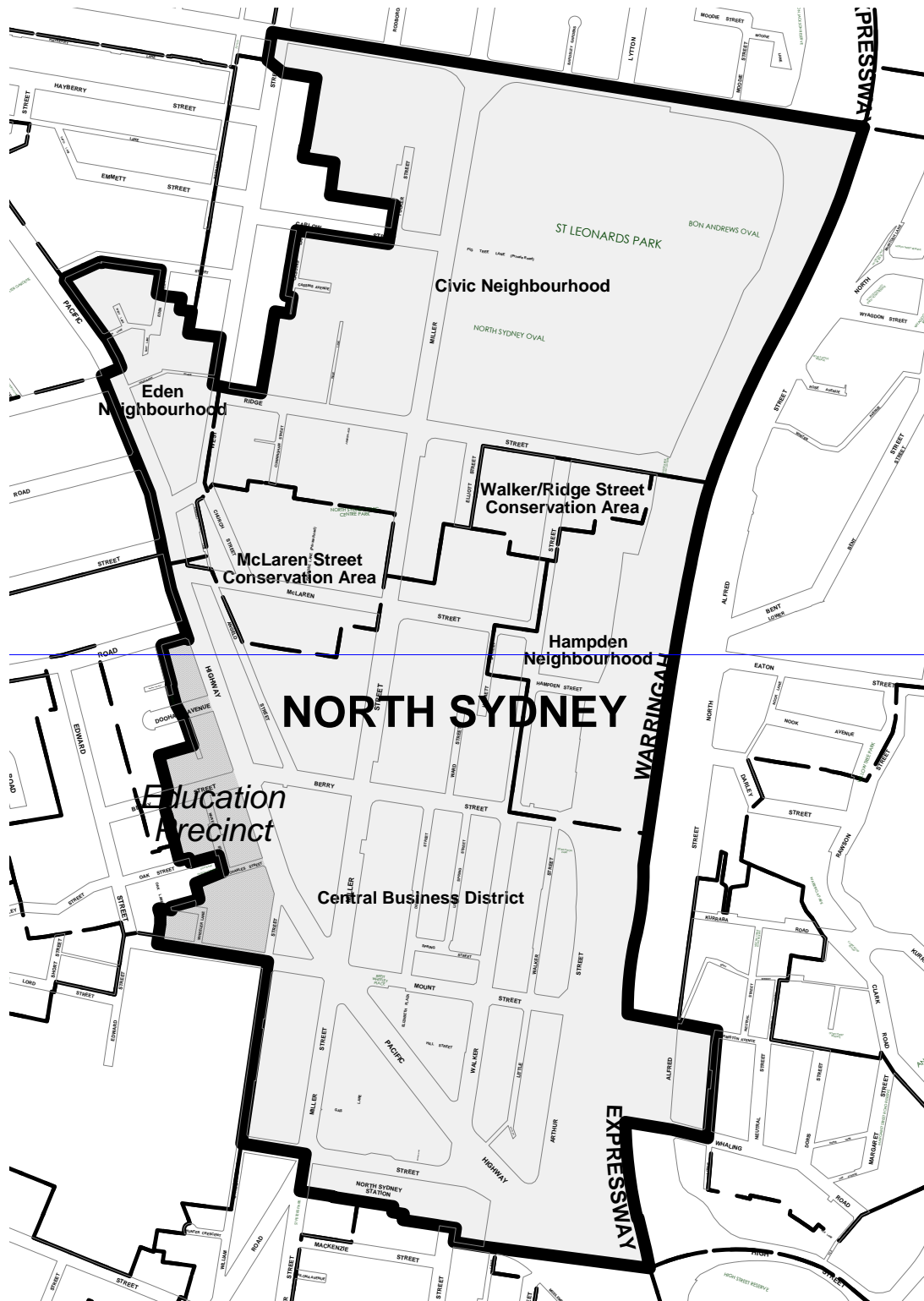


Draft Amendment to North Sydney Development Control Plan 2013

- 45 McLaren Street, North Sydney

The following pages represent a “**tracked changes**” version of those pages within Section 2 to Part C of NSDCP 2013 which are proposed to be amended. Those parts of these sections which are not proposed to be amended have been specifically excluded.

SECTION 2 NORTH SYDNEY PLANNING AREA



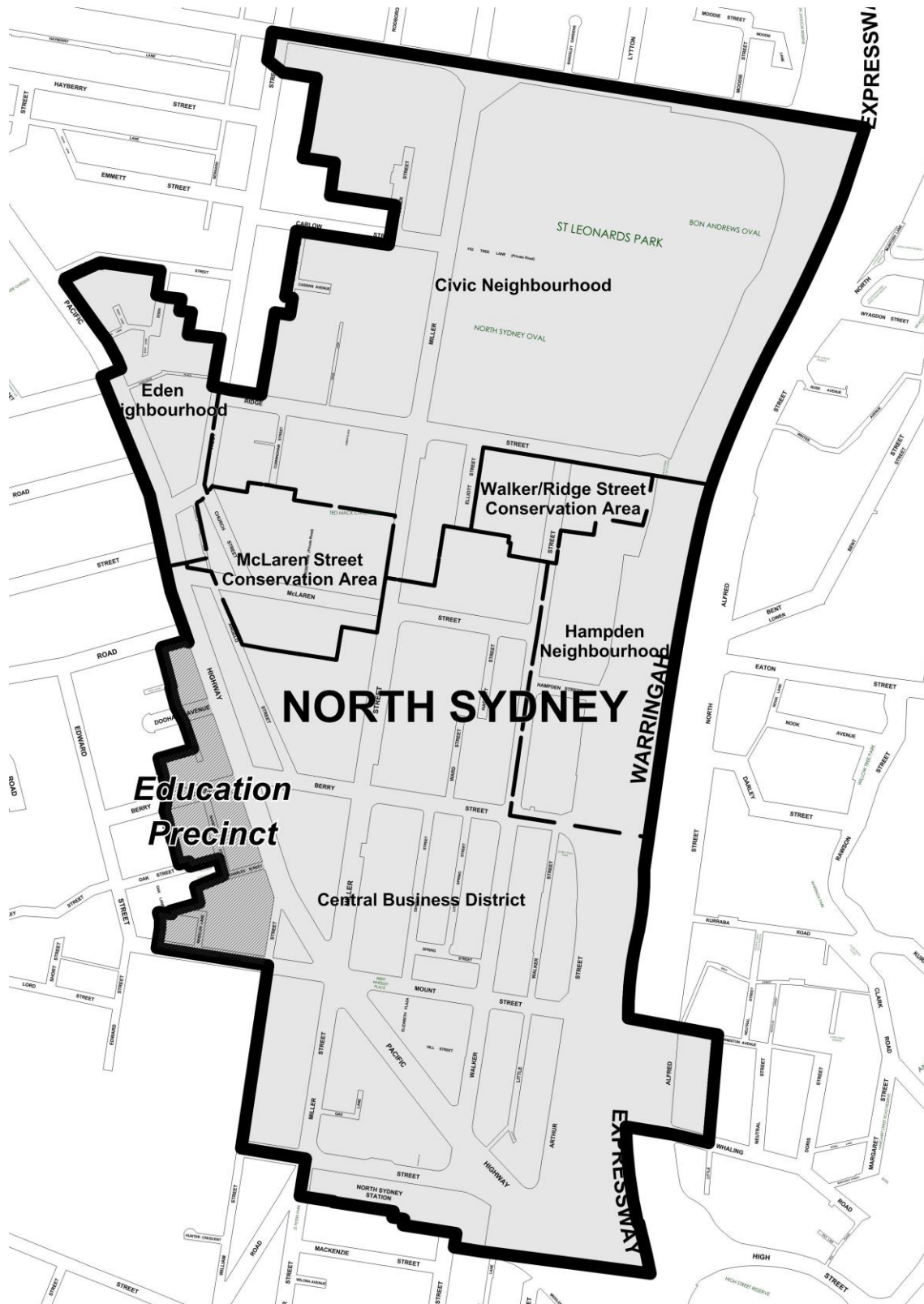
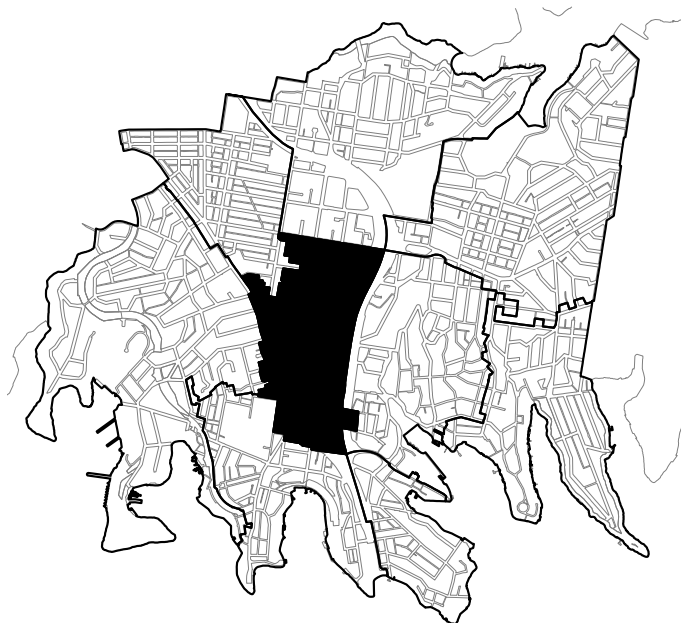


Figure C-2.1: North Sydney Planning Area and associated Locality Areas

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 and the Ward Street Precinct is located within the northern portion of the Planning Area.

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
- the creation of a new vibrant public meeting place within the Ward Street Precinct for workers, residents and visitors which has high levels of amenity and is activated in the daytime, evenings and weekends
- 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
- 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
- Creation of a new pedestrian focal point centrally within the Ward Street Precinct, through the provision of new public squares which integrate with a highly permeable pedestrian network and is activated by commercial and community frontages
- 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



Area Character Statements - North Sydney Planning Area

- Physical breaks are provided between tall commercial towers to afford occupants of commercial buildings reasonable levels 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 and north/south 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
- The cumulative desired future built form outcome within the Ward Street Precinct does not result in a nett increase in traffic generation for the Precinct
- 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
- A new public square/s be provided centrally within the Ward Street Precinct which is integrated with a highly permeable pedestrian network



- Streetscape improvements occur in accordance with the *North Sydney Centre Public Domain Strategy*, ~~and~~ *Education Precinct Public Domain Masterplan* ~~and~~ *Ward Street Precinct 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 2.1.4: 45 McLaren Street
- Section 2.2: Civic Neighbourhood
- Section 2.3: Eden Neighbourhood
- Section 2.4: Hampden Neighbourhood
 - Section 2.4.4 East Walker Street Precinct
- Section 2.5: Walker/Ridge Street Conservation Area
- Section 2.6: 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.



Area Character Statements - North Sydney Planning Area

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 Creation of a substantial new public space within the middle of the street block bound by McLaren, Walker, Berry and Miller Streets, activated by surrounding buildings and new community facilities consistent with the *Ward Street Precinct Masterplan*. This space is to be designed to be highly adaptable for events and prominent activities and form a spill over space for other community events associated with community facilities to be located in adjacent buildings.
- P8 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.
- P9 Consideration be given to expanding Berrys Square to the northern side of Berry Street.
- P10 The Central Laneways Precinct will become a major focal point of pedestrian activity and amenity.
- P11 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.
- P12 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.
- P13 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.
- P14 Provide roof top gardens and/or public facilities that allow the public and/or residents to access district views.
- P15 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.
- P16 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.
- P17 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.



- P18 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.
- P19 Community facilities that are of a type that support the creation of a cultural destination which is activated in the daytime, evenings and weekends are to be incorporated into the lower levels of the redevelopment of 56-66 Berry Street and the Ward Street Carpark site and these facilities are to front onto a new public square/s consistent with the *Ward Street Precinct Masterplan*.

Accessibility and permeability

- P20 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.
- P21 Consideration be given to providing a direct vertical pedestrian connection between the new public open space located centrally within the Ward Street Precinct and the Victoria Cross Metro Station concourse.
- P22 Barriers to pedestrian movement, particularly within the Ward Street Precinct, Miller Street, Berry Street and the Pacific Highway, will be reimagined such that their function and treatment favour pedestrian movement and amenity.
- P23 New development focuses on the use of public transport, cycling and walking.
- P24 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.
- P25 Loading and delivery facilities should be located away from the street and where possible be located underground.
- P26 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 52 and 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 of at least 3m in width is provided from Miller Street to the future public open space off Ward Street along the northern boundary of 201 Miller Street.
 - (d) An east-west pedestrian link of at least 6m in width is provided from Miller Street to the future public open space off Ward Street along the southern boundary of 213-219 Miller Street.
 - (e) An east - west pedestrian link from Miller Street to Ward Street across 221 Miller Street.
 - (f) A north - south pedestrian link from Charles Street to Wheeler Lane across 100 Pacific Highway and 16 Mount Street.
 - (g) An east - west pedestrian link from Harnett Street to Walker Street across 142 Walker Street.
 - (h) An east - west pedestrian link from Harnett Street to Walker Street across 144-150 Walker Street.
 - (i) An east-west pedestrian link from Harnett Street to Walker Street across 45 McLaren Street.
 - (j) An east - west pedestrian link from Walker Street to Little Walker Street across 81-83 Walker Street.
 - (k) An east - west pedestrian link from Little Walker Street to Arthur Street across 100 Arthur Street.

Area Character Statements - North Sydney Planning Area

~~(k)~~~~(l)~~ An east - west pedestrian link from Napier Street to Oak Street across the southern side of 8-20 Napier Street.

~~(l)~~~~(m)~~ 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.

~~(m)~~~~(n)~~ An east - west pedestrian link through the Victoria Cross metro station linking Miller Street and Denison Street.

~~(n)~~~~(o)~~ 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.

~~(o)~~~~(p)~~ A widened and improved pedestrian link from Little Spring Street and Walker Street across 102 Walker and 110 Walker Street.

P27 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.

P28 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.
- P3 Site amalgamation should occur generally in accordance with that identified within the Ward Street Precinct Masterplan to maximise the delivery of the desired outcomes of the Masterplan.

Form, massing and scale

- P4 Buildings should be carefully designed to minimise the impact of their height and bulk on surrounding residential areas.
- P5 Roof design contributes to building's appearance from a regional view catchment.
- P6 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.
- P7 No part of a building located above the podium and which exceeds 45m in height may have a horizontal width of more than 60m.
- P8 Development is to be designed to maximise year round solar access to the new public squares to be created centrally within the Ward Street Precinct.
- P9 Development must not result in a nett increase in overshadowing to the main southern square to be created centrally within the Ward Street Precinct between 9am and 4pm from the March equinox to the September equinox (inclusive).

Setbacks

Note. Additional setbacks may be required for any part of the building located above the podium level.



- P10 Buildings are to provide a zero metre setback to all street frontages 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) 5m from the western side of Walker Street, north of 76 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.
 - (i) 2m setback to the ground level of buildings fronting Arthur Street.
- P11 Buildings must be setback to conserve views to, and the setbacks and settings of, heritage items at 86 and 144 - 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.
- P12 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.

Podium Heights

- P13 Podiums are to be provided in accordance with the Podium Heights Map (refer to Figure C-2.2).
- P14 Despite P13, a podium of between 3 and 5 storeys above the finished level of the new public squares to be created centrally within the Ward Street Precinct, where buildings front onto those squares, maintaining a human scale to the squares.
- P15 The entirety of a podium must be setback from any street frontage if required under Provisions P10 – P12 to s.2.1.3 to this Part of the DCP.
- P16 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.
- P17 Podium heights should match or provide a transition in height between immediately adjacent buildings.
- P18 Podium heights should match the height of adjacent heritage items.
- P19 Podium height may be reduced to that part of the building devoted to commercial use in mixed-use buildings.

Above Podium Setbacks

- P20 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 façade located above the podium.



Area Character Statements - North Sydney Planning Area

- P21 Despite P20, no part of any building may be located within 3m of the outer wall of the podium level fronting a street or laneway.
- P22 Despite P20 and P21, 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.
- P23 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.
- P24 Despite P23, no setback is required above the podium level to:
- (a) 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;
 - (b) the southern boundary of 90 Arthur Street (Lot 1, DP 738262), if developed in isolation from the site to the south;
 - (c) the northern boundary of 20 Berry Street (Lot 1, DP 550167) if developed in isolation from the site to the north;
 - (d) the eastern boundary of 80 Mount Street (Lot 1, DP 566189) if developed in isolation from the site to the east; and
 - (e) the southern boundary of 1 Wheeler Lane (Lot 101, DP 1076397) if developed in isolation from the site to the south.
- P25 Where a building does not contain residential accommodation, all parts of the building located above the podium must be setback a minimum of 6m from any rear boundary that does not have a street or laneway frontage.
- P26 Despite P25, no setback is required above the podium level to the western boundary of 65 Berry Street (Lot 2, DP 1230458) if developed in isolation from the site to the west.
- P27 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

Area Character Statements - North Sydney Planning Area



Figure C-2.3: Above Podium Setbacks Map

Building design

- P28 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.
- P29 Provide a visually rich intimate pedestrian environment with active street frontages at ground level.



- P30 The natural rock outcrop at 136 Walker Street should be incorporated into the design of any redevelopment proposal for the site.

Awnings

- P31 Continuous awnings must be provided to all commercial buildings, except on the eastern side of Miller Street between the Pacific Highway and McLaren Street.
- P32 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

- P33 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.
- P34 The Greenwood historic school building and large Moreton Bay Figs are retained and incorporated as the southern pedestrian gateway to the North Sydney CBD.
- P35 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.
- P36 Improve amenity and safety by installing lighting, public art and/or landscape along the eastern facade of 12-14 Mount Street.
- P37 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.
- P38 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

- P39 Have regard to Public Domain designed in accordance with the *North Sydney Centre Public Domain Strategy* and *North Sydney Council Infrastructure Manual*.
- P40 A new multi-purpose public square with a minimum dimension of 52m by 40m is to be created in the centre of the Ward Street Precinct and integrated with a secondary public square of minimum dimension 35m by 33m consistent with the *Ward Street Precinct Masterplan*. The squares are to be designed to maximise the flexibility of uses.
- P41 Consideration be given to activating the secondary northern square within the Ward Street Precinct with a café, public facilities or other active and community uses.
- P42 Consideration be given to expanding Berry Square across to the northern side of Berry Street.

Landscaping

- P43 Continued use of tree planting and use of native vegetation to enhance the urban environment and attract birdlife.
- P44 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

- P45 Short stay parking spaces should be located within or as close as possible to meeting places.
- P46 Reduce the amount of long stay commuter parking on site.
- P47 Reduce the amount of non-residential parking on site.

Area Character Statements - North Sydney Planning Area

Vehicle Servicing

P48 Consideration to be given to providing all vehicular access to 213-219 Miller Street, 56-66 Berry Street and the Ward Street Carpark site from Harnett Lane and underneath the proposed new public squares, to maximise pedestrian amenity within the Ward Street Precinct.

P49 Vehicular access to 76 Berry Street is to be provided from Walker Street.

2.1.4 45 McLaren Street



2.1.4.1 Desired Future Character, Design Objectives and Key Principles

- P1 Development is to respond to the scale and character of existing development and desired future character of the surrounding area.
- P2 Built form, scale and massing is to transition in scale across the site from north to south and east to west, whilst respecting the built form of adjacent and neighbouring heritage items.
- P3 Deliver a mixed use development with active frontages to McLaren and Harnett Streets.
- P4 Development is to maximise solar access to the proposed squares within the Ward Street Precinct.
- P5 Maintaining a landscaped setback to Walker Street.
- P6 An improved pedestrian through site link between Walker Street and Harnett Street.

2.1.4.2 Desired Built Form

Objectives

- O1 To provide for increased opportunity for height and density in the North Sydney CBD, in close proximity to public transport and services.
- O2 To allow an appropriate stepping down in built form between 168 and 150 Walker Street.
- O3 To ensure that solar access to the proposed public spaces within the Ward Street Precinct is maximised.
- O4 To achieve appropriate separation distances between existing and proposed buildings and ensure reasonable privacy and solar access is maintained to surrounding dwellings, mindful of the need for renewal at the site.
- O5 To positively relate to the heritage context surrounding the site.



Provisions

Solar access

P7 Despite any other provision of this DCP, any development at 45 McLaren Street must not result in a nett increase in overshadowing to the main southern proposed square to be created within the Ward Street Precinct between 9am and 4pm from the March equinox to the September equinox (inclusive).

Building Height

P8 Development must not exceed 14 storeys above the crown of McLaren Street as it presents to McLaren Street.

P9 Development must not exceed 10 storeys above ground level existing fronting its southern boundary.

Street and Side Setbacks

P10 Buildings must be setback:

- (a) 0m to McLaren Street, and
- (b) A minimum of 5.5m to Walker Street, generally consistent with the setback of buildings located at 144, 146, 148 and 152 Walker Street, and
- (c) A minimum of 1.5m setback to the southern boundary, and
- (d) A minimum of 1m setback to Harnett Street.

Podium Height

P11 A podium must:

- (a) Be 2-3 storeys in height fronting McLaren Street and positively relate to the height of the podium to the heritage listed commercial building at 41 McLaren Street to its west and heritage dwellings to the east on the eastern side of Walker Street, and
- (b) Be 2-3 storeys in height fronting Walker Street and positively relate to the height of the heritage dwellings at 144,146,148 and 152 Walker Street, and
- (c) Not exceed 3 storeys to the southern boundary, and
- (d) Be 2-3 storeys in height fronting Harnett Street.

Above Podium Setbacks

P12 The following minimum setbacks must be provided above the podium level:

- (a) 3m to the site's McLaren Street frontage, and
- (b) 10.35m to the site's Walker Street frontage, and
- (c) 4.5m from the site's southern boundary, and
- (d) 1.5m-3m to Harnett Street, unless the consent authority is adequately satisfied that the proposal can comply with the relevant Apartment Design Guidelines can be achieved with regard to building separation and privacy.

P13 Despite Provision P5(a) above, the consent authority may permit a balcony to encroach into the setback area, but only if:

- (a) The balcony is unenclosed on at least two sides, and
- (b) The balcony maintains a minimum 1m setback to McLaren Street, and
- (c) The cumulation of balconies on any one level does not exceed 50% of the façades length to McLaren Street.



Area Character Statements - North Sydney Planning Area

2.1.4.3 Landscaped Area

Objectives

- O1 To ensure that landscaping is used to provide appropriate amenity for development and soften the appearance of buildings and their interface with the neighbouring dwellings and the public domain.
- O2 To provide a quantum of landscaping reflecting the transition between the North Sydney CBD and adjoining residential areas.
- O3 To incorporate appropriate materials conducive of its heritage context.

Provisions

- P14 Any basement structure should be setback at least 5.5m to Walker Street, to ensure the provision of deep soil zones to accommodate trees and vegetation of a scale reflective with the scale of the proposed future development on the site.
- P15 Despite P1, a basement may be permitted within the setback area to Walker Street, but only where there is a soil depth of at least 1.5m is provided below the alignment of the adjoining footpath on Walker Street.
- P16 Consideration to be given to using sandstone or natural rock features in the landscaping or lower parts of buildings, reflective of the site's heritage context.

2.1.4.4 Through Site Link

Objectives

- O1 To enhance the existing through site link that runs across the northern boundary of 144-152 Walker Street between Walker Street and Harnett Street.

Provisions

- P17 All buildings are to be setback 1.5m from the southern boundary to enable the construction of a through site pedestrian link between Walker Street and Harnett Street which is integrated with the existing through site link across the northern boundary of 144-152 Walker Street.
- P18 Consideration is to be given to the use of sandstone to line surface or any adjacent retaining walls or walls to the through -site link.
- P19 Appropriate lighting be provided to ensure this link provides adequate safety for users.

2.1.4.5 Vehicular Access

Objectives

- O1 To ensure vehicular and pedestrian conflicts are minimised.
- O2 To maximise activation of street frontages.

Provisions

- P20 No vehicular access is to be provided from McLaren Street.
- P21 Vehicular access should be provided from Walker Street, subject to ensuring that pedestrian safety is maximised.

2.1.4.6 Car parking

Objectives

- O1 To minimise traffic generation in the proximity of the Victoria Cross Metro Station.

Provisions

- P22 Provide on-site parking, at the maximum rates stated Table C-2.1.



<u>TABLE C-2.1: Parking Rates</u>		
<u>Development type</u>		<u>Maximum Parking Rate</u>
<u>Residential accommodation</u>	<u>Studio / 1 bedroom</u>	<u>0.4 spaces / dwelling</u>
	<u>2 bedrooms</u>	<u>0.6 space / dwelling</u>
	<u>3 or more bedrooms</u>	<u>0.7 spaces / dwelling</u>
<u>Non-residential development</u>		<u>1 space / 400sqm of non-residential GFA</u>

P23 On-site car parking provision significantly below maximum rates specified in Table C-2.1 will only be considered if the proposed development has good access to public transport due to the impact that unmet on-site parking demand may have on surrounding streets, if viable alternative transport modes are not available.