

## FURTHER REPORT TO SYDNEY WEST JRPP

<b>JRPP No</b>	2013SYW045
<b>DA Number</b>	DA/241/2013
<b>Local Government Area</b>	Parramatta City Council
<b>Proposed Development</b>	Demolition, tree removal and construction of a 22 storey mixed use development containing 156 apartments and 7 commercial units over basement car parking. The application includes the retention of the existing heritage items on site for use as commercial premises
<b>Street Address</b>	113-117A Wigram Street, Harris Park & 23-29 Hassall Street, Parramatta

### Background

The above application was considered by the Sydney West JRPP on 21 August 2014. Concerns were raised by the Panel Members with regard to the height of the proposed development which exceeded the Design Jury recommendation by 2 storeys.

The Panel deferred the determination of the application and resolved the following at that meeting:

*The panel is unable to decide this matter today because of the departure of the proposal from the recommendation of the Design Jury in relation to the difference in height to the roof from that previously accepted by the Design Jury.*

*The panel requires the Council to promptly refer the proposal in its current form to the Design Jury for its advice in this regard. The Design Jury is asked to consider whether the proposal in its current form displays design excellence and provides a satisfactory transition between the city centre and surrounds.*

*The Panel will consider the matter at a public meeting again when Council supplies a supplementary report based on the findings of the Design Jury.*

### Design Competition Jury

The application was referred to the Design Competition Jury.

The Jury consisted of the following members:

Darlene van der Breggen  
Peter John Cantrell  
Allan Caladine

Department of Planning Representative  
Council Representative  
Applicant Representative

It is noted that 2 out of 3 Jury members were the same as those who considered the original competition entrants. The Department of Planning representative has changed as the original member (Elisabeth Peet) no longer works at the Department.

The Jury members considered the application and provided the following comments:

Comments from Allan Caladine:

*In response to the JRPP's request, I have considered the design before the JRPP and have formed the view that:*

- *the building remains an aesthetically pleasing tower, notwithstanding the increase in building height;*
- *the increase in height whilst increasing bulk and scale is acceptable given it's quality design and transitional context;*
- *the proposed building promotes a tall slender tower that will readily fit within its eclectic context, causing no unreasonable amenity impacts upon other developments, including the public domain in this precinct*
- *this slender tower allows views between buildings and of the skyline;*
- *the increase in height allows the development to achieve the maximum FSR permissible pursuant to the design excellence competition controls contained within the Parramatta City Centre LEP 2007;*
- *the increase in height and FSR allows monetary funds to be received to restore the existing heritage cottages and have them maintained in perpetuity. In view of such the additional height to ensure works are undertaken in accordance with the Heritage Conservation Management Plan, is in the public interest;*

*Having regards to the above comments, the proposal is acceptable and warrants in my view favourable consideration by the JRPP.*

Comments from Darlene van der Breggen and Peter John Cantrell:

*It is noted that the competition Jury agreed to an increase in the height from 54m to 63m. As the site is located at the junction of the 54m and 72m height zones, the rationale was that a transitional height of 63m (half way between the two controls) is appropriate at this location only. It was also recognised that the additional height would maximise the tower setback from the heritage cottages.*

*The key concerns with the requested height increase are:*

- *The agreed height is already 9m above the existing controls*
- *There is little urban design or architectural justification for the additional height and no diagrams have been provided to show this change in context.*
- *The additional height negates the benefits of extra tower setback on the heritage cottages.*
- *The building is very wide and a height increase of 2 stories will not transform it into a slender tower (this would require a narrowing of floor plate).*

*Furthermore some of the design changes that were requested by the Competition Jury have not been adequately resolved:*



- The 'ribbon' walls are excessively curved and prominent as a backdrop for the heritage cottages. The proposed adjustments have not adequately addressed the Jury requirement in relation to this issue. There is no indication that the alternative design has been presented to or endorsed by the Parramatta Design Excellence Advisory Panel, as recommended by the Jury.
- Simplification of the façade design – it is unclear why the operable glass façade needs to be angled back at the eastern ends of the north and south elevations. The resolution of the external design still consists of too many conflicting ideas and increasing the building height will make these more prominent.
- The full sun access analysis, 'clearly demonstrated with diagrams' has not been provided.

*In view of the above, the proposed height increase is not considered reasonable or justified.*

Copies of the Design Jury responses are at **Attachment 1**.

### **Planning Comment**

It is noted that 2 out of the 3 Jury members do not support the proposed increase in height above the recommended 63m height limit.

Notwithstanding the majority non-support from the Jury members, Council officers maintain support of the proposed height and the original recommendation to the JRPP. In this regard, the following is also noted in response to the matters raised by the Design Competition Jury:

- The original concept from Architex considered at the first Design Competition was for a 24 storey building with a height of 76m. The Jury commented on this scheme in part as follows:

*This scheme retains an additional existing cottage on Wigram Street to create a unified low scaled street frontage. This strategy reduces the site area available for the tower which is positioned behind the heritage items. In order to accommodate the allowable floor space, the proposed tower is 76m high breaching the height limit for the site by 16.6m. The jury is of the opinion that the more slender taller tower set well behind the heritage items results in a better built form outcome for the site but is not necessarily supportive of such a large breach in the height control.*

The current application incorporates a building that is less than 76m in height but above the recommended 63m. The floor plate size and boundary setbacks remain substantially unaltered from the original design scheme that was considered by the Jury. In this regard, it is unclear when considering the current design, why a taller building with a similar sized floor plate would not create a more slender taller tower.



- Council officers note the local context and how the proposed development will be compatible with the area.
- Future development within the Parramatta City Centre is undergoing review. The **Draft Parramatta City Centre Planning Framework Review** which focuses on creating new draft planning controls that encourage and allow world class development, active public spaces, and sustainable building design in the City Centre went on public exhibition on 8 October 2014. This review focusses on floor space ratio, floor plate size and setback controls to provide for slender towers throughout the City. Recommendations relevant to the current application include:
  - Tower slenderness based upon maximum floor plates – 800m<sup>2</sup> for residential up to 75m in height
  - Maximum 10:1 FSR with no height controls.

The proposed development is consistent with this strategic vision for the City as the tower has a floor plate of less than 550m<sup>2</sup> and a floor space of 4.37:1.

- A planning proposal and development application are currently under assessment for the site located across the road, to the north of the subject site (known as 189 Macquarie Street). These applications propose a 30 storey mixed use development containing 425 units with an overall height of 92.5m. This development will be over 23m higher than the subject application. This planning proposal has been exhibited and is currently with the Department for finalisation, and therefore is a matter for consideration under Section 79C of the EP&A Act.
- A design competition (LA/121/2013) has been held and approved for a mixed use development at 39-43 Hassall Street (which is one development site away to the east from the subject site). This proposal is 67m in height and is therefore comparable to the subject application.
- A planning proposal (RZ/9/2014) is currently under assessment for 11 Hassall Street and a design competition (LA/187/2014) has been held and approved for a mixed use development. This proposal is 130m in height. The planning proposal was forwarded to the Department of Planning for gateway determination on 22/9/2014.
- Preliminary concepts for a design competition have been received for a mixed use development at 7 Hassall Street. This proposal is 130m in height.

A map indicating the location of the above proposed development is at **Attachment 2**.

Photomontages from the Design Competition reports mentioned above are at **Attachment 3**.

It is therefore considered that the height of the proposed development is compatible with the likely future character of the area and acceptable within the context of the locality.

- The application was considered by Council's Heritage Advisor and no objection was raised with respect to the height of the proposed development. Discussions have been held with Council's Heritage Officer who advises that the additional 2 storeys would not further impact upon the heritage cottages.
- One of the objectives of the height controls within LEP 2007 is *"to nominate heights that will provide a transition in built form and land use intensity within the area covered by this Plan"*.

The proposed development is located on the edge of a 54m height zone, with a 72m height zone located directly opposite to the west. It is noted that the 72m height zone does not include the 10% height and floor space design excellence bonuses (which would therefore potentially allow buildings to a height of 79.2m). As the building has a height of 69.3m, it will provide for a height transition between the street block to the west and development behind to the east and south of the subject site.

Notwithstanding this, it is acknowledged that the height transitions have already been breached when considering the current planning proposal for a 92.5m high building to the north (189 Macquarie Street), and the proposed 67m high mixed use development to the east (39-43 Hassall Street).

The response from two members of the Jury incorporate comments with respect to previous design recommendations made by the Jury as part of the Design Competition. These design recommendations were addressed by the applicant and were reviewed and assessed by Council's Urban Design Team. It was considered that the design recommendations were satisfactorily addressed within the development application and no further amendments regarding these matters were required. This is discussed within the original assessment report provided to the JRPP for consideration.

### **Recommendation**

That the Sydney West Joint Regional Planning Panel approve the application as recommended within the Section 79C report considered at the previous meeting held on 21 August 2014.

**Kate Lafferty**  
**Senior Development Assessment Officer**  
**Parramatta Council**  
**15 October 2014**



**Attachments:**

Attachment 1	Design Jury comments
Attachment 2	Map of development proposals within the area
Attachment 3	Design Competition photomontages

# Attachment 1

**Katherine Lafferty**

---

**From:** Penelope Bowen <pbowen@parracity.nsw.gov.au>  
**Sent:** Friday, 10 October 2014 3:42 PM  
**Subject:** FW: Design Excellence Competition - Review of Jury Decision - 31 - 37 Hassall Street and 113 - 117 Wigram Street Parramatta

Kate,

The comments from the jury are below Darlene and Peter John do not agree to the extra height and Allan Caladine does. Darlene and Peter meet but Allan compiled his comments separately.

Regards

Penny

**From:** Darlene Van Der Breggen [mailto:darlene.vanderbreggen@finance.nsw.gov.au]  
**Sent:** Friday, 10 October 2014 3:36 PM  
**To:** Penelope Bowen  
**Cc:** 'caladines@optusnet.com.au'; peterjohn.cantrill@icloud.com  
**Subject:** FW: Design Excellence Competition - Review of Jury Decision - 31 - 37 Hassall Street and 113 - 117 Wigram Street Parramatta

Dear Penny,

Further to your request for advice relating to the proposed increase in building height, Peter John Cantrill and I have met to review the revised materials.

Our comments are based on Architex Drawings - sent on 16<sup>th</sup> September and 7<sup>th</sup> October.

It is noted that the competition Jury agreed to an increase in the height from 54m to 63m. As the site is located at the junction of the 54m and 72m height zones, the rationale was that a transitional height of 63m (half way between the two controls) is appropriate at this location only. It was also recognised that the additional height would maximise the tower setback from the heritage cottages.

The key concerns with the requested height increase are:

- The agreed height is already 9m above the existing controls
- There is little urban design or architectural justification for the additional height and no diagrams have been provided to show this change in context.
- The additional height negates the benefits of extra tower setback on the heritage cottages.
- The building is very wide and a height increase of 2 stories will not transform it into a slender tower (this would require a narrowing of floor plate)

Furthermore some of the design changes that were requested by the Competition Jury have not been adequately resolved:

- The 'ribbon' walls are excessively curved and prominent as a backdrop for the heritage cottages. The proposed adjustments have not adequately addressed the Jury requirement in relation to this issue. There is no indication that the alternative design has been presented to or endorsed by the Parramatta Design Excellence Advisory Panel, as recommended by the Jury.
- Simplification of the façade design – it is unclear why the operable glass façade needs to be angled back at the eastern ends of the north and south elevations. The resolution of the external design still consists of too many conflicting ideas and increasing the building height will make these more prominent.
- The full sun access analysis, 'clearly demonstrated with diagrams' has not been provided.

In view of the above, the proposed height increase is not considered reasonable or justified.

Regards

Peter John Cantrill

DARLENE VAN DER BREGGEN

A / PRINCIPAL ARCHITECT

ARN 4646

T 02 9372 8447 F 02 9372 8366 M 0447 693 926

Level 18 McKell Building, 2 - 24 Rawson Place SYDNEY NSW 2000

[darlene.vanderbreggen@finance.nsw.gov.au](mailto:darlene.vanderbreggen@finance.nsw.gov.au) [www.publicworks.nsw.gov.au](http://www.publicworks.nsw.gov.au)



Public Works  
Government Architect's Office

A Division of the Office of Finance & Services

**From:** Penelope Bowen [<mailto:PBowen@parracity.nsw.gov.au>]

**Sent:** Tuesday, 7 October 2014 11:22 AM

**To:** Darlene Van Der Breggen; [peterjohn.cantrill@icloud.com](mailto:peterjohn.cantrill@icloud.com)

**Subject:** FW: Design Excellence Competition - Review of Jury Decision - 31 - 37 Hassall Street and 113 - 117 Wigram Street Parramatta

Darlene & Peter John,

See below for Allan's comments.

Regards

Penny

**From:** Allan Caladine [<mailto:caladines@optusnet.com.au>]

**Sent:** Tuesday, 7 October 2014 10:38 AM

**To:** Penelope Bowen

**Cc:** Katherine Lafferty

**Subject:** Design Excellence Competition - Review of Jury Decision - 31 - 37 Hassall Street and 113 - 117 Wigram Street Parramatta

Penny,

Hi.

Reference is made to your recent email concerning this matter. As you are aware the Design Excellence Competition was held on 11 October 2012. It was agreed that none of the entrants had achieved Design Excellence however two (2) of the designs were worthy of being considered as part of a second round competition, subject to suggestions provided by the Jury.

The second round of the competition was held on 6 December 2012 and as a result of this the Jury unanimously agreed the Architex design scheme had achieved design excellence and was worthy of winning the competition subject to some minor design changes that could be dealt with as part of the DA submission. The Jury stated that:

*"The scheme by Architex Pty Ltd had a unique approach to heritage retaining an additional cottage between the two items to create a unified low scale heritage streetscape with a slender simple tower form*



*set well behind. The jury was of the opinion that this approach is the best outcome for the site and this scheme was selected as the winner of the competition”.*

As part of the Judges scoring sheet, the Judges also made the following comments:

*“Original scheme was 24 storeys. Now reduced to 20 storeys.*

*Complies with the 63m height specified in advice to competition entrants progressing to the second stage of the competition.*

*Entrant plans to use LEP Clause 35.9 8(e) to vary the height control under the LEP”.*

I am aware that a DA for the development of this site was lodged following the Design Excellence Competition. I am also aware that the DA submission included additional height (approximately 2 storey's) above that approved by the Jury in order to maximise the permissible FSR for this site.

You have now advised that because the DA submission includes additional building height (approximately 2 storey's) above that approved by the Architectural Design Competition Jury, the JRPP has requested advice from the Architectural Design Competition Jury about whether the proposed increase in building height is reasonable.

In response to the JRPP's request, I have considered the design before the JRPP and have formed the view that:

- the building remains an aesthetically pleasing tower, notwithstanding the increase in building height;
- the increase in height whilst increasing bulk and scale is acceptable given it's quality design and transitional context;
- the proposed building promotes a tall slender tower that will readily fit within its eclectic context, causing no unreasonable amenity impacts upon other developments, including the public domain in this precinct
- this slender tower allows views between buildings and of the skyline;
- the increase in height allows the development to achieve the maximum FSR permissible pursuant to the design excellence competition controls contained within the Parramatta City Centre LEP 2007;
- the increase in height and FSR allows monetary funds to be received to restore the existing heritage cottages and have them maintained in perpetuity. In view of such the additional height to ensure works are undertaken in accordance with the Heritage Conservation Management Plan, is in the public interest;

Having regards to the above comments, the proposal is acceptable and warrants in my view favourable consideration by the JRPP.

Regards,

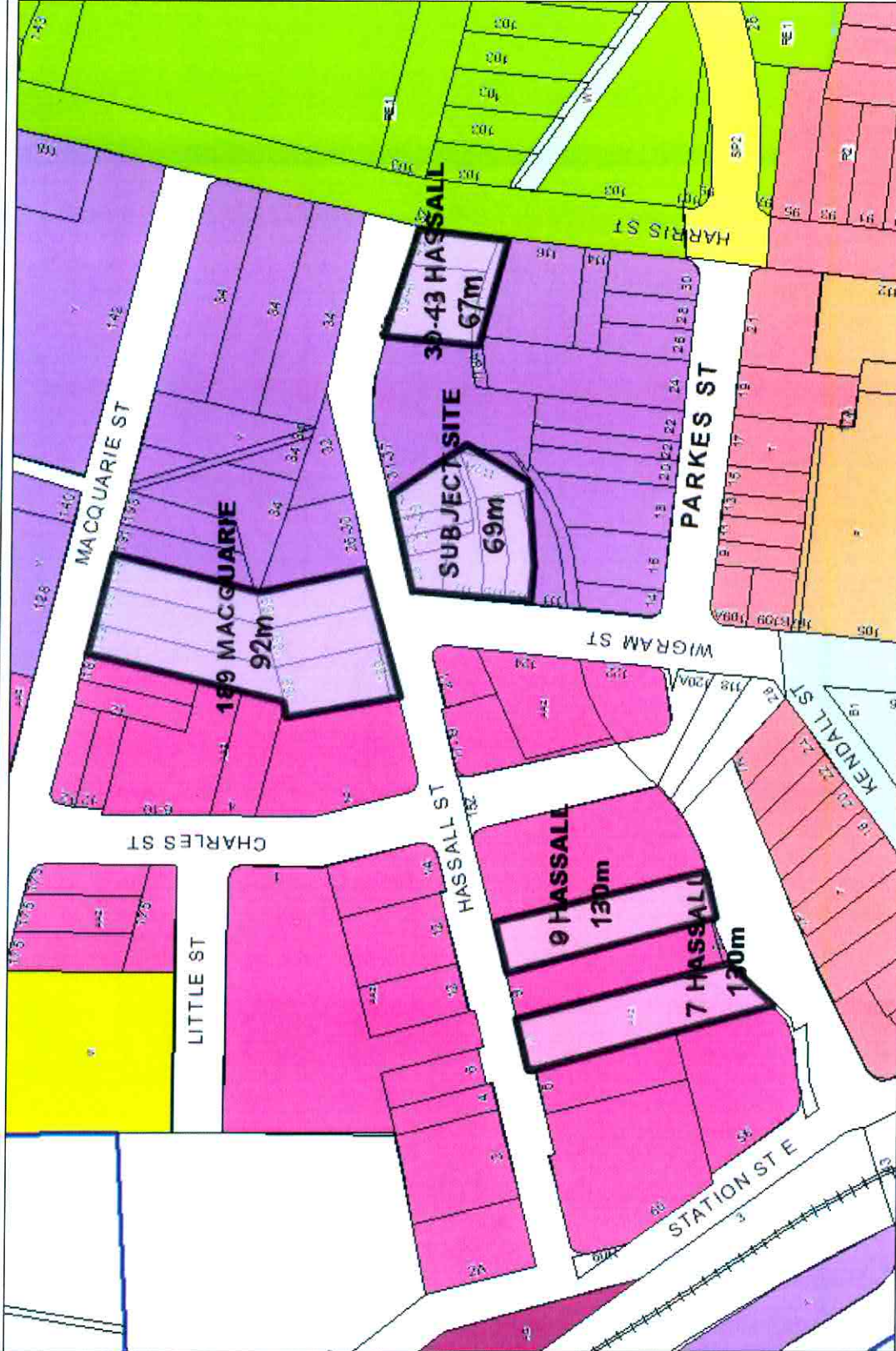
Allan Caladine  
Town Planning Consultant

Caladines Town Planning Pty Ltd  
1 Lynbrook Court  
Castle Hill NSW 2154



# Attachment 2

## DEVELOPMENT PROPOSALS IN THE AREA



### Legend

- Street Names
- Parcel
- Railway Station
- Railway Line
- Land Zoning
- B1 Neighbourhood Centre
- B2 Local Centre
- B4 Mixed Use
- B5 Business Development
- B6 Enterprise Corridor
- E2 Environmental Conservation
- E3 Environmental Management
- IN1 General Industrial
- IN2 Light Industrial
- IN3 Heavy Industrial
- R1 General Residential
- R2 Low Density Residential
- R3 Medium Density Residential
- R4 High Density Residential
- RE1 Public Recreation
- RE2 Private Recreation
- SP1 Special Activities
- SP2 Infrastructure
- W1 Natural Waterways
- W2 Recreational Waterways
- Refer to table in Clause 29E
- Height of Building

### EXISTING HEIGHT CONTROLS - LEP2007



Maps Updated and Published by ICT, Parramatta City Council  
Copyright Parramatta Council 2014  
Base data supplied from NSW Department of Lands  
Projection - Map Grid of Australia (MGA94)  
Datum - Geocentric Datum of Australia (GDA94)

1: 2,368

120.3 Meters

0

60.14

120.3

Disclaimer: While every effort has been made to ensure the correctness of the information on this map at the time of its Production, Parramatta City Council does not warrant their information or plans do not contain errors and the Council shall be in no way liable for any loss, damage or injury as a result of any such errors.

Printed 15/10/2014



# Attachment 3

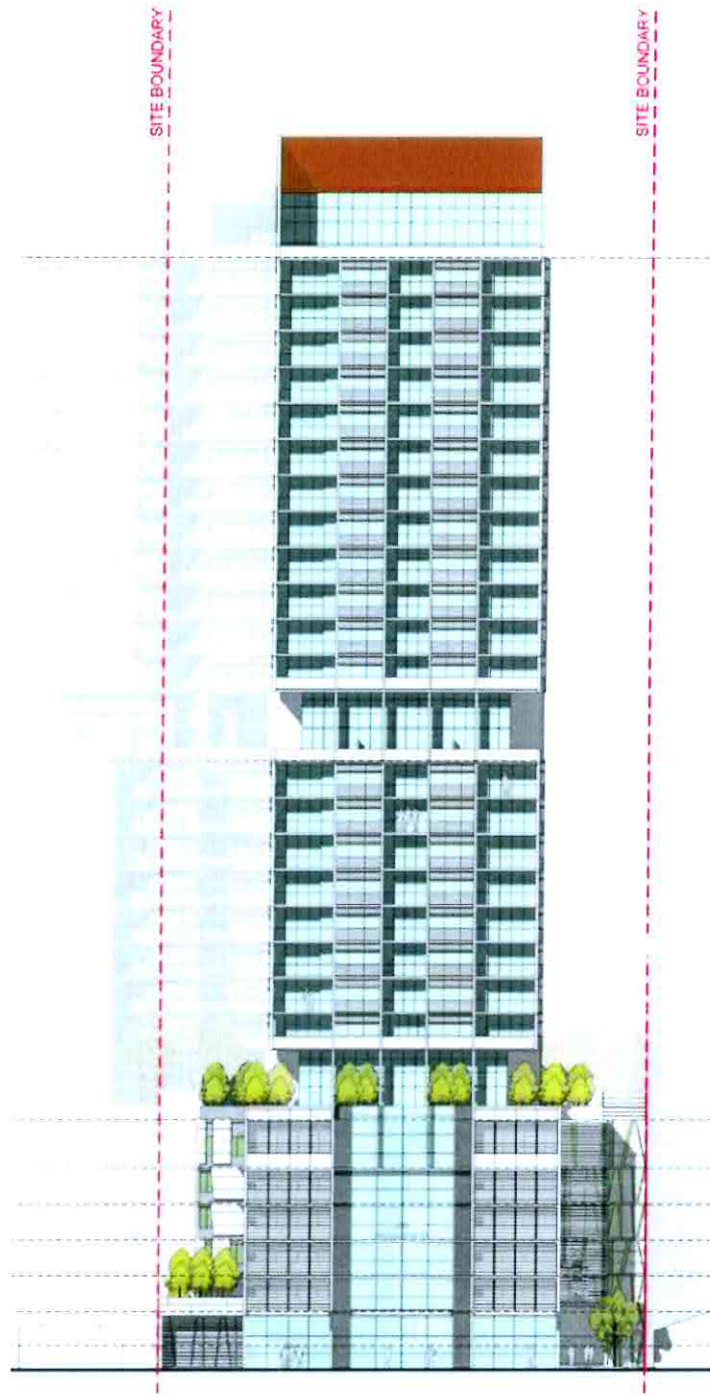


Figure 1 - Perspective of Krikis Tayler Architects winning submission

## DESIGN COMPETITION REPORT

### 189 Macquarie Street, Parramatta

Parramatta City Council 21st Design Competition  
First Submission held 21 November 2013  
Second and Final Submission held 6 December 2013



Figure 1 - Perspective of Zhinar Architects winning submission

# DESIGN COMPETITION REPORT

## 39 - 43 Hassall Street, Parramatta

Parramatta City Council 20th Design Competition  
First Submission held 14 October 2013  
Second Submission held 3 December 2013  
Final Review 9 December 2013





Figure 1 - Perspective of the winning submission from PTI Architecture

# DESIGN COMPETITION REPORT

## 11 Hassall Street, Parramatta

Parramatta City Council 26th Design Competition  
Held on 19 September 2014