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July 2016

SEPP65 – AMENDED DESIGN VERIFICATION STATEMENT FOR DEVELOPMENT APPLICATION FOR A MIXED USE DEVELOPMENT AT 229 MILLER STREET NORTH SYDNEY

The JRPP resolved at its meeting of 23 June 2016:

“To defer determination of the matter so that the applicant can provide amended plans to the council to address the following:

- Increase floor to floor height to a minimum 3.1m without an increase in the overall height of the building
- Reduced dwelling numbers, particularly on levels 1-10, which should result in increased unit sizes
- Modification of the floor layouts on all levels to maximise solar access and cross ventilation”.

To address the issues that were raised by the JRPP, a number of amendments have been made to the design of the proposed development. These changes are outlined below and this amended Design Verification Statement describes how the amended scheme complies with each of the nine principles in SEPP 65.

Summary of Changes:

The amended plans have:

- Deleted one floor of the proposed building;
- Increased the floor to floor heights to 3.1m without increasing the overall height of the building;
- Reduced the dwelling numbers from 113 dwellings to 99 dwellings;
- Modified the floor layouts and replanned apartments to increase solar access and cross ventilation.

A detailed list and explanation of the amendments is provided in our letter to Council dated 14 July 2016.

Principle 1: Context and neighbourhood character

The site is located on the edge of the North Sydney CBD and is surrounded by high rise buildings. The context of the site is therefore one of considerable density, reflecting its location.

There is a mix of uses in the immediate vicinity of the site, with commercial space, retail and residential apartments in the surrounding buildings. Development approvals have been granted for

the immediately adjoining sites at 221, 225 and 231 Miller Street in recent years, and as such there has been an increase in the number of residential apartments in this area.

The proposed development of a mixed use building containing commercial uses on the ground and first floors with residential above is in keeping with this surrounding context and the desired neighbourhood character as articulated in Council's planning controls.

Changes to the application:

The changes to the development have no effect on the context and neighbourhood Character, and the application is in keeping with this surrounding context and the desired neighbourhood character as articulated in Council's planning controls.

Principle 2: Built form and scale

The proposed development has been designed to achieve a scale, bulk and height that is consistent with the emerging character of the immediately surrounding area and with the desired future character of this section of Miller Street.

The height of the proposed building is compliant with North Sydney LEP 2013, and it is therefore in keeping with the intended built form and scale for the area. The redevelopment of the subject site will provide the final piece in this section of Miller Street, infilling the last undeveloped site within the block.

The proposed building has been designed to reflect the intended use, with fenestration and articulation to enhance the visual character while also differentiating the building from those surrounding it.

Considerable improvements to the public domain will be achieved through the proposed redevelopment of the site. In particular, the Miller Street frontage of the site will be enhanced through the removal of the existing vehicular access to create pedestrian – only access. The existing ground levels of the access handle into the site will be raised to provide consistency with the footpaths adjoining thereby providing safe and attractive pedestrian access. The design of the forecourt and access into the proposed building will provide a legible street address and a pedestrian link through the site to Harnett Place.

The northern façade has been designed to respond to, rather than mirror, the façade of the adjacent building at 225 Miller Street. It has been stepped in a similar fashion to ensure that appropriate separation between balconies is achieved and that there is a positive relationship between the two buildings.

Changes to the application:

The changes to the application:

have no effect on the built form and scale which is appropriate in the circumstances. The form and scale of the proposed development continues to respond to that of the immediately surrounding area. It is considered to be appropriate given the location of the site within the North Sydney CBD and its proximity to public transport.

Principle 3: Density

The density of the proposed development is consistent with that expected within the Mixed Use zone on the edge of the North Sydney CBD. The site is located in close proximity to North Sydney railway station and is well served by a range of bus routes.

As there is no FSR applying to the site, the density is controlled principally by the application of the height and setback controls contained within the DCP. The proposal is compliant with the height provision (with the exception of the lift overrun) and is complementary to the existing setbacks provided by the surrounding buildings.

The proposal thereby achieves a density that is appropriate to its context and location in the centre of North Sydney. It will ensure that amenity for future residents is maximised, and that the amenity of the residents and employees in the surrounding buildings will be maintained.

Changes to the application:

The original DA contained 9,587m² of GFA. In response to the comments made by both the Council and the JRPP, the total amount of floorspace has now been reduced to 8,593m² (a loss of 993m²) and the total number of apartments within the building has been reduced by 14 (from 113 in the original scheme to 99). This has been achieved by deleting one entire floor of the building and by redesigning and amalgamating dwellings, particularly on levels 1-10.

Principle 4: Sustainability

The buildings have been designed to make efficient use of natural resources, energy and water throughout its full life cycle. The design includes sustainable construction methods, a selection of sustainable materials, selection of efficient appliances, as well as the implementation of low-water-use fittings.

The design of the building also incorporates a number of sustainable elements including wintergardens on the eastern side of the building. These wintergardens will ensure that solar access to the private open spaces of these apartments is maximised during winter.

The proposal includes energy and water saving systems beyond those required by BASIX. A separate report on compliance with the requirements of BASIX has been provided with this DA.

Changes to the application:

The proposed amendments do not seek to amend any of the sustainability measures that were proposed as part of the application. A revised BASIX is being prepared and will be submitted shortly.

Principle 5: Landscape

The site has a mixed use zoning and, consequently, it is inappropriate to apply the requirements of SEPP 65 with respect to soft landscaping. However, the proposed development includes a series of landscaped areas that serve to integrate with the design and intended use of the building.

The access handle off Miller Street that is currently used as a vehicular entry to the site is to be changed to a pedestrian access way leading from the street to the building entry. The existing levels of this access way will be amended to be consistent with the adjoining sites (225 and 231 Miller Street) to ensure that pedestrians have a clear and safe pathway to the building. The access way will lead to a landscaped forecourt from which direct access will be provided to both the residential lobby and the commercial space.

The access way will also lead to a through site link, via which pedestrians will be able to walk through to Harnett Place. This link will be landscaped to ensure that it provides an attractive visual transition between the adjoining sites and a safe path that is afforded overlooking and visual surveillance from the adjacent buildings.

A substantial landscaped terrace is proposed on the commercial level. This landscape will provide privacy for the tenants and ensure that amenity is maintained for surrounding residents.

The rooftop landscaping will be simple and low-maintenance and will provide opportunities for passive recreation and social interaction for residents.

Changes to the application:

The amendments have no impact on the landscape proposed as part of the application.

Principle 6: Amenity

The proposed building has been designed to maximise amenity bearing in mind the constraints of the site. The apartments are afforded a good level of amenity, being compliant with the minimum sizes stipulated by the Apartment Design Guide with a flexible layout and appropriate storage. A significant proportion of apartment exceed the minimum sizes.

Apartments on the eastern side of the building have been designed to incorporate wintergardens so that solar access to their private open space is maximised during winter. This private open

space is intended to be used as an extension of an internal living space and will considerably enhance amenity.

Splayed walls with windows and louvres incorporating an innovative mirror system have been applied to the southern side of the building. This mirror system creates a view line towards the east rather than to the blank walls and windows of adjoining building at 221 Miller Street, as would be the case with traditional windows. In addition, this system of splayed walls and mirrors will increase the solar access to the southern side of the building.

A landscaped communal space is proposed to be provided on the roof of the building. This space will provide opportunities for residents to enjoy a passive recreation space with views towards the city and good solar access. This space will considerably enhance the amenity of the building for residents.

The proposed treatment to the access pathway off Miller Street will also contribute towards the amenity provided, with window openings and awnings to the façade of 231 Miller Street effectively opening this side of the building on to the public space. This will allow for a café or similar use to activate this space and provide for passive surveillance to create a safe and vibrant environment for residents, tenants and visitors.

Apartments at the lower levels face East or West to minimize overlooking and conflicts with the building at 39 McLaren Street while those on the upper levels above 39 McLaren Street open to the North. Apartments on the upper levels will also be afforded a pleasant outlook over the heritage-listed Seidler building at 41 McLaren Street.

Changes to the application:

In response to the comments by the JRPP the redesigned building has:

- *combined dwellings, particularly on Levels 1 to 10;*
- *modified the floor layouts on Levels 1 to 16 to maximise solar access and cross ventilation;*
and
- *increased the floor to floor height to 3.1m.*

A detailed list of the amendments made to each floor is contained in our letter to Council dated 14 July 2016.

The amendments have sought to maximise the amenity for all apartments within the building.

As has been acknowledged, the subject site is considerably constrained with regards to solar access. This is a similar situation to many of the immediately surrounding sites. The redesign that has now been undertaken has sought to maximise the number of apartments that have an eastern orientation, particularly for the floors above the height of the building at 41 McLaren Street. This will ensure that the maximum possible number of apartments within the building will benefit from

direct solar access as well as views/outlook. The redesign has also sought to consolidate as many as possible of the apartments that are unable to achieve 2 hours of solar access.

The redesigned apartments on Level 5 and above on the eastern side of the building will have particularly good amenity given that they are not overshadowed by the heritage-listed Seidler building at 41 McLaren Street, as demonstrated by the Views from the Sun Diagrams that have been submitted with the application.

To address the issue that was raised by Council about the southern-most studio apartment on the eastern side of the building, the floorplan has been re-designed to delete that studio. On Levels 1-3 and Levels 8-11, this studio has been amalgamated with the adjoining 1 bedroom unit to create a large 2 bedroom apartment. On Levels 4-7 this studio has been redesigned to become a 1 bedroom apartment and on Level 12 and above the eastern frontage of the southern-most unit has been widened. We believe that these changes directly address the Council's concerns.

In addition, the provision of wintergardens significantly enhances the amenity of apartments as it allows these private open spaces to be used as internal space in the colder months and on windy days. The expert solar report that has been prepared by Dr. Steve King states that 'the provision of winter-gardens ensures that solar access is maximized and the face of the wintergardens should be considered as the relevant glazing panel, as it operates as a winter room rather than a balcony. The development has a significantly higher solar amenity than the other applications approved nearby'.

Additional details regarding the proposed wintergardens have been provided, as requested by Council.

The overall amenity of the apartments has also been enhanced through the reduction in the overall number apartments. A number of the smaller apartments under the original scheme have been effectively deleted through the redesign, as apartments have been amalgamated. This has meant that the size of many of the apartments is now far in excess of the minimum sizes set out in the ADG. These larger apartments will ensure that the amenity for residents, particularly those on the lower floors of the building, will be greatly enhanced. We believe that this amendment responds positively to the comments made by the JRPP.

All of the other elements that were discussed under this heading in the original Design Verification Statement (refer above) remain valid and have not been amended.

Principle 7: Safety

All entries are located near the street in accordance with SEPP 65 design principles. The access pathway to the building entries has been landscaped and levels amended to activate the space and provide for safe pedestrian access to the building. This area will be overlooked by the surrounding non-residential tenancies to maximise safety.

Access for residents and commercial tenants is separate to maximise safety. The car parking areas for tenants and residents is also separate and is to be security controlled. Access into the residential lobby will be controlled by an intercom system to ensure that security is maintained for residents.

Changes to the application:

The amendments have no impact on the elements of the proposed development that address safety.

Principle 8: Housing diversity and social interaction

The proposed building incorporates a mix of apartment sizes and styles to appeal to a range of household types and to respond to the location of the site on the edge of the North Sydney CBD. The number of adaptable apartments proposed complies with requirements and many are also accessible. The apartments allow for flexibility of internal layouts as well as useable outdoor private spaces. The proposed rooftop communal space will provide opportunities for social interaction and passive recreation for residents of the building.

Changes to the application:

The amendments made to the proposal has altered the mix of apartments within the building. The mix of apartments now proposed is as follows:

- *Studio & 1 Bedroom Apartments 47%,*
- *2 Bedroom Apartments 39% and*
- *3 Bedroom Apartments 15%.*

This mix provides a suitable variety of housing types given the location of the site.

As is discussed above, a large number, some 60%, of the apartments within the building exceed the minimum areas nominated in the ADG by between 5% and 20%.

The redesigned apartments still provide for flexible internal layouts and useable private outdoor spaces. In fact, the flexibility has been further enhanced given the generous sizes of the apartments.

All of the other communal facilities, such as the communal space on Level 17, have been retained in the redesigned scheme. These common facilities will enhance the overall amenity for residents.

Principle 9: Aesthetics

The design of the proposed building aims to respond to its context, being nestled amongst a number of tower building forms. Architectural design features have been included to provide points of difference and to enhance both the vertical and horizontal elements of the building. Randomly

located decorative blades and areas of contrasting colour on the elevations provide interest. A ribbon of dark finishes moves from the north east corner and wraps around the top two floors and roof level and finally coming down to finish off at the north elevation providing movement and breaking the building mass.

Changes to the application:

Subsequent to the submission of the original DA, the Design Excellence Panel recommended that consideration should be given to redesigning the Eastern façade and emphasise verticality. To address this issue, the north-east corner of the building was altered to place greater emphasis on the balustrading treatment and an articulation recess, or slot, extending from Level 5-17 was incorporated on the eastern façade. As part of the redesign that has now been undertaken to address the issues raised by the JRPP, the slot has been shortened to sit between Levels 12 and 17. However the enhanced verticality of this eastern façade is maintained using an alternative treatment below Level 12. This ensures that the vertical emphasis can be seen when viewed from a distance, while the lower levels retain a flatter appearance more in keeping with the 41 McLaren Street building on the eastern side of the laneway.

The main views of the building from the public domain are from McLaren Street and or from the expressway as the building protrudes above the Heritage "Seidler" building at 41 McLaren Street.

The proposed building and public domain works enhance the existing streetscape along Miller Street and Harnett Place to ensure that a positive contribution is made to the character of the area.

Confirmation of Qualifications

I hereby confirm that I, George Andrew Revay, meet the definition of a qualified designer under the definition in SEPP65 – Design Quality of Residential Flat Development.

In accordance with the requirements of SEPP65 I hereby confirm that I have directed the design of the subject mixed use development and that the quality principles set out in Part 2 of SEPP65 have been achieved and surpassed in this proposal.

Design Quality of Residential Flat Development

SEPP65 aims to improve the design quality of residential flat development in NSW and applies to this development application. I have undertaken the consideration of a range of design quality principles as required by SEPP65.



George Revay - BArch UNSW

July 2016

Class 2 Building

PROJECT CERTIFICATION

Page
1
of
6

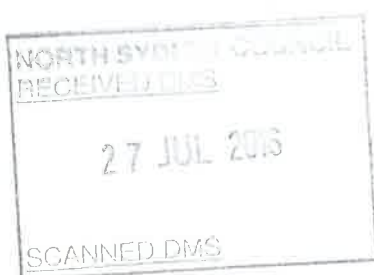
Project Certification Number	1009500719
Certification Date	24/07/2016
Assessor Name	John Boutros
Assessor Number	20827
Assessor Company	Greenworld Architectural Drafting
Assessor Signature	

Client Details	Platino Properties
Project Address	Lot 2 229 Miller St North Sydney NSW 2060

Software	BERSPRO v4.2.110811/A (BERSPRO)	Climate Zone	17
Averaged Simulated Energy: HEATING		20.7 MJ/m2 pa	
Averaged Simulated Energy: COOLING		26.2 MJ/m2 pa	
Averaged Simulated Energy: TOTAL		46.8 MJ/m2 pa	

Averaged NatHERS Star Rating

5.9



Sole-Occupancy Unit (SOU) Thermal Performance Specifications							
Unit Number	Certificate Number	Floor Area		Simulated Loads (area adjusted MJ/m ² /y)		NatHERS	Rated with Downlights
		Conditioned	Unconditioned	Heating	Cooling	Star Rating	
1.1	1009500768	39.4	6.3	12.5	18.3	6.5/10	No
1.2	1009500776	45.2	4.2	7.6	32.0	5.5/10	No
1.3	1009500784	36.8	4.5	28.3	17.2	5.0/10	No
1.4	1009500792	76.5	3.8	22.4	22.7	5.0/10	No
1.5	1009500800	87.7	4.8	37.1	26.1	4.0/10	No
1.6	1009500818	76.4	5.9	11.1	10.2	8.0/10	No
1.7	1009500826	44.4	6.2	2.5	13.0	8.5/10	No
10.1	1009501378	76.9	4.6	13.6	19.3	6.5/10	No
10.2	1009501386	76.5	3.8	27.6	12.8	5.5/10	No
10.3	1009501394	96.4	4.3	34.4	20.6	4.5/10	No

Project Certification Number 1009500719

Certification Date 24/07/2016

Sole-Occupancy Unit (SOU) Thermal Performance Specifications

Unit Number	Certificate Number	Floor Area		Simulated Loads (area adjusted MJ/m ² /y)		NatHERS	Rated with Downlights
		Conditioned	Unconditioned	Heating	Cooling	Star Rating	
10.4	1009501402	69.9	4.0	11.0	9.4	8.0	No
10.5	1009501410	83.3	3.2	8.1	155.0	7.5	No
11.1	1009501428	76.9	4.6	13.6	19.3	6.5	No
11.2	1009501436	83.5	4.1	29.0	18.8	5.0	No
11.3	1009501444	96.4	4.3	34.4	20.6	4.5	No
11.4	1009501451	69.9	4.0	11.0	9.4	8.0	No
11.5	1009501469	83.3	3.2	8.1	155.0	7.5	No
12.1	1009501477	76.9	4.6	13.6	19.3	6.5	No
12.2	1009501485	50.7	4.1	34.3	16.9	4.5	No
12.3	1009501493	103.7	4.8	46.7	17.7	4.0	No
12.4	1009501501	85.8	3.8	20.6	14.8	6.0	No
12.5	1009501519	58.4	4.0	17.4	12.9	6.5	No
13.1	1009501527	76.9	4.6	13.6	19.3	6.5	No
13.2	1009501535	50.7	4.1	34.3	16.9	4.5	No
13.3	1009501543	103.7	4.8	46.7	17.7	4.0	No
13.4	1009501550	85.8	3.8	20.6	14.8	6.0	No
13.5	1009501568	83.3	3.2	8.1	155.0	7.5	No
14.1	1009501576	76.9	4.6	13.6	19.3	6.5	No
14.2	1009501584	50.7	4.1	34.3	16.9	4.5	No
14.3	1009501592	103.7	4.8	46.7	17.7	4.0	No
14.4	1009501600	85.8	3.8	20.6	14.8	6.0	No
14.5	1009501618	83.3	3.2	8.1	155.0	7.5	No
15.1	1009501626	76.9	4.6	13.6	19.3	6.5	No
15.2	1009501634	50.7	4.1	34.3	16.9	4.5	No
15.3	1009501642	103.7	4.8	46.7	17.7	4.0	No

Project Certification Number	1009500719
Certification Date	24/07/2016

Sole-Occupancy Unit (SOU) Thermal Performance Specifications							
Unit Number	Certificate Number	Floor Area		Simulated Loads (area adjusted MJ/m²/y)		NatHERS	Rated with Downlights
		Conditioned	Unconditioned	Heating	Cooling	Star Rating	
15.4	1009501659	85.8	3.8	20.6	14.8	6.0	No
15.5	1009501667	83.3	3.2	8.1	155.0	7.5	No
16.1	1009501675	154.6	4.2	16.7	20.7	6.0	No
16.2	1009501683	147.4	4.2	34.8	25.4	4.0	No
17.1	1009501691	108.3	3.2	10.9	20.2	6.5	No
17.2	1009501709	147.4	4.2	40.7	27.0	4.0	No
2.1	1009500834	39.4	6.3	12.5	18.3	6.5	No
2.2	1009500842	45.2	4.2	7.6	32.0	5.5	No
2.3	1009500859	36.8	4.5	28.3	17.2	5.0	No
2.4	1009500867	48.5	5.5	23.6	20.5	5.0	No
2.5	1009500875	87.7	4.8	37.1	26.1	4.0	No
2.6	1009500883	76.4	5.9	11.1	10.2	8.0	No
2.7	1009500891	44.4	6.2	2.5	13.0	8.5	No
3.1	1009500909	39.4	6.3	12.5	18.3	6.5	No
3.2	1009500917	45.2	4.2	7.6	32.0	5.5	No
3.3	1009500925	36.8	4.5	28.3	17.2	5.0	No
3.4	1009500933	48.5	5.5	23.6	20.5	5.0	No
3.5	1009500941	87.7	4.8	37.1	26.1	4.0	No
3.6	1009500958	76.4	5.9	11.1	10.2	8.0	No
3.7	1009500966	44.4	6.2	2.5	13.0	8.5	No
4.1	1009500974	39.3	5.8	13.4	20.6	6.5	No
4.2	1009500982	64.4	5.5	14.0	28.6	5.5	No
4.3	1009500990	43.3	5.5	31.8	16.3	5.0	No
4.4	1009501006	29.8	4.8	17.7	29.9	5.0	No
4.5	1009501014	96.4	4.3	34.4	20.6	4.5	No

Project Certification Number 1009500719

Certification Date 24/07/2016

Sole-Occupancy Unit (SOU) Thermal Performance Specifications

Unit Number	Certificate Number	Floor Area		Simulated Loads (area adjusted MJ/m2/y)		NatHERS	Rated with Downlights
		Conditioned	Unconditioned	Heating	Cooling	Star Rating	
4.6	1009501022	58.4	4.0	16.3	13.2	7.0	No
4.7	1009501030	42.9	6.2	9.2	11.8	8.0	No
5.1	1009501048	39.3	5.8	13.4	20.6	6.5	No
5.2	1009501055	64.4	5.5	14.0	28.6	5.5	No
5.3	1009501063	43.3	5.5	31.8	16.3	5.0	No
5.4	1009501071	29.8	4.8	17.7	29.9	5.0	No
5.5	1009501089	96.4	4.3	34.4	20.6	4.5	No
5.6	1009501097	58.4	4.0	16.3	13.2	7.0	No
5.7	1009501105	42.9	6.2	9.2	11.8	8.0	No
6.1	1009501113	39.3	5.8	13.4	20.6	6.5	No
6.2	1009501121	64.4	5.5	14.0	28.6	5.5	No
6.3	1009501139	43.3	5.5	31.8	16.3	5.0	No
6.4	1009501147	29.8	4.8	17.7	29.9	5.0	No
6.5	1009501154	96.4	4.3	34.4	20.6	4.5	No
6.6	1009501162	58.4	4.0	16.3	13.2	7.0	No
6.7	1009501170	42.9	6.2	9.2	11.8	8.0	No
7.1	1009501188	39.3	5.8	13.4	20.6	6.5	No
7.2	1009501196	64.4	5.5	14.0	28.6	5.5	No
7.3	1009501204	43.3	5.5	31.8	16.3	5.0	No
7.4	1009501212	29.8	4.8	17.7	29.9	5.0	No
7.5	1009501220	96.4	4.3	34.4	20.6	4.5	No
7.6	1009501238	58.4	4.0	16.3	13.2	7.0	No
7.7	1009501246	42.9	6.2	9.2	11.8	8.0	No
8.1	1009501253	39.3	5.8	13.4	20.6	6.5	No
8.2	1009501261	76.9	4.6	13.6	19.3	6.5	No

Project Certification Number 1009500719

Certification Date 24/07/2016

Sole-Occupancy Unit (SOU) Thermal Performance Specifications

Unit Number	Certificate Number	Floor Area		Simulated Loads (area adjusted MJ/m2/y)		NatHERS	Rated with Downlights
		Conditioned	Unconditioned	Heating	Cooling	Star Rating	
8.3	1009501279	76.5	3.8	27.6	12.8	5.5	No
8.4	1009501287	96.4	4.3	34.4	20.6	4.5	No
8.5	1009501295	57.4	4.0	16.3	13.2	7.0	No
8.6	1009501303	58.4	4.0	9.2	13.2	7.0	No
9.1	1009501311	39.3	5.8	13.4	20.6	6.5	No
9.2	1009501329	76.9	4.6	13.6	19.3	6.5	No
9.3	1009501337	76.5	3.8	27.6	12.8	5.5	No
9.4	1009501345	96.4	4.3	34.4	20.6	4.5	No
9.5	1009501352	57.4	4.0	16.3	13.2	7.0	No
9.6	1009501360	58.4	4.0	9.2	13.2	7.0	No
G.1	1009500727	67.2	4.8	39.4	31.6	4.0	No
G.2	1009500735	34.5	4.5	22.5	32.9	4.5	No
G.3	1009500743	76.5	3.8	22.4	22.7	5.0	No
G.4	1009500750	58.0	5.7	22.7	38.5	4.0	No

BASIX[®]Certificate

Building Sustainability Index www.basix.nsw.gov.au

Multi Dwelling

Certificate number: 694020M_05

This certificate confirms that the proposed development will meet the NSW government's requirements for sustainability, if it is built in accordance with the commitments set out below. Terms used in this certificate, or in the commitments, have the meaning given by the document entitled "BASIX Definitions" dated 18/09/2014 published by the Department. This document is available at www.basix.nsw.gov.au

This certificate is a revision of certificate number 694020M lodged with the consent authority or certifier on 23 December 2015 with application 010.2015.00000487.001.

It is the responsibility of the applicant to verify with the consent authority that the original, or any revised certificate, complies with the requirements of Schedule 1 Clause 2A, 4A or 6A of the Environmental Planning and Assessment Regulation 2000

Secretary
Date of issue: Monday, 25 July 2016
To be valid, this certificate must be lodged within 3 months of the date of issue.



Project summary		
Project name	229 Miller St, North Sydney_05	
Street address	229 Miller Street North Sydney 2060	
Local Government Area	North Sydney Council	
Plan type and plan number	deposited 413512	
Lot no.	2	
Section no.	-	
No. of residential flat buildings	1	
No. of units in residential flat buildings	99	
No. of multi-dwelling houses	0	
No. of single dwelling houses	0	
Project score		
Water	✔ 40	Target 40
Thermal Comfort	✔ Pass	Target Pass
Energy	✔ 20	Target 20

Certificate Prepared by	
Name / Company Name: Greenworld Architectural Drafting	
ABN (if applicable): 70203970543	

Description of project

Project address

Project name	229 Miller St, North Sydney_05
Street address	229 Miller Street North Sydney 2060
Local Government Area	North Sydney Council
Plan type and plan number	deposited 413512
Lot no.	2
Section no.	-

Project type

No. of residential flat buildings	1
No. of units in residential flat buildings	99
No. of multi-dwelling houses	0
No. of single dwelling houses	0

Site details

Site area (m ²)	1091
Roof area (m ²)	500
Non-residential floor area (m ²)	580.0
Residential car spaces	83
Non-residential car spaces	10

Common area landscape

Common area lawn (m ²)	0.0
Common area garden (m ²)	110.0
Area of indigenous or low water use species (m ²)	0.0

Assessor details

Assessor number	20827
Certificate number	1009500719
Climate zone	17

Project score

Water	✓ 40	Target 40
Thermal Comfort	✓ Pass	Target Pass
Energy	✓ 20	Target 20

Description of project

The tables below describe the dwellings and common areas within the project

Residential flat buildings - Building1, 99 dwellings, 20 storeys above ground

Dwelling no.	No. of bedrooms	Conditioned floor area (m ²)	Unconditioned floor area (m ²)	Area of garden & lawn (m ²)	Indigenous species (min area m ²)
1.1	1	45.0	0.0	0.0	0.0
1.5	3	92.0	4.0	0.0	0.0
2.2	1	51.0	0.0	0.0	0.0
2.6	2	83.0	0.0	0.0	0.0
3.3	1	42.0	0.0	0.0	0.0
3.7	1	51.0	0.0	0.0	0.0
4.4	2	50.0	0.0	0.0	0.0
5.1	1	46.0	0.0	0.0	0.0
5.5	3	100.0	0.0	0.0	0.0
6.2	2	71.0	0.0	0.0	0.0
6.6	1	62.0	0.0	0.0	0.0
7.3	1	36.0	0.0	0.0	0.0
7.7	1	50.0	0.0	0.0	0.0
8.4	3	100.0	0.0	0.0	0.0
9.2	2	71.0	0.0	0.0	0.0
9.6	1	50.0	0.0	0.0	0.0
G.4	1	72.0	5.0	0.0	0.0
10.4	2	74.0	0.0	0.0	0.0

Dwelling no.	No. of bedrooms	Conditioned floor area (m ²)	Unconditioned floor area (m ²)	Area of garden & lawn (m ²)	Indigenous species (min area m ²)
1.2	1	50.0	0.0	0.0	0.0
1.6	2	83.0	0.0	0.0	0.0
2.3	1	42.0	0.0	0.0	0.0
2.7	1	51.0	0.0	0.0	0.0
3.4	2	81.0	0.0	0.0	0.0
4.1	1	46.0	0.0	0.0	0.0
4.5	3	100.0	0.0	0.0	0.0
5.2	2	71.0	0.0	0.0	0.0
5.6	1	62.0	0.0	0.0	0.0
6.3	1	36.0	0.0	0.0	0.0
6.7	1	50.0	0.0	0.0	0.0
7.4	1	50.0	0.0	0.0	0.0
8.1	1	46.0	0.0	0.0	0.0
8.5	1	62.0	0.0	0.0	0.0
9.3	2	81.0	0.0	0.0	0.0
G.1	1	50.0	0.0	0.0	0.0
10.1	2	82.0	0.0	0.0	0.0
10.5	2	86.0	0.0	0.0	0.0

Dwelling no.	No. of bedrooms	Conditioned floor area (m ²)	Unconditioned floor area (m ²)	Area of garden & lawn (m ²)	Indigenous species (min area m ²)
1.3	1	42.0	0.0	0.0	0.0
1.7	1	51.0	0.0	0.0	0.0
2.4	2	81.0	0.0	0.0	0.0
3.1	1	38.0	0.0	0.0	0.0
3.5	3	92.0	4.0	0.0	0.0
4.2	2	71.0	0.0	0.0	0.0
4.6	2	62.0	4.0	0.0	0.0
5.3	1	36.0	0.0	0.0	0.0
5.7	1	50.0	0.0	0.0	0.0
6.4	1	50.0	0.0	0.0	0.0
7.1	1	46.0	0.0	0.0	0.0
7.5	3	100.0	0.0	0.0	0.0
8.2	2	82.0	0.0	0.0	0.0
8.6	1	50.0	0.0	0.0	0.0
9.4	3	100.0	0.0	0.0	0.0
G.2	1	35.0	0.0	0.0	0.0
10.2	2	81.0	0.0	0.0	0.0
11.1	1	74.0	0.0	0.0	0.0

Dwelling no.	No. of bedrooms	Conditioned floor area (m ²)	Unconditioned floor area (m ²)	Area of garden & lawn (m ²)	Indigenous species (min area m ²)
1.4	2	81.0	0.0	0.0	0.0
2.1	1	38.0	0.0	0.0	0.0
2.5	3	92.0	4.0	0.0	0.0
3.2	1	51.0	0.0	0.0	0.0
3.6	2	83.0	0.0	0.0	0.0
4.3	1	36.0	0.0	0.0	0.0
4.7	1	50.0	0.0	0.0	0.0
5.4	1	50.0	0.0	0.0	0.0
6.1	1	46.0	0.0	0.0	0.0
6.5	3	100.0	0.0	0.0	0.0
7.2	2	71.0	0.0	0.0	0.0
7.6	1	62.0	0.0	0.0	0.0
8.3	2	81.0	0.0	0.0	0.0
9.1	1	45.0	0.0	0.0	0.0
9.5	1	62.0	0.0	0.0	0.0
G.3	1	51.0	0.0	0.0	0.0
10.3	3	100.0	0.0	0.0	0.0
11.2	2	86.0	0.0	0.0	0.0

Dwelling no.	No. of bedrooms	Conditioned floor area (m ²)	Unconditioned floor area (m ²)	Area of garden & lawn (m ²)	Indigenous species (min area m ²)
11.3	3	100.0	0.0	0.0	0.0
12.2	1	56.0	0.0	0.0	0.0
13.1	1	74.0	0.0	0.0	0.0
13.5	2	86.0	0.0	0.0	0.0
14.4	2	90.0	0.0	0.0	0.0
15.3	3	109.0	0.0	0.0	0.0
16.2	2	150.0	0.0	0.0	0.0

Dwelling no.	No. of bedrooms	Conditioned floor area (m ²)	Unconditioned floor area (m ²)	Area of garden & lawn (m ²)	Indigenous species (min area m ²)
11.4	2	74.0	0.0	0.0	0.0
12.3	3	109.0	0.0	0.0	0.0
13.2	2	56.0	0.0	0.0	0.0
14.1	1	74.0	0.0	0.0	0.0
14.5	2	86.0	0.0	0.0	0.0
15.4	2	90.0	0.0	0.0	0.0
17.1	2	113.0	0.0	0.0	0.0

Dwelling no.	No. of bedrooms	Conditioned floor area (m ²)	Unconditioned floor area (m ²)	Area of garden & lawn (m ²)	Indigenous species (min area m ²)
11.5	2	86.0	0.0	0.0	0.0
12.4	2	90.0	0.0	0.0	0.0
13.3	3	109.0	0.0	0.0	0.0
14.2	1	56.0	0.0	0.0	0.0
15.1	2	74.0	0.0	0.0	0.0
15.5	2	86.0	0.0	0.0	0.0
17.2	2	150.0	0.0	0.0	0.0

Dwelling no.	No. of bedrooms	Conditioned floor area (m ²)	Unconditioned floor area (m ²)	Area of garden & lawn (m ²)	Indigenous species (min area m ²)
12.1	1	74.0	0.0	0.0	0.0
12.5	2	86.0	0.0	0.0	0.0
13.4	2	90.0	0.0	0.0	0.0
14.3	3	109.0	0.0	0.0	0.0
15.2	1	56.0	0.0	0.0	0.0
16.1	3	161.0	0.0	0.0	0.0

Description of project

The tables below describe the dwellings and common areas within the project

Common areas of unit building - Building1

Common area	Floor area (m²)	Common area	Floor area (m²)	Common area	Floor area (m²)
Car park area (No. 1)	4378.0	Lift car (No. 1)	-	Lift car (No. 2)	-
Lift car (No. 3)	-	Switch room (No. 1)	11.0	Garbage room (No. 1)	47.0
Community room (No. 1)	63.0	Plant or service room (No. 1)	11.0	Plant or service room (No. 2)	11.0
Plant or service room (No. 3)	11.0	Plant or service room (No. 4)	11.0	Plant or service room (No. 5)	54.0
Plant or service room (L18)	29.0	Ground floor lobby type (No. 1)	55.0	Hallway/lobby type (No. 1)	520.0

Schedule of BASIX commitments

1. Commitments for Residential flat buildings - Building1

(a) Dwellings

- (i) Water
- (ii) Energy
- (iii) Thermal Comfort

(b) Common areas and central systems/facilities

- (i) Water
- (ii) Energy

2. Commitments for multi-dwelling houses

3. Commitments for single dwelling houses

4. Commitments for common areas and central systems/facilities for the development (non-building specific)

- (i) Water
- (ii) Energy

Schedule of BASIX commitments

The commitments set out below regulate how the proposed development is to be carried out. It is a condition of any development consent granted, or complying development certificate issued, for the proposed development, that BASIX commitments be complied with.

1. Commitments for Residential flat buildings - Building1

(a) Dwellings

(i) Water	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(a) The applicant must comply with the commitments listed below in carrying out the development of a dwelling listed in a table below.			
(b) The applicant must plant indigenous or low water use species of vegetation throughout the area of land specified for the dwelling in the "Indigenous species" column of the table below, as private landscaping for that dwelling. (This area of indigenous vegetation is to be contained within the "Area of garden and lawn" for the dwelling specified in the "Description of Project" table).	✓	✓	
(c) If a rating is specified in the table below for a fixture or appliance to be installed in the dwelling, the applicant must ensure that each such fixture and appliance meets the rating specified for it.		✓	✓
(d) The applicant must install an on demand hot water recirculation system which regulates all hot water use throughout the dwelling, where indicated for a dwelling in the "HW recirculation or diversion" column of the table below.		✓	✓
(e) The applicant must install:			
(aa) a hot water diversion system to all showers, kitchen sinks and all basins in the dwelling, where indicated for a dwelling in the "HW recirculation or diversion" column of the table below; and		✓	✓
(bb) a separate diversion tank (or tanks) connected to the hot water diversion systems of at least 100 litres. The applicant must connect the hot water diversion tank to all toilets in the dwelling.		✓	✓
(e) The applicant must not install a private swimming pool or spa for the dwelling, with a volume exceeding that specified for it in the table below.	✓	✓	
(f) If specified in the table, that pool or spa (or both) must have a pool cover or shading (or both).		✓	
(g) The pool or spa must be located as specified in the table.	✓	✓	
(h) The applicant must install, for the dwelling, each alternative water supply system, with the specified size, listed for that dwelling in the table below. Each system must be configured to collect run-off from the areas specified (excluding any area which supplies any other alternative water supply system), and to divert overflow as specified. Each system must be connected as specified.	✓	✓	✓

Dwelling no.	Fixtures					Appliances		Individual pool				Individual spa		
	All shower-heads	All toilet flushing systems	All kitchen taps	All bathroom taps	HW recirculation or diversion	All clothes washers	All dish-washers	Volume (max volume)	Pool cover	Pool location	Pool shaded	Volume (max volume)	Spa cover	Spa shaded
All dwellings	3 star (> 4.5 but <= 6 L/min)	4 star	3 star	3 star	no	-	-	-	-	-	-	-	-	-

Dwelling no.	Alternative water source							
	Alternative water supply systems	Size	Configuration	Landscape connection	Toilet connection (s)	Laundry connection	Pool top-up	Spa top-up
None	-	-	-	-	-	-	-	-

(ii) Energy	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(a) The applicant must comply with the commitments listed below in carrying out the development of a dwelling listed in a table below.			
(b) The applicant must install each hot water system specified for the dwelling in the table below, so that the dwelling's hot water is supplied by that system. If the table specifies a central hot water system for the dwelling, then the applicant must connect that central system to the dwelling, so that the dwelling's hot water is supplied by that central system.	✓	✓	✓
(c) The applicant must install, in each bathroom, kitchen and laundry of the dwelling, the ventilation system specified for that room in the table below. Each such ventilation system must have the operation control specified for it in the table.		✓	✓
(d) The applicant must install the cooling and heating system/s specified for the dwelling under the "Living areas" and "Bedroom areas" headings of the "Cooling" and "Heating" columns in the table below, in/for at least 1 living/bedroom area of the dwelling. If no cooling or heating system is specified in the table for "Living areas" or "Bedroom areas", then no systems may be installed in any such areas. If the term "zoned" is specified beside an air conditioning system, then the system must provide for day/night zoning between living areas and bedrooms.		✓	✓
(e) This commitment applies to each room or area of the dwelling which is referred to in a heading to the "Artificial lighting" column of the table below (but only to the extent specified for that room or area). The applicant must ensure that the "primary type of artificial lighting" for each such room in the dwelling is fluorescent lighting or light emitting diode (LED) lighting. If the term "dedicated" is specified for a particular room or area, then the light fittings in that room or area must only be capable of being used for fluorescent lighting or light emitting diode (LED) lighting.		✓	✓

(ii) Energy	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(f) This commitment applies to each room or area of the dwelling which is referred to in a heading to the "Natural lighting" column of the table below (but only to the extent specified for that room or area). The applicant must ensure that each such room or area is fitted with a window and/or skylight.	✓	✓	✓
(g) This commitment applies if the applicant installs a water heating system for the dwelling's pool or spa. The applicant must: (aa) install the system specified for the pool in the "Individual Pool" column of the table below (or alternatively must not install any system for the pool). If specified, the applicant must install a timer, to control the pool's pump; and (bb) install the system specified for the spa in the "Individual Spa" column of the table below (or alternatively must not install any system for the spa). If specified, the applicant must install a timer to control the spa's pump.		✓ ✓	
(h) The applicant must install in the dwelling: (aa) the kitchen cook-top and oven specified for that dwelling in the "Appliances & other efficiency measures" column of the table below; (bb) each appliance for which a rating is specified for that dwelling in the "Appliances & other efficiency measures" column of the table, and ensure that the appliance has that minimum rating; and (cc) any clothes drying line specified for the dwelling in the "Appliances & other efficiency measures" column of the table.		✓ ✓ ✓	✓
(i) If specified in the table, the applicant must carry out the development so that each refrigerator space in the dwelling is "well ventilated".		✓	

	Hot water	Bathroom ventilation system		Kitchen ventilation system		Laundry ventilation system	
Dwelling no.	Hot water system	Each bathroom	Operation control	Each kitchen	Operation control	Each laundry	Operation control
All dwellings	central hot water system 1	individual fan into central duct + VSD	manual switch on/off	individual fan into central duct + VSD	manual switch on/off	individual fan into central duct + VSD	manual switch on/off

	Cooling		Heating		Artificial lighting						Natural lighting	
Dwelling no.	living areas	bedroom areas	living areas	bedroom areas	No. of bedrooms &/or study	No. of living &/or dining rooms	Each kitchen	All bathrooms/ toilets	Each laundry	All hallways	No. of bathrooms &/or toilets	Main kitchen
All dwellings	airconditioning ducting only	airconditioning ducting only	airconditioning ducting only	airconditioning ducting only	1 (dedicated)	1 (dedicated)	yes (dedicated)	yes (dedicated)	yes (dedicated)	yes (dedicated)	0	yes

Dwelling no.	Individual pool		Individual spa		Appliances & other efficiency measures							
	Pool heating system	Timer	Spa heating system	Timer	Kitchen cooktop/oven	Refrigerator	Well ventilated fridge space	Dishwasher	Clothes washer	Clothes dryer	Indoor or sheltered clothes drying line	Private outdoor or unsheltered clothes drying line
All dwellings	-	-	-	-	induction cooktop & electric oven	-	yes	3.5 star	-	2 star	yes	no

(iii) Thermal Comfort	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(a) The applicant must attach the certificate referred to under "Assessor details" on the front page of this BASIX certificate (the "Assessor Certificate") to the development application and construction certificate application for the proposed development (or, if the applicant is applying for a complying development certificate for the proposed development, to that application). The applicant must also attach the Assessor Certificate to the application for a final occupation certificate for the proposed development.			
(b) The Assessor Certificate must have been issued by an Accredited Assessor in accordance with the Thermal Comfort Protocol.			
(c) The details of the proposed development on the Assessor Certificate must be consistent with the details shown in this BASIX Certificate, including the details shown in the "Thermal Loads" table below.			
(d) The applicant must show on the plans accompanying the development application for the proposed development, all matters which the Thermal Comfort Protocol requires to be shown on those plans. Those plans must bear a stamp of endorsement from the Accredited Assessor, to certify that this is the case.			
(e) The applicant must show on the plans accompanying the application for a construction certificate (or complying development certificate, if applicable), all thermal performance specifications set out in the Assessor Certificate, and all aspects of the proposed development which were used to calculate those specifications.			
(f) The applicant must construct the development in accordance with all thermal performance specifications set out in the Assessor Certificate, and in accordance with those aspects of the development application or application for a complying development certificate which were used to calculate those specifications.		✓	✓
(g) Where there is an in-slab heating or cooling system, the applicant must: (aa) Install insulation with an R-value of not less than 1.0 around the vertical edges of the perimeter of the slab; or (bb) On a suspended floor, install insulation with an R-value of not less than 1.0 underneath the slab and around the vertical edges of the perimeter of the slab.	✓	✓	✓
(h) The applicant must construct the floors and walls of the development in accordance with the specifications listed in the table below.	✓	✓	✓

Dwelling no.	Thermal loads	
	Area adjusted heating load (in mJ/m ² /yr)	Area adjusted cooling load (in mJ/m ² /yr)
G.1	11.7	37.8
G.2	11.6	41.0
G.4	39.4	21.6
11.2	29.0	18.8
16.1	16.7	20.7
16.2	34.8	25.4
17.1	10.9	20.2
17.2	40.7	27.0
10.4, 11.4	11.0	9.4
1.1, 2.1, 3.1	12.5	18.3
1.2, 2.2, 3.2	7.6	32.0
1.3, 2.3, 3.3	28.3	17.2
1.5, 2.5, 3.5	37.1	26.1
1.6, 2.6, 3.6	11.1	10.2
1.7, 2.7, 3.7	2.5	13.0
8.3, 9.3, 10.2	27.6	12.8
1.4, 2.4, 3.4, G.3	22.4	22.7
4.2, 5.2, 6.2, 7.2	14.0	28.6
4.3, 5.3, 6.3, 7.3	28.3	21.1
4.4, 5.4, 6.4, 7.4	19.5	17.4
12.2, 13.2, 14.2, 15.2	34.3	16.9
12.3, 13.3, 14.3, 15.3	46.7	17.7
12.4, 13.4, 14.4, 15.4	20.6	14.8
4.1, 5.1, 6.1, 7.1, 8.1, 9.1	13.4	20.6
4.6, 5.6, 6.6, 7.6, 8.5, 9.5	16.3	13.2
4.7, 5.7, 6.7, 7.7, 8.6, 9.6	9.2	11.8
10.5, 11.5, 12.5, 13.5, 14.5, 15.5	8.1	15.5

Thermal loads		
Dwelling no.	Area adjusted heating load (in mJ/m²/yr)	Area adjusted cooling load (in mJ/m²/yr)
4.5, 5.5, 6.5, 7.5, 8.4, 9.4, 10.3, 11.3	34.4	20.6
All other dwellings	13.6	19.3

(b) Common areas and central systems/facilities

(i) Water	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(a) If, in carrying out the development, the applicant installs a showerhead, toilet, tap or clothes washer into a common area, then that item must meet the specifications listed for it in the table.		✓	✓
(b) The applicant must install (or ensure that the development is serviced by) the alternative water supply system(s) specified in the "Central systems" column of the table below. In each case, the system must be sized, be configured, and be connected, as specified in the table.	✓	✓	✓
(c) A swimming pool or spa listed in the table must not have a volume (in kLs) greater than that specified for the pool or spa in the table.	✓	✓	
(d) A pool or spa listed in the table must have a cover or shading if specified for the pool or spa in the table.		✓	
(e) The applicant must install each fire sprinkler system listed in the table so that the system is configured as specified in the table.		✓	✓
(f) The applicant must ensure that the central cooling system for a cooling tower is configured as specified in the table.		✓	✓

Common area	Showerheads rating	Toilets rating	Taps rating	Clothes washers rating
All common areas	no common facility	4 star	3 star,	3 star

(ii) Energy	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(a) If, in carrying out the development, the applicant installs a ventilation system to service a common area specified in the table below, then that ventilation system must be of the type specified for that common area, and must meet the efficiency measure specified.		✓	✓
(b) In carrying out the development, the applicant must install, as the "primary type of artificial lighting" for each common area specified in the table below, the lighting specified for that common area. This lighting must meet the efficiency measure specified. The applicant must also install a centralised lighting control system or Building Management System (BMS) for the common area, where specified.		✓	✓
(c) The applicant must install the systems and fixtures specified in the "Central energy systems" column of the table below. In each case, the system or fixture must be of the type, and meet the specifications, listed for it in the table.	✓	✓	✓

Common area	Common area ventilation system		Common area lighting		
	Ventilation system type	Ventilation efficiency measure	Primary type of artificial lighting	Lighting efficiency measure	Lighting control system/BMS
Car park area (No. 1)	ventilation (supply + exhaust)	carbon monoxide monitor + VSD fan	fluorescent	zoned switching with motion sensor	No
Lift car (No. 1)	-	-	fluorescent	connected to lift call button	No
Lift car (No. 2)	-	-	fluorescent	connected to lift call button	No
Lift car (No. 3)	-	-	fluorescent	connected to lift call button	No
Switch room (No. 1)	no mechanical ventilation	-	fluorescent	manual on / manual off	No
Garbage room (No. 1)	no mechanical ventilation	-	fluorescent	motion sensors	No
Community room (No. 1)	air conditioning system	time clock or BMS controlled	fluorescent	zoned switching with motion sensor	No
Plant or service room (No. 1)	no mechanical ventilation	-	fluorescent	manual on / manual off	No
Plant or service room (No. 2)	no mechanical ventilation	-	fluorescent	manual on / manual off	No
Plant or service room (No. 3)	no mechanical ventilation	-	fluorescent	manual on / manual off	No
Plant or service room (No. 4)	no mechanical ventilation	-	fluorescent	manual on / manual off	No
Plant or service room (No. 5)	no mechanical ventilation	-	fluorescent	manual on / manual off	No
Plant or service room (L18)	no mechanical ventilation	-	fluorescent	manual on / manual off	No
Ground floor lobby type (No. 1)	no mechanical ventilation	-	fluorescent	zoned switching with motion sensor	No
Hallway/lobby type (No. 1)	no mechanical ventilation	-	fluorescent	zoned switching with motion sensor	No

Central energy systems	Type	Specification
Central hot water system (No. 1)	gas instantaneous	Piping insulation (ringmain & supply risers): (a) Piping external to building: R0.45 (~20 mm); (b) Piping internal to building: R0.45 (~20 mm)

Central energy systems	Type	Specification
Lift (No. 1)	gearless traction with V V V F motor	Number of levels (including basement): 25
Lift (No. 2)	gearless traction with V V V F motor	Number of levels (including basement): 25
Lift (No. 3)	gearless traction with V V V F motor	Number of levels (including basement): 3

4. Commitments for common areas and central systems/facilities for the development (non-building specific)

(b) Common areas and central systems/facilities

(i) Water	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(a) If, in carrying out the development, the applicant installs a showerhead, toilet, tap or clothes washer into a common area, then that item must meet the specifications listed for it in the table.		✓	✓
(b) The applicant must install (or ensure that the development is serviced by) the alternative water supply system(s) specified in the "Central systems" column of the table below. In each case, the system must be sized, be configured, and be connected, as specified in the table.	✓	✓	✓
(c) A swimming pool or spa listed in the table must not have a volume (in kLs) greater than that specified for the pool or spa in the table.	✓	✓	
(d) A pool or spa listed in the table must have a cover or shading if specified for the pool or spa in the table.		✓	
(e) The applicant must install each fire sprinkler system listed in the table so that the system is configured as specified in the table.		✓	✓
(f) The applicant must ensure that the central cooling system for a cooling tower is configured as specified in the table.		✓	✓

Common area	Showerheads rating	Toilets rating	Taps rating	Clothes washers rating
All common areas	no common facility	4 star	3 star	3 star

Central systems	Size	Configuration	Connection (to allow for...)
Reticulated alternative water supply	-	Installation of plumbing to make provision for connection to No scheme found reticulated alternative water supply.	

(ii) Energy	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(a) If, in carrying out the development, the applicant installs a ventilation system to service a common area specified in the table below, then that ventilation system must be of the type specified for that common area, and must meet the efficiency measure specified.		✓	✓

(ii) Energy	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(b) In carrying out the development, the applicant must install, as the "primary type of artificial lighting" for each common area specified in the table below, the lighting specified for that common area. This lighting must meet the efficiency measure specified. The applicant must also install a centralised lighting control system or Building Management System (BMS) for the common area, where specified.		✓	✓
(c) The applicant must install the systems and fixtures specified in the "Central energy systems" column of the table below. In each case, the system or fixture must be of the type, and meet the specifications, listed for it in the table.	✓	✓	✓

Notes

1. In these commitments, "applicant" means the person carrying out the development.
2. The applicant must identify each dwelling, building and common area listed in this certificate, on the plans accompanying any development application, and on the plans and specifications accompanying the application for a construction certificate / complying development certificate, for the proposed development, using the same identifying letter or reference as is given to that dwelling, building or common area in this certificate.
3. This note applies if the proposed development involves the erection of a building for both residential and non-residential purposes (or the change of use of a building for both residential and non-residential purposes). Commitments in this certificate which are specified to apply to a "common area" of a building or the development, apply only to that part of the building or development to be used for residential purposes.
4. If this certificate lists a central system as a commitment for a dwelling or building, and that system will also service any other dwelling or building within the development, then that system need only be installed once (even if it is separately listed as a commitment for that other dwelling or building).
5. If a star or other rating is specified in a commitment, this is a minimum rating.
6. All alternative water systems to be installed under these commitments (if any), must be installed in accordance with the requirements of all applicable regulatory authorities. NOTE: NSW Health does not recommend that stormwater, recycled water or private dam water be used to irrigate edible plants which are consumed raw, or that rainwater be used for human consumption in areas with potable water supply.

Legend

1. Commitments identified with a "✓" in the "Show on DA plans" column must be shown on the plans accompanying the development application for the proposed development (if a development application is to be lodged for the proposed development).
2. Commitments identified with a "✓" in the "Show on CC/CDC plans and specs" column must be shown in the plans and specifications accompanying the application for a construction certificate / complying development certificate for the proposed development.
3. Commitments identified with a "✓" in the "Certifier check" column must be certified by a certifying authority as having been fulfilled. (Note: a certifying authority must not issue an occupation certificate (either interim or final) for a building listed in this certificate, or for any part of such a building, unless it is satisfied that each of the commitments whose fulfilment it is required to monitor in relation to the building or part, has been fulfilled).

From: Rima Mayasari
Sent: Mon, 1 Aug 2016 14:22:30 +1000
To: t1connect
Subject: FW: Attn: David Hoy - 229 Miller Street North Sydney (DA 487/15)
Attachments: 229 Miller SEPP65 Verification 3 - PM comments final.pdf

#ECMBODY
#QAP 1
#SILENT
#NoReg

Rima Mayasari
Document Management Officer
P 9936 8100
E Rima.Mayasari@northsydney.nsw.gov.au



www.northsydney.nsw.gov.au



From: council
Sent: Monday, 1 August 2016 11:32 AM
To: Rima Mayasari <Rima.Mayasari@northsydney.nsw.gov.au>
Subject: FW: Attn: David Hoy - 229 Miller Street North Sydney (DA 487/15)

Rima Mayasari
Document Management Officer
P 9936 8100
E Rima.Mayasari@northsydney.nsw.gov.au



www.northsydney.nsw.gov.au



From: Thomas Scarf [<mailto:thomas@platino.com.au>]
Sent: Friday, 22 July 2016 3:26 PM
To: council <council@northsydney.nsw.gov.au>
Cc: David Hoy <David.Hoy@northsydney.nsw.gov.au>; Paula Mottek <paula@platino.com.au>; George Revay <george@platino.com.au>; Jacinta Reid <reid@mpchambers.net.au>
Subject: Attn: David Hoy - 229 Miller Street North Sydney (DA 487/15)

Hi David,

Please find attached the updated Design Verification Statement as requested by Kim Rothe. Five copies of this will also be lodged over the counter at North Sydney Council this afternoon but due to the time constraint we have I thought I would also email you a copy directly. The BASIX should be in early next week.

Regards,

Thomas Scarf

Development Manager

M: 0401 540 094

D: (02) 8968 1934

E: thomas@platino.com.au

A: Suite 11, 20 Young St, Neutral Bay, NSW, 2089

W: www.platino.com.au



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July 2016

SEPP65 – AMENDED DESIGN VERIFICATION STATEMENT FOR DEVELOPMENT APPLICATION FOR A MIXED USE DEVELOPMENT AT 229 MILLER STREET NORTH SYDNEY

The JRPP resolved at its meeting of 23 June 2016:

“To defer determination of the matter so that the applicant can provide amended plans to the council to address the following:

- Increase floor to floor height to a minimum 3.1m without an increase in the overall height of the building
- Reduced dwelling numbers, particularly on levels 1-10, which should result in increased unit sizes
- Modification of the floor layouts on all levels to maximise solar access and cross ventilation”.

To address the issues that were raised by the JRPP, a number of amendments have been made to the design of the proposed development. These changes are outlined below and this amended Design Verification Statement describes how the amended scheme complies with each of the nine principles in SEPP 65.

Summary of Changes:

The amended plans have:

- *Deleted one floor of the proposed building;*
- *Increased the floor to floor heights to 3.1m without increasing the overall height of the building;*
- *Reduced the dwelling numbers from 113 dwellings to 99 dwellings;*
- *Modified the floor layouts and replanned apartments to increase solar access and cross ventilation.*

A detailed list and explanation of the amendments is provided in our letter to Council dated 14 July 2016.

Principle 1: Context and neighbourhood character

The site is located on the edge of the North Sydney CBD and is surrounded by high rise buildings. The context of the site is therefore one of considerable density, reflecting its location.

There is a mix of uses in the immediate vicinity of the site, with commercial space, retail and residential apartments in the surrounding buildings. Development approvals have been granted for

the immediately adjoining sites at 221, 225 and 231 Miller Street in recent years, and as such there has been an increase in the number of residential apartments in this area.

The proposed development of a mixed use building containing commercial uses on the ground and first floors with residential above is in keeping with this surrounding context and the desired neighbourhood character as articulated in Council's planning controls.

Changes to the application:

The changes to the development have no effect on the context and neighbourhood Character, and the application is in keeping with this surrounding context and the desired neighbourhood character as articulated in Council's planning controls.

Principle 2: Built form and scale

The proposed development has been designed to achieve a scale, bulk and height that is consistent with the emerging character of the immediately surrounding area and with the desired future character of this section of Miller Street.

The height of the proposed building is compliant with North Sydney LEP 2013, and it is therefore in keeping with the intended built form and scale for the area. The redevelopment of the subject site will provide the final piece in this section of Miller Street, infilling the last undeveloped site within the block.

The proposed building has been designed to reflect the intended use, with fenestration and articulation to enhance the visual character while also differentiating the building from those surrounding it.

Considerable improvements to the public domain will be achieved through the proposed redevelopment of the site. In particular, the Miller Street frontage of the site will be enhanced through the removal of the existing vehicular access to create pedestrian – only access. The existing ground levels of the access handle into the site will be raised to provide consistency with the footpaths adjoining thereby providing safe and attractive pedestrian access. The design of the forecourt and access into the proposed building will provide a legible street address and a pedestrian link through the site to Harnett Place.

The northern façade has been designed to respond to, rather than mirror, the façade of the adjacent building at 225 Miller Street. It has been stepped in a similar fashion to ensure that appropriate separation between balconies is achieved and that there is a positive relationship between the two buildings.

Changes to the application:

The changes to the application:

have no effect on the built form and scale which is appropriate in the circumstances. The form and scale of the proposed development continues to respond to that of the immediately surrounding area. It is considered to be appropriate given the location of the site within the North Sydney CBD and its proximity to public transport.

Principle 3: Density

The density of the proposed development is consistent with that expected within the Mixed Use zone on the edge of the North Sydney CBD. The site is located in close proximity to North Sydney railway station and is well served by a range of bus routes.

As there is no FSR applying to the site, the density is controlled principally by the application of the height and setback controls contained within the DCP. The proposal is compliant with the height provision (with the exception of the lift overrun) and is complementary to the existing setbacks provided by the surrounding buildings.

The proposal thereby achieves a density that is appropriate to its context and location in the centre of North Sydney. It will ensure that amenity for future residents is maximised, and that the amenity of the residents and employees in the surrounding buildings will be maintained.

Changes to the application:

The original DA contained 9,587m² of GFA. In response to the comments made by both the Council and the JRPP, the total amount of floorspace has now been reduced to 8,593m² (a loss of 993m²) and the total number of apartments within the building has been reduced by 14 (from 113 in the original scheme to 99). This has been achieved by deleting one entire floor of the building and by redesigning and amalgamating dwellings, particularly on levels 1-10.

Principle 4: Sustainability

The buildings have been designed to make efficient use of natural resources, energy and water throughout its full life cycle. The design includes sustainable construction methods, a selection of sustainable materials, selection of efficient appliances, as well as the implementation of low-water-use fittings.

The design of the building also incorporates a number of sustainable elements including wintergardens on the eastern side of the building. These wintergardens will ensure that solar access to the private open spaces of these apartments is maximised during winter.

The proposal includes energy and water saving systems beyond those required by BASIX. A separate report on compliance with the requirements of BASIX has been provided with this DA.

Changes to the application:

The proposed amendments do not seek to amend any of the sustainability measures that were proposed as part of the application. A revised BASIX is being prepared and will be submitted shortly.

Principle 5: Landscape

The site has a mixed use zoning and, consequently, it is inappropriate to apply the requirements of SEPP 65 with respect to soft landscaping. However, the proposed development includes a series of landscaped areas that serve to integrate with the design and intended use of the building.

The access handle off Miller Street that is currently used as a vehicular entry to the site is to be changed to a pedestrian access way leading from the street to the building entry. The existing levels of this access way will be amended to be consistent with the adjoining sites (225 and 231 Miller Street) to ensure that pedestrians have a clear and safe pathway to the building. The access way will lead to a landscaped forecourt from which direct access will be provided to both the residential lobby and the commercial space.

The access way will also lead to a through site link, via which pedestrians will be able to walk through to Harnett Place. This link will be landscaped to ensure that it provides an attractive visual transition between the adjoining sites and a safe path that is afforded overlooking and visual surveillance from the adjacent buildings.

A substantial landscaped terrace is proposed on the commercial level. This landscape will provide privacy for the tenants and ensure that amenity is maintained for surrounding residents.

The rooftop landscaping will be simple and low-maintenance and will provide opportunities for passive recreation and social interaction for residents.

Changes to the application:

The amendments have no impact on the landscape proposed as part of the application.

Principle 6: Amenity

The proposed building has been designed to maximise amenity bearing in mind the constraints of the site. The apartments are afforded a good level of amenity, being compliant with the minimum sizes stipulated by the Apartment Design Guide with a flexible layout and appropriate storage. A significant proportion of apartment exceed the minimum sizes.

Apartments on the eastern side of the building have been designed to incorporate wintergardens so that solar access to their private open space is maximised during winter. This private open

space is intended to be used as an extension of an internal living space and will considerably enhance amenity.

Splayed walls with windows and louvres incorporating an innovative mirror system have been applied to the southern side of the building. This mirror system creates a view line towards the east rather than to the blank walls and windows of adjoining building at 221 Miller Street, as would be the case with traditional windows. In addition, this system of splayed walls and mirrors will increase the solar access to the southern side of the building.

A landscaped communal space is proposed to be provided on the roof of the building. This space will provide opportunities for residents to enjoy a passive recreation space with views towards the city and good solar access. This space will considerably enhance the amenity of the building for residents.

The proposed treatment to the access pathway off Miller Street will also contribute towards the amenity provided, with window openings and awnings to the façade of 231 Miller Street effectively opening this side of the building on to the public space. This will allow for a café or similar use to activate this space and provide for passive surveillance to create a safe and vibrant environment for residents, tenants and visitors.

Apartments at the lower levels face East or West to minimize overlooking and conflicts with the building at 39 McLaren Street while those on the upper levels above 39 McLaren Street open to the North. Apartments on the upper levels will also be afforded a pleasant outlook over the heritage-listed Seidler building at 41 McLaren Street.

Changes to the application:

In response to the comments by the JRPP the redesigned building has:

- *combined dwellings, particularly on Levels 1 to 10;*
- *modified the floor layouts on Levels 1 to 16 to maximise solar access and cross ventilation;*
and
- *increased the floor to floor height to 3.1m.*

A detailed list of the amendments made to each floor is contained in our letter to Council dated 14 July 2016.

The amendments have sought to maximise the amenity for all apartments within the building.

As has been acknowledged, the subject site is considerably constrained with regards to solar access. This is a similar situation to many of the immediately surrounding sites. The redesign that has now been undertaken has sought to maximise the number of apartments that have an eastern orientation, particularly for the floors above the height of the building at 41 McLaren Street. This will ensure that the maximum possible number of apartments within the building will benefit from

direct solar access as well as views/outlook. The redesign has also sought to consolidate as many as possible of the apartments that are unable to achieve 2 hours of solar access.

The redesigned apartments on Level 5 and above on the eastern side of the building will have particularly good amenity given that they are not overshadowed by the heritage-listed Seidler building at 41 McLaren Street, as demonstrated by the Views from the Sun Diagrams that have been submitted with the application.

To address the issue that was raised by Council about the southern-most studio apartment on the eastern side of the building, the floorplan has been re-designed to delete that studio. On Levels 1-3 and Levels 8-11, this studio has been amalgamated with the adjoining 1 bedroom unit to create a large 2 bedroom apartment. On Levels 4-7 this studio has been redesigned to become a 1 bedroom apartment and on Level 12 and above the eastern frontage of the southern-most unit has been widened. We believe that these changes directly address the Council's concerns.

In addition, the provision of wintergardens significantly enhances the amenity of apartments as it allows these private open spaces to be used as internal space in the colder months and on windy days. The expert solar report that has been prepared by Dr. Steve King states that 'the provision of winter-gardens ensures that solar access is maximized and the face of the wintergardens should be considered as the relevant glazing panel, as it operates as a winter room rather than a balcony. The development has a significantly higher solar amenity than the other applications approved nearby'.

Additional details regarding the proposed wintergardens have been provided, as requested by Council.

The overall amenity of the apartments has also been enhanced through the reduction in the overall number apartments. A number of the smaller apartments under the original scheme have been effectively deleted through the redesign, as apartments have been amalgamated. This has meant that the size of many of the apartments is now far in excess of the minimum sizes set out in the ADG. These larger apartments will ensure that the amenity for residents, particularly those on the lower floors of the building, will be greatly enhanced. We believe that this amendment responds positively to the comments made by the JRPP.

All of the other elements that were discussed under this heading in the original Design Verification Statement (refer above) remain valid and have not been amended.

Principle 7: Safety

All entries are located near the street in accordance with SEPP 65 design principles. The access pathway to the building entries has been landscaped and levels amended to activate the space and provide for safe pedestrian access to the building. This area will be overlooked by the surrounding non-residential tenancies to maximise safety.

Access for residents and commercial tenants is separate to maximise safety. The car parking areas for tenants and residents is also separate and is to be security controlled. Access into the residential lobby will be controlled by an intercom system to ensure that security is maintained for residents.

Changes to the application:

The amendments have no impact on the elements of the proposed development that address safety.

Principle 8: Housing diversity and social interaction

The proposed building incorporates a mix of apartment sizes and styles to appeal to a range of household types and to respond to the location of the site on the edge of the North Sydney CBD. The number of adaptable apartments proposed complies with requirements and many are also accessible. The apartments allow for flexibility of internal layouts as well as useable outdoor private spaces. The proposed rooftop communal space will provide opportunities for social interaction and passive recreation for residents of the building.

Changes to the application:

The amendments made to the proposal has altered the mix of apartments within the building. The mix of apartments now proposed is as follows:

- *Studio & 1 Bedroom Apartments 47%,*
- *2 Bedroom Apartments 39% and*
- *3 Bedroom Apartments 15%.*

This mix provides a suitable variety of housing types given the location of the site.

As is discussed above, a large number, some 60%, of the apartments within the building exceed the minimum areas nominated in the ADG by between 5% and 20%.

The redesigned apartments still provide for flexible internal layouts and useable private outdoor spaces. In fact, the flexibility has been further enhanced given the generous sizes of the apartments.

All of the other communal facilities, such as the communal space on Level 17, have been retained in the redesigned scheme. These common facilities will enhance the overall amenity for residents.

Principle 9: Aesthetics

The design of the proposed building aims to respond to its context, being nestled amongst a number of tower building forms. Architectural design features have been included to provide points of difference and to enhance both the vertical and horizontal elements of the building. Randomly

located decorative blades and areas of contrasting colour on the elevations provide interest. A ribbon of dark finishes moves from the north east corner and wraps around the top two floors and roof level and finally coming down to finish off at the north elevation providing movement and breaking the building mass.

Changes to the application:

Subsequent to the submission of the original DA, the Design Excellence Panel recommended that consideration should be given to redesigning the Eastern façade and emphasise verticality. To address this issue, the north-east corner of the building was altered to place greater emphasis on the balustrading treatment and an articulation recess, or slot, extending from Level 5-17 was incorporated on the eastern façade. As part of the redesign that has now been undertaken to address the issues raised by the JRPP, the slot has been shortened to sit between Levels 12 and 17. However the enhanced verticality of this eastern façade is maintained using an alternative treatment below Level 12. This ensures that the vertical emphasis can be seen when viewed from a distance, while the lower levels retain a flatter appearance more in keeping with the 41 McLaren Street building on the eastern side of the laneway.

The main views of the building from the public domain are from McLaren Street and or from the expressway as the building protrudes above the Heritage “Seidler” building at 41 McLaren Street.

The proposed building and public domain works enhance the existing streetscape along Miller Street and Harnett Place to ensure that a positive contribution is made to the character of the area.

Confirmation of Qualifications

I hereby confirm that I, George Andrew Revay, meet the definition of a qualified designer under the definition in SEPP65 – Design Quality of Residential Flat Development.

In accordance with the requirements of SEPP65 I hereby confirm that I have directed the design of the subject mixed use development and that the quality principles set out in Part 2 of SEPP65 have been achieved and surpassed in this proposal.

Design Quality of Residential Flat Development

SEPP65 aims to improve the design quality of residential flat development in NSW and applies to this development application. I have undertaken the consideration of a range of design quality principles as required by SEPP65.



George Revay - BArch UNSW

July 2016

From: Rima Mayasari
Sent: Mon, 1 Aug 2016 09:53:15 +1000
To: t1connect
Subject: FW: Attn: David Hoy - 229 Miller Street North Sydney (DA 487/15)
Attachments: 28716 EASEMENTS.PDF

#ECMBODY
#QAP 1
#SILENT
#NoReg

Rima Mayasari
Document Management Officer
P 9936 8100
E Rima.Mayasari@northsydney.nsw.gov.au



www.northsydney.nsw.gov.au



From: council
Sent: Monday, 1 August 2016 8:42 AM
To: Rima Mayasari <Rima.Mayasari@northsydney.nsw.gov.au>
Subject: FW: Attn: David Hoy - 229 Miller Street North Sydney (DA 487/15)

From: Thomas Scarf [<mailto:thomas@platino.com.au>]
Sent: Thursday, 21 July 2016 4:41 PM
To: council <council@northsydney.nsw.gov.au>
Cc: David Hoy <David.Hoy@northsydney.nsw.gov.au>; Paula Mottek <paula@platino.com.au>; Jacinta Reid <reid@mpchambers.net.au>
Subject: Attn: David Hoy - 229 Miller Street North Sydney (DA 487/15)

Hi David,

As discussed in our last meeting, we have had further discussions with our surveyor (Chris Norton) regarding what happens to the stormwater pipes from the pit located next to the eastern boundary of our site.

Chris has updated the attached PDF showing the easements after that point (page 2 in particular).

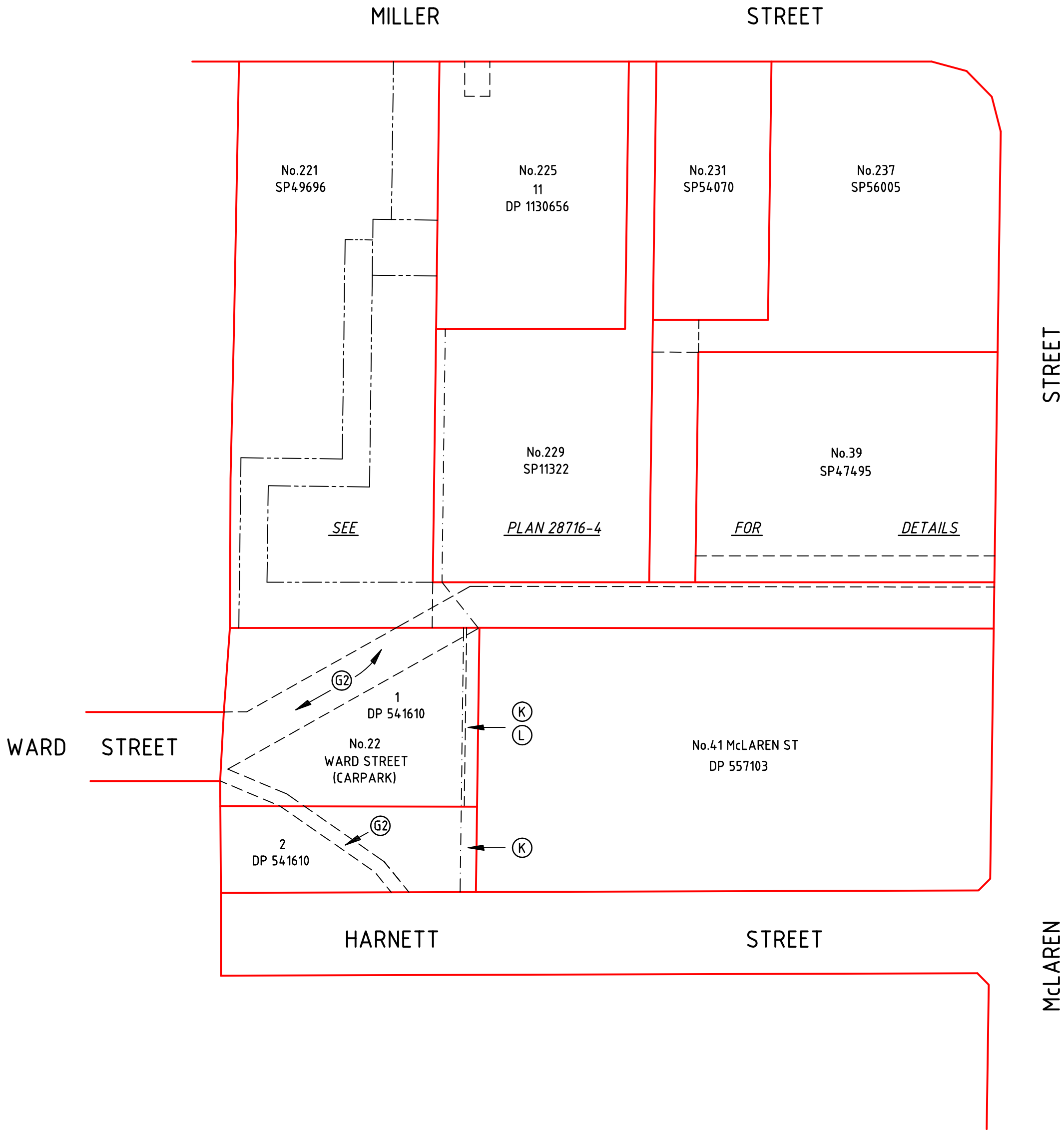
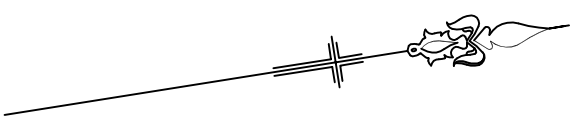
Regards,

Thomas Scarf
Development Manager


M: 0401 540 094
D: (02) 8968 1934
E: thomas@platino.com.au
A: Suite 11, 20 Young St, Neutral Bay, NSW, 2089
W: www.platino.com.au



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SCHEDULE OF EASEMENT DETAILS (CONTINUED)				
EASEMENT	LAND OWNER	DEALING	DESCRIPTION	BENEFITS
ⓖ2	No.22	K389215	EASEMENT FOR ELECTRICITY PURPOSES 5.485 WIDE & VARIABLE	AUSGRID
Ⓚ	No.22	AF510156	EASEMENT FOR TO DRAIN WATER 2 WIDE	No.225
Ⓛ	No.22	M747751	PROPOSED DRAINAGE EASEMENT 1.83 WIDE	NORTH SYDNEY COUNCIL
NOTE: No.22 WARD ST COMPRISES LOTS 1 & 2 D.P.541610. NORTH SYDNEY COUNCIL IS THE REGISTERED PROPRIETOR OF BOTH LOTS.				

ISSUE	DATE	AMENDMENT	TITLE: PLAN SHOWING RIGHTS OF WAY & EASEMENTS MILLER & McLAREN STREETS, NORTH SYDNEY				<div>Norton Survey Partners SURVEYORS & LAND TITLE CONSULTANTS</div> <div>A.C.N. 199 734 968 SUITE 1 670 DARLING STREET ROZELLE N.S.W. 2039</div> <div>PH +61 2 9555 2744 FAX +61 2 9555 2766 office@nspartners.com.au</div> <div></div>
			LGA: NORTH SYDNEY		REFERENCE: 28716		
			CLIENT : PLATINO PROPERTIES		DATE: 19.07.16	SHEET	
			SCALE (AT A2) 1:500	DATUM :	SURVEYOR: CN	5	

Yaver Pty Ltd

A.C.N: 169 771 000

SUITE 11, LEVEL 2, 20 YOUNG STREET
PO BOX 1839
NEUTRAL BAY NSW 2089

TEL: +61 2 8968 1900
FAX: +61 2 8968 1999

Thursday 14th July, 2016

North Sydney Council

PO Box 12

North Sydney NSW 2059

Attention: Kim Rothe & David Hoy

**RE: DA 487/15 229 Miller Street, North Sydney\
Amended Architectural Plans – DA 01 to DA 62 - all Dated 14 July 2016
JRPP 2016SYE015**

We refer to the determination of the JRPP dated 23 June 2016 and our subsequent discussions.

We have revised our architectural drawings and addressed the issues as follows:

1. Floor to floor height

The floor to floor height of the residential portion of the development has been increased to 3.1m.

The increase in the floor to floor height without an increase in the overall height of the building addresses the recommendation of the JRPP

2. Number of stories has been reduced

The number of stories has been reduced to 17 and level 1 has been eliminated as a consequence.

3. Number of Apartments has been reduced

The number of apartments has been reduced from 113 to 99.

The Apartment mix is below:

UNITS & UNIT MIX	PREVIOUS		NEW	
	Number of units	% Total	Number of units	% of Total
STUDIO	26	23%	20	20%
1 BED	35	31%	25	25%
2 BED	37	33%	39	39%
<u>3 BED</u>	<u>15</u>	13%	15	15%
TOTAL	113	100%	99	100%

4. Parking

The parking areas have been reconfigured and parking is provided as follows:

Residential Parking	78
Commercial Parking	<u>2</u>
Total Parking	80
Motorbikes	8
Bicycles	116

Of the residential parking spaces 16 are accessible spaces.

One of the visitors' car spaces in the commercial parking area has been labelled "Car Wash Bay"

5. Changes to Ground Floor

The Number of Apartments on these floors have been reduced from 5 to 4.

Apartment 2 has increased in size from 35 sqm to 41 sqm and its winter-garden has increased from 4 sqm to 8 sqm.

Apartment 3 and 4 have been amalgamated into a new Apartment 3 – which is now an 81 sqm 2 bedroom apartment with a 10 sqm winter-garden.

This has been done to addresses the recommendation of the JRPP.

6. Changes to Level 1

This level has been removed

7. Changes to Level 2 (now Level 1)

The Number of Apartments on these floors have been reduced from 8 to 7.

Apartment 1 has increased in size from 38 sqm to 45 sqm and its winter-garden has increased from 5 sqm to 6 sqm.

Apartment 3 has increased in size from 36 sqm to 42 sqm and its winter-garden has increased from 4 sqm to 8 sqm.

The area of these apartments has been increased above the minimum requirements of the ADG in order to increase amenity and compensate for reduced solar access due to overshadowing.

Apartment 4 and 5 have been amalgamated into a new Apartment 4 – which is now an 81 sqm 2 bedroom apartment with a 10 sqm winter-garden.

This has been done to addresses the recommendation of the JRPP. The winter-garden of the 2 bedroom apartment can take the benefit of aspect and look over the lower building to the East.

Apartment 6 has been renumbered as Apartment 5

A new window has been provided in the South East corner.

The original application was designed to fit in the approval at No 221 Miller Street granted in April 2103 which had a 5 story podium extending to the boundary of the site.

Since the subject application was lodged a new approval has been granted at 221 Miller Street in February 2016 which has moved that building away from the boundary by 3 metres. The floor opposite the lowest 5 floors in the subject building in contains 5 levels of serviced apartments. The new window will provide additional light and aspect to new Apartment 5. This window will be opposite a blank wall in the adjacent approved development and poses no overlooking issues.

8. Changes to Levels 3 & 4 (now Levels 2 & 3)

The Number of Apartments on these floors have been reduced from 8 to 7.

Apartment 3 has been increased in size from 36 sqm to 42 sqm and its winter-garden has increased for 4 sqm to 8 sqm.

The area of this apartment has been increased above the minimum requirements of the ADG in order to increase amenity and compensate for reduced solar access due to overshadowing.

Also the increase in the size of the winter-garden ensures that it is now a useable indoor-outdoor space in the cooler months.

It is noted that the 2 bedroom apartment on Level 3 has solar access after 8.30 am as by then it is no longer overshadowed by the building at 41 McLaren Street.

Apartment 4 (1 bedroom Apartment) and Apartment 5 (Studio) have been amalgamated into a new Apartment 4 – which is now an 81 sqm 2 bedroom apartment.

This has been done to addresses the recommendation of the JRPP. The winter-garden of the 2 bedroom apartment has been located so that it can take the benefit of aspect and look over the lower building to the East.

Apartment 6 has been renumbered as Apartment 5

A new window has been provided in the South East corner.

The original application was designed to fit in the approval at No 221 Miller Street granted in April 2103 which had a 5 story podium extending to the boundary of the site.

Since the subject application was lodged a new approval has been granted at 221 Miller Street in February 2016 which has moved that building away from the boundary by 3 metres. The floor opposite the lowest 5 floors in the subject building in contains 5 levels of serviced apartments. The new window will provide additional light and aspect to new Apartment 5. This window will be opposite a blank wall in the adjacent approved development and poses no overlooking issues.

Apartment 7 & 8 have been renumbered 6 & 7

9. Changes to Levels 5 to 8 (now Levels 4 to 7)

Apartment 2 kitchen has been reoriented to have better solar access and a larger North facing window is shown in the kitchen.

This has been done to increase light into the kitchen. It has minimal privacy impact on 39 McLaren Street, as it is only 900mm wide and is located 12.8 meters from the bedroom opposite.

Apartment 3 which was previously a 50 sqm 1 bedroom has been redesigned into a 36 sqm studio apartment.

Apartment 4 which was previously a 35 sqm studio apartment has been redesigned into a 50 sqm 1 bedroom apartment.

This switch of apartments has been done to allow the south eastern apartment (Apartment 4) to have a greater width to the eastern façade, therefore increasing amenity.

These apartments have good solar access as they are not overshadowed by the heritage listed Seidler building as demonstrated by the "Views from the Sun" Diagrams.

In addition above Level 5 these apartments will largely overlook the Seidler building at 41 McLaren Street and will have attractive east facing water views with consequent high amenity.

We have not consolidated these apartments 3 & 4, as indicated in the JRPP determination because reducing the number of apartments with solar access would in fact result in a further deviation from the desired outcome recommended by the ADG.

As noted by Steven King in his report to the JRPP "maximizing east facing apartments which have winter-gardens (which have solar access) optimizes solar access".

Apartment 5 – new window

A new window has been provided in the SE corner.

These windows will increase views and aspect to the East. These windows will be provided with a privacy screen directing views to the South East and designed to fit in with the new DA as approved.

10. Changes to Levels 9 & 10 (now Levels 8 & 9)

Apartment 2 has increased in size from 71 sqm to 82 sqm and the kitchen has been re-oriented to have better solar access with a larger North facing window in the kitchen.

This has been done to increase light into the kitchen. It has minimal privacy impact on 39 McLaren Street, as it is only 900mm wide and is located 12.8 meters from the bedroom opposite.

Apartment 3 (1 bedroom Apartment) and Apartment 4 (Studio) have been amalgamated into a new Apartment 3 – which is now an 81 sqm 2 bedroom apartment.

This has been done to addresses the recommendation of the JRPP.

Apartment 5 has been renumbered as Apartment 4

A new window has been provided in the South East corner.

These windows will increase views and aspect to the East. These windows will be provided with a privacy screen directing views to the South East and designed to fit in with the new DA as approved.

Apartment 6 & 7 have been renumbered 5 & 6

11. Changes to Levels 11 & 12 (now Levels 10 & 11)

Apartment 1 has increased in size from 74 sqm to 82 sqm and the kitchen has been reoriented to provide a north facing window into the kitchen.

This has been done to increase solar access to these Apartments. Note that there are no Living Rooms or balconies opposite these new north facing windows, on the top levels of No 39 McLaren Street

Apartment 2 has been redesigned.

Apartment 3. A new window has been provided in the SE corner.

These windows will increase views and aspect to the East. These windows will be provided with a privacy screen directing views to the South East and designed to fit in with the new DA as approved.

12. Changes to Level 13 & 14 (now Levels 12 & 13)

Apartment 1 has increased in size from 74 sqm to 81 sqm and the kitchen has been reoriented to provide a north facing window into the kitchen. There is also a new window into the living room on the northern face of the building.

This has been done to increase solar access

Apartment 2 which was previously an 86 sqm 2 bedroom apartment has been redesigned into a 56 sqm 1 bedroom apartment.

Apartment 3 has increased from 100 sqm to 109 sqm and the master bedroom has been relocated to the eastern facade. A new window has also been provided in the SE corner.

This creates a wider 3 bedroom unit with greater frontage to the eastern façade. The main bedroom now faces east and has the benefit of views.

The new window in the SE corner will increase views and aspect to the East and will be provided with a privacy screen directing views to the South East.

Apartment 4 has increased from 74 sqm to 90 sqm.

13. Changes to Level 15 & 16 (now Levels 14 & 15)

Apartment 1 has increased in size from 74 sqm to 81 sqm and the kitchen has been reoriented to provide a north facing window into the kitchen. There is also a new window into the living room on the northern face of the building.

This has been done to increase solar access

Apartment 2 has been redesigned.

Apartment 3 has increased from 101 sqm to 109 sqm. A new window has also been provided in the SE corner.

The new window in the SE corner will increase views and aspect to the East. It will be provided with a privacy screen directing views to the South East.

P:\MIL229\Development Application\DA Complete Doc's LODGED on 22 Dec 15\Amendments to DA during assessment\Letter to Council re Changes2.doc

Apartment 4 has been redesigned.

14. Level 17 & 18 (now Levels 16 & 17)

No internal changes

15. Roof Level

The level of the roof remains unchanged.

16. Solar Access & Amenity

The site is located within a rectangular street grid with a slight westerly bias in the direction of North, because the streets face magnetic north.

To paraphrase Mr. King (report attached) the provision of winter-gardens ensures that solar access is maximized and the face of the wintergreens should be considered as the relevant glazing panel, as it operates as a winter room rather than a balcony. The development has a significantly higher solar amenity than the other applications approved nearby (other than 231 Miller Street) because of this.

The floor layout now maximizes the number of apartments facing east (and the view) above the level of overshadowing from 41 McLaren Street ensures that the maximum number of apartments benefits and apartness which do not have 2 hour solar access have been consolidated.

While not specifically mentioned in the ADG, the fact is that the provision these winter-gardens significantly increases the amenity of apartments because it allows these spaces to be used in in the colder months and on the upper levels on windy days.

Thus the units in the proposal which mostly have winter-gardens, have significantly greater amenity that those in other developments nearby recently approved by Council.

Winter-garden details are attached and can form a part of the approval.

Sincerely,



George Revay

DEVELOPMENT APPLICATION TABLE

Level	Lot No	Unit No	Beds	Adaptable	Baths	Internal Area	ADG Min Areas	(Difference)	Balcony Wintegraden Area	Cross Vent	Solar Access (8:30am - 3pm)
Ground Level	1	G01	1 BED		1	50	50	0	8	1	1
Ground Level	2	G02	STUDIO		1	41	35	6	8	0	0
Ground Level	3	G03	2 BED		1	81	75	6	10	0	0
Ground Level	4	G05	1 BED		1	72	50	22	17	1	0
Level 1	5	101	STUDIO	1	1	45	35	10	6	1	0
Level 1	6	102	1 BED		1	50	50	0	8	1	1
Level 1	7	103	STUDIO		1	42	35	7	8	0	0
Level 1	8	104	2 BED		2	81	75	6	10	0	0
Level 1	9	105	2 BED		2	92	75	17	21	1	0
Level 1	10	106	2 BED		1	83	70	13	11	1	0
Level 1	11	107	1 BED	1	1	51	50	1	8	0	0
Level 2	12	201	STUDIO		1	38	35	3	5	1	0
Level 2	13	202	1 BED		1	51	50	1	8	1	1
Level 2	14	203	STUDIO		1	42	35	7	8	0	0
Level 2	15	204	2 BED		2	81	75	6	10	0	0
Level 2	16	205	2 BED		2	92	75	17	12	1	0
Level 2	17	206	2 BED		1	83	70	13	11	1	0
Level 2	18	207	1 BED	1	1	51	50	1	8	0	0
Level 3	19	301	STUDIO		1	38	35	3	5	1	0
Level 3	20	302	1 BED		1	51	50	1	8	1	1
Level 3	21	303	STUDIO		1	42	35	7	8	0	1
Level 3	22	304	2 BED		2	81	75	6	10	0	1
Level 3	23	305	2 BED		2	92	75	17	12	1	1
Level 3	24	306	2 BED		1	83	70	13	11	1	0
Level 3	25	307	1 BED	1	1	51	50	1	8	0	0
Level 4	26	401	STUDIO	1	1	46	35	11	4	1	0
Level 4	27	402	2 BED		1	71	70	1	10	1	1
Level 4	28	403	STUDIO		1	36	35	1	5	0	1
Level 4	29	404	1 BED		1	50	50	0	8	0	1
Level 4	30	405	3 BED		2	100	95	5	12	1	1
Level 4	31	406	1 BED		1	62	50	12	10	1	0
Level 4	32	407	1 BED	1	1	50	50	0	8	0	0
Level 5	33	501	STUDIO	1	1	46	35	11	4	1	0
Level 5	34	502	2 BED		1	71	70	1	10	1	1
Level 5	35	503	STUDIO		1	36	35	1	5	0	1
Level 5	36	504	1 BED		1	50	50	0	8	0	1
Level 5	37	505	3 BED		2	100	95	5	12	1	1
Level 5	38	506	1 BED		1	62	50	12	10	1	0
Level 5	39	507	1 BED	1	1	50	50	0	8	0	0
Level 6	40	701	STUDIO	1	1	46	35	11	4	1	0
Level 6	41	702	2 BED		1	71	70	1	10	1	1
Level 6	42	703	STUDIO		1	36	35	1	5	0	1
Level 6	43	704	1 BED		1	50	50	0	8	0	1
Level 6	44	705	3 BED		2	100	95	5	12	1	1
Level 6	45	706	1 BED		1	62	50	12	10	1	0
Level 6	46	707	1 BED	1	1	50	50	0	8	0	0
Level 7	47	701	STUDIO	1	1	46	35	11	4	1	0
Level 7	48	702	2 BED		1	71	70	1	10	1	1
Level 7	49	703	STUDIO		1	36	35	1	5	0	1
Level 7	50	704	1 BED		1	50	50	0	8	0	1
Level 7	51	705	3 BED		2	100	95	5	12	1	1
Level 7	52	706	1 BED		1	62	50	12	10	1	0
Level 7	53	707	1 BED	1	1	50	50	0	8	0	0
Level 8	54	801	STUDIO	1	1	46	35	11	4	1	0
Level 8	55	802	2 BED		2	82	75	7	10	1	1
Level 8	56	803	2 BED		2	81	75	6	10	0	1
Level 8	57	804	3 BED		2	100	95	5	12	1	1
Level 8	58	805	1 BED		1	62	50	12	10	0	1
Level 8	59	806	1 BED	1	1	50	50	0	8	0	1
Level 9	60	901	STUDIO	1	1	46	35	11	4	1	1
Level 9	61	902	2 BED		2	82	75	7	10	1	1
Level 9	62	903	2 BED		2	81	75	6	10	1	1
Level 9	63	904	3 BED		2	100	95	5	12	1	1
Level 9	64	905	1 BED		1	62	50	12	10	1	1
Level 9	65	906	1 BED	1	1	50	50	0	8	1	1
Level 10	66	1001	2 BED		2	82	75	7	10	1	1
Level 10	67	1002	2 BED		2	81	75	6	10	1	1
Level 10	68	1003	3 BED		2	100	95	5	12	1	1
Level 10	69	1004	2 BED		1	74	70	4	10	1	1
Level 10	70	1005	2 BED		2	86	75	11	11	1	1
Level 11	71	1101	2 BED		2	82	75	7	10	1	1
Level 11	72	1102	2 BED		2	81	75	6	10	1	1
Level 11	73	1103	3 BED		2	100	95	5	12	1	1
Level 11	74	1104	2 BED		1	74	70	4	10	1	1
Level 11	75	1105	2 BED		2	86	75	11	11	1	1
Level 12	76	1201	2 BED		2	81	75	6	10	1	1
Level 12	77	1202	1 BED		1	56	50	6	8	1	1
Level 12	78	1203	3 BED		2	109	95	14	12	1	1
Level 12	79	1204	2 BED		2	90	75	15	10	1	1
Level 12	80	1205	2 BED		2	86	75	11	11	1	1
Level 13	81	1301	2 BED		2	81	75	6	10	1	1
Level 13	82	1302	1 BED		1	56	50	6	8	1	1
Level 13	83	1303	3 BED		2	109	95	14	12	1	1
Level 13	84	1304	2 BED		2	90	75	15	10	1	1
Level 13	85	1305	2 BED		2	86	75	11	11	1	1

Level 14	86	1401	2 BED		2	81	75	6	10	1	1
Level 14	87	1402	1 BED		1	56	50	6	8	1	1
Level 14	88	1403	3 BED		2	109	95	14	12	1	1
Level 14	89	1404	2 BED		2	90	75	15	10	1	1
Level 14	90	1405	2 BED		2	86	75	11	11	1	1
Level 15	91	1501	2 BED		2	81	75	6	10	1	1
Level 15	92	1502	1 BED		1	56	50	6	8	1	1
Level 15	93	1503	3 BED		2	109	95	14	12	1	1
Level 15	94	1504	2 BED		2	90	75	15	10	1	1
Level 15	95	1505	2 BED		2	86	75	11	11	1	1
Level 16	96	1601	3 BED		3	161	95	66	19	1	1
Level 16	97	1602	3 BED		3	150	95	55	18	1	1
Level 17	98	1701	2 BED		2	113	75	38	14	1	1
Level 17	99	1702	3 BED		2	150	95	55	18	1	1
Total Units	99			16		7,174			954	73	68
										74%	69%

Yaver Pty Ltd

A.C.N: 169 771 000

SUITE 11, LEVEL 2, 20 YOUNG STREET
PO BOX 1839
NEUTRAL BAY NSW 2089

TEL: +61 2 8968 1900
FAX: +61 2 8968 1999

Thursday, July 14, 2016

The General Manager

North Sydney Council

PO Box 12 North Sydney NSW 2059

RE: Clause 4.6 – Variation of Height

Clause 4.3 sets a maximum height for buildings on the subject site of RL 135m AHD. The proposed building complies with the height control of RL 135 other than for the lift overrun, which reaches a height of RL 136.9 and as such breaches the control by 1.9m.

It is noted that the proposed “blades” are considered to be architectural roof features and as such their height above the maximum height control is permitted by clause 5.6. In this regard the “blades” meet the criteria as they are a decorative element on the uppermost portion of the building, are not an advertising structure, do not include floor space and could not be modified to include floor space and will cause minimal overshadowing. These blades have been incorporated into the design of the building to provide visual interest and a point of difference from the surrounding tower building forms.

Clause 4.6 permits variations to development standards, of which the RL 135 height control is one, in order to provide an appropriate degree of flexibility in applying development standards and in order to achieve better outcomes for and from development by allowing flexibility. It is considered that a better planning outcome can be achieved on this site by varying the control in order to permit the lift overrun to exceed the height control.

The lift overrun cannot be seen from the street or any other public place, is small in footprint and will not result in any significant detrimental impacts in terms of shadowing, loss of privacy or loss of views. Visually, the height of the building is fully in compliance with the height control and as such achieves the objectives of that control and the objectives of the mixed use zone, as were addressed previously. Were the lift overrun not permitted to exceed the height control, one storey would need to be removed from the development, which would result in it having the visual appearance of 3m below that anticipated by the control and as such a better planning outcome to achieve the visual intent of the control is to permit the lift overrun, which allows the top floor to be retained. For this reason there is an appropriate and necessary planning benefit to the variation of the height control in this instance and as such it is, in my opinion, in the public interest to permit variation of the standard for the reasons given.

It is not considered that there is any significant State or regional planning issues raised by the proposed variation to the control and in the circumstances and there is no public benefit to be had in maintaining the standard. For these reasons it is considered that compliance with the standard in this case is unreasonable and there are sufficient environmental planning grounds to justify the minor contravention of the development standard.

Further, clause 4.6(4) requires that prior to granting consent to such a variation the consent authority must be satisfied that the variation of the standard is consistent with the objectives of the standard and the objectives of the zone and these are addressed following.

The proposal satisfies the objectives of the Mixed Use zone which were identified above in section 11.2 of this statement.

The objectives of the height control are addressed following and the proposal is consistent with those objectives.

- a) to promote development that conforms to and reflects natural landforms, by stepping development on sloping land to follow the natural gradient,
- b) to promote the retention and, if appropriate, sharing of existing views,
- c) to maintain solar access to existing dwellings, public reserves and streets, and to promote solar access for future development,
- d) to maintain privacy for residents of existing dwellings and to promote privacy for residents of new buildings,
- e) to ensure compatibility between development, particularly at zone boundaries,
- f) to encourage an appropriate scale and density of development that is in accordance with, and promotes the character of an area.

The site has a slope from the front to the rear and this has been addressed appropriately by stepping the ground level at the front and rear to match the predominant levels of the adjoining street/right-of-way.

The breach of the height control has no impact on views as the properties to the north, north-west and north-east are developed with buildings, or have approved buildings, with residential floors lower than the height control and as such any view impact occurs due to compliant elements of the building.

Again, the impact on adjoining buildings in terms of solar access is a result of the compliant elements of the building.

The privacy of the adjoining buildings is not detrimentally impacted by the component of the building which varies the height control as it is a lift overrun and not habitable space.

The proposed height is specifically proposed in order to provide visual compatibility with the adjoining buildings, allowing an appropriate stepped transition in height of buildings as required by the North Sydney Centre controls and as such this provides an appropriate scale and density of development in accordance with the existing and desired future character of the area. The lift overrun is not visible from the public domain and as such does not alter the visual compatibility of the design.

Sincerely,



George Revay



APPLICATION FORM AND CONDITIONS

City Strategy Division - Amended Plans

Submission and consideration of amended plans during the Development Application Process
Note: Lack of full information requested may lead to processing delays or rejection of the application

Attention: Kim Rothe (Council Officer)
 Applicant Name: Yaver Pty Ltd ABN (if applicable):
 Property Address:
 DA Number: 487/15
 Brief Description of Proposal: See attached plans - if you require any further information please call Thomas Scott.

Signature: (of person submitting the application)

PRIVACY STATEMENT

Personal details requested on this form will only be used for the purpose of processing your application. The supply of information by you is voluntary. If you cannot provide or do not wish to provide the information sought, the Council may not be able to process your application. Access to the information is restricted to Council officers and other authorised people. You may make application for access or amendment to information held by Council. Applications by members of the public to view Council's records are subject to the provisions of Council's Privacy Management Plan, Section 18 Government Information (Public Access) Act 2009 & Schedule 1 - Government Information (Public Access) Regulation 2009.

I have read and understand the Privacy Statement

Signed: [Signature]

Date: 14/7/16

PLANS REQUIRED

- Five copies of amended plans showing all proposed works in colour.
- Plan for Notification Purposes (2 copies) **External Masterview**
Must be 1 page only and indicates the height and external configuration of all elevations, as erected, in relation to the site boundaries.
 These plans must not include interior detail which may affect your rights to privacy.
 Plans must be drawn to scale (preferably 1:100) in ink and on A4 or A3 size paper. **Free hand, single line or illegible drawings will not be accepted.**
 The following information should be included on all plans and documents:
 - Applicant's name, block/house/shop/flat number, street/road name, town or locality.
 - Lot Number, section number, DP number. (Found on rate notice or land title.)
 - Measurements in metric.
 - The position of true north.
 - Building or parts of building to be demolished to be indicated in outline.
 - Draftsman/Architect name and date.
 - BASIX undertakings (if applicable).
- Five copies of statement of modification and environmental effects **External Masterview**
- Any other information that the Council Officer has requested, e.g. shadow diagrams, heritage reports. **External Masterview**

NORTH SYDNEY COUNCIL
RECEIVED DMS

15 JUL 2016

SCANNED DMS

RECEIVED BY CS

14 JUL 2016

N.S.C.

FEES FOR 2016/2017

Please contact the Council Officer responsible for your application to find out what fees are applicable, before submitting the amended plans form.

Amended Plans	50% of the fee for the original DA
Assessment Inspection Fee	Plus \$150.00
Archiving Fee	Plus \$75.00 (compulsory)
Re-advertising Fee (if required)	Plus \$380.00

FOR COUNCIL USE

Cashier Code: 704

Inspection Code: 717

Archiving Code: 722

Advertising Code: 710

TOTAL: 75.00

Receipt No: 1873489

Date: 14/7/16

CS Officer: Marc

EXTERNAL MASTerview

Ph: 9936 8100

Document Set ID: 3280383

Version: 24, Version Date: 16/06/2016

Document Set ID: 6735740

Version: 1, Version Date: 28/07/2016

Email: council@northsydney.nsw.gov.au

01/07/2016

Print Date: 15 August 2016, 11:36 AM