

## **8.8. Draft North Sydney DCP 2013 amendment: North Sydney CBD - Commercial tower setbacks and separation**

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### **ATTACHMENTS:**

1. North Sydney CBD setbacks - Background study - Final [8.8.1 - 46 pages]
2. Part B Section 2 - Commercial & Mixed Use Development ( Draft amend 2021 setbacks) [8.8.2 - 10 pages]
3. Part C Section 2 - North Sydney Planning Area (draft amended 2021 setbacks) [8.8.3 - 13 pages]

### **PURPOSE:**

To seek Council's endorsement of a draft amendment to controls for commercial towers in the North Sydney Development Control Plan 2013 (NSDCP 2013) and place that draft amendment on public exhibition.

### **EXECUTIVE SUMMARY:**

North Sydney CBD is undergoing a period of increased development interest following the adoption of the *North Sydney Centre Capacity and Land Use Strategy* in 2017, which recommended, in part, increasing the maximum building height controls under the North Sydney Local Environmental Plan 2013 (NSLEP 2013) to enable further commercial office growth in the CBD. Height controls under NSLEP 2013 were subsequently amended on 26 October 2018 upon the publication of *Amendment No.23* to NSLEP 2013 on the NSW legislation website.

The *Capacity and Land Use Strategy* also recommended a review of the existing built form controls for commercial development to manage potential issues that may arise from increased height within the Centre.

The review has now been completed. The background report *North Sydney CBD: Commercial tower setbacks and separation* (Attachment 1) identifies several issues, including:

- No guidance on commercial tower separation
- Potential for extensive façade lengths
- Reduced setbacks to street frontages
- A push for large floor plates on small sites
- No guidance for "internal" tower separation on large, amalgamated sites
- Blank party walls

It is recommended that the built form controls for commercial towers within North Sydney Development Control Plan 2013 (NSDCP 2013) be amended to incorporate:

- 6m minimum above podium whole of tower side setbacks for sites over 1,000m<sup>2</sup>

- 6m minimum above podium whole of tower rear setbacks on sites with no laneway frontage
- A provision that any weighted setback above podium to street frontages must be setback a minimum of 3m
- A maximum tower façade length above podium of 55m
- A minimum separation of 12m above podium for commercial towers on the same site
- A provision to ensure party walls are visually interesting.

The draft amendments to NSDCP 2013 are at Attachment 2 to this report.

These proposed controls will provide better guidance for future commercial tower development in North Sydney, improve the amenity of the CBD for both pedestrians and building occupants, and strengthen North Sydney as a competitive economic centre in Metropolitan Sydney.

#### **FINANCIAL IMPLICATIONS:**

Expenditure with respect to the public exhibition of the DCP amendment and its implementation will be funded through existing recurrent budgeting lines.

#### **RECOMMENDATION:**

- 1. THAT** Council notes the findings and recommendations of *North Sydney CBD: Commercial tower setbacks and separation* (Attachment 1).
- 2. THAT** Council resolves to adopt the draft amendments to NSDCP 2013, as provided in Attachment 2.
- 3. THAT** the draft amendments to NSDCP 2013 be placed on public exhibition for a period of 28 days.

## **LINK TO COMMUNITY STRATEGIC PLAN**

The relationship with the Community Strategic Plan is as follows:

- 2.2 Vibrant centres, public domain, villages and streetscapes
- 3.1 Prosperous and vibrant economy
- 3.2 North Sydney CBD is one of NSW's pre-eminent commercial centres
- 3.4 North Sydney is distinctive with a sense of place and quality design

## **BACKGROUND**

### **North Sydney Centre Capacity and Land Use Strategy**

In late 2016, the draft *North Sydney Centre Capacity and Land Use Study* was publicly exhibited as part of the North Sydney Centre Planning Review. The study explored opportunities for growth to improve the Centre's employment capacity, its resilience and vibrance, as well as its investment attractiveness.

On 1 May 2017, Council resolved to adopt the *North Sydney Centre Capacity and Land Use Strategy* and accompanying Planning Proposal, which increased the maximum building height controls under the North Sydney Local Environmental Plan 2013 (NSLEP 2013) to enable further commercial office growth in the CBD. This study included the following recommendation:

- Strategy 5 – Undertake a review of North Sydney DCP 2013 Part B Section 2 Commercial Development and Part 3 Section 2 North Sydney Planning Area Character Statement, to further consider built form issues within the Centre.

On 26 October 2018, the recommendations of the *North Sydney Capacity and Land Use Strategy* were implemented through *Amendment No. 23* to NSLEP 2013.

Whilst Council's adoption of the *North Sydney Centre Capacity and Land Use Strategy* would ideally have led to the concurrent amendments to both height (previously gazetted LEP amendment) and setbacks (as discussed in this report), the increase in height controls was pursued in the first instance and implemented through *Amendment No.23* to NSLEP 2013 on 26 October 2018.

### **Development pressures**

Alongside Amendment No.23, the scheduled opening of the Victoria Cross metro station in 2024 has increased development interest in North Sydney CBD with a significant number of concept schemes, planning proposals and development applications for new commercial towers within the CBD lodged over the past few years.

Several of these proposals challenge the built form controls in both NSLEP 2013 (i.e., maximum height controls) and NSDCP 2013 (i.e., above podium street setback controls) and propose limited side setbacks to adjoining buildings and street frontages.

There is concern that in the absence of more specific design guidance, these proposals will lead to bulky and overscale development.

Whilst the pursuit of setback and related amendments to the DCP as proposed in this report may be perceived by some landowners as a reduction in development yield, the LEP and DCP amendments are interrelated and must be considered together. It is necessary to clarify built form controls for tall towers to ensure that development proposals can be approved to the maximum heights, where possible. Accordingly, this review of commercial tower setbacks and separation distances is a necessary extension of the increase to height controls in 2018 as it strikes a balance between individual site yields, floor plates and future form, design, and overall character of the CBD. The latter of these considerations will have a longer and more enduring impacts on the CBD than considerations at the individual site level.

### **North District employment targets**

The Greater Sydney Commission's (GSC) *North District Plan*, released in March 2018, identifies an employment target of 15,600-21,000 additional jobs for the North Sydney CBD by 2036.

North Sydney Council is currently on track to meet these targets with a commitment to deliver high-quality design that responds to context and enhances the amenity of the CBD.

### **North Sydney Design Excellence Panel**

On 8 September 2020 the North Sydney Design Excellence Panel (DEP) was presented with a set of initial proposed built form controls for commercial towers in North Sydney CBD. The purpose of the briefing was to ensure any relevant, ongoing built form issues arising in schemes presented to the DEP were adequately covered in the review.

The Panel supported the need for the review and its objectives.

The Panel advised:

- The examination of existing built form and commercial controls in both the City of Sydney and City of Parramatta, as a benchmark for analysis, testing and drafting of future proposed controls is supported
- Setting building separation controls between tall towers is needed, with reference to the successful separation controls in the City of Sydney
- Amalgamation of smaller sites is needed; however, it was acknowledged that developers may want to see incentives to amalgamate
- Investigation into maximum lengths and depths of towers for large and amalgamated sites is supported, to avoid overly long, large buildings
- Setting FSR controls should be considered to regulate bulk and scale of development
- Articulation and breaks within tower facades is needed, especially for large and amalgamated sites.

The Panel advocated for a block-by-block study of North Sydney CBD. While this review concentrates on North Sydney CBD-wide commercial tower controls, further investigation into the CBD built form at a block-scale can occur later in the year.

## CONSULTATION REQUIREMENTS

Community engagement will be undertaken in accordance with Council's Community Engagement Protocol.

## DETAIL

### 1. Purpose

The purpose of this report is to discuss the review and recommended amendments to the existing built form controls that relate to commercial towers in North Sydney CBD. This review was identified as an action under the *North Sydney Capacity and Land Use Strategy 2017*.

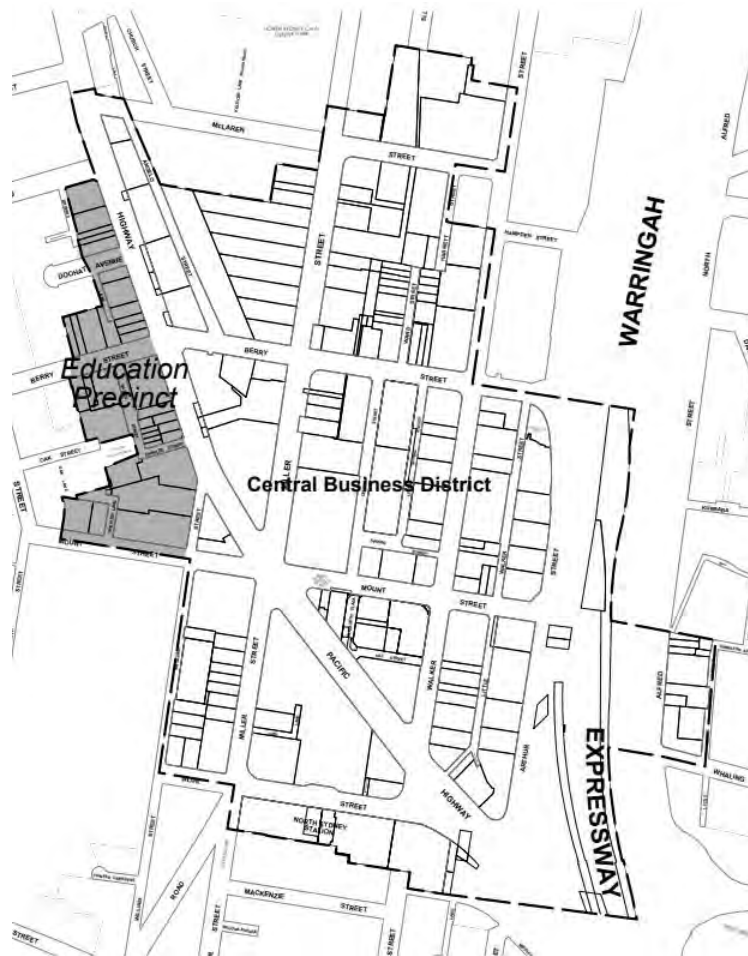
### 2. Objectives

The following objectives inform the review:

- Pedestrian amenity
  - Provide adequate breaks between tall commercial towers to allow sky views from the footpath and daylight into the street and to protect pedestrians from wind at ground level
- Building occupant amenity
  - Provide adequate breaks between tall commercial towers to enable increased natural light, views, and amenity to building occupants
- Adequate scale and proportion
  - Ensure buildings respond to their site area and location through adequate scale and proportion
  - Discourage continuous, uninterrupted walls of towers to avoid a canyon effect in the street
- Design excellence
  - Provide breaks between buildings and articulated facades to enhance the character and image of the North Sydney CBD with commercial towers seen “in the round”
  - Provide visual interest through the use of appropriate materials and finishes on buildings, particularly in relation to party walls
- Commercially viable
  - Encourage amalgamation of smaller lots to increase the delivery of Premium and A-Grade floor plates in the CBD
  - Maintain and improve North Sydney's economic competitiveness through high-quality urban design.

### 3. Location

The review examines built form controls for commercial towers in North Sydney CBD, as defined in the North Sydney DCP 2013. It covers land zoned *B3 Commercial Core* and *B4 Mixed Use*.



North Sydney CBD boundary – NSDCP 2013

#### 4. Methodology

The following methodology was used to inform the review:

- Identify key issues that arise from increased density and heights in the CBD under the current built form controls, having regard to recent development proposals and approvals
- Review existing built form controls in NSDCP 2013 that relate to commercial towers in North Sydney CBD
- Evaluate similar built form controls in the City of Sydney and City of Parramatta to identify any potential gaps in NSDCP 2013
- Model and examine North Sydney CBD under existing and recommended changes
- Recommend amendments to NSDCP 2013 that balance growth and capacity with amenity in North Sydney Centre.

#### 5. Precedents

Built form controls in NSDCP 2013 have been compared against controls from the City of Sydney DCP 2012 and City of Parramatta 2011. Examination of these precedents not only aided in identifying gaps in NSDCP 2013 but provided a benchmark for proposed amendments.

A comparison of North Sydney’s built form controls against the City of Sydney and Parramatta is at Attachment 1.

## 6. Issues

To control the bulk and scale of commercial towers, most centres set a maximum floor space ratio (FSR) on land under their local environmental plans. This is a statutory control that limits the amount of development that may occur on a site. Through that limitation, FSR controls may also result in appropriate tower separation and articulation.

The NSLEP 2013 does not contain FSR controls. Instead, the bulk, scale and separation of commercial towers in the North Sydney CBD is managed through NSDCP 2013.

Part C of the NSDCP 2013 implements a ‘place management’ planning approach and contains a suite of Area Character Statements whereby controls are tailored to achieve a desired character that is unique to each place in the Local Government Area (LGA).

The following issues have been identified based on a review of the Area Character Statement for the North Sydney Centre:

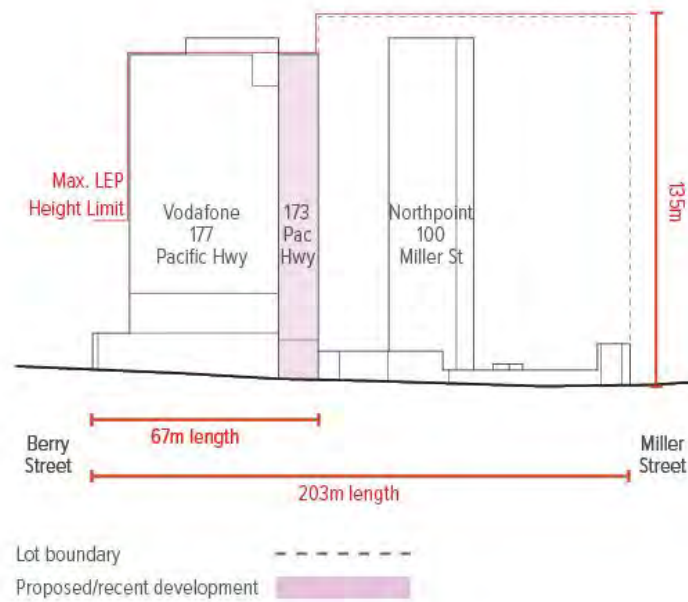
- No guidance on commercial tower separation
- Potential for extensive façade lengths
- Reduced setbacks to street frontages
- A push for large, high-grade floor plates on small sites
- No guidance for tower separation on large amalgamated sites
- Blank party walls.



*Little Walker Street – East section: Maximum allowable heights under NSLEP 2013 could see substantial uplift with no separation under existing NSDCP 2013 controls.*

It is very likely that these issues will intensify as a result of future increased development in the CBD. Over time, with no separation requirements in place, this increase will contribute to:

- Continuous, uninterrupted walls of tall towers
- A lack of daylight and sky views to the public domain
- A ‘canyon effect’ resulting in dark, windy streets
- A lack of views from within each tower



*Pacific Highway – East section: Future development could result in continuous, uninterrupted walls of tall towers without adequate separation controls in place.*

Specific built form controls within the North Sydney CBD Area Character Statement are required to manage future density increases.

Further discussion on these issues is at Attachment 1.

## 7. Premium and A-Grade commercial floor plates

Several recent development proposals have sought to justify non-compliance with existing NSDCP 2013 controls as a necessity to achieve Premium or A-Grade floor plates, as classified in the Property Council of Australia’s (PCA) *Guide to Office Building Quality*.

The guide outlines the parameters and criteria that typically influence perceptions of building quality in new and existing buildings. It contains several criteria that should be considered in the development of Premium and A-grade buildings, including buildings and floor plate size, environmental and mechanical factors, and building amenities.

The guidelines are voluntary and the PCA does not publicly rate or classify building quality of individual developments. Therefore, while a beneficial tool, the guide is not assessable criteria in a development application process.

Proposals have referenced the grade matrix for building and floor plate size in the guide, which identifies the minimum Net Leasable Area (NLA) requirements to achieve Premium or A-grade building stock. It classifies a Premium floor plate size as greater than 1,500m<sup>2</sup> NLA, and an A-Grade floor plate as greater than 1,000m<sup>2</sup> NLA.

While North Sydney Council encourages development to achieve commercial floor plate sizes of A-grade or higher, this should not come at the expense of well-designed buildings that contribute to the future desired character and urban design of the North Sydney CBD.



Updating NSDCP 2013 controls to align with controls in similar sized business districts will be seen as reducing the potential size of commercial tower floor plates on individual lots. However new built form controls will increase the quality of future development and public domain in the CBD and protect the amenity of pedestrians and building occupants.

Critically, new built form controls are also likely to promote further amalgamation of lots, representing a more efficient use of land. This is addressed below.

## **8. Consolidated sites**

The recommended floor plate sizes for Premium and A-grade buildings outlined in the PCA's *Guide to Office Building Quality* are not achievable on many individual lots within North Sydney CBD, even without setback controls in place, due to the smaller size of these lots.

Most lots in North Sydney CBD range between 800-2,500m<sup>2</sup> in site area, and therefore Premium (>1,500m<sup>2</sup> NLA) and A-grade (>1,000m<sup>2</sup> NLA) tower floor plates are generally only feasible through the amalgamation of individual parcels of land.

Consolidation of sites provides the site area needed to achieve higher-grade floor plate sizes and allow for appropriate above podium setback and separation controls. It also results in the following development benefits:

- More efficient space – fewer lift cores and stairwells, streamlined circulation space, etc.
- Improved vehicle circulation and fewer basement entries required at street level
- Greater flexibility of design both in the podium and tower
- Enhanced amenity for building occupants with maximum height controls allowing for greater views and increased solar access.

The proposed amendments may not create commercially viable tower floor plates on individual lots under a certain size, however, these sites would deliver suboptimal floor plates under existing controls anyway. It is through the consolidation of these smaller parcels of land that higher-grade building stock is achievable in North Sydney CBD.

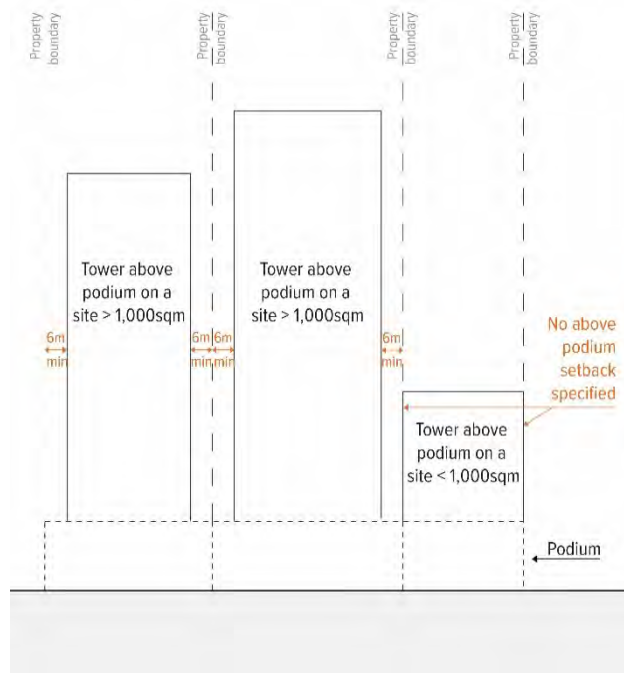
## **9. Recommended changes**

The following amendments are recommended to North Sydney's planning controls for tall commercial towers to better align with other major business districts.

Proposed amendments would apply to any land zoned *B3 – Commercial Core* or any development without a residential component in land zoned *B4 – Mixed Use*, that sites within the North Sydney CBD.

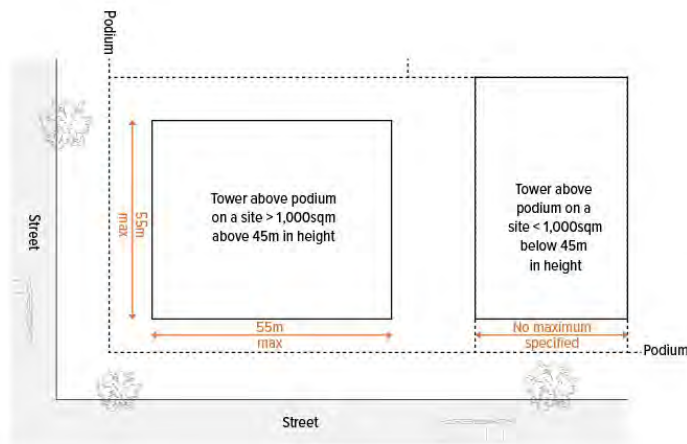
### **Recommendation 1: Minimum side setbacks above podium**

- 6m whole of tower side setbacks above the podium from any side boundary, unless:
  - a) The area of the site is less than 1,000m<sup>2</sup>; and
  - b) The building does not exceed 45m in height.



**Recommendation 2: Maximum façade lengths**

- Tower façades must not exceed 55m in length horizontally above the podium on sites greater than 1,000m<sup>2</sup> and that exceed 45m in height
- To resolve 118 Mount Street and 88 Walker Street, no setback is required above the podium level to the southern boundary of 122 Arthur Street or 100 Walker Street respectively, if development is in isolation from sites to the north.



**Recommendation 3: Weighted street frontage setback above podium**

- Where a weighted setback is required, it applies to the width of the building’s façade located above the podium
- No part of any building may be located within 3m of the outer wall of the podium level fronting a street or laneway.

**Recommendation 4: Minimum tower separation on the same site**

- Where there is more than one tower located above the podium level on land zoned *B3 Commercial Core*, or if all towers contain no residential accommodation on land zoned *B4 Mixed Use*, the towers must maintain a minimum 12m separation from one another.

**Recommendation 5: Minimum rear setbacks above podium**

- All parts of a building located above the podium on land zoned *B3 Commercial Core*, or for buildings with no residential accommodation on land zoned *B4 Mixed Use*, must be setback a minimum of 6m from any rear boundary that does not have a street or laneway frontage.

**Recommendation 6: Party walls**

- Where party walls are exposed or new development results in a blank wall, a visually interesting treatment is required for that wall
- The architectural treatment should be sympathetic to the character of the area and any nearby heritage items or conservation areas.

**10. Draft DCP amendments**

The proposed draft amendments to NSDCP 2013 can be found in Attachment 2 to this report.

The majority of the changes are to be located within Section 2.1.3 to Part C of the DCP, which relates to development within the North Sydney DCP.

With respect to the proposed draft party wall controls, these are to be located within Section 2.4.5 to Part B of the DCP which relates to building design in the *B3 Commercial Core* and *B4 Mixed Use* zones. This issue is more universal and should apply to all developments in these zones to ensure a better visual built form outcome.

The proposed amendments also include some minor changes to provide greater clarification of the intent of the existing controls. Of particular note, is the amendments of the podium wall heights and above podium setbacks to some heritage items, buildings located adjacent to heritage items and buildings which interface with residential land, which are stipulated within Section 2 – *Commercial and Mixed Use Development* to Part B of NSDCP 2013.

In addition, Council is currently preparing a draft amendment to NSDCP 2013 as it relates to the Ward Street Precinct. These draft amendments have just come off public exhibition and a post-exhibition report is currently being prepared for Council's consideration. The podium height and above podium setback controls as they relate to the Ward Street street frontages and future public squares under this separation Draft DCP amendment has been incorporated into this Draft DCP amendment for the purposes of consistency.

It is recommended that the draft amendment be placed on public exhibition for a period of 28 days in accordance with the Environmental Protection and Assessment (EP&A) Act 1979 and Regulations. Following exhibition, the matter will be reported back to Council to consider any issues raised in submissions and make recommendation as to whether the matter should proceed or not.

## **11. Conclusion**

Council adopted the *North Sydney Capacity and Land Use Strategy* on 1 May 2017. The Strategy included several recommendations, including a review of NSDCP 2013 to consider commercial built form issues within the Centre as a result of increased maximum building heights.

The attached review and draft DCP amendment have been prepared to address the recommendations of this Strategy. It is recommended that Council adopt the draft amendments and that they be placed on public exhibition.

# NORTH SYDNEY CBD

Commercial tower setbacks and separation





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## EXECUTIVE SUMMARY

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North Sydney CBD is undergoing a period of increased development interest following, in part, the adoption of the *North Sydney Centre Capacity and Land Use Strategy* (2017).

The strategy recommended increasing the maximum building height controls under the North Sydney Local Environmental Plan 2013 (NSLEP 2013) to enable commercial office growth in the CBD, whilst maintaining solar amenity to key public spaces and adjoining residential zoned land. This was subsequently implemented through Amendment No.23 to NSLEP 2013, which came into force on 26 October 2018.

To ensure the building height increases are supported by appropriate built form controls, the strategy also recommended a review of the following sections of the North Sydney Development Control Plan 2013 (NSDCP 2013):

- Commercial and Mixed Use Development
- North Sydney CBD Area Character Statement

The NSDCP 2013 currently provides very limited guidance to achieve appropriate separation between commercial towers, notably in relation to:

- Above podium side setbacks
- Maximum tower facade length
- Weighted street frontage setbacks
- Building separation on the same site
- Above podium rear setbacks
- Treatment of blank walls

A lack of adequate controls to guide future development in the CBD could contribute to:

- Continuous, uninterrupted walls of tall towers
- A lack of daylight and sky views to the public domain
- A 'canyon effect' resulting in dark, windy streets
- A lack of views from within each tower
- Limited natural light to office floors

These issues will diminish the amenity of pedestrians and building occupants in North Sydney CBD. They could also affect the quantity of premium and A-grade buildings in the CBD, which are required to offer high-quality views, outlook and ample natural light (PCA, 2019).

The purpose of this study is to enable jobs growth in commercial towers that are of a bulk and scale that complement the long term vision for North Sydney CBD as "the principle economic engine of Sydney's North Shore and an attractive, sustainable and vibrant place for residents, workers and businesses".

Objectives of this study focus on improving pedestrian amenity, protecting building occupant amenity and view sharing, and delivering commercially viable towers that achieve design excellence and contribute to the character and vibrancy of the CBD.

It is recommended NSDCP 2013 is amended to achieve the following:

- 6m minimum above podium whole of tower side setbacks to the boundary for sites over 1,000sqm
- Tower façades above podium should not exceed 55m in length
- The current above podium weighted setback controls along street frontages will continue to apply. In addition, no portion of a commercial tower should be located within 3m of the podium facade
- Commercial towers on the same site require a minimum building separation of 12m
- Commercial towers on lots with adjoining rear boundaries (i.e., without street frontage) require a minimum 6m above podium rear setback
- Visually interesting treatment to party walls

These controls bring NSDCP 2013 more in line with City of Sydney and City of Parramatta built form controls and ensure that North Sydney CBD continues to grow as a resilient and competitive economic centre.



# INTRODUCTION



## PURPOSE

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The purpose of this study is to enable the development of commercial towers that are of a bulk and scale that compliment the long term vision for North Sydney CBD as "the principle economic engine of Sydney's North Shore and an attractive, sustainable and vibrant place for residents, workers and businesses".

A review of existing controls is needed to support the increase to the maximum height controls recommended by the *North Sydney Capacity and Land Use Strategy* (2017) and implemented via Amendment No.23 to NSLEP 2013, which came into force on 26 October 2018.

The increased height limits, in part, have boosted development interest in the CBD with a significant number of commercial towers proposed, approved and under construction over the last few years.

Updated DCP controls will ensure appropriate massing and separation of future commercial towers. This will protect pedestrian and building occupant amenity, and promote commercially viable towers as the city continues to grow.

This study examines the following proposed built form controls for commercial towers in the North Sydney CBD:

- Above podium side setbacks
- Maximum tower facade length
- Weighted street frontage setbacks
- Building separation on the same site
- Above podium rear setbacks
- Treatment of blank walls

An examination of similar controls in the City of Sydney and the City of Parramatta has provided a benchmark for recommended changes to NSDCP 2013.

## DRIVERS

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The following three drivers inform this report.

### North District Employment targets

The Greater Sydney Commission's (GSC) *North District Plan* identifies an employment target of 15,600 - 21,000 additional jobs for the North Sydney CBD by 2036.

These targets are being achieved in collaboration with the Department of Planning, Industry and Environment (DPIE), industry stakeholders and the community by:

- Increasing commercial floorspace capacity and employment growth for the North Sydney CBD
- Delivering high quality commercial floorspace that caters to the needs of existing and emerging industries
- Restricting residential development to the mixed-use periphery to preserve a critical mass of employment in the North Sydney CBD
- Encouraging a diverse mix of entertainment, recreation, retail and commercial uses that contribute to the North Sydney CBD's diversity, amenity and commercial sustainability
- Ensuring high-quality design that responds to context and enhances the amenity of the North Sydney CBD

### North Sydney Centre Capacity and Land Use Strategy

The *North Sydney CBD Capacity and Land Use Strategy* (2017) identifies opportunities for commercial office growth within the CBD. Given the limited opportunities to expand laterally, this priority has been explored by a considered increase of building heights, whilst maintaining and where possible, improving solar amenity to important spaces and places and maximising solar access to adjoining residential zoned land.

On 1 May 2017 Council adopted the *North Sydney Capacity and Land Use Strategy* and accompanying Planning Proposal. The strategy includes a recommendation for a review of NSDCP 2013 to consider built form issues within the centre, notably:

- Podium and tower controls
- Tower separation controls

This study addresses the recommendations of the Strategy.

### Increase in Planning Proposals submitted to Council

The scheduled opening of the Victoria Cross metro station in 2024 has contributed to a significant increase in development interest in North Sydney CBD.

In addition, Amendment No.23, implemented in NSLEP 2013 in October 2018, has furthered this interest with a significant number of concept schemes, planning proposals and development applications for major new commercial towers within the CBD lodged with Council.

A number of planning proposals and development applications challenge the built form controls to both NSLEP 2013 (i.e. maximum height controls) and NSDCP 2013 (i.e. above podium street setback controls), and propose limited side setbacks to adjoining buildings and street frontages.

There is concern that in the absence of more specific design guidance, cumulatively these proposals will lead to a reduced amenity for pedestrians and building occupants in the CBD.

## OBJECTIVES

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The following objectives inform the analysis and recommendations of this study.

### **Pedestrian amenity**

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Provide adequate breaks between tall commercial towers to allow sky views from the footpath and daylight into the street, and to protect pedestrians from wind at ground level.

### **Building occupant amenity**

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Provide adequate breaks between tall commercial towers to enable increased natural light, views, and amenity to building occupants.

### **Adequate scale and proportion**

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Ensure buildings respond to their site area and location through adequate scale and proportion.

Discourage continuous, uninterrupted walls of towers to avoid a canyon effect in the street.

### **Design excellence**

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Provide breaks between buildings and articulated façades to enhance the character and image of the North Sydney CBD with commercial towers seen "in the round."

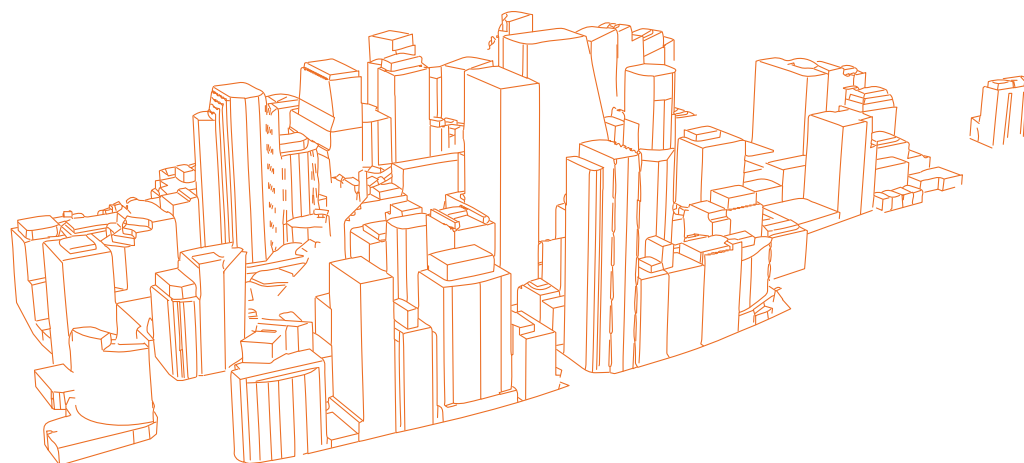
Provide visual interest through the use of appropriate materials and finishes on buildings, particularly in relation to party walls.

### **Commercially viable**

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Encourage amalgamation of smaller lots to increase the delivery of Premium and A-Grade floor plates in the CBD.

Maintain and improve North Sydney's economic competitiveness through high quality urban design.



North Sydney CBD - Existing built form.

## METHODOLOGY

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The following methodology was used in this study.

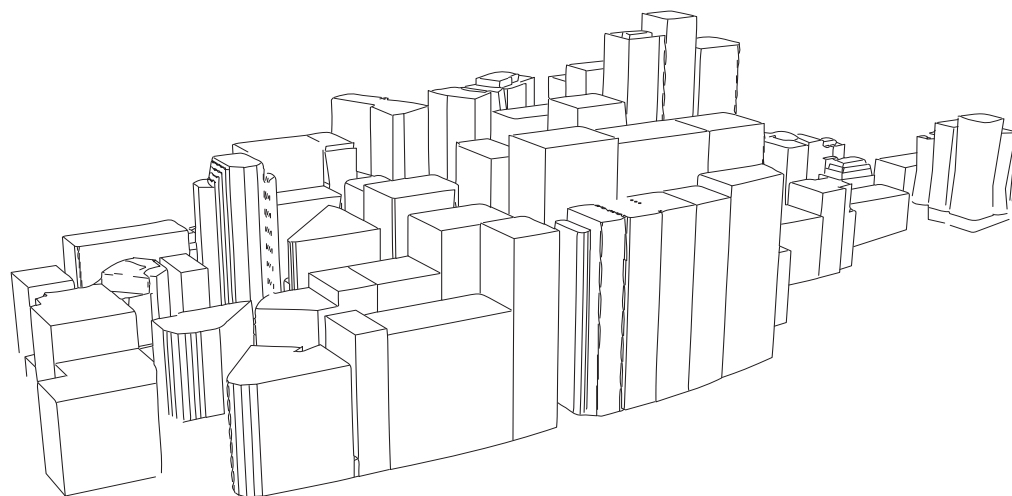
**Identify** key issues that arise from increased density and heights in the North Sydney CBD under the current built form controls.

**Review** existing built form controls in NSDCP 2013 that relate to commercial towers in the North Sydney CBD.

**Evaluate** similar built form controls in the City of Sydney and the City of Parramatta and identify any potential gaps in NSDCP 2013.

**Model** and examine the North Sydney CBD under existing and recommended controls.

**Recommend** revisions to NSDCP 2013 that balance growth and capacity with amenity in North Sydney CBD.



North Sydney CBD - Building envelopes under current built form controls. NSDCP 2013 provides limited guidance on separation between commercial towers.



## THE ISSUES



**The following built form issues have been identified through a review of current controls, environmental conditions, and existing built form in the North Sydney CBD.**

**Many of these issues could intensify as a result of future increased development in the area.**

## COMMERCIAL TOWER SEPARATION

While development proposals are expected to achieve appropriate separation distances from other future towers on adjoining land, the NSDCP 2013 does not currently specify minimum above podium side setback controls.

Increased height limits and heightened development interest to provide Premium and A-Grade floor plates has resulted in development proposals that build at, or close to, the lot boundary.

There are also no controls to ensure adequate tower separation for lots that share a rear boundary. This is an issue for the block bounded by Miller, Blue, William and Mount Street as well as a few other landholdings in the CBD.

Over time, with no separation requirements in place, this increase in density could contribute to:

- Continuous, uninterrupted walls of tall towers
- A lack of daylight and sky views to the public domain
- A 'canyon effect' resulting in dark, windy streets
- A lack of views from within each tower

### Little Walker Street - East section



### Case study:



### 118 Mount Street - Completed 2020 (DA 70/18)

It is anticipated that development to the north of 118 Mount Street will build to the northern face of the tower in the future. The existing built form controls under the DCP however, do not currently provide sufficient guidance for the maximum width of commercial towers along the remainder of the street, nor the separation to other towers.



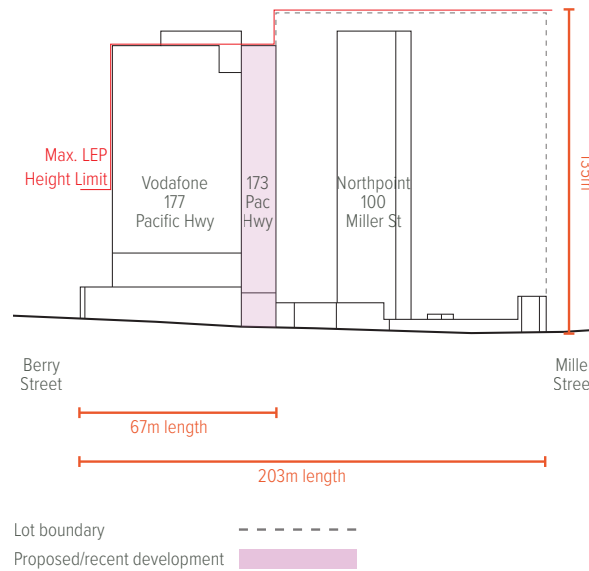
# FACADE LENGTHS

The NSDCP 2013 does not specify a maximum facade length for commercial towers above the podium.

A long facade, whether on an individual lot or as the cumulative effect of several towers, can:

- Create a monolithic, overbearing built form
- Block daylight and sky views from street level
- Increase wind speed at street level

## Pacific Highway - East section



## Case study:



### 173 Pacific Highway - Approved (DA 68/19), adjoining 177 Pacific Highway (constructed under Part 3A)

The cumulative facade length of 173 and 177 Pacific Highway will result in a built form approximately 67m in width. This just exceeds the maximum permissible facade length in the City of Sydney.

## SETBACKS TO THE STREET

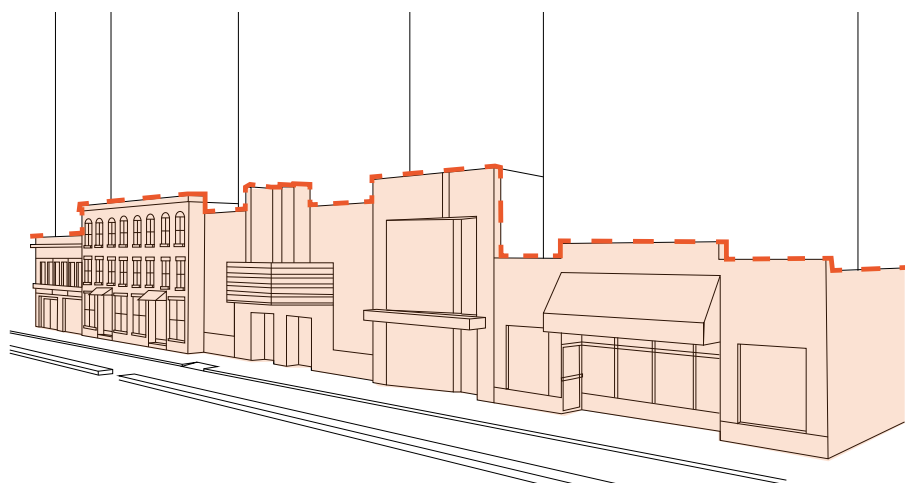
Above podium setbacks ensure tall commercial towers are adequately set back from the street. For pedestrians, this provides a human-scale to the street, allows greater daylight and sky views, and mitigates wind impacts from towers, making the CBD a more comfortable and social space.

Consistent setbacks also facilitate view sharing from within each of the buildings as no one tower is located closer to the lot boundary.

The NSDCP 2013 generally permits a 5m weighted setback above a 5-storey podium to the street frontage. The weighted setback is intended to enable a better and more varied design through greater tower articulation.

Recent development proposals, however, have utilised the weighted setback mechanism as a way of achieving a nil setback to the street for a portion of the tower. Others have proposed substantial decreases to above podium setbacks in general on the grounds that a larger floor plate is required to achieve a Premium or A-Grade tower.

By reducing the size of the setback to the street these towers can appear overbearing and inappropriate in scale, reduce pedestrian amenity, and increase wind impacts. They can also prevent view sharing from within towers.



Example of a street with above podium setbacks. The setback reinforces the podium height and contributes to the human-scale of the streetscape.

### Case study:



### Victoria Cross over station development (OSD) - Approved State Significant Development (DA 69/18)

The Victoria Cross over station development (OSD) on Miller Street provides a nil above podium setback on the lower levels of the tower with the tower extending over the podium towards Miller Street on upper levels.

## HIGH GRADE FLOOR PLATES

Several recent development proposals in the CBD have sought to justify non-compliance of podium and setback requirements as a necessity to achieve greater floor plate sizes. They argue that these larger floor plates deliver higher building grades, and therefore create a more competitive commercial market.

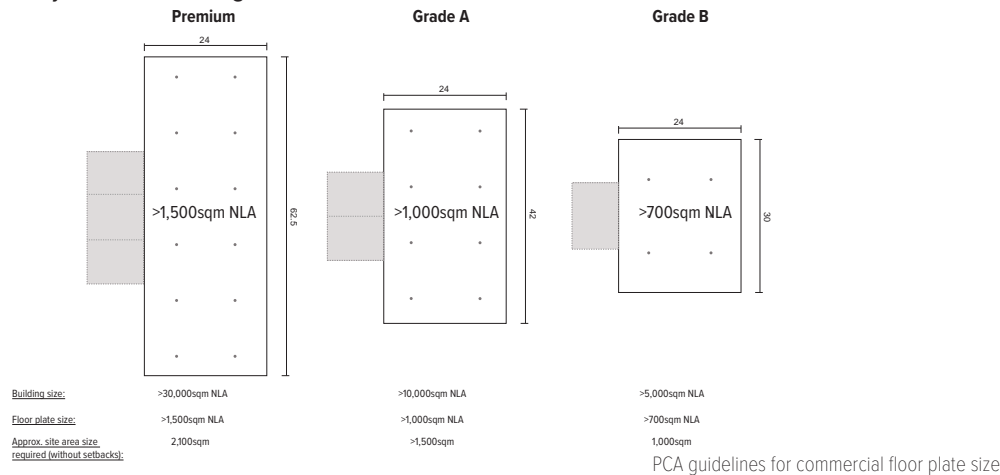
Many proposals refer to the floor space requirements in the Property Council of Australia's (PCA) *Guide to Office Building Quality* when justifying non-compliance to podium and setback requirements. The guide includes broad benchmarks for floor plate sizes that will assist in achieving Premium or A grading classification for a commercial building.

It is worth noting that individual lot sizes in the North Sydney CBD are relatively small on average. Most will

not fit a premium or A-grade floor plate with sufficient street and side setbacks without amalgamating with a number of adjoining lots.

While the PCA guide outlines floor plate criteria for each building grade, it is only one of several criteria to achieve higher grading, which also includes environmental and amenity requirements. Floor plate size should therefore not be seen as the only consideration for achieving higher building grades.

Finally, this guide is voluntary and the PCA does not publicly classify building quality for individual developments. As such, building grade classifications do not form a development assessment criteria for proposals.



**"This guide describes the optimal mix of features that differentiate building performance. It is an integral package. Users of this guide are cautioned against ramping up the standards recommended in this Guide. Higher, bigger and larger is not necessarily better."**

- PCA *Guide to Office Building Quality*, p.07

# LARGE AMALGAMATED SITES

Amalgamation of smaller lots provides significant opportunities for larger commercial buildings with good tower separation.

However, the NSDCP 2013 does not currently provide built form guidelines for proposals over several lot parcels.

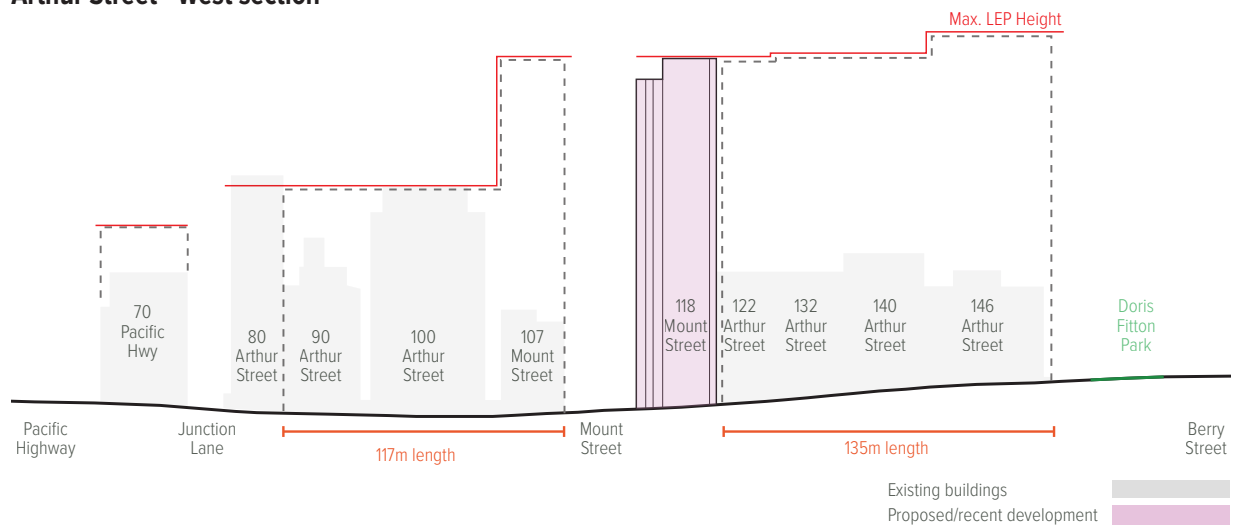
Increased development with no built form controls in place could result in:

- Long and tall, uninterrupted façades
- A lack of sky views and daylight for pedestrians
- Limited views for building occupants
- A scale and bulk not suited to the existing context
- An uninspiring and overwhelming skyline

**Arthur Street - Aerial looking west**



**Arthur Street - West section**



## PARTY WALLS

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Blank party walls are the result of towers building to one boundary with the expectation that it will be built up to by an adjoining property in the future.

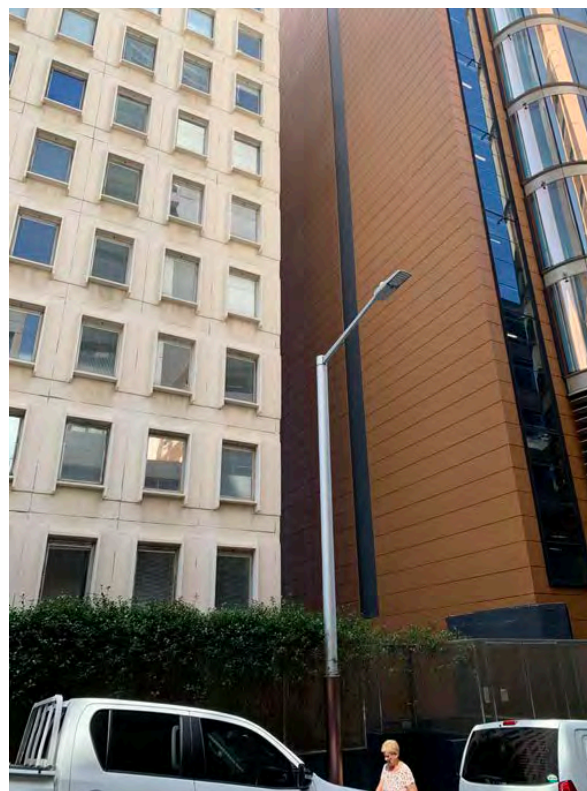
This has the benefit of increasing the floorspace and commercial viability of a development.

However, building to the boundary can lead to unacceptably long façades when the adjoining property develops, resulting in amenity issues for pedestrians and building occupants.

There is also the issue of adjoining buildings not redeveloping, or building to a limited height, resulting in substantial blank façades to visible to the public.

These blank party walls provide no activation or visual interest to a streetscape, and for a potentially long time. This affects the character and image of North Sydney CBD.

**118 Mount Street - Completed 2020**



**100 Mount Street - Completed 2019**





# WHERE WILL DEVELOPMENT HAPPEN?



**There is a substantial amount of land within the CBD with future redevelopment potential, including several lots that could amalgamate into larger sites.**

**This is particularly noticeable to the east of the CBD along Walker Street, Little Walker Street and Arthur Street where future development could be particularly dense.**

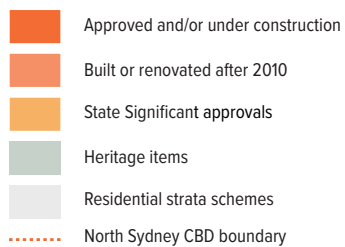
**The following maps of North Sydney CBD highlight:**

- **Constrained sites where future development is unlikely to occur**
- **Potential redevelopment sites**

## CONSTRAINED SITES

This map shows constrained sites in the North Sydney CBD, where future development is unlikely to occur. These sites include land on which:

- Development is approved or under construction
- Development has been built or significantly renovated after 2010
- State Significant Development (SSD) has been approved
- Heritage items are located
- Residential strata schemes make redevelopment unlikely








## WHERE DEVELOPMENT MAY OCCUR

This map identifies potential redevelopment sites in the North Sydney CBD after eliminating constrained sites. The sites have been classified into two categories:

- Sites less than 1,000sqm in size
- Sites greater than 1,000sqm in size

As per NSLEP 2013, sites with a site area less than 1,000sqm can build to a maximum height of 45m above ground level.

-  Potential redevelopment sites > 1,000sqm
-  Potential redevelopment sites < 1,000sqm
-  North Sydney CBD boundary





# PRECEDENTS



**The current built form controls in the North Sydney Development Control Plan 2013 (NSLEP 2013) for commercial towers have been compared to:**

- **City of Sydney (Sydney DCP 2012)**
- **City of Parramatta (Parramatta DCP 2011)**



## COMPARISON OF CONTROLS

To control the bulk and scale of commercial towers, most centres, including the City of Sydney and City of Parramatta, set a maximum floor space ratio (FSR) on land under their Local Environmental Plans (LEP). This is a statutory control that limits the amount of development that may occur on a site. Through that limitation, FSR controls can also guide appropriate tower separation and articulation.

NSLEP 2013 does not contain FSR controls. Instead, the bulk, scale, and separation of commercial towers in the North Sydney CBD is managed through setback controls in North Sydney's Development Control Plan (DCP).

This table compares relevant DCP controls for commercial towers in North Sydney CBD to those contained in the City of Sydney and City of Parramatta DCPs.

It is evident that even without FSR controls, North Sydney's built form controls provide less guidance on:

- Minimum street frontage
- Above podium side setbacks
- Above podium rear setbacks
- Articulation zone to weighted setbacks
- Facade length
- Commercial floor plate size
- Separation of commercial towers on large sites
- Treatment of blank façades to commercial tower

MECHANISM	CONTROL	NS DCP 2013	SYDNEY DCP 2012	PARRAMATTA DCP 2011
Site requirements	Minimum street frontage			✓
Above podium setbacks	Front setbacks	✓	✓	✓
	Side setbacks		✓ 3m	✓ 3-6m
	Rear setbacks		✓ 3m	✓ 9-12m
Weighted setback	Weighted front setback	✓		
	Articulation zone		✓	
Floor plate requirements	Maximum tower facade length		✓	✓
	Max. floor plate size for commercial towers		✓	
Building separation	Commercial to commercial		✓	✓
	Commercial to residential	✓	✓	✓
Facades	Treatment of blank walls	✓ Ground floor only specified	✓	✓

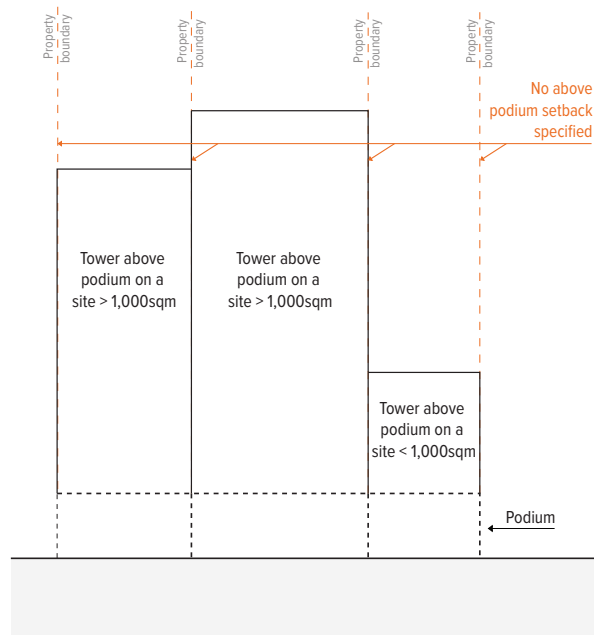
Comparison table of DCP built form controls for North Sydney CBD, City of Sydney, and City of Parramatta.

# NORTH SYDNEY

## Above podium side setbacks

0m setback at podium level.

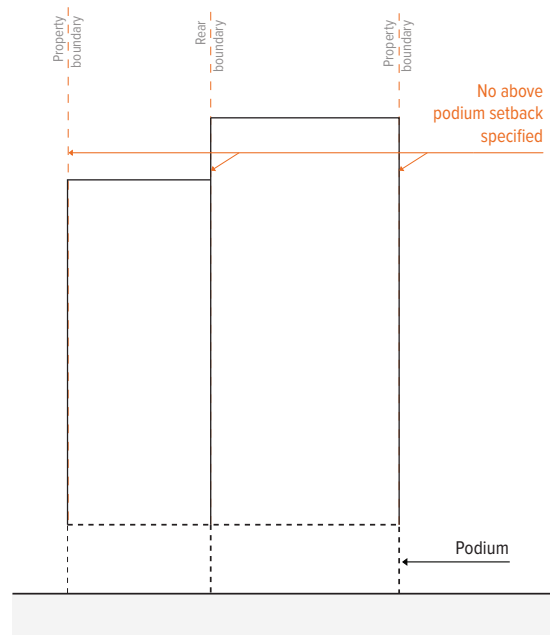
No above podium side setback is specified.



## Above podium rear setbacks on adjoining land

0m setback at podium level.

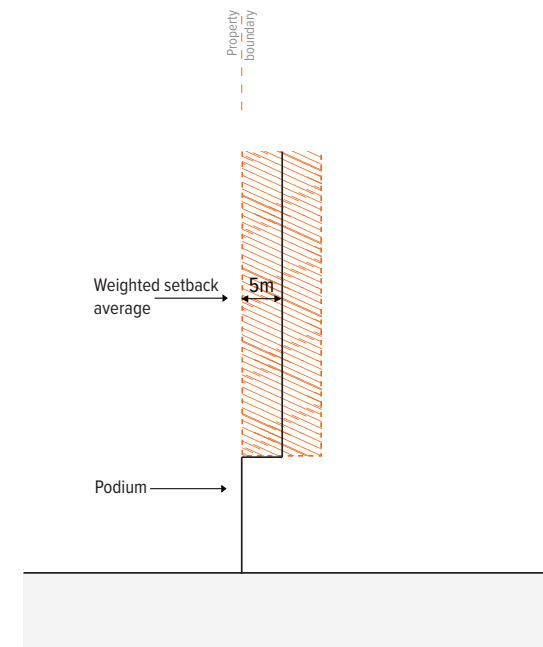
No above podium rear setback is specified.



## Weighted street frontage setbacks above podium

5 storey podium with 5m weighted front setback above podium applies with some exceptions depending on street location in the CBD.

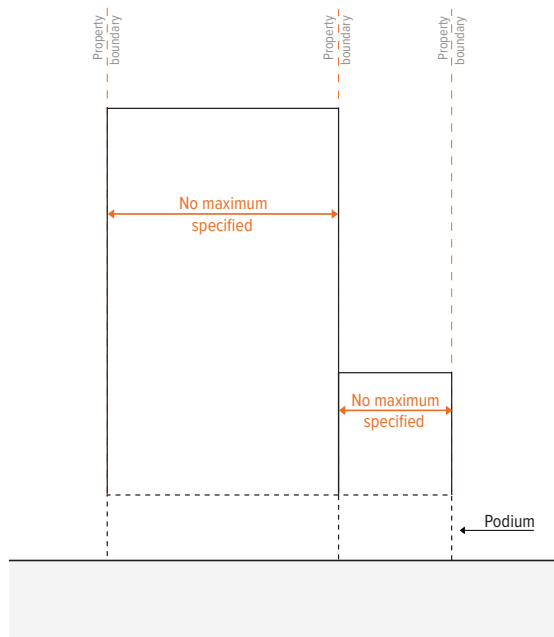
No guidelines on how setbacks should be weighted. Portions of the commercial tower can be located to the street frontage boundary.



# NORTH SYDNEY

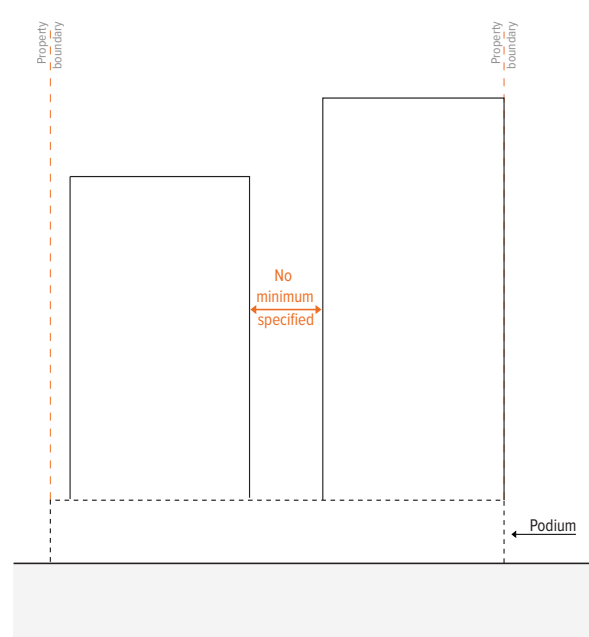
## Maximum tower facade length

No maximum tower facade length is specified.



## Building separation on the same site

No minimum separation between commercial sites on the same site is specified.



## Treatment of blank walls

Blank walls at ground level that face streets and laneways should be avoided.

No treatment of blank tower façades is specified.

## Minimum street frontage width

No minimum street frontage width for tall towers is specified.

## Maximum tower floor plate

No maximum tower floor plate size for tall towers is specified.

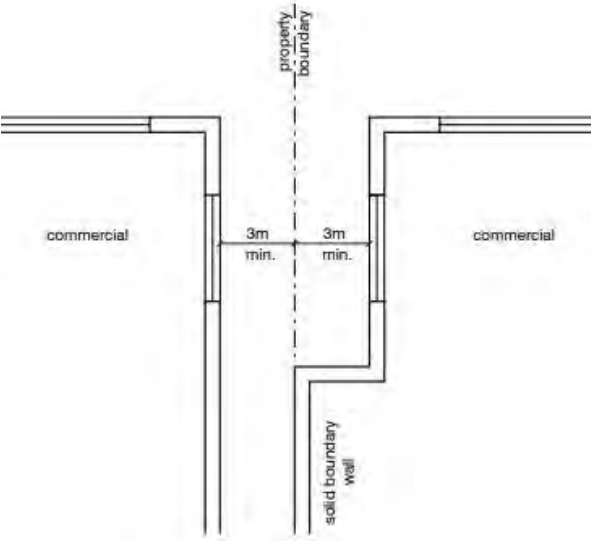
# CITY OF SYDNEY

## Above podium side setbacks

Above 45m (max. street frontage height), windows or balconies of commercial buildings are to be set back at least 3m from the side boundaries.

Walls without windows do not need to be set back.

Note: maximum FSR, tower floor plate and façade length controls also apply.

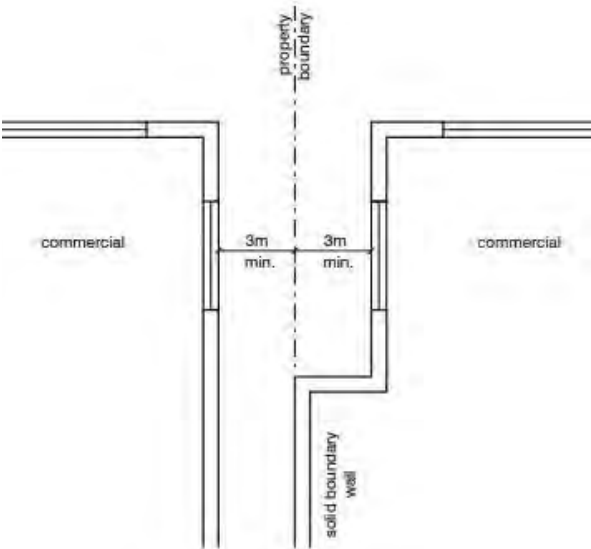


## Above podium rear setbacks

Above podium rear setbacks requirements are the same as the above podium side setback controls.

Above 45m, windows or balconies of commercial buildings are to be set back at least 3m from the side boundaries.

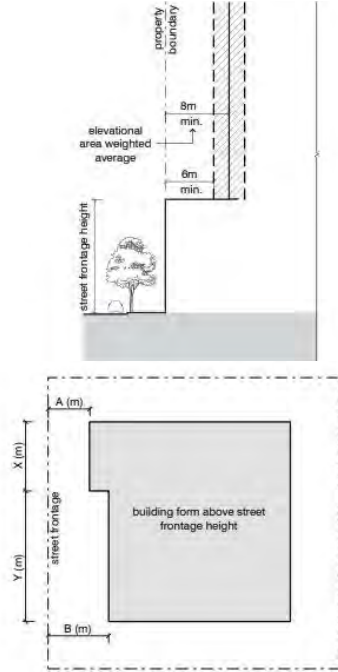
Walls without windows do not need to be set back.



## Weighted street frontage setbacks above podium

Minimum weighted setback average of 8m above street frontage height. May be reduced in part by up to 2m provided that the weighted average setback from the street frontage alignment is 8m.

No part of the building is to be set back less than 6m.

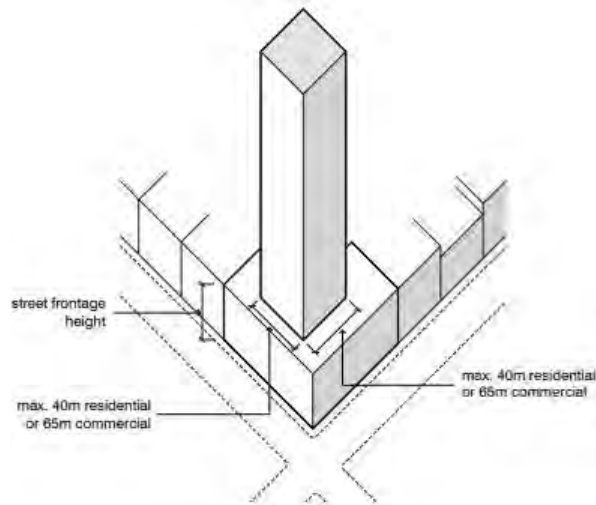




# CITY OF SYDNEY

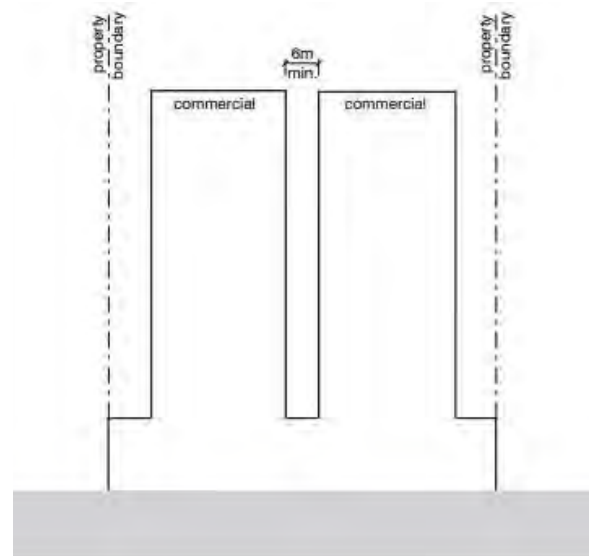
## Maximum tower facade length

Above a height of 45m high, the maximum horizontal dimension of any commercial building facade must not exceed 65m.



## Building separation on the same site

Minimum separation distances for commercial to commercial is 6m.



## Treatment of blank walls

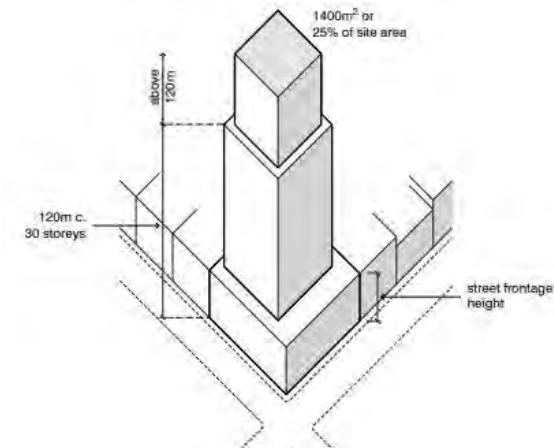
Where development exposes the blank wall of an adjoining building, a visually interesting treatment is required for that wall.

## Minimum street frontage width

No minimum street frontage width for tall towers is specified.

## Maximum tower floor plate

Above 120m high (from ground level), commercial office floor plates must not exceed 1,400sqm GFA, or 25% of the site area, whichever is greater.



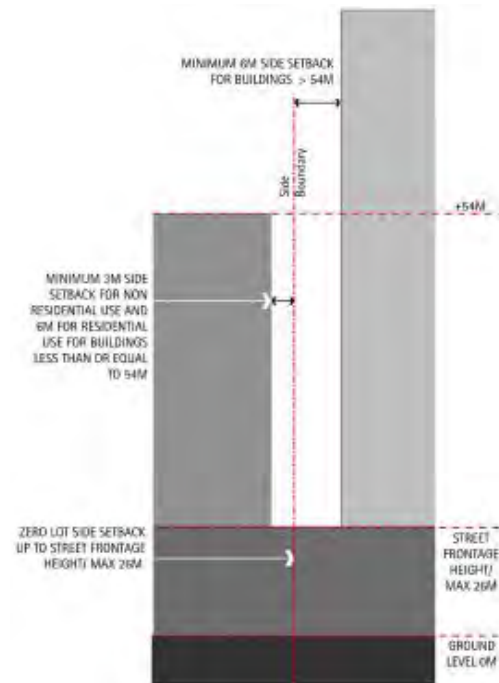
# CITY OF PARRAMATTA

## Above podium side setbacks

Minimum 3m above podium side setback for non-residential buildings less than or equal to 54m high.

Minimum 6m above podium side setback for non-residential buildings greater than 54m high.

Note: maximum FSR and facade length controls also apply.

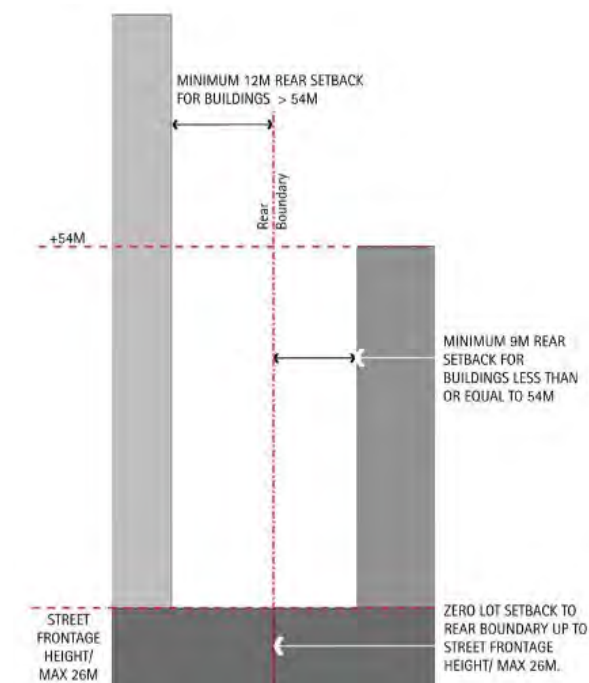


## Above podium rear setbacks

Minimum 9m above podium rear setback for buildings less than or equal to 54m high.

Minimum 12m above podium rear setback for buildings greater than 54m high.

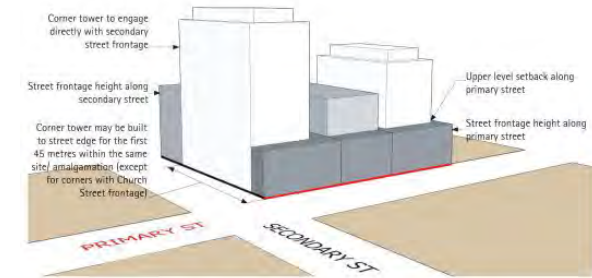
Note: maximum FSR and facade length controls also apply.



## Weighted street frontage setbacks above podium

No weighted street frontage setbacks specified.

Corner sites may be built with no upper level setback to the secondary street edge for the first 45m within the same site/amalgamation to help articulate corners.

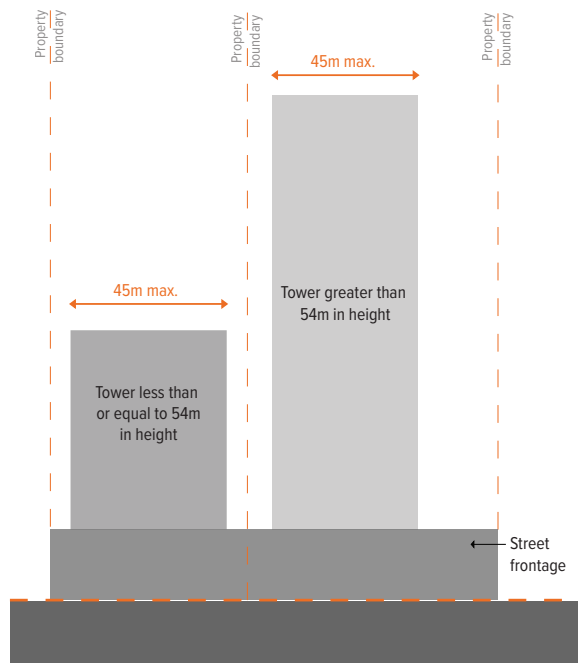


# CITY OF PARRAMATTA

## Maximum tower facade length

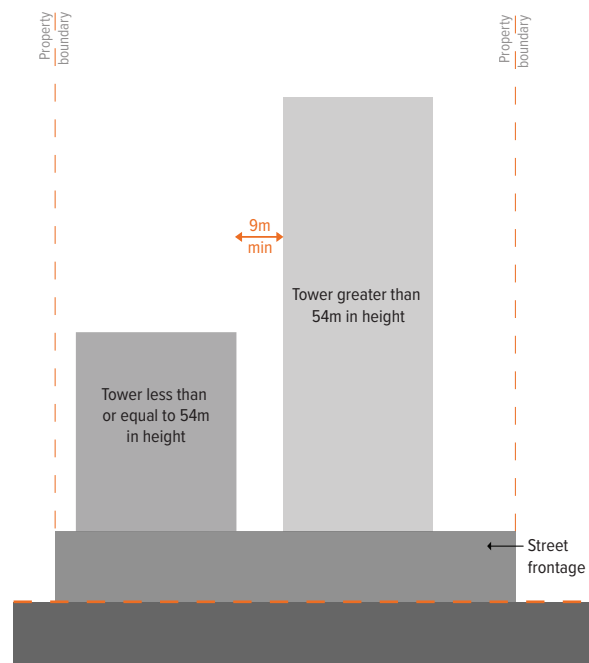
On land zoned B3 Commercial Core, the horizontal dimensions of any building facade above street frontage height must not exceed 45 metres.

All points of an office floor should be no more than 12m from a source of daylight (e.g., window, atria, or light wells).



## Building separation on the same site

Building separation distances between buildings on the same site are not to be less than those required by buildings on adjoining sites, unless it can be demonstrated that reducing the separation distances provides adequate privacy and solar access to the buildings concerned.



## Treatment of blank walls

Any blank walls are to be designed or treated to provide a high-quality finish of visual interest.

## Minimum street frontage width

Development parcels are required to have at least one street frontage of 20m or more on land zoned B3 Commercial Core, B4 Mixed Use or B5 Business Development.

## Maximum tower floor plate

No maximum tower floor plate size for commercial buildings is specified.

Instead, the Parramatta LEP includes a sliding scale Floor Space Ratio for Parramatta CBD which controls the maximum floor space ratio for a development based on site area size.



## RECOMMENDED CHANGES



**The following amendments to planning controls for tall commercial towers are recommended to better align North Sydney CBD with other major business districts.**

**These amendments will be applied to the following sections of NSDCP 2013:**

- **Part B, Section 2 - Commercial and Mixed Use Development**
- **Part C, Section 2 - North Sydney Planning Area**

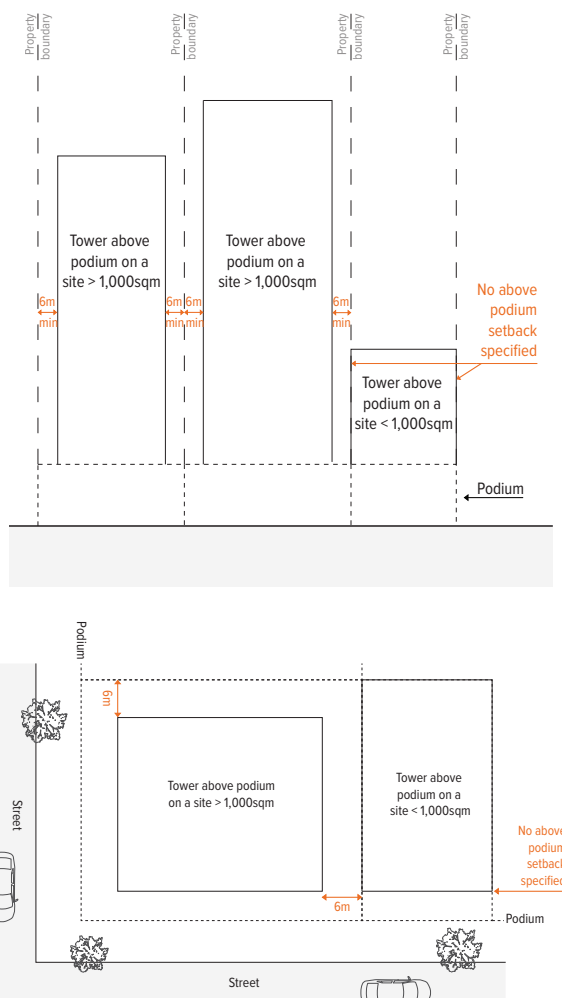
**These controls apply to commercial development in North Sydney CBD zoned *B3 - Commercial Core* and *B4 - Mixed Use*.**

## RECOMMENDATION 1: MINIMUM ABOVE PODIUM SIDE SETBACKS

### Proposed amendment

Commercial towers that can build to the maximum height limits outlined in NSLEP 2013 must provide a minimum 6m whole of tower side setback above the podium.

This applies to all commercial buildings in the CBD that are located on a site greater than 1,000sqm and exceed 45m in height.



### Rationale

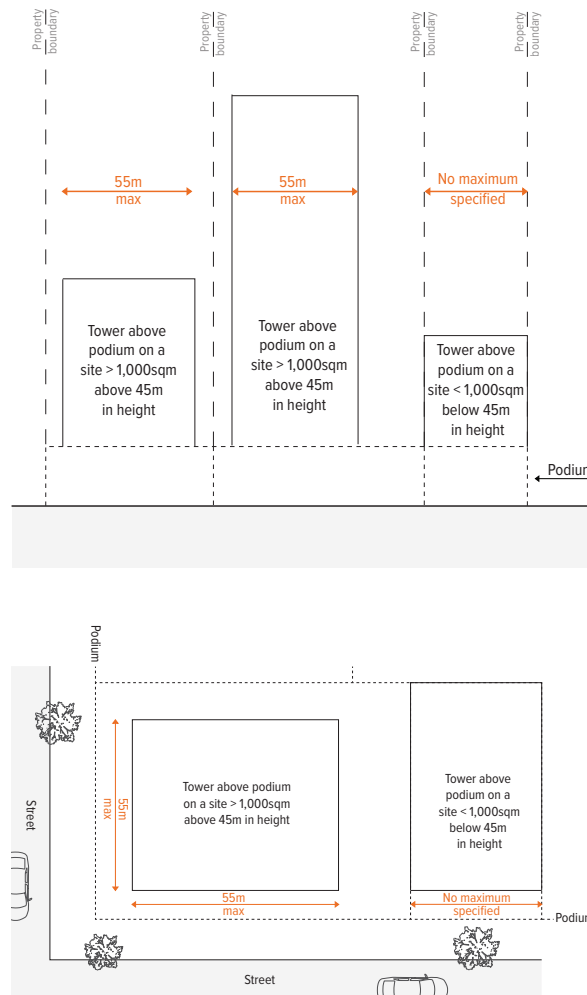
- Aligns with 6m setback control for commercial towers under the Parramatta DCP. The Parramatta control is more appropriate than the 3m City of Sydney setback which also sets a maximum floor plate requirement to achieve tower separation.
- Protects pedestrian amenity through increasing access to sky views and daylight, promoting a human-scale to podiums and avoids the 'canyon effect' in streets.
- Improves building occupant amenity through internal views and access to natural daylight.
- Cumulatively, a 12m separation between commercial towers that can range between 50m and 225m in height will provide a better scale, proportion, and separation between towers.
- Encourages amalgamation of smaller sites to create sufficiently large floor plates for Premium and A-Grade buildings with better separation.
- Achieves design excellence by reinforcing podium and tower typology, creating buildings that fit in the context of North Sydney CBD, enhances CBD skyline and promotes towers seen 'in the round'.

## RECOMMENDATION 2: MAXIMUM FACADE LENGTHS

### Proposed amendment

Above podium, commercial tower façades should not exceed 55m in length.

This applies to all commercial buildings in the CBD that exceed 45m in height.



### Rationale

- 55m represents the midpoint between the City of Parramatta and City of Sydney facade length controls.
- Lot widths in the CBD range between 40-60m. Amalgamation of lots may be encouraged to achieve larger floor plates with adequate separation.
- Protects pedestrian amenity through increasing access to sky views and daylight, promoting a human-scale to podiums and avoids the 'canyon effect' in streets.
- Improves building occupant amenity through internal views and access to natural daylight.
- Provides adequate scale and proportion to towers that range between 50-225m in height. Limits bulk of big development and encourages breaks between buildings.
- Ensures large floor plates are still achievable with energy efficient floor plates.
- Achieves design excellence by reinforcing podium and tower typology, creating buildings that fit in the context of North Sydney CBD, enhances CBD skyline, and promotes towers seen 'in the round'.

**Discussion on Recommendations 1 & 2**

The following section diagrams explore the relationship between the proposed above podium side setbacks and the maximum facade length controls in a dense, CBD streetscape.

The sections demonstrate the following scenarios:

1. No quantifiable separation controls
2. 3m above podium side setback and no maximum facade length
3. Proposed changes: 6m above podium side setback and a maximum facade length of 55m
4. Proposed changes with amalgamated lots: 6m above podium side setback and a maximum facade length of 55m

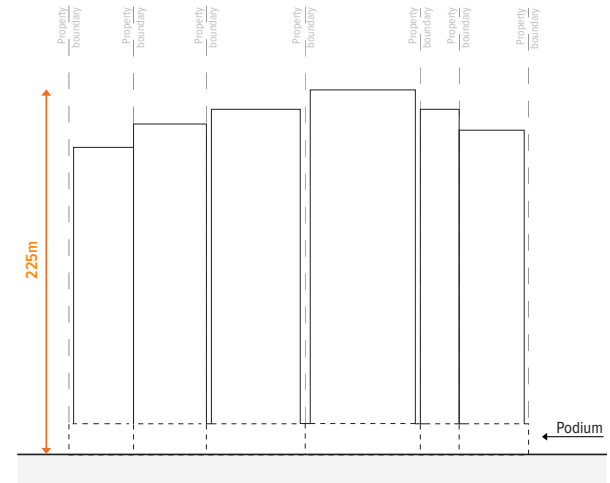
**SCENARIO 1: No quantifiable separation controls (existing condition)**

Outcome:

- Smaller lots building to side boundaries, up to maximum building heights cumulatively creates a lengthy facade with no breaks or articulation
- Larger sites may provide minimal side setbacks from the boundary which provide little in visual breaks through the buildings
- Results in an excessive wall of development, up to 225m in height

Next step:

- Require minimum side setback controls



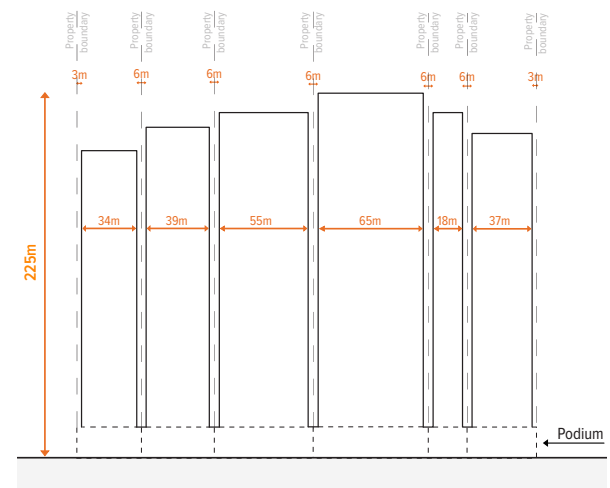
**SCENARIO 2: 3m above podium side setbacks**

Outcome:

- Consistent breaks between development however 3m setbacks provide limited amenity for tall towers
- Not ideal floor plates for smaller sites, breaks between buildings are not sufficient for larger sites

Next step:

- Increase minimum side setback controls
- Maximum facade length





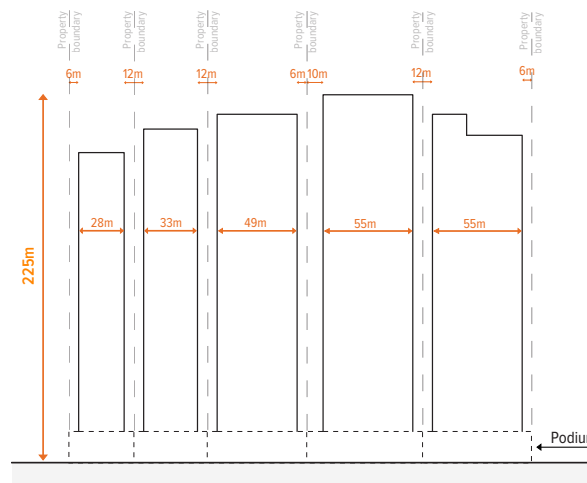
### SCENARIO 3: Proposed changes

Outcome:

- Smaller lots are incentivised to amalgamate with neighbours if sites are too small, which results in better proportioned and more commercially viable floor plates
- Breaks between larger sites support better views to the sky and daylight from street level
- Maximum facade length increases breaks between buildings and reduces the potential for a continuous wall of tower

Next step:

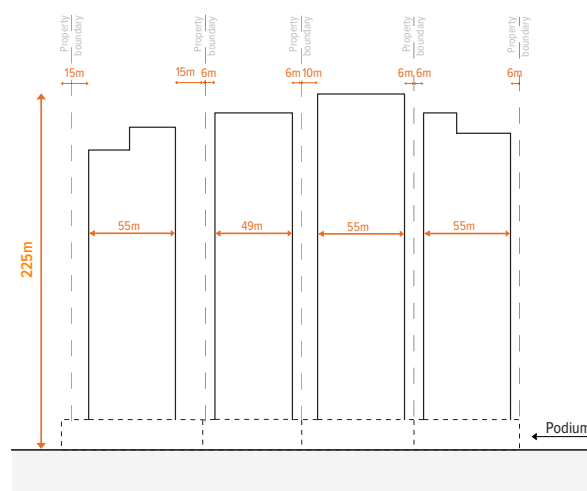
- Likely amalgamation of smaller sites



### SCENARIO 4: Proposed changes with amalgamated lots

Outcome:

- Maximum facade limits create well-proportioned commercial towers with better site separation
- Amalgamation of smaller lots results in better floor plates with less lift cores, vehicular entries, more flexible floor space
- Better skyline response with towers seen "in the round."



Scenarios 3 and 4 are both possible under the proposed changes. It is up to the market to determine the most economically feasible outcome.

Both scenarios achieve the study objectives:

- To improve pedestrian amenity
- Protect building occupant amenity and view sharing
- Support commercial towers of appropriate scale and proportion and avoid a 'canyon effect' to the street
- Achieve design excellence and contribute to the character and vibrancy of the CBD
- Deliver commercially viable towers that maintain North Sydney's economic competitiveness

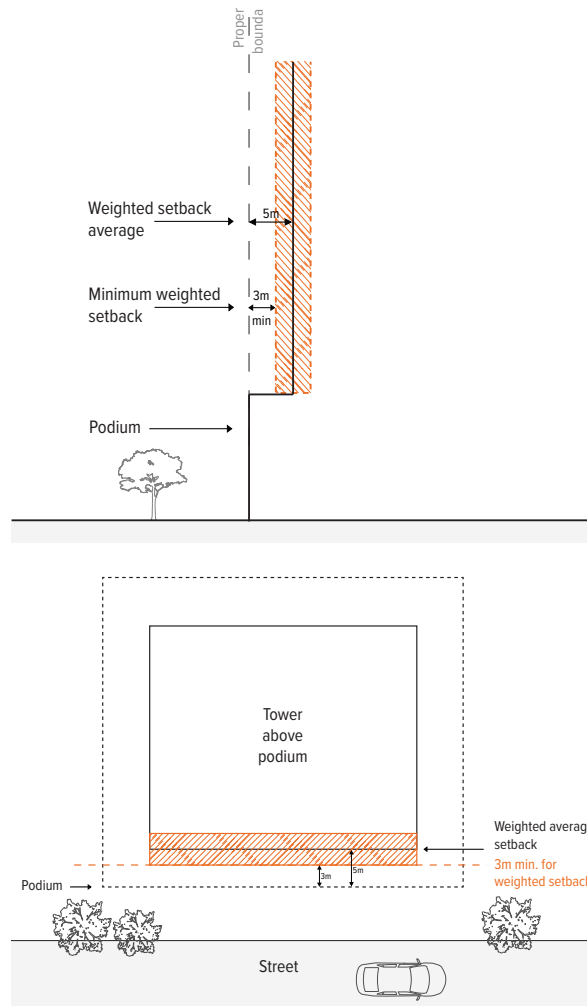
## RECOMMENDATION 3: WEIGHTED ABOVE PODIUM SETBACK TO THE STREET

### Proposed amendment

The weighted above podium setback of 5m (or otherwise stated) to the street should continue to apply.

No part of the tower may be located within 3m of the podium frontage to the street or laneway.

This applies to all commercial buildings in the CBD.



### Rationale

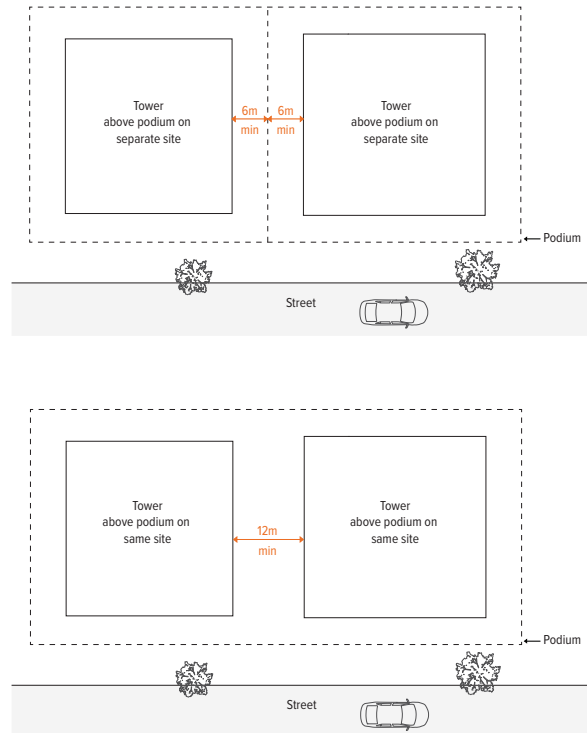
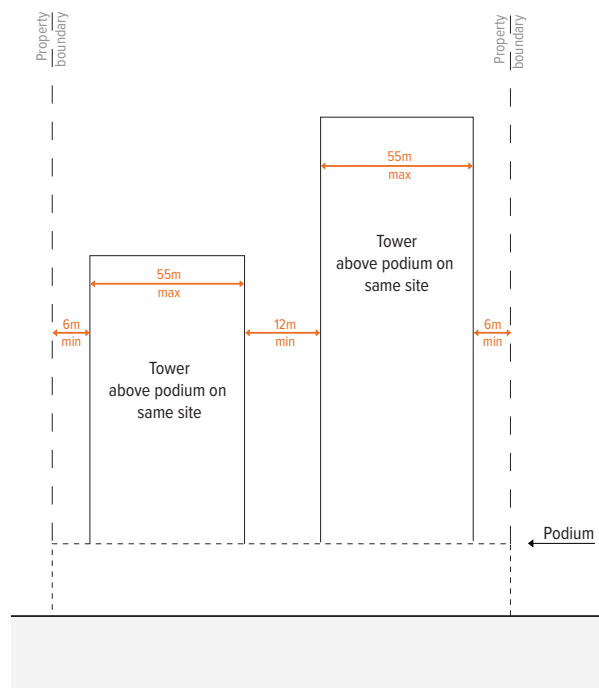
- Maintains the weighted setback for consistency with recent development in the CBD but adopts the City of Sydney requirement to limit towers locating closer to the street.
- Protects pedestrian amenity by promoting a human-scale to podiums, mitigates wind and protects daylight views. Prevents the feeling of towers looming over the street.
- Enhances building value and building occupant amenity through view sharing with other towers.
- Achieves design excellence by allowing flexibility in design with facade articulation and reinforcing the podium and tower typology.

## RECOMMENDATION 4: MINIMUM TOWER SEPARATION ON SAME SITE

### Proposed amendment

Commercial buildings on the same site are required to have a minimum building separation of 12m between towers.

This applies to all commercial buildings in the CBD where there is more than one tower located above podium level.



### Rationale

- Similar policy to Sydney and Parramatta, where minimum separation distances on the same site must not be less than that on adjoining sites.
- Achieves the same benefits as the above podium side setback controls.
- Any proposed reduction in the separation distance on the basis that a consolidated site can achieve the objectives may be dealt with through the development assessment process.
- Protects pedestrian amenity through increasing access to sky views and daylight, promoting a human-scale to podiums and avoids the 'canyon effect' in streets.
- Improves building occupant amenity through internal views and access to natural daylight.
- A 12m separation between commercial towers along Arthur Street and other large sites will provide a better scale, proportion, and separation between towers.
- Achieves design excellence by reinforcing podium and tower typology, creating buildings that fit in the context of North Sydney CBD, enhances CBD skyline and promotes towers seen 'in the round'.

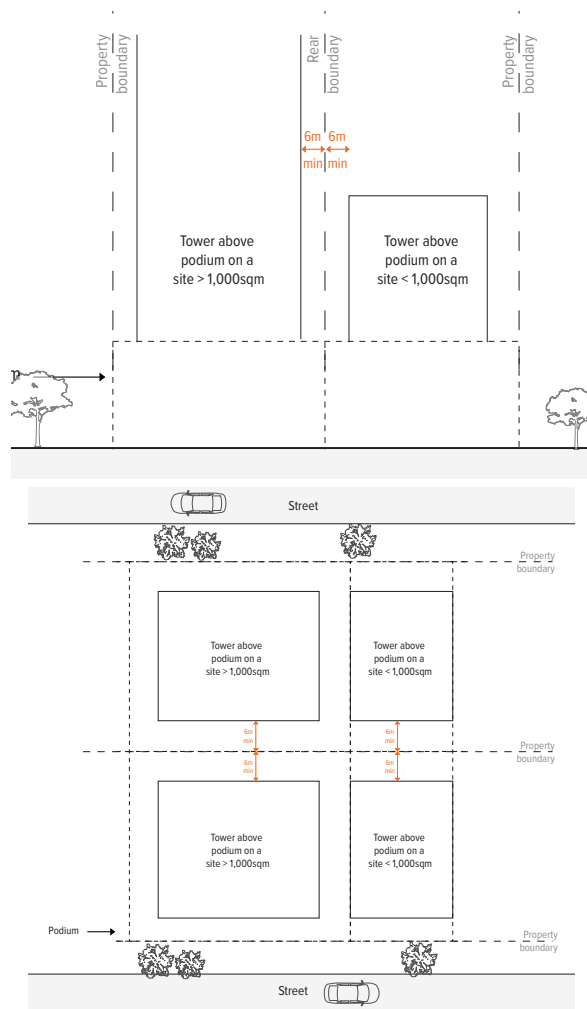
## RECOMMENDATION 5: MINIMUM REAR TOWER SEPARATION

### Proposed amendment

Non-residential development requires a minimum 6m whole of tower rear setback above podium from the rear boundary line.

The podium level may be built to the rear boundary.

This applies to commercial buildings in the CBD that do not have a street or laneway frontage to the rear of the property.



### Rationale

- 6m setback control is a midpoint between the rear setback controls for Sydney and Parramatta. 6m is appropriate given that the 3m City of Sydney rear setback is also influenced by a maximum floor plate requirement in taller towers.
- Rear setbacks improve building occupant amenity through internal views, access to natural daylight and a limitation on deep, dark floor plates.
- Reduces perceived bulk and scale on city blocks with back-to-back development.
- Most streets in North Sydney CBD have dual frontages where this control will not apply.
- Achieves design excellence by reinforcing podium and tower typology, creating buildings that fit in the context of North Sydney CBD, enhances CBD skyline and promotes towers seen "in the round."

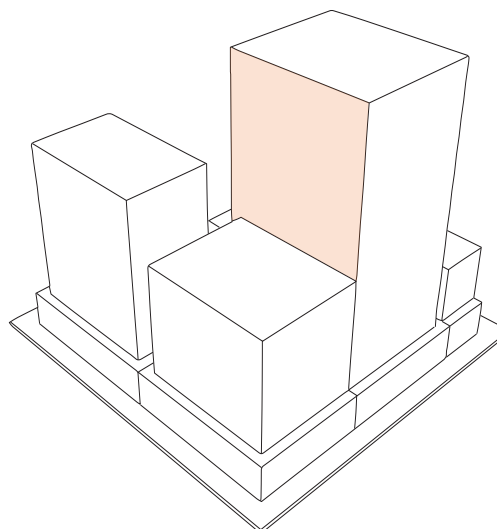
## RECOMMENDATION 6: PARTY WALLS

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### Proposed amendment

Where party walls are exposed, a visually interesting treatment is required to that wall.

The treatment should be sympathetic to the character of the area and any nearby heritage items or conservation areas.



### Rationale

- Aligns North Sydney's built form controls with the City of Sydney and Parramatta.
- Provides visual interest and improves placemaking to the CBD
- Minimises the perceived size of the blank wall
- Improves marketability of development with greater interest/activation of surroundings
- Achieves design excellence through new and interesting architectural treatments of 'blank canvases'



# CONCLUSION







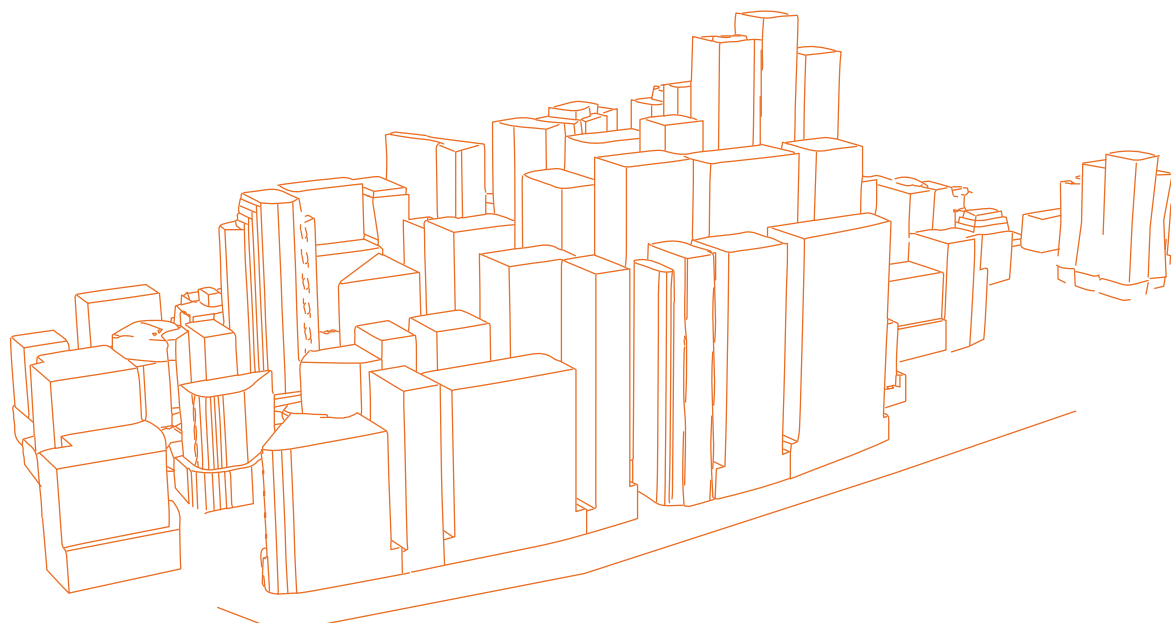
## CONCLUSION

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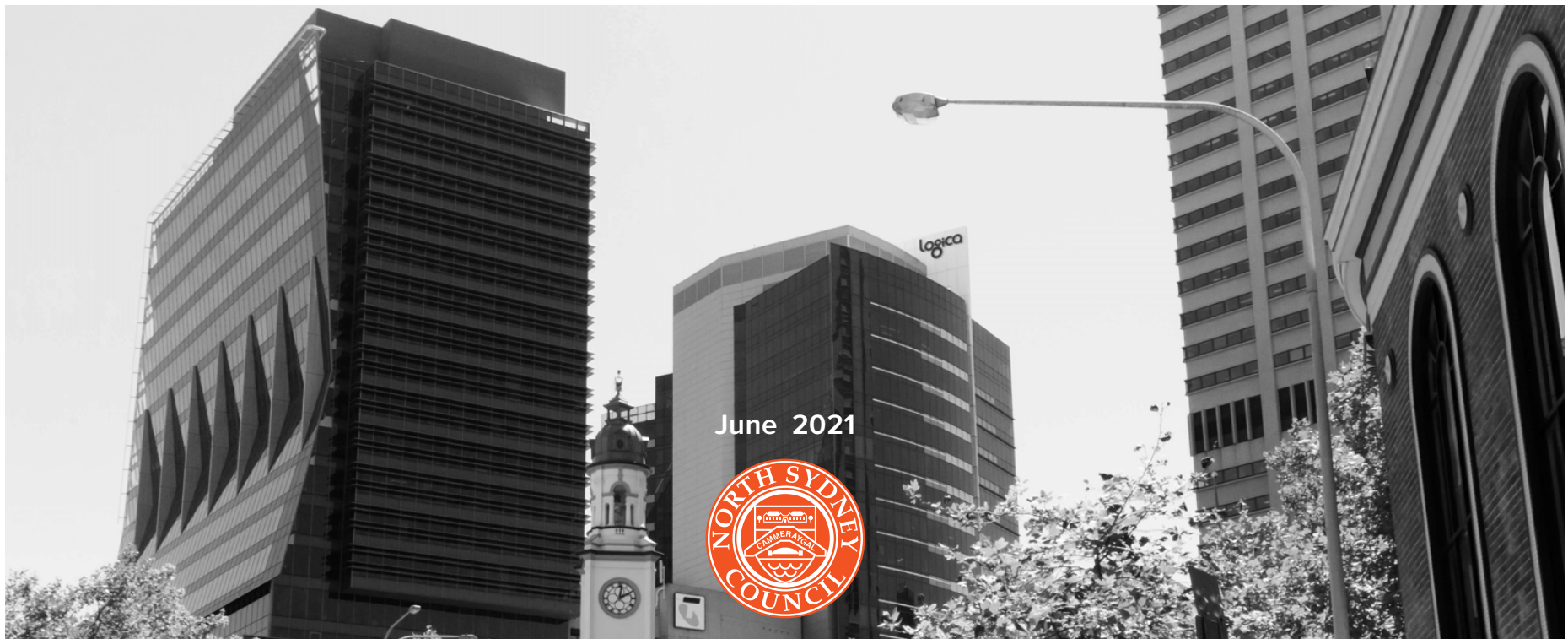
The proposed amendments to the built form controls for North Sydney CBD commercial towers will bring the NSDCP 2013 in line with comparable centres in the Sydney metropolitan area.

The amendments will help to maintain and improve the amenity of the CBD for pedestrians and building occupants. They will provide a form and scale to the CBD skyline that will be representative of the character and vibrancy of North Sydney.

In a time of increased density and development interest in the CBD, these amendments will help to create a future North Sydney CBD that people want to work in and visit, strengthening the image of North Sydney CBD as a competitive economic centre.



North Sydney CBD - Future built form with recommended built form control changes.





## SECTION 2 COMMERCIAL & MIXED USE DEVELOPMENT

### 2.1 INTRODUCTION

The North Sydney LGA contains a variety commercial centres **ranging from one of Australia's** largest commercial centres down to small scale neighbourhood centres focusing on one or a small cluster of retail shops and services.

The most significant commercial centre in the North Sydney LGA is the North Sydney Central Business District (CBD), which primarily comprises tall commercial towers with some isolated mixed commercial and residential development. Its close proximity to Sydney Harbour and City of Sydney provides the area with a vibrant and successful commercial centre. The CBD is well serviced by public transport and provides access to a wide range of employment, cultural, social, educational and recreational opportunities. Conversely, the amenity of the CBD is compromised by a general lack of open space, access to solar access and intensively used public walkways. Its good access to public transport and proximity to the Sydney CBD, reinforces the need to encourage high grade commercial floor space to ensure that the CBD **continues to contribute to its status as a "global city" as identified under the Metropolitan Strategy.**

The remaining centres of North Sydney comprise a variety of mixed use areas zoned either *B1 Neighbourhood Business*, *B4 Mixed Use* or *IN2 Light Industrial*. These centres generally provide for a wide range of residential, commercial and high tech industrial floorspace. The proximity of residential and commercial development can create potential conflicts which must be addressed at the design stage such that amenity of residents is maximised while also enabling commercial premises to operate effectively and contribute to a vibrant centre.

#### 2.1.1 General Objectives

The general objectives of this Section of the DCP are to ensure that commercial and mixed use developments:

- O1 can meet the aims and residential and employment population targets as outlined in **the State Government's Metropolitan Strategy** and *Inner North Subregional Strategy*,
- O2 can meet the aims and dwelling **targets of Council's Residential Development Strategy**,
- O3 is consistent with the principles contained within the *Integrated Land Use and Transport Policy*;
- O4 provide various grades and sizes of commercial floorspace to accommodate a mix of business, service, high tech industry, retail and recreational uses,
- O5 are designed to contribute positively to their surroundings and particularly to diversity, **vitality, social engagement and 'a sense of place'**,
- O6 provide active street frontages both during the day and night,
- O7 contribute to maximising public transport usage, walking and cycling,
- O8 provide an acceptable level of amenity to residents living within and adjoining centres,
- O9 are designed to mitigate against the extreme impacts of the sun, wind and rain,
- O10 provide adequate natural light to buildings, public places and streets,
- O11 incorporate innovative sustainable design to reduce energy and water consumption and meets or exceeds sustainability requirements,
- O12 minimise the acoustic impacts on residents from non-residential activities,
- O13 maximise opportunities for the sharing of views,



Building height (metres)	Between habitable rooms and balconies	Between habitable & non-habitable rooms	Between non-habitable rooms
Up to 4 storeys (approx. 12m)	12m	9m	6m
5 to 8 storeys (approx. 12-25m)	18m	12m	9m
9 storeys + (approx. 25m +)	24m	18m	12m

- P6 Council may consider a variation to the building separation control within P5 above, but only where the applicant can demonstrate that the variation has been made in response to site and context constraints and that the variation is not made at the expense of amenity (e.g. visual and acoustic privacy, outlook, solar access). However, Council will not consider a variation if an apartment's only outlook is onto an area that is under the minimum building separation distance.

## 2.4 QUALITY BUILT FORM

Commercial centres and their skylines evolve. Well designed buildings respond to the environment of the centre in terms of the various scales at which they are experienced. They can also make a positive contribution to the character and identity of the centre and provide a benchmark for innovative design in building and environmental technology.

Buildings in centres should have a positive relationship with relevant topographical features, surrounding buildings and the townscape when viewed from all directions.

Proposals for large scale developments have the potential for dramatic impacts on the urban environment. They can harm qualities that people value about a place such as solar access and scale. For these reasons proposals for tall buildings are particularly subject to very close scrutiny.

Proposals will be assessed in terms of their positive contribution and any adverse impacts associated with their design and siting. They will be evaluated for the quality of their design and their response to their urban context.

The relationship of proposals to transport infrastructure will be considered in the assessment. This includes existing capacity available, the quality of links between transport and the site, and the feasibility of making improvements to those links.

Any building must be sustainable in the broadest sense taking into account its social and economic impact, based on whole life costs and benefits.

### 2.4.1 Context

#### Objectives

- O1 To ensure that the site layout and building design responds to the existing characteristics, opportunities and constraints of the site and within its wider context (adjoining land and the locality).

#### Provisions

- P1 Proposed developments must be designed to respond to the issues identified in the site analysis and in the relevant area character statement (refer to Part C of the DCP).
- P2 A Site Analysis is undertaken in accordance with Part A: Section 5 - *Site Analysis* of this DCP.



**2.4.2 Site Consolidation**

Objectives

- O1 To enable the creation of a human scale that also reflects a consistent subdivision pattern.
- O2 To enable the creation of suitably sized commercial floor plates that can be tenanted easily.

Provisions

- P1 Amalgamate lots to achieve lot frontage identified in the relevant area character statement (refer to Part C of the DCP).
- P2 Break down the apparent length of buildings by incorporating articulation, design and detailing and or a change in materials, finishes and colours.

**2.4.3 Setbacks**

Objectives

- O1 To enable a reduction in the impact of scale.
- O2 To ensure adequate ventilation, solar access, sky views, privacy, view sharing and a reduction of adverse wind effects.
- O3 To improve pedestrian flow and amenity and allow a range of activities to be accommodated.

Provisions

*General*

- P1 Provide a setback for public space at ground level where indicated in the relevant area character statement (refer to Part C of the DCP).
- P2 New development must give consideration to the setbacks of adjacent buildings and heritage items.

*Front*

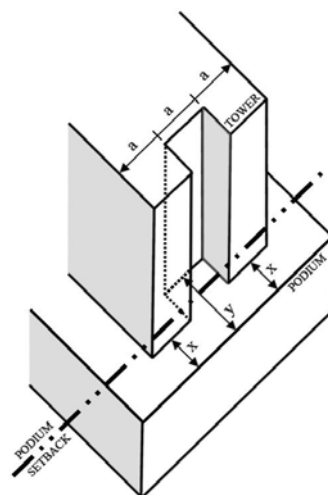


Figure B-2.1:  
Weighted average is the average of projections and recesses from setback above podium (i.e.  $x + x + y / 3 =$  podium setback)

- P3 A zero metre setback must be provided, unless an alternative setback is identified within the in the relevant area character statement (refer to Part C of the DCP).



P4 That part of the building located above the podium must be setback a weighted average (refer to Figure B-2.1) in accordance with the relevant area character statement (refer to Part C of the DCP).

*Side & Rear*

P5 A zero metre setback, unless an alternative setback is identified within the relevant area character statement (refer to Part C of the DCP).

P6 Despite P5 above, buildings containing non-residential activities must be set back a minimum of 3m from the property boundary where the adjoining site has balconies or windows to main living areas of dwellings or serviced apartments located at the same level.

*Note: Side setbacks may be affected by building separation requirements and or podium level setback requirements.*

P7 Despite P5 above, a development proposed on land adjoining or adjacent to a residential or recreation zone must not exceed a building height plane commencing:

- (a) at 3.5m above ground level (existing) and projected at an angle of 45 degrees internally to the site from all boundaries that directly adjoin land zoned *R2 Low Density Residential, R3 Medium Density Residential, R4 High Density Residential, RE1 Public Recreation*, or
- (b) at 3.5m above ground level (existing) and projected at an angle of 45 degrees internally to the site from the centre line of any adjoining road or laneway separating the site from land zoned *R2 Low Density Residential, R3 Medium Density Residential, R4 High Density Residential, RE1 Public Recreation*.

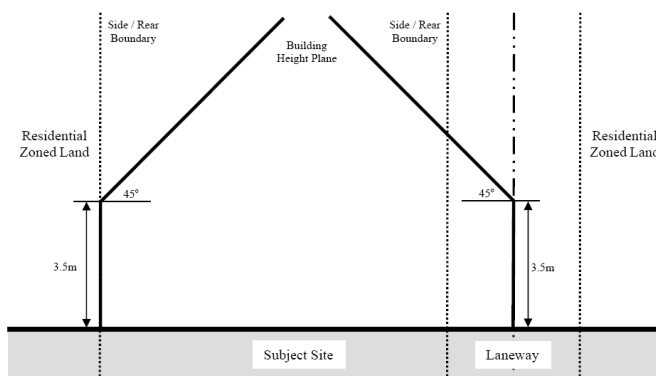


Figure B-2.2:  
Building height plane requirements

P8 Where setbacks are required from existing property boundary this should be clear of all structures above and below ground level, excluding awnings and other elements allowed by Council.

P9 Where an applicant seeks a basement structure built to the property boundary fronting a laneway in the *B1 Neighbourhood Centre* or *B4 Mixed Use* zone for the purposes of underground car parking, Council may require a 1.5m setback at street level to be provided subject to an s.88B instrument application outlining public access rights, clear of any structure to 1.5m below ground level (existing) and 3m above ground level (existing) and requiring all maintenance, cleaning and the like to be the responsibility of the property owner. Applicants are advised to contact Council prior to the lodgement of any development application seeking a basement car park built to the property boundary fronting any laneway to determine if the setbacks in this provision are required to be met.

P10 Stratum subdivisions will generally not be accepted for dedication of land/airspace to Council.



### 2.4.4 Podiums

Objectives

- O1 For buildings to reinforce a human scale when read from the public domain.
- O2 To ensure that laneways are integrated into pedestrian network.
- O3 To ensure that laneways are safe and comfortable for pedestrians.

Provisions

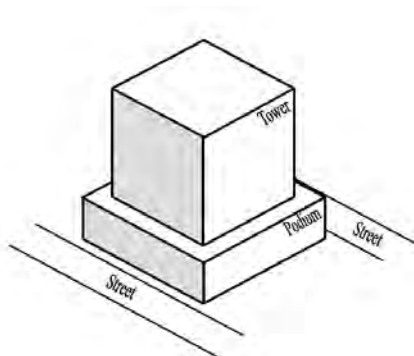


Figure B-2.3:  
Podium/tower form of development

- P1 Where required, a podium must be provided along all street frontages including laneways, with a height and setback above the podium, in accordance with the relevant area character statement (refer to Part C of the DCP).
- P2 Podiums should match the height and setbacks of adjacent buildings or the average of the heights of the adjacent podiums having regard to their existing nature and/or their redevelopment potential.
- P3 Where the ground level changes across the width of a site, the podium should be stepped at an appropriate location to maintain a characteristic podium height.

### 2.4.5 Building design

Objectives

- O1 To ensure that buildings are designed to reinforce the urban character of a locality.
- O2 To ensure that buildings clearly define streets, street corners and public spaces.
- ~~O3~~ To encourage high quality, built form outcomes and achieve design excellence.

Provisions

- P1 Floor to ceiling heights should be provided in accordance with the minimum requirements set out in Table B-2.9.

TABLE B-2.9: Minimum floor to ceiling height requirements			
Zone	Ground Floor	First Floor	Upper Floors
B1 Neighbourhood Business	3.3m	2.7m	2.7m
B3 Commercial Core	3.3m	3.3m	3.3m
B4 Mixed Use	3.3m	3.3m	2.7m
IN2 Light Industrial	3.3m	2.7m	2.7m



- P2 Council may consider a variation to the minimum requirements in P1, but only if the applicant can demonstrate that the dwelling or non-residential floor space is capable of receiving satisfactory natural daylight and ventilation (e.g. shallow apartments / commercial tenancies with large amounts of window area).
- P3 The apparent length of buildings should be broken down through the use of articulation, design and detailing, changes in materials and colours.
- P4 High quality materials should be used throughout the building design.
- P5 Podiums are to be built to the boundary of the site unless providing a setback for public space at ground level as required by the relevant area character statement (refer to Part C of the DCP).
- P6 Buildings should be built predominantly to setback alignment.
- P7 Building should be articulated and have a positive relationship with the public domain in terms of scale and setbacks.
- P8 Building elements, such as materials, finishes, and window dimensions should relate to neighbouring buildings.
- P9 Buildings are to respect the setting and curtilage of heritage items (refer to Part B: Section 13 - *Heritage and Conservation* of the DCP).
- P10 Buildings should incorporate architectural detailing and ornamentation which provides a rich visual reference for pedestrians.
- ~~P10~~P11 Where party walls are exposed or new developments result in a blank wall, a visually interesting treatment is required for that wall. The architectural treatment used should be sympathetic to the character of the area and any nearby heritage items or conservation areas.
- ~~P11~~P12 Balconies are to be incorporated within the setback or building envelopes.
- ~~P12~~P13 Within the *B1 Neighbourhood Centre* zone, provide a traditional two storey shopfront parapet form along the primary street frontages, with any development above two storeys (where permissible) set back in accordance with the relevant area character statement.

## 2.4.6 Skyline

### Objectives

- O1 To provide a distinctive and well designed skyline through the introduction of visually interesting elements in the articulation and detailing of the upper levels and roofs of buildings.

### Provisions

- P1 Buildings located on land within the North Sydney Centre must comply with the building height requirements outlined in cl.4.3 and cl.6.3 of NSLEP 2013.
- P2 The built form should step down from the centre of each commercial or mixed use centre to a comparable scale at the interface of any adjoining residential zone.
- P3 Roofs should be designed such that they are integral with the overall design of the building.
- P4 All roof top located building plant and services are to be contained within a single structure. It should be centrally located to avoid overshadowing and other impacts.
- P5 If telecommunication aerials are to be provided, they must be incorporated into the roof top design, and not comprise ad-hoc additions.
- P6 With respect to buildings greater than 30m in height, and all buildings within the North Sydney Centre, the roof is to be designed such that consideration is given to the building being seen in a regional view catchment.





P7 All plant room equipment must not be visible from any location viewed from ground level.

#### 2.4.7 Junction and termination of streets

##### Objectives

O1 To ensure that the design and form of buildings reinforces the junction and termination of streets (excluding laneways).

##### Provisions

- P1 Buildings located on the corner of a street intersection or at the termination of a street should:
- (a) be designed with increased emphasis to anchor primary vistas and nodal points;
  - (b) be designed such that the corner of the building addressing an intersection is reinforced through utilisation of splays, curves, building entries and other architectural elements;
  - (c) where located at a street intersection, incorporate a minimum 1.5m splay measured from the corner of the intersection along each property boundary; and
  - (d) be designed such that the building's height is concentrated on that section of the building located at the corner of the street intersection or is centralised on the street façade where it is located at the termination of a street.

#### 2.4.8 Balconies - Apartments

##### Objectives

O1 To ensure the provision of functional private open space for apartments.

##### Provisions

- P1 Balconies must be incorporated within building envelope (as specified by setbacks and or building height plane) and should not be located on roofs, podiums or be cantilevered.
- P2 Balconies should be integrated into the overall architectural form and detail of the building.
- P3 No balconies, verandahs or the like are to project over the public domain.
- P4 Where a proposal involves the conversion of an existing commercial building, and that commercial building's envelope does not comply with the setback and/or building envelope controls for the site, any new balcony must not project beyond the existing building's envelope.
- P5 Balconies should not be enclosed.
- P6 Notwithstanding P5, Council may permit the enclosure of a balcony, but only if:
- (a) the building is predominantly characterised by enclosed balconies; or
  - (b) if the building is not predominately characterised by enclosed balconies, subject to the approval of a balcony strategy for the building.
- P7 A balcony strategy should:
- (a) include details outlining the size, scale and choice of materials of the proposed enclosure/s); and
  - (b) be adopted by the body corporate before being submitted to Council.

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### 2.4.9 Through-site pedestrian links

#### Objectives

- O1 To increase pedestrian permeability through commercial and mixed use centres.
- O2 To increase linkages to facilities, outdoor spaces and public transport.
- O3 To provide safe and usable pedestrian spaces.
- O4 To increase the amenity for pedestrians.

#### Provisions

- P1 Provide linkages through sites to other streets and laneways as identified in the relevant area character statement (refer to Part C of the DCP) applying to the site or where enhancing pedestrian movement to public transport infrastructure.
- P2 Provide linkages to facilities, outdoor spaces and public transport.
- P3 Provide public access through pedestrian links from 6am to 10pm daily.
- P4 Pedestrian links must be lined with active uses along at least one side of the link to engage pedestrians.
- P5 Pedestrian links must be a minimum of 6m in width that is free from obstructions.
- P6 Escalators must be provided within the link where there is a substantial change in level.
- P7 The number of pedestrian entries to the link is maximised.
- P8 The extent of natural light to the link should be maximised where possible.
- P9 Where a through-site link is to be provided along the side boundary of a property, it should be open to the sky.
- P10 Signage must be provided at the entry to the linkage, indicating public accessibility and the street to which the connection links.
- P11 Opportunities for integration of public art installations within the link are to be maximised.
- P12 The linkage is to be designed to positively respond to the "safer by design" principles.

### 2.4.10 Streetscape

#### Objectives

- O1 To ensure that footpaths, kerb and guttering and street trees contribute to a consistent streetscape.
- O2 To promote the creation of lively and active street and laneway frontages.
- O3 To create visual interest in the built form.
- O4 To create a feeling of safety both by day and night.
- O5 To minimise visual clutter associated with overhead infrastructure.

#### Provisions

- P1 The ground level of buildings should align with the corresponding level of the adjacent footpath, laneway or outdoor space.
- P2 Continuous active uses, such as shops and cafes, should be provided at the ground level of the building to all streets, laneways and public spaces.
- P3 Where practical, the **building's ground level** façade to a laneway should be provided as an active frontage (e.g. has a retail or commercial premises fronting the laneway).
- P4 Landscaping and changes in level at building frontages is to be avoided where possible to facilitate natural surveillance of public areas and views into buildings.



- P5 All ground level windows fronting street, laneways and public spaces must be glazed with clear glass, to promote active surveillance of the public domain.
- P6 All ground level shopfronts are to have a zero metre setback unless specified in the relevant area character statement (refer to Part C of the DCP).
- P7 Introduce visually interesting elements to the building façade such as articulation, detailing and art works.
- P8 Streetscape elements, such as street furniture, lighting, paving, awnings, outdoor seating and umbrellas, **are to be consistent with Council's Public Domain Style Manual and Design Codes.**
- P9 Undergrounding of overhead infrastructure should be provided in association with significant new development, consistent with the North Sydney Council Undergrounding Master Plan.

### 2.4.11 Entrances and exits

#### Objectives

- O1 To enable equitable access to all persons regardless of ability.
- O2 To ensure that entrances are clearly visible from the street and convey a sense of address.
- O3 To maximise safety and amenity of occupants to building containing a mixture of land uses.

#### Provisions

- P1 Main entrances and exits located at the front of the site must be directly visible from the street.
- P2 At least one main entrance to the building provides a continuous path of travel.
- P3 Entrances must not be obscured by landscaping or other obstacles and have clear sight lines.
- P4 Entrances are clearly identifiable to reduce confusion and unintentional entry.
- P5 If exits to the building are closed after hours, this must be indicated at the entrance of the building.
- P6 Entrance lobbies are well illuminated, with seating provided and a firm and level non-slip floor surface.
- P7 Places of safe refuge are incorporated into the overall design of buildings. Lift lobbies or toilets may be used as all or part of a safe refuge.
- P8 Access to the building must be designed in accordance with the provisions contained within Part B: Section 12 – Access of the DCP.
- P9 Separated pedestrian entrances and lobbies are to be provided where it is proposed to accommodate within the same building, the following mixture of land uses:
- (a) residential accommodation and non-residential development; or
  - (b) hotel or motel accommodation or serviced apartments and any other form non-residential development.

### 2.4.12 Nighttime appearance

#### Objectives

- O1 To improve the visual interest of the street and cityscape by night.

#### Provisions

- P1 Encourage the use of large windows to enable internal illumination to spill onto public footpaths and public areas.



- P2 Decorative elements or prominent architectural features of a building should be illuminated, but only where they do not result in adverse impacts upon nearby residents.

### 2.4.13 Public spaces and facilities

#### Objectives

- O1 To ensure that buildings contribute to external and internal public spaces and facilities nearby and inclusion of these areas as part of the public domain.
- O2 To ensure that buildings interact with and contribute positively to their surroundings at street level.
- O3 To ensure that buildings contribute to diversity, vitality, social engagement and "a sense of place".

#### Provisions

- P1 In terms of built form and intensity, new development should respect the scale, character and density of existing development located adjacent to business zoned land.
- P2 Development should not detrimentally affect the amenity of the existing area, having regard to its redevelopment potential.
- P3 A range of outdoor spaces should be provided. Larger spaces and deeper footpaths provide opportunities for a wider range of activities to be accommodated.
- P4 Avoid cluttering spaces and changes of level.
- P5 Locate facilities that attract people, such as public phones, seating and information kiosks, in public spaces to reinforce activity at ground level.
- P6 Avoid over-management of public spaces by security patrols or through the use of closed circuit television (CCTV).

## 2.5 QUALITY URBAN ENVIRONMENT

The design of buildings meets the needs of the widest range of people in the community from childhood to old age. This includes people with any form of disability. Commercial centres should be barrier free for the disabled travelling within the centre in the public domain as well as in the use of private property. Safe and enjoyable continuous paths of travel should be provided for pedestrians with rear lanes offering convenient short cuts.

Natural surveillance of areas lowers the likelihood of vandalism and crime. Clear sight lines and the proximity of dwellings and retail areas to the public domain assist in creating a safer environment. High walls and barriers obscure sight lines and can increase the likelihood of crime.

### 2.5.1 Accessibility

#### Objectives

- O1 To ensure that buildings are made accessible to all persons regardless of their mobility.

#### Provisions

- P1 Buildings are to be designed in accordance with the provisions contained within Part B: Section 12 - Access of the DCP.



## SECTION 2 NORTH SYDNEY PLANNING AREA

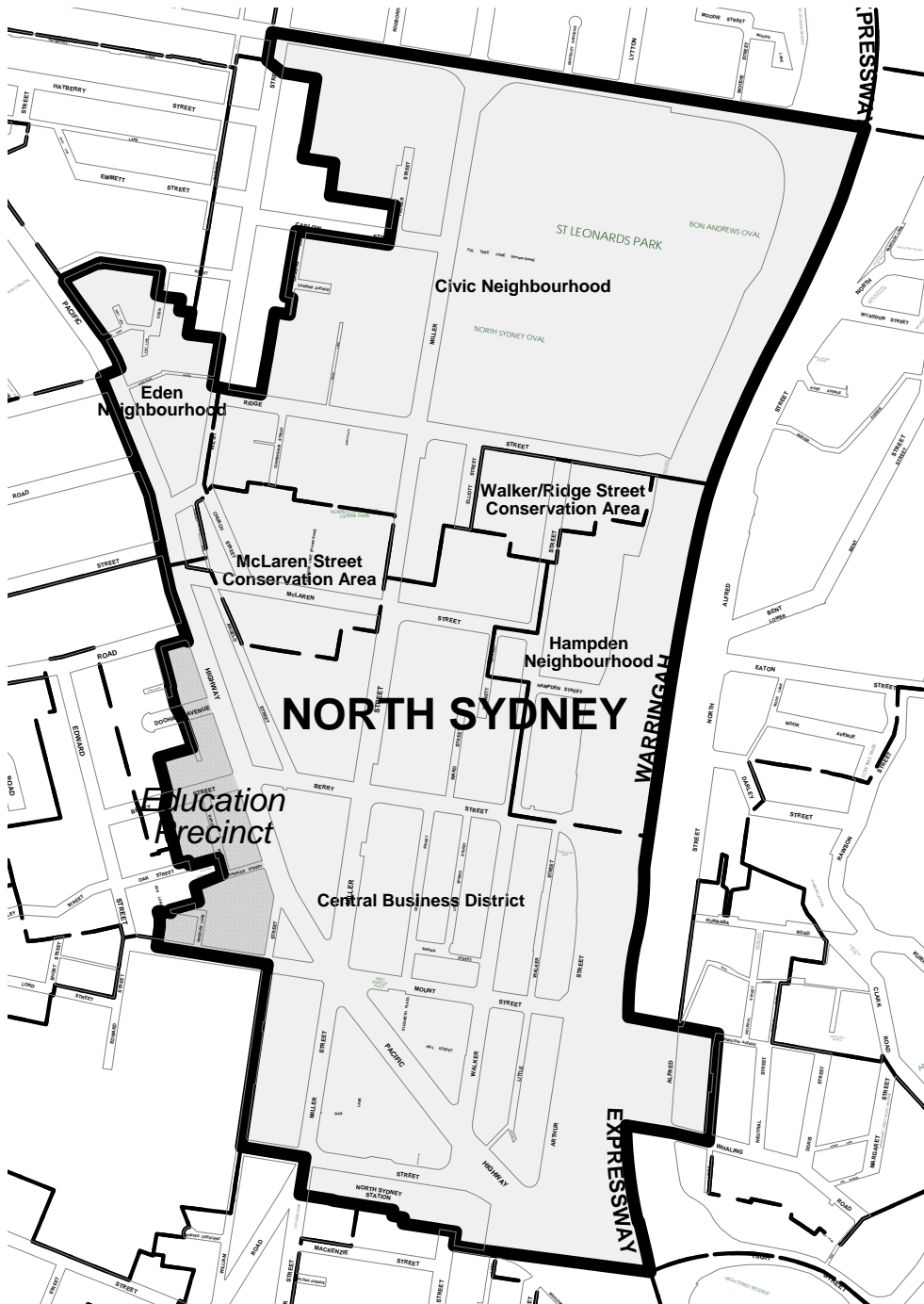
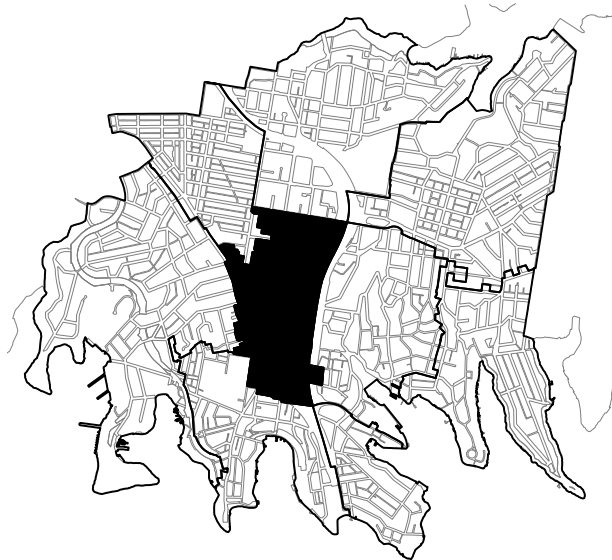


Figure C-2.1: North Sydney Planning Area and associated Locality Areas

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## 2.0 NORTH SYDNEY PLANNING AREA CHARACTER STATEMENT



The North Sydney Planning Area is an iconic, attractive, and sustainable area, with the focus on the North Sydney CBD, which is identified under the Metropolitan Strategy 2036 as a global commercial centre. A portion of the Education Precinct is located within the Planning Area on the western edge of the North Sydney CBD.

New development within the Planning Area should result in:

- a viable and attractive employment centre
- a diverse range of living, employment, recreation and social opportunities being provided that attract both local and regional populations which contribute to the vibrancy of the North Sydney CBD
- a vibrant and engaging Education Precinct with safe pedestrian networks and a range of formal and informal public spaces for students to study, socialise and engage with the local community
- a high level of amenity for residents, workers, students and visitors to enjoy
- a high quality built form
- a high level of public transport patronage which is easily accessible to residents, workers, students and visitors
- the area being linked to the Sydney CBD, other suburban centres and many parts of the Sydney Region by rail and bus as well as by road and is a place of interchange between the various modes

and where:

Function

- The North Sydney CBD comprises **one of Australia's largest commercial centres** serving the local population and that of the Sydney region
- There is a mix of uses and activities to meet the demands of the residents, workforce, students and visitors



Area Character Statements - North Sydney Planning Area

- There is a civic focus supported by community facilities such as North Sydney Oval, the Stanton Library and the Independent Theatre
- There is an education focus in the Education Precinct, supported by educational establishments such as the Australian Catholic University (ACU), the Sydney Church of England Grammar School (Shore) and North Sydney Demonstration School
- Community facilities meet the needs of the CBD's **working and resident** population, students, visitors, and residents of nearby neighbourhoods, in terms of wellbeing, culture and recreation, and add to the diversity and activity of the CBD
- Various grades and sizes of commercial floorspace accommodate a mix of small and larger business, services and retail
- New residential development will not occur in the commercial core, with further high density housing to be concentrated in the areas zoned mixed-use
- There is housing choice in the mix of dwelling sizes and in the range of affordability
- There are active uses outside of standard business hours
- Parks and public spaces are well used and provide for a range of social and recreational activities

Environmental Criteria

- The extremes of sun, wind and rain are mitigated by good building design
- Buildings, public places and streets all receive good access to natural light
- Mechanical noise and other commercial noise is controlled, to protect residential amenity
- Use of local flora extends habitats for native birds and other fauna
- Solar access to special areas and open spaces is maintained and contributes to the enjoyment of those spaces for use by the public
- There is an opportunity to enjoy the views from and within the area towards the Sydney CBD, Sydney Harbour, heritage items and surrounding areas
- Additional public open space is provided for increased worker and residential populations

Built Form

- There is a pleasant, well designed and well-lit series of easily accessible and connected urban plazas and gardens-
- The setback on the eastern edge of Miller Street between McLaren Street and Mount Street is maintained and incorporates landscaped areas and actively utilised open space
- Physical breaks are provided between tall commercial towers to afford occupants of commercial buildings reasonable levels of amenity in terms of ventilation, daylight access, solar access and views
- Physical breaks are provided between tall commercial towers to afford users of the public domain reasonable levels of amenity in terms of daylight access, solar access, sky views and reduction in adverse wind impacts
- Avoiding continuous, uninterrupted walls of towers to reinforce a human scale when read from the public domain
- The significance of heritage items is retained, and promotes the rich development history and provides interest in the physical fabric of the area



- Heritage items are protected, and significant streetscape elements are conserved in the Walker and McLaren Street Conservation Areas
- Predominant early 20th Century character of the McLaren Street Conservation Area is maintained and protected
- Victorian and Federation character of streets in the Walker Street Conservation Area is maintained and protected
- Pedestrian connections provide alternate east/west routes through the CBD to promote pedestrian movement

#### Quality Urban Environment

- There are links to the Sydney CBD, other suburban centres and many parts of the Sydney region by ferry, rail, bus and road and the CBD is a place of interchange between the various transport modes
- Public transport, including walking and cycling, is the main form of access to the North Sydney CBD and the Education Precinct
- Traffic is managed so that pedestrians can move within the area freely and safely, and amenity is maintained
- Parking is managed in a way that maintains pedestrian safety and the quality of the public realm and minimises traffic generation
- Rear lanes allow for the primary vehicular access to properties
- Limited increase to the capacity of private parking
- Pedestrians are assisted to safely cross barriers such as the Pacific Highway
- Educational establishments are oriented to the public domain to provide increased surveillance and activation
- Loading and delivery facilities should be located away from the street and where possible be located underground

#### Efficient Use of Resources

- Energy efficient design and life cycle assessment of buildings enables the conservation of natural resources and minimisation of use of non-renewable energy resources
- Stormwater runoff is minimised, and recycled on-site where possible

#### Public Domain

- Additional open space is provided to service the increased residential, working and student population of the North Sydney CBD and the Education Precinct
- Streetscape improvements occur in accordance with the *North Sydney Centre Public Domain Strategy* and *Education Precinct Public Domain Masterplan*

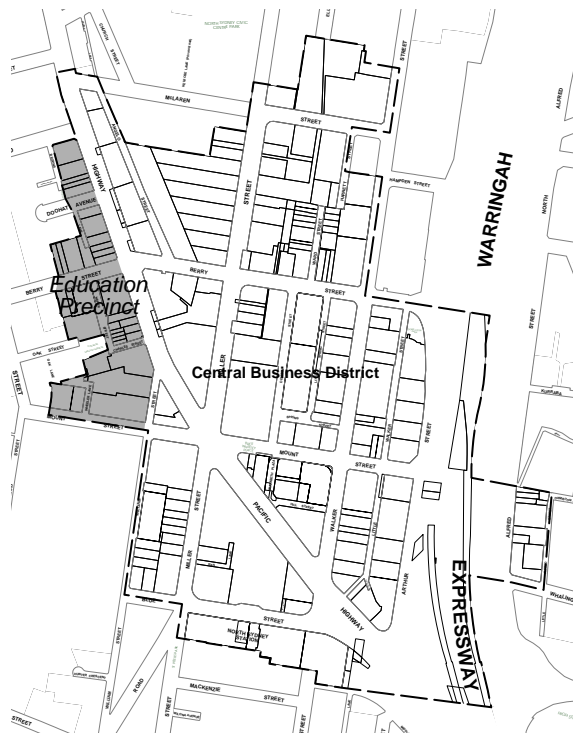
In addition to the above character statement for the Planning Area, the relevant character statement for the following Locality Areas also requires consideration:

- Section 2.1: Central Business District
- Section 2.2: Civic Neighbourhood
- Section 2.3: Eden Neighbourhood
- Section 2.4: Hampden Neighbourhood
- Section 2.5: ~~McLaren Street~~ Walker Street Conservation Area
- Section 2.6: ~~Walker Street~~ McLaren Street Conservation Area





## 2.1 CENTRAL BUSINESS DISTRICT



### 2.1.1 Significant Elements

#### Land Use

- P1 Predominantly high rise commercial development.
- P2 Medium to high rise mixed commercial and residential development at the fringes.
- P3 Educational facilities.
- P4 Regional rail and road infrastructure.

#### Topography

- P5 Typically falling from the north to the south towards Sydney Harbour.

#### Natural Features

- P6 Natural rock outcrops at 136 Walker Street.

#### Views

- P7 The following views and vistas are to be preserved and where possible enhanced:
  - (a) From the plaza at No.5 Blue Street and located over North Sydney Rail Station to the Sydney Harbour Bridge.
  - (b) From Doris Fitton Park (160-166 Arthur Street) to Sydney Harbour and Neutral Bay district.
  - (c) Views along the Pacific Highway to the Post Office on Mount Street from the south-east.
  - (d) Views along the Pacific Highway to Sydney Harbour from the intersection with Mount Street.



#### Identity / Icons

- P8 Brett Whiteley Place.
- P9 Greenwood.
- P10 Post Office and Court House.
- P11 MLC Building.
- P12 Don Bank Museum.

#### Subdivision

- P13 Predominantly large consolidated allotments within a rigid grid pattern.
- P14 Smaller allotments generally along the Pacific Highway north of Berry Street.

#### Streetscape

- P15 Wide fully paved footpaths, promoting heavy pedestrian use.
- P16 Active street frontages provided with a variety of shops, cafes and other commercial uses.
- P17 Buildings generally built to the boundary, with entry at street level.
- P18 Continuous awnings provided on commercial buildings.
- P19 Street trees.

#### Public transport

- P20 Development is to take advantage of the accessibility provided by existing and planned public transport infrastructure.

### 2.1.2 Desired Future Character

#### Diversity of activities, facilities, opportunities and services

- P1 High rise and medium density, commercial and mixed use developments.
- P2 Provision of a variety of different sized office, retail, community and entertainment spaces.
- P3 Provision of a variety of outdoor and indoor community spaces (e.g. urban plazas, gymnasium; gardens; outdoor and indoor dining areas and food courts).
- P4 The commercial focus of the CBD is to be enhanced by preventing any further residential development from occurring in its core (i.e. the *B3 Commercial Core* zone).
- P5 Development above the Victoria Cross metro station will provide significant commercial floorspace, as well as retail, dining and community uses that will contribute to the overall amenity and vitality of the CBD.
- P6 Council will pursue its vision for Miller Street as the civic heart of North Sydney. This will involve significant interventions and public domain improvements aimed at creating a vibrant place for people, with vehicle movements removed or minimised as much as practicable and both sides of Miller Street activated.
- P7 Brett Whiteley Place is a key public space for the North Sydney CBD which will incorporate an expanded Elizabeth Plaza, as well as portions of Denison Street and Mount Street. This expanded plaza will provide dedicated space for outdoor dining, large and small events, and other activities.
- P8 The Central Laneways precinct will become a major focal point of pedestrian activity and amenity.
- P9 Active frontages to the Metro site, 1 Denison Street and the MLC building will contribute to the activation of the public domain in the Central Laneways Precinct.



*Area Character Statements - North Sydney Planning Area*

- P10 A new laneway is provided across the redevelopment of 1 Denison Street to link the Metro site, Denison Street, Little Spring Street and Walker Street.
- P11 Alternatives to the current entry of the commercial car park entry at 100 Miller Street (Northpoint) will be pursued to reduce or remove traffic on Miller Street and improve pedestrian amenity.
- P12 Public open space and a community facility is provided at Ward Street Plaza (car parking station site).
- P13 Provide roof top gardens and/or public facilities that allow the public and/or residents to access district views.
- P14 Development should maximise opportunities to incorporate retail, restaurant, bar facilities and other non-residential floor space at ground level to promote street level activation, amenity, diversity and place making objectives.
- P15 Provide a diverse mix of higher density, non-residential land uses in the *B4 Mixed Use* zone of the Education Precinct, including education, shops, cafes, gyms, entertainment and small businesses.
- P16 Provide continuous active uses such as shops and cafes at the ground level of all buildings along Pacific Highway, Berry Street and Napier Street, especially within the Education Precinct.
- P17 Consideration should be given to the inclusion of educational or community-related purposes in the redevelopment of 110, 112, 116 and 120 Pacific Highway and 9 Napier Street.

*Accessibility and permeability*

- P18 Victoria Cross metro station is designed to enhance the North Sydney CBD as a major commercial centre and further encourage the use of public transport. Pedestrians are prioritised throughout the CBD with a number of interconnected pedestrian routes that facilitates all direction movement and encourages fine grain retail and dining uses.
- P19 Barriers to pedestrian movement, particularly Miller Street, Berry Street and the Pacific Highway, will be reimagined such that their function and treatment favour pedestrian movement and amenity.
- P20 New development focuses on the use of public transport, cycling and walking.
- P21 Pick up and drop off points for public transport and taxi ranks are located as close as possible to public spaces and activities, and main building entries.
- P22 Loading and delivery facilities should be located away from the street and where possible be located underground.
- P23 The following through site links are to be provided, retained and enhanced:
- (a) A north - south pedestrian link from McLaren Street to Elliot Street across 54 McLaren Street.
  - (b) A north - south pedestrian link from McLaren Street to Ward Street across the vehicle access of 221 Miller Street.
  - (c) An east - west pedestrian link from Miller Street to Ward Street across 221 Miller Street.
  - (d) A north - south pedestrian link from Charles Street to Wheeler Lane across 100 Pacific Highway and 16 Mount Street.
  - (e) An east - west pedestrian link from Harnett Street to Walker Street across 142 Walker Street.
  - (f) An east - west pedestrian link from Harnett Street to Walker Street across 144-150 Walker Street.
  - (g) An east - west pedestrian link from Walker Street to Little Walker Street across 81-83 Walker Street.



- (h) An east - west pedestrian link from Little Walker Street to Arthur Street across 100 Arthur Street.
  - (i) An east - west pedestrian link from Ward Street to the open space area at the north-western corner of 76 Berry Street across 3-11 Ward Street.
  - (j) An east - west pedestrian link from Napier Street to Oak Street across the southern side of 8-20 Napier Street.
  - (k) A north - south pedestrian link from the green space of 100 Pacific Highway to Wheeler Lane across the western side of 1 Wheeler Lane. The pedestrian link may be made through the building envelope or an alternative architectural treatment that gradually 'reveals' the establishments on either side.
  - (l) An east - west pedestrian link through the Victoria Cross metro station linking Miller Street and Denison Street.
  - (m) A new laneway is provided across the redevelopment of 1 Denison Street to link the Metro site, Denison Street, Little Spring Street and Walker Street.
  - (n) A widened and improved pedestrian link from Little Spring Street and Walker Street across 102 Walker and 110 Walker Street.
- P24 Consideration should be given to the provision of an east - west pedestrian link from the Pacific Highway to Napier Street across either the northern side of 120 Pacific Highway or the southern side of 33 Berry Street.
- P25 Consideration should be given to the demolition of the single storey structure at the northern end of 105 Miller Street (MLC Building) to improve accessibility and permeability to Miller Street and the Victoria Cross metro station.

### 2.1.3 Desired Built Form

#### Subdivision

P1 Development sites should be of a size which enable:

- (a) the creation of large high quality floor plates which helps to reinforce the Centre's role as a Global City as identified within the Metropolitan Strategy; and
- (b) the incorporation of adequate setbacks and breaks between tall commercial towers above the podium level to maintain reasonable access to sky views and daylight to the public domain.

P2 Development on small sites should not detrimentally impact on the long term ability of the amalgamation of sites for significant commercial development.

#### Form, massing and scale

P3 Buildings should be carefully designed to minimise the impact of their height and bulk on surrounding residential areas.

P4 Roof design contributes to building's appearance from a regional view catchment.

P5 Buildings on 116 and 120 Pacific Highway and 9 Napier Street should be designed such that their bulk steps down from the Pacific Highway to Napier Street to protect sunlight access to the Don Bank Museum and enhance pedestrian amenity to Napier Street.

P6 No part of a building located above the podium and which exceeds 45m in height may have a horizontal width of more than 55m.

#### Street Setbacks

P7 Zero setback to all street frontages at the ground floor level and adjacent to heritage items, with the following exceptions:

- (a) In accordance with cl.6.4 of the LEP for all properties on the eastern side of Miller Street, north of the Pacific Highway.
- (b) 7m from the western side of Walker Street, north of Berry Street.



- (c) 5.4m from the southern side of Berry Street, between Pacific Highway and Miller Street.
- (d) 14.5m from the western side of Miller Street, at No.60 Miller Street.
- (e) 15m from the southern side of Mount Street, at No.60 Miller Street.
- (f) Maintaining the setback of existing buildings to all properties comprising Monte St Angelo Convent and Girls School.
- (g) Maintaining the setback of existing buildings to all properties on the northern side of McLaren Street.
- (h) 1.5m whole of building setback from the eastern side of Napier Street, at No. 1-9 Napier Street and No.120 Pacific Highway.

~~P6~~P8 Buildings must be setback to conserve views to, and the setbacks and settings of, heritage items at 86 and 146 - 150 Walker Street, 94 Pacific Highway (Post Office), 36 Blue Street (Greenwood), 153 Miller Street (MLC Building), 168 - 172 Pacific Highway and 1-7 Napier Street.

~~P7~~P9 The setback of new buildings or alterations and additions to existing buildings on land fronting McLaren Street between Miller and Walker Streets are to match that existing to protect the existing fig trees. Encroachments will only be permitted where the development does not cover the drip line of any of the existing trees.

#### Podiums

~~P8~~ A maximum podium of 5 storeys to all streets, with a weighted setback of 5m above the podium with the following exceptions:

- ~~(a) No podium to Arthur Street.~~
- ~~(b) A maximum podium of 3 storeys to McLaren Street and Miller and Walker Streets north of McLaren Street, with a weighted setback of 3m above the podium.~~
- ~~(c) A podium of between 2 and 3 storeys to Wheeler Lane and Angelo, Charles, Denison, Harnett, Napier, Little Spring and Little Walker Spring, Ward Streets, with a weighted setback of 4m above the podium~~

~~P10~~ Podiums are to be provided to a height in accordance with the Podium Heights Map (refer to Figure C-2.2).

~~P11~~ The entirety of a podium must be setback from any street frontage if required under Provisions P7 – P9 to s.2.1.3 to this Part of the DCP.

~~P12~~ Podiums are to be built to all side and rear boundaries that do not have a street frontage, except where the site directly adjoins residentially zoned land (i.e. R2 Low Density Residential, R3 Medium Density Residential, R4 High Density Residential) or requires a through site link as required under P23 to s.2.1.2 to this Part of the DCP.

~~P9~~ Podium heights should match or provide a transition in height between immediately adjacent buildings.

~~P10~~P13 Podium heights should match the height of adjacent heritage items.

~~P11~~P14 Podium height may be reduced to that part of the building devoted to commercial use in mixed-use buildings.

~~P15~~ If there is no commercial component, and therefore no podium, adequate side separation should be provided for residential amenity.

#### Above Podium Setbacks

~~P16~~ All parts of a building located above the podium are to be setback from the podium's frontage to a street or laneway in accordance with the Above Podium Setbacks Map (refer to Figure C-2.3). Setbacks are to be measured from the outer wall of the podium. Where a weighted setback is required, it applies to the width of the building's facade located above the podium.



- P17 Despite P16, no part of any building may be located within 3m of the outer wall of the podium level fronting a street or laneway.
- P18 Despite P16 and P17, for buildings fronting Ward Street and the new public squares to be created within the Ward Street Precinct, that part of the building located above the podium is to be setback a sufficient distance to ensure the minimising of potential wind impacts and maintaining a human scale to the squares.
- P19 Where a building is to be erected on land zoned B3 Commercial Core or on any other land and the building will not contain residential accommodation, all parts of the building located above the podium must be setback a minimum of 6m from any side boundary, unless:
- (a) the area of the site is less than 1,000sqm; and
- (b) the building does not exceed 45m in height.
- P20 Despite P19, no setback is required above the podium level to the southern boundaries of 122 Arthur Street (SP 57439) or 100 Walker Street (Lots 1 and 2, DP 542915), if developed in isolation from sites to their north.
- P21 All parts of a building located above the podium on land zoned B3 Commercial Core or on any other land and the building will not contain residential accommodation must be setback a minimum of 6m from any rear boundary, that does not have a street or laneway frontage.
- P22 Where there is more than one tower located above the podium level on land zoned B3 Commercial Core or on any other land and the building will not contain residential accommodation, the towers must maintain a minimum 12m separation from one another.



Figure C-2.2: Podium Heights Map

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Figure C-2.3: Above Podium Setbacks Map

Building design

~~P12~~P23 Provide architectural detailing, high quality materials and ornamentation provide a rich visual texture and a symbolic/decorative reference to the history of the place, the **building's** use or occupant.

~~P13~~P24 Provide a visually rich intimate pedestrian environment with active street frontages at ground level.

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[P14](#)[P25](#) The natural rock outcrop at 136 Walker Street should be incorporated into the design of any redevelopment proposal for the site.

#### Awnings

[P15](#)[P26](#) Continuous awnings must be provided to all commercial buildings, except on the eastern side of Miller Street between the Pacific Highway and McLaren Street.

[P16](#)[P27](#) Consideration should be given to the provision of weather protection at the pedestrian entrances or over outdoor seating areas for buildings fronting Miller Street between the Pacific Highway and McLaren Street.

#### Streetscape

[P17](#)[P28](#) A 'sense of arrival' is established at North Sydney Station with strong linkage to the north to connect with the pedestrian bridge over Pacific Highway and Denison Street.

[P18](#)[P29](#) The Greenwood historic school building and large Moreton Bay Figs are retained and incorporated as the southern pedestrian gateway to the North Sydney CBD.

[P19](#)[P30](#) The intersection of Miller Street and Pacific Highway forms an important focal point of the North Sydney Centre with a distinctive character reinforced by the Post Office and the MLC building.

[P20](#)[P31](#) Improve amenity and safety by installing lighting, public art and/or landscape along the eastern facade of 12-14 Mount Street.

[P24](#)[P32](#) Provide a consolidated green space over the Don Bank Museum and 100 Pacific Highway. Consideration should be given to extending this green space over the western side of 1 Wheeler Lane to allow for a more direct north – south pedestrian link from Charles/Napier Street to Wheeler Lane.

[P22](#)[P33](#) 33 Berry Street should be designed such that Napier Street is activated by non-residential tenancies such as commercial or educational facilities (At least 50% of its frontage should comprise of non-residential tenancies at the ground level).

#### Public Domain

[P23](#)[P34](#) Have regard to Public Domain designed in accordance with the *North Sydney Centre Public Domain Strategy* and *North Sydney Council Infrastructure Manual*.

#### Landscaping

[P24](#)[P35](#) Continued use of tree planting and use of native vegetation to enhance the urban environment and attract birdlife.

[P25](#)[P36](#) Choice of trees and vegetation in accordance with *North Sydney Centre Public Domain Strategy*, *Street Tree Strategy* and *North Sydney Council Infrastructure Manual*.

#### Car accommodation

[P26](#)[P37](#) Short stay parking spaces should be located within or as close as possible to meeting places.

[P27](#)[P38](#) Reduce the amount of long stay commuter parking on site.

[P28](#)[P39](#) Reduce the amount of non-residential parking on site.