus.

Condition B38 Number of Parking Spaces

Condition B38 pertaining to the number of parking spaces should be modified to read:

The maximum number of parking spaces to be provided for the development shall comply with the table below. Details confirming the parking numbers shall be submitted to the satisfaction of the Certifying Authority prior to the issue of the relevant Construction Certificate.

CAR PARKING ALLOCATION	NUMBER
Commercial/Retail car parking spaces including (3) disabled spaces	113
Motorcycle	16

Condition D1 Construction Hours

In order to improve OHS and mitigate the risk of accidents on site, LOR will be aiming to maximise the amount of pre-fabrication. This inherently requires more crane lifting time. Additionally, to achieve a more efficient and shorter construction timeframe, it is proposed to extend daily construction hours slightly. An amended Environmental Noise Impact Report assesses the impact of extended construction hours. It is proposed to modify the condition to:

Building construction shall be restricted to within the hours of 7.00am to 7.00 pm Monday to Friday and on Saturday within the hours of 7.00 am to 5 pm inclusive, with no work on Sundays and Public Holidays. Extended loading hours are within the hours of 7pm to 11pm Monday to Friday inclusive.

4 Consultation

4.1 DEPARTMENT OF PLANNING AND INFRASTRUCTURE (DOPI)

On 5 May 2011, the proponent met with the Department of Planning and Infrastructure (DoPI) to discuss a preliminary design of the proposed modifications, the application process and lodgement requirements.

The DoPI also advised that the existing Director General Requirements (DGRs) would apply in this instance and the proposed modifications should therefore be assessed against those where appropriate.

4.2 NORTH SYDNEY COUNCIL

The preliminary (modified) scheme was also presented to the North Sydney Design Excellence Panel Meeting on 29 June 2011. Notes from the meeting are included as **Appendix E**.

The Panel supported the proposed modifications, in particular:

- The relocation of the vehicle entrance to Walker Street providing that the balance of the Walker Street frontage is as active as possible.
- Future flexibility for Spring Street to become a shared zone.
- The location of a restaurant on the upper ground floor, on the amenities at mezzanine level and on the proposed floor to ceiling heights in the tower.
- The proposed structural frame on the eastern facade of the building.

In addition, the panel requested that the following aspects be resolved appropriately:

- The streetscape relationship to the heritage building to the north.
- The inclusion of stairs to the south of the building (interfacing Mount Street) which would not be favourable for the through site link.
- Minimising the removal of the existing street trees.
- The potential wind impacts to Mount Street.

The architects have considered and addressed the aspects identified for resolution and the finalised design addresses each as follows:

- The awning setback has been amended to align with the setback of the adjacent heritage building.
- The stairs to the south of the building have undergone significant redesign to allow for favourable movement for the through site link and slope of the site. Refer to the Architectural Drawings at **Appendix C**.
- As shown in the Landscape Plan (see **Appendix F**), existing trees have been retained where appropriate. It was not possible to retain all the trees due to construction sequencing and access.
- A Wind Impacts Assessment (see **Appendix G**) has been undertaken for the proposal and the recommendations have been adapted into the redesign.

4.3 ROADS AND TRAFFIC AUTHORITY

Consultation has been had with the RTA, whom in an email dated 9 August 2011, stated that:

“The RTA understands that the proposal for vehicular access on Walker Street would allow for greater pedestrian permeability in and around the site and would allow service vehicles to enter and exit the site in a forward direction. For the reasons the RTA would support vehicular access via Walker Street.”

5 The Site and Context

5.1 THE SITE

The site comprises two allotments, being 86-96 and 100 Mount Street (Lot 1 DP 702144 and SP76561 respectively).

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:

- A total site area of 1,757m².
- 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.

5.2 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.

5.3 LOCAL CONTEXT

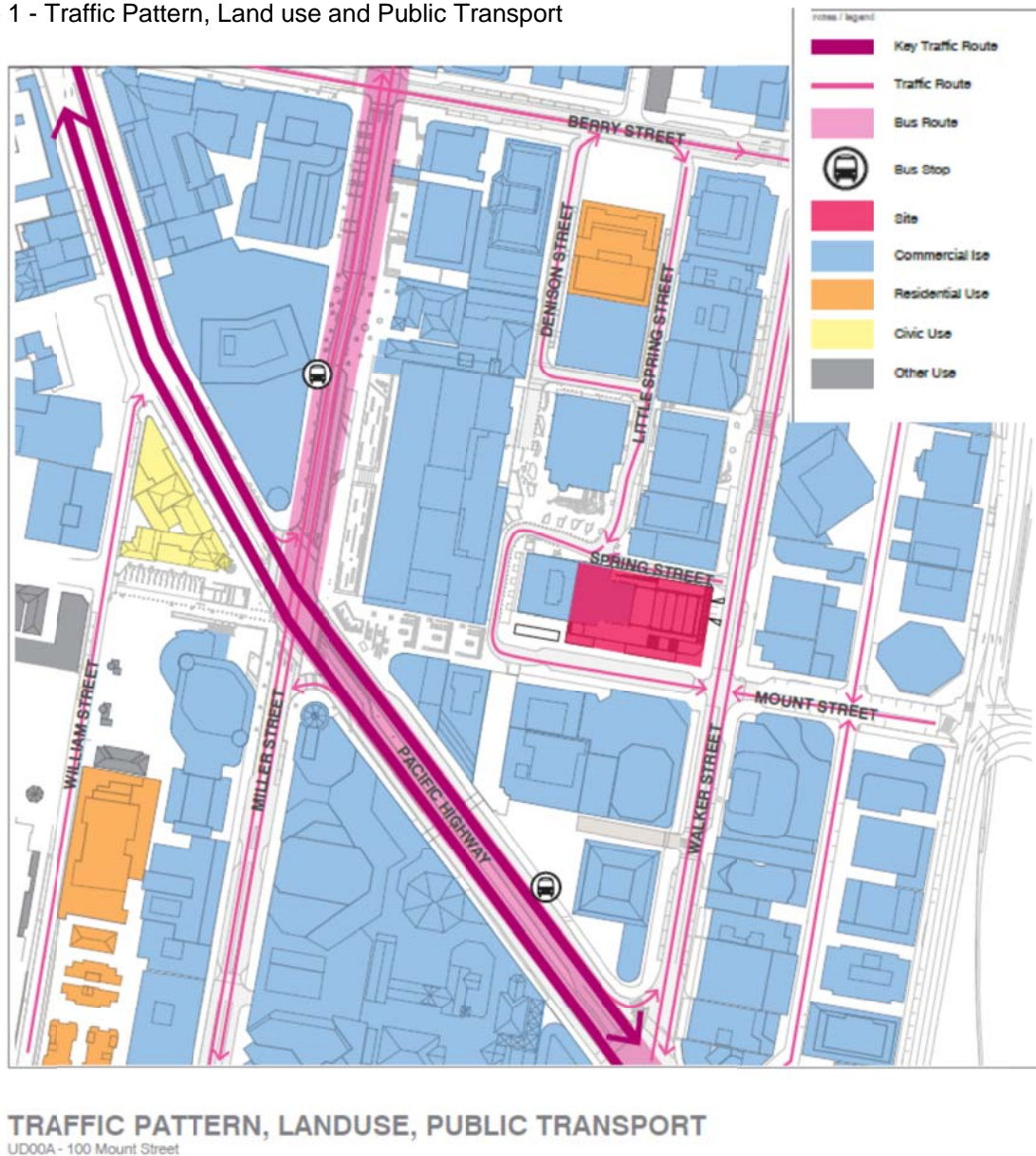
The site is located within the heart of the North Sydney CBD. Land uses surrounding the site are predominantly commercial office space in tall buildings, with ground and lower level retail shops and hotels. Buildings within the CBD step down from the centralised taller forms to the lower scale commercial 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.
- Mount Street (east).

The patterns of traffic flow, land use and public transport have been analysed in detail and are depicted by **Figure 1** below:

Figure 1 - Traffic Pattern, Land use and Public Transport



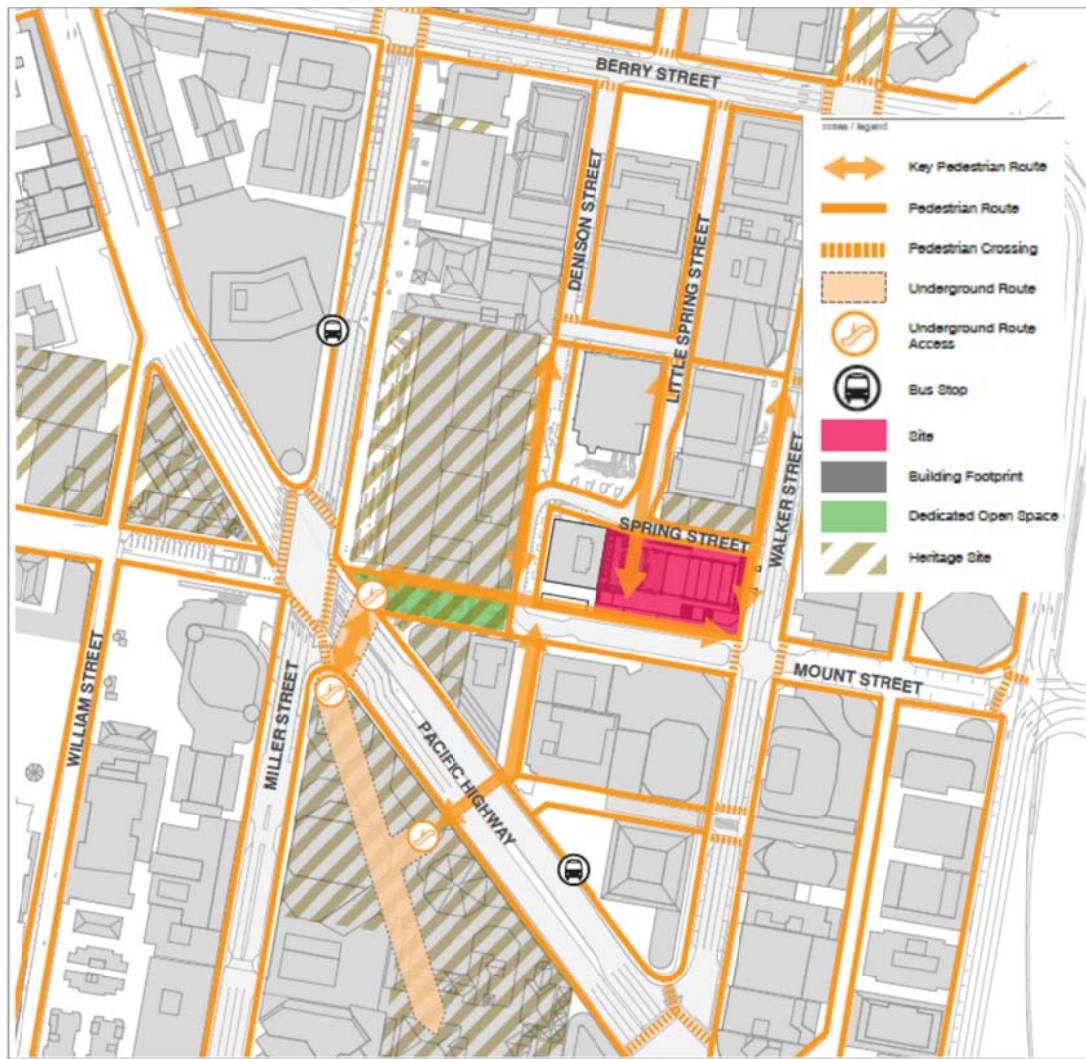
High frequency pedestrian traffic is also a characteristic of surrounding streets and pedestrian ways,

- 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.

The patterns of pedestrian travel have also been analysed in detailed and are depicted by **Figure 2** below:

FIGURE 2 - PEDESTRIAN ROUTES, PUBLIC SPACE AND HERITAGE ITEMS



PEDESTRIAN ROUTES, PUBLIC SPACE, HERITAGE SITES

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.
- Buildings fronting Walker Street south of Mount Street range in height to approximately 20 storeys.

A Part 3A application has been approved on the site known as 88 Walker Street and 77-81 Berry Street, adjacent to the subject site to the north. That approved includes a 35-40 storey commercial building at the Berry Street site and a 28-30 storey hotel building at the Walker Street site. The site adjacent to the west of 100 Mount Street, known as 80 Mount Street, has the potential for further development and may be developed in the future. Various options for development were consistent in the context of the original approval. These design options remain relevant and conclude that the site can be reasonably redeveloped separately.

6 Statutory Context

6.1 PART 3A OF THE ENVIRONMENTAL PLANNING & ASSESSMENT ACT

Part 3A of the EP&A Act requires that major projects obtain approval from the Minister for Planning. Part 3A applies to development defined as a 'Major Project' either by being identified within a State Environmental Planning Policy (see SEPP Major Projects below), or by order of the Minister published in the Gazette.

The Major Project approval process provides for the Minister of Planning to undertake a co-ordinated, whole of government assessment of the merits of a proposal that has significance to the State or region.

6.2 SECTION 75W MODIFICATION OF PROJECT APPROVAL

Section 75W of the EP&A Act relates to the process of seeking the Minister's approval for modifying an approved Part 3A Major Project.

Section 75W (2) states:

"The proponent may request the Minister to modify the Minister's approval for a project. The Minister's approval for a modification is not required if the project as modified will be consistent with the existing approval under this Part."

Within the meaning of the act, "modification of approval" refers to changing the terms of a Minister's approval, including:

"(a) revoking or varying a condition of the approval or imposing an additional condition of the approval, and

(b) changing the terms of any determination made by the Minister under Division 3 in connection with the approval."

In accordance with Section 75W the proponent seeks approval for the modification of Major Project MP_080241.

The modification is considered to comfortably be considered as an application to which 75W applies for the following reasons:

- The principal use of the building, being primarily commercial with lower level retail, remains the same.
- The modification has been driven out of a market demand for improvements to floor plate efficiency and the modification results in a number of significant improvements as outlined in the executive summary.
- The building remains generally in accordance with the approved building envelope and any additional floor area has been the result of design and engineering efficiencies.
- The proposal does not introduce any new adverse amenity impact upon the surrounding area.
- It is noted that, to the best of our knowledge, there are no parameters against which the degree of modification need be assessed.

In summary, we conclude that the proposed modification includes changes to the terms and conditions of the existing approval and that it can comfortably be considered as modification under 75W of the Environmental Planning and Assessment Act 1979.

7 Environmental Assessment

The following environmental assessment addresses the key issues raised in the Director General's Environmental Assessment Requirements (DGRs) which will be affected by the proposed modifications.

The DGRs are summarised in the Section below including a reference, where relevant, to the section where an issue is discussed in more detail.

7.1 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"> SEPP 55, Draft SEPP 66, SEPP (Infrastructure) 2007 	N/A previously addressed.
	<ul style="list-style-type: none"> Draft Inner North Subregional Metropolitan Strategy 	Refer 7.2.2
	<ul style="list-style-type: none"> North Sydney LEP 2001 and North Sydney DCP 2002 	Refer 7.2.3 & 7.2.4
	<ul style="list-style-type: none"> Draft North Sydney LEP 2001 (Amendment no. 28) <p>Note – the applicable Draft LEP is now the comprehensive North Sydney Draft LEP 2009. In addition Draft NS DCP 2010 now applies. A brief assessment of the Draft NS LEP 2009 and the Draft NS DCP 2010 is included.</p>	Refer 7.2.5
	<ul style="list-style-type: none"> NSW State Plan, Urban Transport Statement 	Refer 7.2.1
	<ul style="list-style-type: none"> Nature and Extent of any non-compliance with relevant environmental planning instruments, plans and guidelines (including DCPs) and justification for any non-compliance 	Refer 7.3
Architectural, Building and Urban Design Impacts	<ul style="list-style-type: none"> 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. 	Refer 7.3.1
	<ul style="list-style-type: none"> 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. 	Refer 7.3.1.1
Site Amalgamation	<ul style="list-style-type: none"> 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. 	N/A previously addressed.
	<ul style="list-style-type: none"> 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. 	N/A previously addressed.

ISSUE	DIRECTOR GENERAL'S REQUIREMENT	REFERENCE
Built Form	<ul style="list-style-type: none"> 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. 	Refer 7.3.2 & 7.3.3
	<ul style="list-style-type: none"> 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. 	Refer 7.3.1.3 & 7.3.3
	<ul style="list-style-type: none"> The EA shall also provide the following documents 	
	<ul style="list-style-type: none"> Comparable height study to demonstrate how the proposed height related to the height of the existing development surrounding the subject site 	N/A previously addressed.
	<ul style="list-style-type: none"> View analysis to and from the site from key vantage points 	Refer 7.3.2.1
	<ul style="list-style-type: none"> Options for building massing and articulation 	Refer 7.3.2.2
Public Domain	<ul style="list-style-type: none"> 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 	Refer 7.3.3
	<ul style="list-style-type: none"> The EA shall consider the interface of the proposed development and public domain (where applicable) 	Refer 7.3.3
	<ul style="list-style-type: none"> The EA shall consider the relationship to and impact upon existing public domain 	Refer 7.3.3
	<ul style="list-style-type: none"> 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 	Refer 7.3.3
Transport and Accessibility (Construction and Operational)	<ul style="list-style-type: none"> 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"> Mount Street/Walker Street Berry Street/Walker Street Pacific Highway/Walker Street 	Refer 7.3.4 and Transport Report included in Appendix H .

Plans and Documents to Accompany the Application		
General	The EA must include:	
	1. An executive Summary	
	<ul style="list-style-type: none"> 2. A thorough site analysis including site plans, aerial photographs and a description of the existing and surrounding environment 	Refer to Architectural Package at Appendix C
	<ul style="list-style-type: none"> 3. A thorough description of the proposed development 	Refer to Section 3.
	<ul style="list-style-type: none"> 4. An assessment of the key issues specified above and a table outlining how these key issues have been addressed 	Refer to Section 7.
	<ul style="list-style-type: none"> 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 	Refer to Section 8.
	<ul style="list-style-type: none"> 6. A Transport and Accessibility Impact Study prepared in accordance with the RTA's Guide to Traffic Generating Developments 	Refer Appendix H
	<ul style="list-style-type: none"> 7. The plans and Documents outlined below 	
	<ul style="list-style-type: none"> 8. A signed statement from the author of the Environmental Assessment certifying that the information contained in the report is neither false or misleading 	
	<ul style="list-style-type: none"> 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) 	N/A
	<ul style="list-style-type: none"> 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. 	Refer to Section 9.
Plans and Documents	The following plans, architectural drawings, diagrams and relevant documentation shall be submitted:	
	<ul style="list-style-type: none"> Existing site survey plan 	Refer Appendix C.
	<ul style="list-style-type: none"> Site analysis plan 	Refer Appendix C.
	<ul style="list-style-type: none"> A locality/context plan 	Refer Appendix C.
	<ul style="list-style-type: none"> Architectural Drawings 	Refer Appendix C.
	<ul style="list-style-type: none"> Landscape Concept Plan 	Refer Appendix F.
	<ul style="list-style-type: none"> Shadow Diagrams 	Refer Appendix I.
	<ul style="list-style-type: none"> CBD Rail Link plan 	Refer Appendix J.
	<ul style="list-style-type: none"> Stormwater Concept Plan 	Refer Appendix K.
	<ul style="list-style-type: none"> Heritage Impact Statement 	Refer Appendix L.
	<ul style="list-style-type: none"> Wind Effects Report 	Refer Appendix G.
	<ul style="list-style-type: none"> Isolated Site Design Options 	N/A previously addressed.
	<ul style="list-style-type: none"> Access Report 	Refer Appendix M.
	<ul style="list-style-type: none"> Traffic and Transport Study 	Refer Appendix H.
	<ul style="list-style-type: none"> Geotechnical Report 	N/A previously addressed.
	<ul style="list-style-type: none"> Waste Management Plan 	Refer Appendix N.

	<ul style="list-style-type: none"> • Photomontages 	Refer Appendix C .
	<ul style="list-style-type: none"> • A Massing Model 	Submitted separately

7.2 STATUTORY ASSESSMENT

7.2.1 NSW STATE PLAN

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 50m below ground level. See **Appendix J** for further detailed assessment.

7.2.2 METRO STRATEGY AND DRAFT INNER NORTH SUBREGIONAL STRATEGY

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 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."*

The proposed modifications are more consistent with the intentions of the Draft Inner North Subregional Strategy including an increase in capacity of the building to accommodate the forecast employment increase. Further, the modified design will result in the refinement of the approved building further enhancing the "A-grade" office space which will be suited to the high order economic activities envisioned by the strategy.

7.2.3 NORTH SYDNEY LEP

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 7.2.5** 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.

The proposed modifications will not substantially alter the level of compliance or the compliance with the LEP objectives from the approved scheme.

Aspects of the proposed modification which vary the level of compliance are discussed in detail below.

Building Height

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

In accordance with the NS LEP the definition of height is:

“height in relation to a building, means the greatest distance measured vertically from any point on the building to the existing ground level, or the level of the lowest habitable floor, immediately below that point, whichever is the lower, excluding chimneys.”

Accordingly, the maximum height of the proposed building form is RL 199.7. That part of the building which exceeds the maximum RL height relates to the top of the structural steel brace feature to the Walker Street facade, which protrudes 4.7m 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 sit 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 7.2.5**.

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.

The proposed modification will result in minor additional overshadowing as a result of its revised building envelope.

As per the approval, minimal shadow will be cast by the modified 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 revised shadow diagrams at **Appendix I**.

There will be no change to the shadow cast by the modified 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 as follows:

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.

The proposed modifications include the provision of improved 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.

Further the proposed modifications enhance the provision of an integrated public / private space at the ground floor level which will significantly improve the streetscape at this heavily pedestrianised intersection. The creation of a strong and highly visible through site link and publicly accessible space will further enhance the street for pedestrians. In addition, the significant contribution to be made to Council for the upgrade the public domain immediately adjacent to this busy central part of North Sydney will be beneficial to the public.

b) Amenity of land:

Overshadowing by the proposed modified 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 proposal does not add to the approved 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 resultant from the proposed modifications 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 approximately 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.*

The above considerations are discussed below in relation to the proposed modifications:

(a) Scale, Form and Massing:

The scale, form and massing of the proposed modification will continue to be consistent with the approved scheme and comparable with other commercial buildings in the centre.

In addition, the location of the building in the centre of the North Sydney CBD, but on an island site surrounded by 4 streets (including Denison Street to the west of 80 Mount Street) ensures that it is well separated from other sensitive land uses such as residential or other commercial / retail buildings.

(b) Public Benefits:

The proposed modification represents a substantial improvement to the public domain providing an enhanced public / private area at ground level with a north-south through site link. Public benefits of the proposed modifications are discussed further in relation to **Section 3.4.4** above.

(c) Impact on view lines:

The proposed modifications will have no additional impact upon view lines or vistas.

(d) Streetscape Impact:

The proposed modifications will result in an enhanced building tower with an elegant architectural expression comprising a simple rectangular building form with closed cavity facade and a structural stainless steel brace feature to the Walker Street facade. The modified building tower will be interpreted from the street level as a dominant yet elegant feature within the North Sydney CBD.

Further, the improvements proposed to the ground floor level of the building will greatly enhance the Spring Street, Walker Street and Mount Street streetscapes by enabling an integrated public / private space with improved permeability, visibility and accessibility.

The proposed improvements to the ground floor level and the public domain are discussed in further detail in **Sections 3.4.1 and 3.4.4** above

7.2.4 NORTH SYDNEY DCP

North Sydney DCP 2002 (NSDCP) applies to the subject site. It is noted that a Draft DCP is underway and was exhibited with the Draft LEP. The status of the Draft DCP and

The proposed modifications will not substantially alter the level of compliance with the DCP from the approved scheme. Aspects of the proposed modification which vary the level of compliance are discussed in detail below.

9.3 Car Parking Non-Residential Zones

A maximum of 1 car space per 400m² of GFA is to be provided on the site.

The proposed modifications include an increase in the provision of parking spaced from 97 (in the approved scheme) to 113 (including accessible spaces) over five levels.

The revised GFA proposed is 45,067m², which would require a total of 113 spaces. Therefore, the modified proposal would now comply with the provisions of the DCP.

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

1. *Setbacks for public space should be incorporated at ground level.*
2. *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:

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

8. *The street frontage should be consistent and contribute to human scale*
9. *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

10. *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.*

As per the approved concept plan for 100 Mount Street, the typical street frontage and podium treatments are not considered wholly appropriate in this case. However, the modified design better addresses the objective of this control (which seeks to "contribute to human scale") through the creation of a unique integrated public / private space at the ground level of the building. The proposed modifications do not include a typical podium as such, instead incorporating an open, or "inverted podium" to Walker Street, Mount Street and Spring Street, which will more successfully contribute to the human scale and play a critical role in the unification of the streetscape.

The proposed tower setbacks to Walker Street are 4.2 metres in accordance with Condition B1 of the approval.

7.2.5 NORTH SYDNEY DRAFT LOCAL ENVIRONMENTAL PLAN 2009

Draft North Sydney LEP 2001 (Amendment no. 28) has been superseded by the comprehensive North Sydney Draft LEP 2009. The Draft LEP has been exhibited and its finalisation is imminent.

The Draft LEP 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 RL 195 from existing 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 any land that is within the North Sydney Centre and is within the RE1 Public Recreation zone or within a Special Area as shown on the North Sydney Centre Map,*
- *Specify that any additional overshadowing outside the Composite Shadow Area between 9am and 3pm at midwinter, will not reduce the amenity of any dwelling that is outside the North Sydney Centre.*

The proposal generally complies with these amended standards. Where the proposal varied from strict compliance with the standard, this is addressed in detail below.

BUILDING HEIGHT

The proposed building height at RL 199.7 is the same as that approved. The maximum height under the Draft Local Environmental Plan has changed from being a sloping line at 138m above ground level to a horizontal line at RL 195m. That part of the building which is above this RL 195m height is 4.7m: the same as that previously approved.

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:

(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. In this regard, the footpath area directly adjacent to the site will be upgraded to NCC standards.

(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.

7.3 ENVIRONMENTAL IMPACT CONSIDERATIONS

7.3.1 ARCHITECTURE, BUILDING AND URBAN DESIGN IMPACTS

7.3.1.1 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 attached at **Appendix C** 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 approval. When viewed from the east, the building fits within the overall arc of building heights within the centre.

7.3.1.2 HERITAGE IMPACT

Assessment of the heritage impact by Noel Bell Ridley Smith and Partners finds that the modified proposal will continue to respect the significance of the adjacent heritage buildings (refer report at **Appendix L**).

The report concludes that:

“...the proposed project as modified does not significantly, adversely impact upon the identified heritage significance of the adjacent or adjoining heritage items nor 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 platform/plaza of the proposed development provides acceptable mediation between surrounding development, the tower and the former Fire Station. 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, conforms to relevant heritage objectives and conservation policies and is consistent with that already approved for the site.

I recommend that the heritage aspects of this project application be approved.”

7.3.1.3 STREETSCAPE IMPACT

Modification to the levels at the ground plane has resulted in substantial improvement to the way the development interfaces with the public domain. As outlined in the Urban Design Report at **Appendix B**, the proposal both visually and physically opens up the lower levels and creates a commercial/public space that can be used year-round.

In terms of built form, the proposed tower form remains substantially the same as that approved, with a void at the lower level and the tower form above remaining. The retail premises and awning at the Walker Street level relate well to the setback of the adjacent Firehouse Hotel which is a heritage item. The tower form above sits at a setback of 4.2m to Walker Street, consistent with that approved and the other tower forms in the Walker Street streetscape.

The setback of the tower to Mount Street is within the already approved minimum setback. This setback aligns with that of the MLC building further to the west along Mount Street.

7.3.1.4 MATERIALS AND FINISHES

Details of the proposed materials are included on the elevations at **Appendix C**. The materials are high quality and durable and include a combination of high performance glazing, anodized aluminium mullions, exposed concrete and architectural structural steel.

7.3.2 BUILT FORM

7.3.2.1 VIEW ANALYSIS

The proposed modifications will not have any additional impact upon the existing views of any buildings in the vicinity. For example, when viewed from the north (including the residents at Beau Monde) the width of the building will not be greater than that approved.

7.3.2.2 BUILDING MASSING AND ARTICULATION

As outlined in the Architectural Design Statement at **Appendix O**, the proposed core location, setbacks and resultant tower form is considered to result in a superior design outcome.

7.3.3 PUBLIC DOMAIN

The architectural design of the ground plane has been well integrated with the public domain surrounding the site. The lower levels of the building feature a commercial/public space, activated by a retail use with operable doors, is flexible to ensure use throughout the entire year. The way this space integrates with the public domain has been informed by an Urban Design Report undertaken by Urbis, see **Appendix B**. Key observations of this study include:

The design resolution of the public domain area has been undertaken by Landscape Architects Oculus, Public Domain Design Report at **Appendix F**. The concept plan illustrates the potential upgrade to the public domain area and assists Council as to a design direction for its upgrade in accordance with Council's Public Domain Plan.

7.3.4 TRANSPORT AND ACCESSIBILITY

The follow transport considerations are addressed in the Transport Report by Colston Budd at **Appendix H**. The findings are summarised below.

7.3.4.1 CAR PARKING

The proposal includes car parking for 113 vehicles. This complies with Council's 1 car per 400m² Development Control Plan requirement.

7.3.4.2 TRAFFIC GENERATION

With the parking increasing by some 16 spaces, the increased traffic generation is estimated at between 4 to 6 vehicles per hour during peak hours. Therefore, the traffic effects of the proposed development would be similar to the approved development and within the capacity of the existing road network.

7.3.4.3 VEHICLE ACCESS AND SERVICING

The modification to reduce the access points from two (in Spring Street) to one (in Walker Street) is considered a substantial improvement. The changed access point will ensure that less vehicles enter into the one-way circuit surrounding the building and present an opportunity for Spring Street to be converted into a shared zone or closed completely.

Servicing is now contained entirely within the basement levels and the number of truck and courier spaces is considered to adequately service the proposal. Each space and ramp grades etc. have been designed to conform with the relevant Australian Standards.

7.3.5 NOISE AND LIGHTING

An Environmental Noise Impact Report has been prepared by ARUP, see **Appendix P**. The report addresses the noise and vibration impacts of the development on the environment, external noise and vibration affecting the development, internal noise and vibration impacts on the development and construction noise and vibration impacts on the surroundings.

The report finds that all noise impact can be contained within the relevant noise standards. In relation to construction noise in particular, the modification includes a proposal to extend the construction hours with a view to undertaking an efficient and shorter construction program. The Noise Report finds that:

"It can be seen from the results presented in Table 9 that, with the exception of loading and unloading activities, proposed construction activities schedule to occur outside of standard hours is predicted to be below the noise affected level of RBL + 5dBA. Hence, no significant construction noise impacts on surrounding receivers are expected due to out-of-hours works.

With respect to the 1 dB exceedance at commercial receivers during loading and unloading, this is considered a marginal exceedance, and would not be subjectively noticeable (a change of noise

level of 1 dB is subjectively not perceptible). Further, given the proposed hours, such activities are not likely to constitute a significant source of annoyance to commercial receivers."

7.3.6 CONSTRUCTION IMPACTS

A Construction Management Plan has been prepared by Laing O'Rourke, see **Appendix Q**, which details the proposed management methods to be undertaken in and around the site during demolition and construction phases of the project.

There is no significant change to the approved scheme and impacts upon surrounding land uses and public streets will be addressed appropriately.

7.3.7 ESD

An updated ESD Report has been prepared by Cundall, see **Appendix D**. This report outlines the ESD initiatives that are incorporated into the modified proposal. The design features substantial improvement in relation to ESD and ultimately the proposal has been designed to exceed the minimum requirements for the following green building rating, as required by the DGRs:

- 5-Star Green Star Office Design and As-Built (v3) rating.
- 5-Star NABERS Energy base building rating.

7.3.8 CONTRIBUTIONS

North Sydney's Section 94 Contributions Plan requires the payment of levies on additional floorspace for the provision of public improvements and as the proposal includes some additional floor area, the s94 Contribution will increase relatively. In accordance with the following applicable rates, the total payment is calculated to be in the order of \$3,339,187.04.

- Administration, open space and community services - \$2,774.90/100m²
- Public domain Improvements - \$6,464.20/100m²
- Traffic improvements - \$390.30/100m²

Therefore the total contribution /100m² of addition retail and commercial floorspace is \$9,629.40.

The additional Commercial GFA above that existing on the site is 34,677m² (existing GFA is 10,390m²). Therefore the contribution is 346.77 x 9,629.40 = \$3,339,187.04.

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.

An updated Statement of Commitment is included in **Section 8** of this report.

7.3.9 UTILITIES

All utility agencies have been re-engaged in relation to the modified scheme. Adequate supply is available in the current network for water, gas and telecommunications refer to agency letters at **Appendix R**.

7.3.10 STAGING

The building will be constructed in a single stage as per the approval.

7.3.11 CONSULTATION

Refer to **Section 4** for discussion on consultation had in the lead up to lodgement of the modification proposal.

7.3.12 CBD RAIL CONSIDERATION

The extent of the modified basement construction is slightly greater than that assessed in the context of the original proposal. As outlined in the updated letter from Parsons Brinkerhoff at **Appendix J**, the potential issues are understood and the strategy for resolution is prepared.

8 Revised Statement of Commitments

All changes to the previously approved Statement of Commitments have been highlighted in red below.

Table 3 – 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.	PCA	Prior to CC issue
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.		Prior to CC issue
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.		Prior to CC issue
Pedestrian Access during Construction	Pedestrian walkway access shall be retained along Walker Street and Mount Street during construction.		During construction
Accessibility	The proposal will meet requirements of relevant Australian Standards, the BCA and intent of the DDA in relation to access.		Prior to CC issue
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.	Council	Prior to CC issue
	Reconstruction shall be undertaken of the kerb/gutter, crossings, full frontage, footpath pavement and transition works		
Construction Hours	Construction hours shall be limited to between 7am and 7pm weekdays, and 7am and 5pm on Saturdays. Extended loading activities from 7pm to 11pm Weekdays.		

Subject	Commitment	Approval Authority (where applicable)	Timing
Construction Management	Commit to communicating key construction milestones with surrounding neighbours in particular in relation to potential disruption during demolition, excavation and construction.	PCA	During Construction
	<p>The CMP will include the following:</p> <ul style="list-style-type: none"> ▪ 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. 		
ESD	The proposed development commits to achieve a 5 Green Star Office Design v3 rating and a minimum 5 Star NABERS Energy rating (Base Building)	PCA	Prior to Occupation
	<p>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:</p> <p>Efficiency of central plant</p> <p>Natural ventilation to selected areas</p> <p>Integrated building management system</p> <p>Stormwater harvesting and re-use</p>		

Subject	Commitment	Approval Authority (where applicable)	Timing
	<p>Façade thermal performance</p> <p>Façade shading</p> <p>Energy monitoring</p> <p>Water monitoring</p> <p>Air-conditioning system management</p>		
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.		
	The project must be designed such that operational noise is limited to within acceptable limits imposed by the consent authority. This could 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.		
Lighting	All selected light is to comply with the requirements of relevant Australian Standards.	PCA	Prior to CC issue
Contributions Framework	Replaced by Condition B5	PCA	Prior to CC issue
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> <ul style="list-style-type: none"> Densely foliating evergreen trees capable of growing to a height of 3 	PCA	Prior to CC issue

Subject	Commitment	Approval Authority (where applicable)	Timing
	<p>metres with a 3 metre wide canopy at the corner of Spring Street and Little Spring Street.</p> <ul style="list-style-type: none"> ▪ Densely foliating trees capable of growing to a height of 5 metres with a 6 metre wide canopy and 9 metres with a 11 metre wide canopy along Mount Street. ▪ 1.2 metre high impermeable balustrade along the southern and eastern perimeter of the 100 Mount Street outdoor Plaza area. ▪ Ground Level canopy along the eastern edge of the 100 Mount Street façade. ▪ Canopy along the southern aspect at Level 1 of the 100 Mount Street development with an upturn at the eastern end. 		
Safety and Security	A security management plan will be prepared for the building prior to its occupation.	PCA	Prior to occupation
Travel Demand Incentives	Travel demand incentives such as workplace travel plan and travel access guides shall be prepared and distributed to future tenants	MoT	Prior to occupation
Civil/traffic signal design	Plans of proposed civil and traffic signal upgrades shall be submitted to the RTA	RTA	Prior to construction of civil /traffic signal works
Reflectivity	Reflectivity levels of the proposed external surfaces shall be no greater than 20%	PCA	Prior to CC issue
CBD Rail Link	Clarity and resolution of the relationship of the proposal and the proposed future CBD rail link is to be reached prior to issue of the CC.	PCA	During construction

9 Summary and Conclusion

The proposed modification includes a number of clear improvements upon the existing approved scheme. Included in the improvements are:

- A visually and physically open and inviting commercial/public space at ground level with excellent through site access and opportunity for use all year round.
- Relocated lift core to the western side yielding significant savings in energy efficiency.
- Localised plant on each level allowing the reduction in dedicated plant levels.
- A state-of-the-art double skin closed cavity façade system to allow high light penetration and excellent thermal insulation.
- Superior overall ESD performance.
- An above-ground shower and change-room facility to enhance the amenity for cyclists and building occupants.
- Reduction in vehicle access points to a single location off Walker Street thus reducing traffic movement and improving pedestrian amenity in the surrounding circuit.
- Excellent pedestrian through-site accessibility and visibility with an improved relationship with adjoining public spaces.
- An elegant architectural expression.

Consultation has been undertaken with Council's Design Excellence Panel. The Panel's comments were favourable and recommendations including increase in awning width, stair/public domain relationship to be improved, ensuring through-site link is one plane, retention of street trees where appropriate and articulation of the façade have all been incorporated into the final design.

The modified proposal has been assessed against the relevant planning provisions under Section 75W and all issues raised in the Director General's Requirements have been readdressed. The overall height of the building is no taller than the approved scheme and no additional amenity impact upon nearby residential or open space areas result. Building setbacks are similar to that approved, noting that the 4.2m setback to Walker Street remains as per the previous condition of approval. Car parking numbers comply with Council's prescribed rate.

With construction of this building in this central location, opportunity exists for a key part of the North Sydney CBD to be more appropriately activated and the aesthetics of the public domain enhanced. Reconstruction of the surrounding public domain in lieu of s94 contributions will ensure the proposals benefits are far reaching. The proposal is recommended for approval.

Appendix A

Concept Plan and Project Approval

Appendix B

Urban Design Report

Appendix C

Architectural Plans and Perspectives

Appendix D

ESD Report

Appendix E

Design Excellence Panel Minutes

Appendix F

Landscape Plan and Report

Appendix G

Wind Impact Assessment

Appendix H

Transport Report

Appendix I

Shadows

Appendix J

CBD Rail Letter

Appendix K

Stormwater Report

Appendix L

Heritage Impact Statement

Appendix M

Access Report

Appendix N

Waste Management Report

Appendix O

Architectural Design Statement

Appendix P

Noise Impact Assessment

Appendix Q

Construction Management Report

Appendix R

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