

17 July 2020

2190948

Mr Jim Betts
Secretary
NSW Department of Planning, Industry and Environment
4 Parramatta Square
Parramatta NSW 2150

Attention: Amy Watson (Team Leader, Key Sites Assessments)

Dear Amy,

Response to Submissions
Channel 9 Site, Willoughby – MOD 4 to Concept Plan Approval MP10_0198

Thank you for the opportunity to meet with the Department on 22 June 2020 to discuss our Response to Submissions in relation to MOD4 to Concept Plan Approval MP10_0198. Following this meeting the proponent has worked with their expert project team to further consider the most appropriate outcome for the project in relation to the matters raised.

Specifically, this letter outlines a proposed reduction in the overall height of Building K by 1.2 metres, an increased southern setback to achieve a consistent 6 metre setback to the Walter Street Reserve, and suggested amendments to facilitate the investigation of incorporating elements (if appropriate) from the demolished transmission tower as interpretive features or as public art within the new public domain. This letter should be read in conjunction with the following:

- Addendum Urban Design Response prepared by Chrofi (**Attachment A**);
- Amended Building Envelope Plans prepared by Chrofi (**Attachment B**); and
- Acoustic Statement prepared by Renzo Tonin & Associates (**Attachment C**).

Once again we note that the Proponent's proposal to repurpose the subject site by removing a significant and highly intrusive telecommunications tower in the order of 233m and replacing it with a small low-rise residential building, all while remaining within the existing 460 dwelling cap, is a significant material benefit for local residents and the broader community. Furthermore, Mirvac is committed to commencing preparation and lodgement of a Development Application for Building K immediately upon determination of the subject Concept Plan amendment, which will generate significant economic benefits and job creation within the local and broader NSW community that are of particular importance in the current economic climate.

Reduction in building height

In order to respond to feedback from the Department and Council that the building envelope should more closely reflect the topography of Richmond Avenue, the overall height of the building envelope for Building K is proposed to be reduced by 1.2 metres compared to the exhibited Modification Application. This will provide for a stepping down in the building form from the approved Building H to the north. Amended Building Envelope Plans are provided at **Attachment A**.

Increased southern setback

The amended Building Envelope Plans (**Attachment A**) provide for an increased southern setback to provide a consistent 6 metre distance to the southern property boundary. The amendment will create increased separation

between Building K and the landscaped reserve to the south while providing space for additional new landscaping that will be sympathetic to the surrounding bushland.

Public art

Whilst we are supportive of investigating the adaptive reuse of elements of the transmission tower within the site as an interpretive or artistic element of the public domain, Council's proposed conditions are not supported. Further investigation is required during and following demolition of the transmission tower (subject to separate development approval process) to ensure that any salvaged materials will be durable and safe for reuse within the public domain. We also note that Council's *Public Art Policy & Guidelines 2009* and DCP do not require the provision of public art for this site or development, and should not be referred to when they do not apply. As a compromise, we suggest that the existing Consent Condition 21 of Concept Plan Approval MP10_0198 be amended as follows (shown in ***bold italic text***):

Condition 21.

*The landscape plans shall include details of a commemorative feature/s to be sited within the open space area which acknowledges Channel Nine's contribution to the locality and to telecommunications in general. Further investigations will be conducted to determine whether **this may include the repurposing of materials from the demolished transmission tower.** This will be subject to confirmation of their suitability for reuse within the future public domain as an interpretive or artistic element.*

Acoustic Amenity

Renzo Tonin & Associates have confirmed that future dwellings within the proposed Building K will be capable of complying with clause 102 of the State Environmental Planning Policy (Infrastructure) 2007 through incorporation of standard noise mitigating façade treatments. Please refer to **Attachment B** for further detail. A detailed assessment of acoustic compliance will be subject to a future Development Application for Building K submitted to Willoughby City Council.

Conclusion

We trust that this letter and the accompanying material provides the Department with sufficient information and comfort to complete its assessment. Should you have any queries regarding this proposal, please do not hesitate to contact the undersigned.

Yours sincerely,



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