

4 February 2022

Thomas Watt
Director, Eastern District
Place, Design and Public Space
Department of Planning and Environment
4 Parramatta Square, 12 Darcy Street, Parramatta

Dear Thomas

RE: Submission on Draft Planning Controls for UTS Key Site, Pyrmont Peninsula

Thank you for the opportunity to make this submission on behalf of the University of Technology Sydney (UTS), one of four key sites identified under the Pyrmont Peninsula Place Strategy.

UTS strongly supports the NSW Government's decision to review the planning framework for Pyrmont and commends the Department's significant work undertaken to date. A spotlight and focus on this precinct which is of strategic importance to Sydney remaining globally competitive is critical, with the education sector being a key building block.

UTS acknowledges the close engagement and commitment by the Department to progress with implementing the first stage of the Pyrmont Peninsula Place Strategy.

At a high level, UTS strongly supports the proposed amendments to its key site planning controls in order to realise its vision to deliver Australia's first integrated comprehensive Indigenous Residential College (IRC). There are however a range of aspects which require further review and refinement in order to ensure the IRC project can be viably accommodated on the site, aligns with UTS's vision for the College and the precinct, and importantly meets the projects requirements and key design principles that have been informed and led by Indigenous people.

Accompanying this submission are the following supporting information:

- Detailed comments on the proposed EIE and Draft Design Guidelines, prepared by Ethos Urban and included at **Attachment A**;
- Diagrams prepared by BVN and included at **Attachment B**; and
- Heritage Advice, prepared by Design 5 Architects, and included at **Attachment C**.

The following section provides an overview of the key issues for UTS, covering:

1. Building envelope
2. Heritage
3. Ground Plane and Public Open Space
4. Solar access

UTS looks forward to continuing to engage with the Department as it refines and finalises the planning controls for the UTS Key Site. It is recommended that this process should include engagement and a continuing dialogue with indigenous people to ensure the Designing with Country Framework established for the project and the site master planning is maintained from inception to completion.

1.0 Building Envelope

UTS appreciates the approach taken by the Department to enable UTS to explore two building envelope options. Consistent with its original plans for the site, UTS proposes to continue to progress and support the tower form option (Option 1). The mid-rise option 2 is not suitable for the proposed residential college use.

There are a range of factors which collectively support the tower option as the most appropriate, including:

- Supporting the vision for the project to be recognisable and clearly identifiable as an indigenous college;
- Minimising impacts to the heritage listed National Cash Register; and
- Maximising amenity for residents within a tower form and above podium levels.

There are however a number of key issues and concerns with the proposed option 1 envelope, and accordingly UTS are proposing an alternative envelope option be adopted by the Department. **Figure 1** below illustrate the proposed alternative envelope, with a comparison against exhibited Option 1 and the UTS submitted Master Plan. **Table 1** also provides a comparison of the tower setbacks. Refer also to **Attachment B**.

The adjustments to the envelope seek to:

- Ensure an integrated and holistic development outcome is able to be achieved;
- Ensure the delivery of a precinct heart (public open space) at the ground plane that is adequately sized and largely open to the sky that is suitable for programmed outdoor performance and direct engagements with the Arts Centre;
- Maximise solar access to the adjoining residential building to the south;
- Support the activation of the precinct heart; and
- Enabling the sensitive intervention to the rear of the heritage building.

Table 1 Tower Setback Analysis

Location	UTS Master Plan Setbacks	Option 1 Setbacks	UTS Alternative Tower Setbacks
<i>Mary Ann Street</i>	15m	20m	18m
<i>Harris Street</i>	3m	6m	4.5m
<i>Omnibus Lane</i>	14.5m	7m	13m
<i>Southern Boundary</i>	6m	3m	3m

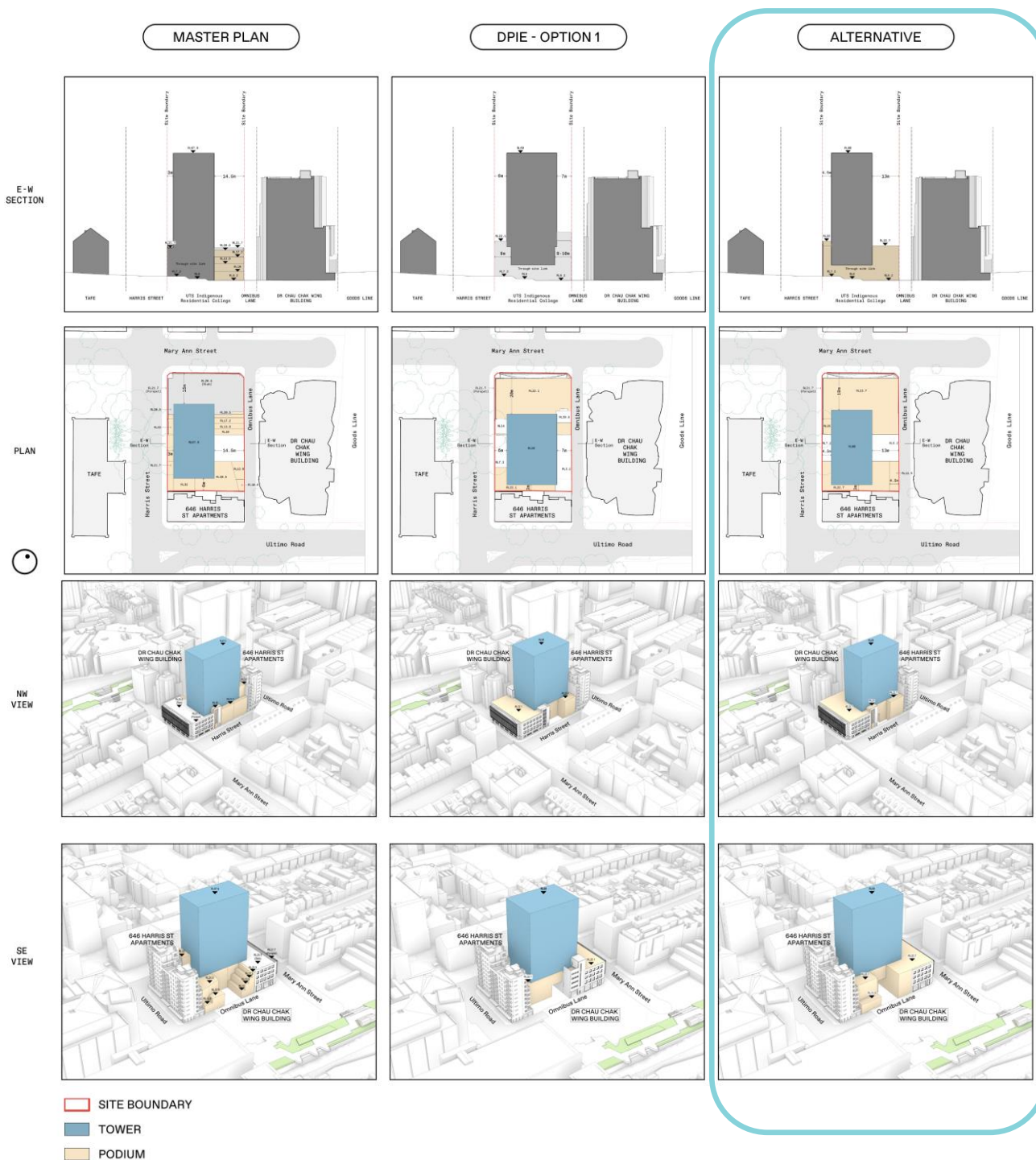


Figure 1 Envelope comparison

2.0 Heritage

UTS engaged the services of a highly respected heritage consultancy (Design 5 Architects) as part of preparing its Key Site Master Plan. Design 5 played an integral role as part of the design team in formulating the design outcomes and vision for the site.

Design 5 have been further engaged to review both the Heritage Report commissioned by the Department as well as relevant sections of the Design Guidelines, refer to **Attachment C**.

Design 5 are of the strong opinion that the built form outcome (option 2) adding four storeys to the existing building on that same footprint would be completely inappropriate and unacceptable in heritage terms. Design 5's experience with additions to significant reinforced concrete structures from the early to mid-twentieth century confirms the potential danger in making assumptions about their structural integrity and capacity. Such additions would very likely be overbearing and would diminish the significance and visual integrity of the NCR Building and adversely impact its context.

The response and advice from Design 5 reaffirms UTS's proposed approach to respecting and integrating the heritage listed National Cash Register building.

UTS is accordingly continuing to seek a holistic development outcome that involves the demolition of the less significant southern/rear section of the building. The success of the project relies heavily on the ability to open up and integrate the new development with the heritage building, especially in terms of supporting accessibility and connectivity and activation at the ground plane, in addition to relocating the unsightly and detracting rooftop plant within the new development facilitating an activated rooftop indigenous garden. Design 5 conclude that the demolition encourages an interlocking of new building with existing building and provides potential for an innovative urban design response that not only links old and new but retains and respects the integrity and legibility of the old.

3.0 Ground Plane and Public Open Space

UTS believes its original master plan submission provided for a superior ground plane and public open space outcome. An alternative design and envelope has accordingly been prepared that reinstates the Precinct Heart, with opportunities for improved accessibility and activation between indoor and outdoor spaces, refer to **Figure 2** and **Attachment B**.

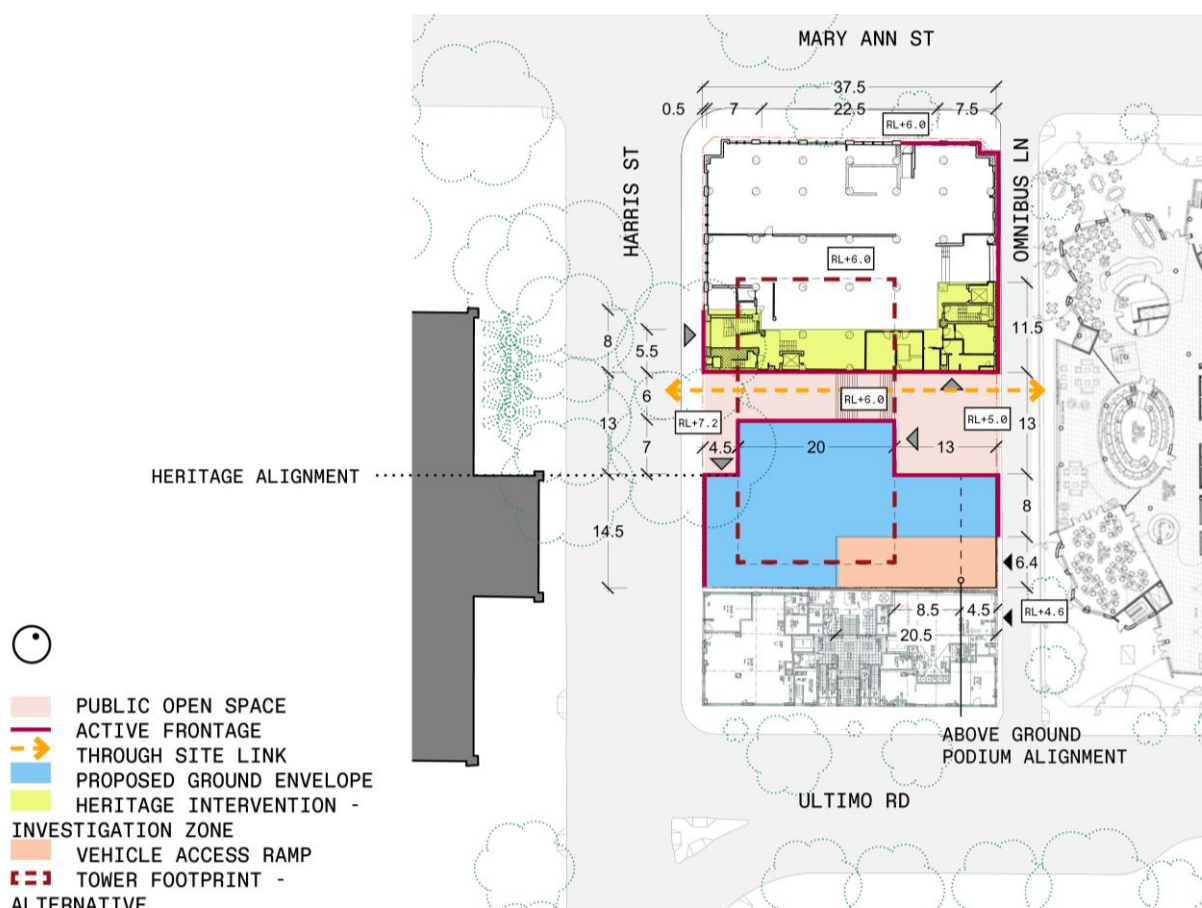


Figure 2 Proposed alternative ground floor and public domain plan

Precinct Heart

The proposed approach to the ground plane and open space within the exhibited Design Guidelines is at complete odds with the vision by UTS to create a precinct heart for the IRC (refer to **Figure 3**). It should be noted that a new outdoor open space area immediately connected to the proposed Arts Centre to be used in conjunction with that space and for outdoor performances and programming is a key element of the College brief informed by Indigenous people. This will have considerable cultural and public benefits.

An alternative envelope and ground plane is accordingly proposed in order to reinstate what was a crucial element led by and strongly supported by indigenous stakeholders.

The proposed alternative envelope will support the following benefits and outcomes (refer to **Figure 4**):

- Creating a clearly defined large central area of open space on the ground plane adjoining the Arts Centre that is largely open to the sky;
- Delivering a space that is of a sufficient size to support outdoor performances, ceremonies and programming;

- Providing a space that enables an extension to the functions and program of the Arts Centre;
- Delivering a physical and symbolic heart for the IRC that is grounded and activated; and
- Prioritising the delivery of open space that is located away from Harris Street, which does not provide ideal conditions in terms of noise and solar access.

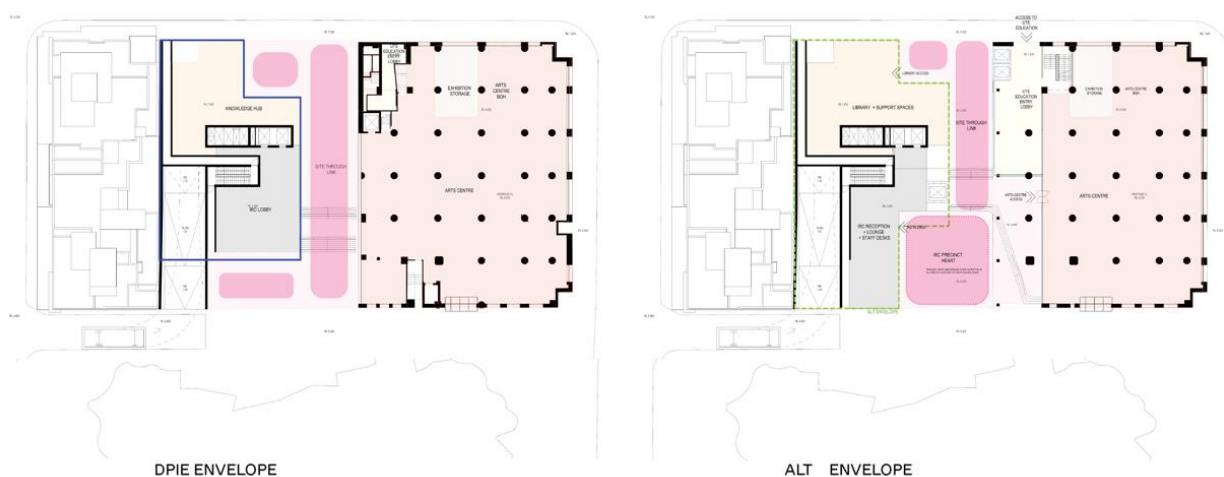


Figure 3 Comparison of ground plane

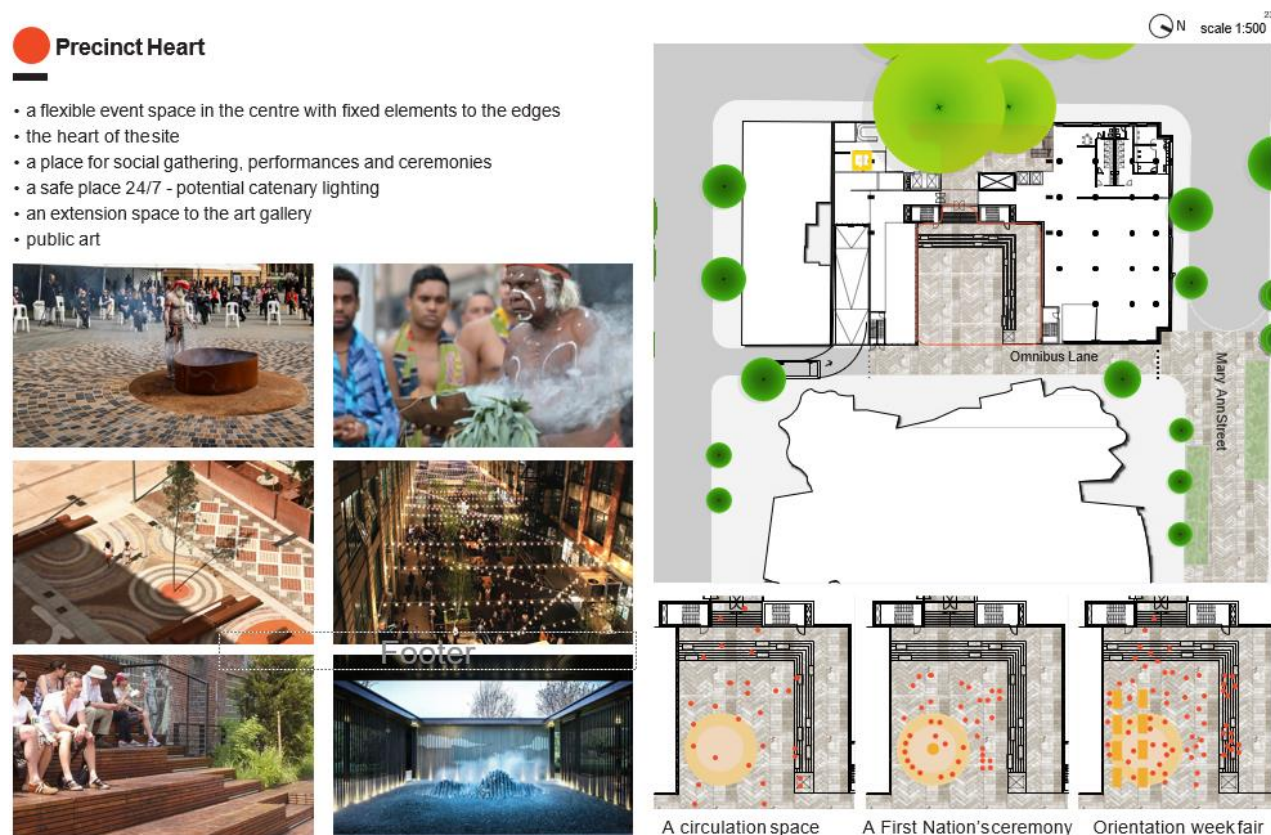


Figure 4 Proposed vision and design intent for the central precinct heart

Through-site link

The length and width of the through-site link is considered excessive, especially in the context of the location and size of the project. Amendments are therefore proposed to the envelope and ground plane to support a more appropriate space and connection through the site.

The Designing with Country framework also includes the replacement of the two Harris Street trees with new trees endemic to the area, providing a book end and cultural connection between the Precinct Heart to the east and Harris Street to the west. The street tree replacement identified in the UTS Master Plan reflected the very strong views from indigenous stakeholders throughout the consultation sessions, including the State Design Review Panel. Accordingly, UTS requests that the voice of indigenous Australians be considered and that replacement planting along Harris Street in front of the site be embedded within the Master Plan.

Connectivity and Activation

The exhibited Design Guidelines seek to inhibit the integration of the heritage building, effectively meaning the building turns its back on the new development. UTS and Design 5 challenge this position and seek to reinstate its approach of enabling intervention and integration of the heritage building. It is considered particularly important in terms of delivering a successful ground plane that connectivity and access is provided between the through-site link and the precinct heart – while acknowledging there are level change challenges that need to be worked through as part of the detailed design.

4.0 Solar Access

Precinct Heart

The aspiration for the precinct heart to be north facing and achieve 2 hours of solar access in mid-winter is not achievable and fails to appreciate the locational context of the space and the surrounding built form.

Detailed modelling undertaken by BVN as part of the UTS Master Plan submission demonstrated the amount of solar access achievable to the precinct heart. Updated modelling, including in relation to the alternative envelope now being proposed by UTS has been prepared and included at **Attachment B** (refer to **Figure 5**).

The greatest opportunity to optimising solar access to the precinct heart centres around the interface of the heritage building to the north. The reference design prepared in support of the master plan submission demonstrated one approach whereby partial demolition and stepping the rear of the heritage building enabled achievement of 2 hours of solar access to 50% during Equinox.

If the heritage building is required as is now proposed to be retained in its entirety, this greatly diminishes any opportunity to provide any improvements to solar access beyond the existing shaded situation.

It is proposed that this design challenge is best resolved as part of the design competition phase, where designers are able to test levels of intervention to the heritage building while also balancing desires to optimise solar access to the precinct, in particular during Equinox.

SOLAR ANALYSIS

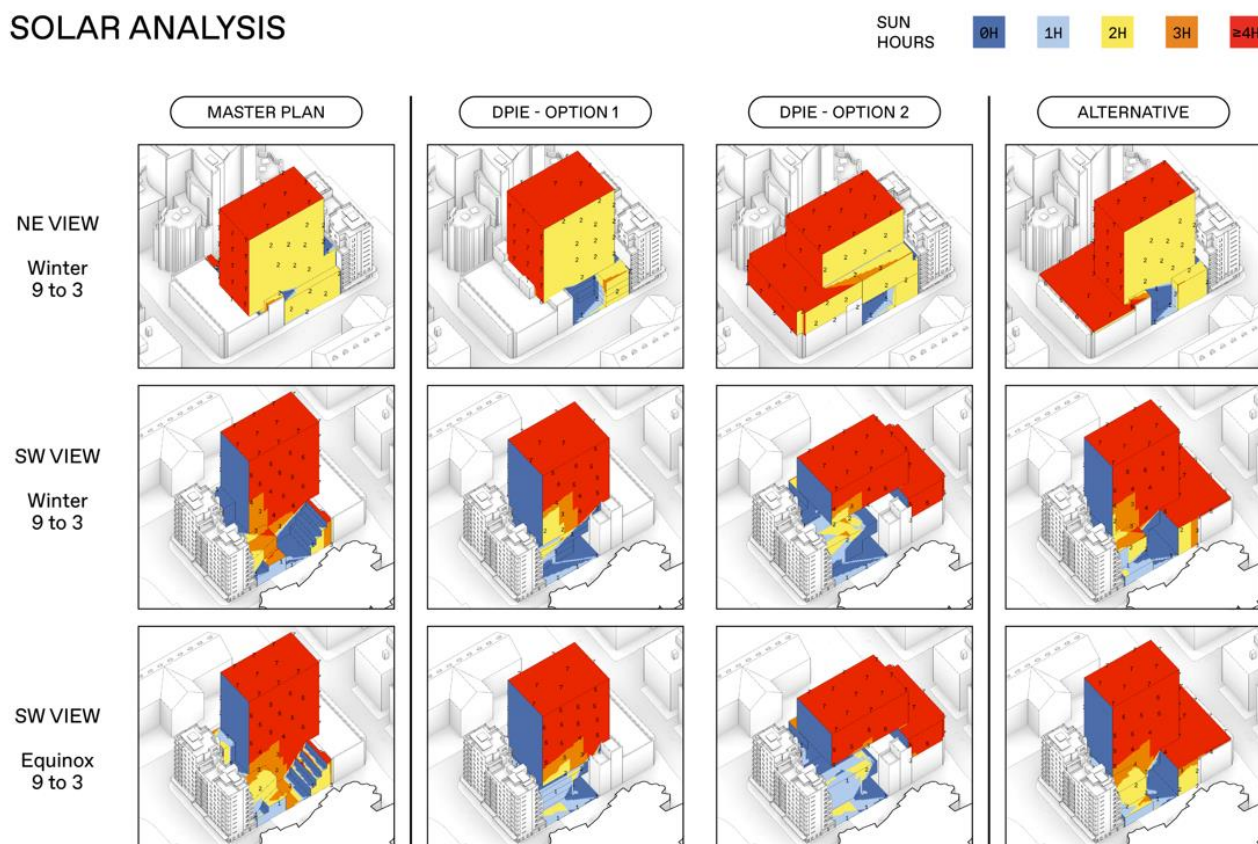


Figure 5 Precinct heart solar access studies

646 Harris Street

A stage 1 DA equivalent level of detail was prepared and funded by UTS in submitting its Key Site Master Plan, including in relation to understanding and assessing solar access impacts to UTS's only adjoining neighbour to the south (646 Harris Street). It is critical that the design outcome supports UTS in being a good neighbour, while also optimising the site's development potential to support the delivery of this culturally significant project.

Further modelling and studies have been undertaken by BVN and included within **Attachment B**. This work has considered the additional overshadowing impacts associated with the Department's options and influenced the proposed alternative envelope now proposed by UTS while balancing a need to maximise solar access to 646 Harris Street.

While acknowledged it is at the expense of design flexibility, UTS propose an envelope that provides greater certainty for both UTS and surrounding stakeholders in terms of understanding extent of solar access. This therefore translates to an envelope that is smaller in tower footprint, ensuring solar access impacts to the adjoining residential building are able to be quantified and understood now in terms of being acceptable rather than deferring to a later detailed design stage. It is intended that the design competition architects will be required to design within the approved envelope to contain solar access impacts to those already identified by the approved master plan.

5.0 Conclusion

Once again UTS acknowledge the Department's continued support for this exceptional and culturally significant indigenous project. UTS remain committed to delivering Australia's first integrated Indigenous Residential College and are excited by the project's progress, including commencing the design competition phase.

We look forward to further discussing the comments and feedback provided in this submission and reaching an outcome that UTS can support.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Alexis Cella', with a stylized, cursive script.

Alexis Cella
Director
acella@ethosurban.com

Attachment A

UTS Key Site Master Plan – Detailed Comments on Exhibition Material

Table 1- Detailed Comments

Document / Section		Comments	Suggested Amendment
Explanation of Intended Effects			
Section 3.6 Built Form Controls	<p>While it is noted that the reference design GFA generally aligns with the exhibited FSR (5:1), UTS is seeking an FSR of 5.56:1. The difference is roughly 1,000sqm.</p> <p>This float recognised that the reference scheme is a concept design rather than detailed design and accordingly was specific to one response to the proposed envelope, in this case containing considerable voids. The additional GFA sought is required in order to enable flexibility during the design competition and detailed design phase, especially in light of potential need to retain more of the heritage building and also the potential for the communal gathering spaces on the student accommodation levels to be potentially considered as enclosed spaces that attract GFA should these spaces contain louvres or enclosing screens.</p>	Amend the FSR control accordingly to ensure scenarios and development outcomes that have a higher GFA are able to be facilitated and achieve compliance with the future planning controls for the site, while not being bound to the specific design response developed by BVN in the reference scheme.	
Section 3.6 Built Form Controls	While not in agreement with the position taken by the Department with respect to heritage, if the final decision requires full retention of the heritage building, there will be additional GFA that will need to be accounted for and reflected in the final FSR number to be included within the Sydney LEP 2012 Site specific provision for UTS.	Revision (increase) to FSR number may be required in order to reflect any need to retain the entirety of the heritage building. Final FSR number to be verified and clarified with the Department.	
Design Guidelines			
3.2.2 Built Form and Design			
3.2.2(6)	Discussions and commentary to date as part of the SDRP process on building efficiency related primarily to the tower component.	<p>Suggest wording is amended in order to clarify that the ratio only applies to the tower component.</p> <p>Further studies and testing is being undertaken by UTS to confirm whether the 70% figure proposed is suitable (especially in light of the proposed amended envelope). Clarification to be provided to the Department in due course.</p>	

Document / Section	Comments	Suggested Amendment
3.2.2 (8)	A key premise of UTS' vision for the redevelopment of Site 13-15 is integrating with the existing heritage building to achieve a holistic development outcome, including with respect to floor to floor heights.	Suggest wording is amended to enable floor levels within the podium to align with the heights of the heritage building to enable direct access and integration across the site.
3.2.2 (14)	It is not clear if protection of solar access to open space is intended to apply to open space created by the development or open space external to and surrounding the site. The winter solstice protection window is not appropriate for the new central precinct heart sought be delivered as the existing building already overshadows this space.	Clarify that this provision is intended to apply to open space external to and surrounding the subject site.
3.2.2 (16) (a)(b)	The Option 2 building envelope is not proposed to be progressed by UTS.	Amend/delete controls that relate to the option 2 development outcome (e.g. addition of floors above heritage item).
3.2.2 (16) (g)(i)	As noted above, UTS is seeking a cohesive and integrated development outcome on the site. The development will look, feel and function as one integrated development.	Suggest provisions that infer the heritage building is separate and distinct to the development are removed.
3.2.2 (17) (a)	The Option 2 building envelope is not proposed to be progressed by UTS.	Amend/delete controls that relate to the option 2 development outcome (e.g. addition of floors above heritage item).
3.2.2 (17) (d)(i)	A 20m setback of the tower from Mary Ann Street is considered excessive and would reduce the number of student beds able to be accommodated within the development. UTS heritage advisors, Design 5, recommend a minimum of 15m and preferably 18m.	UTS would prefer greater flexibility in the envelope at 15m, however would consider a comprise of 18m. At 18m the tower would align with the Dr Chau Chak building and be generally consistent with the Sydney Technical College.
3.2.2 (18) (a)(ii - iv)	The Option 2 building envelope is not proposed to be progressed by UTS.	Delete controls that relate to the option 2 development outcome.
3.2.2 (18) (b)	UTS remains deeply committed to delivering a precinct heart that is open to the sky and suitably activated.	A part street wall south of the precinct heart is proposed to be implemented to enable an activated façade and engagement between indoor and outdoor uses. This would also assist in screening the carpark entry from Omnibus Lane.
3.2.2 (21)	Provision reflects that proposed within the Draft UTS Design Guide submitted as part of the Master Plan submission. Figure 3-1 does not translate the opportunities for green roofs.	Suggest remove reference to Figure 3-1.
3.2.2 (23)	The Housing SEPP does not apply to campus student accommodation.	Update reference
Figure 3-1	The Option 2 building envelope is not proposed to be progressed by UTS.	Figure 3-1 will need to be updated to reflect option 1, subject to amendments.
Figure 3-2	The Option 2 building envelope is not proposed to be progressed by UTS.	Figure 3-2 will need to be updated to reflect option 1, subject to amendments.
Figure 3-3	The Option 2 building envelope is not proposed to be progressed by UTS.	Figure 3-3 will need to be updated to reflect option 1, subject to amendments.

Document / Section		Comments	Suggested Amendment
Figure 3-4	<p>A range of issues and concerns are raised with respect to the ground floor and public domain plan, including:</p> <ul style="list-style-type: none"> - Enabling intervention of the rear areas of the heritage building that are of low and moderate significance; - Supporting and prioritising a central and useable precinct heart that is open to the sky and activated; - Rationalising the width of the through-site link and setback entry; - Providing a podium form to the south of the Precinct Heart enabling activation and screening car park entry - Street trees on Harris Street to be replaced with endemic species 	Figure 3-4 proposed to be amended.	
Figure 3-5	Amendments proposed in order to support UTS' vision for the precinct.	Figure 3-5 proposed to be amended.	
Figure 3-6	The Option 2 building envelope is not proposed to be progressed by UTS.	Delete Figure 3-6	
3.2.5 Public Doman			
3.2.5(1)(b)	The provision of a central precinct heart that is open to the sky is a key element of the IRC project. The space identified in the exhibited Draft Design Guideline conflicts with UTS' vision and aspirations for this space. UTS propose that the precinct heart element is reinstated as originally proposed.	Amend provision to reflect precinct heart size as a minimum of 13m wide x 13m deep between heritage building and podium building to the south.	
3.2.5(1)(c)	<p>The aspiration for the precinct heart to be north facing and achieve 2 hours of solar access in mid-winter is not achievable and fails to appreciate the locational context of the space and the surrounding built form.</p> <p>Modelling submitted as part of the UTS Master Plan submission undertaken by BVN demonstrates the amount of solar access achievable.</p>	Suggest amending the control to reinstate UTS proposal for solar access to be maximised, with a target threshold of 2 hours of solar access to 50% of the space during Equinox.	
3.2.5(1)(e)	UTS strongly support activation and connectivity with the through-site link, including the heritage building. There is a need however to recognise the level change between the heritage building and the through-site link.	Propose for provision to be amended to clarify that stairs/ramp solution will be needed in order to integrate and connect the through-site link with the heritage building.	
3.2.5(1)(g)	The look and feel and character of the precinct heart is planned to be different from a traditional urban open space. Rather than predetermining an outcome it is recommended that the design intent for the space is described more broadly.	Suggest remove the listed examples.	
3.2.5(1)(k)	Clarification required that the significant tree reference relates to a street tree.	Amend provision to note street tree as opposed to significant tree. The existing Harris Street trees are proposed to be replaced with endemic species.	
3.2.5(3)(c)	It is important to note that provision for a shareway along Omnibus Lane can still cater for emergency vehicle access.	Suggest expanded control to recognise vehicle access is restricted, except for emergency vehicles.	

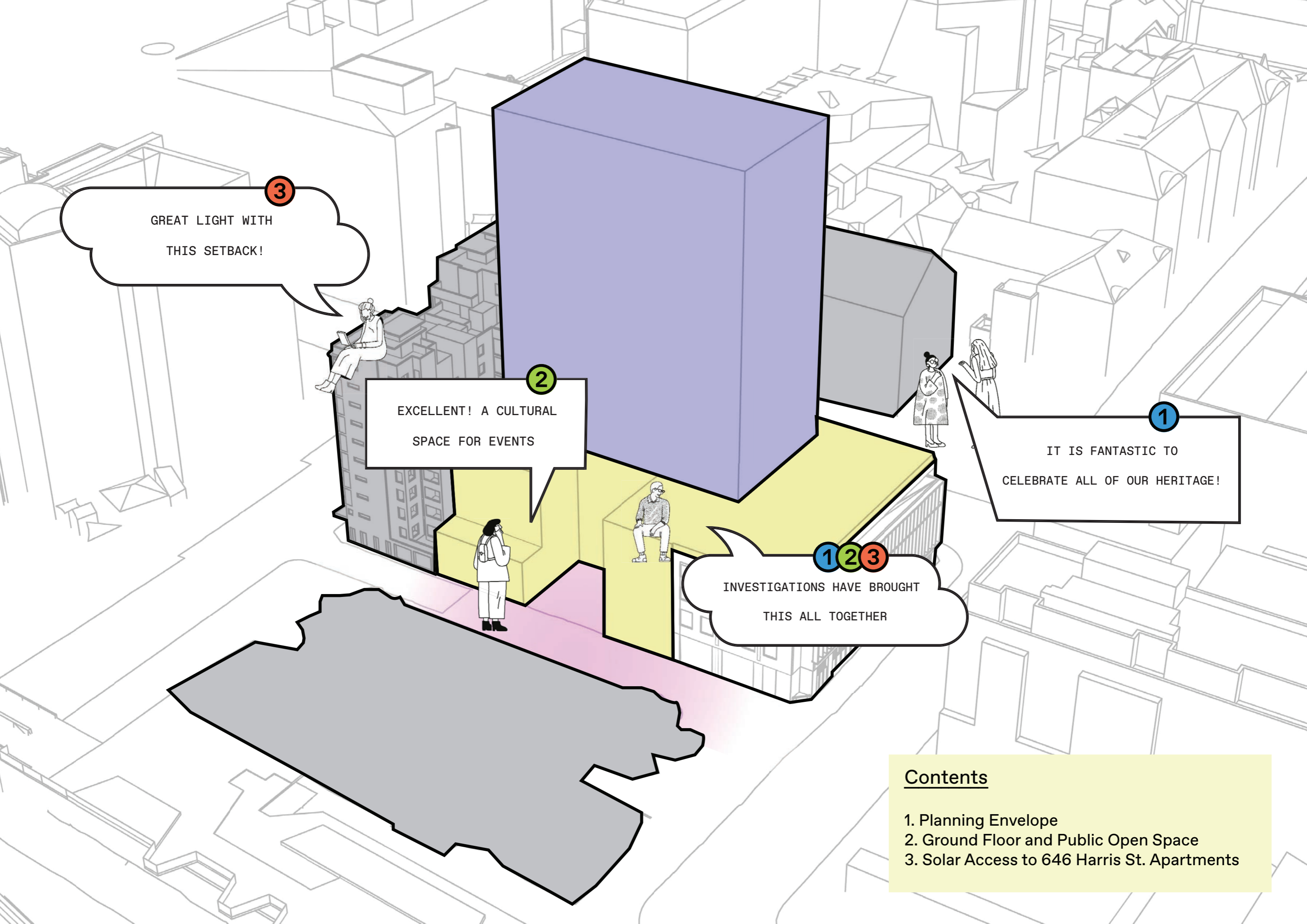
Document / Section	Comments	Suggested Amendment
3.2.5(4)(b)	General support for reduction/removal of on-street parking spaces. There is considered benefit in light of program of uses proposes that spaces are provided for pick-up drop-off associated with cultural and community spaces.	Suggest expand provision to support provision of appropriate drop-off/pick-up zones.
3.2.5(6)	As heard through the SDRP process, there is a need to recognise the voices of indigenous stakeholders for existing street trees to be replaced with endemic species.	Amend reference to “maintain tree canopy” and replace with “provide tree canopy”.
3.2.5(7)	As above, intent is to be proactive around delivery of more appropriate endemic/indigenous species of street trees along Harris St.	Ensure provisions reference need to retain any significant street trees along “Mary Ann St” and acknowledge replacement of Harris Street trees with endemic native species.
3.2.7 Vehicular loading, servicing, access and bike parking		
3.2.7(4)	Bike parking rates proposed for the student accommodation element are not supported. The reference design includes provision for 85 spaces, however the proposed controls would require provision for over 125 spaces. UTS engaged TTPP as part of its Master Plan submission to review and assess the suitability of bicycle parking (amongst other transport and traffic related matters) and concluded that the proposed amount and rates (in accordance with Council’s Boarding House DCP) were acceptable. It is also worth noting that the basement area is highly constrained and there are even further constraints imposed by the proposed Design Guide in terms of limiting the extent of the basement (i.e. not extend below the heritage building).	Review and amend bike parking rates for student accommodation element of project, e.g. 1 space per 3 beds.
3.2.10 Solar impacts to 646 Harris Street		
3.2.10	<p>UTS and its design team has undertaken an in depth and DA level of detail in assessing the potential impacts to the adjoining residential apartment building to the south. A key objective in arriving at the original envelope proposed by UTS was to maximise solar access to northern living/principal windows and balconies of the adjoining apartment building.</p> <p>The proposed controls do not appear to recognise this level of detail nor a clear understanding of the degree of impact expected from the development (regardless of which option). By the nature of how the residential building was designed and given its position to the south of the UTS site, there is always inevitably going to be impacts. UTS is however seeking to minimise impacts and believes it has arrived an appropriate balance of supporting the redevelopment of the site for the IRC while also protecting the amenity of the adjoining residential building.</p>	<p>Delete reference and quote of Sydney DCP 4.2.3.1.</p> <p>Insert:</p> <p>“The impact of any future detailed design on the site must maximise solar access to living rooms and balconies of the residential dwellings at 646 Harris Street.”</p>

Document / Section	Comments	Suggested Amendment
	<p>Accordingly, UTS is seeking greater clarity around solar access controls and their interface with the proposed envelope.</p> <p>UTS is effectively seeking certainty that so long as development is contained wholly within the envelope it is acceptable from a solar access impact perspective – as would be the case for an equivalent Stage 1 Concept Proposal which also establishes and proves up an envelope that is able to be built within. The combination of the envelope and prescriptive controls as proposed effectively means there are multiple layers which when overlayed effectively mean that the site is undevelopable.</p>	

BVNI

UTS INDIGENOUS RESIDENTIAL COLLEGE,
DPIE Review

04.02.2022



3

GREAT LIGHT WITH
THIS SETBACK!

2

EXCELLENT! A CULTURAL
SPACE FOR EVENTS

1

IT IS FANTASTIC TO
CELEBRATE ALL OF OUR HERITAGE!

1 2 3

INVESTIGATIONS HAVE BROUGHT
THIS ALL TOGETHER

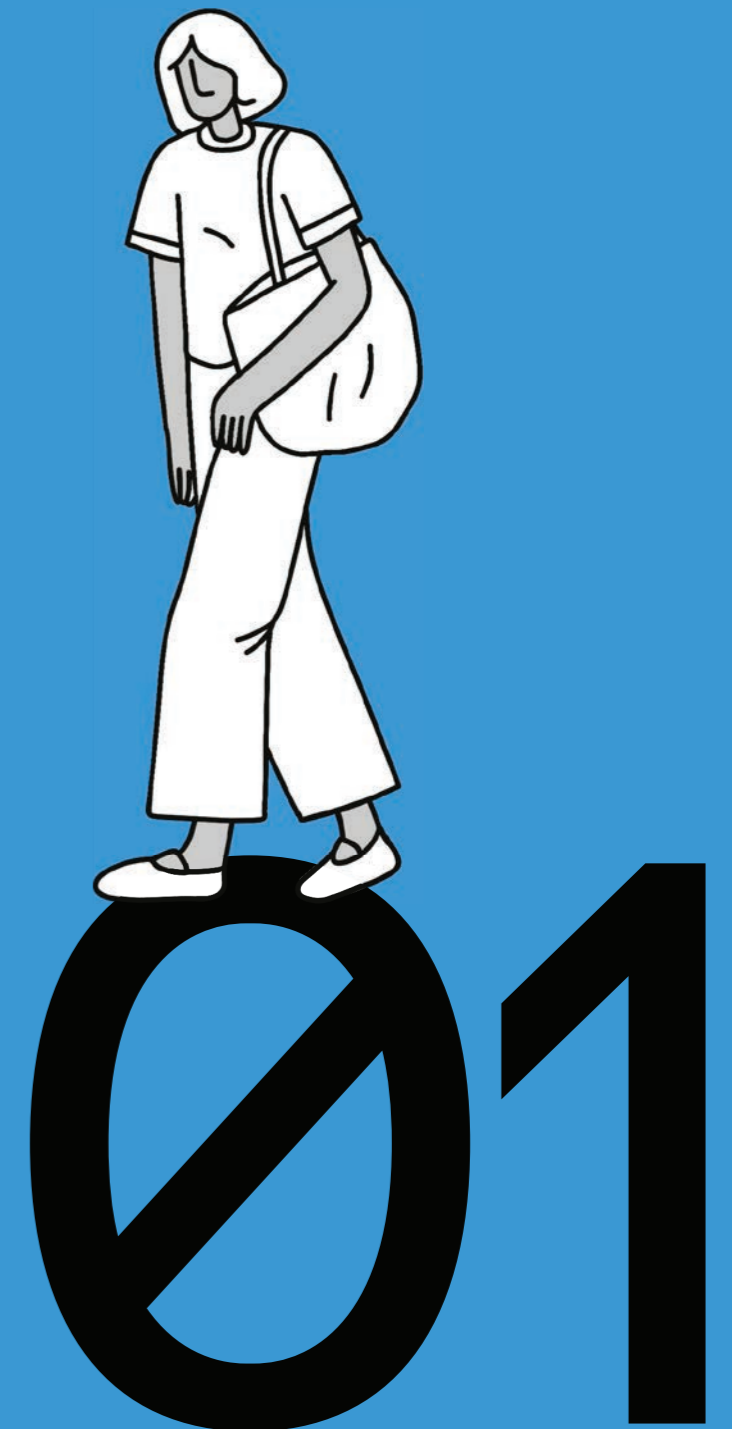
Contents

1. Planning Envelope
2. Ground Floor and Public Open Space
3. Solar Access to 646 Harris St. Apartments

Planning Envelope

The Planning Envelope responds to its surrounding urban, cultural and rich heritage context.




Offering a tested and certain framework for future competitors to work within, ensures that the Vision of the UTS' First Nations Community will be realized.



- Planning Envelope
- Ground Floor and Public Open Space
- Solar Access to 646 Harris St. Apartments

Planning Envelope

PLAN AND SECTION

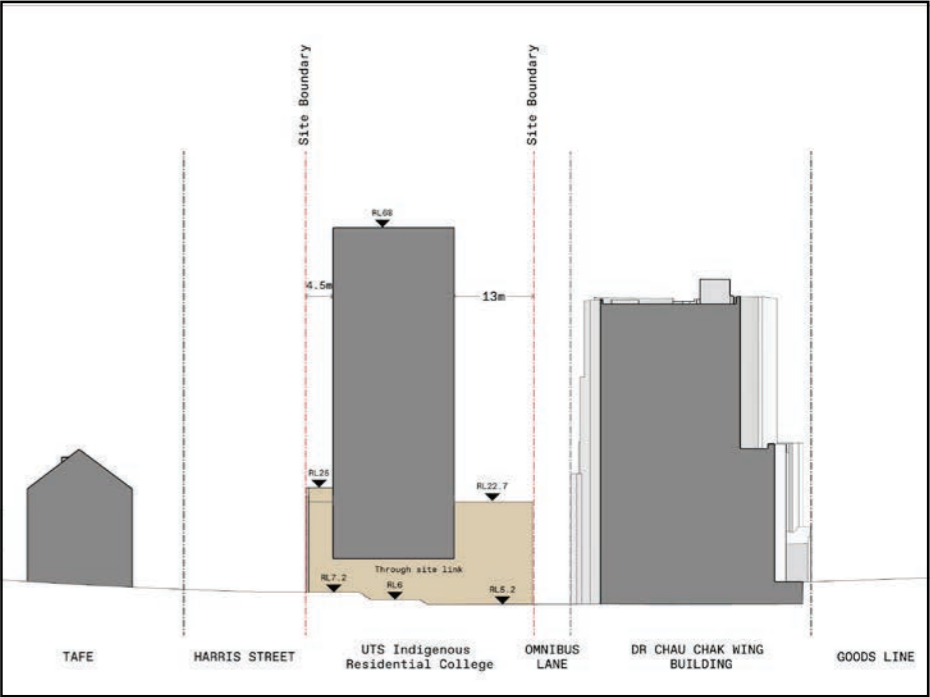
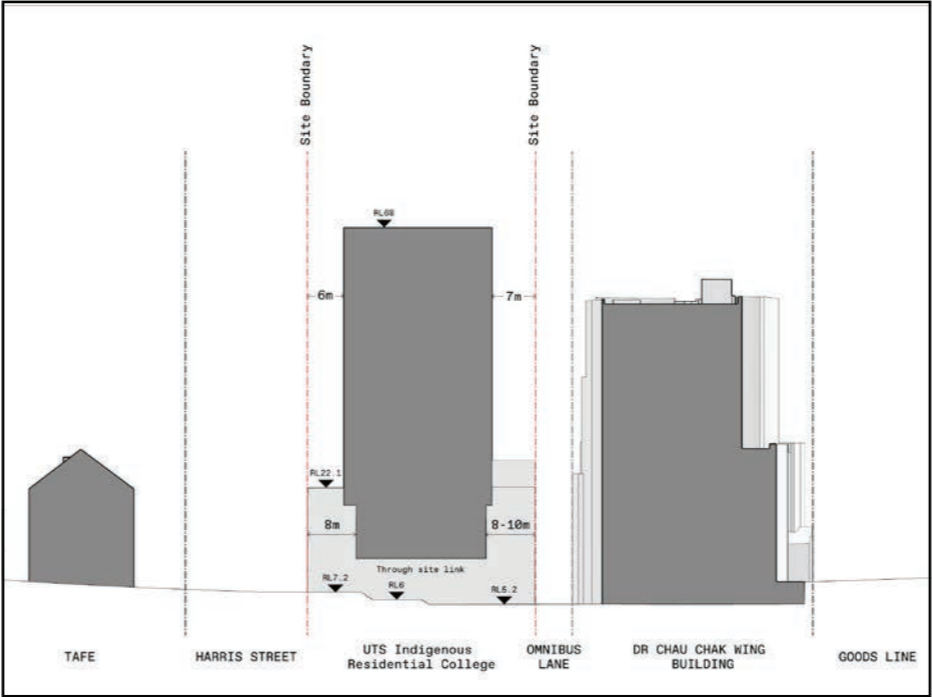
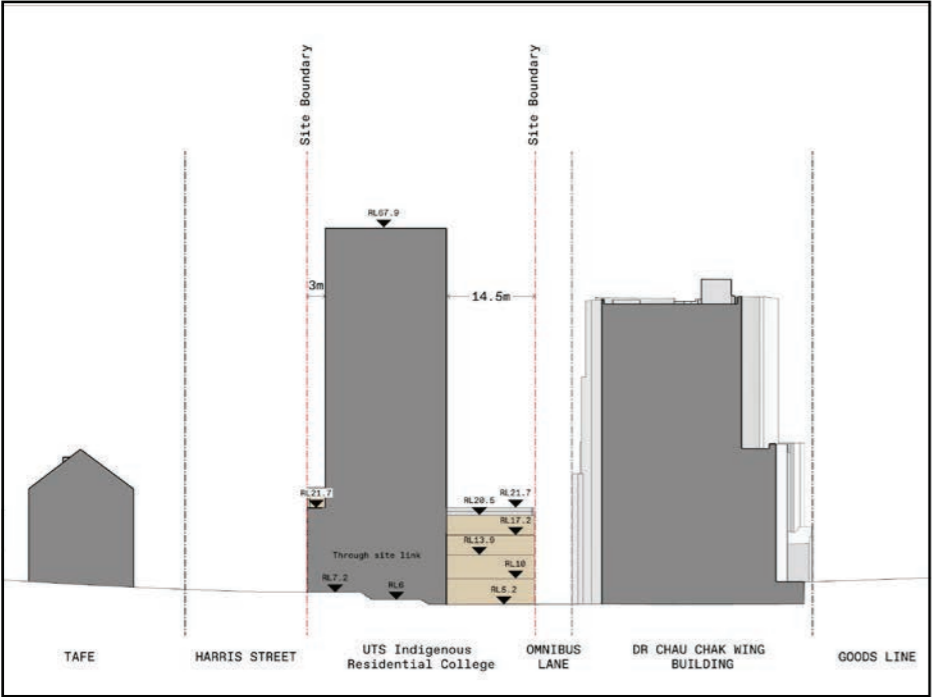
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MASTER PLAN

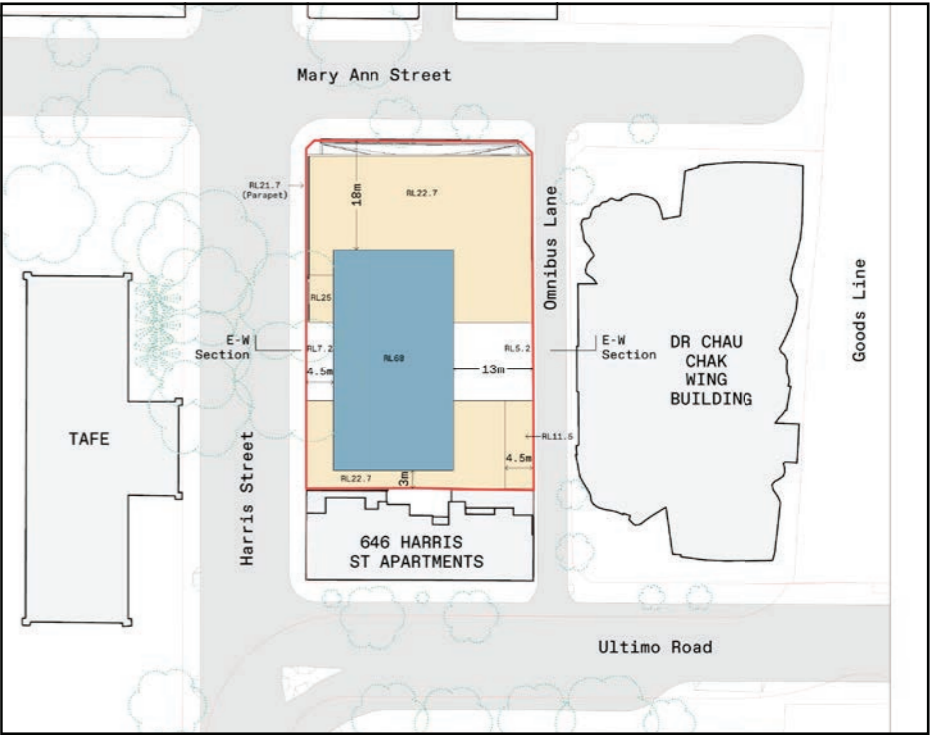
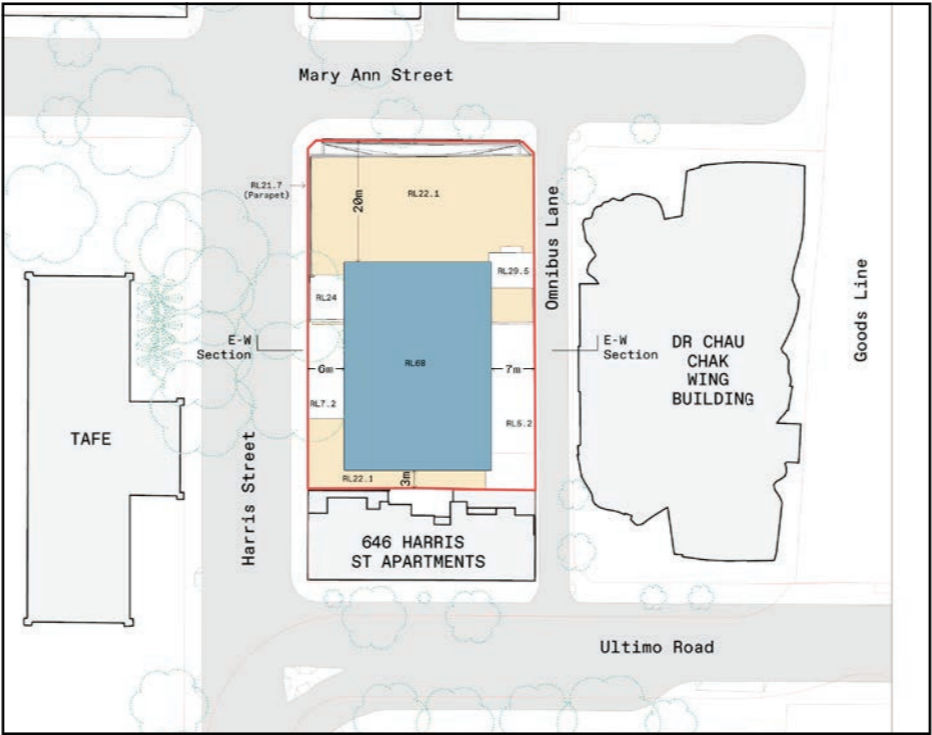
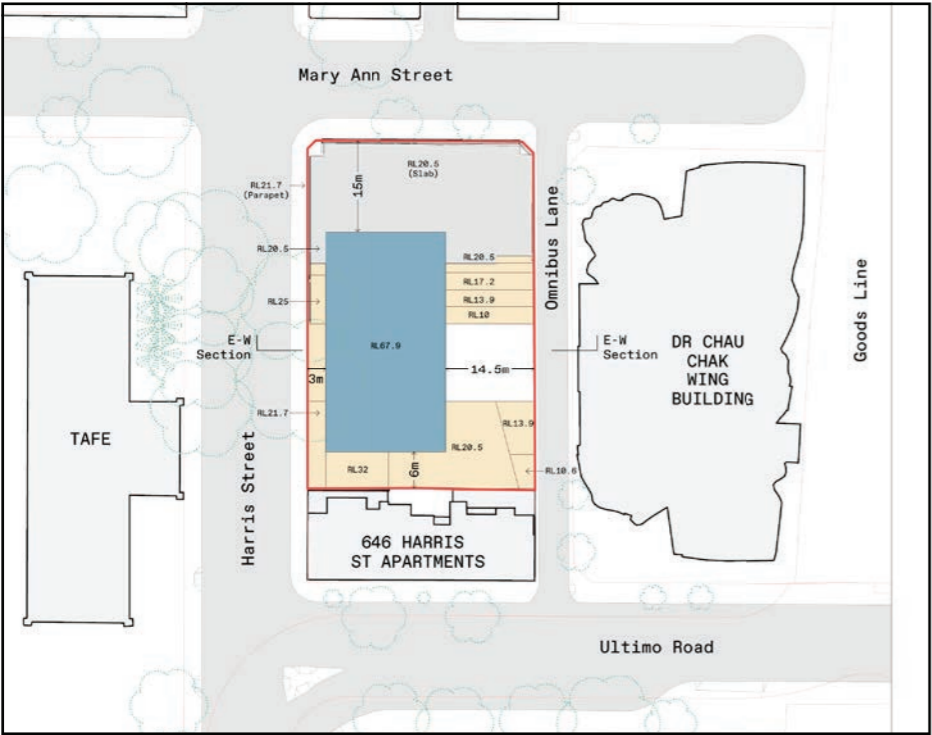
DPIE - OPTION 1

ALTERNATIVE

E-W
SECTION



PLAN



Planning Envelope
AERIALS

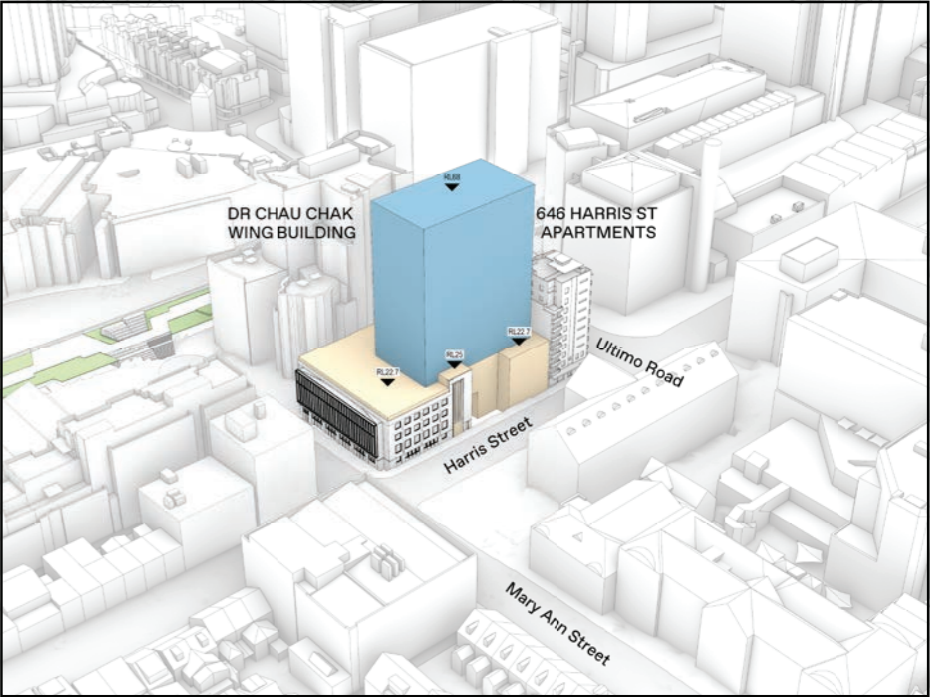
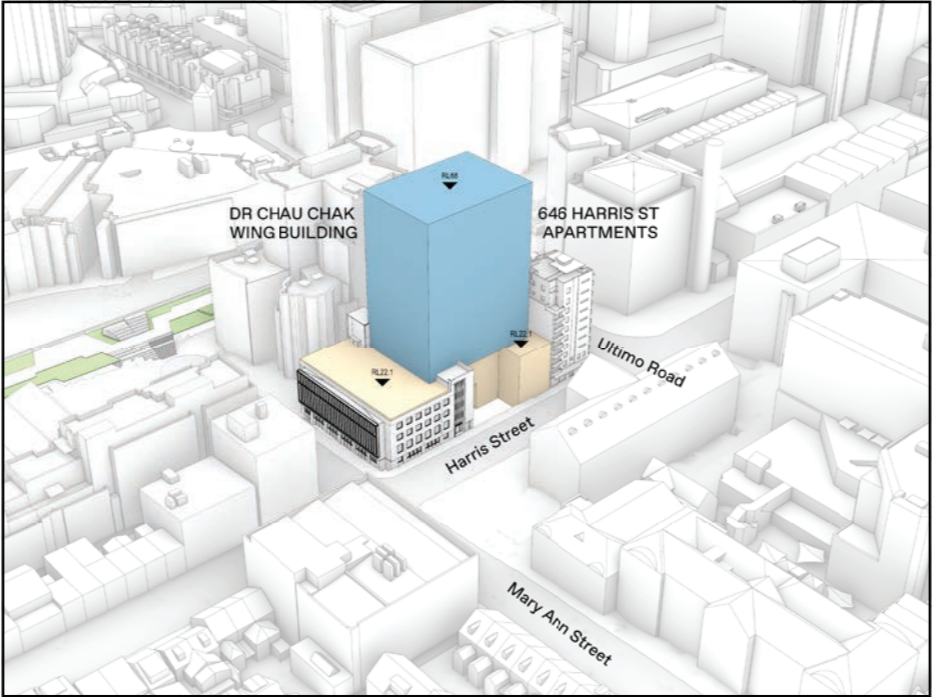
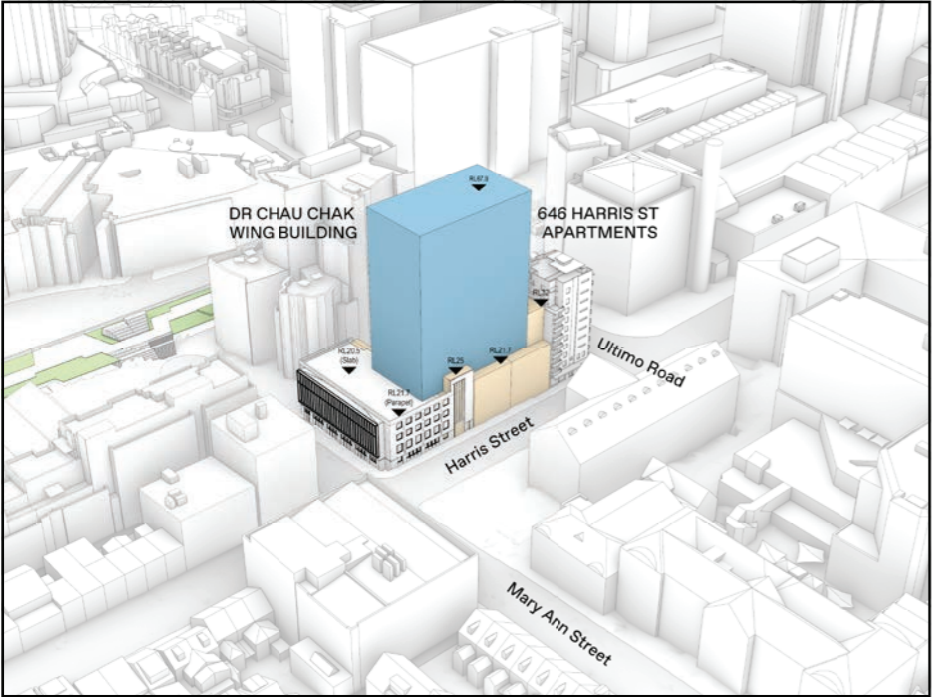
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MASTER PLAN

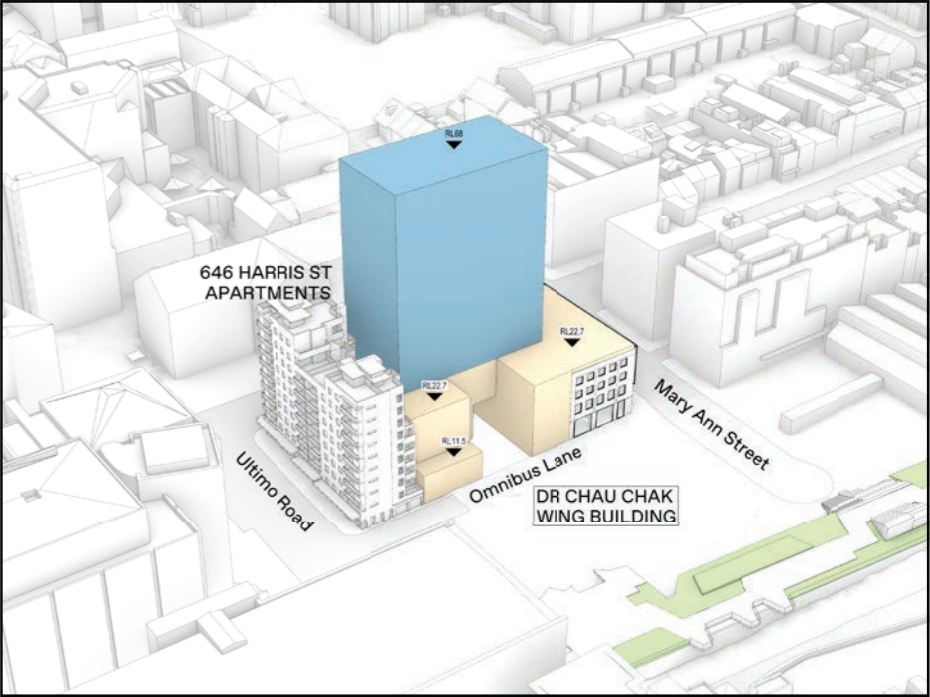
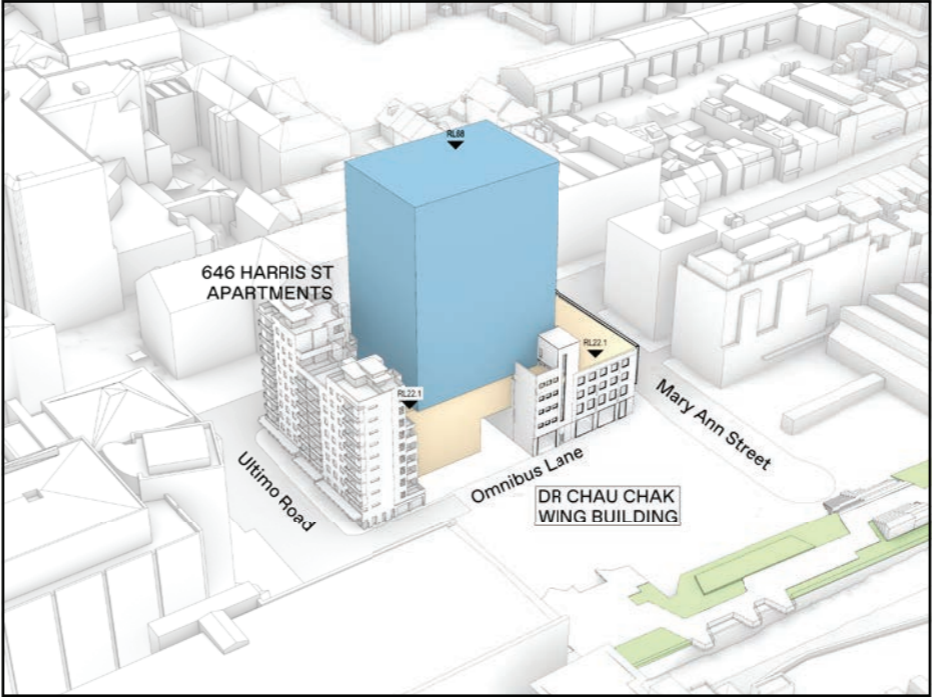
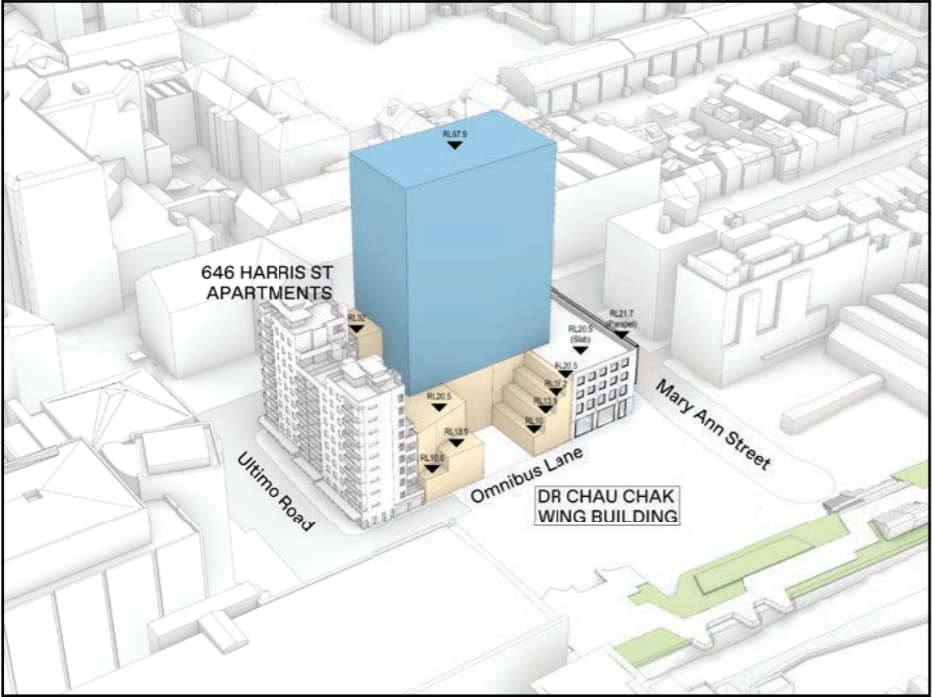
DPIE - OPTION 1

ALTERNATIVE

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SE
VIEW



Planning Envelope

DIRECT SUNLIGHT ANALYSIS

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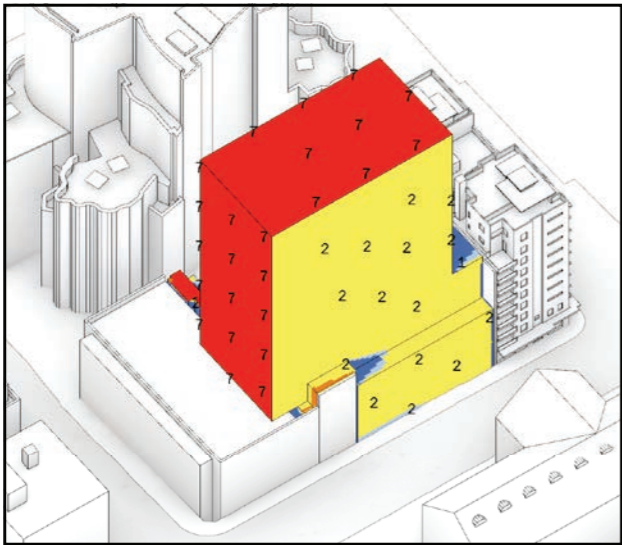
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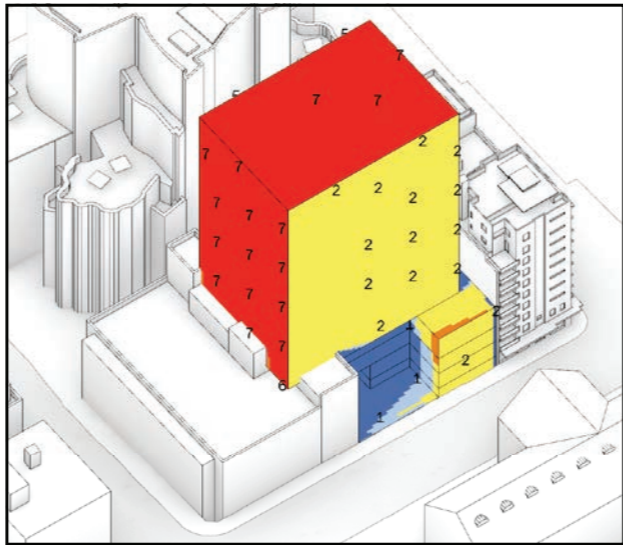
NE VIEW

Winter
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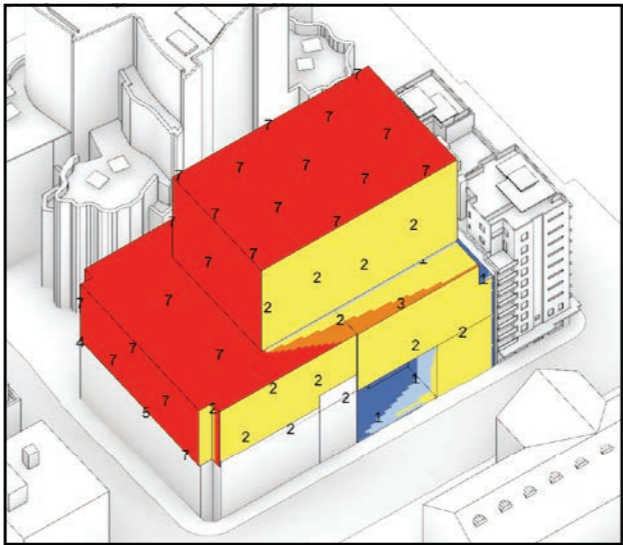
MASTER PLAN



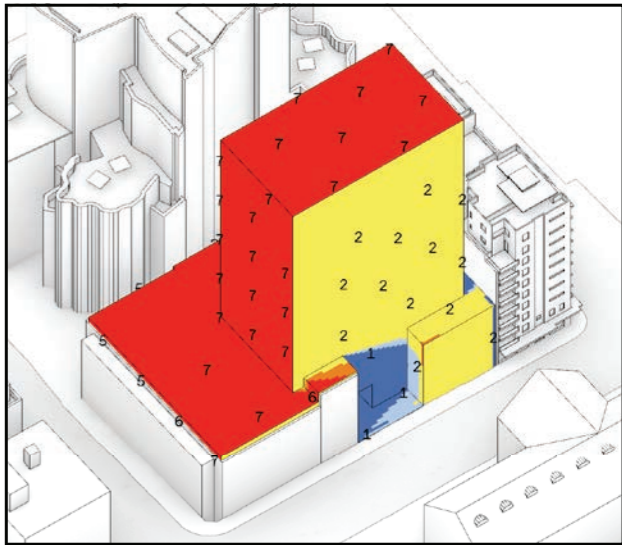
DPIE - OPTION 1



DPIE - OPTION 2

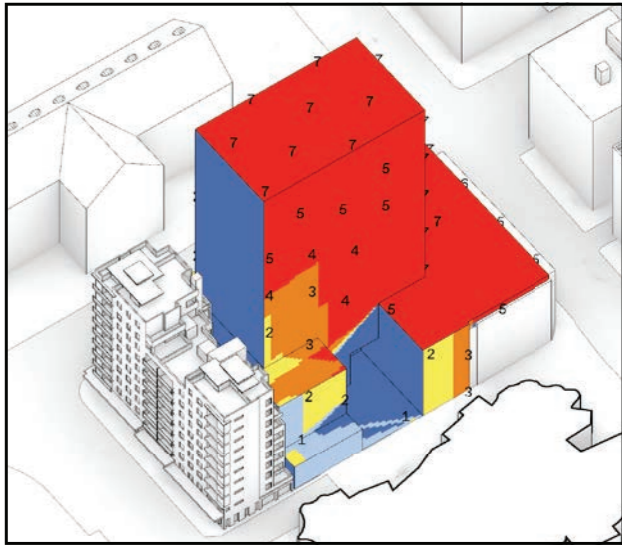
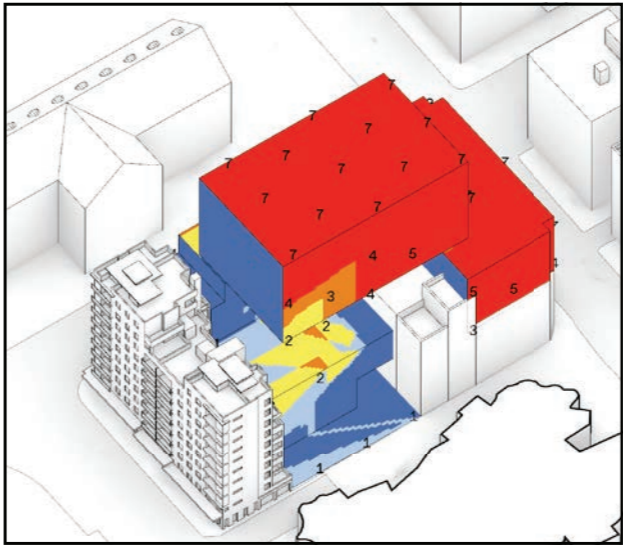
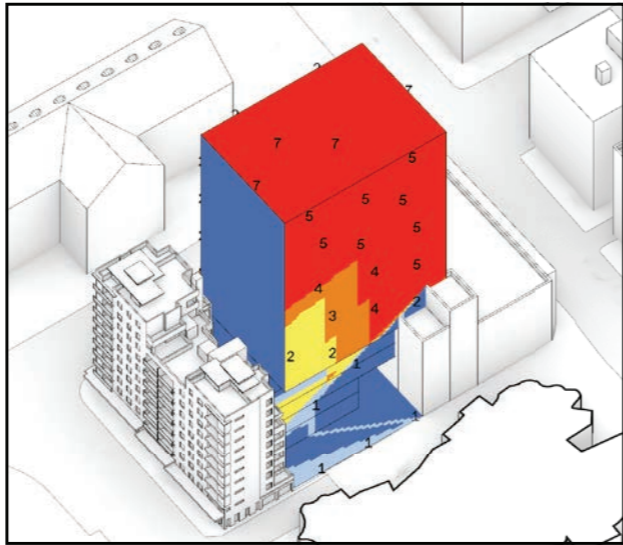
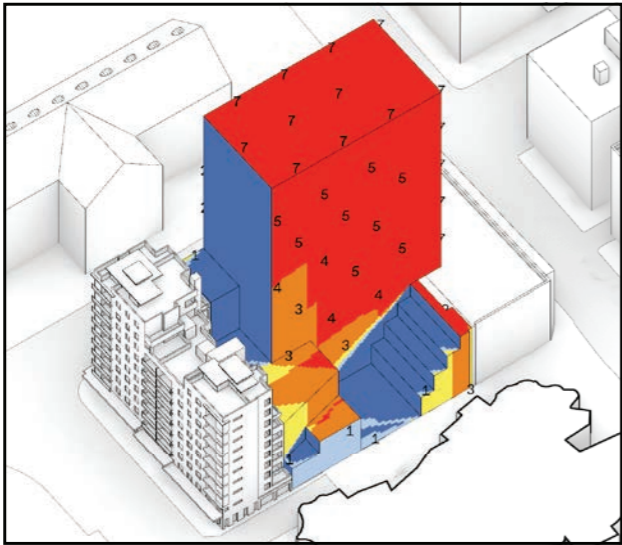


ALTERNATIVE



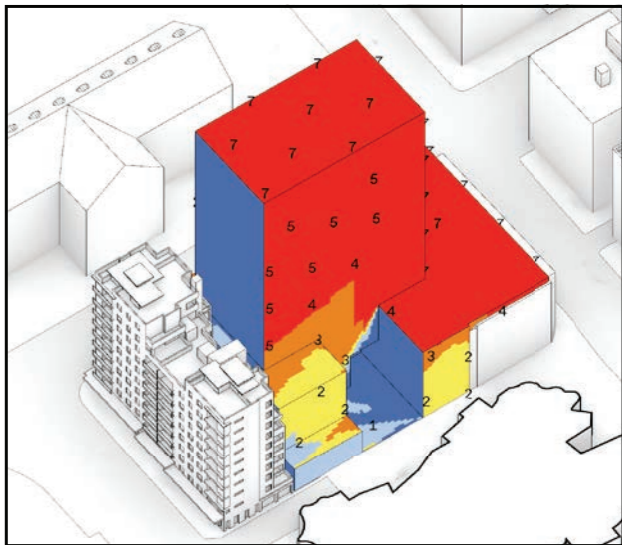
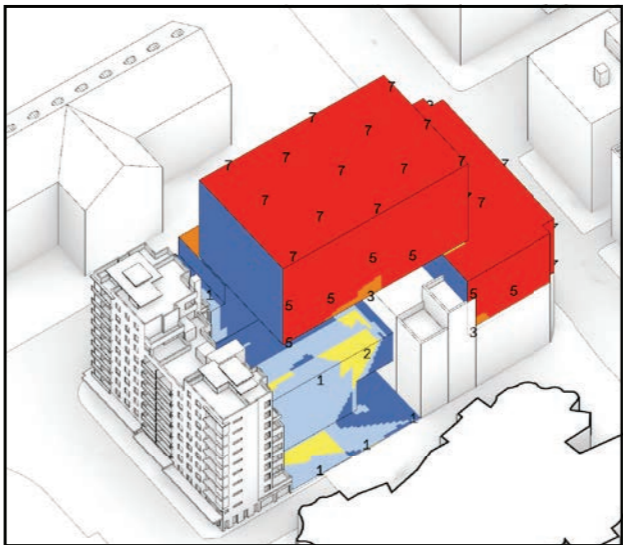
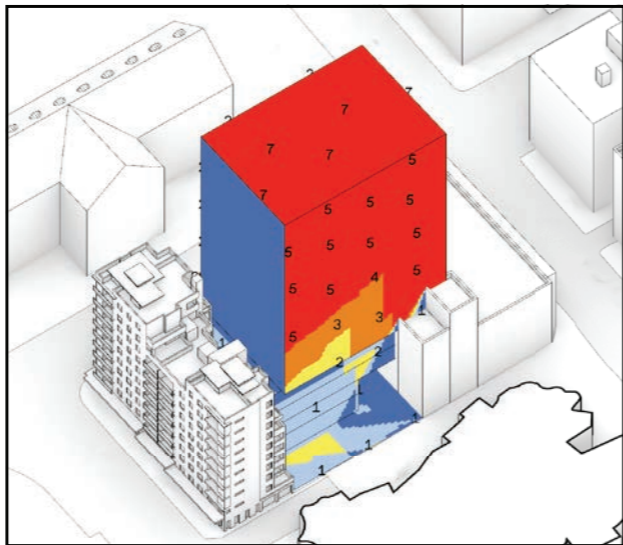
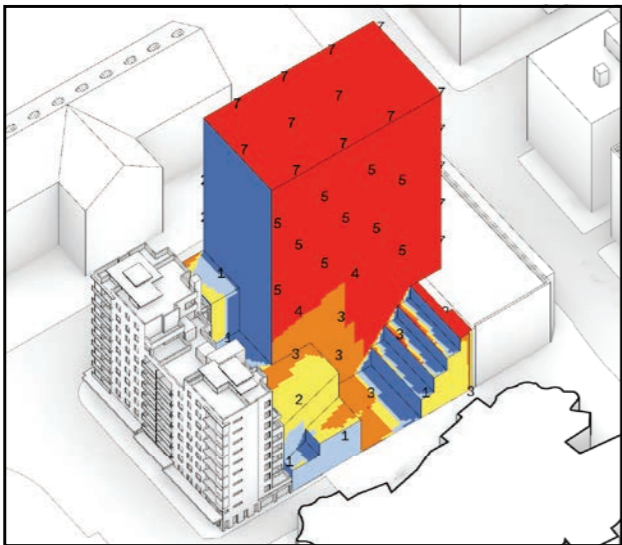
SW VIEW

Winter
9 to 3



SW VIEW

Equinox
9 to 3



Ground Floor and Public Open Space

The Precinct Heart is a space of high significance for the First Nations Community where events, performances and gatherings will occur.

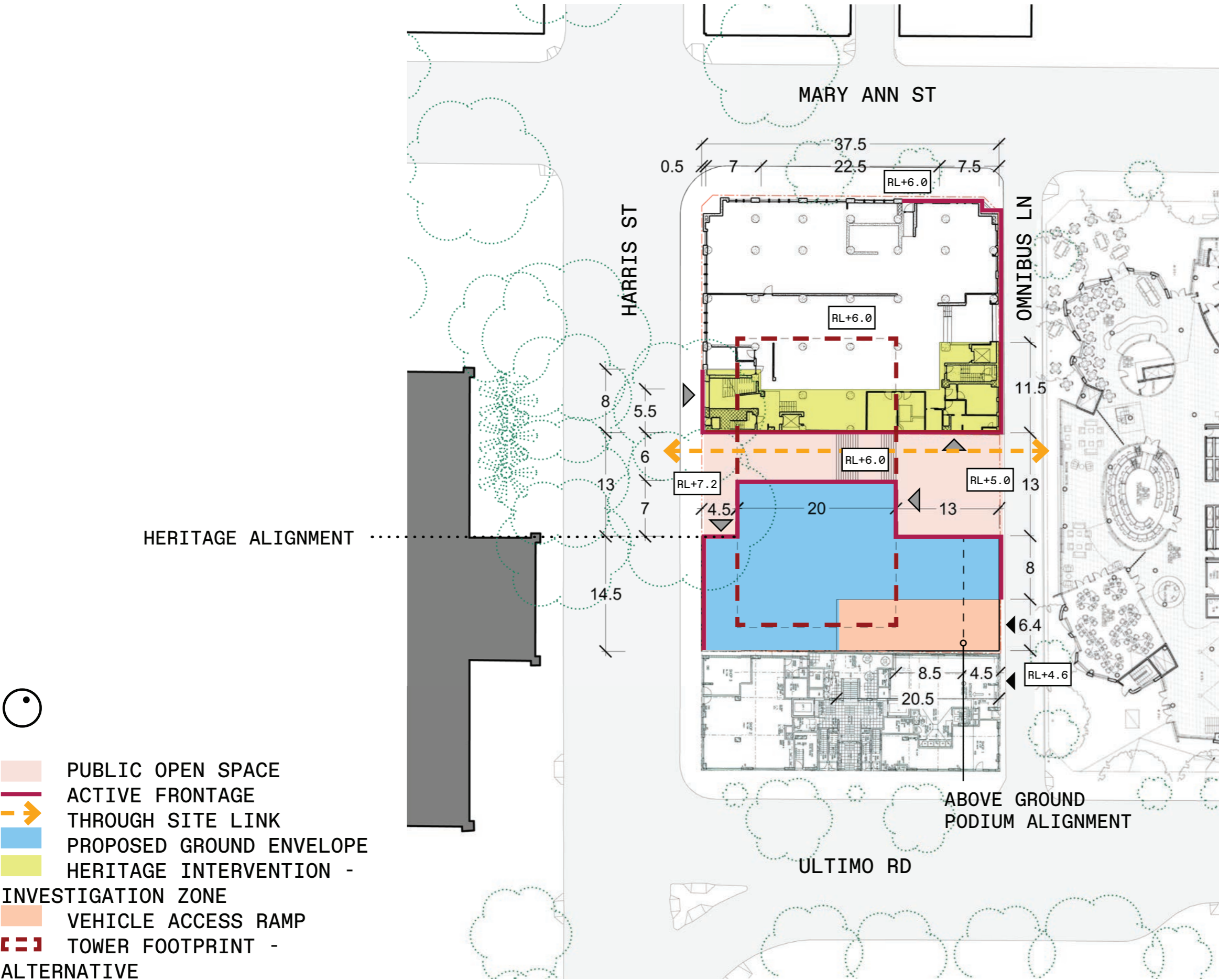
Investigating ways to integrate the heritage building and extending the podium envelope along the southern boundary to enable a vibrant and connected public ground floor activating the through site link and Precinct Heart.



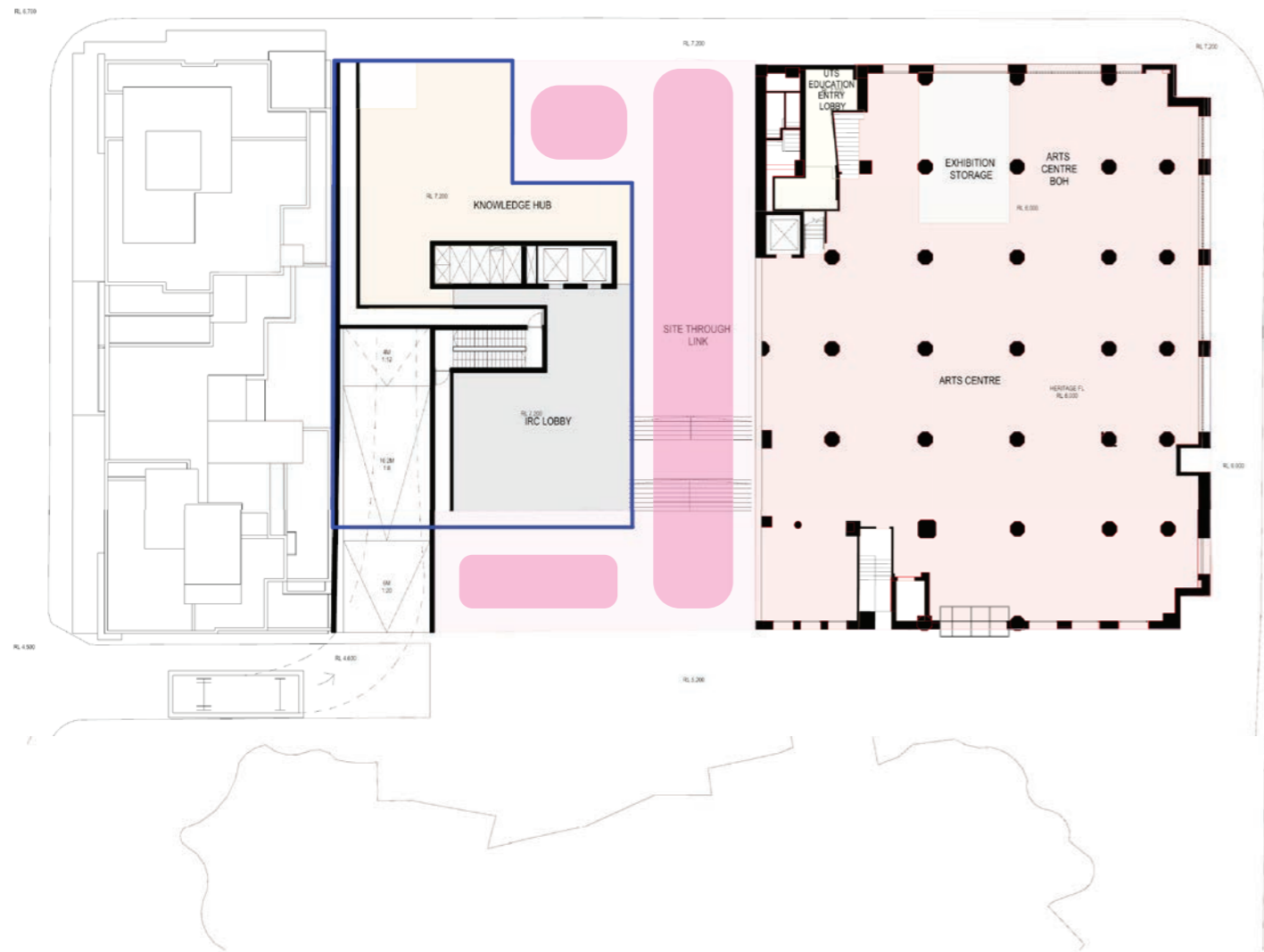
- Planning Envelope
- Ground Floor and Public Open Space
- Solar Access to 646 Harris St. Apartments

Ground Floor

OPEN SPACE DIAGRAM

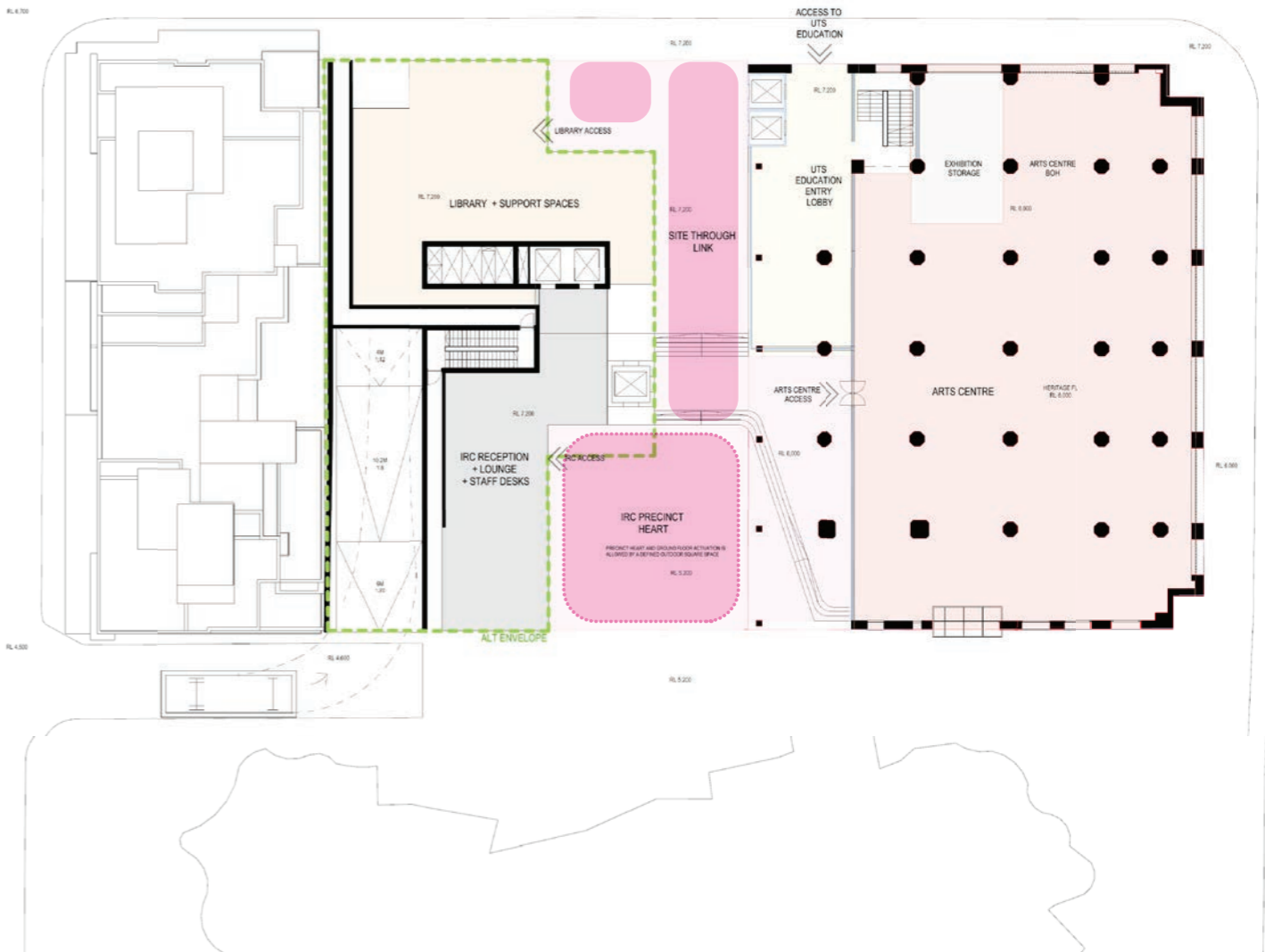


Ground Floor COMPARISON



DPIE ENVELOPE

Ground activation is not achieved due to lack of defined outdoor spaces. Site through link is perceived as a tunnel.



ALT ENVELOPE

Ground activation and Precinct Heart is achieved by a defined and appropriately lit square outdoor space. Site through link is reduced to 6m.

Solar Access to 646 Harris St. Apartments

Our neighbour to the south
receives most sunlight
through our site.

Locating the tower away
from Omnibus Lane protects
their solar and visual amenity.

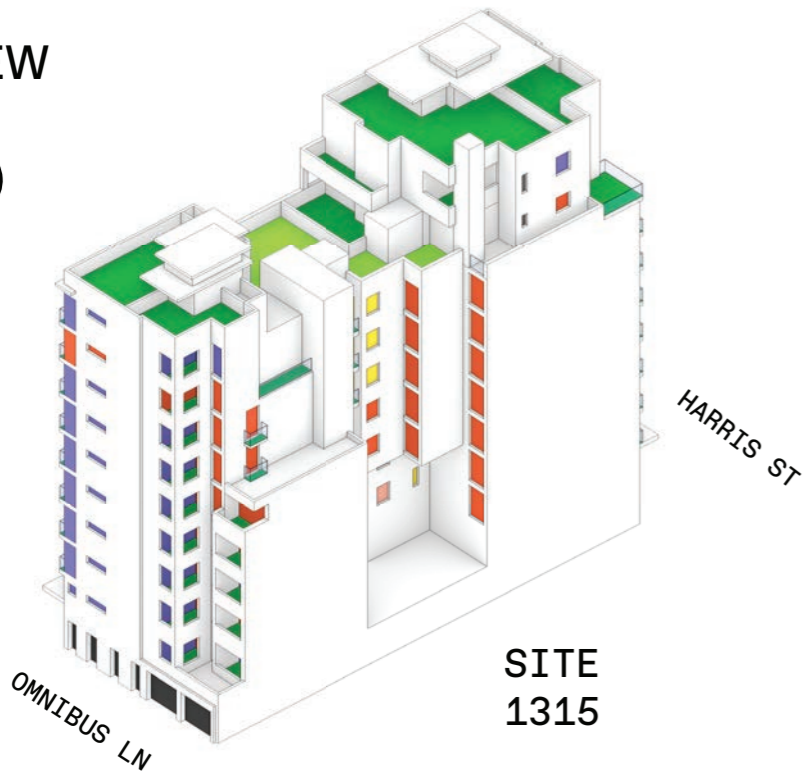


- Planning Envelope
- Ground Floor and Public Open Space
- Solar Access to 646 Harris St. Apartments

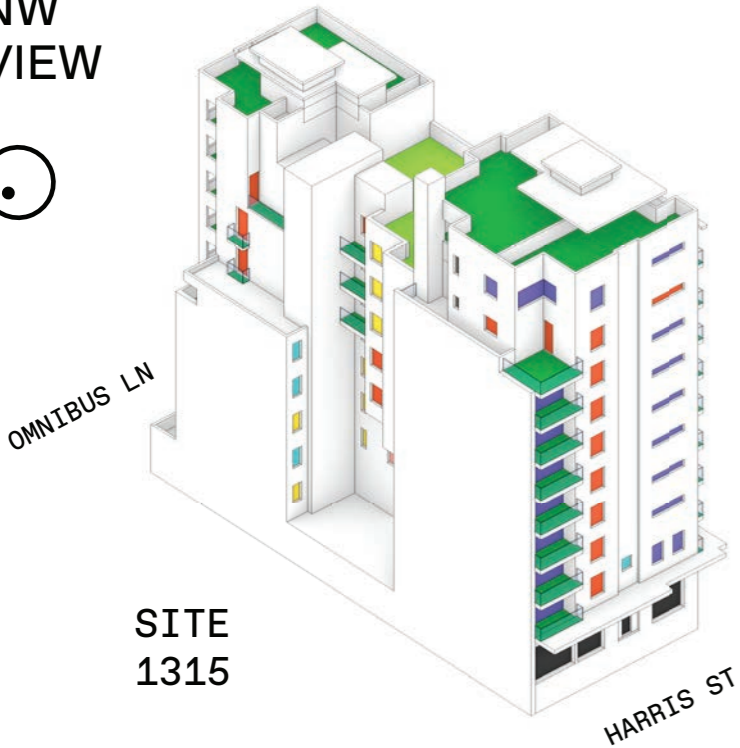
646 Harris St

CURRENT COMPLIANCE

NE
VIEW



NW
VIEW



NORTH ELEVATION

NE CORNER

NW CORNER

OMNIBUS LN

HARRIS ST

806

706

606

506

406

306

206

106

804

704

604

504

404

304

204

901

303

203

CENTRAL
SECTION

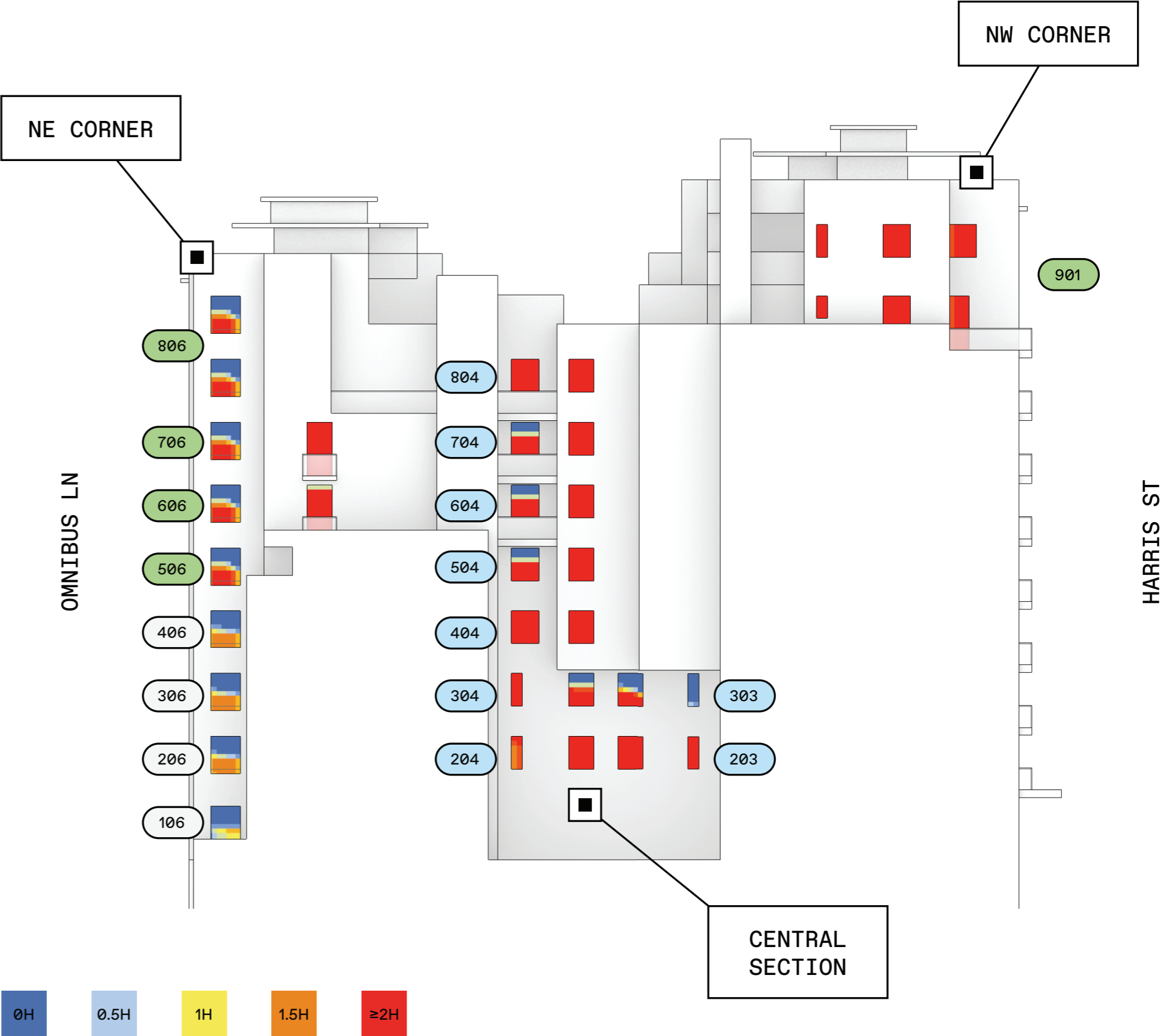
- LIVING/DINNING, ● BEDROOM, ● KITCHEN, ● STUDY,
- BATHROOM, ● STAIR, ● TERRACE/BALCONY, ● COMMUNAL OPEN SPACE

646 Harris St

CURRENT COMPLIANCE

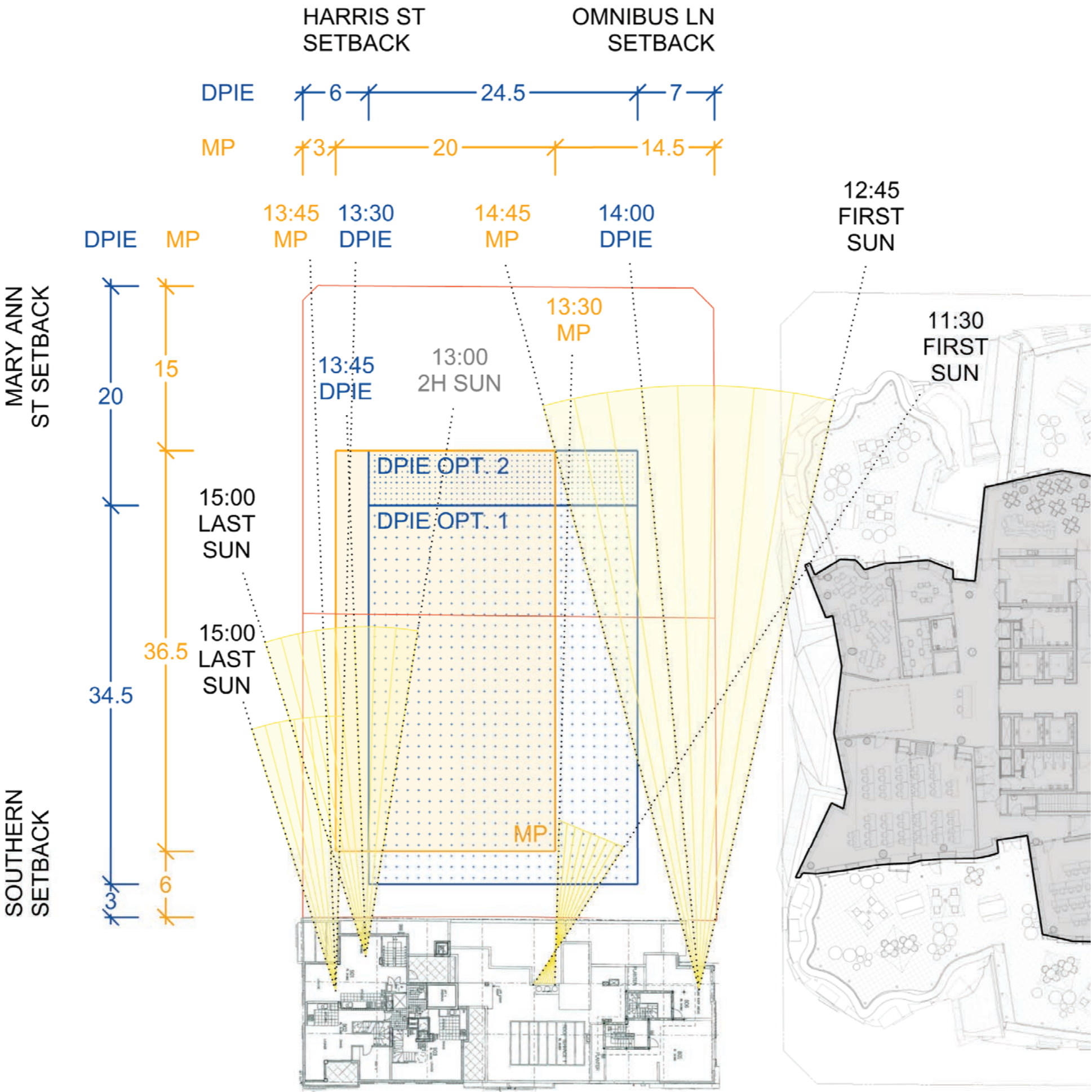
	LIVING		P.O.S. LIVING	HAB. SPACES	P.O.S. HAB. SPACES
Total number of apartments	49				
≥ 2 hour sun	5 (10.2%)	6 (12.2%)	20 (40.8%)	11 (22.4%)	
> 15 min & < 2 hour	18 (36.7%)	11 (22.4%)	23 (46.9%)	11 (22.4%)	
No direct sunlight	26 (53.1%)	32 (65.3%)	6 (12.2%)	27 (55.1%)	

Level	Unit	EXISTING Winter 9 to 3			
		Living Rooms	P.O.S. Living	Hab. Rooms	P.O.S. Other Rooms
1	105				
	106				
	107				
2	201				
	202				
	203				
	204				
	205				
3	301				
	302				
	303				
	304				
	305				
	306				
4	401				
	402				
	403				
	404				
	405				
	406				
5	501				
	502				
	503				
	504				
	505				
	506				
6	601				
	602				
	603				
	604				
	605				
	606				
7	701				
	702				
	703				
	704				
	705				
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8	801				
	802				
	803				
	804				
	805				
	806				
9	901				
	902				
	903				



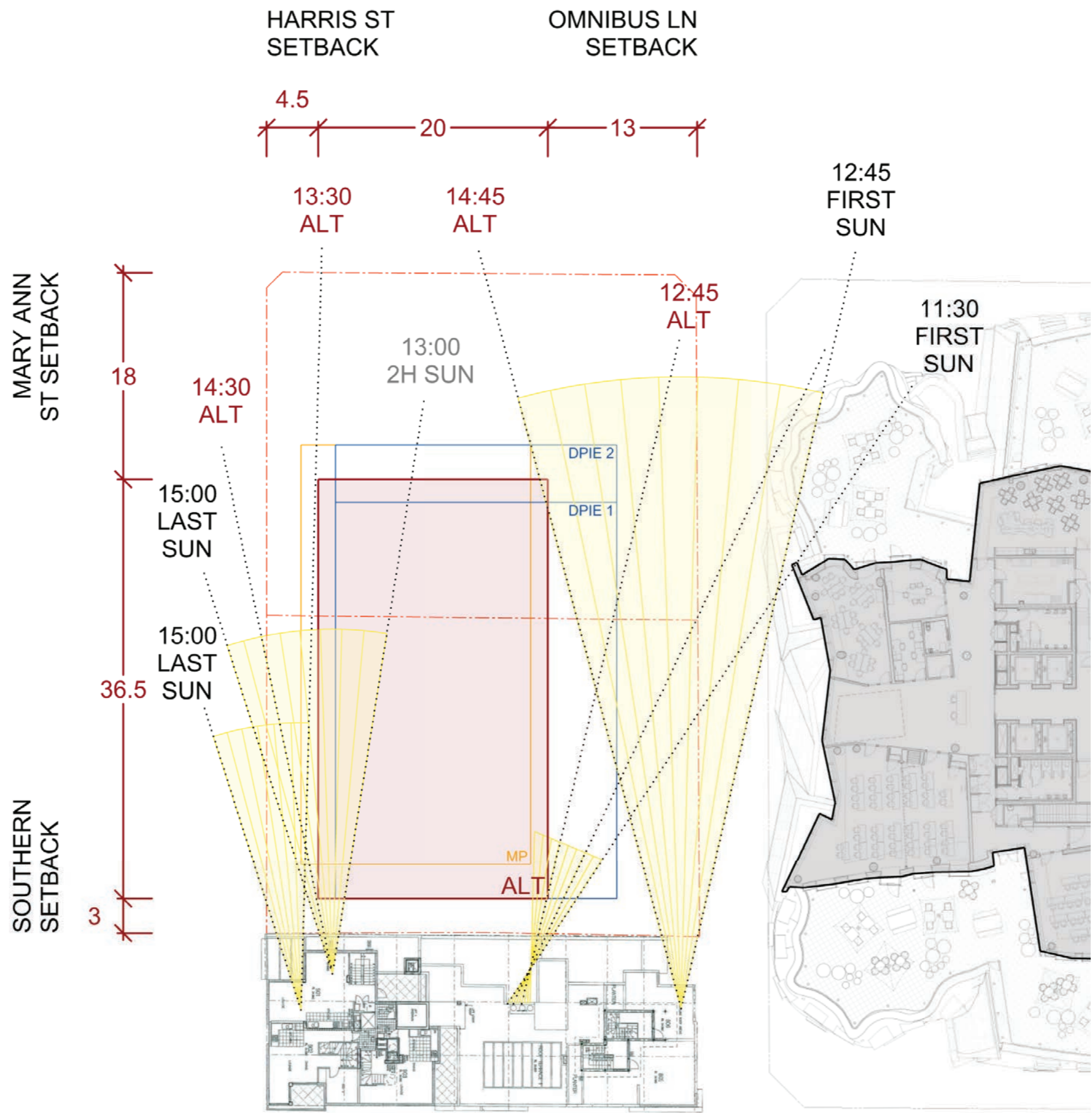
646 Harris St

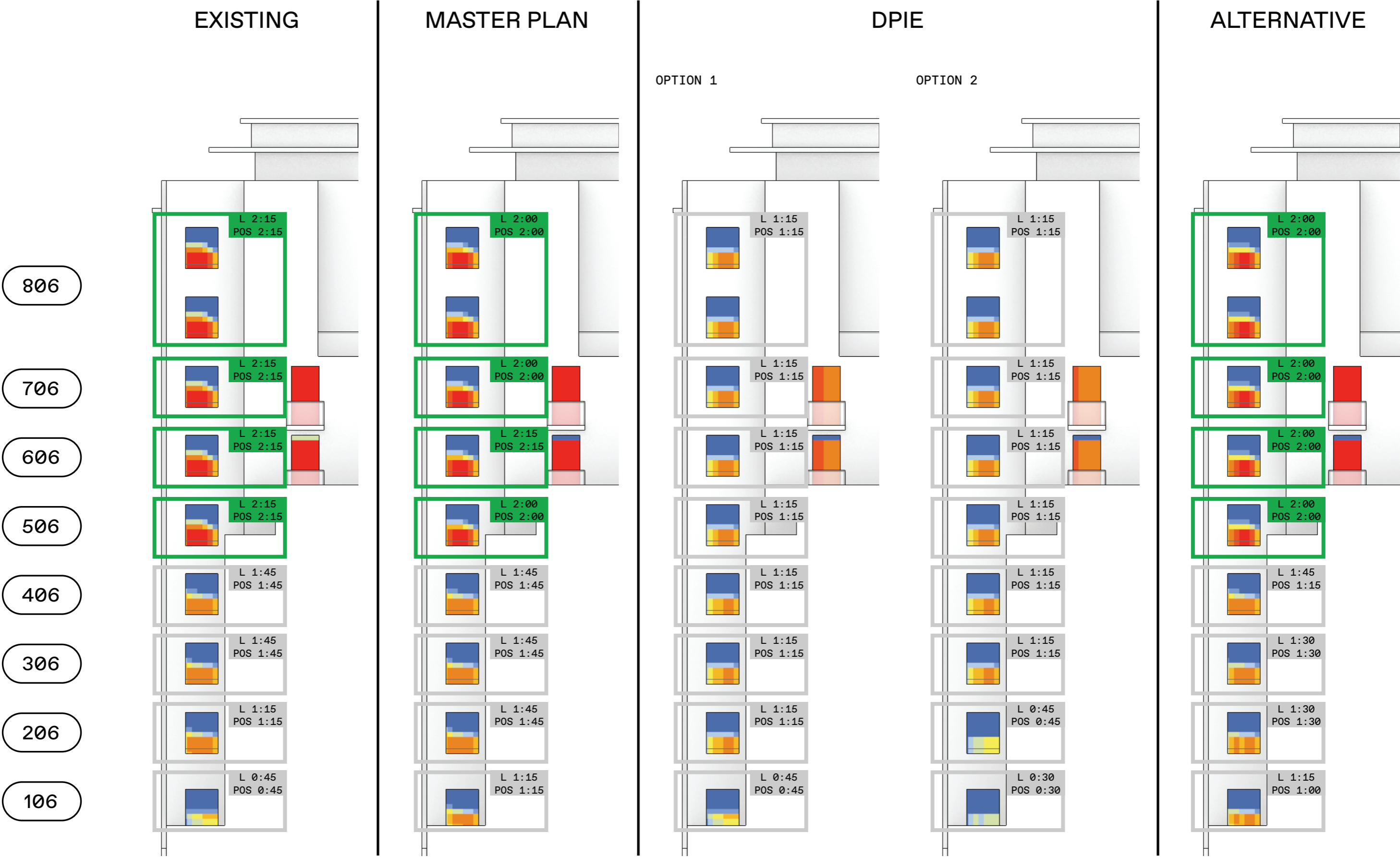
TOWER ENVELOPE IMPACTS



646 Harris St

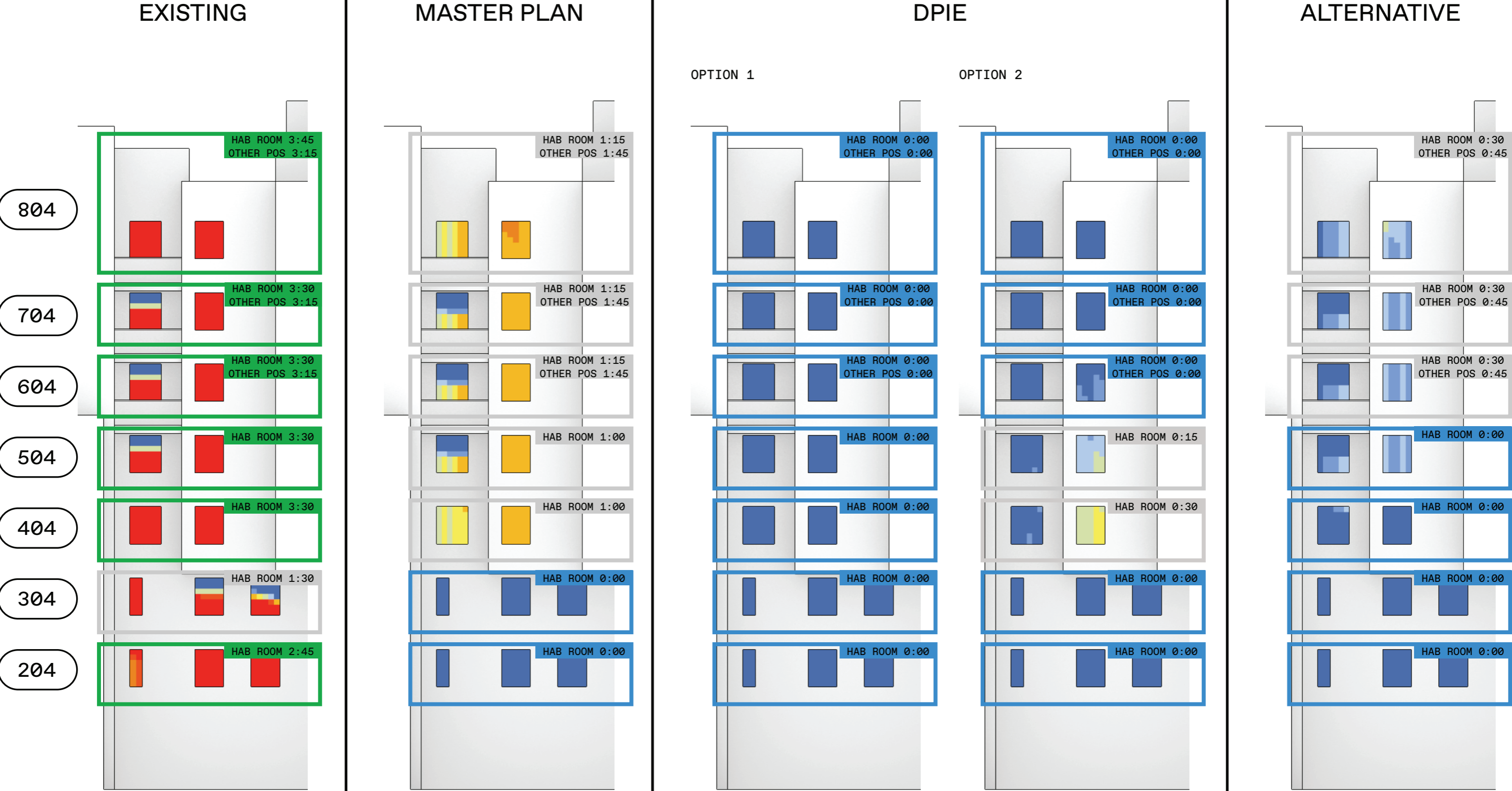
ALTERNATIVE TOWER ENVELOPE

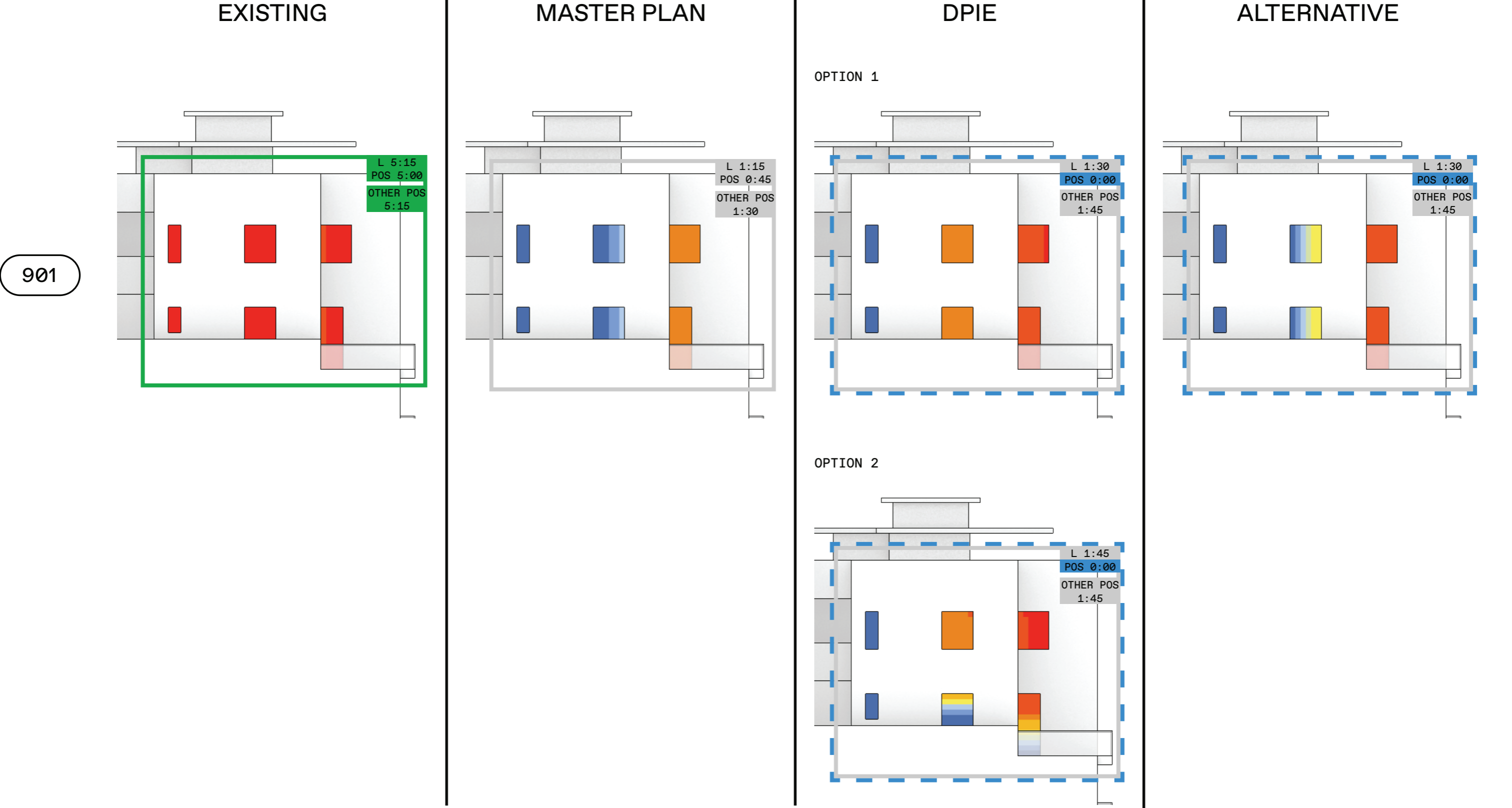




646 Harris St

IMPACT TO CENTRAL SECTION





646 Harris St

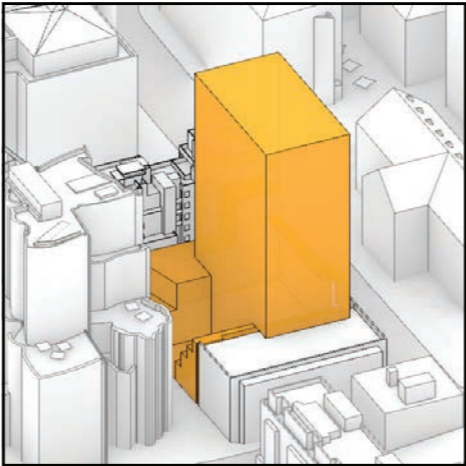
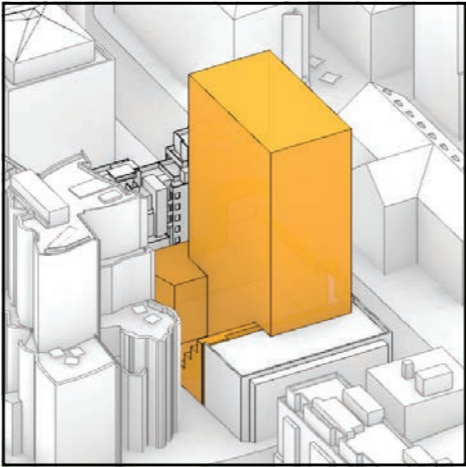
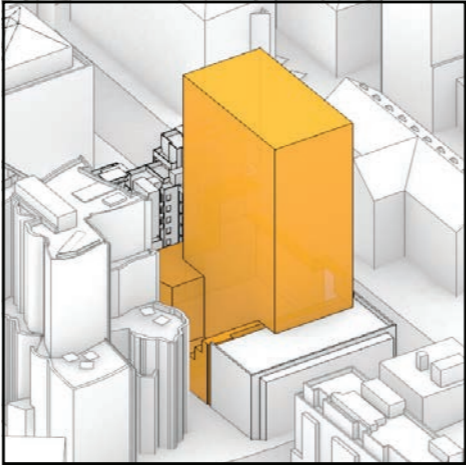
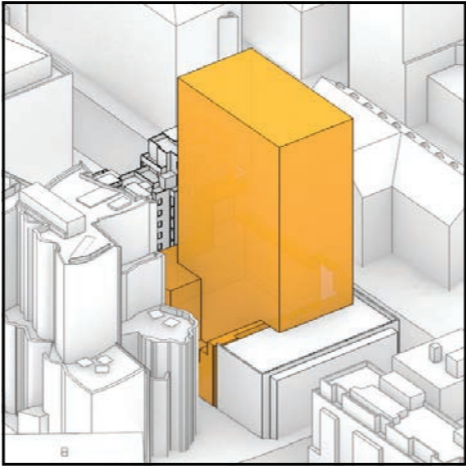
SOLAR COMPLIANCE TABLE

Level	Unit	EXISTING Winter 9 to 3				MASTER PLAN Winter 9 to 3				DPIE OPTION 1 Winter 9 to 3				DPIE OPTION 2 Winter 9 to 3				ALTERNATIVE Winter 9 to 3			
		Living Rooms	P.O.S. Living	Hab. Rooms	P.O.S. Other Rooms	Living Rooms	P.O.S. Living	Hab. Rooms	P.O.S. Other Rooms	Living Rooms	P.O.S. Living	Hab. Rooms	P.O.S. Other Rooms	Living Rooms	P.O.S. Living	Hab. Rooms	P.O.S. Other Rooms	Living Rooms	P.O.S. Living	Hab. Rooms	P.O.S. Other Rooms
1	105																				
	106																				
	107																				
2	201																				
	202																				
	203																				
	204																				
	205																				
	206																				
3	301																				
	302																				
	303																				
	304																				
	305																				
	306																				
	307																				
4	401																				
	402																				
	403																				
	404																				
	405																				
	406																				
5	501																				
	502																				
	503																				
	504																				
	505																				
	506																				
6	601																				
	602																				
	603																				
	604																				
	605																				
	606																				
7	701																				
	702																				
	703																				
	704																				
	705																				
	706																				
8	801																				
	802																				
	803																				
	804																				
	805																				
	806																				
9	901																				
	902																				
	903																				
Total number of apartments		49				49				49				49				49			
≥ 2 hour sun		5 (10.2%)	6 (12.2%)	20 (40.8%)	11 (22.4%)	4 (8.2%)	5 (10.2%)	4 (8.2%)	7 (14.3%)	0 (0%)	0 (0%)	0 (0%)	3 (6.1%)	0 (0%)	0 (0%)	0 (0%)	4 (8.2%)	4 (8.2%)	4 (8.2%)	6 (12.2%)	
> 15 min & < 2 hour		18 (36.7%)	11 (22.4%)	23 (46.9%)	11 (22.4%)	19 (38.8%)	12 (24.5%)	28 (57.1%)	15 (30.6%)	23 (46.9%)	16 (32.7%)	23 (46.9%)	16 (32.7%)	23 (46.9%)	16 (32.7%)	25 (51%)	15 (30.6%)	19 (38.8%)	12 (24.5%)	22 (44.9%)	16 (32.7%)
No direct sunlight		26 (53.1%)	32 (65.3%)	6 (12.2%)	27 (55.1%)	26 (53.1%)	32 (65.3%)	17 (34.7%)	27 (55.1%)	26 (53.1%)	33 (67.3%)	26 (53.1%)	30 (61.2%)	26 (53.1%)	33 (67.3%)	24 (49%)	30 (61.2%)	26 (53.1%)	33 (67.3%)	23 (46.9%)	27 (55.1%)

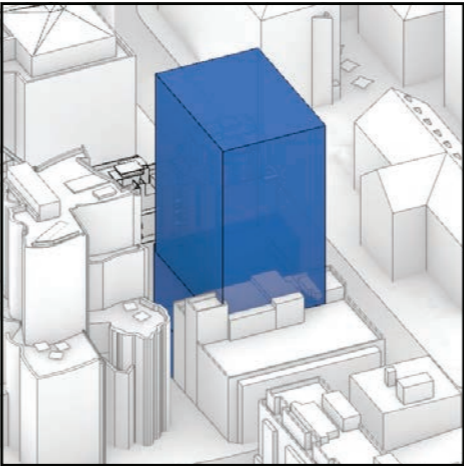
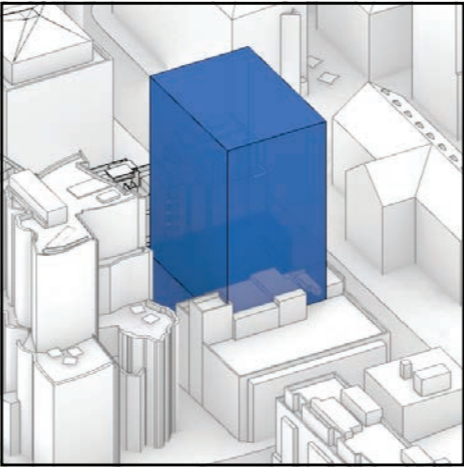
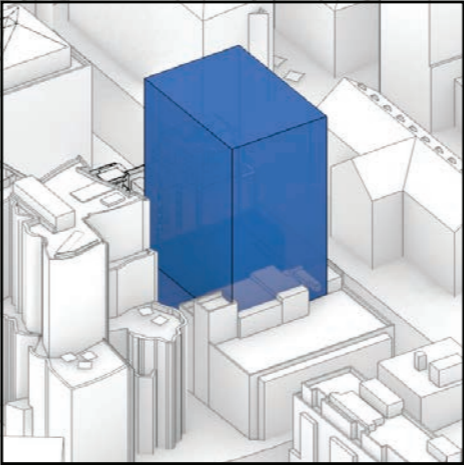
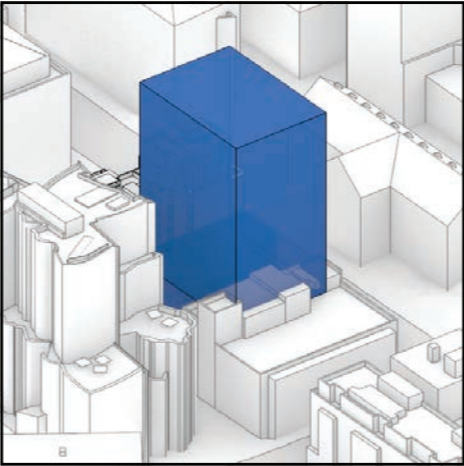
VIEWS FROM THE SUN



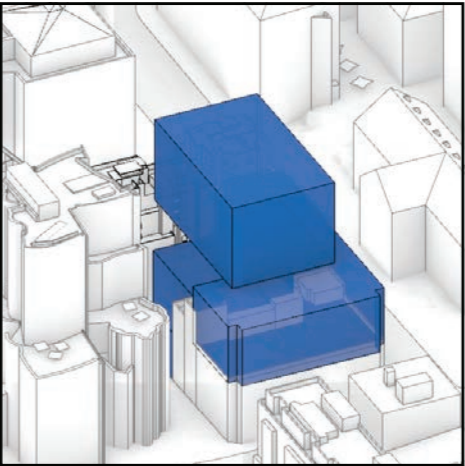
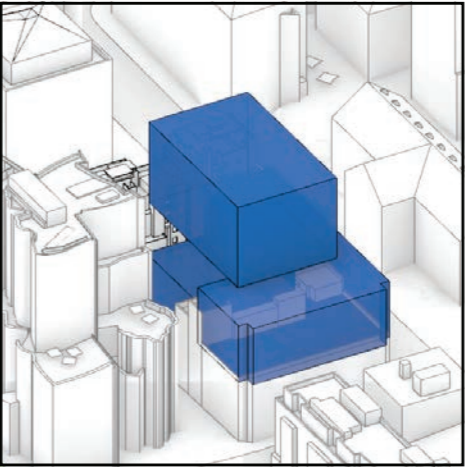
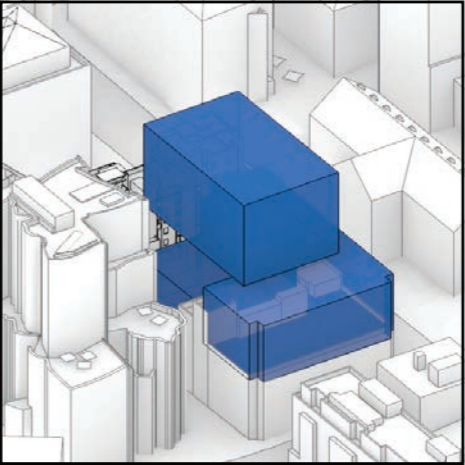
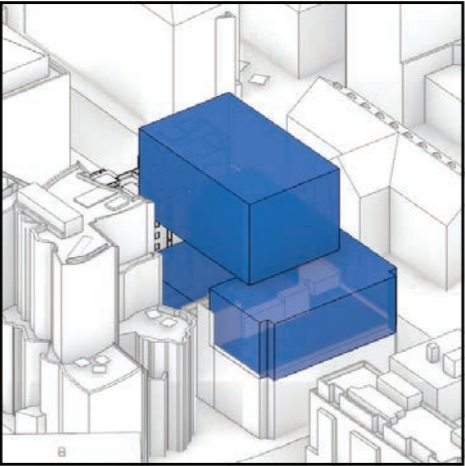
MASTER PLAN



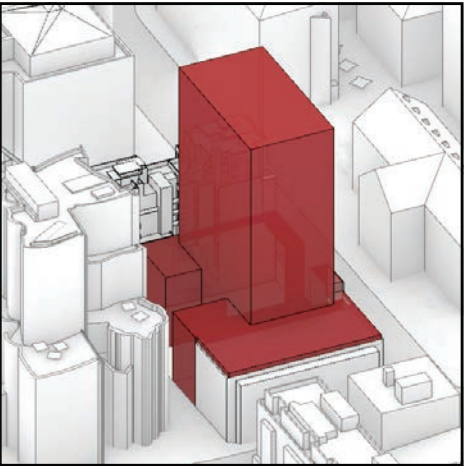
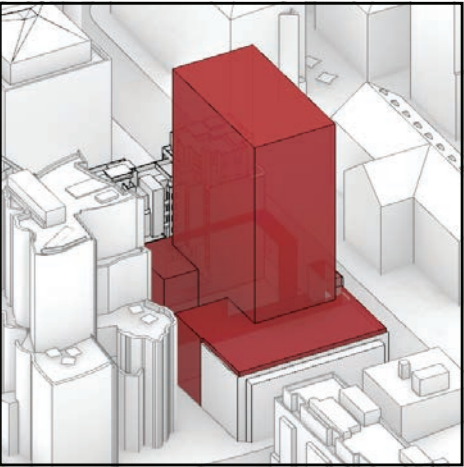
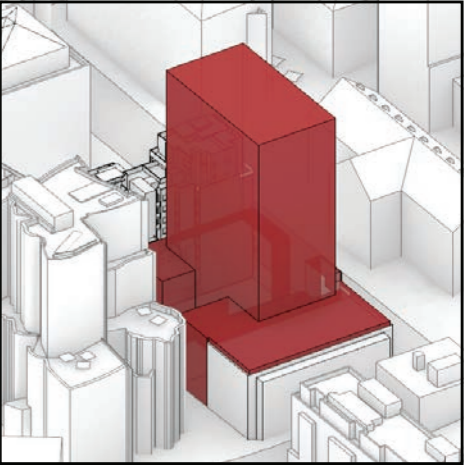
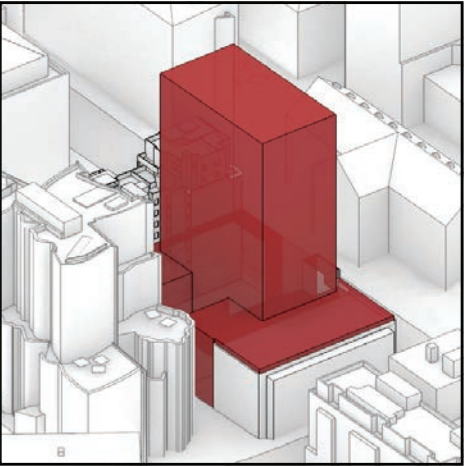
DPIE - OPTION 1



DPIE - OPTION 2



ALTERNATIVE



VIEWS FROM THE SUN

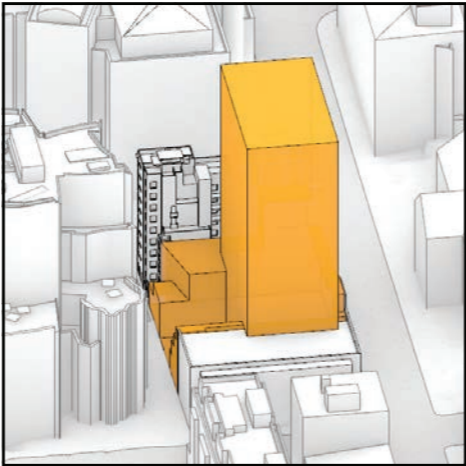
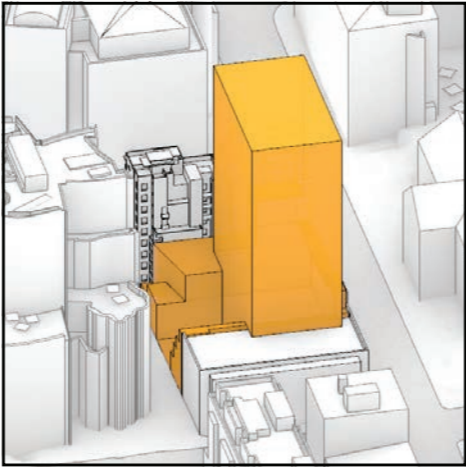
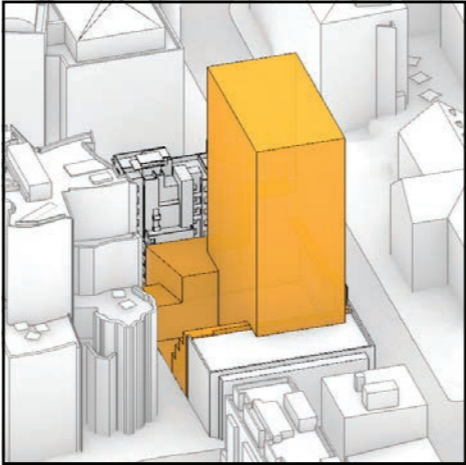
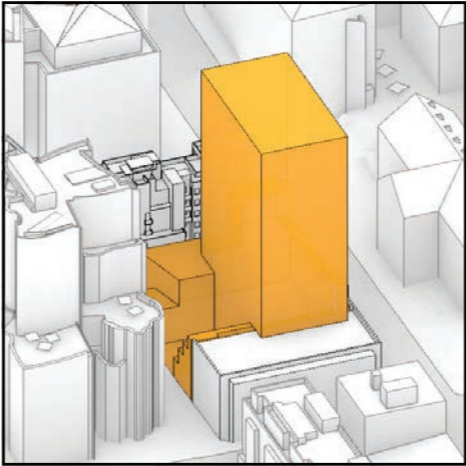
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12:30 PM

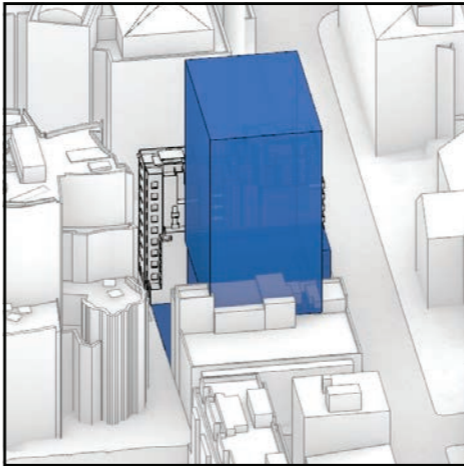
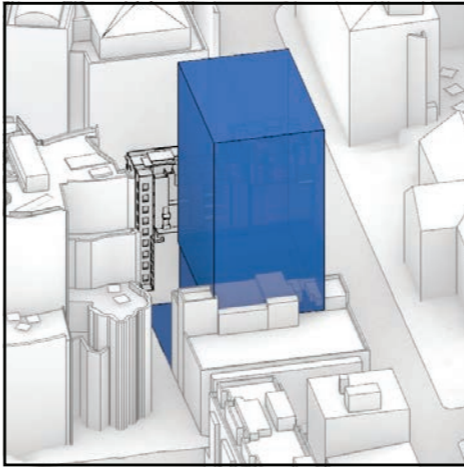
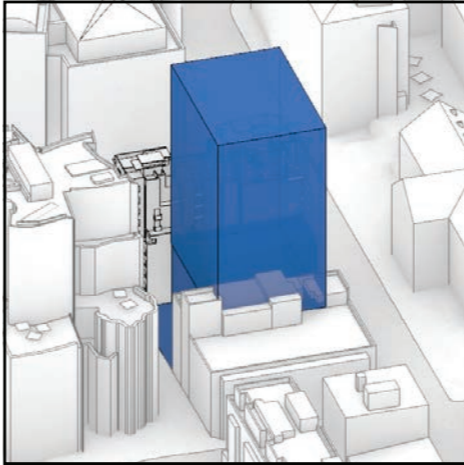
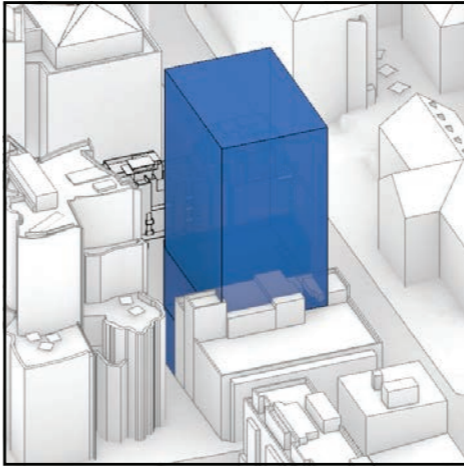
12:45 PM

1:00 PM

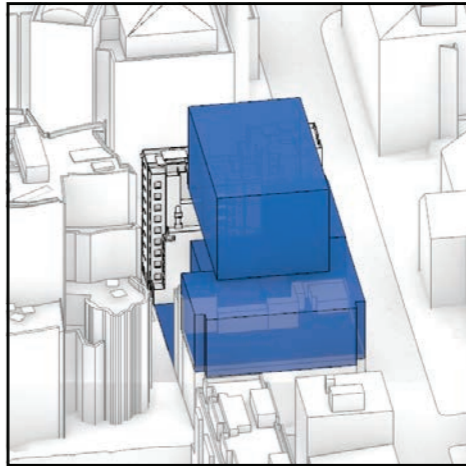
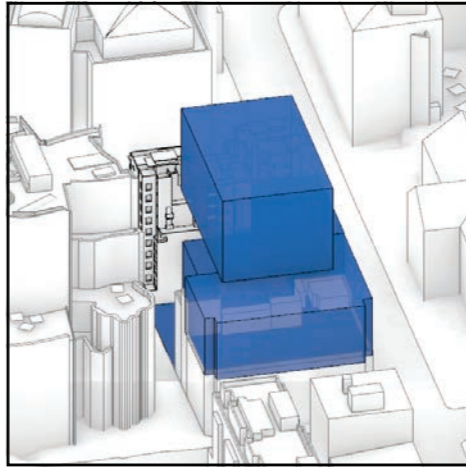
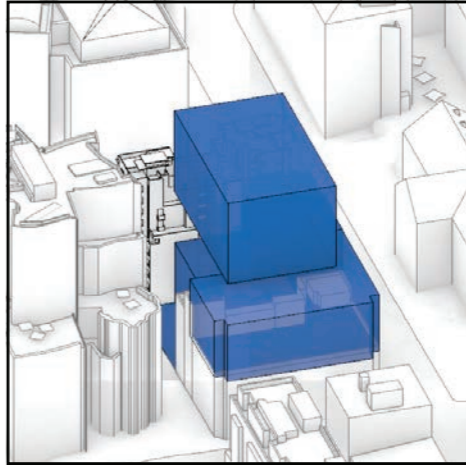
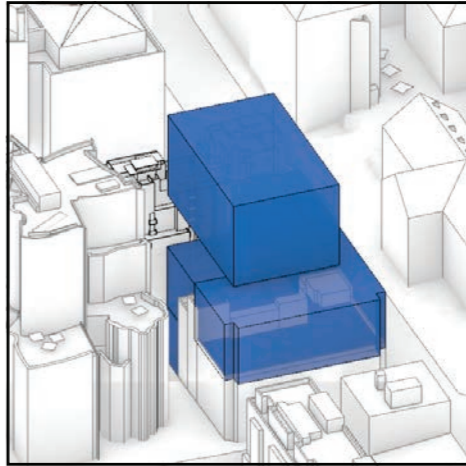
MASTER PLAN



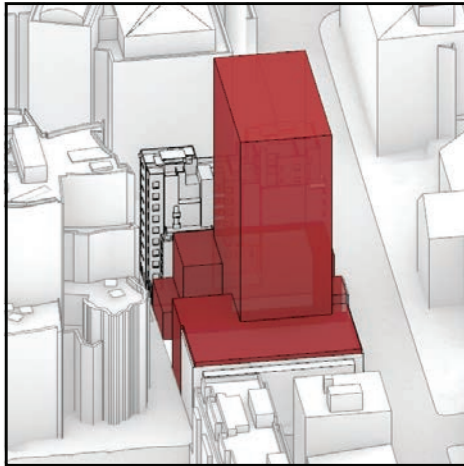
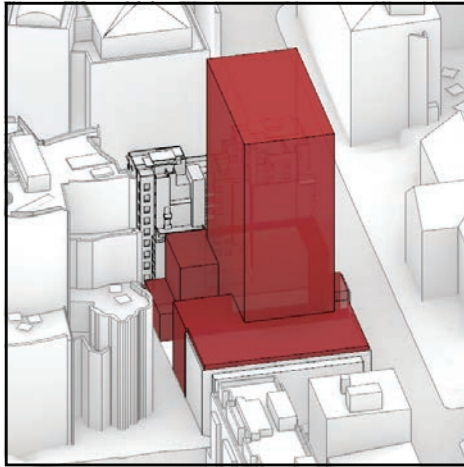
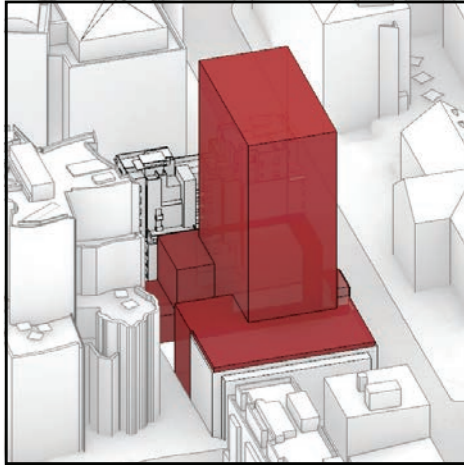
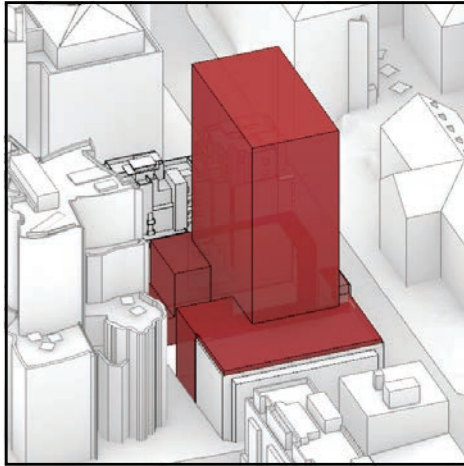
DPIE - OPTION 1



DPIE - OPTION 2



ALTERNATIVE



VIEWS FROM THE SUN

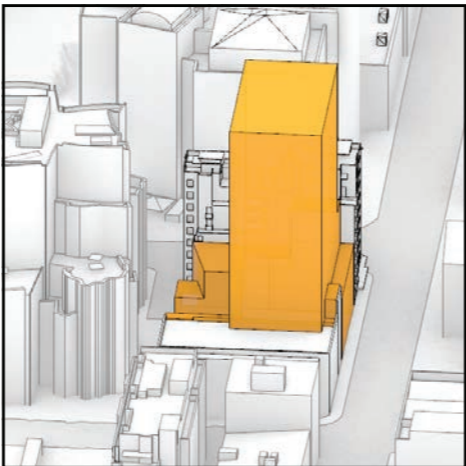
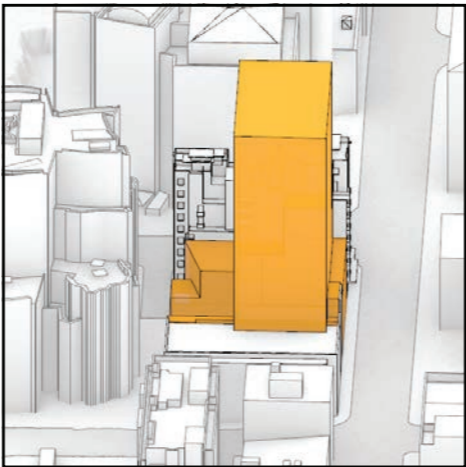
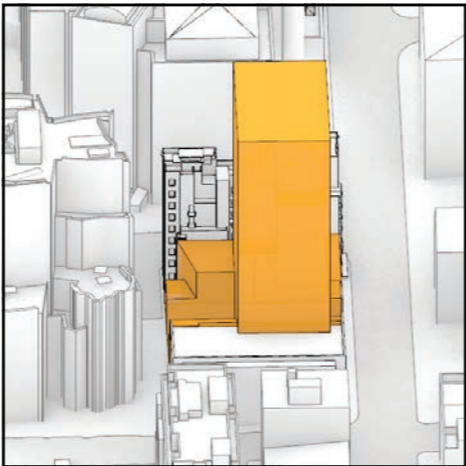
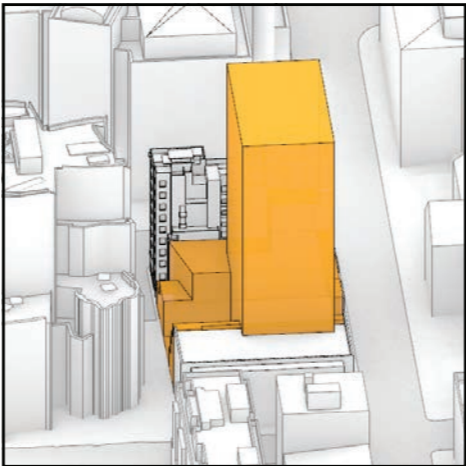
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1:30 PM

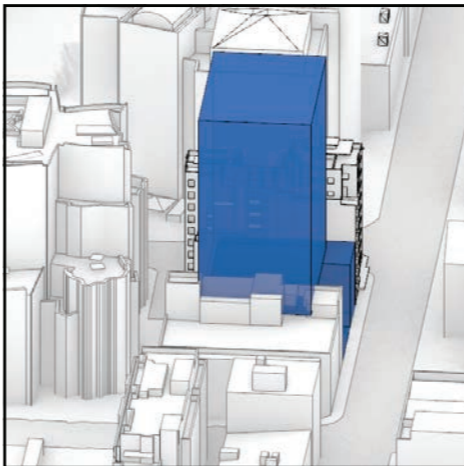
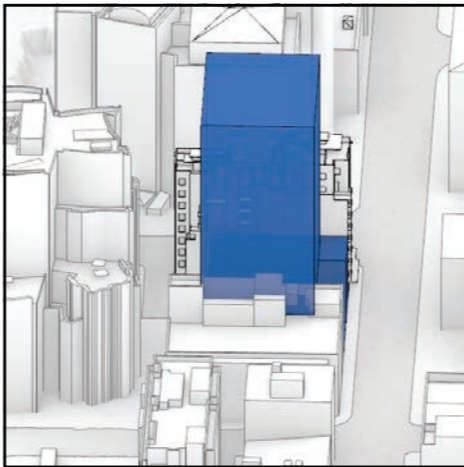
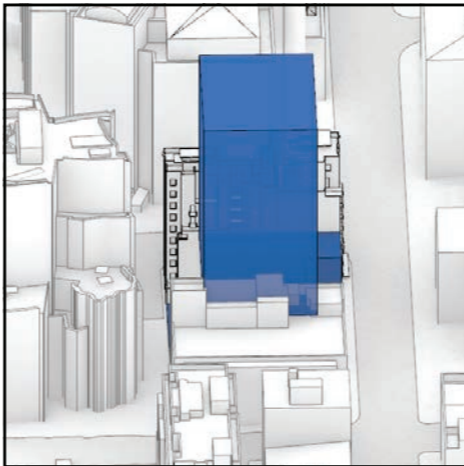
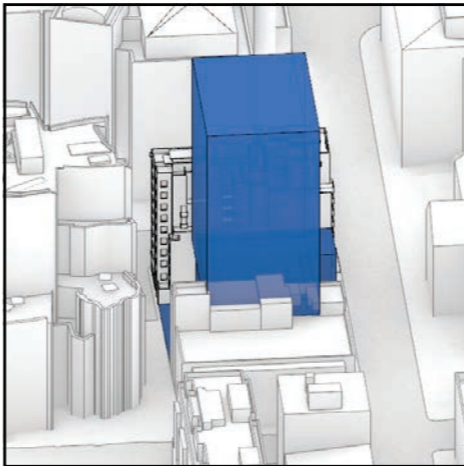
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2:00 PM

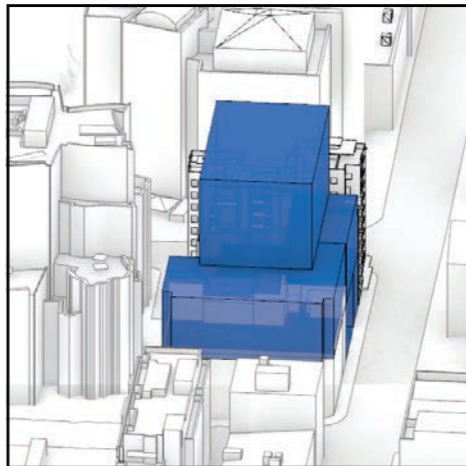
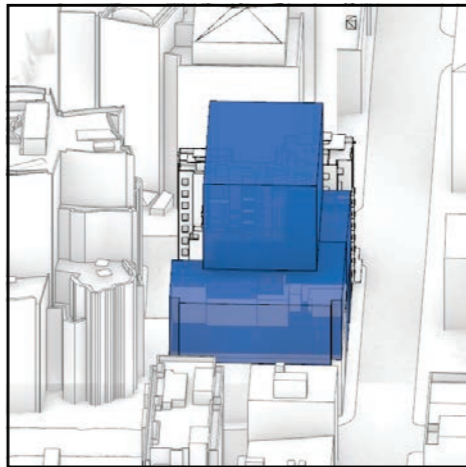
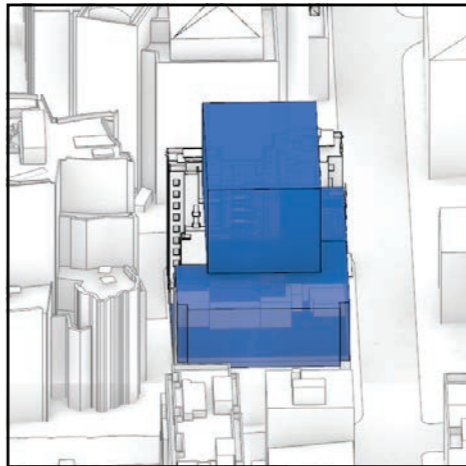
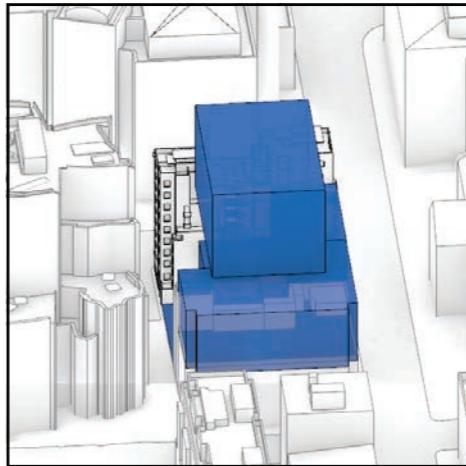
MASTER PLAN



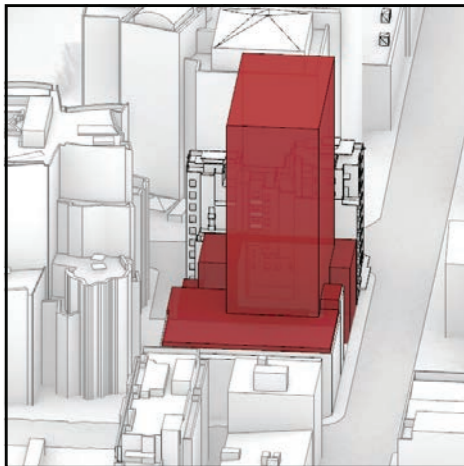
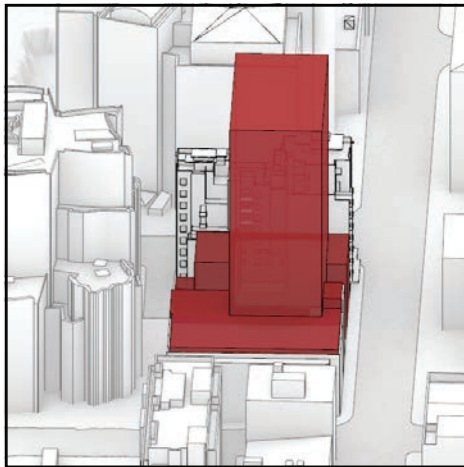
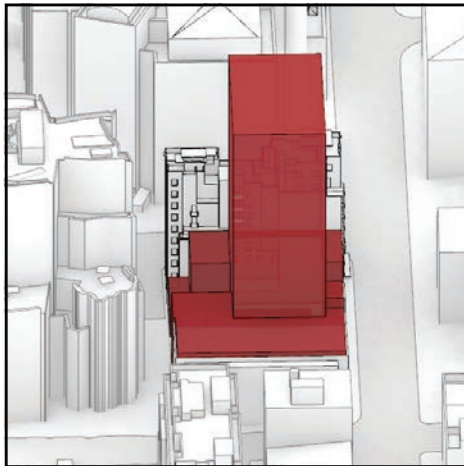
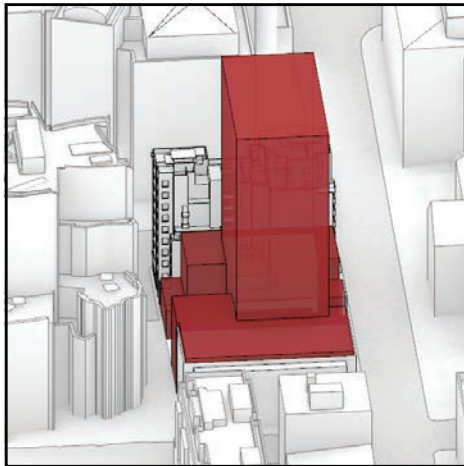
DPIE - OPTION 1



DPIE - OPTION 2



ALTERNATIVE



VIEWS FROM THE SUN

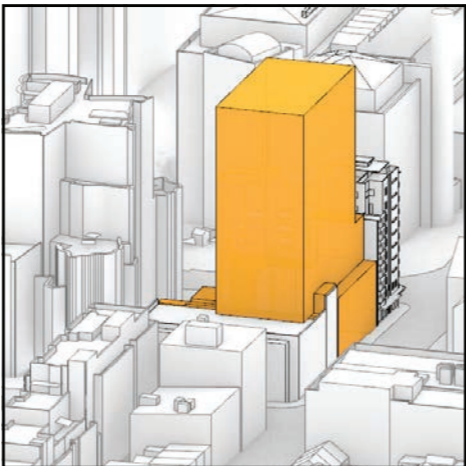
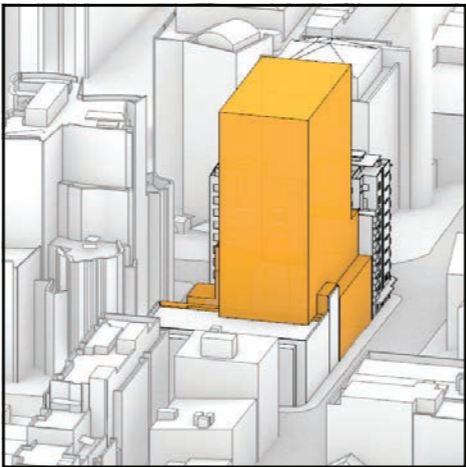
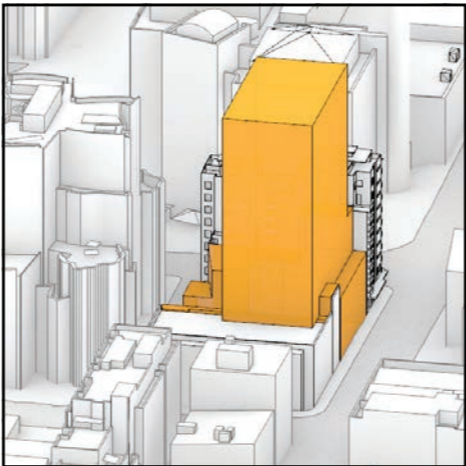
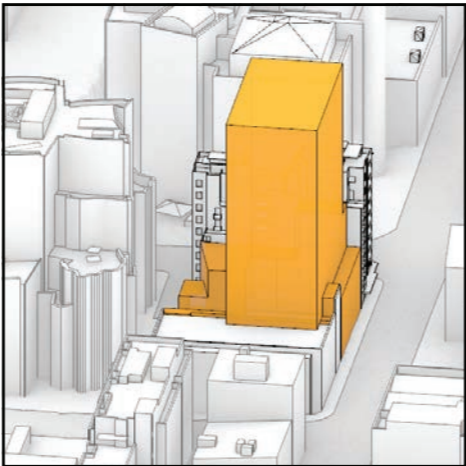
2:15 PM

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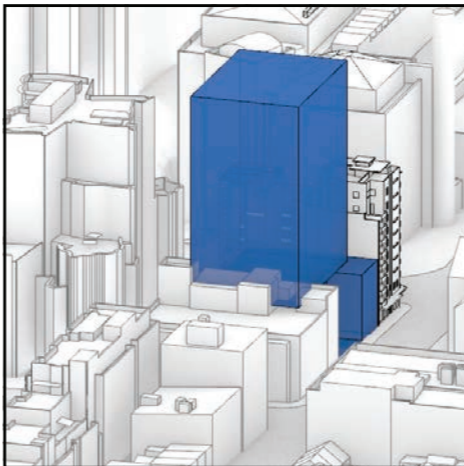
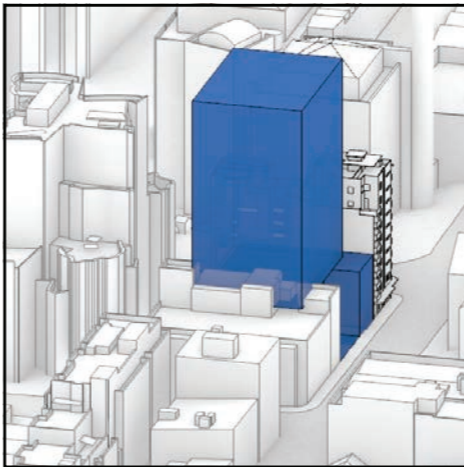
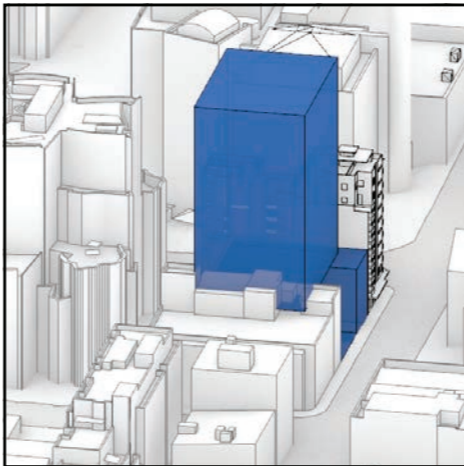
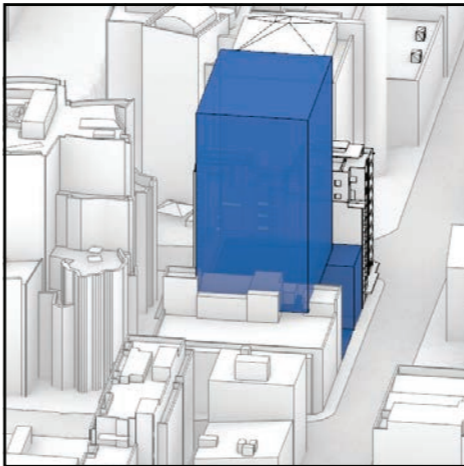
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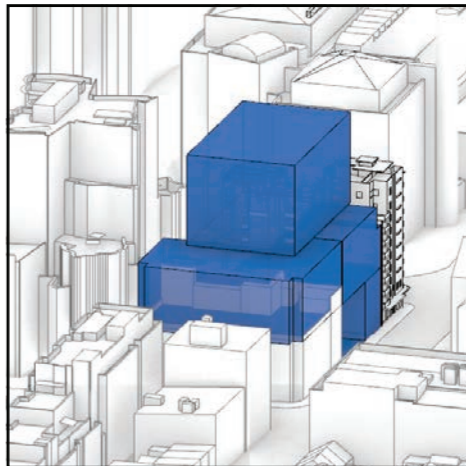
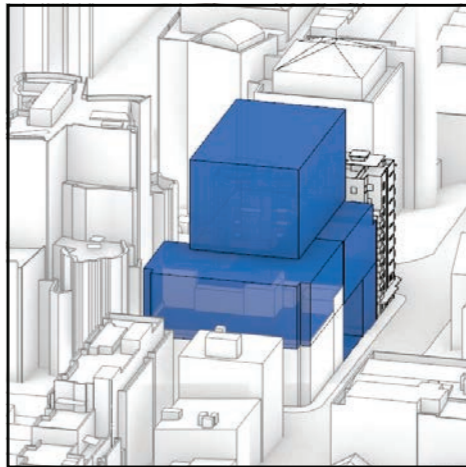
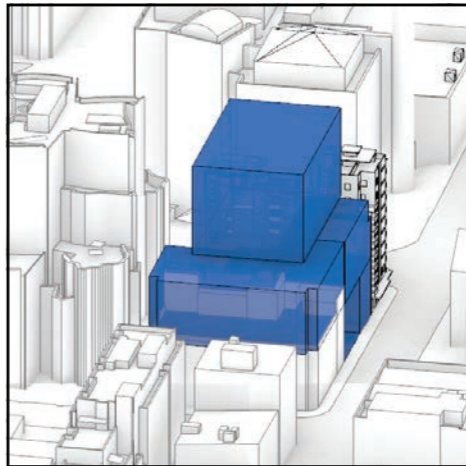
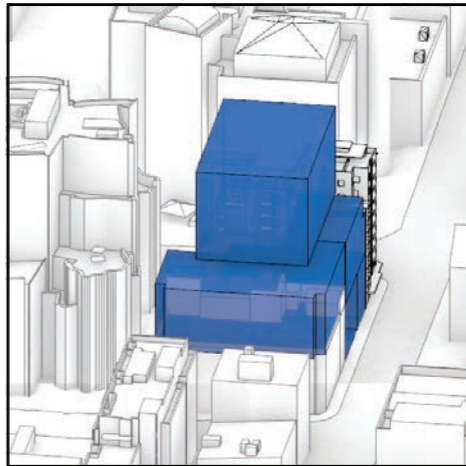
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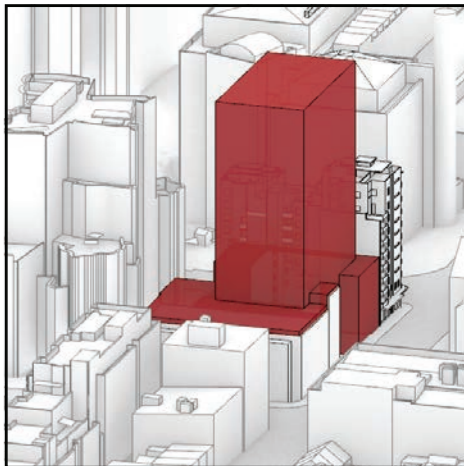
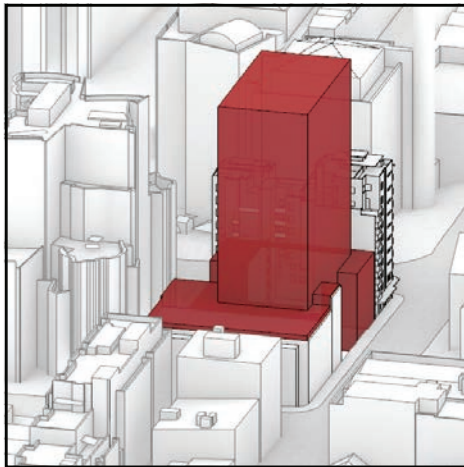
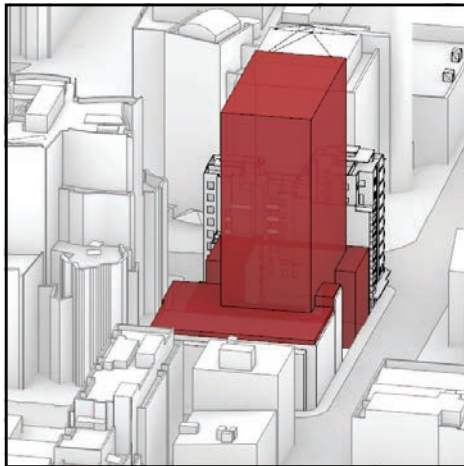
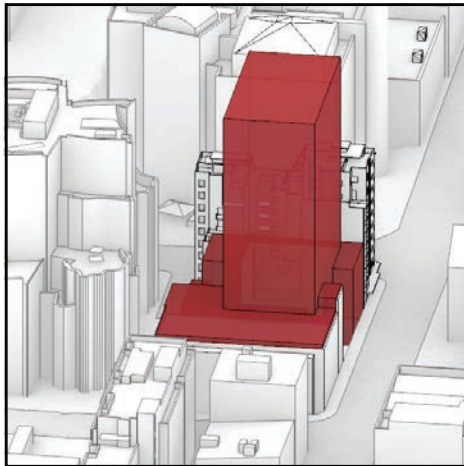
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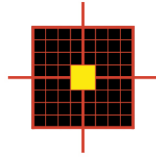


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ALTERNATIVE





DESIGN 5

A R C H I T E C T S

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Draft Pyrmont Peninsula Sub-Precinct Master Plans and Draft Planning Controls Response Report, Design 5 – Architects Pty Ltd 4th February 2022

1.1 INTRODUCTION

This submission by Design 5 – Architects responds to the relevant documents exhibited as part of the *Draft Pyrmont Peninsula sub-precinct master plans and draft planning controls*. Design 5 are the authors of the *Former National Cash Register Co. Building Conservation Management Plan* and of *Former National Cash Register Co. Building Heritage Impact Statement*, that formed part of the *Draft Pyrmont Peninsula sub-precinct master plans and draft planning controls*, on exhibition till 4th February 2022. This submission takes into consideration the following documents and responds to the discussion within each of these:

Document Title	Revision Date
<i>UTS Key Site, Ultimo Design Controls _ Heritage</i> by GML Heritage	10 th October 2021
<i>Pyrmont Peninsula Place Strategy Implementation</i> by NSW Department of Planning, Industry and Environment	November 2021
<i>Draft Pyrmont Peninsula Design Guidelines</i> by NSW Department of Planning, Industry and Environment	November 2021

This report has been written by Alan Croker and Sagar Chauhan, both from Design 5 – Architects.

1.2 UTS KEY SITE, ULTIMO DESIGN CONTROLS - HERITAGE

The comments within this section respond to the specific sections of the report by GML Heritage. All quotations from the GML report are in italics below.

GML Report Section 1.2.1 Conservation Management Plan

Response: The CMP includes detailed information regarding the history of the National Cash Register building and its history. It provides an updated assessment of heritage significance under the criteria combined with a graded assessment of the building's fabric. The conservation policies are concise and drafted to ensure the continuing protective care of the building and its significance.

The CMP includes reference to the historical evidence indicating that the original building was proposed to be extended to eight storeys, however, the CMP does not specifically respond to this matter except for in Policy 3.23

which ensures that new development above the existing National Cash Register building does not dominate the building or the broader context.

Given the original design intent of the building, there may be potential merit in exploring additional height over the existing building. Further research to locate the original plans could inform this as an alternative design response which many provide a reference design that better balances heritage conservation and new development.

Design 5 Comment

The reference to the future potential for an eight-storey structure is from an industry magazine of the time, Master Builder's Federation of Australia. The magazine states that "The National Cash Register Co. Pty. Ltd, consist of three floors designed to extend in the future to eight floors." The source of this information has not been found as there is no reference to the same in the original plans that have been included within the CMP.

Recent experience with additions to significant reinforced concrete structures from the early to mid-twentieth century confirms the potential danger in making assumptions about their structural integrity and capacity. Assumptions in the GML report such as "there may be potential merit in exploring additional height over the existing building" would in our opinion, be ill advised for a major addition. A single floor added at roof level may be possible on the existing structure, however, it would be prudent and preferred to insert new structure to support substantial new additions as has been proposed in the Masterplan developed by UTS.

GML Report Section 1.2.2 Heritage Impact Assessment

The Heritage Impact Assessment prepared by Design 5 and submitted by UTS is detailed. The policies and considerations are carefully articulated. Several issues, however, warrant further consideration including:

- a) Impact on the historic block pattern and grain of the area with the campus effectively agglomerating the block pattern.*
- b) Extending the 'campus' use into the historic street and laneway network that may have some impact on the legibility and appreciation of the public domain. This represents a potential encroachment on the public domain which has historic value.*
- c) Impact on the significant 'defining presence' of the heritage listed former National Cash Register Building and key views from the public domain.*
- d) Impact on the aesthetic significance of the listed item and its visual prominence. The proposed development is visually dominant and 'overbearing'. It competes with the original built form.*
- e) Impacts on the heritage listed building's facades and the design integrity to three street frontages*
- f) The potential for structural impacts of the proposal on the heritage listed building*

Design 5 Comment

- a) No physical changes are proposed to the lane and any changes are within the site. The proposed design response by BVN focusses upon the public amenity and relationship of spaces within the site and is a considered response to the City of Sydney's strategies for activation of laneways elsewhere in the city. Since UTS owns both sites on either side of the Omnibus Lane, an approach to activate the lane with the addition of a 'Precinct Heart' was considered an appropriate response to the public domain.
- b) The block pattern is not agglomerated as is suggested in the GML report. Adjacent sites within the same block are combined but legibility of the original NCR building would be retained. The design response by BVN makes positive contribution to the public domain by adding to the network of public open spaces that characterise the different campuses in the area. Moreover, the through-site connection and the 'Precinct Heart' have potential to activate Omnibus Lane and to provide a key access from Harris St to the Goods Line.
- c) There is considerable discussion about the significant defining presence of the NCR Building and key views from the public domain within the HIS. In Design 5's opinion the significant values of the defining presence will be retained and respected by the proposed envelope.

- d) Many options for setbacks and form of the proposed envelope were explored and tested against the key views from the public domain. With the setbacks and development controls recommended in the CMP, described in the *Policy 3.23 Development above the building*, the defining presence of the NCR Building will be retained and respected. All the options explored were not described within the HIS. The proposed envelope complies with the policies in the CMP and the same is reflected within the HIS.
- e) The impacts on the heritage listed building's façades have been described for each facade, and for the context & setting of the building in the HIS.
- f) The design of the proposed envelope with the podium is in line with the City of Sydney DCP 2012 guidelines where the preference for a podium and setbacks to a tower form is an acceptable method of respecting significant streetscapes and contexts in cases where there is already a diversity of building forms and scales. The character of the precinct includes diversity of form, scale and uses, and the proposal retains, respects and strengthens this character.

The impacts on the Omnibus Lane elevation comply with the guidelines in the CMP – acknowledging the lesser role of the southern portion of this original elevation in defining the key characteristics of the NCR Building.

Structural impacts are dealt with and minimised by the design of the structure for the proposed envelope i.e., supporting the new structures with new columns to the less significant southern side of the NCR Building with cantilevers as necessary over retained original structure to achieve the envelope. The integrity of the structure of the heritage listed building will be retained and respected, and in our assessment, is not compromised.

Response: *The HIS is carefully drafted but some key considerations, including the nature and degree of impacts on significance somewhat at odds with the heritage values of the context/setting and the listed heritage items. The proposal is contingent on the demolition of at least one third of the National Cash Register building at its southern end. The southern elevation is of little significance in terms of its contribution to the heritage values of the building. It was designed as a blank wall with a zero setback to the adjacent. Yet other defining important design features of the building are located at the southern-most end, including the Harris Street and Omnibus Lane entries that are expressed and distinguished through architectural detailing.*

Design 5 Comments:

Any potential adverse impacts on the scale of the former MAAS building on the opposite side of the Harris St have been minimised. The success of the proposed development will be dependent on the architectural resolution of the new building as mentioned in the HIS:

Ultimately it will be the form and design resolution of the tower that will play a crucial role in how it relates to its setting and the visual impact it has on its context. A carefully designed proposal respectful of the significant values of the former NCR building and its context should aim to integrate seamlessly with its context within the extent of the planning envelope.

The GML comment on the extent of the demolition, *"The proposal is contingent on the demolition of at least one third of the National Cash Register building at its southern end"* is a misrepresentation. The proposal in fact includes demolition of NO MORE than one third of the NCR Building at its southern end. The Harris St entry is significant, and it is acknowledged that further refinement of treatment of this entry would be possible at the design competition stage, and this was noted in the HIS. Note that the full extent of the exceptionally significant Harris St elevation is retained with none of it being demolished.

The Omnibus Lane entry with its associated stairwell was always a secondary access with the service core adjacent already modified. The Omnibus Lane elevation was identified as having generally high significance with some elements of moderate to low significance, including the stairwell and the services core. The GML assessment appears to have not understood this nuanced approach to the grading of significance.

GML Report Section 1.2.3 Visual Impact Assessment Report

Response: *The proposed development competes with and dominates the visual setting. It will diminish the National Cash Register building's 'defining presence,' which is an aspect of significance and will eliminate the current 'reading' of the National Cash Register building against the skyline that is appreciable in several views. A heritage views analysis and visual impact assessment is recommended.*

Design 5 Comment

Although the Visual Assessment Report by Architectus was considered in Design 5's assessment on impacts of views from the public domain, Design 5 carried out their own analysis and have based their CMP recommendations and heritage assessment primarily on their own findings.

It is accepted that there will be an impact on the view of the sky above the NCR Building but with careful and considered design and adherence with the setbacks, the additional building should not overpower the NCR Building. In this respect the proposed setbacks in the CMP Policy 3.23 *Development above the building* are critical.

GML Report Section 1.2.4 UTS Draft Design Guide

The UTS Design Guide objectives relate directly to the proposed development and the objectives inherent in the UTS scheme. While many of the objectives are undeniably worthy and meaningful, the key question is whether this design guide establishes the most appropriate framework for the site and its development in an historic urban context, that assumes the partial demolition of a listed heritage item, is development in the vicinity of the heritage listed former Sydney Technical College, and interfaces with the Ultimo Heritage Conservation Area to the immediate north.

The proposal creates an 'address' and public forecourt to Omnibus Lane and the UTS Chau Chak building. The proposal relies upon the creation of an 'arrival experience' and a 'node' for ceremony, gathering and interaction that 'activates' Omnibus Lane and is predicated on the tower straddling at least a third of the heritage listed National Cash Register building.

In the design guide, objective (e) requires that the heritage building is protected and conserved, alongside its contribution to the streetscape and its visual and physical setting. Objective (f) requires high-quality built form with 'bulk, height, massing and modulation' that responds to the characteristics of the surrounding streetscapes and heritage conservation area. The UTS proposal does not achieve these objectives.

The building envelope indicates setbacks of 15m from Mary Ann Street, 3m from Harris Street and 14.5m from Omnibus Lane. The RL of the proposed tower is 67.9 which is more than 3 times the height of the parapet of the National Cash Register Building. The setback from Harris Street does not demonstrate a respectful articulated response to the former heritage listed Sydney Technical College which is directly opposite on Harris Street, nor does it retain an adequate or sufficient setting for the National Cash Register building along Harris Street. The 3m setback when viewed from Harris Street will give the impression of projecting forward given the proposed height and scale.

*In the design guide, heritage is considered further in section 3.4. In this section the 'design guidance' reads more as conditions of approval and while, some specific design advice is provided, it assumes the UTS reference design is the outcome. Rather, the design guide should provide establish a framework for achieving design excellence with more 'objective' reference to the urban context. The university is operating a campus in an urban environment, and while there may be mutual benefits for both the university and the broader public, first principles require the existing character, public urban form, pattern and arrangement, and heritage items be respected. **Response:** The UTS design guide assumes the reference design is the 'benchmark' for design excellence, rather than objectively and independently providing design guidance to deliver that outcome for the site.*

Design 5 Comment

It is Design 5's opinion that the reference design in the UTS proposal positively addresses objective (e) and objective (f) of the UTS Design Guide. The heritage listed former MAAS building is a completely different building in form and architectural detailing to the NCR Building. The bulk of the NCR Building will be retained with all its defining features as

identified in the CMP. When viewed from Harris St, it is only the southern third section of the NCR Building which has the tower rising above it. This encourages an interlocking of new building with existing building and provides potential for an innovative urban design response that not only links old and new and but retains and respects the integrity and legibility of the old.

GML Report Section 1.2.5 State Design Review Advice

The State Design Review Panel (SDRP) has considered the UTS proposal for Key Site 13-15 and provided iterative advice. In advice dated 11 June 2021 the SDRP stated that the proposed building form was to better respond to the context of the heritage conservation area, the heritage buildings to the south, and the generally low-rise surroundings. The SDRP also requested a more detailed design briefing on the conservation management plan and how the project responds to heritage matters and recommendations. The SDRP recommended that options for the arrangement of mass, above the National Cash Register building, be considered.

The SDRP issued further advice on the 26 July 2021. While aspects of the design strategy were supported, several key issues requiring further resolution were identified. The building envelope was not considered supportable in its current form. The SDRP requested alternatives be provided to break up the building's scale so that it could be more responsive to the existing urban context, particularly along Harris St. They also requested the consideration of an improved interface and or integration with the heritage building and its conservation as a heritage item. An additional building envelope further to the north potentially overhanging or cantilevering over the heritage building, subject to heritage advice, was also suggested as a potential option.

Further advice was issued by the SDRP on 23 August 2021. It was recommended that further adjustments be considered. This included ensuing options to amend the planning envelope be considered holistically to achieve an outcome with least impact and greatest flexibility to support a culturally rich and responsive final building form. It was suggested that an additional floor to the heritage building be considered.

Response: *The SDRP advice reflects many of the concerns outlined in this report. The relationship of the proposed tower to the heritage item, heritage items in the vicinity and the heritage conservation area to the north does not represent a considered response to the historical context.*

The original design intent of the National Cash Register building which was planned as an eight-storey building suggests a different built form, which if considered could address and resolve many of the issues identified by SDRP in their feedback on the reference design.

Design 5 Comment

The SDRP recommendation to explore options was undertaken, however the guidelines on setbacks and form for the proposed envelope and reference design scheme were based on the CMP guidelines that additions (other than roof treatment) immediately above the Harris and Mary Ann Street frontages would be inappropriate. Such additions would very likely be overbearing and would diminish the significance and visual integrity of the NCR Building and adversely impact its context.

The reference for the potential for an eight-storey building has been addressed earlier on in this report. If the original structural columns were to be further loaded with a substantial addition the existing footings would likely be inadequate and may require complete replacement and rebuilding of the existing structure - an outcome contrary to sound conservation practice. Implementation of such an approach would be as bad as retention of façades only – an outcome that was deliberately avoided in the CMP policies. The proposal by UTS is in Design 5's opinion, a very considered and respectful response.

The heritage objectives in the City of Sydney Local Environmental Plan 2012 include 'to conserve the environmental heritage of the City of Sydney' and 'to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views'. The National Cash Register building is a locally listed heritage item. It is in the vicinity of other listed heritage items, including the former Sydney Technical College and immediately adjacent to the Ultimo heritage conservation area.

The UTS reference design does not respond to or complement the existing heritage items, nor retain street vistas. The UTS reference design does not achieve the objectives for heritage and the UTS Design guide provides likely consent conditions for heritage, rather than providing a framework to achieve the conservation of heritage significance and character of the context.

It does not reflect the historic block pattern through its aggregation of blocks. This pattern is reflected in the Harris Street heritage conservation area to the immediate north, and incidentally in the block pattern of the key site. This is characterised by a diversity of Victorian allotments with residential and commercial buildings, with newer infill development. While noting the future character statement in the Pyrmont Peninsula Planning Strategy, and the fact that the area is earmarked for growth, the design and controls should help manage and guide development to maintain or at least interpret the grain of the area. In addition, while appreciating and understanding that the colonial subdivision pattern reflects colonialising processes, which for First Nations people perpetuates forms of erasure or marginalisation, what is required is a more subtle and intertwined process to help ensure belonging and identity is inclusive.

The proposed tower protruding directly from the southern end of the building does not respect the significance of the National Cash Register building, nor the scale and form of the urban character of the area, which, given its location immediately adjacent to the heritage listed former Museum of Applied Arts and Sciences, should be reflected in the modulation of the mass, street wall heights, datums, and materiality in the reference design.

Dating from 1953-55, the National Cash Register building is a landmark building that through its strong and well resolved form, composition and materiality addresses and defines the 'street walls' of its setting with a distinctive architectural response that contributes to the local area. Its key elevations are along Harris Street, Mary Ann Street and Omnibus Lane. The UTS reference design relies on the demolition of a least one third of the National Cash Register building at its southern end. This will give rise to a significant impact on the assessed heritage significance of the building.

There is potential for sensitive adaption of the National Cash Register building and the existing City of Sydney DCP controls support and encourage this. The building's southern elevation was designed to have a building with a zero setback on the adjacent lot. As such, opening up and connecting through to new adjacent development is preferred in this location. Historical records evidence that the original design intent for the National Cash Register Building was for an eight-storey building. This potentially creates an alternative approach that could be explored to generate an improved reference design for Key Site 13-15.

Design 5 Comment

Most of the points above have been addressed above within this report. It should be noted that connection to new adjacent development is not only preferred along the southern side of the NCR Building but is proposed only in this location.

The statement by GML "Historical records evidence that the original design intent for the National Cash Register Building was for an eight-storey building," does not acknowledge the secondary nature of this source which is in an industry journal article about the building. No evidence has been found in the architectural or construction documents researched for the CMP.

Planning systems control both physical form, use of spaces and building stock. Many statutory planning regimes aim to protect heritage fabric through the identification of specific buildings as heritage items, or as contributory to the significance of a locality or area. In historic contexts they typically seek to direct new building works to relate to or reflect heritage significance and character. Outcomes where both the new and old fabric are synthesised tend to be

considered favourably by planning controls, including built form, urban design and heritage. Issues around change of use, demolition, and adaptive re-use, are also addressed in controls.

The ICOMOS Burra Charter covers adaptive reuse. Implicit in its best practice principles are that new use and adaption will continue to sustain the significance of the place. Whatever existing historic fabric remains, it is often prudent to draw from it, express it, and if possible, retain. Where existing fabric, has been removed, it only becomes historic, albeit differently through the passage of time. Where change is irreversible the Burra Charter directs effort toward historical research and documentation to inform new ways of continuing the place's interpretation through future generations. Re-purposed and re-occupied older buildings than new ones. This is not always critical, for example in creation of car park or perhaps contemporary workspaces, but in many uses the sense of a place having a history and memory gives it a head start in cultural and economic value.

Understanding and then harnessing the latent quality of an existing structure, space or building is at the core of successful adaptive re-use projects. Successful adaptive re-use projects intelligently seek, often through detailed study of the existing fabric, a design response that makes the most of the existing building. Such a response can inform the design and how spaces be used. The use of original drawings, including primary sources, are fundamental to developing an appreciation of the existing condition. Historical evidence and the fabric will assist in forming a comprehensive view of the potential and tolerance for adaptation and change.

Design 5 Comment

Design 5 concurs with the points made in the section above and argues that the principles and approach taken in the proposal by UTS are entirely consistent with Burra Charter principles.

GML Report Section 1.4.1 Suggested Heritage Objectives

The heritage values and character of the locality are to be conserved.

First Nations values and design responses will be led by and demonstrate First Nations engagement and broader participation and involvement with the local Aboriginal community.

The predominately Victorian hierarchy, pattern and grain of streets and laneways and heritage listed items should be interpreted.

The heritage significance of the National Cash Register Building is to be conserved. Its defining presence and strong architectural composition and contribution to the surrounding streetscapes and urban setting will be complemented and respected.

The significance of the former Sydney Technical College is to be respected and enhanced through a careful articulation and modulation of built form and materiality along Harris Street to achieve strong sensory appeal and visual harmony.

New development and design should give rise to material impacts on the heritage significance of listed heritage items and significant attributes and features, including impacts to historic fabric and interiors.

New development should respond to the urban grain and historic context through a detailed analysis of the character of the area.

Built Form - National Cash Register Building

- a) *The significance of the National Cash Register Building is to be conserved. This includes its defining streetscape presence to Mary Ann and Harris streets and Omnibus Lane, and in the street views and vistas to the building that are both dynamic and static.*
- b) *The item should retain its ability to be read as an item. New development should not distort or obscure the cultural significance of the item, nor or detract from its interpretation and appreciation.*
- c) *The addition of another four storeys above the existing National Cash Register building may be acceptable from a heritage perspective. The original design intent for the National Cash Register building as an eight-storey building could be explored to generate a new reference design, provided the design gives rise to a lesser heritage impact on the building's significance.*
- d) *If the proposed reference design is the preferred option, the tower setbacks should be amended, and ideally not require the demolition of one third of the National Cash Register building to achieve the proposal's objectives. Alternatively, the tower form may cantilever over a portion of the airspace above the National Cash Register building, while ensure an appropriate visual setting to conserve the building's heritage significance is provided.*

- e) *The proposed building envelope should be modified to remain within the adjacent allotments. The National Cash Register building's southern elevation was designed to have a building with a zero setback on the adjacent lot. As such, opening up and connecting through this wall to a new adjacent development is preferred.*
- f) *Design excellence should be assessed with regard to whether the proposal is outstanding in its ability to demonstrate that it is complimentary and respectful to significance of the existing fabric, scale, form and design detailing of the heritage item and the boarder historic context.*
- g) *Adaptive reuse is encouraged and should be guided by the assessed significance of the listed item and a respect for continuing use as well as the graded assessment of historic fabric, as outlined in the CMP.*
- h) *Activation of the building at street level may be achieved by selective 'opening' up and removal of fabric within existing openings, ensuring that a representative sample of original opening treatments is conserved.*
- i) *The Harris Street elevation is to be conserved as an element of exceptional to high significance. Some areas of recent alteration as indicated in the Design 5 CMP figure 4.3.6 have some tolerance for change. Further potential for some new openings in the recessed areas at ground level are also indicated in figure 5.3.1.*
- j) *The Mary Ann Street elevation is to be conserved as an element of exceptional to high significance. In areas where original recessed bays have been previously altered there is greater tolerance for change as showing in figure 4.3.7.*
- k) *The Omnibus Lane elevation is graded high to moderate overall, but some areas are graded low and have a higher tolerance for change. This includes the window openings at ground floor level in the location of the former loading dock.*

Public Domain

The historic street pattern layout should be conserved. Omnibus Lane should remain legible as a public laneway. Alternative finishes may be considered but the articulation of the space as a public thoroughfare should remain legible.

Streetscape and Views

Significant street vistas and views should be retained, respected, and complemented by proposed new development. Street walls, in height and materiality, should reference and respond to the scale, materiality and character of the historic setting and listed heritage items in the vicinity.

Design 5 Comment

Design 5 concurs with the suggestions above and argues that the heritage objectives outlined have been addressed by the proposed scheme. The following points relate to the respective dot points listed above.

- a) The significance of the NCR Building is conserved including its streetscape presence both dynamic and static.
- b) The proposed scheme retains and respects the ability of the NCR Building to be read as a complete item and does not detract from its appreciation. By means of setbacks and the envelope form proposed, the reference design does not detract from its appreciation and integration.
- c) Addition of another four storeys in architectural and envelope terms was explored and analysed and it was considered that impacts were not acceptable.
- d) The proposed envelope requires the demolition of NO MORE than one third of the NCR Building however, the partial demolition of the eastern and western ends of the southern part of the building could be reconsidered at the design competition stage, as noted above. The extent of demolition proposed in the reference design by UTS was not a specific recommendation in the CMP. The southern part of the NCR Building was identified as having scope for change. A form of this change is explained in the reference design and its impacts assessed in the HIS. Any cantilevered tower should not reduce the setbacks proposed in the CMP as the visual setting could be compromised.
- e) This point implies that the southern part of the NCR Building should have minimal alterations which may functionally constrain the linking of the building within the development and potential access to sunlight for the "Precinct Heart" which was a fundamental objective in the proposal. This point suggests a very conservative approach to conservation and adaptive re use which might limit successful outcome for the NCR Building and its adjacent development.
- f) This is supported by the policies in the CMP.

- g) This is supported by the policies in the CMP.
- h) This is outlined in the CMP which suggests specific policies regarding the same.
- i) This is outlined in the CMP which suggests specific policies regarding the same.
- j) This is outlined in the CMP which suggests specific policies regarding the same.
- k) This is outlined in the CMP which suggests specific policies regarding the same.

Design 5's Comment on the discussion about Public Domain, Streetscape and Views

The historic layout and street pattern are retained and respected, their legitimacy strengthened by the activation of the Omnibus Lane via connections with the 'Precinct Heart' proposed in the reference design.

Note: The Max Dupain photographs included in the GML Report were not available at the time of preparing the CMP, presumably not yet scanned. They could be added to the CMP.

1.3 PYRMONT PENINSULA PLACE STRATEGY IMPLEMENTATION

The comments within this section respond to the specific sections of the report by DPIE. All quotations from the DPIE report are in italics below.

Document Section 3.6 The Star and UTS: proposed built form controls and public benefit outcomes

UTS Built form controls

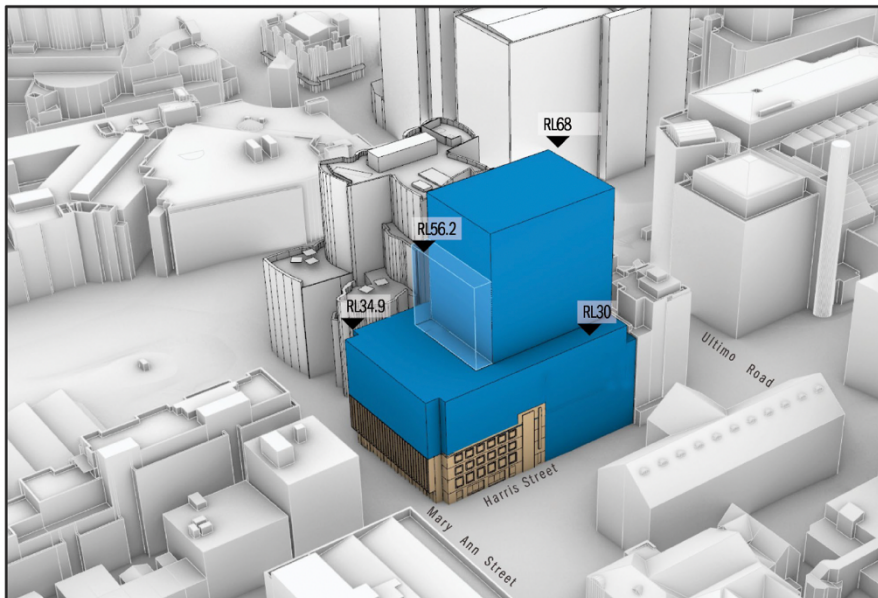


Figure 11 – Proposed building envelope for UTS residential college
(Design Guidelines, 2021 (Hassell))

Figure 1: Proposed building envelope for UTS Residential College in the NSW Government's document titled, *Pyrmont Peninsula Place Strategy Implementation*.

Design 5 Comment

The proposed envelope in Figure 1 above does not respect the significance, setting or context of the NCR Building or comply with the conservation policies outlined in the CMP. The envelope as shown will result in a totally inappropriate and detrimental outcome, substantially and adversely impacting the heritage significance of the NCR Building, and its context and setting. The NCR Building with this envelope would be substantially overpowered and diminished visually and architecturally. The envelope will also result in reduction in access to sunlight to the apartments to the south.

Block additions immediately above the NCR Building would provide a floor plate that would be completely inappropriate for residential uses, particularly for an Indigenous College where 'Connection to Country' and access to sunlight and views would be considered fundamental. Such an envelope could work for educational use but would still be completely inappropriate on this building.

Pulling the full extent of the podium envelope forward to the Harris Street boundary with no setback makes the NCR Building look like a "stick-on" façade and this could not be supported based upon an understanding of Burra Charter principles or good conservation practice.

Document Section 3.12

Other technical Studies

Non-Indigenous Heritage

Non-Indigenous heritage has only been considered for the heritage listed former National Cash Register (NCR) building, as part of UTS Site 13-15. The item, no. I2036 is listed under LEP 2012. This review, undertaken by GML Heritage Consultants, considered the heritage significance of existing buildings on the site, the UTS Key Site Masterplan (and supporting documents) and the UTS SDRP advice.

The report identifies the NCR building as a locally significant heritage site. The area of primary heritage significance is the building's elevation along Harris and Mary Ann streets, which are graded at 1-2, or 'Exceptional' and 'High'. This elevation is therefore crucial to express and support the heritage significance of the building. Other elevations and aspects of the building are graded lower, however still contribute to the heritage importance.

The report found historical information relating to earlier designs of the NCR building, which suggested that the building was originally expected to be eight storeys, rather than the four it is currently built to.

The review assessment of the heritage impact of the UTS proposal raised several issues of concern:

- *The visual impact of the proposed UTS reference design against the NCR would reduce the significance and 'reading' of the NCR against the skyline. The tower element was considered a particular concern*
- *No reflection of the historic block pattern in which the NCR is located, due to the aggregation of lots to facilitate the UTS proposal, and does not respond to other surrounding heritage items (such as the Sydney Technical College)*
- *A large internal portion of the building is identified for demolition*
- *The UTS proposal does not retain important street vistas.*

The Design Guidelines have been informed by the heritage advice to then inform two building envelope options for the site that address the heritage significance of the site while also enabling a viable development envelope for the proposed Residential College. The two options explore different combinations of tower heights and additional levels on the NCR building while maintaining the required FSR (5:1) needed to realise the UTS development. It should be noted that the final height would reduce if the built form occupied the maximum space above the NCR.

The building envelope options offer UTS an opportunity to further explore a final built form that addresses key heritage considerations (and setbacks to frontages). Final agreement on the best heritage approach will need occur before UTS can proceed to the Design Competition stage of the approval process.

The two options include:

- A 'tower form', including one extra storey on the NCR building (DPIE option 1) (Refer Figure 15 below), and
- A mid-rise building, including four extra storeys on the NCR building (DPIE option 2) (refer Figure 16 below).
- Both options proposed by DPIE are supported through flexible design guidelines that:
 - Provide the option to explore an additional one or four storeys on top of the existing NCR building to ensure viability of the UTS proposal while also referencing the NCR's original (but unrealised) 8 storey design
 - Requiring a 15-20m setback above the NCR building, depending on the eventual height of the building (for example, a lower tower form would require a lesser setback) to ensure a clear reading of the NCR building; and
 - Setting an 'investigation zone' to encourage opportunities to retain the existing entry and vertical circulation, rather than rely on demolition.

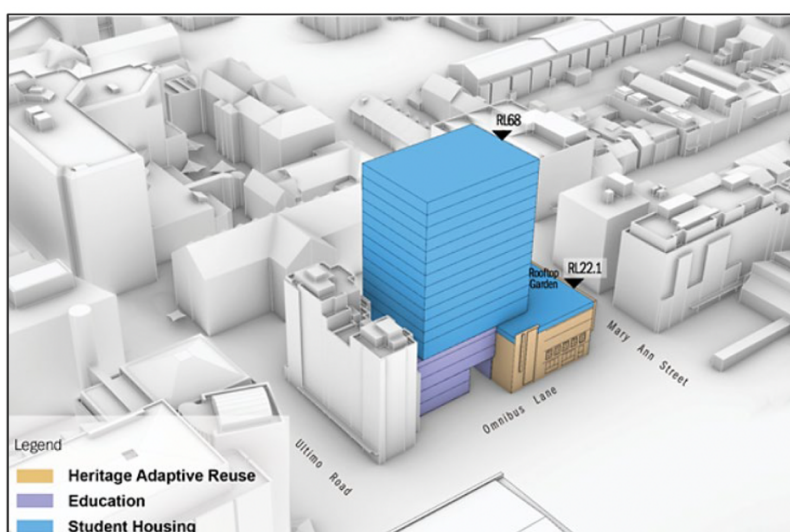


Figure 15 – DPIE 'Tower' building envelope (Option 1)
(Design Guidelines, 2021 (Hassell))

Figure 2: Option 1 for the UTS Residential College in the NSW Government's document titled, *Pymont Peninsula Place Strategy Implementation*.

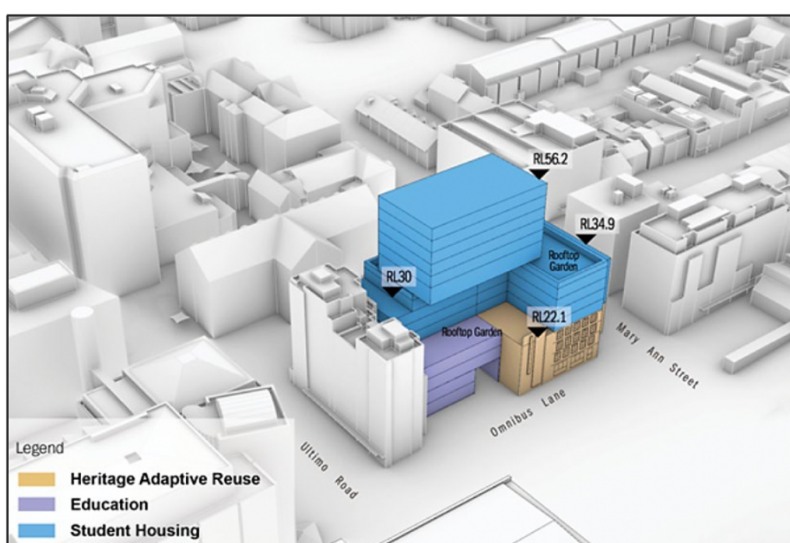


Figure 16 – DPIE 'Mid-rise' building envelope (Option 2)
(Design Guidelines, 2021 (Hassell))

Figure 3: Option 2 for the UTS Residential College in the NSW Government's document titled, *Pymont Peninsula Place Strategy Implementation*.

Design 5 Comment

The comment in the DPIE report relating to the CMP, *“The report found historical information relating to earlier designs of the NCR building, which suggested that the building was originally expected to be eight storeys, rather than the four it is currently built to,”* is misleading as no documentation for an eight-storey building has been found during the research conducted by Design 5 while preparing the CMP. This information is from an article that was written by a journalist in a building magazine and possibly in the context of demonstrating the flexibility of the design. No primary source for this eight-storey reference has been found. None of the documentation found in Design 5’s research suggests it was to be an eight-storey structure. Original plans indicate that the building was originally designed as a three-storey structure, later built with one additional floor.

Since the DPIE report has misinterpreted the historical information, the design guidelines for the proposed envelopes are based on a flawed understanding of the information in the CMP. Even if it was found that the structure had been designed to accommodate an additional four floors, Design 5’s assessment of the nature, context and setting of the NCR building today confirms that this would not be an appropriate way forward, and significant values would be compromised or lost.

Option 1

The built form above the NCR Building in Option 1, does not take into consideration the significant values of the NCR Building and its ability to be read as an item that could be appreciated for its scale and form. The tower form in this Option does not take into consideration the impacts on sunlight access for the apartment building to the south and does not comply with the setback described in the third dot point of the CMP Policy 3.23:

- *from Omnibus Lane – minimum determined by solar access to apartments to south of site and a respectful distance from Frank Gehry designed UTS Business School;*

The bulky massing and form of the envelope does not have the nuanced approach to the context evident in the reference design proposed by UTS. In any envelope guideline for a site there is a potential for a proponent to completely fill the agreed envelope and still comply with the planning controls. In this instance such an outcome from the Option 1 envelope in the DPIE document would be overbearing on both the NCR Building and its neighbours. In this option, there is limited scope to make a positive contribution to the public domain as the open space fronting Omnibus Lane will not have the desired access to natural light, particularly sunlight and will not have the flexibility offered by the ‘Precinct Heart’ in the reference design by UTS.

Option 2

The DPIE design guidelines mention that they require *“a 15-20m setback above the NCR building, depending on the eventual height of the building (for example, a lower tower form would require a lesser setback) to ensure a clear reading of the NCR building.”* However, Option 2 is shown with a four-storey block addition immediately above the NCR Building which overpowers the scale, form and architecture of the heritage building. This option will result in considerable shading of the public domain. The proposal shows a series of blocks stacked above the NCR Building and a rationale for this design approach is not evident. This proposal will significantly and adversely affect the reading of the NCR Building as a heritage item which has a defining presence in the streetscape. The addition of a four-storey structure above the heritage building could compromise the structural integrity of the building (as discussed earlier in this report) and require substantial, if not complete demolition of its interior.

The envelope does not address the conservation policies in the CMP, particularly the *Policy 3.1 Context and Streetscape* and the *Policy 3.23 Development above the building*.

Policy 3.1 – Context and streetscape

The essential characteristics of the streetscape and setting of the former NCR Building must be retained, conserved and if possible strengthened in any changes or development associated with this building. These characteristics are:

- *the building's defining presence as a fine example of post-war International style architecture in the Ultimo area directly addressing the streets, lane and intersections that delineate its three main elevations;*
- *the scale, consistent form and horizontal massing of the building that allow it to sit comfortably with differently scaled buildings that surround it;*
- *the visual dominance of the building's projecting louvered window box on its northern elevation providing occupants with generous daylight and high level views over Mary Ann Street;*
- *the simple geometric parapet defining the top of the original building;*
- *the potentially more active engagement with public domain of Mary Ann Street, Omnibus Lane the UTS Business School;*
- *the grand 'avenue' effect of the mature tree planting on the Harris Street footpaths expressing the evolving character of this thoroughfare as a more pedestrian friendly place and unifying the streetscape.*

Policy 3.15 – Roof level generally

There is potential to re-organise services and plant to allow activation of the roof level to accommodate a roof garden, seating or pergola structure. Any changes or additions must:

- *not endanger the structure of the building;*
- *not compromise or endanger the performance of the waterproofing membrane;*
- *not detract from the simple horizontal expression of the top of the building when viewed from surrounding buildings or the public domain.*

Policy 3.23 – Development above the building

Any additional development above the former NCR building, (apart from that covered by Policy 3.15), should be located over the southern part of the building and have the following setbacks:

- *from Harris Street – minimum 3 metres;*
- *from Mary Ann Street – minimum 15 metres, but preferred 18 metres;*
- *from Omnibus Lane – minimum determined by solar access to apartments to south of site and a respectful distance from Frank Gehry designed UTS Business School;*
- *Clear height to underside of addition above roof level should be a minimum 3.8 metres.*

Height of added element should not be overbearing to the former NCR building and should relate to but not dominate the immediate precinct.

The proposed envelope does not respect the “scale, consistent form and horizontal massing” of the NCR Building and will result in loss of its coherent form and its ability to sit comfortably with different scaled buildings that surround it. No clear height to the underside of the block addition is provided as is recommended by the Policy 3.23 in the CMP. This Option 2 would in our opinion result in a very adverse development that diminishes the significance of the NCR Building, its context and setting.

It is recommended that any future proposals retain and respect the significant values of the NCR Building, are based upon sound heritage advice and the conservation policies outlined in the CMP.

1.4 DRAFT PYRMONT PENINSULA DESIGN GUIDELINES

The comments within this section respond to the specific sections of the report by DPIE. All quotations from the DPIE report are in italics below.

There are number of parts to this advice that contradict the CMP and the GML Heritage report. It would appear that the design guidelines are based upon the assumption that the preferred option for the new development would be to extend the existing NCR Building by four additional floors to make it an eight-storey building. As has been noted in comments on other reports, this is based on a misinterpretation of documentary evidence presented in the CMP. It is our opinion that adding four storeys to the existing on that same footprint would be completely inappropriate and unacceptable in heritage terms.

DPIE Document Section 3.2 Design Guidance

3.2.2 Built Form and Design

16. *The Harris Street elevation of the new development shall be articulated/modulated in order to minimise its bulk and scale to be able to relate to the surrounding heritage items, heritage conservation area setting and apartment building to the south by:*
 - a) *Aligning with the National Cash Register Building's original design intent as an eight storey building. The addition of another four storeys above the existing National Cash Register Building should be explored provided the design gives rise to a lesser heritage impact on the building's significance.*
 - b) *Adopting the street wall height defined by the National Cash Register Building along Harris Street to create a strong urban edge and corner to the intersection of Harris and Mary Ann Streets. This applies to the existing four storey street wall height or an eight storey street wall height, if additional levels are added to the National Cash Register Building. A setback to the adjoining apartment building will be required at the interface between the two buildings to minimise adverse amenity impacts by reducing the street wall to seven storeys where they abut. See also Section 3.2.10.*
 - d) *Responding to the National Cash Register Building's façade modulation and composition composed of three distinct but complementary design attributes, including:*
 - i. *The vertical concrete framed glazed entry 'portal' with aluminium fins/louvers.*
 - ii. *Brick street level with inset tiles and concrete framed glass bricks separated by strong vertical elements to create rectangular openings.*
 - iii. *The orderly geometry of the façade's fenestration pattern including rectangular windows at the lowest level and square windows at the upper two levels, with each window framed by expressed concrete.*
 - g) *Providing a sufficient setback to new development above the National Cash Register Building to retain the building's ability to be read as an item in its own right and to the apartment building to the south to mitigate amenity impacts. A setback of 6m minimum will be required for new development above the street wall to Harris Street. Built form may cantilever over a portion of the airspace above the National Cash Register Building (including additional floors), while ensuring an appropriate visual setting to conserve the building's heritage significance.*
 - h) *Investigating opportunities to retain the existing entry to the National Cash Register Building and extending the existing vertical circulation through the new development.*

Design 5 Comment

The defining features of the significant values of the NCR Building mentioned above have been clearly identified in the CMP and policies to retain and respect these significant values have been outlined in the CMP. The defining features are retained and respected in the proposed envelope and reference design prepared by UTS. No physical changes to Mary Ann and Harris St elevations are proposed. Any changes to Omnibus Lane are based upon the policies in the CMP.

The podium proposed in the reference design by UTS is of the same height as the wall height of the NCR Building on Harris Street and is setback from the street to allow reading of the NCR Building as an item that extends deeper than its façade and this setback creates an arrival space

for the new development. No additional levels should be added immediately above the NCR Building and the same has been outlined in the CMP. Any structures above the NCR Building are to be guided by the setbacks identified in the *CMP Policy 3.23 Development above the building*. The CMP identifies the Harris St entry level to be of high to moderate significance and identifies the concrete framed entry portal to be of generally exceptional significance and having low tolerance to change. Retention of the entry level and the entry portal would allow the reading of the NCR Building as an item in its own right and the same has been recommended within the HIS. Extending the existing vertical circulation in the same plane above, as proposed by DPIE guidelines would mean loss of this ability to read the NCR Building as an item, confusing its original form and such an extension would have adverse structural implications that have been discussed above in this report.

17. *The Mary Ann Street elevation of the new development shall recognise the significance of the building's setting adjacent the Harris Street Heritage Conservation Area and between the former Sydney Technical College and the Dr Chau Chak Building by:*
 - a) *Adopting the street wall height defined by the National Cash Register Building along Mary Ann Street. This applies to the existing four storey street wall height or an increase to an eight storey street wall height, if additional levels are added to the National Cash Register Building. If the street wall is increased to eight storeys, consider extending the signature cantilever concrete box/frame with vertical fins/aluminium louvres.*
 - b) *Responding to the two distinct but complementary design attributes of the National Cash Register Building including:*
 - i. *Signature cantilever concrete box/frame with vertical fins/aluminium louvres.*
 - ii. *Brick street level with inset tiles and concrete framed glass bricks separated by strong vertical elements to create rectangular openings.*
 - a) *Considering the articulation of the parapet to the new development which is respectful and complementary to the National Cash Register Building.*
 - c) *Consideration of the articulation of built form massing when viewed from the Goods Line, and how the new development achieves a harmony in its relationship between the Dr Chau Chak Building and Sydney Technical College, respecting and complementing the composition, articulation and materiality of both buildings.*
 - d) *Providing a minimum setback to any new development above the National Cash Register Building as follows:*
 - i. *A 20m setback for the tower option, to align with the setback of the Sydney Technical College on Mary Ann Street and maintain visibility of the Dr Chau Chak Building in the background.*
 - ii. *A 15m setback for the mid-rise built form option. The built form may cantilever over a portion of the airspace above the National Cash Register Building (including additional floors), while ensuring an appropriate visual setting to conserve the building's heritage significance.*
 - e) *Investigating opportunities to improve the existing entry off Mary Ann Street which complements the existing façade treatment in its proportions, materiality and detailing while increasing transparency at the street level.*

Design 5 Comment

If the Mary Ann Street wall height is increased to eight storeys (as proposed by DPIE guidelines), the new development would certainly not respect the significance of the Harris Street Heritage Conservation Area, the former MAAS building, or the NCR Building.

The articulation of the façade of the new development should be a key consideration in the Design Competition phase and should respect the setting and context of the development which includes the NCR Building, Harris St Conservation Area, the former MAAS building and the UTS Business School.

As noted above, any comments in the DPIE guideline document pertaining to an eight-storey structure as an original design intent for the NCR Building are based upon misrepresentation of the historical information in the CMP. It would appear that this misinterpretation permeates the GML Heritage report and the DPIE documents discussed within this report. This has

resulted in flawed and inappropriate guidelines that would significantly and negatively impact the form, integrity, context and setting of the NCR Building and its neighbours.

The cantilever concrete frame with aluminium louvers is the defining feature of the Mary Ann St façade and is a key contributing factor for this elevation to have exceptional to high significance. Replication of this feature to extend to eight floors will not be respectful of the NCR Building's original design or its significant values and would constrain the possibilities of achieving good contemporary design. Such an approach is inconsistent with Burra Charter principles or current good conservation practice. An approach based upon replication will lead to the NCR Building not being able to be read as an item in its own right as advised by GML Heritage in their report in Section 1.4.1. This highlights an inconsistency within the GML report, that also recommends the potential to raise the building to eight floors which would substantially diminish the integrity of the existing heritage item. This inconsistency and apparent contradiction continue within the DPIE documents and this has resulted in incomplete, inconsistent, and confusing draft guidelines for a design competition brief.

New work should respond to the defining architectural features of the NCR Building in innovative, imaginative, and interpretive ways, not through replication.

The architectural features of the NCR Building are an integral part of its heritage significance that encapsulates other values including as an expression of a mid-twentieth century International style commercial building close to the CBD. It would be advisable that new proposals place consideration upon the retention and respect of the significant values of the NCR Building, of which the architectural features (robust form, scale, proportion and façade articulation etc) are a part of and should not focus upon encouraging replication of these features in new work.

Any changes to the roof level of the NCR Building including changes to the parapet should be based upon *Policy 3.15 Roof Level Generally* in the CMP. The design of the existing parapet relates specifically to the proportion and architectural treatment of the existing facades. It may not be relevant for the new work. The articulation of the parapet of new proposals should respond to the design idea of the proposal and be respectful of the context and setting, as well as the use of the adjacent rooftop space.

There are many possibilities for different articulation of the built form massing within the scope of the Design Competition stage. The reference scheme has proposed one possibility that respects the scale, form and context of both the NCR Building, its neighbours and its setting.

The setbacks for the new development have been outlined in the CMP Policy 3.23 Development above the building and new proposals should adhere to these setbacks. A visual study was conducted by Design 5 to inform these setbacks so that a balance of sky and the UTS Business School is achieved in the background. The former MAAS building was constructed in the 1890s to serve as a Museum with built form to suit that purpose and is representational of the design philosophy of the time. The context of the NCR Building has been carefully considered in the visual study conducted by Design 5 to inform the setbacks and proposed envelope by UTS is respectful of this.

Potential openings in the location of the concrete framed glass blocks on the ground level have been identified as an opportunity for change to allow access (visual / functional) and natural light into the ground floor and to also benefit the interaction with the public domain. Any changes related to the brick facades on the street level should be guided by policies in the CMP Section 5.3.2. Opportunities for changes to Mary Ann St, including opening up of the bays in different ways, have been identified within the Section 5.3.2.3 in the CMP and any future proposals have the flexibility to activate Mary Ann St based upon these guidelines as long as such interventions are respectful of the heritage significance of the NCR Building.

18. *The Omnibus Lane elevation of the new development shall be articulated/modulated in order to minimise its bulk and scale and improve its relationship to the Dr Chau Chak Building and interface with the lane by:*
- a) *Adopting the street wall height defined by the National Cash Register Building along Omnibus Lane, depending on the option chosen:*
 - i. *If no additional storeys are added to the National Cash Register building, the street wall height should reference the existing building.*
 - ii. *If additional storeys are added to the National Cash Register building, the street wall height must reference the amended street wall height.*
 - iii. *If the street wall is increased to eight storeys, consider extending the existing vertical circulation through the new development.*
 - iv. *An 'investigation zone' has been identified south of the stairway. The zone requires further analysis to determine the benefit of extending this portion of the new development to eight storeys. This includes consideration of partial demolition of the upper level (level 5) of the National Cash Register building corner to maximise potential rooftop communal space.*
 - d) *Responding to the two distinct but complementary design attributes of the National Cash Register Building including:*
 - i. *Brick street level with inset windows which can be altered to increase transparency and activation at the street by extending the opening vertically to the ground. Refer Figure 3-7.*
 - ii. *The orderly geometry of the façade's fenestration pattern including rectangular windows at the lowest level and square windows at the upper two levels, with each window framed by expressed concrete.*
 - iii. *The vertical concrete framed glazed 'portal' with concrete framed glass bricks.*

Design 5 Comment

The Omnibus Lane elevation for the new building in the reference design by UTS carefully considers the street wall height of the NCR Building and allows for desired access to sunlight for the apartments to the south. The roofline of the components along Omnibus Lane is modulated to maximise solar access to the Precinct Heart. The façade of the tower is articulated with the gardens – a key design consideration for facilitating 'Connection to Country' and creating liveable spaces. None of these subtleties are reflected in the options proposed by DPIE in the document, *Pymont Peninsula Place Strategy Implementation* and the *Draft Pymont Peninsula Design Guidelines*.

The opportunities to activate the Omnibus Lane elevation of the NCR Building have been identified in the CMP Section 5.3.2.4. The DPIE document mentions that the Omnibus Lane has *"rectangular windows at the lowest level and square windows at the upper two levels, with each window framed by expressed concrete."* This comment although applicable to Harris St is not a true description of the Omnibus Lane elevation. The Omnibus Lane elevation is different to Harris St elevation. The windows openings on Level 1 on Omnibus Lane elevation are square and do not have expressed concrete frames around them, and the openings to the services core to the south are square on all levels. The CMP prepared by Design 5 carefully considers the nuances of the different facades of the NCR Building and formulates the policies accordingly with tolerance for change and opportunities for change that provide exploration of appropriate and sympathetic responses for the new work. This nuanced understanding of the NCR Building is not reflected in the DPIE documents.

The Omnibus Lane elevation has been subject to changes in the past and the southern portion of this elevation is occupied by the services core which was identified as having low significance and was identified as having scope for change. The expressed concrete frame that defines the glass block slot to the stairwell was identified as having high significance and should ideally be maintained unaltered. Since this framed element is located within a section of Omnibus Lane elevation identified as having scope for change, there are complex considerations to determine its removal / retention. These have been addressed within the CMP Section 5.3.2.4. As stated earlier in this report, any proposal should take into consideration all the significant values of the NCR Building, and not just its individual design features to inform new design. Any proposals for changes to Omnibus Lane should address the relevant policies in the CMP Sections 5.3.2 and 5.3.3.

DPIE Document Section 3.2 Design Guidance

3.2.4 Non-Indigenous Heritage

1. *A Statement of Heritage Impact is to accompany any development application for a new building on the site and is to be prepared in accordance with the NSW Heritage Manual 'Statement of Heritage Impact'.*
2. *A Heritage Interpretation Strategy is to accompany a development application for a new building on the site that identifies opportunities for the presentation of the history of the site and surrounds.*
3. *Significant street vistas and views should be retained, respected, and complemented by proposed new development.*
4. *The significance of the National Cash Register Building is to be conserved. This includes its defining streetscape presence of Mary Ann and Harris Streets and Omnibus Lane, and in the street views and vistas to the building that are both dynamic and static. Refer to Figure 3-1 for key views.*
5. *Views as identified in the CMP prepared by Design 5 Architects (August 2021) for the National Cash Register Building must be considered. It identifies eight key public domain views shown as vantage points from the streets surrounding the building and its most distinctive facades. These views have been summarised into five views illustrated in Figure 3-1 with selected key views described below.*
 - a) *View 1 south east from the intersection of Harris and Mary Ann Street, provides a defining view of the composition and form of the National Cash Register Building that enables many of the buildings key attributes to be 'read' cohesively. The Frank Gehry Dr Chau Chak Building is visible in the skyline above the National Cash Register Building. Only part of the building can be 'read' against the sky. This view on approach to the intersection with Harris and Mary Ann Street, is also significant as it provides a 'long view' along the entirety of the Mary Ann Street elevation, with the 'signature' concrete box and with the pattern of louvers.*
 - b) *View 2 looking south along Harris Street shows the building's façade modulation and composition at the intersection with Mary Ann Street and the building's relationship to the Sydney Technical College opposite in Harris Street.*
 - c) *View 5 along Omnibus Lane and Mary Ann Street from the Goods Line is visually strong and illustrates key attributes of the building's composition and form to be read.*
6. *The heritage item of the National Cash Register Building should retain its ability to be read as an item. New development should not distort or obscure the cultural significance of the item, nor detract from its interpretation and appreciation.*
7. *Investigate the retention of the entire footprint of the National Cash Register Building. Works affecting the building are to maximise the retention, reinstatement and exposure of the external fabric and internal form (excluding the part identified to be demolished), including:*
 - a) *The geometrical square openings with protruding concrete frame of the Harris Street and Omnibus Lane façade.*
 - b) *The cantilevered concrete frame box with aluminium louvers on the Mary Ann Street façade.*
 - c) *The exposed concrete frame structure of the building comprising of octagonal plan columns with mushroom heads supporting the shallow beams.*
8. *With the exception of new development above the existing National Cash Register Building, new development should ideally remain within the adjacent allotments. Any proposed built form may cantilever over a portion of the airspace above the National Cash Register Building, while ensuring an appropriate visual setting to conserve the building's heritage significance is provided.*
9. *Activation of the building at street level may be achieved by selective 'opening' up and removal of fabric within existing openings along Harris Street, Mary Ann Street and Omnibus Lane as per Figure 3-7. Typically, these openings have been altered from their original design and provide an opportunity to increase transparency into the building and passive surveillance onto the street. However, there are some instances where openings that remain intact have also been identified for potential change. In this instance it is recommended that a representative sample of original opening treatments is conserved.*
10. *Investigate opportunities for active frontages to the north east corner of the former National Cash Register Building to activate the public domain at the interface of Omnibus Lane. Refer Figure 3-4.*
11. *The Harris Street elevation is to be conserved as an element of exceptional to high significance. Some areas of recent alteration as indicated in the CMP (Figure 4.3.6) have some tolerance for change. Further potential for some new openings in the recessed areas at ground level are also indicated in the CMP (Figure 5.3.1).*
12. *The Mary Ann Street elevation is to be conserved as an element of exceptional to high significance. In areas where original recessed bays have been previously altered there is greater tolerance for change as showing in the CMP (Figure 4.3.7). Further potential for some new openings in the recessed areas at ground level are also indicated in the CMP (Figure 5.3.2).*

13. *The Omnibus Lane elevation is graded high to moderate overall, but some areas are graded low and have a higher tolerance for change. This includes the window openings at ground floor level in the location of the former loading dock. Further potential for some new openings in the recessed areas at ground level are also indicated in the CMP (Figure 5.3.3).*

Design 5 Comment

The guidelines in section 3.2.4 Non-Indigenous Heritage are generally consistent with the CMP, except for the non-acknowledgement of the potentially partial erosion or dismantling of the less significant fabric in the southern bay of the building. Comments against each of the points are set out below:

1. Design 5 agrees with this point.
2. The guidelines for Heritage Interpretation are outlined within the CMP Section 5.8 and should be addressed in future development applications.
3. Design 5 agrees with this point and strongly recommends it to be followed in any proposals.
4. This point has been addressed within Section 1 of this report.
5. Design 5 agrees with this point and strongly recommends it to be followed in any proposals.
6. This point has been addressed within Section 1 of this report.
7. Possibilities to retain the whole of the building footprint were considered, but these presented an unsuccessful linking of the heritage building within the Residential College. Design 5 strongly recommends that the robust structure, significant fabric and significant values of the NCR building and the same has been addressed in the *CMP Policy 2.3 – Use and Sustainability*, and this should guide the design of new work.
8. This point has been addressed within Section 1 of this report.
9. The opportunities for street activation have been identified in the CMP. The identification of the openings which have scope for change has been based upon the intactness of fabric, significance of the fabric, its tolerance and opportunities for change, and the original design and articulation of the facade. This selection was not as simplistic as is suggested by DPIE report and is not simply based upon intactness of fabric. Significant fabric (from the openings identified as having scope for change) to be salvaged, reused or reinterpreted has been identified in the 'Opportunities for Change' and 'Tolerance for Change' tables in the CMP Section 5.3.2. Any interventions to these openings in future proposals should carefully consider the policies in CMP Section 5.3.2 and the included diagrams.
10. This is outlined in the CMP which suggests specific policies regarding the same.
11. This is outlined in the CMP which suggests specific policies regarding the same.
12. This is outlined in the CMP which suggests specific policies regarding the same.
13. This is outlined in the CMP which suggests specific policies regarding the same.

The Conservation Management Plan for the Former National Cash Register Co. Building, prepared by Design 5 is based upon a detailed understanding of the significant values of the heritage item and the conservation policies in the document have the same complexity to ensure the retention of these values. Design 5 requests that such a nuanced understanding be reflected in the future DPIE documents so that clear design guidelines can be formulated that address and respect the significance of the heritage building, its evolving context and the setting while celebrating the history and heritage of the area that has been subject to phases of industrial, commercial and educational developments. Past developments in the vicinity such as the Powerhouse Museum, UTS Business School and the Goods Line celebrate this history and have set precedents for good contemporary design by redefining the urban block to achieve better outcomes for vibrant public open spaces that have become increasingly important in the times we live in.

A handwritten signature in black ink that reads "Alan Croker". The signature is fluid and cursive, with a long horizontal stroke at the end.

Alan Croker
Director
Design 5 – Architects

4th February 2022