

21 November 2011

Mr Anthony Witherdin
Acting Director Assessment Metropolitan East and Southern Region
Department of Planning
23-33 Bridge Street
SYDNEY NSW 2000

Dear Anthony,

MP08_0241 - Section 75W Modification Application 100 Mount Street North Sydney – Response to Council, Railcorp and the Department of Transport Submissions

We provide the following response to the matters raised by North Sydney Council, Railcorp and the Department of Transport in relation to the above 75W application.

Council Matters

The issues raised by Council in their resolution dated 17 October 2011 are addressed chronologically below.

CONSTRUCTION HOURS

Council's objection to the proposed extended construction hours is noted. The proponent is prepared to accord with Council's standard construction hours.

The proponent wishes to advise that it will continue to liaise with North Sydney Council to ensure the construction program and times are optimised.

DESIGN EXCELLENCE PANEL MATTERS

ADDITIONAL PERSPECTIVES AND ELEVATIONS REQUIRED

Three additional perspectives and two elevations have been prepared and submitted for the information of the Design Excellence Panel, see attached **DA107, DA107-1, DA107-2, DA130-2 and DA 130-3**.

MOUNT STREET AWNING

The extent of the Mount Street awning is considered to be appropriate and satisfactory and no change is proposed for the following reasons:

- Substantial weather protection is provided for pedestrians walking along Mount Street. Due to the setback of the building at ground level, pedestrians are able to move under the proposed 6m wide awning in the event of inclement weather and even traverse the plaza level if that is the desired direction of travel, refer to the attached annotated **DA109-1 Site Diagram – Pedestrian Path Under Canopy**.

- Extension of the canopy would impede upon the growing zone for the street trees within the Mount Street footpath.
- The extension of the canopy would unbalance the symmetry of the architecture when viewed from the east, refer to attached **DA130-2 Contextual Elevation - East**.
- The canopy effectively protects against uncomfortable wind conditions as proposed. Refer to the wind report submitted with the proposal.

AIR INTAKE PLENUM

The air intake plenum at ground level on the Mount Street façade has been relocated as requested. Refer to the attached **DA107 Ground Plane Perspective**.

MOUNT STREET SETBACK

The wall to the stairs at ground level on Mount Street has been increased to the requested 4.8m to the kerb line to provide greater width for pedestrian thoroughfare, see attached **DA110 Plaza Topography Diagram**.

THROUGH SITE LINK

The stair design along Spring Street and Mount Street has been optimised to minimise the number and length of stairs and the length of walling. The angles a pedestrian can cross the site has been maximised. Any further reduction of stairs would increase walling and at the same time decrease the angles available through the site, see attached **DA109-2 Site Diagram – Through Site Link**.

STREET TREES

The proposal does not involve any change to the approved scheme in relation to street trees. The trees along Mount Street will need to be removed to facilitate construction on the site apart from the tree on the south east corner as shown on the submissions landscape plans. They will be replaced as part of the final landscaping for the new building.

No street trees in Spring Street will be removed.

CONSERVATION PLANNER MATTERS

DETAILED DRAWINGS SHOWING RELATIONSHIP WITH FIREHOUSE HOTEL

Further detailed drawings are attached (**DA130-2 and DA130-3**) and Heritage experts NBRS+Partners comment that:

The further drawings provided demonstrate that the relationship responds to the context of the adjacent two storey Firehouse Hotel (former Fire Station) by relating the level of the glazed balustrade of the plaza podium of the proposed tower to that of the lower cornice of the heritage item. In addition, whereas the relationship of any tower immediately adjacent to a two storey heritage item can be challenging to mediate, the mediation of the transition between the Firehouse Hotel and the proposed tower has been achieved not only by linking the balustrade height to that of the lower cornice but also by approximating the scale of the heritage item in the void of the plaza podium. Overall, the result is acceptable in terms of the heritage impacts caused by the proposed development on the adjacent heritage item."

PLAZA LEVEL VOID CLARIFICATION

The Walker Street façade features an operable glass curtain wall to allow optimisation of the food and beverage space at plaza level. The two views of the Walker Street façade differ as one view shows the wall elevated and the other shows it down. The operable nature of this wall is essential to the proposal and ensuring that the plaza level is well used year-round.

STREET LEVEL SPLAY ON WALKER AND SPRING STREET

There is no splay in this location.

DETAILS OF WALKER STREET CAR PARK ENTRANCE

As illustrated by annotations on the attached **DA117 Retail Level Plan**, the surfaces within the car park entry have been detailed to include “architectural cladding”. The materials used in this area that is visible from the public domain, will be of appropriately high quality.

GLASS BALUSTRADE ABOVE WALKER STREET

Heritage experts NBRSPartners have commented that:

Given that the level of the balustrade has been designed to reinforce the horizontal feature of the lower cornice of the adjacent heritage item, the Firehouse Hotel, its present alignment forward of the main building line of the proposed new building best reinforces this relationship rather than setting the balustrade further away from it. It is considered to have an acceptable impact on its present alignment.

CERTIFICATION OF EXISTING BUILDING'S GROSS FLOOR AREA

The original submission contained an existing GFA of 10,390m². A consistent approach should be adopted in assessing the contributions under the revised scheme.

CONDITION B8 TO BE MODIFIED TO RELATE TO WALKER STREET LOCATION

Noted and agreed.

CONDITION TO CREATE PUBLIC RIGHTS OF WAY OVER SITE SETBACK AREA

The proponent is prepared to accept a condition to ensure public access is made available over the setback areas. The most appropriate mechanism is a site management plan that will ensure that these areas remain free of obstruction at all times. The proponent is not able to create registered public rights of way over the site as these will unnecessarily burden the site in perpetuity.

MOUNT STREET ELEVATION

It is proposed to retain the 4.2m setback to Walker Street shown in the Mount Street Elevation. This setback is in accordance with the existing condition of consent that specifies:

“the eastern façade of Levels 22 to 41 inclusive fronting Walker Street shall be setback a further 2.0 metres to an overall setback of 4.2 metres from the Walker Street boundary alignment to match the setback to the glass line of Levels 12 to 19 below.”

To the extent that the structural frame is the issue, this structure represents a very minor portion of the façade and does not significantly contribute to the bulk of the building. When viewed from an oblique angle, the structural protrusion does not detract from the principal setback and the alignment of this glass façade with others glass facades along Walker Street. The frame and exposed columns

represent an elegant architectural expression of the buildings structure when viewed from both near and afar. It replaces louvres and sunshades projecting into the 4.2m setback that were a feature of the previous scheme

Railcorp Matters

The proponent is prepared to accept a condition requiring a deed to be entered into to protect the CBDRL rail corridor. The existing Condition B2 appears to satisfy this request.

Transport NSW Matters

RAILWAY INFRASTRUCTURE CONTRIBUTION

The Department of Transport supports the applicant's commitment to execute a deed for payment of the infrastructure contribution toward the upgrade of the North Sydney Railway Station and request that the Condition relating to this contribution be worded a certain way. The proponent agrees to the application of a condition that requires the proponent to enter into an agreement with the DOPI and that the proponent and DOPI would determine the form of the agreement in consultation with DOT as per the suggested option 2 and to be paid prior to occupation of the building.

BICYCLE PARKING

The DOT recommends the inclusion of bicycle parking at grade for workers and visitors to the site. The proponent is prepared to investigate this as an option during design development.

CAR PARKING

The proponent acknowledges that the DOT would support a reduction in the car parking. The proposed number of car spaces comply with Council's inner-City requirements and is considered to be an appropriate number that will appropriately serve the occupants of the building and encourage the use of public transport use.

TRAVEL DEMAND INCENTIVES

It is noted that the Department of Transport supports the proposal to include a statement of commitment to implement travel plan incentives.

Please contact me with any further queries. We look forward to the timely assessment of the proposal.

Yours sincerely,



Paul Altree-Williams
Associate Director