



NSW GOVERNMENT
Department of Planning

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Ms Julie Bindon
JBA Urban Planning Consultants
Level 7, 77 Berry Street
NORTH SYDNEY NSW 2060

Y09/2623

Dear Ms Bindon

I refer to your letter of 5 August 2009 concerning design competition requirements and recent Major Project request for a proposed mixed use development at 45 Macquarie Street, Parramatta.

The Department has reviewed your request to waive the design excellence competition requirement under Clause 22B of the *Parramatta City Centre Local Environmental Plan 2007* for the proposal.

I certify that under Clause 22B(5) of the LEP an architectural design competition is not required in this case subject to an alternative design excellence process.

The Department has considered your proposed alternative design excellence process and has endorsed your proposal subject to amendments (**Attachment A**). I note you have recently nominated two architectural firms as project architects for the proposal and three nominees for the Design Review Panel. The Department endorses your proposed nominees; however you are required to amend your Panel nominees to two members.

The amendments will establish an Independent Design Review Panel providing a streamlined and transparent process that will inform the proposal to ensure design excellence for this site.

The Department will contact you shortly on progress of the Major Project request and the final Panel membership and meeting schedule.

Should you have any further enquiries about this matter, I have arranged for Mr Michael Woodland, Director, Urban Assessments, to assist you. Mr Woodland may be contacted at the Department's Bridge Street Office on telephone number 9228 6150 or email michael.woodland@planning.nsw.gov.au

Yours sincerely

A handwritten signature in black ink, appearing to read 'R Pearson', with the date '13/9/09' written next to it.

Richard Pearson
Deputy Director General
Development Assessment and Systems Performance

ATTACHMENT A

ALTERNATIVE DESIGN EXCELLENCE PROCESS PROPOSED MAJOR PROJECT 45 MACQUARIE STREET, PARRAMATTA

Introduction

- The proponent will appoint 2 architectural firms as project architects for the proposal.
- A Design Review Panel will be established to review the proposal at various stages in the assessment process with particular attention to built form, urban design, heritage and amenity.
- The Department shall endorse all nominees for the Design Review Panel.

Membership and role

- The Design Review Panel will consist of 4 members (2 nominated by the proponent and 2 nominated by the Department). Parramatta City Council will be invited to nominate an observer on the Panel.
- The Panel will allow for an independent review of architectural, built form and heritage responses to the site to ensure design excellence as detailed in Clause 22B of the *Parramatta City Centre Local Environmental Plan 2007*.
- The proponent will be invited to nominate 2 representatives with recognised high level skills and experience in one or more of the following fields: architecture, urban design and heritage conservation.
- The Department will nominate 2 representatives including a representative from the Government Architect's Office and the Heritage Branch.

Meetings

- The Panel shall have a minimum of 5 meetings and will be convened as follows:
 - Prior to the issue of Director General Environmental Assessment Requirements (minimum 1 meeting and site inspection)
 - Prior to submission of the Environmental Assessment (minimum 2 meetings)
 - Prior to finalisation of the Director-General's Environmental Assessment Report (minimum 2 meetings)

Reporting

- The methodology for the operation of the panel for each meeting follows:
 - examination of proposal;
 - discussion within the Panel to debate the proposal;
 - formulation of a written response to the Department following each meeting outlining the Panel's position and recommendations taking into consideration Clause 22B of the *Parramatta City Centre Local Environmental Plan 2007*; and
 - any Environmental Assessment shall take into consideration the comments of the Panel

Design Review Panel

Report One.

Alternative Design Excellence Process

Proposed Major Project

45 Macquarie Street, Parramatta.

Following two presentations of the proponent (see attached minutes and presentations by the proponent) and discussions within the Panel to debate the proposal we have agreed the following written report.

1. **The Proposal:** It is proposed that the previously approved scheme for the site has established the floor area for the site. The Panel agrees with this in principle. The proposal therefore exceeds the floor area anticipated by the *Parramatta City Centre Local Environmental Plan 2007* (LEP) and is likely to therefore exceed other controls in this document, in particular, height.
2. **The Future Planning Context:** In order to evaluate the proposal the proponent should provide a short illustrated report that shows the future context of the surrounding area. This should show the surrounding height limits and street setbacks, any approved developments not yet constructed and any existing buildings that do not conform to the planning controls. It should also show street wall heights, heights of existing buildings, implemented setbacks to street walls, completed road widening and any important view corridors.
3. **Calculating the Floor Area:** As the floor area is based on an area calculated under a previous Environmental Planning Instrument, the floor area of the new proposal should be calculated and described using the existing and previous instrument and any differences quantified and illustrated to assist in assessment of the proposal compared to the existing approval and the development controls.
4. **Alternative Built Form Options:** As the floor area and therefore other controls contained in the LEP will be exceeded it is important that alternative built form options are compared in relation to their urban design outcomes including: height, bulk, width, podium form and overshadowing. This is to ensure that the best possible building form is chosen.

5. **Ensuring Residential Amenity:** The panel is concerned that appropriate residential amenity is provided in the proposed development. The proponent should ensure that the proposals amenity is described with reference to the Residential Flat Building Design Code and that the Control Checklist and the Rules of Thumb therein are used as a base for appropriate housing amenity. Where this basis is departed from the proponent should provide credible argument that appropriate amenity is provided. In particular, the light and ventilation characteristics provided by the “slots” require justification.
6. **Conserving the archaeological remnants:** The panel have viewed the archaeological remnants on the site and agrees that they should be conserved in situ and displayed. It is important that the display of the remains does not compromise their long term conservation. To this end the advice of a qualified materials conservation specialist should be sought at an early stage and their advice be closely followed. There should also be legal and financial mechanisms that ensure the ongoing conservation of the remains included in any application.
7. **Providing Public Open Space:** The panel agrees that the northern part of the site should include public open space surrounding the remains. This space should be clearly public, universally accessible, connected to the surrounding streets and have appropriate environmental amenity including access to winter sunlight. This space should not be conceived or appear as the forecourt to the development.
8. **Consideration of clause 22B of the LEP:** Section 3 of this clause is quoted *in italics* below and the various subsections are commented on individually.

(a) whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved,

Information on this has yet to be provided to the panel.

(b) whether the form and external appearance of the proposed development will improve the quality and amenity of the public domain,

Information on this has yet to be provided to the panel.

(c) whether the proposed development detrimentally impacts on view corridors,

This issue should be addressed in the Planning Context Study.

(d) whether the proposed development detrimentally impacts on land protected by a sun access plane control established for that land in the City Centre Development Control Plan,

This issue should be addressed in the Planning Context Study.

(e) how the proposed development addresses the following matters:

(i) the suitability of the land for development,

The site is suitable for development provided that the archaeology remains are conserved and displayed in public space. This limits the area of the site that can be developed and therefore may lead to a necessary increased height or bulk.

(ii) existing and proposed uses and use mix,

The residential use adds significantly to the bulk, as residential uses have less efficient ratio of gross building area to gross floor area than commercial uses.

(iii) heritage and archaeological issues and streetscape constraints,

Conserving and displaying the archaeological remains in public open space should contribute to an improved public domain for Parramatta and is supported in principal.

(iv) the location of any tower proposed, having regard to the need to achieve an acceptable relationship with other towers (existing or proposed) on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form,

The Planning Context Study is required in order to properly consider this issue

(v) bulk, massing and modulation of buildings,

Due to the higher floor space the building bulk is greater than that anticipated by the LEP. The massing and modulation with the use of slots seeks to relieve this bulk. This response still needs to be balanced with an overall mitigation of bulk and the achievement of high residential amenity. This has not been convincingly achieved at this stage

(vi) street frontage heights,

The case for deviation from the streetwall heights in the planning controls needs to be made through the planning context study. This has yet to be convincingly demonstrated.

To Macquarie Street the street frontage is generally setback to ensure the conservation and display the archaeological remnants in a public area. The panel supports this intention. To the west of this frontage a small wing returns to the street alignment in anticipation of future adjoining development. This is also supported.

To Marsden Street the street alignment is setback to account for a street widening. The upper three floors of the street frontage height are defined by a series of portal frames. The device is to disguise the necessary setting back of residential floors.

To Hunter Street the building does not follow the street alignment; this requires explanation. The eastern part of this frontage has a similar street section to the Marsden Street frontage. The western part conforms to the required street frontage.

(vii) environmental impacts such as sustainable design, overshadowing, wind and reflectivity,

Information on this has yet to be provided to the panel. Shadow diagrams should be prepared to ensure that there are no adverse environmental effects of the increased height of the proposal.

(viii) the principles of ecologically sustainable development,

Information on this has yet to be provided to the panel.

(ix) pedestrian, cycle, vehicular and service access, circulation and pedestrian permeability,

Information on this has yet to be provided to the panel.

(x) the impact on, and any proposed improvements to, the public domain,

The public space and the display of the archaeological remnants should improve the public domain.

(xi) any relevant special character area statement in the City Centre Development Control Plan.

Information on this has yet to be provided to the panel.

21 October 2009

Helen Lochhead (chair)

Siobhan Lavelle

Peter John Cantrill

Frank Stanistic

with

Kati Westlake (observer Parramatta City Council)

Design Review Panel

Report One (Part B)

Alternative Design Excellence Process

Proposed Major Project

45 Macquarie Street, Parramatta.

Following three presentations by the proponent (see attached minutes and presentations by the proponent) and discussions within the Panel to debate the proposal we have agreed the following written report.

The three presentations complete the discussions prior to the issue of the Director Generals Requirements (DGRs). We have agreed not to meet again until after the DGRs have been issued. The panel intends to meet at least twice following this prior to the submission of the Environmental Assessment and at least two more times prior to finalisation of the Director-Generals Environmental Assessment Report.

This report provides a more detailed design response than that contained in Report One and is consistent with it

1 The Proposal: It is proposed that the previously approved scheme for the site has established the floor area for the site. The Panel agrees with this in principle. The proposal therefore exceeds the floor area anticipated by the *Parramatta City Centre Local Environmental Plan 2007* (LEP) and therefore exceeds other controls in this document. At this stage it appears that the primary development standard varied will be height.

The drawings should clearly show where planning control dimensions are relevant. That is, the existing height limit, street wall height controls and proposed heights, building separation distances, building depth, the size and height of the public space and other relevant dimensions should be clearly shown on every relevant drawing.

2 The Future Planning Context: In order to evaluate the proposal the proponent should provide a short illustrated report that shows the future context of the surrounding area. This should show the surrounding height limits and street setbacks, any approved developments not yet constructed and any existing buildings that do not conform to the planning controls. It should also show street wall heights, heights of existing buildings, implemented setbacks to street walls, completed road widening and any important view corridors.

The presentation of the LEP maps is not sufficient to meet this request. The report should analyse the present and likely future context of the site to enable the proposal to be understood in this context, particularly, in relation to planning

controls that are not met by the proposal, include height and street frontage heights. The context should be considered in at least two scales: the immediately surrounding streets and blocks; and, the Parramatta City centre as a whole.

3 Calculating the Floor Area: As the floor area is based on an area calculated under a previous Environmental Planning Instrument, the floor area of the new proposal should be calculated and described using the existing and previous instrument and any differences quantified and illustrated.

The panel agrees that the gross floor area of the proposal should not exceed the gross floor area of the previously approved development when measured under the planning instrument applicable at that time. This may result in a slightly lesser floor space ratio when measured under the current planning instrument.

4. Alternative Built Form Options: As the floor area and therefore other controls contained in the LEP will be exceeded it is important that alternative built form options are compared in relation to their urban design outcomes including: height, bulk, width, podium form and overshadowing. This is to ensure that the best possible building form is chosen.

Although built form options have been presented, the panel agrees that further investigation is required. In particular, options that place more commercial space in the podium and options that decrease the building depth should be examined.

This may include further increases in height. If additional height is considered it will require a greater justification than has been provided thus far.

5. Ensuring Residential Amenity: The panel is concerned that appropriate residential amenity is provided in the proposed development. The proponent should ensure that the proposals amenity is described with reference to the Residential Flat Building Design Code (RFDC) and that the Control Checklist and the Rules of Thumb therein are used as a base for appropriate housing amenity. Where this basis is departed from the proponent should provide credible argument that appropriate amenity is provided.

In particular, the light, acoustic and ventilation characteristics provided by the “slots” require justification. The panel agrees that the “slots” should be a minimum of three metres wide and this depth may not be sufficient and requires further justification. Some of the internal apartment plans do not appear to take enough advantage of the slots. The panel believes that the RFDC building depth and natural ventilation paths are not strictly complied with and is therefore not convinced that natural ventilation amenity is provided. The additional building depth may also effect the availability of natural light. In addition, where bathrooms and kitchens are adjacent to the slots they should be provided with windows. Where bedrooms have their only window into the slot it should be designed to enable easy view out of the slot by the occupant. All windows into the slots, including the common area windows should be openable to provide

natural ventilation. This may require fire engineering advice and this should be incorporated prior to the submission of the proposal for approval.

The sunlight access to the eastern façade also does not appear to meet the requirements of the RFDC as at 10am only a very small amount of sunlight enters the living room. This requires further justification, it may be helpful to examine the sun access at 7.30am.

6. Conserving the archaeological remnants: The panel have viewed the archaeological remnants on the site and agrees that they should be conserved in situ and displayed. It is important that the display of the remains does not compromise their long term conservation. The advice of a qualified materials conservation specialist should be sought at an early stage and their advice be closely followed. There should also be legal and financial mechanisms that ensure the ongoing conservation of the remains included in any application.

The panel is pleased with the development of the proposal in this area. The panel supports the criteria presented. The covered open air environment of the remains appears appropriate; the rotating vetrines are an innovative idea and should be a distinctive element of the scheme.

However, the pedestrian area around the remains appears tight and should be expanded. The panel suggests that the café to the west should be made significantly narrower for its full height including the interpretation centre above, the ramp be reconfigured (perhaps by increasing the length of the area on Marsden Street to the south) and that the two central bridges maybe united, provided this does not compromise the interpretation or conservation of the remnants below. The interpretation centre may therefore need to continue across the south side of the area or be moved entirely to this side. It should also be provided with a balcony or loggia that overlooks the area.

6. Providing Public Open Space: The panel agrees that the northern part of the site should include public open space.

The panel is pleased with the development of the proposal in this area. The higher roof and the suggested construction are supported. The sunlight access and shading is appropriate.

The south wall of this space requires further development. The panel suggests that balconies, some of which could be commonly accessible should be considered.

The requirement for security and its provision with the pivoted glass panels (vetrines) is supported as outlined above, however, this places greater emphasis on the public quality of the steps and landing outside the line of the panels. The landing should be universally accessible and of a width and configuration that provides sufficient space to view the panels comfortably and ensure line of sight to the remnants. The steps should have broad treads and a gently grade. The glass panels, landing and steps should be constructed of sturdy, low

maintenance, long lasting materials. An appropriate level of detail of this area should be included in the documents submitted for approval.

8. Consideration of clause 22B of the LEP: Section 3 of this clause is quoted *in italics* below and the various subsections are commented on individually.

(a) whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved,

Information on this has yet to be provided to the panel.

(b) whether the form and external appearance of the proposed development will improve the quality and amenity of the public domain,

More information needs to be provided. An increase in height to 80 metres on this site could be justified given the 80 metre height limit immediately to the south of the site and the 80 metre height of the neighbouring building to the north west of the site. However, the panel notes that the proposal appears to be greater than 80 metres in height and that this height may therefore require further justification. Any overshadowing as a result of the increased height needs to be examined before the 80m height could be accepted by the panel. Refer also to e) vi) below.

(c) whether the proposed development detrimentally impacts on view corridors,

This issue should be addressed in the Planning Context Study.

(d) whether the proposed development detrimentally impacts on land protected by a sun access plane control established for that land in the City Centre Development Control Plan,

This issue should be addressed in the Planning Context Study.

(e) how the proposed development addresses the following matters:

(i) the suitability of the land for development,

The site is suitable for development provided that the archaeology remains are conserved and displayed in public space. This limits the area of the site that can be developed and therefore may lead to a necessary increased height or bulk.

(ii) existing and proposed uses and use mix,

The residential use adds to the bulk of the building, as residential uses have less efficient ratio of gross building area to gross floor area than commercial uses. The panel agrees that further built form options should be investigated that places more floor space in the podium by substituting residential uses with commercial uses. Refer to 5 above.

(iii) heritage and archaeological issues and streetscape constraints,

Conserving and displaying the archaeological remains in public open space will contribute to an improved public domain for Parramatta. Refer to 7 above.

(iv) the location of any tower proposed, having regard to the need to achieve an acceptable relationship with other towers (existing or proposed) on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form,

The Planning Context Study is required in order to properly consider this issue

(v) bulk, massing and modulation of buildings,

Due to the higher floor space the building bulk is greater than that anticipated by the LEP. The massing and modulation with use of slots seeks to relieve this bulk. This response still needs to be balanced with an overall mitigation of bulk and the achievement of high residential amenity. This has not been convincingly achieved at this stage

(vi) street frontage heights,

To Macquarie Street the street frontage is generally setback to ensure the conservation and display the archaeological remnants in a public area. The panel supports this intention. To the west of this frontage a small wing returns to the street alignment in anticipation of future adjoining development. This is also supported with adjustments as outlined in 7 above. The 6 metre setback of the tower above is supported by the panel.

To Marsden Street the street alignment is setback to account for a street widening. The street wall height is less than required. The height will need to be justified in relation to the likely future street section of Marsden Street. The upper three floors of the street frontage height are defined by a series of portal frames. The device is to disguise the necessary setting back of residential floors. The panel agrees that this device needs further refinement. The design should be appropriate to the size and scale of residential open space it defines. This will require more detailed investigation than has been currently provided.

To Hunter Street the building does not follow the street alignment, the panel agrees that this should be amended so that it is followed.

The eastern part of Hunter Street is lower than the requirement and similar to the Marsden Street frontage. The comments on the Marsden Street frontage also apply here. It appears that more building area could be placed here and this should be investigated. The 6 metre setback of the tower above is supported by the panel.

The western part of Hunter Street is higher than the required street frontage. The panel is concerned that this may reduce the sun access to the public footpaths and plantings in Hunter Street and requests that this issue be analysed. This may require adjustment to this part of the proposal.

(vii) environmental impacts such as sustainable design, overshadowing, wind and reflectivity,

Information on this has yet to be provided to the panel. Shadow diagrams should be prepared. There should be no adverse environmental effects of the increased height of the proposal.

(viii) the principles of ecologically sustainable development,

Information on this has yet to be provided to the panel. Passive and active ESD benefits of building form, orientation, layouts, etc should be considered as part of building concept.

(ix) pedestrian, cycle, vehicular and service access, circulation and pedestrian permeability,

Information on this has yet to be provided to the panel.

(x) the impact on, and any proposed improvements to, the public domain,

The public space and the display of the archaeological remnants will improve the public domain. Refer to 7 and 8 above.

(xi) any relevant special character area statement in the City Centre Development Control Plan.

Information on this has yet to be provided to the panel.

26 October 2009

Helen Lochhead (chair)

Siobhan Lavelle

Frank Stanisic

Peter John Cantrill

with

Kati Westlake (observer Parramatta City Council)

Design Review Panel

Report Two

Alternative Design Excellence Process

Proposed Major Project

45 Macquarie Street, Parramatta.

Following the first presentations by the proponent after the receipt of the Director Generals Requirements (DGR's) (see minutes and presentations by the proponent) and discussions within the Panel to debate the proposal we have agreed the following written report.

The panel intends to meet at least once more prior to the submission of the Environmental Assessment and at least two more times prior to finalisation of the Director-Generals Environmental Assessment Report.

It should be noted that **bold type** has been used for emphasis to draw attention to issues that require more detailed or specific attention.

1 The Proposal: It is proposed that the previously approved scheme for the site has established the floor area for the site. The Panel agrees with this in principle. The proposal therefore exceeds the floor area anticipated by the Parramatta City Centre Local Environmental Plan 2007 (LEP) and therefore exceeds other controls in this document. At this stage it appears that the primary development standard varied will be height.

The drawings should clearly show where planning control dimensions are relevant. That is, the existing height limit, street wall height controls and proposed heights, building separation distances, building depth, the size and height of the public space and other relevant dimensions should be clearly shown on every relevant drawing. **Future presentations should include these dimensions.**

2 The Future Planning Context: In order to evaluate the proposal the proponent should provide a short illustrated report that shows the future context of the surrounding area. This should show the surrounding height limits and street setbacks, any approved developments not yet constructed and any existing buildings that do not conform to the planning controls. It should also show street wall heights, heights of existing buildings, implemented setbacks to street walls, completed road widening and any important view corridors.

The report should analyse the present and likely future context of the site to enable the proposal to be understood in this context, particularly, in relation to planning controls that are not met by the proposal, include height and street frontage heights. The context should be considered in at least two scales: the immediately surrounding streets and blocks; and, the Parramatta City centre as a whole.

The Panel also needs to be presented with the staging proposal including any effect this will have on the visual appearance, functioning and performance of the building.'

The panel looks forward to understanding the impact of the Metro Tunnel on the design of the basement of the building.

3 Calculating the Floor Area: As the floor area is based on an area calculated under a previous Environmental Planning Instrument, the floor area of the new proposal should be calculated and described using the existing and previous instrument and any differences quantified and illustrated. The panel agrees that the gross floor area of the proposal should not exceed the gross floor area of the previously approved development when measured under the planning instrument applicable at that time. This will result in a slightly lesser floor space ratio when measured under the current planning instrument.

The proponent agreed that the proposal illustrated in the presentation will be reduced to the required floor area.

4. Alternative Built Form Options: As the floor area and therefore other controls contained in the LEP will be exceeded it is important that alternative built form options are compared in relation to their urban design outcomes including: height, bulk, width, podium form and overshadowing. This is to ensure that the best possible building form is chosen.

The option presented to the panel that placed more commercial space in the podium and results in a taller street wall to Marsden Street is strongly favoured by the panel and should be further developed.

Options that decrease the building depth should be also be examined. The building depth currently greatly exceeds the RFDC requirement of a maximum of 18 metres and no option has been shown that is close to this dimension. This may include further increases in height. If additional height is considered it will require a greater justification than has been provided thus far.

The built form options should consider and illustrate the impact of the proposed staging on the visual appearance, functioning, servicing and performance of the building.

5. Ensuring Residential Amenity: The panel is concerned that appropriate residential amenity is provided in the proposed development. The proponent should ensure that the proposals amenity is developed with reference to the Residential Flat Building Design Code (RFDC) and that the Control Checklist and the Rules of Thumb therein are used as a base for appropriate housing amenity. Where this basis is departed from the proponent should provide credible argument that appropriate amenity is provided.

The panel is not satisfied that the eastern elevation meets the rules of thumb of the RFDC. The panel encourages the proponent to look at further adjustments to improve the mid winter sun access to the living areas. This would probably include changes to the plan and balcony configuration.

Furthermore the panel believes that more shading should be introduced onto the western façade.

The light, acoustic and ventilation characteristics provided by the “slots” require justification. **The panel is firmly of the opinion that the “slots” should be a minimum of three metres wide.**

Some of the internal apartment plans do not appear to take enough advantage of the slots. **This was confirmed by the technical presentation in relation to natural cross ventilation. The panel agrees that apartment planning and window positions require adjustment to ensure clear ventilation paths.**

The presentation of the technical report was brief and summary. The panel would like to view a full copy of the report and receive a clear and concise explanation of what are the base levels for natural cross ventilation. The panel is not yet convinced that an appropriate level of natural cross ventilation is provided and that the slots are effective under different wind directions and conditions

The panel recommends that as part of the assessment process that the report on natural cross ventilation should undergo independent peer review to ascertain the effectiveness of the slots.

All windows into the slots, including the common area windows should be operable to provide natural ventilation. This may require fire engineering advice and this should be incorporated prior to the submission of the proposal for approval.

The RFDC building depth is not complied with and the panel is therefore not convinced that the availability of natural light is sufficient. Further study is required in order to answer this issue.

Where bathrooms and kitchens are adjacent to the slots they should be provided with windows. Where bedrooms have their only window into the slot it should be designed to enable easy view out of the slot by the occupant.

The overall intent of SEPP 65 and the RFDC with regard to housing diversity is an important requirement that has not been fully explored in this proposal. In the RFDC under apartment mix the first objective requires a development to provide a diversity of apartment types which cater for different household requirements now and into the future. The plans show little, if any, diversity of apartment types and the panel believes that this issue should be addressed. A diversity of apartment types should also result in a greater diversity in the elevations. (see 7a below)

6. Conserving the archaeological remnants: The panel has viewed the archaeological remnants on the site and agrees that they should be conserved in situ and displayed. It is important that the display of the remains does not compromise their long term conservation. The advice of a qualified material conservation specialist should be sought at an early stage and their advice be closely followed. There should also be legal and financial mechanisms that ensure the ongoing conservation of the remains included in any application.

The panel is not satisfied that the design in this area has placed enough emphasis on the materials conservation advice. This advice should have been sought at an earlier stage. The design concept needs to be fully rethought and begun afresh. The panel believes that adjusting the existing design will not satisfy the materials conservation requirements.

Further consideration needs to be given to key materials conservation priorities such as whether the remains should be subject to light or dark conditions; wet or dry conditions; whether their physical longevity would be enhanced by presentation in an interior or exterior environment. Putting these priorities first may require a new design approach to the concept of the public domain associated with the appropriate presentation of the structural archaeological remains and the associated artifacts, including for example the relocation of the residential entry to Marsden Street.

7. Providing Public Open Space: The panel agrees that the northern part of the site should include public open space. **However, given 6 above it seems that a new concept for this will be required.**

8. Consideration of clause 22B of the LEP: Section 3 of this clause is quoted in italics below and the various subsections are commented on individually.

(a) whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved,

The panel supports the use of long lasting materials with integral finish. The panel does not believe a paint finish will provide design excellence.

The overall massing with three stepping vertical forms, the expressed frames at the top, provides unnecessary height and bulk to the building.

More detailed study of the architectural expression and modelling is required. This should include more variation in the facades by providing more midwinter sun access to the east; more shading to the west; and, a greater diversity in apartment types. The louvres to the bay windows should be adjustable to the individual apartments. Expressing a more diverse internal program and the different requirements of each orientation should result in more varied elevation treatments.

(b) whether the form and external appearance of the proposed development will improve the quality and amenity of the public domain,

More information needs to be provided. An increase in height to 80 metres on this site could be justified given the 80 metre height limit immediately to the south of the site and the 80 metre height of the neighbouring building to the north west of the site. However, the panel notes that the proposal appears to be greater than 80 metres in height and higher than the neighbouring building.

This height requires further justification.

Any overshadowing as a result of the increased height needs to be examined before the 80m height could be accepted by the panel. **Shadow diagrams that illustrate the before and after situation at hourly intervals in mid winter are required to illustrate this.**

Refer also to e) vi) below.

(c) whether the proposed development detrimentally impacts on view corridors,

This issue should be addressed in the Planning Context Study.

(d) whether the proposed development detrimentally impacts on land protected by a sun access plane control established for that land in the City Centre Development Control Plan,

This issue should be addressed in the Planning Context Study.

(e) how the proposed development addresses the following matters:

(i) the suitability of the land for development,

The site is suitable for development provided that the archaeology remains are conserved and displayed in public space. This limits the area of the site that can be developed and therefore may lead to a necessary increased height or bulk.

(ii) existing and proposed uses and use mix,

The residential use adds to the bulk of the building, as residential uses have less efficient ratio of gross building area to gross floor area than commercial uses. **The panel agrees that the options that places more floor space in the podium by substituting residential uses with commercial uses is a better outcome.** Refer to 5 above.

(iii) heritage and archaeological issues and streetscape constraints,

Conserving and displaying the archaeological remains in public open space will contribute to an improved public domain for Parramatta. Refer to 7 above.

(iv) the location of any tower proposed, having regard to the need to achieve an acceptable relationship with other towers (existing or proposed) on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form,

The Planning Context Study is required in order to properly consider this issue

(v) bulk, massing and modulation of buildings,

Due to the higher floor space the building bulk is greater than that anticipated by the LEP. The massing and modulation with use of slots seeks to relieve this bulk. This response still needs to be balanced with an overall mitigation of bulk and the achievement of high residential amenity. This has not been convincingly achieved at this stage

(vi) street frontage heights,

To Macquarie Street the street frontage is generally setback to ensure the conservation and display the archaeological remnants in a public area. The panel supports this intention. To the west of this frontage a small wing returns to the street alignment in anticipation of future adjoining development. This is also supported with adjustments as

outlined in 7 above. The 6 metre setback of the tower above is supported by the panel.

To Marsden Street the street alignment is setback to account for a street widening. The street wall height is less than required. The height will need to be justified in relation to the likely future street section of Marsden Street. The upper three floors of the street frontage height are defined by a series of portal frames. The device is to disguise the necessary setting back of residential floors. The panel agrees that this device needs further refinement. The design should be appropriate to the size and scale of residential open space it defines. This will require more detailed investigation than has been currently provided.

To Hunter Street the building now follows the street alignment, the panel agrees that this is an improvement.

The eastern part of Hunter Street is lower than the requirement and similar to the Marsden Street frontage. The comments on the Marsden Street frontage also apply here. It appears that more building area could be placed here and this should be investigated. The 6 metre setback of the tower above is supported by the panel.

The western part of Hunter Street is higher than the required street frontage. The panel is concerned that this may reduce the sun access to the public footpaths and plantings in Hunter Street and requests that this issue be analysed. This may require adjustment to this part of the proposal.

(vii) environmental impacts such as sustainable design, overshadowing, wind and reflectivity,

Information on this has yet to be provided to the panel. There should be no adverse environmental effects of the increased height of the proposal.

(viii) the principles of ecologically sustainable development,

Information on this has yet to be provided to the panel. Passive and active ESD benefits of building form, orientation, layouts, etc should be considered as part of building concept.

(ix) pedestrian, cycle, vehicular and service access, circulation and pedestrian

permeability,

Information on this has yet to be provided to the panel.

(x) the impact on, and any proposed improvements to, the public domain,

The public space and the display of the archaeological remnants will improve the public domain. Refer to 7 and 8 above.

(xi) any relevant special character area statement in the City Centre Development Control Plan.

Information on this has yet to be provided to the panel.

November 2009

Helen Lochhead (chair)

Siobhan Lavelle

Frank Stanisic

Peter John Cantrill

with

Kati Westlake (observer Parramatta City Council)

Design Review Panel

Report Three

Alternative Design Excellence Process

Proposed Major Project

45 Macquarie Street, Parramatta.

The proponent presented to the Design Review Panel on 23 November 2009. The purpose of the presentation was to address the issues raised by the Panel in Reports 1 and 2.

In summary, there has been some improvement in the following aspects of the proposal:

1. **the built form** due to the higher street wall with a mix of residential and commercial uses proposed on Marsden Street
2. the **solar access** to the apartments due to the introduction of a splay to the front wall of the east facing apartments
3. the **cross ventilation** of the apartments adjacent to the slots due to more detailed examination of the location of openings and modelling of the wind patterns within the slots.
4. **consideration of the archaeology** due to a more co-ordinated and holistic approach to the conservation of the materials and relics, including the nature of the spatial enclosure and public access

Notwithstanding the improvements noted above the Panel **does not** consider the proponents have adequately:

1. explored genuine alternative built form options for the proposal overall
2. provided a compelling justification for the height and building depth
3. provided a convincing strategy for the conservation and interpretation of the archaeology
4. provided justification for building depth
5. provided diversity of apartments and related diversity of expression

6. provided residential amenity consistent with SEPP 65
7. provided a shading strategy related to orientation and climatic response

The Panel believe that these issues and those outstanding from previous reports need to be addressed before the EA is submitted.

30 November 2009

Helen Lochhead (chair)

Siobhan Lavelle

Frank Stanisic

Peter John Cantrill

With Kati Westlake (observer Parramatta City Council)

09389
21 December 2009

Helen Lochhead
Chairperson
Design Review Panel for 45 Macquarie Street, Parramatta
c/- Department of Commerce
McKell Building - Level 19, 2-24 Rawson Place
SYDNEY NSW 2000

Dear Helen,

DESIGN REVIEW PANEL REPORT THREE- MACQUARIE STREET, PARRAMATTA

On instruction from and on behalf of Crown, JBA Urban Planning Consultants have prepared this letter to address some of the issues raised in the Design Review Panel ("the Panel") Report No 3. The project team appreciates the Panel's comments on the design and the process to date has assisted in developing a design that the team believes exhibits a high standard of design excellence.

In their last report, the Panel noted a series of improvements in the design and also identified a number of areas in which the Panel believe need to be critically addressed. The design team would like to respond to the Panel on these matters in order to seek further guidance and agreement on the way forward.

For convenience and as headings, we have directly quoted the Panel's report

The Panel does not consider the proponents have adequately explored genuine built form options for the proposal overall

In the Panel's report No. 2, under the heading 'Alternative Built Form Options' the Panel stated that as the floor area and therefore other controls contained in the LEP will be exceeded, it is considered important that alternative built form options be compared in relation to their urban design outcomes including: height, bulk, width, podium form and overshadowing to ensure that the best possible building form is chosen.

Throughout all meetings and particularly within the first two meetings the project architects have explored and presented a number of built form options to the Panel, including :

- a north-south orientated tower,
- an east-west orientated tower,
- two separate towers,
- a single versus double core tower, and
- L-shaped built forms.

At the Panel's request, a hammerhead option was also investigated.

The built form chosen responds to the rectilinear (civic) nature of site whilst maximising views, street edge building elements and solar access to the north, east and west. The option minimises the number of south facing apartments and achieves superior SEPP 65 outcomes.

It is the project team's view that *genuine* alternative built form options have been extensively examined and the most appropriate option selected. The design team is not clear as to what further options could be explored at this stage.

Question: Could the Panel please elaborate on what element of the built form requires further exploration (i.e. the podium, tower or entire building)?

Podium height

Podium height has been raised in a number of the Panel reports in relation to built form. The original scheme presented to the Panel provided for two levels of commercial above ground floor retail (in the podium at the frontage to Marsden Street). The Panel indicated that consideration should be given to mechanisms to increase the height of the podium including the provision of additional commercial floors within the podium. At Meeting No 4, the project team presented a design option which provided for five levels of commercial in the podium. The advantages and disadvantages of this option were discussed including the negative internal amenity aspects associated with the significant commercial tenancy depth, as well as the financial viability in providing such a large amount of non-open plan commercial floor space in the Parramatta CBD.

In Report No 2 (following Meeting 4) the Panel noted:

The option presented to the panel that placed more commercial space in the podium and results in a taller street wall to Marsden Street is strongly favoured by the panel and should be further developed.

In response to this the project team at Meeting No 5, presented a revised design option to the Panel which provided for three levels of commercial above retail with the commercial component slightly set back behind a glass façade. The benefits of this revised proposal were discussed at the meeting including:

- The increase in the street wall height to Marsden Street;
- The reduction in the adverse internal amenity aspects of the commercial space by setting the commercial space back behind a glass façade;
- The ability to use the commercial space for uses other than conventional office uses eg Concept Retail .

In Report No 3, the Panel noted that there had been an improvement in the built form due to the higher street wall with a mix of residential and commercial uses proposed on Marsden Street. Thus, it is the project team's view that issues associated with the podium height have been resolved through the proposed option put forward at Meeting No 5.

The Panel does not consider the proponents have adequately provided compelling justification for the height and building depth

Building Depth

In Report No 2 the Panel suggested that options to decrease the building depth should be examined noting that the building depth currently exceeds the RFDC requirement of 18 metres.

The proposed residential tower has an average building depth of approximately 23 metres. The 18 metre building depth requirement in the RFDC is a Rule-of-Thumb. The RFDC specifically notes that:

Development that proposed wider than 18 metres must demonstrate how satisfactory daylighting and natural ventilation are to be achieved.

The Panel's primary concern with the building depth exceedence was the potential that insufficient ventilation and daylight access would be able to be provided to the units and corridors within the residential tower.

In response to the Panel's concerns, Advanced Environmental prepared an analysis of the effectiveness of the proposed slots in achieving natural ventilation to the units and corridors, as well as their effectiveness in improving daylight access to the units and corridors.

Advanced Environmental presented their findings at Meeting 5, concluding that the proposed slots will improve natural ventilation within the units and corridors (particularly at lower wind speeds), and will also improve daylight access to the units and corridors.

The Panel has acknowledged improvement in both cross ventilation and solar access, and appear to be satisfied that the proposed slots will ensure appropriate daylight and ventilation to units and corridors (see Panel Report Three and Meeting Minutes from Meeting 5).

Although the proposed design does not comply with the *numerical* building depth standard in the RFDC, it achieves the intent of the control. Narrowing the building depth by some 2m, whilst still maintaining a GFA consistent with the previous approval for the site, would result in a three storey (or approximately 9 metre) increase in building height.

Height

In response to the Panel's request, a future context analysis was prepared which illustrates the proposed development in the context of the existing State Revenue Building, AMP building, Jesse Centre and genuine estimations of development scenarios of development sites to the east and south. Further justification on this matter can and will be provided in the Environmental Assessment Report.

Question: Given the modelling that has been undertaken in respect to light and ventilation and the future context analysis that has been undertaken, what further information does the Panel believe is necessary to justify the building depth and height?

The Panel does not consider the proponents have adequately provided a convincing strategy for the conservation and interpretation of the archaeology

International Conservation Specialists and Graham Brooks and Associates are currently preparing a Materials Conservation Strategy and an Interpretation Strategy (respectively) for the proposal which will be submitted with the Environmental Assessment Report. It is considered that this is a matter properly dealt with as part of the documentation to be submitted with the Environmental Assessment Report.

Question: Given that the panel will meet at least two times following the lodgement of the Environmental Assessment Report, is it not appropriate that that the Panel review the full draft report to determine whether or not there is a convincing strategy for conservation and interpretation?

The Panel does not consider the proponents have adequately provided justification for building depth

This matter has been dealt with above in response to the Panel's comments in respect to building height and depth.

The Panel does not consider the proponents have adequately provided diversity of apartments and related diversity of expression

The proposal will provide for 350 apartments of which, 23% will be one-bedroom units, 64% will be 2 bedroom units and 13% will be 3 bedroom units. In addition there are 12 different unit typologies which will provide a diverse mix across the building. Furthermore, diversity of expression is a design requirement and is being met by modifications to the design. For example the western apartments will now be fitted with sliding shade screens to respond to orientation and climate. Further detail will be provided in the Environmental Assessment Report.

The Panel does not consider the proponents have adequately provided residential amenity consistent with SEPP 65

The Panel's suggestion is surprising, particularly as detailed evidence regarding the performance of the slots in providing appropriate cross-ventilation and daylight access to the units and corridors at Meeting 5. The proposal will comply with almost all of the RFDC Rules-of-Thumb. Where non-compliances exist, they are expected to be minor and justified in the circumstances. A detailed table of compliance will be provided with the Environmental Assessment Report. Thus, the proposal will be capable of providing residential amenity consistent with SEPP 65.

Question: Can the Panel please identify what specific elements of residential amenity will not be achieved by the proposed building and why these elements will not be consistent with SEPP 65 and the RFDC?

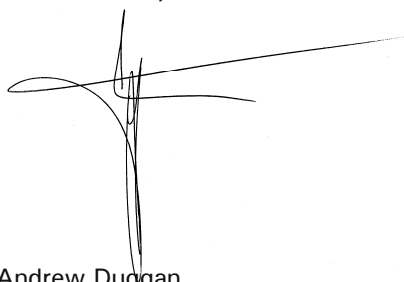
The Panel does not consider the proponents have adequately provided a shading strategy related to orientation and climatic response

Although this issue has not been previously raised, the project team is happy to provide a shading strategy related to orientation and climatic response. In particular, it is proposed that operable screens will be incorporated on the western elevation of the building.

To assist the design team, the proponent would be grateful if the Panel could provide answer to the questions posed above. Following receipt of answers to the questions above, the proponent believes that the Panel's outstanding concerns can be resolved through additional information which will be provided as part of the Environmental Assessment Report. The proponent would like to submit the Environmental Assessment Report for 'test of adequacy' in January 2010. Could the Panel advise if it endorses this course of action?

Should you have any queries about this matter, please do not hesitate to contact me on 94094946 or aduggan@jbaplanning.com.au.

Yours faithfully



Andrew Duggan
Associate

Design Review Panel

Report Four: Response to letter

Alternative Design Excellence Process

Proposed Major Project

45 Macquarie Street, Parramatta.

Background

In a letter from JBA Planning Consultants dated 21 December 2009 they noted how the issues raised by the Design Review Panel had been addressed by the proponent. The proponent believes that the Panel's outstanding concerns can be resolved through additional information which will be provided as part of the Environmental Assessment Report. The proponent would like to submit the Environmental Assessment Report for 'test of adequacy' in January 2010 subject to endorsement from the Design Review Panel of their response to the issues raised.

The Panel identified the following outstanding issues for further consideration by the proponent:

1. exploration of genuine alternative built form options for the proposal overall
2. a compelling justification for the height and building depth
3. a convincing strategy for the conservation and interpretation of the archaeology
4. justification for building depth
5. diversity of apartments and related diversity of expression
6. residential amenity consistent with SEPP 65
7. a shading strategy related to orientation and climatic response

The panel has considered JBA's response on behalf of the proponent and offers the following comments.

1. The Panel not consider the proponents have adequately explored genuine built form options for the proposal overall

JBA response:

In the Panel's report No. 2, under the heading 'Alternative Built Form Options' the Panel stated that as the floor area and therefore other controls contained in the LEP will be exceeded, it is considered important that alternative built form options be compared in relation to their urban design outcomes including: height, bulk, width, podium form and overshadowing to ensure that the best possible building form is chosen.

Throughout all meetings and particularly within the first two meetings the project architects have

explored and presented a number of built form options to the Panel, including :

- a north-south orientated tower,
- an east-west orientated tower,
- two separate towers,
- a single versus double core tower, and
- L-shaped built forms.

At the Panel's request, a hammerhead option was also investigated. The built form chosen responds to the rectilinear (civic) nature of site whilst maximising views, street edge building elements and solar access to the north, east and west. The option minimises the number of south facing apartments and achieves superior SEPP 65 outcomes.

It is the project team's view that genuine alternative built form options have been extensively examined and the most appropriate option selected. The design team is not clear as to what further options could be explored at this stage.

Panel comments:

Although the exploration of built form options has not been as thorough as the Panel would expect it is conceded the proponent has explored a range of options.

Question: Could the Panel please elaborate on what element of the built form requires further exploration (i.e. the podium, tower or entire building)?

JBA response:

Podium height

Podium height has been raised in a number of the Panel reports in relation to built form. The original scheme presented to the Panel provided for two levels of commercial above ground floor retail (in the podium at the frontage to Marsden Street). The Panel indicated that consideration should be given to mechanisms to increase the height of the podium including the provision of additional commercial floors within the podium. At Meeting No 4, the project team presented a design option which provided for five levels of commercial in the podium. The advantages and disadvantages of this option were discussed including the negative internal amenity aspects associated with the significant commercial tenancy depth, as well as the financial viability in providing such a large amount of non-open plan commercial floor space in the Parramatta CBD.

In Report No 2 (following Meeting 4) the Panel noted:

The option presented to the panel that placed more commercial space in the

podium and results in a taller street wall to Marsden Street is strongly favoured by the panel and should be further developed.

In response to this the project team at Meeting No 5, presented a revised design option to the Panel which provided for three levels of commercial above retail with the commercial component slightly set back behind a glass façade. The benefits of this revised proposal were discussed at the meeting including:

- The increase in the street wall height to Marsden Street;
- The reduction in the adverse internal amenity aspects of the commercial space by setting the commercial space back behind a glass façade;
- The ability to use the commercial space for uses other than conventional office uses eg Concept Retail .

In Report No 3, the Panel noted that there had been an improvement in the built form due to the higher street wall with a mix of residential and commercial uses proposed on Marsden Street.

Thus, it is the project team's view that issues associated with the podium height have been resolved through the proposed option put forward at Meeting No 5.

Panel comments:

From a streetscape perspective Podium Option 3: Alternative Built Form Options (Peer Review 5 Presentation) is preferred which incorporates 6 levels (1 level retail, 3 levels commercial and 2 levels residential). Slots can be used to resolve daylight to the deep commercial. The street wall height is still well within the maximum height.

2. The Panel does not consider the proponents have adequately provided compelling justification for the height and building depth

JBA response:

Building Depth

In Report No 2 the Panel suggested that options to decrease the building depth should be examined noting that the building depth currently exceeds the RFDC requirement of 18 metres.

The proposed residential tower has an average building depth of approximately 23 metres. The 18 metre building depth requirement in the RFDC is a Rule-of-Thumb. The RFDC specifically notes that:

Development that proposed wider than 18 metres must demonstrate how satisfactory daylighting and natural ventilation are to be achieved.

The Panel's primary concern with the building depth exceedence was

the potential that insufficient ventilation and daylight access would be able to be provided to the units and corridors within the residential tower.

In response to the Panel's concerns, Advanced Environmental prepared an analysis of the effectiveness of the proposed slots in achieving natural ventilation to the units and corridors, as well as their effectiveness in improving daylight access to the units and corridors.

Advanced Environmental presented their findings at Meeting 5, concluding that the proposed slots will improve natural ventilation within the units and corridors (particularly at lower wind speeds), and will also improve daylight access to the units and corridors.

The Panel has acknowledged improvement in both cross ventilation and solar access, and appear to be satisfied that the proposed slots will ensure appropriate daylight and ventilation to units and corridors (see Panel Report Three and Meeting Minutes from Meeting 5).

Although the proposed design does not comply with the numerical building depth standard in the RFDC, it achieves the intent of the control. Narrowing the building depth by some 2m, whilst still maintaining a GFA consistent with the previous approval for the site, would result in a three storey (or approximately 9 metre) increase in building height.

Panel comments:

The Panel would support a reduction in the building depth by 2m, but do not think that this should be offset with additional height in the tower. Additional floor area to offset the reduced width should be provided in the podium (podium option 3) which would still be within the maximum permitted street wall height.

JBA response:

Height

In response to the Panel's request, a future context analysis was prepared which illustrates the proposed development in the context of the existing State Revenue Building, AMP building, Jesse Centre and genuine estimations of development scenarios of development sites to the east and south. Further justification on this matter can and will be provided in the Environmental Assessment Report.

Panel comments:

While the 80 metre height has been argued the building is higher than this. There does not appear to be a strong case to increase the height of the building to accommodate the desired floor space. There are other options including increasing the floor space in the podium.

JBA Question: Given the modeling that has been undertaken in respect to light and ventilation and the future context analysis that has been undertaken, what further information does the Panel believe is necessary to justify the building depth and height?

Panel comments:

Notwithstanding the modeling by Advanced Environmental the Panel remains skeptical about the effectiveness of the slots in achieving natural ventilation, particularly at high levels and under variable weather conditions and requires a peer review by a recognized scientific specialist in this area.

3. The Panel does not consider the proponents have adequately provided a convincing strategy for the conservation and interpretation of the archaeology

JBA response:

International Conservation Specialists and Graham Brooks and Associates are currently preparing a Materials Conservation Strategy and an Interpretation Strategy (respectively) for the proposal which will be submitted with the Environmental Assessment Report. It is considered that this is a matter properly dealt with as part of the documentation to be submitted with the Environmental Assessment Report.

Panel comments:

The Panel has to date not received considered evaluation of the various options for the material conservation. The panel anticipates that the Materials Conservation Strategy and the Interpretation Strategy would be presented to the Panel prior to lodgment of the EA as it is expected that the material conservation should inform the interpretation and in turn the proposition defining the built form, internal space and public space relating to the conservation of the remains.

JBA Question: Given that the panel will meet at least two times following the lodgment of the Environmental Assessment Report, is it not appropriate that that the Panel review the full draft report to determine whether or not there is a convincing strategy for conservation and interpretation?

Panel comments:

The Panel would expect to review the draft strategy prior to lodgment to allow any input and feedback from the Panel to be incorporated into the EA.

4. The Panel does not consider the proponents have adequately provided justification for building depth

JBA Response:

This matter has been dealt with above in response to the Panel's comments in respect to building height and depth.

5. The Panel does not consider the proponents have adequately provided diversity of apartments and related diversity of expression

JBA Response:

The proposal will provide for 350 apartments of which, 23% will be one-bedroom units, 64% will be 2 bedroom units and 13% will be 3 bedroom units. In addition there are 12 different unit typologies which will provide a diverse mix across the building. Furthermore, diversity of expression is a design requirement and is being met by modifications to the design. For example the western apartments will now be fitted with sliding shade screens to respond to orientation and climate. Further detail will be provided in the Environmental Assessment Report.

Panel comments:

While it is acknowledged that there are 12 different unit typologies it would be expected that in a building of this height and scale with four different orientations there would be additional types with greater spatial variety.

6. The Panel does not consider the proponents have adequately provided residential amenity consistent with SEPP 65

JBA Response:

The Panel's suggestion is surprising, particularly as detailed evidence regarding the performance of the slots in providing appropriate cross-ventilation and daylight access to the units and corridors at Meeting 5. The proposal will comply with almost all of the RFDC Rules-of-Thumb. Where non-compliances exist, they are expected to be minor and justified in the circumstances. A detailed table of compliance will be provided with the Environmental Assessment Report. Thus, the proposal will be capable of providing residential amenity consistent with SEPP 65.

JBA Question: Can the Panel please identify what specific elements of residential amenity will not be achieved by the proposed building and why these elements will not be consistent with SEPP 65 and the RFDC?

Panel comments:

It is the Panel's expectation that the proponent produce a standard table of compliance for the Panel to review before the EA, particularly given the non-compliances/grey areas that include building depth, daylight, cross-ventilation and possibly solar access.

7. The Panel does not consider the proponents have adequately provided a shading strategy related to orientation and climatic response

JBA Response:

Although this issue has not been previously raised, the project team is happy to provide a shading strategy related to orientation and climatic response. In particular, it is proposed that operable screens will be incorporated on the western elevation of the building.

Panel comments:

Good. It is the Panel's expectation that the proponent would present the proposed shading strategy for review prior to submitting the EA

Conclusion:

The Panel has provided comments to the JBA letter as outlined above.

The Panel believes that it would be advisable to address the outstanding issues above and present them to the Panel prior to lodgment of the EA.

22 December 2009

Helen Lochhead (chair)

Siobhan Lavelle

Frank Stanisic

Peter John Cantrill

With Kati Westlake (observer Parramatta City Council)