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# Design Excellence Competition Brief

197 Church Street, Parramatta

March 2016

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1. DFP Planning Proposal Report dated 9 March 2015, including appendices to that report
2. Supplementary Archaeological Advice from Dr Ted Higginbotham
3. Letter from DFP to OEH dated 19 August 2015
4. Fabric Analysis of 197 Church Street Parramatta by RHC dated September 2015
5. Ambidji Aeronautical Study dated 23 October 2015
6. Flood levels advice + Flood Study dated 11 March 2016
7. Requirements for electronic model to be provided to Parramatta Council (Section 5.2 of the brief)

# 1 Introduction

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## 1.1 Background to the Competition

This Competitive Design Process Brief (hereto referred to as *the brief*) relates to the land which comprises 197 and 207 Church Street and 89 Marsden Street, Parramatta (*the site*).

The site is owned by Holdmark NSW Pty Ltd (*the Proponent*).

This brief has been prepared by DFP Planning Pty Ltd in conjunction with Parramatta City Council and the Proponent.

A Planning Proposal for the site was lodged with Parramatta City Council on 9 March 2015. On 7 December 2015, Parramatta City Council resolved to support the Planning Proposal. The Council resolved:

(a) **That** Council endorse the Planning Proposal in Attachment 1 subject to it being modified as follows:

- Incorporate the recent changes proposed by the applicant detailed in the section of this report titled *Final Planning Proposal for 197-207 Church Street, Parramatta*.
- Provide an increase in FSR to 15:1 (excluding design excellence) subject to compliance with the sun access provisions of Clause 29E of PCCLEP 2007, including the 45 minute rule for overshadowing of the solar zone of Parramatta Square and SEPP 65.
- Inclusion of a clause requiring an international design competition.
- A height to be determined by a design competition as described in (b).

(b) **That** the applicant work collaboratively with the CEO to draft a brief for an international design competition to design a building on the site, demonstrating compliance with the sun access provisions (Clause 29E of PCCLEP 2007) including the 45 minutes rule for overshadowing of the solar zone of Parramatta Square and SEPP 65. In particular, any future building on the site must demonstrate a built form that appropriately addresses the building separation controls of the ADG to ensure future development on adjacent sites is not compromised (including 20-22 Macquarie Street, Parramatta).

*If any design competition entry proposes a height greater than 156AHD it will need to be supported by an Aeronautical Study to address the relevant Section 117 Direction.*

*The design competition brief must require entrants to retain the HERITAGE façade of the existing building on the site.*

*The applicant must include, as one of the entries in the design competition, the 'Boomerang' design already submitted to Council in support of its Planning Proposal, modified as required to comply with the design competition brief.*

(c) **That**, following drafting of the design competition brief, the CEO forward the Planning Proposal (together with the design competition brief) to the Department of Planning and Environment, seeking a Gateway determination.

(d) **That** Council proceed with negotiations for a Voluntary Planning agreement VPA with the landowner in relation to the Planning Proposal including an amount for Uplift of FSR from 10:1 to 15:1 and that any VPA entered into would be an addition to S94 Development Contributions.

(e) **That** delegated authority is given to the CEO to negotiate the VPA on behalf of Council and that the outcomes of negotiations are reported back to Council prior to its public exhibition.

(f) **That** Council advises the Department of Planning and Environment that the CEO will be exercising the plan making delegations for this Planning Proposal as authorised by Council on 26th November 2012.

# 1 Introduction

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- (g) **Further, that** council authorise the CEO to correct any minor anomalies of a non-policy and administrative nature that may arise during the plan-amendment process.

This brief responds to point (b) of the Council resolution of 7 December 2015.

## 1.2 Objectives and Reference Documents

This brief has been prepared in accordance with the requirements of the Director General's Design Excellence Guidelines. This brief also addresses:

- the provisions of Clause 7.10 of Parramatta Local Environmental Plan 2011;
- the Council resolution of 7 December 2015; and
- Parramatta Council Design Excellence Competition guidelines.

In accordance with the DG's Design Excellence Guidelines "*the purpose of this architectural design competition is to promote innovative design solutions that achieve high quality buildings and spaces within the city centre. In recognition of the additional cost and effort required by a competitive process, a successful design competition that achieves design excellence can result in a development bonus in relation to building height and/or floor space.*"

Design competition objectives include:

- To achieve a diversity of architectural response;
- To achieve a high standard of architectural excellence;
- To encourage flexibility within the urban design controls to allow for innovative or unexpected solutions;
- To provide incentive through greater FSR and/or height; and
- To encourage a sense of civic pride.

Council's own Design Excellence Competition guidelines require that:

*Good architectural solutions and architecture that proposes deviations from the recommended Development Control Plan need to be grounded in a solid analysis of the existing urban context and the proposed future form of the city. The best way of promoting this is for the brief to include a detailed urban design analysis of the specific site that summarises the prevailing conditions including site specific opportunities and constraints.*

The Planning Proposal report prepared by DFP and the Urban Design Analysis prepared by Robertson and Marks Architects (Appendix 2 to the DFP Planning Proposal report) provide a detailed site context description and site analysis. A copy of the DFP Planning Proposal report and appendices is included at **Appendix 1** to this brief.

This Design Competition is being prepared to satisfy point (b) of the Council resolution of 7 December 2015 and to ensure the resultant development on the site is iconic and worthy of its strategic location within the Parramatta CBD.

This brief contains details regarding the following information:

- A detailed description of the site.
- A description of the objectives of the Planning Proposal
- Competition type.
- Competition objectives.
- Competition process details (i.e. deliverables, timeline, evaluation process, assessment criteria and procedural requirements).
- The fees and/or prizes offered to participants in the competition.

# 1 Introduction

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## 1.3 Competition Type Summary

Details regarding the type, process and requirements of this Design Competition is provided in **Section 4** of this brief. A summary is provided below.

This competition will be undertaken as an "invited" architectural design competition comprising four (4) architectural/design firms.

The design competition entries are to be judged by a Jury panel comprising three (3) members.

The purpose of this architectural design competition is to select the highest quality architectural and urban design solution for the development of the site, taking into account the unique characteristics of the site and the economic feasibility of the development.

## 1.4 Parramatta Council's Design Excellence Competition Guidelines

In addition to the requirements of the DG's Guidelines, Council requires that a considered and detailed urban design analysis of the site should also be included.

The site analysis should include plans and sections to scale and document the important elements of the city surrounding the site including, but not limited to:

- Street grid and circulation,
- Subdivision pattern,
- Building footprint and use,
- Building heights,
- Circulation,
- Building edge and setback conditions,
- Topography and landform,
- Views,
- Heritage buildings,
- Good and bad elements from the surrounding context; and
- Consideration of the impact on the developability of adjoining sites in accordance with current planning controls.

## 2 Site Description

### 2.1 Site Details

The site is located at the north western corner of the intersection of Church Street and Macquarie Street in the Parramatta CBD and is approximately 250m north of Parramatta Railway Station (see **Figure 1**). The site address is 197 Church Street, 207 Church Street and 89 Marsden Street, Parramatta and is legally described as Lot 1 DP 710335 and Lot 1 DP 233150.

The site is irregular in shape and has three street frontages being Church Street to the east, Macquarie Street to the south and Marsden Street to the west. The site is 4,307.4m<sup>2</sup> in area. The frontage to Church Street is 39.3m. The frontage to Macquarie Street is 54.8m and the frontage to Marsden Street is almost 27m. A site survey is provided at **Appendix 1**.

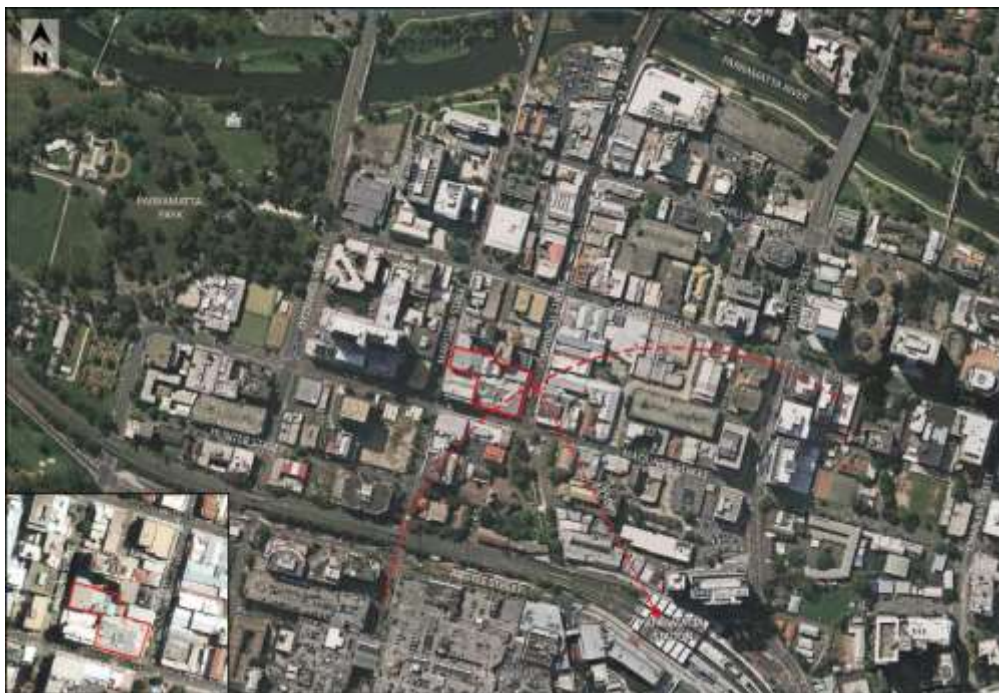


Figure 1 Site Location

Existing development on the site comprises:

- A two storey, building known as Murray Brothers currently used for retail purposes. It is known as 197 Church Street and is a local heritage item;
- A modern three storey retail/commercial building fronting Church Street (known as 207 Church Street); and
- A modern four storey commercial building fronting Marsden Street (known as 89 Marsden Street).
- This is a strategically significant site in the context of Parramatta CBD:
- It has historically been an important site in the heart of Parramatta.
- It anchors the northern end of the CBD's civic heart.
- It is a complementary 'bookend' to the southern key site – the proposed *Aspire* tower.

Photographs of the site are shown at **Figures 2-7** in the DFP Planning Proposal Report at **Appendix 1** to this brief.



## 2 Site Description

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### 2.2 Context and Surrounding Development

A seven storey commercial building adjoins the site at the corner of Macquarie Street and Marsden Street. This site is known as 20-22 Macquarie Street. At the Council meeting held on 15 December 2014, a preliminary planning proposal for this site (as well as the site at 197 Church Street and the Greenway site which is located at 48 Macquarie Street and 220-230 Church Street, Parramatta) was considered by Council. At that meeting Council resolved:

- (a) *That Council accept building proposal (a), (b) and (c) and request a further report<sup>1</sup>.*
- (b) *That Council seek an opportunity to create an A Grade building in the CBD by encouraging the developer to submit an innovative plan/proposal for the key site which would then be assessed on its merits.*
- (c) *Further, that each application for (a), (b) and (c) be assessed on its merits individually with a 10:1 FSR as stipulated in Council draft planning framework.*

A Planning Proposal for 20-22 Macquarie Street has been lodged and is currently under assessment by Council. That Planning Proposal has not yet been referred to a Council meeting for consideration. Council has advised that any development comprising a residential tower on the site and a tower on 20-22 Macquarie Street would need to take into consideration the ADG building separations and that the separation distances would be 'shared' between the sites.

Directly opposite the site to the east (across Church Street) are two storey retail premises, including a heritage listed building at 198 Church Street (on the north-east corner of Macquarie Street and Church Street) which is currently used as a Bendigo Bank branch.

To the south of the site is Centenary Square (formerly part of the Church Street Mall) which comprises public open spaces and a number of heritage items. Centenary Square has recently undergone a major renovation included the installation of new, modern street furniture, water feature, an upgrade of public amenities, new paving, enhanced street lighting, and refurbishment of Centennial Memorial Drinking Fountain and the clock.

Photographs of the surrounding area are shown at **Figures 8-16** in the DFP Planning Proposal report at **Appendix 1** to this brief.

### 2.3 Special Site Characteristics

#### 2.3.1 Heritage

The site is identified as a heritage item in Schedule 5 to Parramatta LEP 2011. Item 11 in Schedule 5 identifies a *shop and potential archaeological site* at 197 Church Street Parramatta as having local significance.

Rappoport Heritage Consultants (RHC)<sup>2</sup> has undertaken a heritage assessment including an assessment of the potential for the site to contain potential archaeological items. A copy of the Statement of Heritage Impact (SoHI) is included at Appendix 3 to DFP Planning Proposal report.

The town was laid out in June 1790 and named Parramatta on 4th June 1791. For a period of time, Parramatta outstripped Sydney in growth. In the 1790s it was the main settlement of New South Wales and Sydney only the harbour town.

The subject site is at the junction of Church Street and Macquarie Street, Parramatta. This precinct is 'the heart and gathering point of Parramatta'. The pivotal role played by this site is demonstrated by the number of activities that have historically occurred on and around it and which are described in the RHC report.

In August 2015 a meeting with Office of Environment and Heritage (OEH) was held to discuss options for the treatment and management of any potential archaeological items

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<sup>1</sup> The three sites, (a), (b) and (c) are 20-22 Macquarie Street, 197 Church Street and 222 Church Street (Greenway site)

<sup>2</sup> RHC is now known as Heritage21

## 2 Site Description

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that might be unearthed during excavation of the site. Prior to this meeting advice from Dr Ted Higginbotham was sought and a copy of that advice is included at **Appendix 2** to this brief. A summary letter of the outcome of the meeting with OEH is included at **Appendix 3** to this brief.

In addition to the retention of the façade (as required by the Council resolution of 7 December 2015), competitors should consider opportunities to incorporate (or interpret) in their design response other aspects of the fabric of the original Murray Bros building such as elements of the internal structure and the caretakers flat. To assist in this regard, competitors are advised to review the conclusions and recommendations of the Rappoport Heritage Fabric Analysis at **Appendix 4**.

The design options for the site will need to consider any conservation guidelines set out in all documents referred to above and address the resolution of Council that *requires entrants to retain the HERITAGE façade of the existing building on the site*.

### 2.3.2 Flooding

In order to determine appropriate floor levels for the site with respect to flood affectation and to ensure any necessary design requirements particularly with respect to the design of basements and the need for mechanical water removal can be addressed as part of the competition responses, a flood certificate has been obtained from Parramatta Council and a copy is included at **Appendix 6** to this brief. The flood certificate identifies the flood levels across the site and on the adjoining roads. Any response to this brief will need to demonstrate how the design responds to the flood affectation of the property. Any entry should also have regard to the provisions of Section 2.4.2.1 of Parramatta DCP 2011 and Council's Local Floodplain Risk Management Plan.

A detailed flood study has been prepared by Rienco Consulting and a copy of this report is included as part of **Appendix 6** to this brief.

#### NOTE TO ENTRANTS:

The PMF levels are detailed in the Rienco Consulting Flood Study at **Appendix 6**. The flood study has been received by Council however due to time constraints the report has not yet been reviewed by Parramatta City Council Catchment Management. If the review of the flood study by Council indicates adverse impacts on the ground plane or interface with the public domain that cannot be managed in the winning scheme, the scheme will be required to be reviewed by the winning team to address those impacts. Depending on the extent of the revision required, the jury may need to be reconvened to assess the modified design. If the modifications to the winning scheme are so significant, to the extent the flooding issues cannot be accommodated without the overall design being completely compromised, it may be decided that a new design competition should be held to address this issue.

### 2.3.3 Obstacle Limitation Surfaces

With respect to building height, preliminary advice from an Aeronautical consultant, Ambidji, has been obtained and a copy of that advice is included at **Appendix 5** to this brief.

Ambidji has advised that a building height of 250m (together with any construction cranes) will be below the PANS-OPS surface height of 303m AHD in the vicinity of the site. The PANS-OPS height can never be penetrated by a permanent structure.

The other height control of note with respect to development on the site is the Radar Terrain Clearance Chart (RTCC), which is at 244 m AHD in the vicinity of the site. If the competition entry proposes to penetrate the RTCC, approval of the relevant aeronautical authorities will be required to be obtained simultaneously with the determination of the Development Application.

Ambidji has advised that as a result of other developments in the area, including Aspire, it is their opinion that it is likely the height of the RTCC surface will be increased in any event.

## 2 Site Description

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### 2.3.4 Other development proposals in Parramatta CBD

There are a number of other development proposals being undertaken in the Parramatta CBD, including development proposals approved under the now repealed Part 3A of the Environmental Planning and Assessment Act, 1979 and Planning Proposals. Any design entry will need to have regard to these developments which are shaping the emerging character of the Parramatta CBD.

Developments to be considered in the context of the design for a building on the site include:

- Aspire as part of the Parramatta Square redevelopment
- V by Crown at 45-47 Macquarie Street
- Altitude by Meriton at 330 Church Street
- 5-7 Charles Street (Planning Proposal)
- Planning Proposal for the Greenway site at 220-230 Church Street and 48 Macquarie Street
- 20-22 Macquarie Street (preliminary Planning Proposal)
- Lennox Bridge Car Park site, Riverside Parramatta
- 189 Macquarie Street
- Eclipse Tower, 60 Station Street
- 89 George Street
- B1 Tower, 118 Church Street

## 3 Objectives for the Proposal

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### 3.1 Design Objectives

Further to the objectives of the Design Competition as set out by the DG's Design Excellence guidelines and stated in **Section 1** above, the design objectives for this Architectural Design Competition are to:

- (a) Take into consideration the specific conditions of consent of the Council resolution of 7 December 2015 reproduced in Section 1.1 of this Brief.
- (b) Stimulate imaginative and innovative architectural and urban design proposals that achieve design excellence in terms of diversity of architectural response.
- (c) Respond to the site's context and the constraints and opportunities of the site.
- (d) Deliver a high standard of architecture and urban design as well as materials and detailing appropriate to the building location and the mix of uses for the building.
- (e) Deliver a form and external appearance that will make a positive contribution to the public domain.
- (f) Provide a building which responds to the strategic location of the site and deliver a built form legacy of which the Council, developer and local community can be proud and which will help identify Parramatta.
- (g) Respond to the relationship with adjoining sites and surrounding buildings, including nearby and adjoining heritage items.
- (h) Seek opportunities for Ecologically Sustainable Design ("ESD").
- (i) Consider imaginative ways to respond to the potential for subterranean archaeological relics to be found on site.
- (j) Ensure the outcome is financially feasible and buildable.
- (k) Provide vibrant activation of all street frontages, building on the Church Street 'strip' activity.
- (l) Maintain an appropriate scale and form to the podium
- (m) Provide a tall, slender building.
- (n) Maximise amenity for all apartments – prime west / east orientation.
- (o) Maximise views, particularly to the north and east.

### 3.2 Design Parameters

The submitted design must provide for:

- A mixed use development comprising retail/commercial floorspace on the ground floor and podium levels (as a minimum) with residential floorspace in the tower.
- A maximum FSR of 17.25:1.
- A maximum GFA of 74,300m<sup>2</sup>.
- 14,000m<sup>2</sup> of the total GFA of the building is to be provided as retail/commercial floorspace, with the balance of the GFA being provided as residential floorspace.

#### 3.2.1 Non-negotiable design aspects

Any entry submitted in response to this brief must be in accordance with the Council resolution of 7 December 2015 (refer Section 1.1) including:

- Retention and integration of the existing heritage façade of the Murray Bros building.
- Sufficient information to demonstrate that the resultant development will satisfy the requirements of the Council resolution of 7 December 2015 with respect to the sun

## 3 Objectives for the Proposal

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access provisions of Clause 29E of PCCLEP 2007<sup>3</sup> including the 45 minutes rule for overshadowing of the solar zone of Parramatta Square. In this regard, Clause 29E of Parramatta LEP 2011 references the provisions of Parramatta Development Control Plan 2011 with respect to the sun access provisions for Parramatta Square. Control C7 of Section 4.3.3.7 City Centre Special Areas – Building Form requires the following:

*Overshadowing is to be minimised within the area outlined in red in Figure 4.3.3.7.3 of Parramatta DCP 2011. Individual buildings shall be designed so that no single point of the area outlined in red is in shadow for a period greater than 45 minutes between 12pm-2pm mid-winter.*

- Sufficient information must be provided to demonstrate that the resultant development will not compromise the future development potential of adjacent sites. In this regard, competitors should note that the ADG indicates that for buildings over 9 storeys in height, a separation of 24m should be provided. Any design which includes a residential tower on the site will need to demonstrate that the objectives of the ADG building separation provisions, particularly with respect to the intent that the separation distances are ‘shared’ between adjoining sites, are appropriately addressed. In this regard, Council has advised that a Planning Proposal for 20-22 Macquarie Street has been lodged and is currently under assessment by Council.

Competitors are further advised that one of the key principles of the Parramatta CBD Planning Strategy is to “create an attractive and distinctive city skyline defined by tall slender towers”

### 3.2.2 Other desirable design aspects

Any entry submitted in response to this should also demonstrate the sustainability attributes of the building. Such attributes could include:

- Consideration of façade treatments to reduce heat absorption (whilst also having regard to light reflection);
- Installation of dual pipes at time of construction to allow for reticulation of recycled water when this becomes available.
- Consideration of alternative power sources and/or options to connect the building to alternative power sources when these become available.
- Consideration of parking provision having regard to Council’s desire to minimise private vehicle usage in areas proximate to public transport but also having regard to marketing requirements.
- Along Church Street the DCP requires a minimum setback to a tower from the podium of 18m however Council has advised that a minimum of 12m setback is acceptable. Along Macquarie Street the DCP requires a minimum setback to a tower from the podium of 6m. These controls can be relaxed if it is demonstrated that an alternative solution achieves an equal or better outcome having regard to the objectives of the setback provisions.
- The residential floorplates are to be flexible to allow for a variety of apartment layouts to be provided, depending on market demand. A generic floor plate layout is to be provided. The generic floor plate layout should take into consideration the following:
  - The apartment mix which is considered to reflect the current market demand being:
    - 1 bedroom 20%
    - 2 bedroom 70%

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<sup>3</sup> PCCLEP 2007 has been repealed. The provisions relating to the Parramatta City Centre are now contained in Parramatta LEP 2011.

## 3 Objectives for the Proposal

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- 3 bedroom 10%
- The provisions of Section 3.5.5 of Parramatta DCP 2011 with respect to the mix of apartments that could be provided. Section 3.4.5 of DCP2011 nominates the following percentages for the various apartment types:
  - 1 bedroom 10%-20%
  - 2 bedroom 60%-75%
  - 3 bedroom 10%-20%

### 3.3 Planning Objectives

The planning objectives for this Architectural Design Competition are to ensure that the proposal:

- a) Takes into account the specific matters identified in point b) of the Council resolution of 7 December 2015.
- b) Takes into account the statutory framework of:
  - Any relevant State Environmental Planning Policies, and in particular SEPP 65 and the accompanying Apartment Design Guidelines (ADG);
  - Parramatta Development Control Plan 2011;
  - Parramatta Public Domain Framework Plan 2012; and
  - Relevant Parramatta Council and applicable State plans and policies;
- c) Takes into account all relevant NSW State Government controls and policies.

### 3.4 Heritage Objectives

Provide a design which recognises the heritage value of the existing building and the resolution of Council for any future development to incorporate this facade.

With respect to potential archaeological items, the outcomes of the meeting with OEH regarding treatment and management of any items unearthed during excavation need to be addressed, including building designs which can accommodate what might be uncovered.

### 3.5 Commercial Objectives

The commercial objectives for this Architectural Design Competition are set out below:

#### A. Project Viability

All participants must provide with their submission a high level financial feasibility prepared by an appropriately qualified valuer (nominated by the Proponent) to demonstrate the economic viability of their design.

Participants are advised that each design submission is to be reviewed by the Proponent's nominated quantity surveyor and must include a building cost estimate prepared by the nominated quantity surveyor that provides an estimated cost for the submitted design which is to be included in the financial feasibility to be prepared by the nominated valuer. This information will be made available to the Jury.

#### B. Construction Methodology

Each submission is to include a buildability report and indicative high-level construction timeline prepared by an appropriately qualified construction manager experienced in building the type of development proposed (to be nominated by the Proponent).

## 3 Objectives for the Proposal

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### C. Other Objectives

The design is to be efficient to operate and maintain so as to keep running and maintenance costs at a minimum in light of a proposed future strata arrangement.

The design is to be functionally efficient, maximise natural lighting and maximise the view potential from each level and take into account the requirements of the target market.

### 3.6 Other Project Objectives

It is suggested that Competitors make use of the preliminary studies undertaken by Specialist Consultants which accompanied the Planning Proposal including Heritage Impact Assessment, Archaeological advice, preliminary traffic and parking advice including supplementary traffic advice, Urban Design Assessment and preliminary OLS and PANS-OPS advice. Copies of these reports are appended to the Planning Proposal report which is appended to this brief.

## 4 Competition Procedures

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### 4.1 Proponent

The Proponent of the Design Competition is Holdmark NSW Pty Ltd.

General communications should be with the Proponent's Town Planning Representative:

DFP Planning Pty Ltd

11 Dartford Road,

Thornleigh NSW 2120

P: 02 99806933

All specific queries and communication must only be directed to the Competition Manager:

Ellen Robertshaw by email through [erobertshaw@dfpplanning.com.au](mailto:erobertshaw@dfpplanning.com.au).

### 4.2 Architectural Design Competition Entry

This Architectural Design Competition is an invitation-only competition.

Each competitor in this Architectural Design must comprise a collaboration between an Australian architectural practice (registered as an architect in accordance with the NSW Architects Act 2003) and a high-profile international firm that has experience in designing and constructing iconic buildings. A summary of the credentials and track record of each firm in the collaboration must be provided as part of the submission.

The firms that have been invited to submit designs for this competition are:

- PTW in conjunction with their international partner firm, Heneghan Peng Architects
- GroupGSA in conjunction with their international partner firm, Rafael De La-Hoz Architects
- Cox Architecture in conjunction with their international partner firm, Shatotto Architects
- Robertson and Marks in conjunction with their international partner firm, SOM

### 4.3 Architectural Design Competition Details

The competition will involve four (4) competition participants who will be required to present their urban design/architectural scheme, including basic plans, elevations, sections, renders and photomontages and an electronic 3D model.

Consideration of the Planning Proposal and Council resolution relating to that Planning Proposal, and planning, structural, cost, commercial viability and environmental concerns as well as the objectives set out in **Section 3** of this brief will be taken into account in the consideration of the proposal.

This competition is a public process and all entrants' names must be clearly visible on the entry.

### 4.4 Architectural Design Competition: The Competition Jury

(a) The competition Jury will comprise three members one appointed by each of the following:

- The Proponent - Chris Johnson, Chief Executive Manager Urban Taskforce;
- Parramatta City Council - City Architect Kim Crestani;
- Department of Planning and Environment delegated to Office of Government Architect.



## 4 Competition Procedures

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Competitors or their intermediaries must not communicate with Jury members in relation to this competition. All communication must be through the Competition Manager (refer **Section 4.1**).

- (b) If one of the above Jurors has to withdraw prior to the completion of the competition process, another Juror of equivalent credentials will be appointed by whoever originally appointed that Juror.
- (c) The Jury members must nominate a member to act as Jury chair.

### 4.5 Architectural Design Competition: Juror's Obligations

In accepting a position on the Jury, Jurors agree to:

- (a) have no contact with any of the Competitors or Proponent in relation to the site and the Architectural Design Competition from their time of appointment until the completion of the process other than during presentations of the submissions.
- (b) evaluate entries promptly in accordance with the timetable.
- (c) abide by the requirements of the Architectural Design Competition brief.
- (d) make every effort to arrive at a consensus in the selection of a winner.
- (e) submit a report explaining their decisions.
- (f) sign a statement confirming they have read and understood the Juror's obligations and agree to respect those obligations for the duration of the Architectural Design Competition

### 4.6 Architectural Design Competition: Obligations of the Proponent and Parramatta Council

The Proponent and Council agree to have no contact with the Jury members outside of the process described in this Brief in relation to the site and the Architectural Design Competition from their time of appointment until the completion of the process.

### 4.7 Architectural Design Competition: Technical Assistance

- (a) The Jury may seek independent technical assistance, if required.
- (b) The technical advisers will be strictly limited to only providing technical advice to the Jury.
- (c) Technical assistance to the Jury

Technical advisers may be appointed to provide technical assistance / advice to the Jury as may be requested by it. The provision of such technical assistance will in no way reduce the responsibility of the Jury. The technical advisers will be bound to confidentiality and shall not be empowered to exclude any information, and shall be limited to providing advice to the Jury.

The following Technical Advisors have been involved in the preparation of the Planning Proposal and may be called upon by the Jury for further consultation:

#### **Town Planning**

Ellen Robertshaw, Partner, DFP Planning

Ph: 99806933

- (d) Technical assistance to Competition Competitors

Holdmark NSW Pty Ltd (The Proponent of the Design Competition) will make available the following consultants to each Competitor and will pay for these consultancy services directly (over and above the competition entry fee) for the number of hours noted below:

## 4 Competition Procedures

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### **Town Planning and Competition Manager**

Ellen Robertshaw, Partner, DFP Planning

Ph: 99806933

Up to seven (7) hours (for each entrant) consultancy advice to be paid by the Proponent for the Design Competition.

### **Quantity Surveyors**

Altus Page Kirkland - Stephen Ngai, Director, Cost Consulting & Project Management

Phone: 02 9283 7311

Email: stephen.ngai@altusgroup.com

The QS will prepare the cost estimate for one concept design solution per Competitor - to be paid for by the Proponent.

### **Valuer**

AEC Group - Esther Cheong Principal, Property Economics & Valuations

Phone: 02 9283 8400

Email: esther.cheong@aecgroup.com

The Valuer will prepare an economic feasibility analysis for one concept design solution for the site per Competitor - to be paid for by the Proponent.

### **Construction Manager**

CPM Consulting - Chris Peter, Director

Phone: 02 9181 1566

Email: chris@cpm-consulting.com.au

The Construction Manager will prepare a buildability analysis and a construction programme for one concept design solution for the site per Competitor - to be paid for by the Proponent.

### **Wind Assessment**

The Proponent's wind impact assessor will consider the summary information provided by each competitor of the wind impact assessment for one concept design solution for the site per Competitor - to be paid for by the Proponent.

### **Façade Engineer**

The Proponent's façade engineer will consider the information provided by each Competitor in respect of the reflectivity and maintainability of the façade design provided by each competitor for each concept design solution for the site per competition. The fee of the façade engineer to assess each design will be paid for by the Proponent.

### **ESD Initiatives**

The Proponent's ESD consultant will consider the summary information provided by each competitor of the ESD assessment for one concept design solution for the site per Competitor - to be paid for by the Proponent.

## 4.8 Communications & Questions

- (a) Competitors should submit any questions in writing to the Competition Manager in accordance with the Competition procedures.
- (b) Questions should be sent to the Competition Manager no later than 14 days before the close of the Architectural Design Competition.
- (c) Answers to these questions will be compiled and sent to all Competitors without revealing the source of the questions.

## 4 Competition Procedures

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- (d) Competitors should not communicate orally regarding any aspect of the Architectural Design Competition, with:
- the Proponent;
  - Parramatta Council;
  - Jurors; or
  - Technical Adviser(s).

### 4.9 Closing Date for Submissions

- (a) Submissions for this Design Competition must be lodged with the Competition Manager not later than **2pm on 18 April 2016**.
- (b) It is the sole responsibility of the competitor to ensure actual delivery of the submission to the Competition Manager by the deadline.

### 4.10 Lodgement of Submissions

- (a) Competitors shall lodge their submissions in a sealed package, to the Competition Manager, at the following address:
- Ellen Robertshaw  
DFP Planning Pty Ltd  
11 Dartford Road, Thornleigh NSW 2120
- (b) The package should be labelled:
- "197 Church Street Parramatta, Architectural Design Competition."*
- (c) Up to two Council Officer(s) nominated as the "observer(s)" by the Consent Authority may be present when the submissions are opened.
- (d) In an Architectural Design Competition, any additional materials received which exceed the submission requirements (as set out in **Section 5.0** of this brief) may not be considered by the Jury, at its discretion.
- (e) To avoid any confusion, each page of each document or drawings submitted must be annotated with the name of the entrant.

### 4.11 Disqualification

At the discretion of the Jury, competitors who provide submissions that breach competition procedures may be disqualified, in particular, where:

- the submission is received after the lodgement time and date identified in 5.10 above; or
- the submission is incomplete in any way or is otherwise not submitted in full accordance with the submission requirements, as stated in this brief; or
- a Competitor is found to be ineligible; or
- a Competitor / participant may reasonably be expected to have obtained an unfair advantage through access to privileged information<sup>4</sup>; or
- a Competitor has breached confidentiality requirements; or
- a competitor attempts to influence the decision of the Jury.

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<sup>4</sup> In accordance with Council's resolution, the *Boomerang*, designed by Robertson + Marks Architects must be included as one of the entrants in the design competition. This shall not be viewed as R+M having an unfair advantage.

## 4 Competition Procedures

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The Jury will determine any disqualifications at its sole discretion. The Competition Manager may confer with the Jury relating to disqualification, but this decision shall be final and no correspondence shall be entered into.

### 4.12 Architectural Design Competition: Jury Assessment & Decision

- (a) A minimum of four (4) competitive submissions including the Boomerang design by Robertson and Marks (as nominated in item (b) of the Council resolution of 7 December 2015), are to be considered in the Design Competition.
- (b) A copy of the submissions will be distributed to the Jury members at least one week prior to the convened Jury meeting, a site inspection will be carried out for them, and the consent authority will provide a summary of planning controls.
- (c) The Competitors must present their entry to the Jury in person. The presentation must be no longer than 30 minutes followed by questions from the Jury.
- (d) Observers of the Proponent and the Consent Authority will be permitted to attend the presentations but may not ask questions or otherwise participate in the proceedings.
- (e) Each competitor's submission may be graded by the Jury
- (f) The Jury is expected to reach a decision on the winning entry or whether to request any redesign within 7 days and will submit a Jury report (referred to as the Architectural Design Competition Report) to the Proponent and the Consent Authority, within 14 days of its decision. The Competition Manager is available to assist the Jury in the preparation of its Design Competition Report.
- (g) The Design Competition Report must include the following:
  - A summary of the competition process, including a copy of the brief
  - An assessment of the design merits of each entry
  - The Jury's decision, including the reasons for the choice of the nominated design and how that design exhibits design excellence
  - Any recommendations regarding modifications to the nominated design or any conditions of consent which might be imposed in order to achieve design excellence.
- (h) The Jury's decision will be via a majority vote. Unanimous agreement is preferred but not required.
- (i) The Jury may recommend that none of the entries exhibit design excellence and thus end the Architectural Design Competition.
- (j) In the event that the jury cannot reach a decision but the jury feel that one or two of the schemes have the potential to achieve design excellence with changes the architects will have the opportunity to modify their scheme and re-present to the jury.

The cost of any such review by the jury will be borne by the Proponent.

### 4.13 Appointment of the Architect of the Preferred Proposal

- (a) The Proponent intends to appoint the architect of the winning entry as selected by the Jury. Full design and documentation of the winning proposal will then occur.

The architectural commission is expected to include (without limitation):

- preparation of a DA;
- preparation of the design drawings and other associated information for a construction certificate;

## 4 Competition Procedures

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- preparation of the design drawings and other associated information for the contract documentation and construction; and
- continuity during the construction phases through to the completion of the project.
- leadership, management and coordination of all other consultants required to expeditiously enable all necessary design and construction documentation to be prepared.

The Proponent and the Consent Authority shall have the right to display, photograph or otherwise duplicate or record all submission documentation for publication, publicity or other purposes. Any such reproductions shall acknowledge the author. Further use of such designs (including reproduction in whole or part) shall be at the discretion of the Proponent following payment of the competition fee.

Execution of the Invitation and Acceptance letter shall be deemed as legal permission for the Proponent to publish the Competitors' designs. No compensation shall be made for such reproduction or publication.

- (b) The winning architect is expected to be appointed within 30 days following the Architectural Design Competition results being made public, provided the architect's fees do not exceed the architectural fees paid for comparable projects.
- (c) An indicative program for construction is 24 - 30 months. (NOTE: Each competitor must submit a construction timeline for each proposed design as per **Section 5** of this Brief).
- (d) The Proponent has the sole discretion to decide whether or not to proceed with the winning entry, or limit the architectural commission outlined above. If the Proponent decides not to proceed with the winning entry, a new Design Competition will be required.
- (e) The appointment of the winning entrant is likely to be on the basis of the Proponent's standard contract for engagement of consultants.

### 4.14 Announcement

- (a) The Architectural Design Competition results will be made public within 21 days of the appointment of the winning competitor.
- (b) The Competition Manager will advise Competitors in writing of the decision.

### 4.15 Care of Material and Insurance

- (a) It is each competitor's responsibility to wrap, ship, mail or deliver by other means, their submission, ensuring timely and intact arrival by the closing date and time. The Proponent disclaims any responsibility for any loss or damage during transit.
- (b) No liability shall be attached to the Proponent regarding the submissions, whilst in the possession of the Proponent. All reasonable care shall be taken to maintain the submissions in good condition, but a limited amount of 'wear and tear' is inevitable. Competitors are advised to make copies of their submissions, so as to retain a copy of their work.
- (c) Responsibility for insuring submissions rests solely with Competitors.
- (d) Proponent may retain all material submitted by the competitors and use it at its discretion after payment of the competition fee.

## 4 Competition Procedures

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### 4.16 Competition Fee

- (a) A competition fee of \$75,000 (plus GST) shall be paid to each competitor for participating in this invited Architectural Design Competition and providing a complying submission by the due date and time.
- (b) The fee will be paid to each competitor within 30 days of receipt of an invoice which can be submitted to the Proponent following declaration of the result of the Design Competition.
- (c) In addition to the above fee, the Proponent will pay the fees of the nominated quantity surveyor, construction manager and valuer who will prepare the commercial analyses of each Competitor's design as noted in **Section 4.7** above.

Upon receipt of evidence that a comprehensive competition submission has been lodged in compliance with the Brief, and after the announcement of the winner of the Competition, the agreed fee will be payable to the Competitor.

### 4.17 Copyright

Subject to the other Conditions of this brief, copyright for each submission shall remain in the ownership of the original author(s) unless separately negotiated between the Proponent and the winning architect.

### 4.18 Confidentiality

The Proponent, observer(s) and competition Jurors shall observe complete confidentiality in relation to all submissions received, prior to a decision in relation to the competition that is made public.

# 5 Submission Requirements

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## 5.1 General

The submission must be clear and concise, with comprehensive written design information to complement and explain the graphic presentation.

Submissions are to comply with the following requirements. Competitors are advised to carefully study these requirements and strictly adhere to them. Failure to meet these requirements may, at the discretion of the Competition Manager, result in the disqualification of the submission.

If a Competitor considers that a scheme that is not generally in accordance with the Planning Proposal and the provisions of the Council resolution of 7 December 2015 better meets the urban design, planning, architectural design and development objectives for the site, then the participant may submit this scheme in addition to a conforming scheme. All schemes must comply with the provisions of SEPP 65 and appropriately address the ADG. All schemes will be fully considered by the Jury providing they are accompanied by all reasonable information justifying the non-compliance.

Six (6) copies of the design statement shall be provided, except where otherwise noted as below.

## 5.2 Drawings & Graphics

(a) Each Competitors submission shall include:

- Existing Site Plan (at a scale appropriate for the design). The Proponent will provide a survey plan in dwg file format.
- Aerial Photograph (1 at a scale appropriate for the site in order to provide sufficient context)
- Site Analysis Plan / Local Context Sketch Plan
- Sketch Concept Plan
- Plans, elevations and sections sufficient to explain every level and facade of the proposed building (at a scale appropriate for the design)
- Ground floor plan demonstrating interface with street frontages including the relationship to the public domain (1:100)
- Landscape / Public Domain Plan demonstrating the treatment to the communal open space and publicly accessible open space areas (1:100)
- 3-D massing or modulation study
- Shadow diagrams
- 3 computer generated photomontage(s) of the proposal in its context. The locations from which the photographs for the montages are to be taken are:
  - Looking north west from the north western corner of 160-182 Church Street (Aspire site)
  - Looking south west from the north eastern corner of Church Street and George Street
  - Looking west along Macquarie Street from the southern side of Macquarie Street opposite the intersection with Horwood Close
- A materials or image board or images demonstrating the proposed finishes and materials. In particular, low maintenance finishes and high quality materials should be used.

## 5 Submission Requirements

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- An electronic 3D model to Council's requirements is to be submitted. The requirements for the model are included at **Appendix 7** to the brief.
- (b) Concise design statement (maximum of 7 pages) signed by a Director/Principal of each of the two firms comprising the Competitor and which includes comprehensive justification for the submitted design in respect of its urban context and explaining how best practice urban design principles are achieved, how the non-negotiable design parameters have been met and how the submitted design achieves design excellence. The Statement should also address the proposal's approach, the response to each of the brief's objectives and the manner in which design excellence is achieved. A schedule is also required showing the uses, percentage and numbers of each use the indicative FSR, gross floor area and construction methodology/buildability. Refer also to each of the detailed information requirements to be provided by each competitor as set out in this Brief.
- (c) Each competitor must provide a statement prepared by an appropriately qualified engineer in each case, assessing:
  - i. The wind impacts of the proposed design.
  - ii. The reflectivity and maintainability of the façade of the proposed design.
  - iii. The ESD implications and features of the proposed design.
- (d) The main communication tool will be PowerPoint file.
- (e) Photomontages should be included as part of the electronic presentation but it would be of great assistance to the jury to also have these presented as A1 size display panels.
- (f) Presentation material may be printed, photocopied, photographed, or reproduced in any manner chosen by the competitor.
- (g) Presentation material must be of a quality suitable for public exhibition.
- (h) Names of competitors are to be clearly visible on entries.
- (i) Each plan, elevation and section is to include reference to the adjacent properties.

### 5.3 SEPP 65 and Apartment Design Guideline

Each entry is to include (but is not limited to) a design statement which addresses the nine (9) design quality principles set out in Part 2 of State Environmental Planning Policy No. 65 - Design Quality of Residential Apartment Development. An assessment of the submitted design against the relevant provisions of the ADG shall also be submitted. Where the design does not comply with the ADG, justification for non-compliance(s) shall be provided.

### 5.4 Area Schedules

Each submission shall include the following (floor by floor) area schedules:

- Gross Floor Area ("GFA") using the definition in the Parramatta LEP 2011; and
- Nett Lettable Area ("NLA") using Property Council of Australia's definition.
- Strata areas for each lot of the residential components.
- Gross Floor Area measured in accordance with the AIQS method of measurement.
- Yield schedule of product (including car parks)
- Efficiency ratio (net useable areas: gross floor slab areas)

Council's estimated efficiency rates are 75% for residential floor plates and 80% for commercial floor plates.



## 5 Submission Requirements

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### 5.5 Fee Proposal

Each Competitor must provide a detailed fee proposal including design timeline/programme to provide architectural services if selected as winner. The architect finally appointed will be required to brief, lead, manage and co-ordinate all other project consultants.

### 5.6 Statement of compliance

Each submission must also include a statement prepared by a suitably qualified person indicating the proposal's compliance with the objectives of and the controls embodied within the Planning Proposal, Council's resolution of 7 December 2015 in relation to the Planning Proposal, Parramatta Local Environmental Plan 2011, Parramatta Development Control Plan, the endorsed Design Excellence Strategy, and relevant state planning policies, including (but not limited to), State Environmental Planning Policy No. 65 - Design Quality of Residential Flat Development and the Apartment Design Guideline. If the proposal proposes any non-conformances, these are to be listed and detailed evidence provided justifying the non-compliance in each case.

A statement as to the manner in which the submitted design achieves design excellence shall also be submitted.

### 5.7 Construction Costs and Financial Feasibility Analysis (including Buildability Report and Construction Program)

- (a) All participants must provide sufficient information to the Proponent's nominated Valuer to enable the Valuer to undertake a high level financial feasibility assessment of the design to be submitted to the jury.
- (a) All participants must provide sufficient information to the Proponent's nominated quantity surveyor (QS) to enable the QS to prepare a building cost estimate of the design to be submitted to the jury.
- (b) All participants must provide sufficient information to the Proponent's nominated Buildability & Construction Manager to enable the Buildability & Construction Manager to prepare an indicative construction programme for and undertake an buildability assessment of the design to be submitted to the jury.
- (c) All of the reports from the Valuer, the QS and the Buildability & Construction Manager **must** be included in and be part of each participant's submission which must be lodged by the competition lodgement date. All of these reports will be made available to the Jury. Therefore it is imperative that the Proponent's nominated consultants be given sufficient time to assess the designs and prepare their reports. In this regard, the information will be required to be provided to both the nominated QS and the Buildability & Construction Manager at least 10 days prior to the completion of the competition. Once the Building Cost Estimate and the Construction Programme and Buildability Analysis have been completed for each design, these will be provided to the Valuer to enable the feasibility assessment to be completed. If the information is not provided to the relevant nominated consultants within the specified time frame, the required assessments will not be able to be completed for consideration by the jury and the submission will be deemed to be incomplete and may be disqualified. No time extensions will be granted.

### 5.8 Ecologically Sustainable Development

Each submission must include an ESD report (including a summary report) outlining the ESD initiatives proposed with the submitted design – see also Section 3.2.2 of this brief. The cost of providing this report is included within the fee paid to each Competitor.

## 5 Submission Requirements

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### 5.9 Structural Concept Design

Each submission must include a structural concept design solution prepared by a qualified structural engineer who must provide written certification that the structural concept design solution will enable the architectural design (including the areas and layouts shown on the drawings and schedules) to be delivered. The cost of preparing this design is included within the fee paid to each Competitor.

### 5.10 Wind Assessment

Each submission must include a wind impact assessment (including a summary assessment) demonstrating how wind impacts on pedestrian and public domain areas surrounding the site have been considered and what measures are to be implemented to negate wind impacts. The cost of providing this assessment is included within the fee paid to each Competitor.

### 5.11 Credentials of Competitors

Each submission must include a summary of the credentials and track-record of each firm in the collaboration comprising each Competitor. This summary must also include an outline explaining and justifying the capacity of the Competitor to undertake the role of Architect for this major development. The summary must be signed by a director/principal of each firm in the Competitor collaboration.

### 5.12 CD containing all submission documents

Each submission is to include six (6) x CD's containing ALL submission documentation. One (1) CD will be provided to each member of the Jury and is to be appropriately labelled.

**Directors**

**A J Barthelmess**

Dip. Eng, MEng, MIEAust

**E H Rigby**

BE., MEngSc., FIEAust, FASCE, MACS,  
CPeng, NPER3(481553)

**RIENCO CONSULTING**

Water Engineering Specialists

PO Box 3094, Austinmer NSW 2515

**Holdmark Property Group**  
**Suite 2/2-4 Giffnock Ave,**  
**MACQUARIE PARK NSW 2113**

Your Ref: N/A

Our Ref: 15065-03

Date: 28<sup>th</sup> April 2016

Attn: Ellen Robertshaw – Don Fox Planning

**RE: ADDENDUM TO DESIGN COMPETITION BRIEF**

Following from Friday's meeting with Parramatta City Council, we provide the following addendum to our original design competition brief dated 11<sup>th</sup> March 2016. We understand that this addendum addresses the Section 117 Direction 4.3 and allows the Planning Proposal to be sent to the Department of Planning for Gateway determination. The addendum provides updated advice in three key areas as further detailed below (with the highlighted sections in **blue font** different to the previous revision of this addendum).

For this purpose, the 1% AEP refers to the 1 in 100 year flood levels adopted by Council for the Parramatta River at this site. The flood planning level is the 1% AEP flood level + 500 mm freeboard. The Probable Maximum Flood (PMF) may be assumed to be RL 12.9 (along the site's western boundary to Marsden Street) and RL 12.7m (at the site's eastern frontage to Church Street).

**Evacuation Strategy.**

As noted in our original design brief (Section 3.6), the subject site is located within a flash flood environment. For larger, design floods (1% AEP and rarer) there is not enough lead time available prior to the commencement of flooding to allow residents to safely evacuate. As such, a shelter-in-place strategy is required for the proposed development. There is no change to this advice as a result of this addendum, however design competition participants must demonstrate that due consideration to the following has been provided in the design:

1. All residential habitable floor levels to be located above the PMF level (as per the original design brief requirements).
2. Adequate shelter-in-place is provide via a PMF free refuge for people other than the permanent residents, such as:
  - a. Visitors to the residents
  - b. Users of the commercial areas
  - c. Other occupants of the building (such as security staff).
3. PCC requests that designers allocate an area above the PMF, to facilitate an emergency response. Such equipment that may be utilised in this space would be emergency food and water supplies, generators capable of producing power for emergency purposes, defibrillators and other medical supplies etc.

4. PCC requests that designers must consider how a fire will be fought if it coincided with the peak of the PMF.

### **Basement Carpark**

Design competition participants must demonstrate that due consideration to the following has been provided in the design, [to ensure that flood water does not enter the basement carpark](#):

1. PCC requests that the adequate ventilation of the basement carpark be considered during the PMF event.
2. Disabled car spaces located as high as possible in the basement carpark.
3. Confirmation of how the basement carpark will be protected from flooding for all events up to and including the PMF. For example, the ramp entry from the street level being set at the 1% AEP + 500mm, with the provision of supplementary other flood mitigation protection devices (e.g. – flood gates etc), or other design responses to achieve this outcome. We note that physical protection of the basement from flooding (i.e. the ramp crest level) is more failsafe than the supplementary measures, and the design participant shall demonstrate how the access ramp crests have been determined to be as high as possible.
4. PCC notes that the use of flood gates is not the preferred option and must only be used as a last resort due to their potential to fail in a major flood if they are not regularly checked, operated and properly maintained throughout the full life of the building.

### **Ground Floor Plan.**

It is requested that design competition participants must demonstrate that due consideration to the following has been provided in the design:

1. All residential habitable floor levels to be located above the PMF level (as per the original design brief requirements).
2. [All commercial floor space that meets the criteria defined in PCC's DCP as \*area used for offices or to store valuable possessions susceptible to flood damage in the event of a flood\* shall be set at a minimum 1% AEP flood level plus 500 mm. For other circumstances, Council is currently reviewing the potential for non-habitable floor levels under some types of commercial development to be below the 1% AEP Flood Planning level at street level provided they are designed to minimise damage to property and risk to life. If this is adopted by Council then lower levels may be permitted where it is impractical to achieve the 1% AEP Flood Planning level standard \(e.g. for footpath access\) provided flood damage is not greater than would occur if the 1% AEP Flood Planning level standard was adopted.](#)
3. [Care needs to be taken to ensure that flood proofing does not result in access doors being sealed and unusable in an emergency. It is strongly recommended that ramping and stairs be used to access higher floor levels that meet the minimum Flood Planning level of 1% + 500mm freeboard. The definition of habitable floor levels should be consistent with the NSW Floodplain Development Manual.](#)
4. In the instance where a design solution is required to resolve any 'step' between the existing external streetscape levels and the proposed FFL's, the design competition participant shall provide an acceptable urban design outcome in terms of the location and design of stairs and ramps (and other transitions) that might be required in order

to address the difference in level between the public domain and the finished floor level(s).

A plan of the ground floor area will be required to be submitted as part of the participant's entry to demonstrate how these objectives have been met/satisfied.

A handwritten signature in black ink, appearing to read 'Anthony Barthelmess', with a long horizontal flourish extending to the right.

Anthony Barthelmess  
Managing Director  
0416 274447  
[anthony.barthelmess@rienco.com.au](mailto:anthony.barthelmess@rienco.com.au)