

14th August 2018

Patricia Emmett
Manager, Development and
Building
PO Box 489
Newcastle
NSW 2300

309 KING ST, NEWCASTLE
ALTERNATIVE DESIGN EXCELLENCE PROCESS

Dear Patricia,

I am writing to you in response to a request for support a waiver for the design competition requirements applicable to 309 King St, Newcastle in the Newcastle LEP. Previous correspondence (attached) have informed the comments and recommendations below.

We note that the site in question triggers the requirement for an architectural design competition in the Newcastle LEP, to be run in accordance with the Director General's Design Excellence Guidelines. The Director General's Design Excellence Guidelines state that an exemption or waiver from a competition may be granted *"where it can be demonstrated design excellence will be achieved, such as where concept drawings are submitted for a manifestly outstanding building, and the architect has a reputation for delivering buildings of the highest quality. In such a case, a design integrity panel may be appointed to oversee implementation."*

In relationship to the request for support for a waiver we note the following:

- the UDCG have been consulted and have verified their support for the project and the exemption to the design competition requirements in their minutes, as submitted to GA NSW. This support is subject to the confirmation that the applicable FSR is 5:1 and that a number of issues regarding the amenity of the proposal are addressed. Please refer to the UDCG minutes for further detail.
- The proposal has some minor height breaches caused by plant and lift overruns only.

Recommendation

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Given the notes above, and in reference to the submitted NSW Government Architects Submission, the Government Architect will grant a waiver to the requirements for a design competition dependant on the following conditions;

A process of design integrity is to be established to ensure the scheme retains design excellence through to completion of construction. This should include continuing review by the Newcastle City Council UDCG at regular intervals through documentation and construction stages of the projects, whenever a significant change is being considered (such as would require a Section 96 application) or at the request of the UDCG themselves, the Newcastle City Council or the proponent. A record of this process including UDCG meeting minutes and proponents responses should be provided as part of the Development Application. A separate Independent Design Review Panel will not be necessary, as we anticipate the UDCG can undertake that role, with our GA NSW representative Philip Pollard or Peter Webber in the role of chair of the UDCG.

It should be noted that the recommendations above are specific to this project. They should not be taken as a precedent for the position the GANSW may take for other projects.

Sincerely,





Olivia Hyde
Director of Design Excellence

Referenced documents:

Letter- Design Competition Waiver Request

Attachment 1 – Aerial View of Subject Site

Attachment 2 – Government Architect NSW Package

Attachment 3 - UDCG Minutes 20 June 2018

Attachment 4 – Minutes of the UDCG Meeting – 20 June 2018

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