







7 February 2019

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28-34 CLARKE STREET, CROWS NEST | SUBMISSION TO ST LEONARDS & CROWS NEST DRAFT 2036 PLAN

1. PURPOSE & OVERVIEW

We act for Prosper Group Pty Ltd, the asset managers, and Mevote Pty Ltd the landowners, for the property at 28-34 Clarke Street, Crows Nest ('the site'). On behalf of our client, we are providing the following feedback for the Draft Planning St Leonards and Crows Nest 2036 Plan (Draft 2036 Plan).

The purpose of this submission is to inform DPE that the property owner is in support of the Draft 2036 Plan, and to propose some amendments on the controls put forward for the site after undertaking a detailed assessment of the site and its development opportunity given its local heritage listing.

Our proposed amendments will benefit not just the subject site, but also the general vicinity around Crows Nest and more importantly the people that will be using the transport hub.

This submission has been informed by the following technical inputs:

- Architectural Design by Smart Design Studio
- Heritage Assessment by Urbis
- BCA Assessment Report prepared by Advance Building Approvals
- Disability Access Report prepared by Cheung Access Pty Ltd

2. THE SITE & CONTEXT

The site is located at 28-34 Clarke Street, Crows Nest, and legally known as Lots 21–24, Section 8, DP 2872. The site sits on the corner of Clarke and Oxley Street, adjacent to the future Crows Nest metro station via Clarke Lane. The site is area is 1,238sqm.

It is strategically located between the future metro station and the Hume Street Park, which will be undergoing significant revitalisation. 28 Clarke Street is within walking distance to the St Leonards Station, at approximately 500 metres.

With this, the site has huge potential in positively contributing to the activation of key connections between a transit hub and major public open space, as well as the rest of the precinct to the north and east of the station.

The existing building on-site is a five-storey commercial building, with multi-level basement car parking. Built in circa 1972 in the late 20th century brutalist architectural style, the building has been listed as a heritage item under North Sydney LEP 2013. It has been modified with later roof additions and internal refurbishments.



Under the North Sydney LEP 2013, the site has the following built form controls:

- Zoned B4 Mixed Use;
- Maximum building height of 20 metres;
- Minimum non-residential FSR of 0.5:1

Figure 1 identifies the site relative to the future metro rail tunnel and Hume Park.

The precinct is being planned with the principles of enhanced mobility for people that will be walking, cycling, and taking public transport. Pedestrians will be flowing in and out of the future metro station, with some of the entry points possibly immediately fronting the subject site. The site has a critical role provide active frontages particularly being located along the three streets of Clarke, Oxley and Clarke Lane.

Figure 1 Site Location



Willoughby Road and the Crows Nest Village to the east have been identified by stakeholders as a place with character that they would like to see retained.

Figure 2 on the following page, taken from the SJB Urban Design Study Report, shows that the site sits within the focus of development boundary (shown in yellow dotted line).

It illustrates the scale of development that will dramatically increase in its immediate vicinity. As such the building addition sought in this proposal will be viewed as modest in comparison to the surrounding scale.

Figure 2 – Site Context



Source: SJB

3. SUMMARY OF KEY DIRECTIONS OF THE DRAFT 2036 PLAN

The Draft 2036 Plan provides a framework to guide future redevelopment and revitalisation in St Leonards and Crows Nest.

The draft 2036 Plan sets a clear vision for the centre under the following 5 themes: *Place, Landscape, Built Form, Land Use and Movement*.

The vision and area-wide design principles have been translated into actions and recommendations to guide the location scale and character of development in the centre.

From our review, the following key directions arising from the Draft 2036 Plan are of relevance to the site:

Table 1: Draft 2036 Plan Summary

Design Principle	Vision Descriptor	Relevant Directions & Recommendations	Comment
Place	<i>A vibrant community</i> <i>A place that protects the past</i>	<ul style="list-style-type: none"> - Maintain current heritage status in existing controls. - Transition in height form new development to surrounding conservation areas - Improving public domain in Oxley Street 	<p>Our client wishes to retain the heritage item on-site. The concept vision is key to securing the commercial life and enduring significance of the heritage building for decades to come.</p> <p>This submission outlines our proposal to design a sympathetic addition to the building to secure its long-term tenure</p>
Landscape	<i>A greener place</i>	<ul style="list-style-type: none"> - Oxley Street to form part of a network of greener streets - Expand Hume Street Park 	Upgrade to the site presents an opportunity to positively contribute to the landscape character
Built Form	<i>A well-designed place</i>	<ul style="list-style-type: none"> - Focus building height and density in the highway corridor zone between the two rail stations - Sites with increased building height to meet new solar protection guidelines - Encourage a balance of mixed-use and stand-alone commercial - Provide appropriate transition between areas of change and no change. 	<p>The proposed concept has been derived from consideration of the desired future context and the notion of stepping scale down from the metro station development.</p> <p>In addition, the concept proposal has been informed by technical considerations from heritage, and building services.</p>
Land Use	<i>An employment hub</i> <i>A home for people of all ages</i>	<ul style="list-style-type: none"> - Creation of a mixed land use corridor along between the stations - New non-residential FSR requirements for B4 zoned land 	<p>The concept presents the opportunity to grow commercial office development on the site beyond current expectation which will positively contribute to the jobs target.</p> <p>Our studies have revealed the alterations and additions to the building are far better suited to commercial development and hence the proposal seeks to enhance the commercial floorspace offering. No residential use is proposed.</p>



Movement	An accessible place	<ul style="list-style-type: none"> - Allow for increased density in the most accessible parts of the centre - Strengthen connectivity between the two stations via laneways - Undertake improvements to cycle paths and footpaths 	The site is strategically located and should be carefully considered to optimise its development potential to form part of a cohesive metro station sub precinct within the centre.
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Having regard to the above summary of the Draft 2036 Plan, it is evident that the site has the potential to significantly contribute to the desired urban renewal vision and character for the centre. Given the site is heritage listed, the draft 2036 Plan must provide an appropriate level of policy direction to ensure our client is incentivised to invest capital in the buildings on-going maintenance, upgrade and future expansion.

4. PROPOSED BUILT FORM CHANGES

Various building envelopes were investigated, informed from the following key principles:

1. **Overshadowing** – comply with Draft 2036 Plan solar protection requirements for public open space as well as ensure solar access compliance as per the AGD is achieved with respect to neighbouring residential properties.
2. **View sharing** – built form must consider view sharing with neighbouring development cognisant of what would be considered reasonable expectations within a CBD context.
3. **Height compatibility and transition** – Built form must consider building heights of surrounding buildings both existing and future proposed.
4. **Public domain** – future building envelope must ensure the desired public domain outcomes can be delivered.
5. **Economic feasibility** – the building envelopes need to incentivise redevelopment to deliver the desired employment growth.

The proposed concept is illustrated later in the Smart Design Studio Design Report.

A summary of the Draft 2036 Plan built form recommendations and the requested changes from this submission are summarised in the table below:

Item	Existing Building	Draft 2036 Plan recommendation	Urbis Submission request
Max Building Height	5 storeys	8 storeys	15 storeys (equivalent to approx. RL149)
Max FSR	4.43:1	3.5:1 (-0.93:1 from existing)	8.82:1*

*Note: The proposed GFA is comprised of 8 new full floors plus a half floor of space that can be recovered when the existing roof level plant is relocated. The half floor will be on the same level as the mid-level open space and would be ideally suited to a use like a child care facility.



5. JUSTIFICATION OF PROPOSED CONCEPT

5.1. A CONTEXTURALLY APPROPRIATE RESPONSE

The building was constructed in 1972 for the Commercial Banking Company. The design intent was to establish a building that was a strong and dominant form to mark its highly visible corner site in Crows Nest and its use for a bank at the time. Over time more recent development has occurred and the building is viewed amongst other taller buildings, diminishing its visual prominence.

The Draft 2036 Plan proposes a building height of 8 storeys, overall FSR of 3.5:1, and non-residential FSR of 0.5:1. This in effect constitutes a reduction in the current GFA on the site and if adopted would effectively dis-incentivise any building upgrade work to occur in future.

This, is in comparison to the proposed 27-storey building heights and FSR 12:1 for the metro station site directly across the property from Clark Lane, creating an inequitable development scenario.

The project team tested a range of building addition opportunities for the site. Strategies such as incorporating a 'lightweight' building addition was examined. However, after considerable study and in concert with the Urbis heritage advice, it was agreed that the most appropriate addition was to create a building form complementary to its brutalist design, and commensurate to the existing and emerging character of taller building forms that surround the site.

Accordingly, in this submission we are proposing to increase the building height controls to 15 storeys and overall FSR to 8.82:1.

These built form changes will result in a better transition of building heights between the over station development, Hume Street Park and Willoughby Road. In any future development, design will be sensitive to potential overshadowing on Hume Park and respect the key heritage elements of the building.

The proposed building height of 15 storeys will sit comfortably within the varied scale of buildings in the locality being:

- 2 x 27 storey towers above the metro station tower; and
- The Oxley/Albany Street block that comprises a mix of allowable building heights ranging from 8-18 storeys

Furthermore, the proposed building height will achieve an appropriate transitional building scale down from the metro station tower on the highway to the lower building heights of 8 storeys and then 3 storeys within the Crows Nest village.

The proposed building scale is consistent with the directions of the Draft 2036 Plan which seek the following:

- Focus density in the corridor between the two stations
- Provide transitions between areas of change and no change
- Deliver transit orientated development at the Sydney metro site.

Having regard to the above, in our opinion the proposed building height increase will achieve a contextually appropriate response to the changing urban character and by doing so will not only secure the longevity of the heritage item but also facilitate additional employment beyond the current forecast.

5.2. THE PROPOSAL FACILITATES ADDITIONAL JOBS GROWTH

The Draft 2036 Plan is targeting the achievement of 16,500 new jobs by 2036 to meet the high jobs growth target of the District Plan. For Crows Nest equates to approximately 18,000sqm of additional commercial floorspace to be delivered over time.

The site is currently used for commercial office purposes, however part of the use is for a data centre which generates only a few jobs. Whilst the site is zoned B4 Mixed Use, redevelopment is constrained by its heritage listing, meaning any additional development would need to incorporate retention of the heritage building.

As outlined earlier, as part of a series of investigations a mixed use development concept was considered however was discarded owing to challenges integrating the use within acceptable heritage considerations and the challenge to deliver quality residential amenity.

Therefore, the concept and commitment is to deliver a commercial addition to the heritage building, as proposed. This proposal will therefore create a positive employment boost beyond that expected for the site to help in delivering the high jobs growth target.

To understand the positive impact of our proposal, we reviewed the SGS Economic Feasibility Review that to inform the Draft 2036 Plan.

The SGS Report adopted a 'conservative' jobs growth for new commercial floorspace of 18sqm per job, and assumed a rate of 1 job per 26sqm for existing commercial floor space.

Based on these assumptions, for the subject site, with a current floorspace (in GFA) of 5,480sqm, the existing employment is in the order of 210 jobs. The actual employment numbers are reportedly less than this. The Draft 2036 Plan will create no employment floorspace growth potential for the existing building given it amounts to a reduced FSR from existing, therefore no jobs growth planned to arise.

However, as per the proposed concept plan, the detailed design and technical studies of the building has deemed the site has the capability to accommodate 10,925sqm GFA, yielding approximately 600 jobs, representing a 400 jobs growth (or 300% increase) from the existing situation. This represents a significantly positive future employment outcome for the site, and will help achieve the higher employment growth scenario in the centre.

5.3. INCENTIVISING DEVELOPMENT ON THE SITE IS CRITICAL FOR THE CENTRE

The Draft 2036 Plan sets very clear recommendations with respect to areas within the precinct that have been identified as suitable for a focus of development, within which the site falls. Areas outside the boundary have been designated as areas not suitable for density change.

As previously illustrated, the site is located in a highly strategic location, adjacent to the metro station entry off Clarke Lane. It forms part of the metro station 'cluster' of development that will define the identity for this new transport node.

The Draft 2036 Plan however provides no incentive to our client to continue to invest capital to the site as it assumes there to be no development potential. If this policy setting is ratified, it will cement a negative policy direction that could adversely affect the site's long term future.

The building currently needs capital investment to meet maintenance obligations and tenant accommodation needs. Such costs are greater in heritage buildings owing to the physical limitations on altering the building form. Unlike the City of Sydney, there is no planning policy mechanism for

landowners to sell heritage floorspace that fund ongoing conservation of heritage items in North Sydney LGA. This places greater pressure on heritage conservation.

Therefore, to ensure the ongoing conservation of the heritage building as well as incentivise opportunities to explore the potential to enhance the buildings' public domain interface, it is vital that the Draft 2036 Plan signals the potential for a building addition to be accommodated. This will pave the way for the landowner to work with Council to develop a concept that can deliver on the land use and public domain aspirations for the centre.

5.4. COMPLIES WITH THE PROPOSED SOLAR PROTECTION CONTROLS

The Draft 2036 Plan establishes parameters to guide future detailed proposals with respect to guiding building heights whilst ensuring reasonable solar penetration occurs within key public spaces.

As outlined, the proposed building height addition has in part been derived from urban design considerations of compatibility and consistency of building scale in its immediate context. The second key consideration related to its appropriateness with respect to the integrity of the heritage item. Finally, the impacts of the proposed building height have been tested to ensure they comply with the proposed solar protection controls.

As illustrated in the shadow analysis in this Design Report the proposal meets the requirement of no additional overshadowing during 10am to 3pm mid-winter across the Hume Street Park.

Based on this shadow analysis the proposed increased building height can satisfy these provisions should they become statutory LEP provisions in future.

6. SUMMARY & CONCLUSION

The subject site is within the identified high-density corridor as identified in the Draft 2036 Plan, located strategically adjacent to the metro station and the major public space Hume Street Park.

Considering that the St Leonards station and Crows Nest metro station precinct is a key intermodal transit hub within Greater Sydney, it is necessary that the planning controls for key sites support the principles of transit-oriented development.

The site is perfectly positioned to positively reinforce the State Government's vision to increase density and provide additional mixed-use development within a strategic centre.

As a heritage listed site, careful consideration has been given to examine whether potential exists to accommodate building addition. Equally, careful consideration has been given to maintaining the desired transitional skyline character. Based on the advice from the project team, it was concluded that the site is suitable to extend as a commercial office building. The design concept illustrated in this submission in our opinion, presents a contextually appropriate building addition that will sit comfortably with the existing and planned future building scales in the locality.

Accordingly, we request that the Draft 2036 Plan be amended to incorporate the recommended building height of 15 storeys and maximum FSR of 8.821.



In conclusion, we request to engage with DPE directly to ensure the desired planning outcome for this part of the centre can be realised. If you have any questions, please do not hesitate to contact me on (02) 8233 9955 or via email on; swhite@urbis.com.au.

Yours sincerely,

A handwritten signature in black ink that reads "Stephen White".

Stephen White
Director



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05 February 2019

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28 - 34 CLARKE STREET, CROWS NEST - HERITAGE COMMENTARY

Urbis Heritage has been engaged by Prosper Group Pty Ltd, the asset managers, and Mevote Pty Ltd the landowners, for the property at 28-34 Clarke Street, Crows Nest ('the site'). On behalf of our client, we are providing the following heritage advice for the Draft Planning St Leonards and Crows Nest 2036 Plan (Draft 2036 Plan). The site is listed as St Leonards Centre on the *North Sydney Local Environmental Plan 2013* (item I0141).

The 6 storey Brutalist style building was constructed in 1972 and was designed by Kerr and Smith. There are two existing statements of significance for the building, the original acknowledges its intrinsic architectural interest but also characterises the building as intrusive and domineering. Urbis considers that the building is a good commercial example of the Brutalist style and acknowledges that its dominant/ defensive presentation is a key characteristic of the style.

Smart Design Studio have begun the design development process to test the potential for an appropriate addition of design excellence to the building to provide substantial additional accommodation, extend its economic life and meet compliance with contemporary regulations. Numerous options have been tested that explore an addition to the Brutalist style building in various formats. The preferred option presents as an honest response to the existing Brutalist character through the extrusion of form, a street wall to match the existing upper level and a materiality which evokes the same principles as the original form in terms of a monolithic structure. The legibility between old and new is emphasised by floating the additional mass above the original mass and contained within the extruded towers.

The developed option, considered the preferred option from a heritage perspective by Urbis, has been designed by an esteemed architectural practice. Urbis has worked with Smart Design Studio on numerous highly significant buildings with successful outcomes for the owner and the building. Urbis considers that the spaces created would be high quality commercial spaces that will be occupied for a substantial period of time. The proposal constitutes a holistic approach to the redevelopment of the site and proactively plans for the new services and amenities upgrades by designing their accommodation into the form.

Urbis fundamentally supports the increase of bulk on this site from a heritage perspective. The surrounding area is strategically placed for growth given its proximity to the Crows Nest Over Stations Development which includes a proposal to introduce a substantial tower immediately to the west of the site. Further, the retention of the existing scale of the building is non-essential to the nature of its heritage significance. The robust nature of the existing building lends itself well to a well-designed and similarly robust addition with the original fabric retained as a podium element. The additional height is supported from a heritage perspective.

This proposal was preferred from a heritage perspective as an honest response to the existing form of the building and its character. The commercial building typifies the Brutalist style in that the service towers represent an architectural expression of the program. This architectural program has been extruded and the towers will continue to be utilised for services/ circulation within the vertical extension. Urbis further considers that the protection of the verticality created by these towers is crucial in maintaining the well-balanced

Heritage Commentary_28 Clarke Street_Crows Nest_Feb2019.docx

interrelationship between height and level inherent in the existing building form and largely created by the dominant tower elements.

The principal architectural elements that define the place and contribute to the Brutalist style character include the dominant vertical tower elements described above and the 3 rectilinear spandrels floating between. The interplay between the powerful vertical and horizontal expressions characterises the building and the horizontality created by the tiers are fundamental to the original design that juxtaposes with the verticality of the tower elements.

A volumetric spatial negative between the ground and first floor of the existing building is created by the inset glazed walls. This is seen twice more on the existing upper floors through the emphasised shadow lines which define the levels and the inset plan form which steps out at each level. Smart Design Studio has successfully referenced this horizontality in the proposed arrangement of the new fabric. The 'shadow line' has been replicated above the original building form in the new design to distinguish between the original and the new and provide open space. The negative space further reads as another robust horizontal element which visually offsets the vertical extrusion of the original floorplate (upper tier) and the towers, maintaining the characteristically Brutalist style juxtaposition described above.

The proposed development includes contemporary interpretations of the original fabric and detailing. The concrete finish would be retained, and the addition would have a rendered finish which would be similarly monolithic. Further, the original dark window appearance is recognised as a key characteristic of the assembly. The dark windows contribute to the expression of levels described above as the contrast against the concrete creates horizontal spans. The proposed tower would have similar dark tone windows with deep window reveals, referencing the original recessive elements. The windows facilitate work spaces that have appropriate solar access. Urbis considers that Smart Design Studio has appropriately responded to the Brutalist character while increasing amenity. The windows would not compromise the original higher solid to void ratio, given they would be dark and recessive behind the prominent tower extrusions.

Smart Design Studio has acknowledged the defensive imagery associated with the Brutalist style and has therefore retained the hard interface between the building and the street. The interface is characterised by the entrance which is set back at the top of the stairs behind a exposed aggregate plinth with sloping walls from the street. The setback of the main entry also incorporates built in curved concrete furniture which appears as an architectural element from the street. This interface has been retained and embraced as a key identifier of the style and opportunities sought for more traditionally salubrious space surmounting the original form.

In summary Urbis concludes that the new addition has been thoughtfully and sympathetically designed to respond to the heritage item appropriately. The design exercise demonstrates that the existing commercial Brutalist style building has the potential to be vertically extended while still retaining the heritage significance of the place. The contribution of the subject site as a Brutalist style commercial development within the evolving commercial environment of Crows Nest has the potential to be retained and conserved.

Yours sincerely,

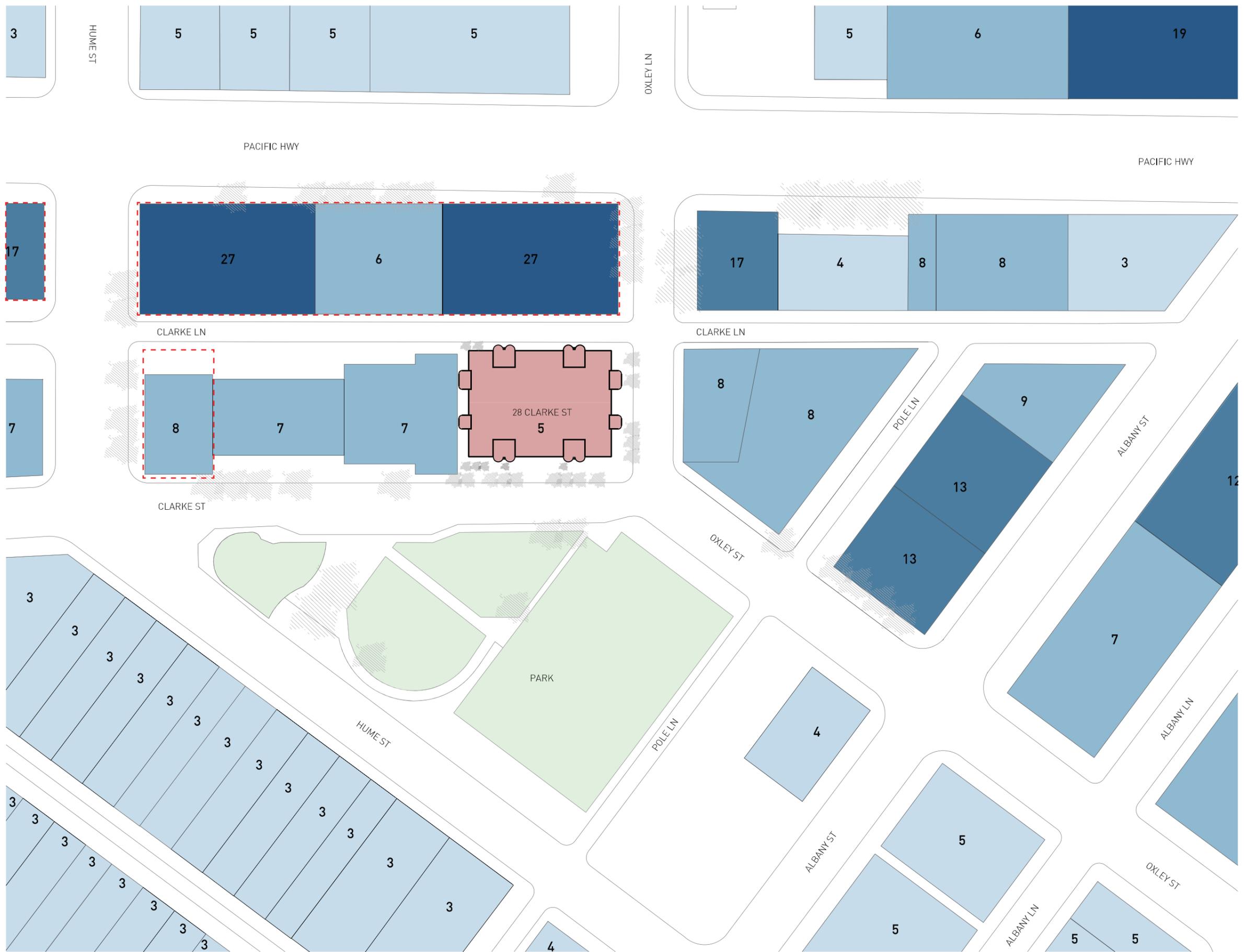
Jonathan Bryant
Director – Heritage



SITE PLAN

Surrounding building heights

- 0-5 stories
- 6-10 stories
- 11-20 stories
- 20+ stories
- Site
- Park
- Metro station under construction

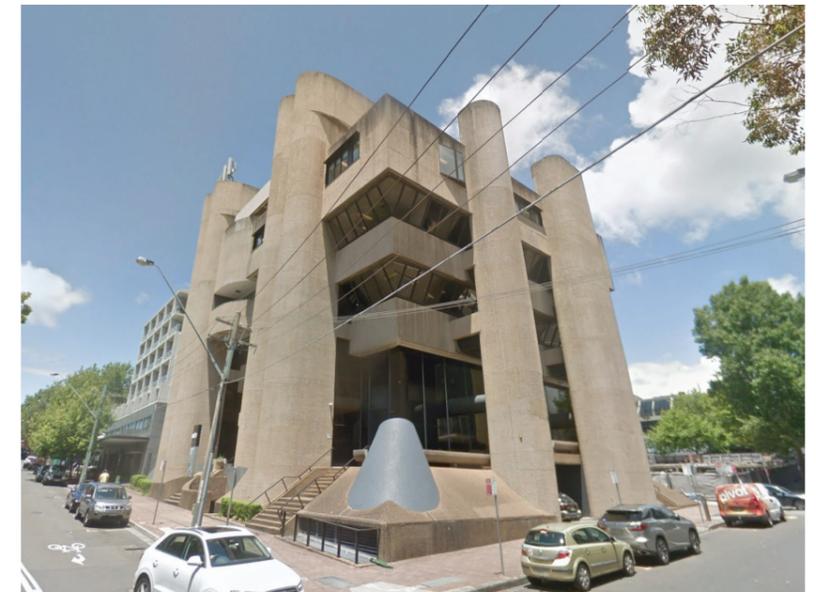


THE EXISTING BUILDING

The original 1970's building design by Kerr & Smith was undertaken for the Commercial Banking Company for the purpose of housing part of the organisations mainframe computer network. Staff and management were accommodated on the upper levels with the lower floors, including two of the basement levels, used as spaces containing sizable computer equipment.

Designed and built with a strong architectural identity, the building at 28 Clarke Street is acknowledged as a significant mid-twentieth century heritage building. The Brutalist design embodies the architectural and philosophical qualities of an exuberant period in Sydney's cultural history. The raised entry level and buttressed walls around the lower ground floor (B1) perform the dual functions of plinth and bastion as part of the defensive imagery sought by the designers. Deep window reveals, raking glazing and bold cantilevers all contribute to the dynamic architecture. The sculptural design has been enhanced further by the placement of over scaled towers around the perimeter as adjuncts to the equally robust horizontal elements comprising the masonry façade.

Despite the quality of the original architectural design, the property no longer provides the type of flexible accommodation sought by modern commercial tenants and the building has experienced diminishing occupancy rates as a consequence. Aging building services are unable to deliver low energy consumption and high levels of sustainability demanded by today's corporations. Other aged services such as the building's backup diesel generators now represent a substantial maintenance cost and the storage of large quantities of fuel pose a serious risk for fire safety and for the potential of soil contamination. The main entry, which is raised above the footpath of Clarke Street, represents a significant disincentive because equitable access cannot be provided.

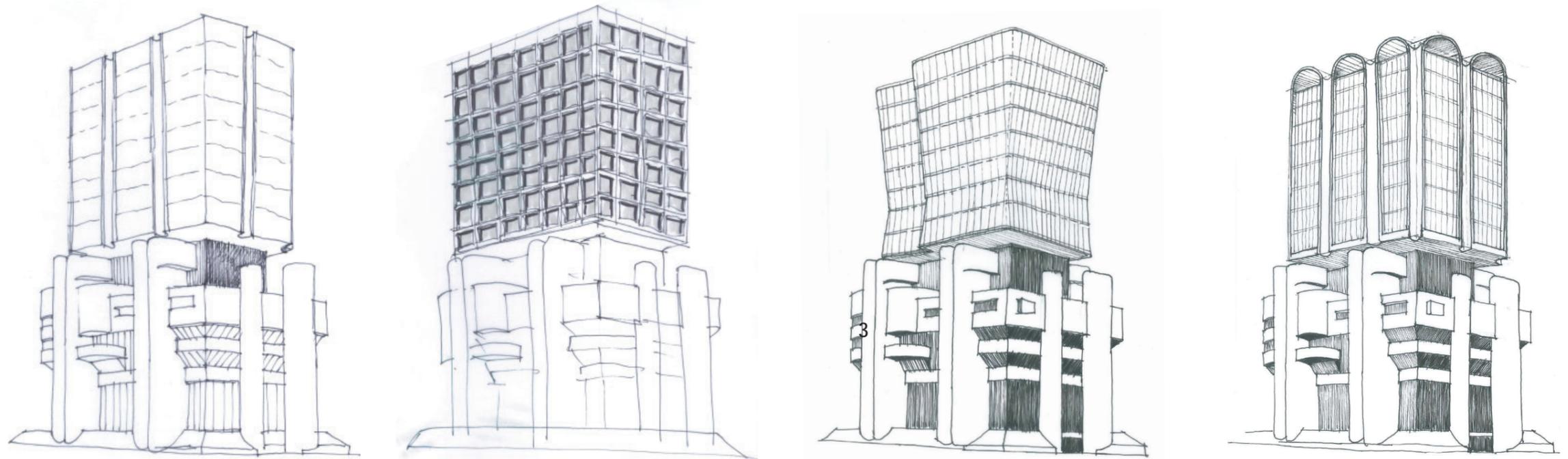
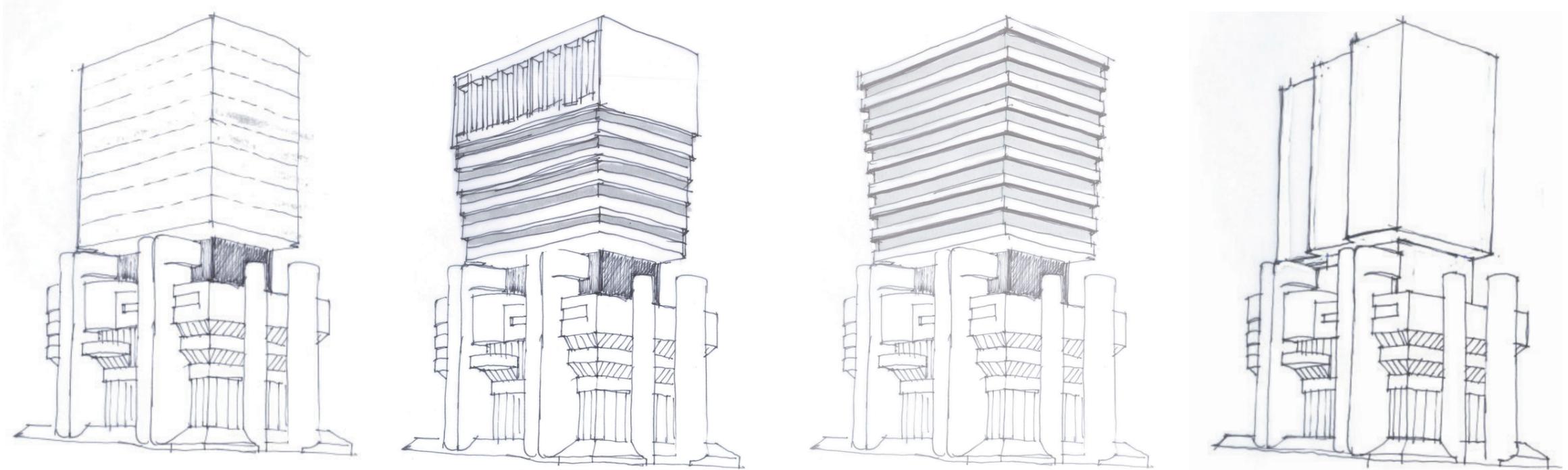


EXPLORING DESIGN OPTIONS

The opportunity exists at this juncture to revisit the design and function of the building to enable its ongoing use as a commercial office building operating in an economic environment that is radically different to that from the time of its naissance. To create the economic circumstances that would allow the necessary upgrades to proceed, this proposal seeks to increase the availability of lettable floor space by the addition of extra floors above the existing building height. Our client wishes to retain the heritage item on-site. The concept vision is key to securing the commercial life and enduring significance of the heritage building for decades to come.

Early design options did not consider extending any of the original building elements. All early outcomes had the appearance of two unrelated building volumes without a singular architectural identity.

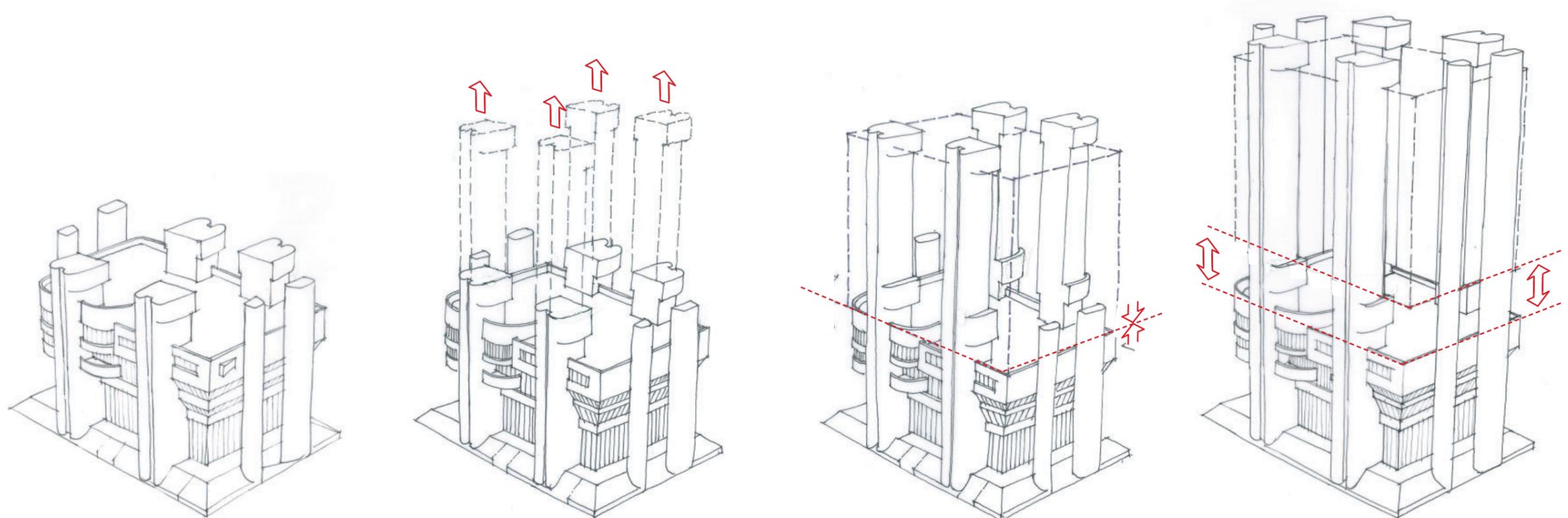
The project team tested a range of building addition opportunities for the site. Strategies such as incorporating a 'lightweight' building addition was examined. However, after considerable study and in concert with the Urbis heritage advice, it was agreed that the most appropriate addition was to create a building form complementary to the brutalist design, and commensurate with the existing and emerging character of taller building forms that surround the site.



SINGULAR ARCHITECTURAL IDENTITY

As a means of maintaining the integrity of the original design, the distinctive towers around the building perimeter will be extended to provide visual support for the added building volume. The continuation of this design device will allow the current architectural program to be extended so that the elongated towers will also contain lift shafts, stairs and service risers just as they do in the original design.

Within the building, new columns will be located alongside existing structure and will be supported by new foundations excavated below the basement levels. The new columns ensure that no additional loads will be imposed on the existing structure. Above the height of the existing building a series of raised transfer trusses will form the support base for the new floors. Existing fire stairs and goods lift will be extended to service the new office levels. The main building entry off Clarke Street will be retained with the existing low rise lifts retained and new high rise lifts added. Accessible toilet facilities will be included on all existing and new office floors.



1. EXISTING BUILDING FORM

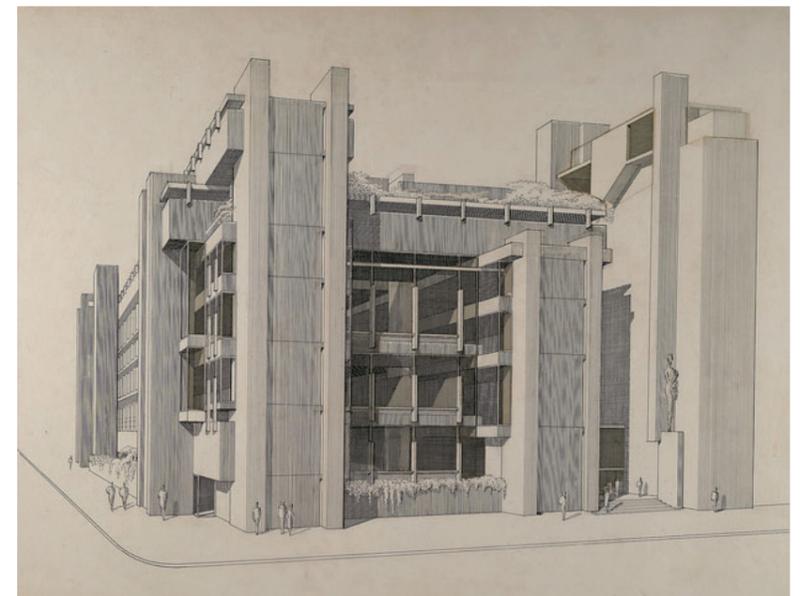
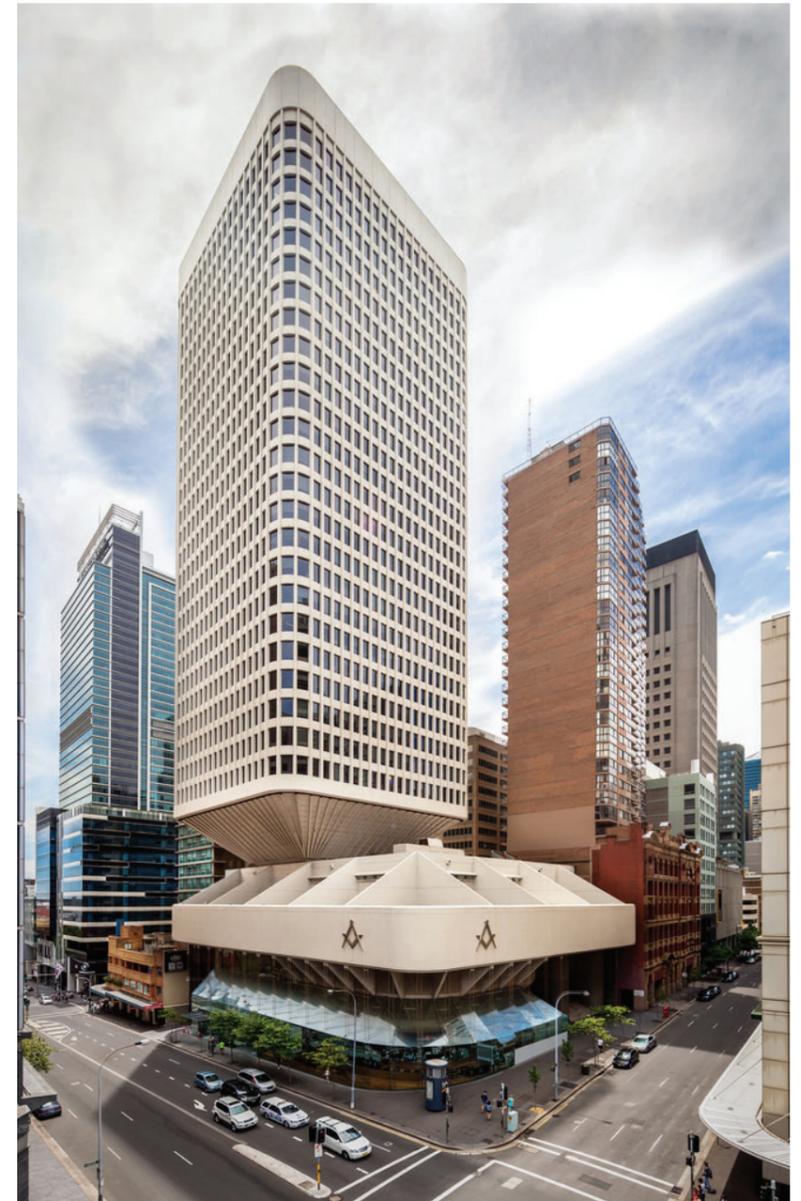
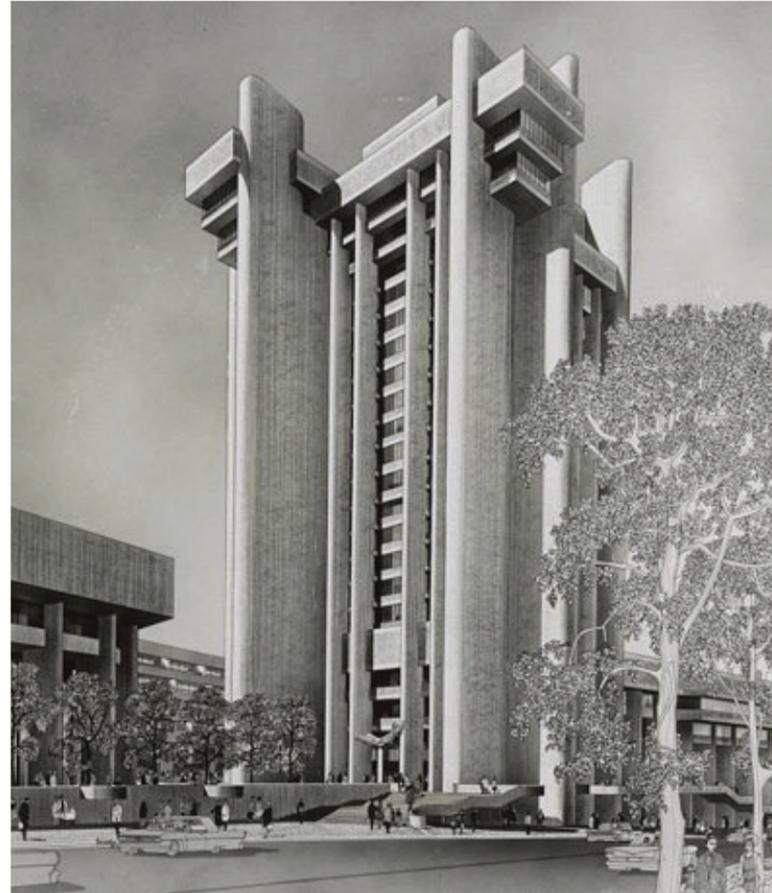
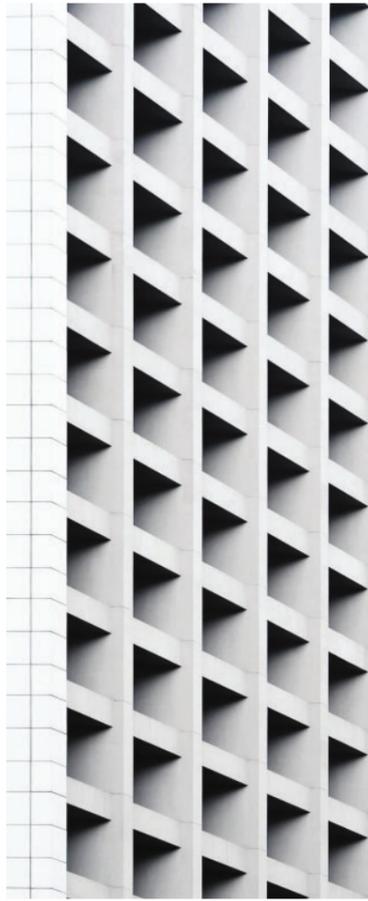
2. MAJOR PERIMETER TOWERS EXTENDED

3. NEW BUILDING FORM ADDED DIRECTLY OVER EXISTING

4. ALL PERIMETER TOWERS EXTENDED AND ADDITIONAL BUILDING FORM LIFTED CLEAR OF THE EXISTING

BRUTALIST REFERENCE IMAGES

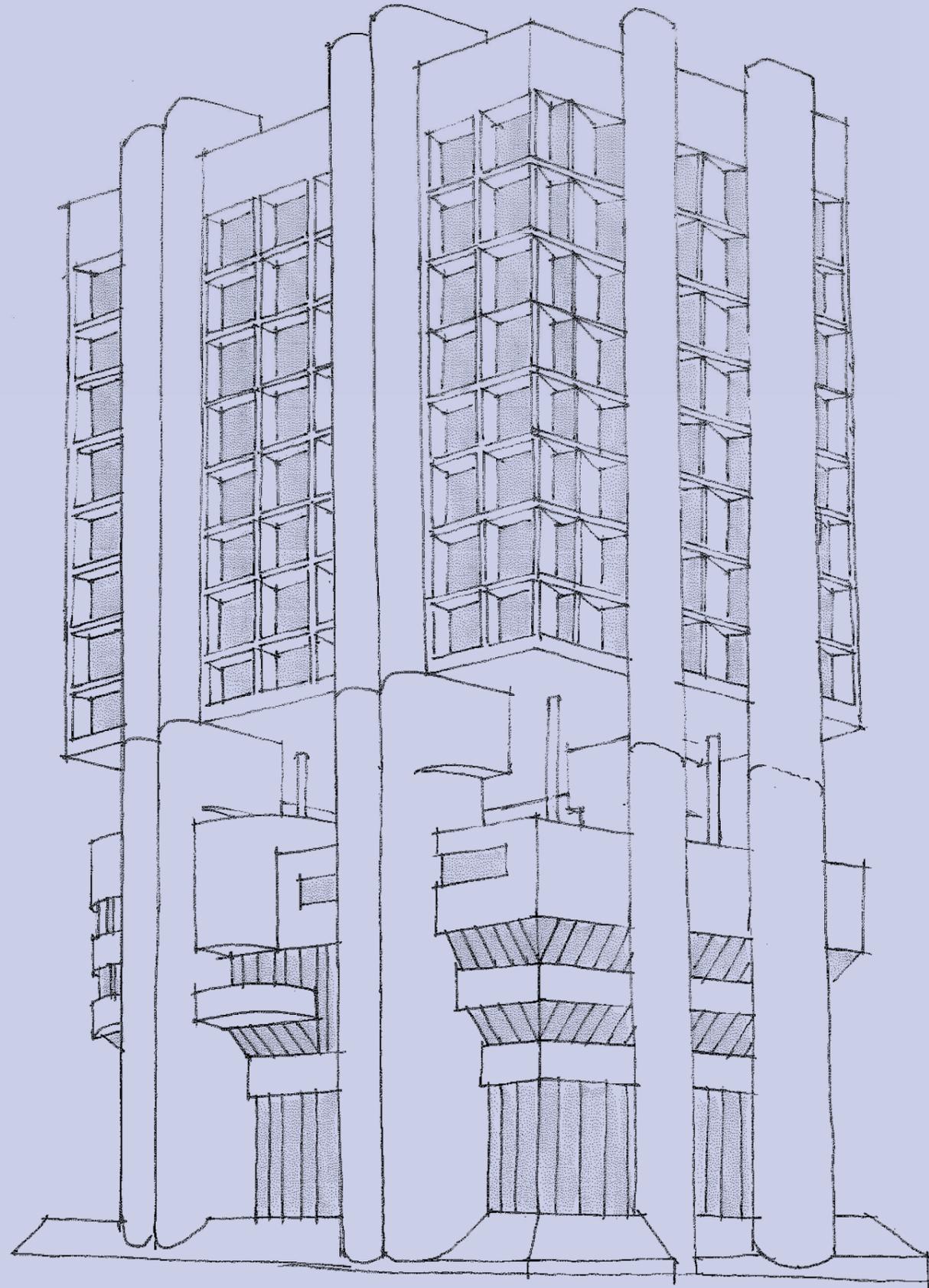
The robust proportions that feature in the heritage item will be echoed in the new structure above. Deeply recessed glazing and profiled precast concrete panels will evoke the architectural vocabulary of Brutalism without seeking to mimic it directly. The existing external finishes will be cleaned and restored and the new precast concrete finishes proposed for the new levels will pay homage to the current building fabric while still being sufficiently differentiated to allow clear identification of the original structure. The existing roof level plant will be relocated so that a clear physical separation can be emphasised between the new and original building volumes. The new open mid-level space that will be created has the potential for use as shared and/or community amenity. The transfer structure immediately below the proposed new floors will reflect the appearance of other existing exposed structural soffits.



CONCEPT SCHEME

A new disabled access lift between the footpath along Clarke Street and the main entry will allow equitable access for all building users. The corner of Clarke and Oxley Streets faces northeast and potential exists to modify the building base at this point to introduce street level retail space as a means of activating the park side corner. Below street level, the demolition of the non-complying car ramp and the installation of vehicle lifts will allow improved parking facilities to be included within redundant basement computer floors. The existing vehicle entry/exit will be retained as in the current design.

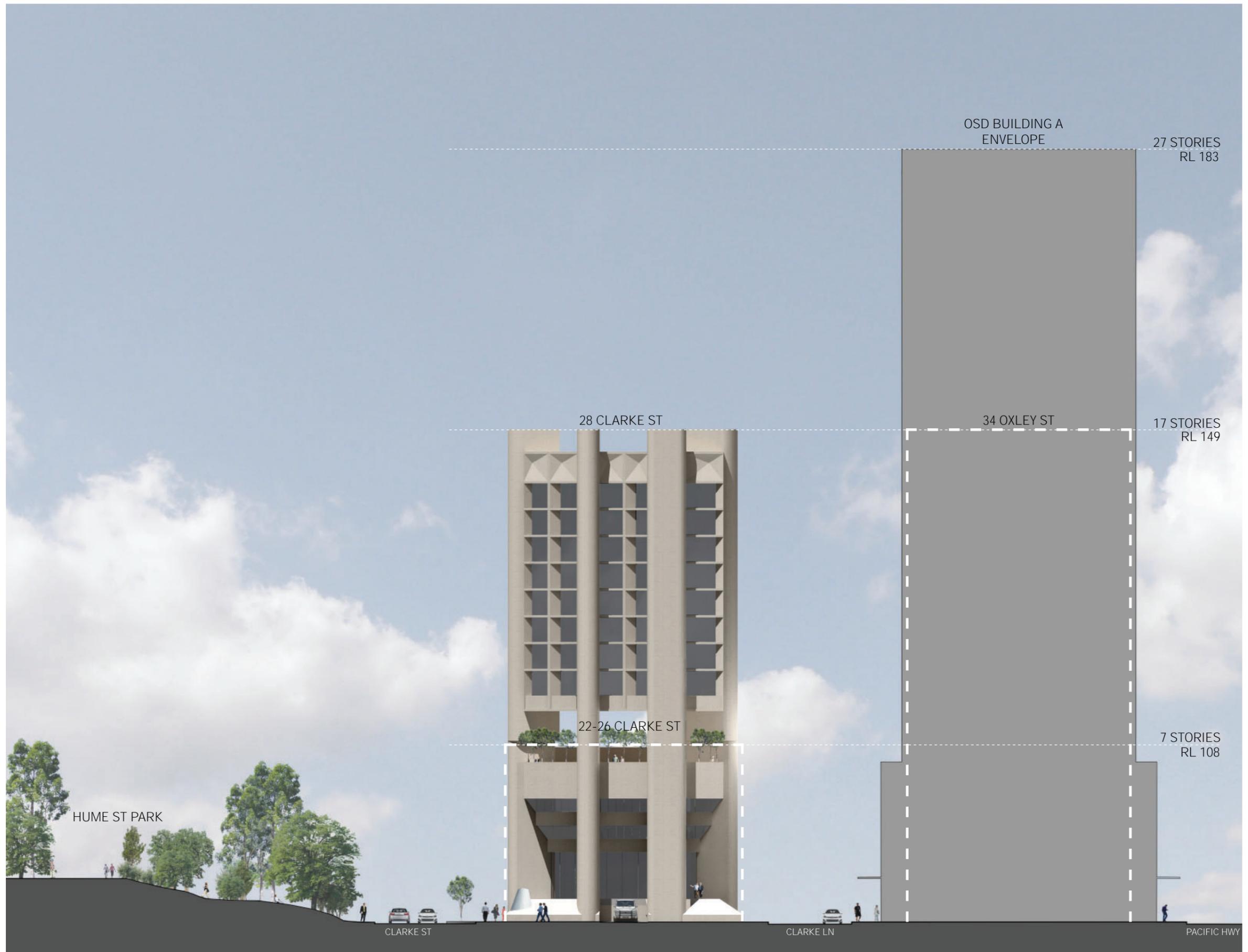
All building services will be upgraded to include current technology for improved operational efficiency overall. A building services upgrade will allow more sustainable systems to be incorporated to improve the building's operations. More efficient energy consumption and lower operating costs have the potential to extend the useful economic life of this building as an "A" grade commercial space far into the future. The proposed services upgrade will also mean that the entire building can be brought into compliance with contemporary building regulations for better safety and amenity. Later additions of plant rooms at ground level (Clarke



CONCLUSION

In support of the objectives outlined in the St Leonards and Crows Nest 2036 Plan (Draft 2036 Plan), consideration has been given as to how 28 Clarke Street could best be adapted for ongoing use as a valuable example of commercial architecture. Subject to heritage advice and in consultation with local Council we believe that sensitive design measures can be employed to achieve better access for the disabled, and to improve activation at the base of the building along Clarke and Oxley Streets. Establishing a better relationship with the adjacent open space will offer a further opportunity to contribute to public benefit through the upgrade of 28 Clarke Street.

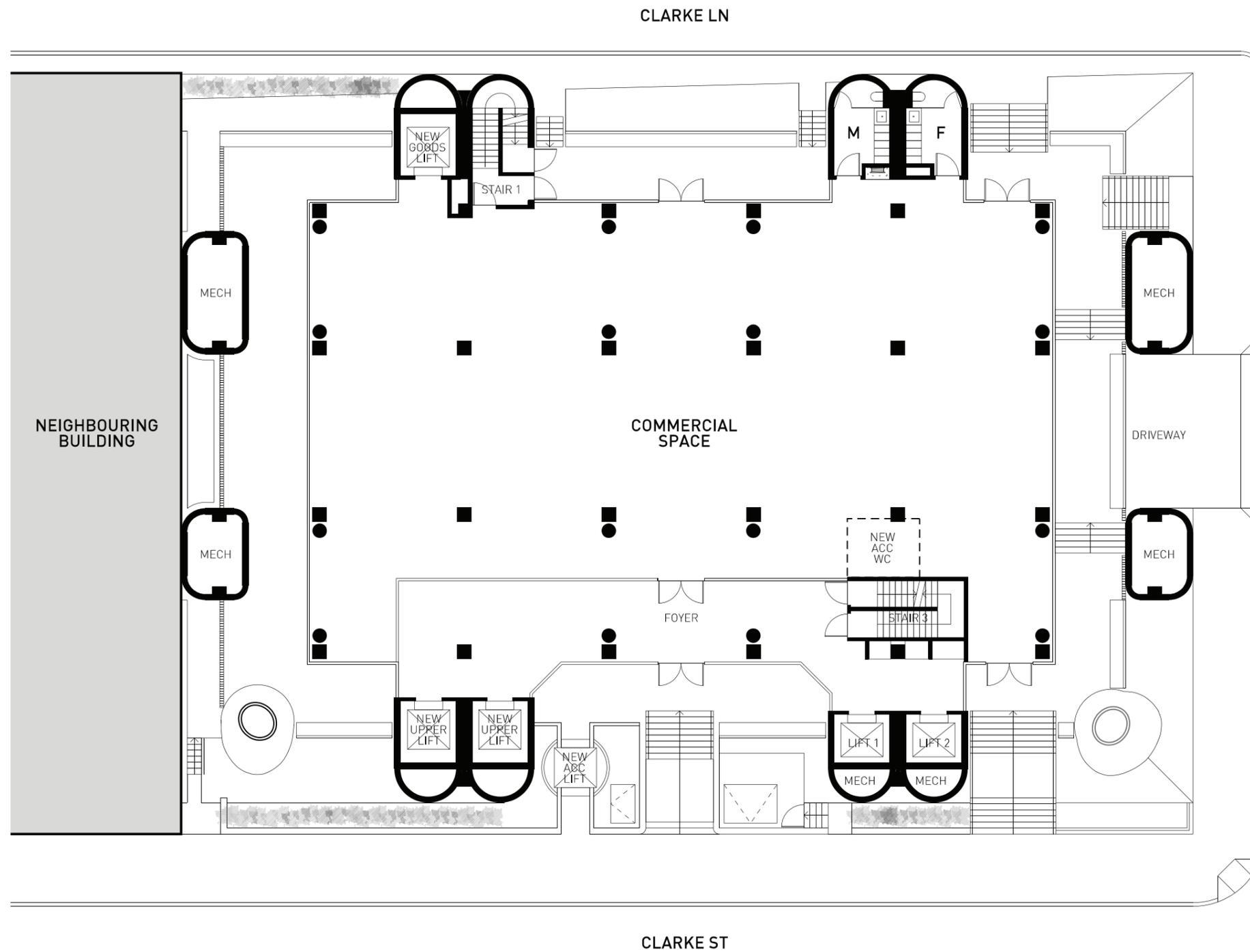
As a means of securing the economic and public benefits noted above, additional floors are proposed above the existing roof level plant as described in the accompanying architectural concept diagrams and visualisations. We believe that the integrity of the robust existing architecture can be maintained and enhanced through sympathetically designed modification to the building envelope. Any additional building envelope will maintain undiminished solar access to the park at critical times on the Winter solstice. We believe that the retention, upgrade and redevelopment of 28 Clarke Street can be based on the objectives of sustainability and design excellence, and that the proponents stated commitment to heritage values and orderly economic development will be for the benefit of the community.





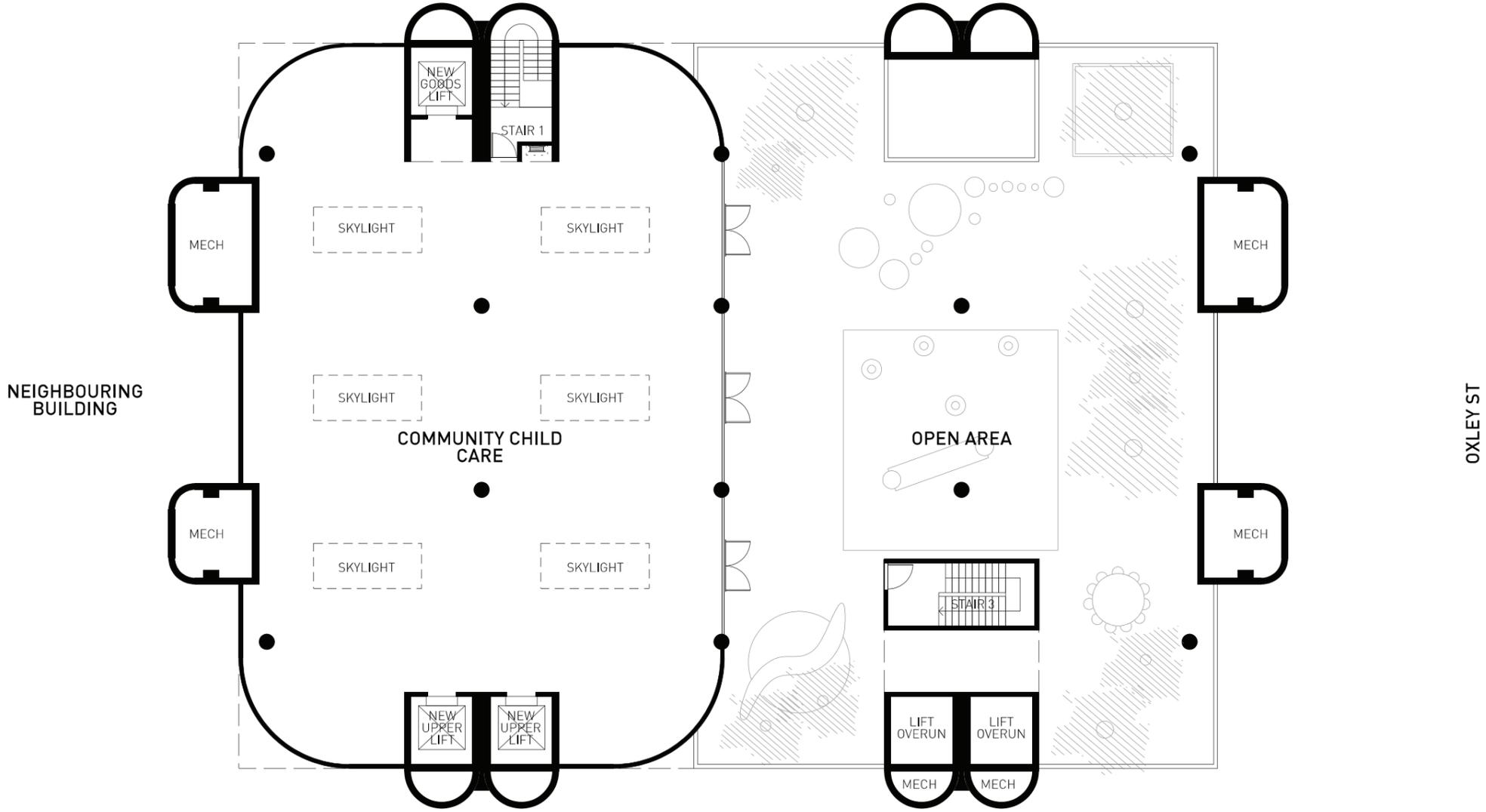


ARCHITECTURAL DRAWINGS



OXLEY ST

CLARKE LN



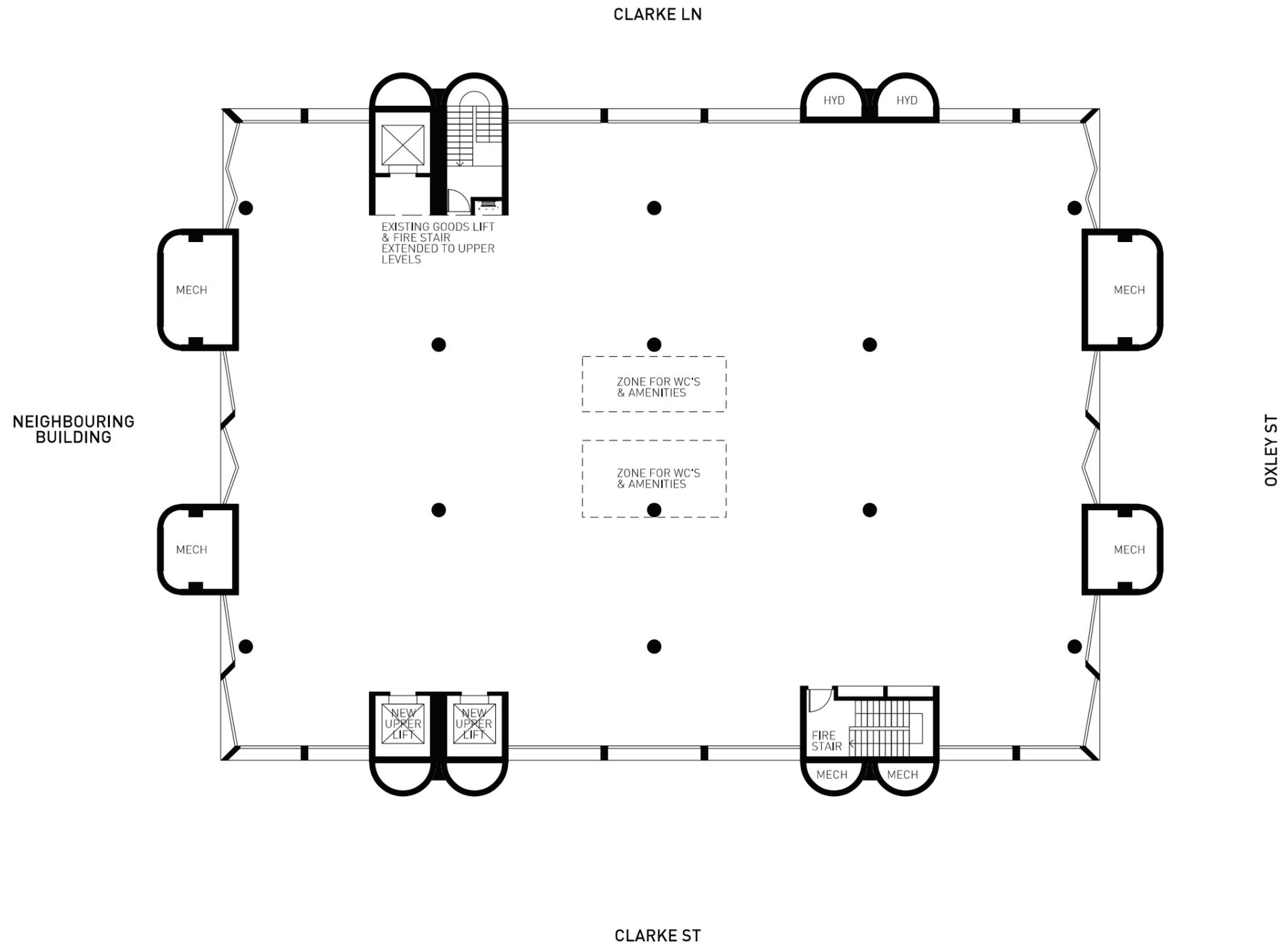
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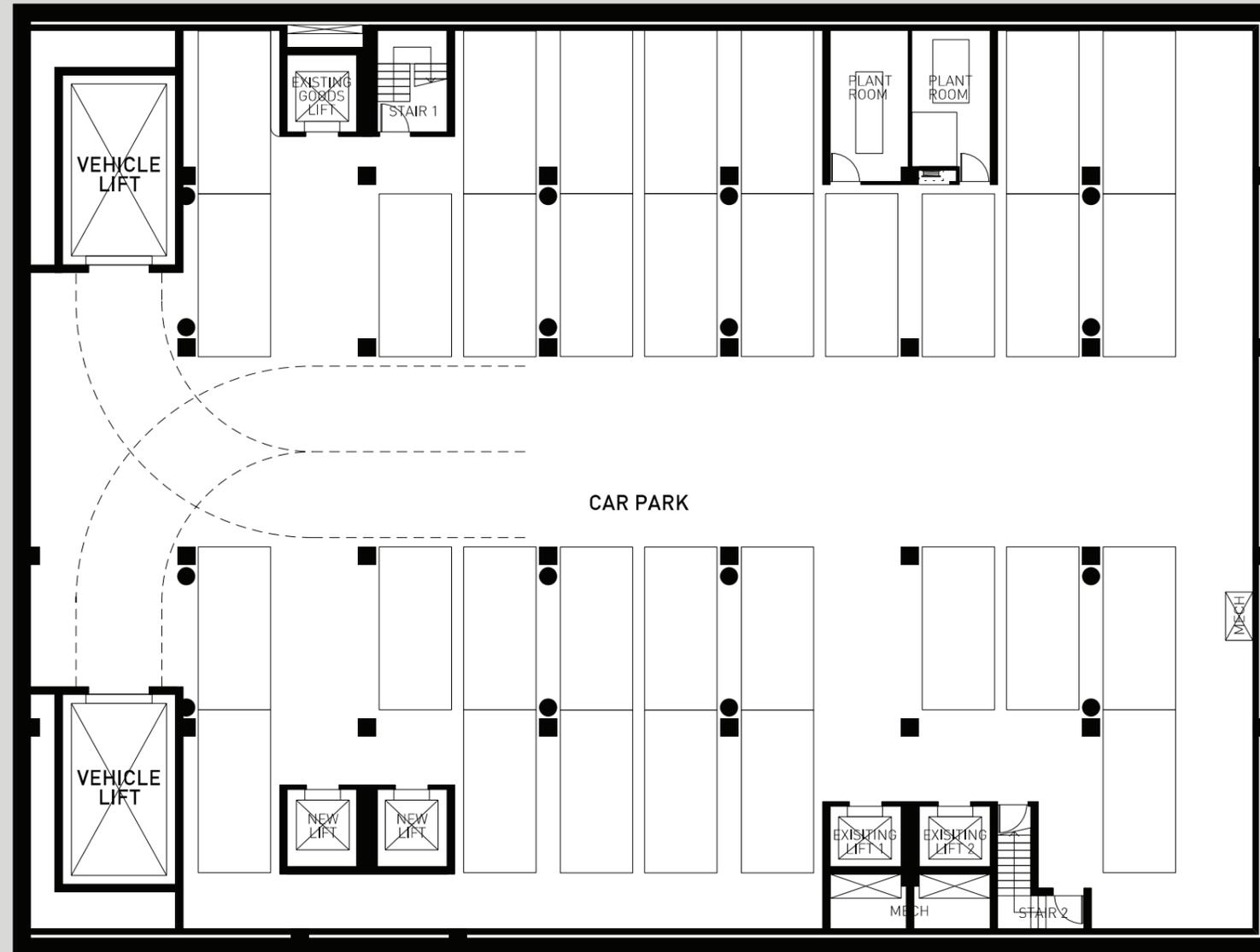
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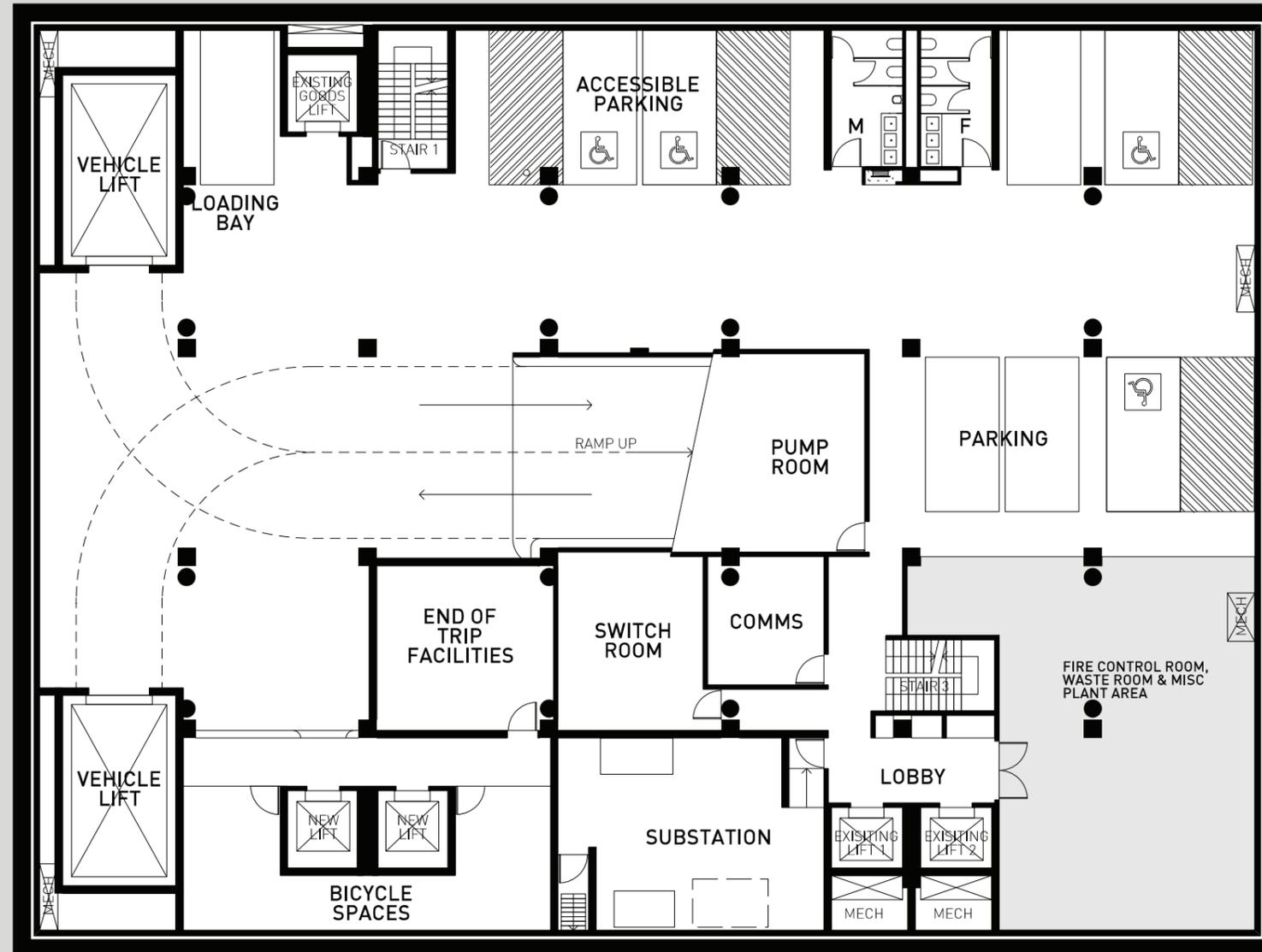
OPEN AREA

OXLEY ST

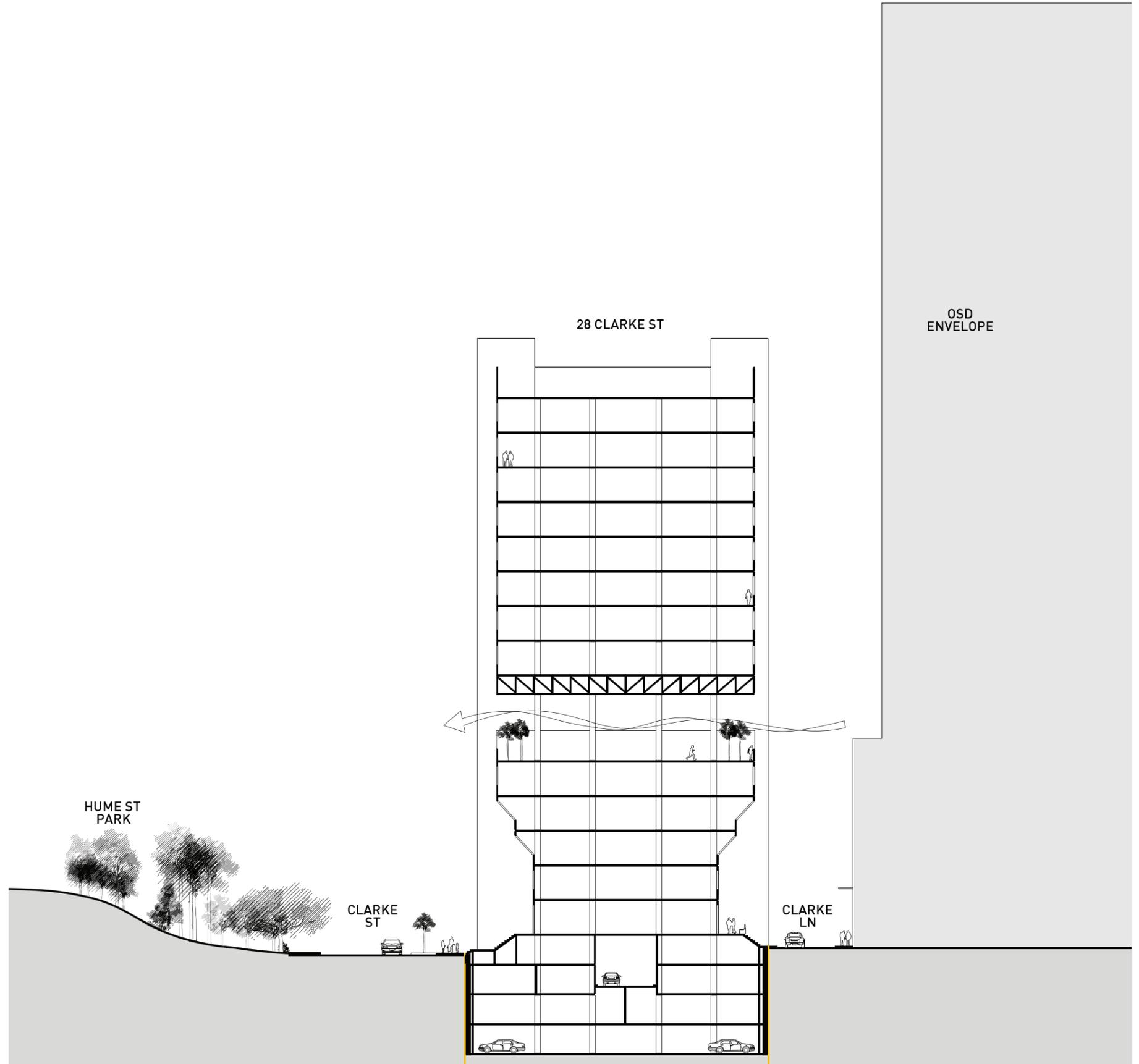
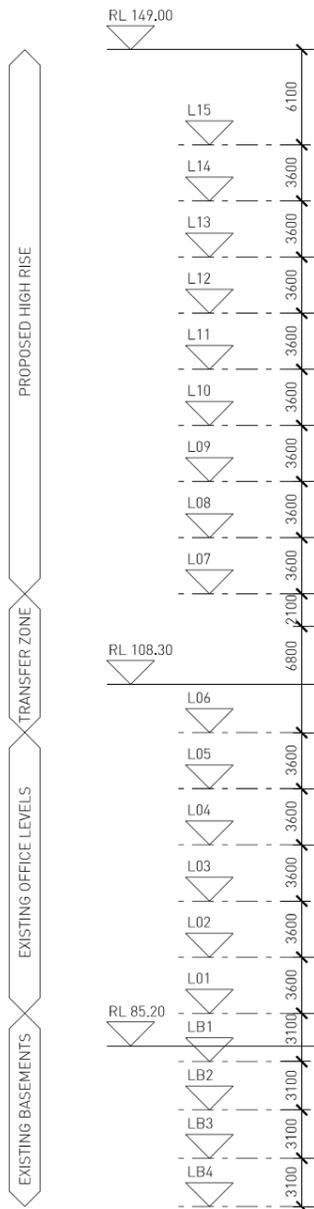
CLARKE ST







RL 183.00





APPENDICES



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BUILDING CODE OF AUSTRALIA

Assessment Report

For

Proposed Adaptive Reuse

At

28 Clarke Street, Crows Nest

Client: Smart Design/Fantl

Report: CS19002-RP01a

Date: 04 February 2019

Appendix B Limitations & Exclusions

This report does not address the requirements under the Disability Discrimination Act (DDA). The advice from a suitably qualified Access Consultant should be obtained.

The document was assessed against the BCA requirements and did not take into account of any local council policies which may conflict with the DTS requirements of BCA. If this situation arises, the more stringent requirements prevail.

The BCA clause requirements listed under the 'Clause Requirements/Comments' column of the assessment table Section 4.0 are in abbreviated form and therefore do not represent the clause in its full text. Refer to the BCA for the full extent of the clause requirements.

The available drawings are not sufficiently detailed for an exhaustive assessment. Where matters arise that cannot be verified either from the information provided on the referenced plans or without the use of specialist equipment, they remain beyond the scope of this report.

Nor does the scope of the report extend to:

- Assessment of any amendments made after a Construction Certificate/ Complying Development has been issued;
- Assessment of the proposed development for compliance with BCA requirements for Places of Public Entertainment (Entertainment Venue);
- Preparation, assessment or peer review of any fire engineered or alternative solutions.
- Issue of compliance certificate.
- NatHERS and any energy assessments under Part J of the BCA.
- Town planning, heritage advice and utilities consents.
- Health and Food Act.
- Work Cover and occupational health and safety advice.
- Specialist dangerous and hazardous goods requirements.
- Assessment of detailed building design in specialised building services/engineering disciplines including, but not limited to structural engineering, mechanical services, building services, fire services, hydraulic services, acoustics and the like.
- Assessment of the individual requirements of other service providers such as Telstra, Sydney Water and other authorities.

REPORT REGISTER

Report No.	Issue No.	Remarks	Issue Date
CS19002-RP01	Preliminary	Preliminary report issued for discussion	18/01/2019
CS19002-RP01a	Preliminary	Preliminary report issued for discussion	04/02/2019

BCA ASSESSMENT

1.0 Introduction

1.1 Background

Advance Building Approvals Pty Ltd was requested by the client to prepare a Building Code of Australia (BCA) compliance assessment in relation to the proposed adaptive reuse at the subject premises, with particular regard to BCA section C, D, and E as well as salient issues arising under AS1428.1-2009.

This preliminary report is an assessment of issues as may arise in response to the approval process and utilises the design concept only. A more thorough appraisal is recommended once developed drawings become available.

1.2 Referenced Documents

Information compiled within this report was obtained from the existing building sketches and preliminary architectural drawing issue prepared by Smart design studio as per the following schedule:

Drawing No.	Title	Revision	Date
A113	Site Plan	P1	n.d
A101	L01 and L02 Plan	P2	n.d
A103	L03 Plan	P1	n.d
A105	L05 Plan	P1	n.d
A111	L011Plan	P1	n.d
A112	L12-18 Plan	P1	n.d
A400	Cross Section	P1	n.d

1.3 Consent Authority May Require Building to be Upgraded

When determining a Development Application a Consent Authority (Council) is required to assess fire safety in an existing building under Clause 94 of the Environmental Planning and Assessment Regulation (EP&A Regulation).

The assessment must consider whether the measures contained in a building are inadequate:

- To protect persons using the building and facilitate their egress in the event of a fire, or
- To restrict the spread of fire between buildings

services of an independent access consultant to advise on the detailed implementation of the DDA requirement. Reference should be made to the relevant report.

3.0 DDA Considerations

3.1 Access for People with Disabilities

The developer proposes to rationalise the existing, non-complying disability access arrangements which may involve lift access to the commercial foyer. Full details are included in the access consultant's report.

Disability Discrimination Act (DDA) liability arises to upgrade the path of travel from the building entrance to the area of new work, when the building owner carries out such building work. Attention is drawn to the operation of the "Premises Access Standard" under the DDA which places liability on a building certifier to administer the requirements of the Act whenever certification is involved.

The office foyer is served by an existing external stairway from the street, at variance from the requirement.

The anticipated scope of work will invoke DDA upgrade of the existing arrangement via a 'porch lift' (wheelchair hoist), step nosings, handrails and tactile indicators. Access to the base building intercom buttons must also be provided (or supplementary buttons installed). Furthermore additional treatment (manifestation) of the frameless entry glazing will need to be applied. It is expected that the lift service will be replaced as part of the redevelopment process, and may thus be considered as "new work" as per Section 2.1 above.

4.0 Description under the BCA

4.1 Classification

The proposed use of the subject building attracts the following BCA classifications:

Part of building	Use	BCA Classification
Basement	Carpark	Class 7a
Commercial levels	Office	Class 5

4.2 Effective height

The base building is in excess of 25 metres effective height. The addition of the proposed storeys will result in a building with an effective height at or in excess of 50 metres.

5.0 BCA Assessment

5.1 Fire Resistance

No change of existing building use will occur as a result of the works. The fire resistance of the base building requires review against basic BCA criteria. Little risk is anticipated as no change of building use will occur in the existing office tower, and independent structural support may be achieved if necessary.

Proximity of any openings within 3 metres of the allotment boundaries may be addressed by fixed glazing and drencher protection as necessary.

5.2 Safe movement and egress

It is noted that previous alterations have occurred to achieve two means of fire egress to each of the storeys, discharging directly to street level. It is thus considered feasible to discharge new exits serving the uppermost floors via the existing stair shafts. Minor deficiencies in egress width may be adequately dealt with via a Performance Assessment. A total of 2 tower exits are presently provided, allowing for a nominal population of 200 persons per floor, or potential 2,000 m² of floor plate on each level at standard population densities¹.

The development should include upgrade of the egress/security package to achieve re-entry from the existing stair shafts to habitable floors, as is appropriate to the increased height of the building.

Of greater concern is the height safety of the pedestrian environment adjacent ground level, which will require comprehensive treatment to meet contemporary regulatory objectives without undue impact on the current aesthetic.

5.3 Fire Fighting Services and Equipment

From site inspection it is apparent that the existing services generally, whilst having been maintained/certified over the lifetime of the building, are likely approaching end-of-life and are not expected to have sufficient capacity to reticulate throughout the proposed floor area. Generally, replacement of existing building services is expected. However, reticulation of the new services throughout the new and existing parts of the building may take advantage of the spatial capacity inherent in the existing services risers.

Minor, acceptable design impacts at ground level are anticipated as will arise from the need to accommodate the fire brigade interface. Associated plant & equipment will require an allocation of floorspace on the Development Application.

¹ The achievable footprint is expected to be in the order of 1,000m² or less. Adequacy of exits is not considered to impose a constraint on the developable floorspace.

5.4 Sanitary Facilities

Separate male and female staff toilets are provided as per BCA Table F2.3. Utilising base-building facilities generates a population of 25 males and 45 females under preliminary calculations (i.e. a deemed total population of 50 persons per storey) are accommodated in the existing facilities, equating to 500m² nett floor area on each storey. Where statutory considerations require DTS upgrade of the accessible sanitary accommodation, the deemed capacity of the toilets on existing floors will increase to 40 males and 60 females (i.e 80 persons per floor) which is balanced against the deemed population density established elsewhere in the BCA.

5.5 Mechanical Ventilation

In relation to the mechanical ventilation concept, it is considered that the disruption of the existing mechanical plant level presents an opportunity to reconfigure the base building air handling plant, so as to meet the requirements of a "zone smoke hazard management system" under BCA Clause E2.2.



Disability Access Report

Project: Proposed Adaptive Reuse
Address: 28 Clarke Street, Crows Nest
Stage: Preliminary Assessment

Ref: J000315
Date: 4 February 2019

For: Smart Design Studio

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DOCUMENT CONTROL

Filename	Revision	Date
190124_Draft Access Report_28 Clark St_Crows Nest_J000315	1	24 January 2019
190204_Access Report_28 Clark St_Crows Nest_J000315	2	4 February 2019

Prepared by:	Comments
 Christine Cheung Director Access Consultant Accredited ACAA Member No. 158	Final report issued

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1. Introduction

1.1 Report Background

Cheung Access Pty Ltd has been commissioned by the client to provide an accessibility review for the proposed refurbishment to an existing heritage commercial building located at 28 Clarke St, Crows Nest.

This has triggered a review of equitable access, if a person using a wheelchair were to enter the building from the existing principal entrance on the ground level.

Any proposed new works for an existing building, triggers an affected part upgrade under Part 2 Scope of Standards, 2.1 (5), Buildings to which Standards apply, Disability (Access to Premises- Buildings) Standards (2010).

An affected part is defined as:

- (a) the principal entrance of an existing building that contains a new part; and
- (b) any part of an existing building, that contains a new part, that is necessary to provide a continuous accessible path of travel from the entrance to the new part.

The existing premises was assessed against the intent and objects of the Disability (Access to Premises- Buildings) Standards (2010) and provisions of Part D3 in the Building Code of Australia (BCA) 2016 Amendment 1, under the Disability Discrimination Act (1992).

The proposed new works will consist of an internal fit out to the following areas:

1. Level 01 Access Lift from Clarke Street level
2. Existing Levels 01 to 06 Office Spaces
3. New Levels 7 to 15 Office Spaces
4. New Lifts to additional floors 7 to 15
5. Basement car parking (Basement Levels 01, 02, 03, 04)

Our engagement involved a site inspection and desktop assessment of the preliminary architectural plans against the provisions of the Part D3 and F2.4 of the National Construction Code Series (Volume 1) Building Code of Australia 2016 Amendment 1 (BCA).

Cheung Access carried out an inspection on Wednesday 16 January 2019 with Ian Pickering (Building Consultant with Advance Building Approvals) and Ron Keir (Architect for Smart Design Studio) to resolve queries in relation to the proposed Disability Access Design.

1.2 Report Purpose

The key objectives of the report are as follows:

- ❑ Undertake an assessment of the proposed development against:
 - ❑ Part D3 and F2.4 Deemed to satisfy provisions of the National Construction Code Series – Volume 1- Building Code of Australia.
 - ❑ The Disability (Access to Premises—Buildings) Standards 2010 (the Premises Standards)
- ❑ Identify any compliance departures that require resolution/attention for the proposed development by way of design change or Performance Solutions for the next stage of design prior to submission of a Development Application.
- ❑ Verify that the referenced documentation has been reviewed by an appropriately qualified Accredited Access Consultant and demonstrate that compliance with the BCA / Access to Premises – Building Standard 2010 is readily achievable.
- ❑ Enable the certifying authority to satisfy its statutory obligations under Clause 145 of the Environmental Planning and Assessment Regulation, 2000 and its statutory obligations under the Building Professionals Regulation 2007.
- ❑ Accompany the submission of documents to the building contractor to enable them to be satisfied that the building design is capable of complying with the NCC/BCA and that subsequent compliance with the access requirements of the BCA, will not give rise to design changes, which may necessitate the submission of additional Section 96 applications under the Environmental Planning and Assessment Act, 1979.

Cheung Access has reviewed preliminary concept drawings for the 28 Clarke Street, Crows Nest for an existing heritage building (Class 5 Office building and Class 7a Carpark), to assess for consistency with the following disability design criteria contained within:

- A. The intent and objects of the Disability (Access to Premises- Buildings) Standards (2010).
- B. Part D3, E3.6 and F2.4 of the Building Code of Australia (BCA) (2016) – Amendment 1.
- C. Relevant Australian Standards listed in the BCA (2016) and AS4299, as follows:
 - ❑ AS1428.1 Design for Access and Mobility: General requirements for Access – New Building Work (2009)
 - ❑ AS1428.4.1 Design for Access and Mobility: Means to assist the orientation of people with vision impairment – Tactile ground surface indicators (2009)
 - ❑ AS1735.12 Lifts, escalators and moving walks – Facilities for persons with disabilities, Amendment 1 (1999).

- ❑ AS4586 (2013) Slip resistance classification of new pedestrian surface materials

In the preparation of this report, documentation relied upon is referenced in Appendix A.

1.3 Report Limitations and Exclusions

The limitations and exclusions of this report are as follows:

- ❑ This report is based on a review of the referenced documentation in the Appendix A.
- ❑ This Report does not address issues in relation to the design, maintenance or operation electrical, mechanical, hydraulic or fire protection services, Utility Services Provider Requirements (Water, Gas, Telecommunications and Electricity supply authorities), Local Government Act and Regulations, Occupational Health and Safety Act and Regulations or the like.
- ❑ This assessment does not incorporate the detailed requirements of the BCA Referenced Australian Standards and it's the responsibility of design and installation contractors to demonstrate and achieve compliance for all new works.
- ❑ The commentary within this Access Assessment Report does not relieve the Principal Designer, Principal Building Contractor or the Certifying Authority from their statutory obligations under the EP&A Act, Work Health Safety Act, BPB Act and the like and they are to be satisfied that the proposal meets their requirements prior to approval.
- ❑ It is important to note that without the written permission from Cheung Access Pty Ltd, no part of this report may be reproduced in any form or by any means. This report is based solely on client instructions and therefore should not be relied upon or used by any third party without prior knowledge and instructions from Cheung Access Pty Ltd.
- ❑ All reasonable attempts have been made to identify key compliance matters pursuant to the BCA and additional issues which have been deemed an impediment to access provision and may increase Client risk of attracting a complaint under the DDA.
- ❑ Cheung Access accepts no responsibility for any loss suffered as a result of any reliance upon such assessment or report other than providing guidance to alleviate access barriers in the built environment and reduce Client risk of attracting a complaint under the DDA.

1.4 Disability Discrimination Act 1992 (DDA)

The Federal Disability Discrimination Act 1992 (DDA) provides protection for everyone in Australia against discrimination based on disability. Section 32 of the DDA focuses on the provision of equitable and dignified access to services and facilities for people with mobility, sensory and cognitive disabilities.

Disability discrimination happens when people with a disability and their relatives, friends, carers, co-workers or associates are treated less fairly than people without a disability. Compliance with Access to Premises Standards give certainty to building certifiers, building developers and building managers that, if access to (new parts) of buildings is provided in accordance with these Standards, the provision of that access, to the extent covered by these Standards, will not be unlawful under the DDA. This however applies only to the new building or new parts of an existing building and its affected part. All areas outside the scope of these areas are still subject to the DDA. We cannot guarantee or certify for DDA compliance because DDA compliance can only be assessed by the Courts. Scope of DDA extends beyond the building fabric and also includes furniture and fittings.

From 1 May 2011, the Commonwealth’s Disability (Access to Premises - Buildings) Standards made under the Disability Discrimination Act 1992 (DDA) applies to all new building work. The Premises Standards, established requirements for access to buildings, that are incorporated into the BCA 2016 – Amendment 1.

The Premises Standards contain an Access Code of construction that is mirrored in the disability access provisions of the BCA 2016 – Amendment 1. New building work must comply with the Access Code in the same manner as complying with the BCA 2016 – Amendment 1 by meeting deemed-to-satisfy provisions or by adopting a performance solution that achieves the relevant performance requirements.

This means if access is provided in accordance with the Premises Standards then it is not unlawful under the DDA. It also ensures that Object 1.3 (a) of the Premises Standards is met which is to:

‘Ensure that dignified, equitable, cost-effective and reasonably achievable access to buildings and facilities and services within buildings is provided for people with a disability.’

1.5 Proposed Development

BCA Classification:

Class	Level	Description
7a	Basement levels Level 01	Car Park

	Level 02 Level 03 Level 04	
5	Level 01 Level 02 Level 03 Level 04 Level 05 Level 06 Levels 7 to 15	Existing Office space Existing Office space Existing Office space Existing Office space Existing Office space Existing Office space Existing Office space New Office space to high rise levels

Areas Required to be Accessible:

Area	Level	Description
Basement Carpark	Car park	To and within any level containing accessible carparking spaces
Ground Floor Entry	Level 1	Accessway must be provided from the main point of pedestrian entry at the allotment boundary. To and within all areas normally used by the occupants.
Existing Offices	Level 1 to Level 6	To and within all areas normally used by the occupants.
New Offices	Level 7 to 15	To and within all areas normally used by the occupants.

1.6 Report Structure

The report consists of a Summary of Issues provided in the table under Section 2 below, which is for the reader’s ease of reference and most urgent attention. Notwithstanding the summary of issues within **Section 2** must also be read in conjunction with the body of the assessment provided under **Section 3** of the report which further details compliance matters needing consideration in design development and during construction.

Section 3 Disability Access Assessment

Section of Report	Design Criteria
3.1	Affected Part Review
3.2	BCA Part D3 – Access For People with Disabilities

It is also the responsibility of all design consultants to ensure compliance with relevant BCA access requirements, DCP controls, Australian Standards and Manufacturers Specifications. This report does not in any way relieve design consultants from their obligations in designing to achieve compliance with the BCA. Furthermore, this report does not relieve the PCA from their statutory obligations required to assess the drawings in detail prior to the issue of a Development Application.

2. Summary of issues

It is noted that this assessment is based on preliminary architectural drawings and are not yet sufficiently detailed for a Development Application approval.

The following assessment is limited to the path of travel between (and including) the principal pedestrian entrance and the new works proposed. Accessible and ambulant sanitary facilities have also been included.

No.	Building Element	BCA / DDA	Current Compliance	Note
1	Overall building access requirements	D3.1	No	Can be achieved
2	Principal pedestrian entrance	D3.2	Yes	Achievable
3	Lift car -size	E3.6	Yes	Existing Goods lift complies with Premises Standards Lift concession dimension.
4	Lift car - fitout	E3.6	No	Upgrade required
5	Lift call buttons	DDA	Does not meet intent of DDA	Not accessible for people who are blind

6	Stair access Handrail Width Nosing - position Nosing - contrast Tactile indicators	D3.3	No	All stairs to be upgraded to meet AS1428.1 (2009)
7	Existing principal entry doors	D3.2	Yes	Current doors accessible
8	Accessible Toilet	F2.4	No	See commentary in report Requires a new facility on every office level
9	Tenancy fitout	D3.2	Yes	Warmshell only
10	Existing Male and female toilets	F2.4	No	No ambulant cubicles in existing toilet amenities. Provide at least one male and female ambulant cubicle for each level as a part of tenancy renewal works.
11	New Male and female toilets	F2.4	No	Provide at least one male and female ambulant cubicle for each level.
12	End of trip facilities	F2.4	No	No accessible option provided at this stage of design. Recommend providing a combined accessible toilet and shower on every level.
13	Car parking	D3.5	No	Provide at least one accessible parking on-site without considerable expense.
14	Exit level signage	E4.5	No	Provide raised tactile and Braille signage in accordance with BCA Part E4.5

3. Disability Access Assessment

3.1 Affected Part Review

The mandatory access requirements for this building, triggers the application of an 'affected part upgrade' under Part 2 Scope of Standards, 2.1 (5), Buildings to which Standards apply, Disability (Access to Premises- Buildings) Standards (2010).

An affected part is defined as:

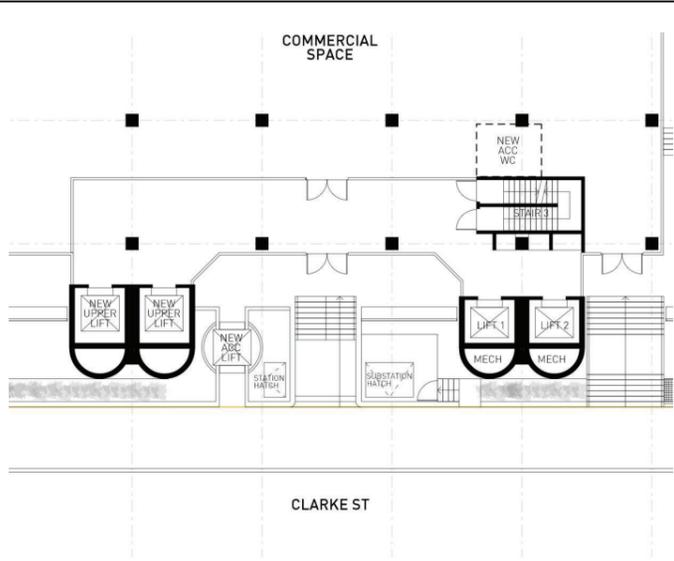
- (a) the principal entrance of an existing building that contains a new part; and
- (b) any part of an existing building, that contains a new part, that is necessary to provide a continuous accessible path of travel from the entrance to the new part.

The Premises Standards Guidelines (version 2) provides the following commentary on the extent of the affected part:

The definition of 'affected part' of a building is limited to the area between (and including) the principal pedestrian entrance and the new work, but does not extend from the entrance to the allotment boundary or any required carparking spaces. It also does not extend to any toilet facilities or other rooms adjacent to the pathway between the principal pedestrian entrance and the area of the new work.

The principal entrance for 28 Clarke St, Crows Nest has considered wheelchair access, see table below for further details.

Area	Recommendation
Principal Entrance: 1. Ground (Level 5)	The principal entrance features existing stairs. A new accessible lift is proposed to provide a compliant access pathway from the Clarke Street level to the Ground level (Level 1)

	 <p>Proposed access at Ground level</p> <p>The current principal entrance is an automated glass door and a landing area which provides sufficient wheelchair circulation. This provides a clear opening width in excess of the minimum 850mm required</p>
<p>New Parts</p>	<p>This is defined by works proposed to the following areas on the:</p> <ol style="list-style-type: none"> 1. Basement (Level 01, 02, 03) 2. Level 01 3. Level 02 4. Level 03 5. Level 04 6. Level 05 7. Level 06 8. Additional floors to high rise Level 7 to 15
<p>Continuous Accessible Path of Travel from tenanted principal entrance to the new parts</p>	<p>It is recommended that an accessible pathway from the principal entrances on the Ground level to the new parts on each floor listed above meet design requirement of Clause 6 Continuous Accessible Paths of Travel (AS1428.1 – 2009) with respect to gradient, floor surfaces, turning spaces for a wheelchair at doorways, luminance contrast around doorways.</p>

	<p>From the information provided, the existing lifts will be refurbished to meet the accessible features of AS1735.12 as required by Table E3.6b BCA.</p> <p>The Premises Standards includes a Lift concession at Part 4.4, which states;</p> <p style="padding-left: 40px;">The requirement in Table E3.6 (b) of the Access Code that a lift is to have a floor dimension of not less than 1 400 mm x 1 600 mm does not apply to an existing passenger lift that is in a new part, or an affected part, of a building, if the lift:</p> <p style="padding-left: 40px;">(a) travels more than 12 m; and (b) has a lift floor that is not less than 1100mm by 1400mm.</p> <p>This building contains 3 passenger lifts providing vertical accessible circulation from the Basement levels to all of the upper levels.</p> <p>The passenger lift car dimensions to be measured to ensure the minimum Premises Standards lift concession requirements of 1100mm x 1400mm.</p>
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3.2. BCA Part D3 – Access For People with Disabilities

Summary of capacity to achieve compliance with BCA Part D3

The proposed works will satisfy the a combination of prescriptive deemed to satisfy provisions and performance based solutions of Part D3, E3.6 and F2.4 of the BCA (2016), as follows:

Office

1. New Access lift from Clarke Street Level to Level 01.
2. Access to and within all areas normally used by occupants
3. There are existing lifts which will be refurbished to provide access from the Level 01 to the upper levels. NB. Further review is required to determine whether the lift car meets accessible features in line with the Premises Standards and BCA Table E3.6 (b).
4. Provision of ambulant cubicles and accessible toilet on all office levels
5. New Lifts to the high rise levels 7 to 15.

The following is a clause-by-clause assessment of the architectural drawings against BCA Part D3 – Access For People with a Disability. For more detail on each requirement, please refer to *Appendix B: BCA Part D3 – Access For People with a Disability*.

Deemed to Satisfy Provision	Complies	Comments
D3.1 General building access requirements Class 5 - Office	✓	<p>The drawings demonstrate access will be provided to the maximum extent possible to all areas on all levels of the development. The accessible path of travel between levels will be via;</p> <ul style="list-style-type: none"> • New lift between street level and Level 01. • The existing lifts, which will be upgraded to meet the requirements of the BCA Part E3.6. • New lifts to the high rise levels <p><u>Recommended Action</u> At DA Stage:</p> <ol style="list-style-type: none"> 1. Ensure internal pathways comply with AS1428.1 (2009) with regards to circulation space
D3.2 Access to buildings	✓	<p><u>Recommended Action</u></p> <ol style="list-style-type: none"> 1. Ensure external pathways comply with AS1428.1 (2009) - provide a lift from the street to level 01.
D3.3 Parts of building to be accessible	N/A	<p>Accessible Ramp No ramp is proposed within the building.</p> <p style="text-align: center;">X</p> <p>Existing Stairs <u>Recommended Action</u></p> <ol style="list-style-type: none"> 1. All stairs to be upgraded to comply with AS1428.1 Cl 11 Stairs (2009) with regards to handrails on both sides, handrail extensions and tactile indicators on top and bottom landing of steps. 2. All stairs require contrast strips to edge on stair nosings 50 - 75mm deep (30% contrast) to comply with AS1428.1 (f) and (g). <p style="text-align: center;">X</p> <p>Fire Isolated Stairways There are existing fire stairs which connects all the levels.</p> <p><u>Recommended Action</u></p>

	✓	<p>Fire isolated stairs to be upgraded to provide:</p> <ol style="list-style-type: none"> contrast strip to edge on stair nosings 50-75mm deep (30% contrast) to comply with AS1428.1 Handrail at 865mm to 1000mm above step nosing on at least one side of the stairs to comply with AS1428.1 (2009) <p>Lifts</p> <p>There are three existing lifts which links all of the existing office levels and basement levels.</p> <p>Two new lifts are proposed to link Level 01 to additional floors Levels 7 - 15..</p> <p>Another lift is proposed at the street level to link to the Level 5 principal entry.</p> <p><u>Recommended Action</u></p> <ol style="list-style-type: none"> Further assessment is required of the existing lifts to ensure upgrade to lift complies with accessible features of AS1735.12 as required by Table E3.6b BCA. Ensure two new lifts to additional floors complies with AS1735.12 as required by Table E3.6b BCA. Ensure new lift that travels between street ground level and level 5 entry level meets the requirements of E3.6b BCA 2016 – Amendment 1 <p>Turning spaces</p> <p>At the end of corridors there are turning spaces of at least 1540mm x 2070mm to comply with AS1428.1 (2009).</p> <p>Flooring</p> <p>Flooring is not detailed at this stage of development.</p> <p><u>Recommended Action</u></p> <p>For any new works ensure</p> <ul style="list-style-type: none"> Flooring joints or abutments to have vertical rise no longer greater than 3mm or 5mm if rounded
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		<ul style="list-style-type: none"> Flooring to have compliant slip resistance as per Table 3B, SA HB 198:2014 Guide to the specification and testing of slip resistance of pedestrian surfaces - Wet pendulum test or Oil-wet inclining platform classifications for applications where NCC does not require slip resistance Carpet flooring to meet requirements of BCA Part D3.3 (g) and (h)
D3.4 Exemptions	N/A	Not applicable to this assessment
D3.5 Car parking spaces for people with a disability	✓	<p>An area for accessible car parking has been shown in drawing L03 Plan</p> <p><u>Recommended Action</u></p> <ul style="list-style-type: none"> Provide at least one accessible car space. Locate accessible car space where this is overhead height of at least 2500mm.
D3.6 Signage	x	<p>At this stage of the design signage has not yet been developed.</p> <p><u>Recommended Action</u></p> <p>Further assessment at Construction Certificate stage is required.</p> <ol style="list-style-type: none"> Ensure Braille and tactile signage for required exit doors stating 'Exit' and 'Level' followed by floor number. Ambulant cubicle signage Accessible toilet signage indicating left or right hand transfer
D3.7 Hearing augmentation	N/A	Not applicable to this assessment
D3.8 Tactile indicators	x	<p>The concept drawings do not show location of tactile indicators.</p> <p><u>Recommended Action</u></p> <p>Tactile indicators to be installed on the top and bottom of existing non-fire isolated stairs to comply with AS1428.4.1.</p>
D3.12 Glazing on an accessway	x	<p><u>Recommended Action</u></p> <p>For CC stage, show on any glazed doors, a solid contrast line 75mm width at 900 - 1000mm and 30% luminance contrast when viewed against the floor surface or surfaces within 2m of the glazing on the</p>

		opposite side
E3.6 Passenger lifts	✓	<p>Existing Lift There are two existing passenger lifts and one good lifts which has been included as part of this review, however no information was provided at time of the assessment about the lift car size.</p> <p>New Lifts A new lift is proposed to link the ground level of the street to Level 01 principal entry level.</p> <p>Another two new lifts are proposed to link Level 01 to the additional levels 7 - 15.</p> <p><u>Recommended Action</u> The lifts require accessible features to be in accordance with E3.6b BCA 2016 – Amendment 1 To be assessed at Construction Certificate.</p>
F2.4 Accessible sanitary facilities	✓	<p>Accessible Toilets There is a new accessible toilet proposed on every level of the office spaces from Levels 01 to 15.</p> <p>End of trip facilities is shown within basement level 03, adjacent to the bicycle spaces.</p> <p><u>Recommended Action</u> To meet the intent of the DDA, provide one accessible end of trip facility, which may be combined with an accessible toilet for every level.</p> <p>Ambulant cubicles for separate male and female Cubicles are provided on Levels 01 to 05 within the existing sanitary amenities.</p> <p>The new floors 7- 15 will need to include ambulant cubicles for male and females.</p> <p>Male and female ambulant cubicles are shown on basement level 03.</p> <p><u>Recommended Action</u></p>

		1. At DA stage check documentation details for location and layout of the ambulant cubicle and accessible toilets to comply with AS1428.1 (2009).
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4. Conclusion

On the basis of our assessment, we confirm that the concept architectural drawings for 28 Clark St, Crows Nest, has the capacity to meet:

1. Performance Requirements of the Disability (Access to Premises-Buildings) Standards 2010 and Part D3, E3.6, F2.4 of the Building Code of Australia (BCA) (2016) through a combination of the deemed-to-satisfy provisions and performance based solutions.
2. The intent and objects of the Disability (Access to Premises- Buildings) Standards (2010).

We note some further assessment in the next design stage is required to ensure adequate access compliance as highlighted in Section 3.2 Access Assessment table above.

Statement of Qualifications

I certify that I am an appropriately qualified and competent person practising in the relevant area of work. I have recognised relevant experience in the area of work assessing disability access compliance and hold appropriately current insurance policies. (My qualifications and accreditations are listed below)

Full Name	Christine Cheung
Company	Cheung Access Pty Ltd
Address	Suite 14.03, Level 14, 1 York St, Sydney NSW 2000
Qualifications and Accreditations	<ol style="list-style-type: none"> 1. B. App Sc (Occupational Therapy), Masters of Environmental Studies 2. Accredited with the Association of Consultants in Access, Australia Member No. 158, Since 2003 3. Registered Occupational Therapist (Occupational Therapy Board/ AHPRA) 2018 -OCC0001901643
Signature	
Date	4 February 2019

Appendix A: Drawings reviewed

Drawing No.	Title	Rev
A114	Site Plan	P1
A101	L01 & L02 Plan	P1 & P2
A103	L03 Plan	P1
A105	Proposed L05 Plan	P1
A111	Proposed L11 Plan	P1
A112	Proposed L12 - 18	P1
A400	Cross Section	P1

Appendix B: BCA Part D3 - Access for People with a Disability

Below is a list of Building Code of Australia (BCA) Part D3 requirements relating to access requirements for people with a disability in Class 5 Buildings.

Clause	Requirements
D3.1 General building access requirements Class 5	To and within all areas normally used by the occupants.
D3.2 Access to buildings	<p>(a) An accessway must be provided to a building required to be accessible—</p> <ul style="list-style-type: none"> (i) from the main points of a pedestrian entry at the allotment boundary; and (ii) from another accessible building connected by a pedestrian link; and (iii) from any required accessible carparking space on the allotment. <p>(b) In a building required to be accessible, an accessway must be provided through the principal pedestrian entrance, and—</p> <ul style="list-style-type: none"> (i) through not less than 50% of all pedestrian entrances including the principal pedestrian entrance; and (ii) in a building with a total floor area more than 500 m², a pedestrian entrance which is not accessible must not be located more than 50 m from an accessible pedestrian entrance, except for pedestrian entrances serving only areas exempted by D3.4. <p>(c) Where a pedestrian entrance required to be accessible has multiple doorways—</p> <ul style="list-style-type: none"> (i) if the pedestrian entrance consists of not more than 3 doorways — not less than 1 of those doorways must be accessible; and (ii) if a pedestrian entrance consists of more than 3 doorways — not less than 50% of those doorways must be accessible. <p>(d) For the purposes of (c)—</p> <ul style="list-style-type: none"> (i) an accessible pedestrian entrance with multiple doorways is considered to be one pedestrian entrance where— <ul style="list-style-type: none"> (A) all doorways serve the same part or parts of the building; and (B) the distance between each doorway is not more than the width of the widest doorway at that

	<p>pedestrian entrance (see Figure D3.2); and</p> <ul style="list-style-type: none"> (ii) a doorway is considered to be the clear, unobstructed opening created by the opening of one or more door leaves (see Figure D3.2). <p>(e) Where a doorway on an accessway has multiple leaves, (except an automatic opening door) one of those leaves must have a clear opening width of not less than 850 mm in accordance with AS 1428.1.</p>
D3.3 Parts of building to be accessible	<p>In a building required to be accessible—</p> <p>(a) every ramp and stairway, except for ramps and stairways in areas exempted by D3.4, must comply with—</p> <ul style="list-style-type: none"> (i) for a ramp, except a fire-isolated ramp, clause 10 of AS 1428.1; and (ii) for a stairway, except a fire-isolated stairway, clause 11 of AS 1428.1; and (iii) for a fire-isolated stairway, clause 11.1(f) and (g) of AS 1428.1; and <p>(b) every passenger lift must comply with E3.6; and</p> <p>(c) accessways must have—</p> <ul style="list-style-type: none"> (i) passing spaces complying with AS 1428.1 at maximum 20 m intervals on those parts of an accessway where a direct line of sight is not available; and (ii) turning spaces complying with AS 1428.1— <ul style="list-style-type: none"> (A) within 2 m of the end of accessways where it is not possible to continue travelling along the accessway; and (B) at maximum 20 m intervals along the accessway; and <p>(d) an intersection of accessways satisfies the spatial requirements for a passing and turning space; and</p> <p>(e) a passing space may serve as a turning space; and</p> <p>(f) a ramp complying with AS 1428.1 or a passenger lift need not be provided to serve a storey or level other than the entrance storey in a Class 5, 6, 7b or 8 building—</p> <ul style="list-style-type: none"> (i) containing not more than 3 storeys; and (ii) with a floor area for each storey, excluding the entrance storey, of not more than 200 m²; and <p>(g) clause 7.4.1(a) of AS 1428.1 does not apply and is replaced with 'the pile height or pile thickness shall not exceed 11 mm and the carpet backing thickness shall not exceed 4 mm'; and</p>

	(h) the carpet pile height or pile thickness dimension, carpet backing thickness dimension and their combined dimension shown in Figure 8 of AS 1428.1 do not apply and are replaced with 11 mm, 4 mm and 15 mm respectively.
D3.4 Exemptions	The following areas are not required to be accessible: (a) An area where access would be inappropriate because of the particular purpose for which the area is used. (b) An area that would pose a health or safety risk for people with a disability. (c) Any path of travel providing access only to an area exempted by (a) or (b).
D3.5 Car parking spaces for people with a disability	Accessible carparking spaces— (a) subject to (b), must be provided in accordance with Table D3.5 in— (i) a Class 7a building required to be accessible; and (ii) a carparking area on the same allotment as a building required to be accessible; and (b) need not be provided in a Class 7a building or a carparking area where a parking service is provided and direct access to any of the carparking spaces is not available to the public; and (c) subject to (d), must comply with AS/NZS 2890.6; and (d) need not be designated where there is a total of not more than 5 carparking spaces, so as to restrict the use of the carparking space only for people with a disability. 1 space for every 100 carparking spaces or part thereof.
D3.6 Signage	In a building required to be accessible— (a) braille and tactile signage complying with Specification D3.6 must— (i) incorporate the international symbol of access or deafness, as appropriate, in accordance with AS 1428.1 and identify each— (A) sanitary facility, except a sanitary facility within a sole-occupancy unit in a Class 1b or Class 3 building; and (B) space with a hearing augmentation system; and (ii) identify each door required by E4.5 to be provided with an exit sign and state—

	(A) "Exit"; and (B) "Level" ; and either (aa) the floor level number; or (bb) a floor level descriptor; or (cc) a combination of (aa) and (bb); and (b) signage including the international symbol for deafness in accordance with AS 1428.1 must be provided within a room containing a hearing augmentation system identifying— (i) the type of hearing augmentation; and (ii) the area covered within the room; and (iii) if receivers are being used and where the receivers can be obtained; and (c) signage in accordance with AS 1428.1 must be provided for accessible unisex sanitary facilities to identify if the facility is suitable for left or right handed use; and (d) signage to identify an ambulant accessible sanitary facility in accordance with AS 1428.1 must be located on the door of the facility; and (e) where a pedestrian entrance is not accessible, directional signage incorporating the international symbol of access, in accordance with AS 1428.1 must be provided to direct a person to the location of the nearest accessible pedestrian entrance; and (f) where a bank of sanitary facilities is not provided with an accessible unisex sanitary facility, directional signage incorporating the international symbol of access in accordance with AS 1428.1 must be placed at the location of the sanitary facilities that are not accessible, to direct a person to the location of the nearest accessible unisex sanitary facility.
D3.7 Hearing augmentation	(a) A hearing augmentation system must be provided where an inbuilt amplification system, other than one used only for emergency warning, is installed— (i) in a room in a Class 9b building; or (ii) in an auditorium, conference room, meeting room or room for judicatory purposes; or (iii) at any ticket office, teller's booth, reception area or the like, where the public is screened from the service provider. (b) If a hearing augmentation system required by (a) is— (i) an induction loop, it must be provided to not less than 80% of the floor area of the room or space served by

	<p>the inbuilt amplification system; or</p> <p>(ii) a system requiring the use of receivers or the like, it must be available to not less than 95% of the floor area of the room or space served by the inbuilt amplification system, and the number of receivers provided must not be less than—</p> <p>(A) if the room or space accommodates up to 500 persons, 1 receiver for every 25 persons or part thereof, or 2 receivers, whichever is the greater; and</p> <p>(B) if the room or space accommodates more than 500 persons but not more than 1000 persons, 20 receivers plus 1 receiver for every 33 persons or part thereof in excess of 500 persons; and</p> <p>(C) if the room or space accommodates more than 1000 persons but not more than 2000 persons, 35 receivers plus 1 receiver for every 50 persons or part thereof in excess of 1000 persons; and</p> <p>(D) if the room or space accommodates more than 2000 persons, 55 receivers plus 1 receiver for every 100 persons or part thereof in excess of 2000 persons.</p> <p>(c) The number of persons accommodated in the room or space served by an inbuilt amplification system must be calculated according to D1.13.</p> <p>(d) Any screen or scoreboard associated with a Class 9b building and capable of displaying public announcements must be capable of supplementing any public address system, other than a public address system used for emergency warning purposes only.</p>
D3.8 Tactile indicators	<p>(a) For a building required to be accessible, tactile ground surface indicators must be provided to warn people who are blind or have a vision impairment that they are approaching—</p> <p>(i) a stairway, other than a fire-isolated stairway; and</p> <p>(ii) an escalator; and</p> <p>(iii) a passenger conveyor or moving walk; and</p> <p>(iv) a ramp other than a fire-isolated ramp, step ramp, kerb ramp or swimming pool ramp; and</p> <p>(v) in the absence of a suitable barrier—</p> <p>(A) an overhead obstruction less than 2 m above floor level, other than a doorway; and</p> <p>(B) an accessway meeting a vehicular way adjacent to any pedestrian entrance to a building, excluding a</p>

	<p>pedestrian entrance serving an area referred to in D3.4, if there is no kerb or kerb ramp at that point, except for areas exempted by D3.4.</p> <p>(b) Tactile ground surface indicators required by (a) must comply with sections 1 and 2 of AS/NZS 1428.4.1.</p> <p>(c) A hostel for the aged, nursing home for the aged, a residential aged care building Class 3 accommodation for the aged, Class 9a health-care building or a Class 9c building need not comply with (a)(i) and (iv) if handrails incorporating a raised dome button in accordance with the requirements for stairway handrails in AS 1428.1 are provided to warn people who are blind or have a vision impairment that they are approaching a stairway or ramp.</p>
D3.11 Ramps	<p>On an accessway—</p> <p>(a) a series of connected ramps must not have a combined vertical rise of more than 3.6 m; and</p> <p>(b) a landing for a step ramp must not overlap a landing for another step ramp or ramp.</p>
D3.12 Glazing on an accessway	<p>On an accessway, where there is no chair rail, handrail or transom, all frameless or fully glazed doors, sidelights and any glazing capable of being mistaken for a doorway or opening must be clearly marked in accordance with AS1428.1.</p>
E3.6 Passenger lifts	<p>In an accessible building, every passenger lift must—</p> <p>(a) be one of the types identified in Table E3.6a, subject to the limitations on use specified in the Table; and</p> <p>(b) have accessible features in accordance with Table E3.6b; and</p> <p>(c) not rely on a constant pressure device for its operation if the lift car is fully enclosed.</p>
F2.4 Accessible sanitary facilities	<p>In a building required to be accessible—</p> <p>SA F2.4(a)</p> <p>(a) accessible unisex sanitary compartments must be provided in accessible parts of the building in accordance with Table F2.4(a); and</p> <p>SA F2.4(b)</p> <p>(b) accessible unisex showers must be provided in accordance with Table F2.4(b); and</p> <p>(c) at each bank of toilets where there is one or more toilets in addition to an accessible unisex sanitary compartment at</p>

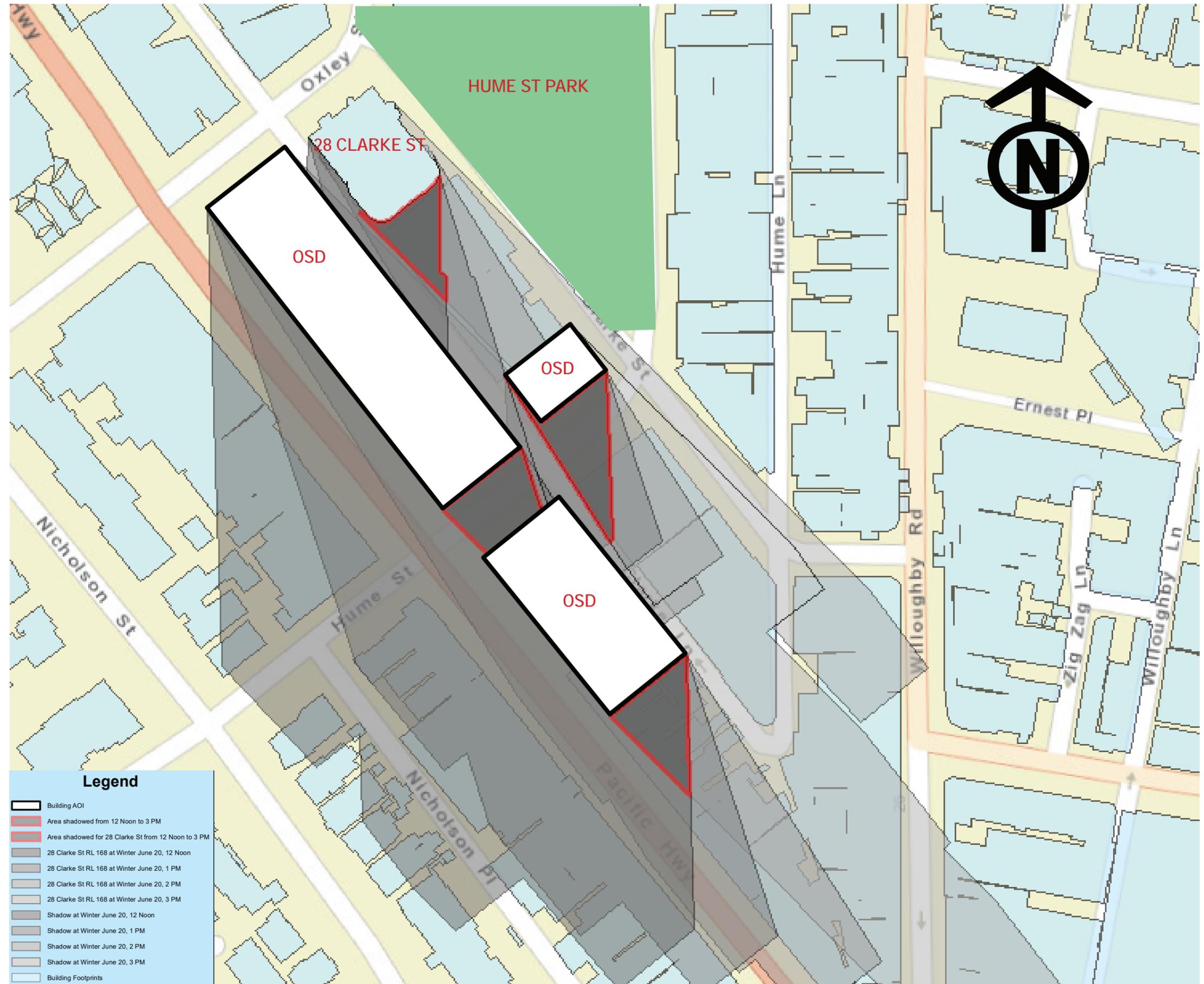
	<p>that bank of toilets, a sanitary compartment suitable for a person with an ambulant disability in accordance with AS 1428.1 must be provided for use by males and females; and</p> <p>(d) an accessible unisex sanitary compartment must contain a closet pan, washbasin, shelf or bench top and adequate means of disposal of sanitary towels; and</p> <p>(e) the circulation spaces, fixtures and fittings of all accessible sanitary facilities provided in accordance with Table F2.4(a) and Table F2.4(b) must comply with the requirements of AS 1428.1; and</p> <p>(f) an accessible unisex sanitary facility must be located so that it can be entered without crossing an area reserved for one sex only; and</p> <p>(g) where two or more of each type of accessible unisex sanitary facility are provided, the number of left and right handed mirror image facilities must be provided as evenly as possible; and</p> <p>(h) where male sanitary facilities are provided at a separate location to female sanitary facilities, accessible unisex sanitary facilities are only required at one of those locations; and</p> <p>(i) an accessible unisex sanitary compartment or an accessible unisex shower need not be provided on a storey or level that is not required by D3.3(f) to be provided with a passenger lift or ramp complying with AS 1428.1.</p>
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SHADOW STUDIES

WINTER SHADOW STUDY FOR THE PROPOSED ENVELOPE AT RL 168

A building of the proposed envelope, with maximum height RL149 does not cast additional shadows onto Hume St Park.





AREA ANALYSIS

EXISTING			PROPOSED		
LEVEL	NLA	FSA	LEVEL	NLA	FSA
15			15 (Roof Plant)	-	-
14			14	840	880
13			13	840	880
12			12	840	880
11			11	840	880
10			10	840	880
9			9	840	880
8			8	840	880
7			7	840	880
<u>Top of existing building</u>			6 (Mid level open area)	387	427
5	728	860	5	728	860
4	738	793	4	738	793
3	554	648	3	554	648
2	487	587	2	487	587
1	507	570	1	507	570
-1	714	744	-1	0	0
-2	273	351	-2	0	0
-3	897	927	-3	0	0
-4	0	0	-4	0	0
TOTAL	0	0	TOTAL	10121	10925
FSR		4.43:1	FSR		8.82:1
SITE AREA m2		1238			

CONCLUSION

In support of the objectives outlined in the St Leonards and Crows Nest 2036 Plan (Draft 2036 Plan), consideration has been given as to how 28 Clarke Street could best be adapted for ongoing use as a valuable example of commercial architecture. Subject to heritage advice and in consultation with local Council we believe that sensitive design measures can be employed to achieve better access for the disabled, and to improve activation at the base of the building along Clarke and Oxley Streets. Establishing a better relationship with the adjacent open space will offer a further opportunity to contribute to public benefit through the upgrade of 28 Clarke Street.

As a means of securing the economic and public benefits noted above, additional floors are proposed above the existing roof level plant as described in the accompanying architectural concept diagrams and visualisations. We believe that the integrity of the robust existing architecture can be maintained and enhanced through sympathetically designed modification to the building envelope. Any additional building envelope will maintain undiminished solar access to the park at critical times on the Winter solstice. We believe that the retention, upgrade and redevelopment of 28 Clarke Street can be based on the objectives of sustainability and design excellence, and that the proponents stated commitment to heritage values and orderly economic development will be for the benefit of the community.

