

**MINUTES OF DEP MEETING
13th September 2018**

DEP PANEL MEMBERS PRESENT:

Lee Hillam	Chairperson
Rory Toomey	Panel Member
Alf Lester	Panel Member
Caroline Pidcock	Panel Member

OTHER ATTENDEES:

Nelson Mu	Convener
George Nehme	Planner

APOLOGIES:

Nil

OBSERVERS:

Jessica Miller	Willowtree Planning	jmiller@willowtp.com.au
Mike Hercus	Mackycorp	0451 663 276
Mark Curzon	Fender Katsalidis	mcurzon@fkaustralia.com
Adam McCormack	Fender Katsalidis	amccormack@fkaustralia.com
Bianca Berarducci	Fender Katsalidis	bberarducci@fkaustralia.com

AGENDA:

Property Address: 277 Bigge Street, Liverpool

Application Number: DA-507/2018

Item Number: 1

1. WELCOME, ATTENDANCE, APOLOGIES AND OPENING

The Liverpool Design Excellence Panel (the Panel) comments are to assist Liverpool City Council in its consideration of the development application.

The absence of a comment under any of the principles does not necessarily imply that the Panel considers the particular matter has been satisfactorily addressed, as it may be that changes suggested under other principles will generate a desirable change.

The 9 design quality principles will be grouped together where relevant, to avoid the unnecessary repetition of comments.

2. DECLARATIONS OF INTEREST

Nil

3. CONFIRMATION OF PREVIOUS MINUTES

Yes

4. PRESENTATION

The applicant presented their amended proposal for the construction of a 23-storey commercial building including the conservation and adaptive reuse of the existing heritage listed Commercial Hotel, ground floor retail spaces and the demolition of existing structures.

The Applicant's architect briefly explained the scheme including the following:

- The heritage precinct and scale are being maintained.
- The stable building is setback from Bigge Street and now aligns with the Commercial Hotel setback.
- Removal of existing masonry balustrade to Bigge Street to open up the site through the introduction of stairs. This will allow pedestrians to walk through the site.
- The ground level common area unifies the development.
- Festoon lighting and cantilevered lights will be introduced to the common area/pedestrian pathway.
- The site provides for a contiguous floor plan.
- The use of existing openings and scars in the building to provide new windows to increase light into the building. The existing bar is to be relocated directly above the cellar as requested by tenant for practical and functional reasons.
- The building takes into consideration the recommendations of the wind tunnel effect report on the tower downdraft impact upon the street.

5. DEP PANEL COMMENTS

The 9 design principles were considered by the panel in discussion of the development application. These are 1] **Context**, 2] **Built Form+ Scale** 3] **Density** 4] **Sustainability** 5] **Landscape** 6] **Amenity**, 7] **Safety** 8] **Housing Diversity +Social Interaction** 9] **Aesthetics**.

The Design Excellence Panel makes the following comments in relation to the project:

- The Panel thanks the proponent for bringing the scheme back to the Panel for re-consideration and the explanation provided by the applicant on how the scheme has responded to the Panel's previous minutes.
- The Panel is satisfied that the issues raised in its previous minutes have been addressed by the amended proposal.
- The Panel supports the realignment of the stable building with the hotel building in accordance with the Panels advice and that of the proponents Heritage consultant.
- The public domain and heritage treatment articulated within the amended scheme are supported by the Panel.
- Noise associated with the removal and/or transfer of glass waste from the hotel to the waste collection point needs to be further and satisfactorily addressed by the proponent. The Panel recommends that the proponent explores the option of introducing an underground transfer system for the transfer of glass and other relevant waste to the bin rooms for collection, rather than being transferred through the public open space. Such arrangements minimise disruption of the public domain with waste disposal and collection, which are important for maintaining the social licence to operate.
- When asked by the Panel to explain the protection of glazing proposed on the boundary, the proponent advised that the glazing on the boundary will be drenched in accordance

with a fire engineered solution. Fire proof glass is cost prohibitive and will not be considered.

- While the Panel supports the awning continuing through the site, it recommends that the awning be carefully calibrated to ensure planting of street trees on the footpath is not restricted.
- The proponent intends to incorporate some public art to the public areas of the proposal. The Panel considers it worthwhile for the proponent to explore indigenous heritage as well as post European heritage.
- As the scheme is a glass building, the Panel recommends that suitable environmental strategies be introduced to minimise the carbon footprint on the operation of the building and minimise reliance on mechanical ventilation for heating and cooling the building. The options of providing openable windows to the building and the incorporation of photovoltaic solar panels should be further explored and introduced to the building.
- The Panel understands that the proponent has written to the Government Architect NSW seeking an exemption from a design competition requirement of the Liverpool LEP. As noted in the Panel's previous minutes, this is a matter to be determined by the Government Architect NSW. Should the proposal be exempt from a design competition, the proponent will need to prepare a comprehensive Design Excellence Strategy and Design Integrity Process outlining the extent of benefits to the community in the absence of a design competition.

General

Quality of construction and Material Selection

Consideration must be given by the applicant to the quality of materials and finishes. All apartment buildings are to be made of robust, low maintenance materials and be detailed to avoid staining weathering and failure of applied finishes. Render is discouraged

Sectional Drawings

Sectional drawings at a scale of 1:20 of wall section through with all materials, brickwork, edging details to be submitted.

6. CLOSE

The proposal is acceptable subject to the incorporation of the above Panel advice and will not need to be submitted to the Panel again.

**MINUTES OF DEP MEETING
14th June 2018**

DEP PANEL MEMBERS PRESENT:

Lee Hillam	Chairperson
Alf Lester	Panel Member
Geoff Baker	Panel Member

OTHER ATTENDEES:

Nelson Mu	Convener
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APOLOGIES:

George Nehme	Planner
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OBSERVERS:

Jessica Miller	Willowtree	Jmiller@willowtp.com.au
Adam McCormack	FKA	adammccormack@FKAustralia.com
Mark Cukzan	FKA	
Mike Hercus	Mackycorp	0451 663 276
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Jay Griffin	FKA	jgriffin@FKAustralia.com
Danny Mandrovski	FKA	dmandrovski@FKAustralia.com

AGENDA:

Property Address: 277 Bigge Street, Liverpool

Application Number: PL-40/2018

Item Number: 4

1. WELCOME, ATTENDANCE, APOLOGIES AND OPENING

The Liverpool Design Excellence Panel (the Panel) comments are to assist Liverpool City Council in its consideration of the development application.

The absence of a comment under any of the principles does not necessarily imply that the Panel considers the particular matter has been satisfactorily addressed, as it may be that changes suggested under other principles will generate a desirable change.

The 9 design quality principles will be grouped together where relevant, to avoid the unnecessary repetition of comments.

2. DECLARATIONS OF INTEREST

Nil

3. CONFIRMATION OF PREVIOUS MINUTES

Yes

4. PRESENTATION

The applicant presented their proposal for a 25-storey commercial tower development with ground floor retail, and sympathetic management of the co-located heritage building commercial hotel (LEP Heritage Item No. 74).

5. DEP PANEL COMMENTS

The 9 design principles were considered by the panel in discussion of the development application. These are 1] **Context**, 2] **Built Form+ Scale** 3] **Density** 4] **Sustainability** 5] **Landscape** 6] **Amenity**, 7] **Safety** 8] **Housing Diversity +Social Interaction** 9] **Aesthetics**.

The Design Excellence Panel makes the following comments in relation to the project:

- The Panel thanks the proponent for bringing the scheme back to the Panel for re-consideration and the explanation provided by the applicant on how the scheme has evolved and responded to the Panel's previous minutes.
- The Applicant advised that they intend to lodge the application under the current LEP, not Amendment 52. Thus, the scheme will comply with the present height of building and FSR controls of the Liverpool LEP 2008.
- The Panel understands that the site has an allowable building height of 100m and the proposal exceeds this height limit by 2.25m. The Panel also understands that the proposal also exceeds the maximum permitted FSR for the site of 8:1 (9.9:1 FSR proposed – equivalent to an additional 5,063m² floor area). The non-compliance with height and FSR is not supported by the Panel.
- The site is identified as a key site under Clause 7.5(4) of the LLEP 2008, which requires development with a Capital Investment Value of greater than \$10million on key sites to be subject to an Architectural Design Competition. The Panel notes that Clause 7.5(5) of the LEP allows an exemption from the design competition if the Director-General certifies in writing that the development does not require a design competition. The applicant advised that they will be seeking an exemption from the design competition in this case.
- Whether the proposal will be subject to a Design Competition is not a matter to be determined by the Panel. It is a matter to be adjudicated by the Director-General of the Department of Planning and Environment. The Panel suggests that the Applicant has regard to the Draft Competition Guidelines and in particular the criteria for not participating in a design competition for assistance and justification as to why the subject site should not be subject to a Design Competition. This should include a comprehensive Design Excellence Strategy and Design Integrity Process demonstrating the extent of benefits to the community in the absence of a design competition.
- The Applicant advised that the previously proposed above ground parking has been relocated to the basement carpark (4 levels proposed) and 40 additional car spaces are now provided on site. This is supported by the Panel. The Panel continues to not support any above ground car parking.
- The widening of the gap between the proposal and the existing building immediately to the north of the site from 6m to 10m is considered to have merits and is supported by the Panel.

- The Panel is satisfied that the issues raised in its previous minutes have been sufficiently resolved by the amended scheme.
- The tower element of the proposal is considered too close at 4m to the heritage item.
- There were some discussions on the preferred extent/position of the stable structure; e.g. whether it should extend to the Bigge Street lot line so as to be aligned with the northern adjoining commercial building or set back from Bigge Street. The panel supports the stable building in a position that references the line of the heritage building, rather than the commercial building to the north.
- The proposed access way relationship between Railway service way and the heritage building is appropriate.
- The Panel recommends that a desktop wind effect model be prepared to test street level impacts of tower downdraft.
- Further consideration should be given to adjusting the envelope of the lower portion of the tower and/or treating its surface to maximise winter solar access to the ground level open space, heritage items and the public domain.

General

Quality of construction and Material Selection

Consideration must be given by the applicant to the quality of materials and finishes. All apartment buildings are to be made of robust, low maintenance materials and be detailed to avoid staining weathering and failure of applied finishes. Render is discouraged

Sectional Drawings

Sectional drawings at a scale of 1:20 of wall section through with all materials, brickwork, edging details to be submitted.

6. CLOSE

The development of the proposal is acceptable to the Panel and The Panel request that this proposal is to be referred back to the Panel when it is further developed.

**MINUTES OF DEP MEETING
28th September 2017**

DEP PANEL MEMBERS PRESENT:

Lee Hillam	Chairperson
Anthony Burke	Panel Member
Geoff Baker	Panel Member

OTHER ATTENDEES:

Nelson Mu	Convener
George Nehme	Planner
Thomas Wheeler	Heritage Advisor

APOLOGIES:

Nil

OBSERVERS:

Frank Mosca MPA – 0418 240 504
Greg Kontoulas MPA – greg@moscapserras.com.au
Paul Rappoport – Heritage 21 – 0416 021 006
Anthony Kiliias – Heritage 21 – 0415 451 988
Mike Hercus – Mackycorp – 0451 663 276
Andrew Cowan – Willowtree – 0413 555 638

AGENDA:

Property Address: 11-21 Bigge Street, Liverpool

Application Number: PL-127/2017

Item Number: 3

1. WELCOME, ATTENDANCE, APOLOGIES AND OPENING

The Liverpool Design Excellence Panel (the Panel) comments are to assist Liverpool City Council in its consideration of the development application.

The absence of a comment under any of the principles does not necessarily imply that the Panel considers the particular matter has been satisfactorily addressed, as it may be that changes suggested under other principles will generate a desirable change.

The 9 design quality principles will be grouped together where relevant, to avoid the unnecessary repetition of comments.

2. DECLARATIONS OF INTEREST

Nil

3. CONFIRMATION OF PREVIOUS MINUTES

No

4. PRESENTATION

The applicant presented their proposal for the demolition of existing structures (Scott Street) and the construction of a 19-storey commercial building accommodating 20,600m² floor with associated basement car parking. The construction of a ground floor commercial wing, accommodating 200m² floor area adjacent to the listed Commercial Hotel (to be refurbished) and associated forecourt plaza and through link.

The applicant's architect expressed that there are competing issues with the site that need to be appropriately resolved, including the LEP, DCP, heritage, height of building, built form, floor plates, site isolation.

The applicant advised that the west adjoining site owner has been approached and an offer made that was considered over the market rate.

The applicant discussed 2 potential options in dealing with site isolation should the west adjoining owner be unwilling for their land to be included as part of the re-development of the subject site. Option 1 would be for the west adjoining site to be left on its own and then re-developed in accordance with its potential development. Option 2 would be for 2 small skinny adjoining sites immediately to the east of the west adjoining site to be also left undeveloped. The second option is to ensure that sufficient frontage would be available to allow the west adjoining sites to be appropriately re-developed.

The applicant has requested that same panel members be available when the matter comes back to the DEP meeting in the future.

5. DEP PANEL COMMENTS

The 9 design principles were considered by the panel in discussion of the development application. These are 1] **Context**, 2] **Built Form+ Scale** 3] **Density** 4] **Sustainability** 5] **Landscape** 6] **Amenity**, 7] **Safety** 8] **Housing Diversity +Social Interaction** 9] **Aesthetics**.

The Design Excellence Panel makes the following comments in relation to the project:

- The proposal is conceptual only at this stage. Hence, the comments provided by the Panel are only general in nature to assist the applicant in further developing the scheme.
- All attempts should be made to reasonably acquire the western adjoining site at 23 Scott St, but if not possible, that the proposal could proceed with a 0 setback to that isolated lot above 4 storeys, and an appropriate pedestrian pass through at lobby / street levels would be a viable urban solution.
- The Panel is of the view that the resolution of the issue pertaining to 23 Scott Street is critical and should be resolved before the development proceeds any further. During the course of the meeting the discussion was around the impact that not including that site would have on the future streetscape and urban amenity. The view was stated that the proponent should continue to pursue the option of buying the site (*23 Scott Street*).
- The panel convened on this matter after the meeting and offer the following advice and options;

- If the site remains outside the development and under its current use, it will appear as a gap in the built form, though not a through site link. The development options will be thereafter severely restricted. The council does not have a need to purchase the site as a through site link as a site has been established for this purpose close by.
 - The DEP could support a development that did not include this site if the urban design showed the potential for the site to be used as open space associated with ground floor activation in the future. The proposed development should therefore suggest and set up for this future usage
 - The 'reverse podium' should wrap around the western side of the site and building, allowing a through site link, under a cantilevered tower. The reverse podium should take its height from the street wall, as indicated in the concept massings. Spaces within the reverse podium therefore will have potentially three interfaces with public or semi-public spaces.
 - A through site link should be provided to the lane on the proponent's site on the western boundary.
 - If at some time in the future the site at 23 Scott Street becomes available for sale it is expected that the proponent will buy that site in order to advantage designed commercial or retail spaces that will be active along the western boundary of the development.
 - The proponent should acknowledge that the development of their site imposes certain restrictions on the development of the 23 Scott Street site. It does not and should not impinge on the owners' ability to keep using the site in its current form and use.
- The applicant to show detailed proposals for the conservation and restoration of the heritage building, being a cultural and social history of the area. How the heritage building would be integrated with the proposed building is a fundamental issue that must be addressed. The mass, scale, bulk and height of the proposal must appropriately respond to the heritage item on the site and that across Scott Street.
 - The existing pathway between the heritage building and the north adjoining site is too narrow to be an attractive and active pedestrian pathway that would encourage people to traverse through the proposed plaza between the heritage item and the proposed building.
 - The Panel understands that the proposal is below the allowable building height. The applicant should consider removing the step in the building and transferring the floor to the top of the building to simplify the building and its relationship to the heritage item.
 - The Panel notes that the proposal does not comply with the LLEP including: buildings separation, street frontage height of 4-6 storeys, maximum permitted GFA of 1200m² above the street frontage height for Levels 7-10.
 - The panel requests that a full compliant massing be produced for the purposes of comparison with the proposed scheme.
 - The proposed "reverse podium" of the scheme is a reasonable design response to the heritage item. This needs to be further explored.
 - The wings (west and north) to the Commercial Hotel were confirmed by the heritage advisors (both applicant and Council) as additions to the original hotel and these elements could be deleted with appropriate heritage justification. This needs to be included within the applicant's heritage architect's Heritage Impact Statement.

- The podium of the building must be designed to be sympathetic to the heritage listed Commercial Hotel. The podium height to be designed taking into consideration the context and scale of the heritage item.
- The setbacks to the heritage item as proposed are inadequate and would overwhelm the heritage item.

- **General**

Note: All SEPP 65 apartment buildings must be designed by an architect and their registration number is to be on all drawings. The architect is to attend the DEP presentations.

6. CLOSE

The proposal requires further consideration and development and must be referred to the Design Excellence Panel again.