

Original signed by Luke Donovan on 13/07/2020

Date determined: 13/07/2020

Date operates: 13/07/2020

Date lapses: 13/07/2025

Dexus Property Group Pty Ltd
C/- Urbis Pty Ltd
Angel Place, 123 Pitt Street
SYDNEY NSW 2000

D90/20
LD (CIS)

**ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979 AS AMENDED
NOTICE OF DETERMINATION – Approval**

Development Application Number: 90/20

Land to which this applies: 100 Mount Street, North Sydney
Lot No.: 2, DP: 1247014

Applicant: Dexus Property Group Pty Ltd

Proposal: Signage zone on the southern elevation of building.

Determination of Development Application: Subject to the provisions of Section 4.17 of the Environmental Planning and Assessment Act 1979, approval has been granted subject to conditions in the notice of determination.

Date of Determination: 13 July 2020

The development application has been assessed against the North Sydney Local Environmental Plan 2013 and the North Sydney Development Control Plan 2013 and the relevant State Planning Policies and found to be generally acceptable in the site circumstances.

Reason for approval:

The proposed signage zone on the southern elevation of the building at roof level is in a location which will not obstruct views, vistas or cause significant overshadowing, nor will it dominate the skyline given it will be located below the top of the building. The size of the signage zone is significantly smaller than that originally approved as part of the Major Project MP08_0241. The signage zone whilst located a maximum of 1.85m above the parapet is considered acceptable as it will not obscure windows of any office spaces or architectural features of the building.

A condition is recommended that the content and structural supports associated with the future signage, located within this zone on the southern elevation of the building, is subject to a separate development application. No submissions were received during the notification of the application.

Having regard to the provisions of Section 4.15 of the EP&A Act 1979 (as amended) the application is considered to be satisfactory and therefore can be approved.

Consent to operate from: 13 July 2020

Consent will lapse on: 13 July 2025

Period of Consent

Subject to Section 4.20 of the Act, this consent becomes effective and operates from the date listed above. The consent lapses five years after the date of consent in accordance with Section 4.53 of the Act and cannot be extended. To activate this consent, works must physically commence onsite by 13 July 2025.

How community views were taken into account:

The application was notified to surrounding properties between 15 May and 29 May 2020. No submissions were received.

Review of determination and right of appeal:

Within 6 months after the date of notification of the decision, a review of this determination can be requested under Division 8.2 of the Act or an appeal to the Land and Environment Court made pursuant to the provisions of Section 8.7 of the Act. A review of determination should be lodged as soon as possible, and preferably no later two months after the date of notification of the decision to enable the review to be completed within the six-month period.

Plans endorsed by the consent authority – please refer to condition A1.

Endorsed for and on behalf of North Sydney Council

DATE

Signature on behalf of consent authority
LUKE DONOVAN
A/TEAM LEADER ASSESSMENTS

(i) Conditions

Consent is granted subject to the following conditions imposed pursuant to Section 4.17 of the Environmental Planning & Assessment Act 1979 (“the *Act*”) and the provisions of the Environmental Planning & Assessment Regulation 2000 (“the *Regulation*”) such conditions being reasonable and relevant to the development as assessed pursuant to Section 4.17 of the Act.

(ii) Definitions

Unless specified otherwise, words have the same meaning as defined by the *Act*, the *Regulation* and the *Interpretation Act* 1987 as in force at the date of consent.

Applicant means the applicant for this consent.

Approved Plans means the plans endorsed by Council referenced by this consent as amended by conditions of this consent.

AS or ***AS/NZS*** means Australian Standard® or Australian/New Zealand Standard®, respectively, published by Standards Australia International Limited.

NCC means the National Construction Code as published by the Australian Building Codes Board as in force at the date of issue of any *Construction Certificate*.

Council means North Sydney Council.

Court means the Land and Environment Court.

Local Native Plants means species of native plant endemic to North Sydney LGA.

Stormwater Drainage System means all works, facilities and documentation relating to:

- The collection of stormwater,
- The retention of stormwater,
- The reuse of stormwater,
- The detention of stormwater,
- The controlled release of stormwater; and
- Connections to easements and public stormwater systems.

Owner means the owner of the *site* and successors in title to the *site*.

Owner Builder has the same meaning as in the *Home Building Act* 1989.

Principal Certifier for building or subdivision work means the certifier appointed as the principal certifier for the building work under section 6.6 (1) or for the subdivision work under section 6.12 (1).

Principal Contractor for building work means the person responsible for the overall coordination and control of the carrying out of the building work.

Note: If any residential building work is involved, the principal contractor must be the holder of a contractor licence under the *Home Building Act 1989*.

Professional Engineer has the same meaning as in the *NCC*.

Public Place has the same meaning as in the *Local Government Act 1993*.

Road has the same meaning as in the *Roads Act 1993*.

SEE means the final version of the Statement of Environmental Effects lodged by the *Applicant*.

Site means the land being developed subject to this consent.

NSLEP 2013 means *North Sydney Local Environmental Plan 2013*

NSDCP 2013 means *North Sydney Development Control Plan 2013*

Work for the purposes of this consent means:

- the use of land in connection with development,
- the subdivision of land,
- the erection of a building,
- the carrying out of any work,
- the use of any site crane, machine, article, material, or thing,
- the storage of any waste, materials, site crane, machine, article, material, or thing,
- the demolition of a building,
- the piling, piercing, cutting, boring, drilling, rock breaking, rock sawing or excavation of land,
- the delivery to or removal from the *site* of any machine, article, material, or thing, or
- the occupation of the *site* by any person unless authorised by an *occupation certificate*.

Note: **Interpretation of Conditions** – Where there is any need to obtain an interpretation of the intent of any condition this must be done in writing to Council and confirmed in writing by Council.

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Development in Accordance with Plans/documentation

- A1. The development must be carried out in accordance with the following drawings and documentation and endorsed with Council’s approval stamp, except where amended by the following conditions of this consent.

Drawing No.	Issue	Title	Drawn by	Dated
DA128	G	Plan – Level 35	Architectus	26/06/2020
DA128-1	G	Plan – Level 36	Architectus	26/06/2020
DA131	H	South + West Elevations	Architectus	20/11/2019

(Reason: To ensure that the form of the development undertaken is in accordance with the determination of Council, Public Information)

Future signage

- A2. The form, content and structural supports associated with the future signage, located within the approved signage zone on the southern elevation of the building, is subject to a separate development application.

(Reason: To ensure compliance with the terms of this consent)

Signage zone

- A3. No consent is granted or implied for any signage zone to the northern elevation of the building.

(Reason: To ensure compliance with the terms of this consent)