



CUMBERLAND DESIGN EXCELLENCE PANEL

MEETING MINUTES

DATE OF MEETING	12 November 2020
MEETING LOCATION	Via teleconference (Zoom)

PROPERTY ADDRESS	246-260 Woodville Road, Merrylands
Application No.	DA2020/0493
FILE No.	
PANEL MEMBERS	Mr Jon Johannsen – Architect (Chair) Mr Aldo Raadik – Architect Mr Ian Armstrong – Architect
APOLOGIES	nil
ATTENDEES	
COUNCIL STAFF	
APPLICANTS	
DECLARATION OF INTEREST	Nil
REASONS FOR CONSIDERATION BY CDEP	DA Submission review by DEP with presentation of proposal by Architect
BACKGROUND/PREVIOUS MEETINGS/SITE MEETINGS	Refer DEP meeting comments to Pre DA submission (PL2020/0028) on 12.05.2020.

GENERAL INFORMATION

Cumberland Design Excellence Panel (the Panel) comments are provided to assist both the applicant in improving the design quality of the proposal, and Cumberland Council in its consideration of the development application when it is submitted.

The nine design quality principles provided in SEPP65 Apartment Design Guidelines (ADG) are generally used as a datum to guide the Panel's assessment, notwithstanding that SEPP65 may not directly apply to the application.

The Panel's focus is on design excellence and, primarily, reviews the amenity of the proposal for occupants as well as the quality of the proposal in the context and setting of its location as well as its visual and impact on the place in which it is located. Absence of a comment related directly to any of the ADG principles does not, necessarily, imply that the Panel considers the particular matter has been satisfactorily addressed.

PROPOSED DEVELOPMENT

This DA review is based on architectural drawings prepared by Marchese Partners, landscape drawings prepared by Site Design + Studios and a Statement of Environmental Effects prepared by Knight Frank Town Planning. The Applicant seeks the advice of the Design Excellence Panel (DEP) on the submitted DA (2020/0028).

The site is 6km south of the Parramatta CBD and 1.7km southeast of the Merrylands CBD. The site is 2.73Ha in area with a 150m frontage to Woodville Road, 147m frontage to Lansdowne Street and 117m frontage to Highland Street. It is noted that the developer has at this stage been unable to attain two isolated properties along Lansdowne Street.

The site is adjacent to Granville South Public School and a service centre comprising a petrol station and take-away food premises. Opposite the site on Woodville Road is a mixed use residential and commercial development and residential dwellings.

The site is proposed to be rezoned from R2 and B6 use to B4 Mixed use as part of an imminent amendment of draft Parramatta LEP 2011, and then to B2 use as part of Draft Cumberland LEP 2020.

The proposed mixed use development comprises demolition of existing structures/site improvements and construction of a mixed-use development, with a varying height of 5 to 9 storeys comprising commercial and retail premises, residential apartments/shop top housing (413 apartments), childcare centre, hotel/serviced apartments (95 rooms), public park and associated landscaping, road access, two levels of basement parking and associated site works.

BACKGROUND

The proposed DA was referred to the Panel for Pre DA advice on 12th May 2020. In response to the proposed design the Panel provided the following feedback:

Summary of key issues discussed:

- *Exceedance of building height limit in the LEP amendment*
- *Exceedance of number of storeys limit contained in the DCP*
- *Lack of commercial use on first floor*
- *The importance of fine grain of streets and blocks*
- *Conflict between existing building lots that form part of the site*
- *Access to loading and parking*
- *Overshadowing of the adjoining school*
- *Building A street address and wayfinding*
- *Building articulation*
- *Setbacks*
- *Site isolation*
- *Covered access laneway*
- *Potential acoustic issues of external uses and surrounding existing residential neighbourhood*

Panel Recommendation:

The Panel notes that the Pre-DA design has merit and is generally in accordance with the LEP controls for height and FSR and site-specific controls contained in the DCP. The Panel recommends that the issues listed above and discussed in greater detail below are addressed as part of the design development of the Pre DA/DA documentation.

It is expected that the Application will need to be re-referred to the Panel at the DA stage (or earlier if the Applicant wishes) after the specific recommendations relating to the changes requested have been made to address the Panel's concerns.

PANEL COMMENTS TO DA SUBMISSION

Panel discussion and post presentation comments

The table below provides details of the original comments provided by the Panel in relation to the Pre DA review of the development on 12 May 2020 and an assessment of how these issues have been resolved in the current DA submission reviewed on 12 November 2020.

Considerations	Original Panel Comments 12.05 20	Panel Review 12.11.2020
<i>Whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved.</i>	<p>This area of Merrylands East is undergoing a transition in its character and built scale. The proposed new mixed-use development will establish the new building height for the Mixed-Use block and an urban presence in an area that is currently characterised by single storey retail and suburban houses with a 4 storey shop top apartment buildings along Woodville Road.</p> <p>Two 'Design Intent' 3D renderings have been provided in the architectural package (New Park Corner and Hotel Corner). The articulation and materiality shown in these images and the development a defined bottom, middle and top to the buildings is supported by the Panel.</p> <p>Concern is raised below regarding the design of the solid podium at upper level.</p>	<p>Minor changes between the Pre DA and DA drawings.</p> <p>Renderings of the New Park and Hotel Corner 3D views have been provided in the DA architectural pack. The images are the same as those submitted with the Pre DA submission.</p> <p>The concerns raised by the Panel regarding the design of the solid podium at upper level have not been addressed in the updated architectural drawings.</p>

Considerations	Original Panel Comments 12.05.2020	Panel Review 12.11.2020
<i>Whether the development detrimentally impacts on view corridors.</i>	The view corridors are along existing streets. The proposed development maintains these views	No change. It is also important that the perimeter has more transparency to create better sense of internal activation from the surrounding view corridors. Opening up of the podium perimeter and views into the supermarket would help.
How the development addresses the following matters:		
<i>The suitability of the land for development.</i>	The proposed mixed-use development is permissible as the land is to be zoned B4 mixed use under the Cumberland LEP amendment (No.38).	No change.
<i>Existing and proposed uses and use mix;</i>	The site currently consists of a vacant former John Cootes furniture outlet and residential lots. The proposal is to develop a mixed-Use development (Retail Shopping Centre, Child Care Centre, Top Shop Apartments and Local Park).	No change
<i>Heritage issues and streetscape constraints;</i>	<p>Granville South Public School immediately to the south of the site is listed as a heritage item in the LEP.</p> <p>It is recommended that the materiality of the propose buildings adjacent to the school pick up on the masonry language of the original school buildings.</p> <p>It is also considered that a detailed shadow and visual impact analysis be provided in the DA to maintain the privacy and amenity of the school buildings and outdoor play areas.</p>	<p>No Change</p> <p>The submitted elevations of Buildings B and C along New Street show a masonry (brick) podium. This approach follows the recommendations of the Panel and is supported.</p> <p>A shadow diagrams have been prepared by Marchese Partners indicating the shadow impact of the proposed development compared with the DCP massing shadow in midwinter 9.00am to 3.00pm. The analysis shows that the proposed buildings fronting New Street will overshadow the adjoining school. In particular,</p>

		<p>the main school playground throughout the day.</p> <p>As discussed at the Pre DA stage, It is recommended that the 9 storey building element of Building C along New Street 1 be reduced in height to assist with reducing this shadow impact.</p>
<p><i>The location of any tower proposed, having regard to the need to achieve an acceptable relationship with other towers (existing or proposed) on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form;</i></p>	<p>Drawing 3.1 'Built Form Strategy Evolution' indicates the development of the built form controls for the site and the Architects interpretation of the controls.</p> <p>A comparison of the DCP Built Form image and the proposed Built Form image shows that with the exception of the 9 storey slab building along Woodville Rd the proposed development exceeds the number of building storeys in all remaining towers above podium.</p> <p>The rationale for this exceedence in building storeys is related to elimination of first floor commercial uses to sleeve additional residential levels into the development as discussed below. This is not supported by the Panel.</p> <p>It is further noted that in the proposed design, the 9 storey Woodville Rd building form provides a significant 9 storey building return on Lansdowne Street (4 story in DCP) and New Street 1 (7 storey in DCP). The loss of the step down in the number of building storeys to Lansdowne St is not supported as it impacts on low scale of adjoining the properties. The</p>	<p>No Change</p> <p>The bulk and scale of the proposed buildings and elimination of the first floor commercial as proposed in the Pre DA submission has not been modified in the DA submission as requested by the Panel. If this first floor space is kept then options for flexible work-share should be considered.</p> <p>The recommended step down of the 9 storey building on Lansdowne St and New Street have not been modified in the DA submission as requested by the Panel.</p>

	loss of the step down on New Street is not supported due to overshadowing impacts to the school.	
Considerations	Original Panel Comments 12.05.2020	Panel Review 12.11.2020
<i>Street frontage heights;</i>	<p>The Parramatta DCP requires a street wall height of 10 metres including retail ground floor uses with retail/commercial uses above.</p> <p>The proposed development does not provide retail and commercial uses at first floor level citing economic viability issues and proposing a hotel tower that will achieve an equivalent commercial floor space.</p> <p>The Architectural drawings provide comparative sections indicating the DCP section and the proposed section on the four street frontages of the podium.</p> <p>The proposed sections differ in detail. However, in concept they are all similar seeking to present a 10 metre podium façade to the street by creating a wall at level 1 with apartments set back creating a</p>	<p>No Change</p> <p>The DA includes an Economic Impact Assessment prepared by Hill PDA noting that the precinct currently would not support first floor commercial uses. The Panel notes that in similar precincts in transition, the first floor floor to floor heights have been maintained to allow the option for future commercial uses as the precinct matures. The Panel recommends that the design be modified to allow for future uses flexibility. Alternatively the applicant noted other WFH design models were being investigated. These should be presented to the Panel for review.</p> <p>The sections provided in the DA architectural drawings have not been modified to address the Panels concerns other than the provision of a slot to the podium balcony section facing the public park (New St 2 Section 1).</p> <p>The Panel does not consider that the minor change listed above have addressed the concerns listed at the Pre DA review, and scope for more transparency is recommended.</p>

	<p>level1 courtyard. It is also noted the development seeks to use the reduced floor to floor height of level 1 to 'squeeze' an additional residential level into the residential 'towers'.</p> <p>The Panel has concerns regarding the extended wall solution in lieu of the first-floor commercial uses. From a use perspective it is noted the LEP and DCP have assumes that the 'East Neighbourhood Centre' would include commercial uses at first floor level, as would be typical in other neighbourhood centres. From a design perspective the first-floor walls are not well resolved and will result in cavernous terraces with limited outlook and daylight amenity. It is recommended that first floor commercial uses are reintroduced into the design.</p>	
<i>Environmental impacts such as sustainable design, overshadowing, wind and reflectivity;</i>	The diagrams provided by the Architect indicate compliance with the ADG midwinter solar access and cross flow ventilation requirements. Wind impacts at street and podium levels should be addressed in the DA documentation.	The SEE refers to a Wind Assessment under Appendix 12 of the report. However, no wind report was provided in the DA documents for the Panels assessment.
<i>The achievement of the principles of ecologically sustainable development;</i>	No specific ESD strategies are proposed in the Pre DA submission. A report by a qualified ESD consultants should be provide in the DA submission that addressed all ESD commitments in the proposal.	<p>A Multi Dwelling BASIX Certificate has been provided with the DA documentation stating that:</p> <p><i>The proposed development will meet the NSW governments requirements for sustainability, if it is built in accordance commitments set out below.</i></p>
Pedestrian, cycle, vehicular and service access and	The ground floor plan provided by Marchese Partners provides the details of the proposed pedestrian, vehicle and service vehicle movements. No specific	Minimal change

<p>circulation requirements; and</p>	<p>cycle paths are nominated on the plan.</p> <p>Pedestrian Circulation</p> <p>The site is effectively a perimeter block formed by the podium of the building. The existing street frontages on Woodville Rd and Lansdowne Street have been provided with widened landscaped footpaths that improve the current condition. 'New Street' 1 and 2 have also been provided with generous landscaped footpaths.</p> <p>It is noted that New Street 1 only provide a footpath on the northern side of the street and that this street has no tree planting.</p> <p>It is recommended that both sides of the street include footpaths and tree planting to improve pedestrian access and amenity.</p> <p>Cycle Circulation</p> <p>The plan does not reference cycle circulation. It is recommended that the applicant investigates opportunities to incorporate a cycle path in the generous landscaped footpath along Woodville Road.</p> <p>Service Vehicles</p> <p>The primary service vehicle loading dock access is on Lansdowne St close the intersection of Woodville Rd. It is understood that this junction is to be signalised as part of the development approval. The Panel raises concerns regarding</p>	<p>New tree planting has been provided on New St 1 and 2 which is supported by the Panel.</p> <p>No additional footpath has been provided to the southern side of New St 1.</p> <p>No change. The cycle paths recommended by the Panel have not been provided on the submitted DA plans.</p> <p>No change. The design of the loading dock and size and location of the waste rooms has not been modified for the DA submission.</p>
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	<p>the scale of loading dock and the impact it will have on the pedestrian amenity of the street and resident's amenity (existing and proposed) due to concentrated vehicle movements at ground level.</p> <p>It is assumed that this loading dock will provide for retail/commercial/ and residential deliveries and garbage. However, it is not clear from the drawings how this will function given the significant garbage storage requirements (not provided on plan) and the distance from retail/residential and hotel uses.</p> <p>The Panel suggests that the architect explores a number of small loading areas located in the building basement to address these issues.</p> <p>Vehicle Circulation</p> <p>The ground floor plan shows four access ramps in the proposed building podium: A retail parking ramp on Lansdowne St; two residential parking ramps on New Street 2 and one exit ramp in the landscape zone of New Street 1.</p> <p>The Panel recommends that the Architect explores consolidating the two ramps on New Street 2 to minimise the current impact on street activation and the use amenity on the pedestrian footpath. The current design shows the vehicle access points adjacent to residential apartment lobbys and the access to the internal shopping mall. This is a safety issue and is not supported under the ADG.</p>	<p>It is noted that a Waste Management Plan has been prepared by Elephants Foot in support of the waste aspects of the design. It is recommended that council officers review of the Waste Management report considers the Panel requests that their comments regarding the size and location of the garbage rooms be reviewed.</p> <p>No Change</p> <p>No modifications have been provided with the DA submission in relation to the Panels recommendations.</p>
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	<p>The Panel recommends that the one way exit ramp in the landscaped zone of New Street 1 be deleted or relocated into the building podium.</p> <p>The location of the exit ramp is considered to be a safety issue for other vehicles and pedestrians and a will negative impact on the quality of the landscaped buffer and deep soil zone between the development and adjoining school.</p>	No Change
The impact on, and any proposed improvements to, the public domain.	The introduction of two new streets with activated ground floors and landscaping is supported (subject to comments above). The introduction of a new park is also supported.	No Change – supported.

RECOMMENDATION

It is noted that the majority of the Panel's recommended design changes following review of the Pre DA documentation have not been considered or incorporated as design modifications at the DA stage.

On this basis the following summary of key issues still apply to the DA:

- Exceedance of number of storeys limit contained in the DCP
- Lack of commercial / flexible WFH uses on first floor
- Conflict between existing building lots that form part of the site
- Access to loading and parking
- Overshadowing of the adjoining school
- Exceedance of building height limit in the LEP amendment
- Building articulation
- Setbacks
- Site isolation
- Potential acoustic issues of external uses and surrounding existing residential neighbourhood
- A detailed Arts Plan is provided that combines strategies for wayfinding, graphics and interpretive story telling for built form and open space elements.

Panel Recommendation:

The Panel notes that the DA design has merit and is generally in accordance with the LEP controls for height and FSR and site-specific controls contained in the DCP. The Panel recommends that the issues listed above and discussed in greater detail in the table above are addressed as part of further design development of the submitted DA documentation.

It is expected that the updated DA will need to be re-referred to the Panel after the specific recommendations relating to the changes requested have been made to address the Panel's concerns.

Jon Johannsen Architect/Panel Chair

A handwritten signature in black ink, appearing to read 'J. Johannsen', with a stylized, looped initial 'J'.

Aldo Raadik

Ian Armstrong



CUMBERLAND DESIGN EXCELLENCE PANEL

MEETING MINUTES

DATE OF MEETING	12 November 2020
MEETING LOCATION	Email review – 11-18 December 2020

PROPERTY ADDRESS	246-260 Woodville Road, Merrylands
Application No.	DA2020/0493
FILE No.	
PANEL MEMBERS	Mr Jon Johannsen – Architect (Chair) Mr Aldo Raadik – Architect Mr Ian Armstrong – Architect
APOLOGIES	nil
ATTENDEES	
COUNCIL STAFF	
APPLICANTS	
DECLARATION OF INTEREST	Nil
REASONS FOR CONSIDERATION BY CDEP	Amended DA Submission review by DEP of submission by Architect
BACKGROUND/PREVIOUS MEETINGS/SITE MEETINGS	Refer DEP meeting comments to Pre DA submission (PL2020/0028) on 12.05.2020, and DEP minutes from 12.11.2020.

GENERAL INFORMATION

Cumberland Design Excellence Panel (the Panel) comments are provided to assist both the applicant in improving the design quality of the proposal, and Cumberland Council in its consideration of the development application when it is submitted.

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The Panel's focus is on design excellence and, primarily, reviews the amenity of the proposal for occupants as well as the quality of the proposal in the context and setting of its location as well as its visual and impact on the place in which it is located. Absence of a comment related directly to any of the ADG principles does not, necessarily, imply that the Panel considers the particular matter has been satisfactorily addressed.

PROPOSED DEVELOPMENT

This DA review is based on architectural drawings prepared by Marchese Partners, landscape drawings prepared by Site Design + Studios and a Statement of Environmental Effects prepared by Knight Frank Town Planning. The Applicant seeks the advice of the Design Excellence Panel (DEP) on the submitted DA (2020/0028).

The site is 6km south of the Parramatta CBD and 1.7km southeast of the Merrylands CBD. The site is 2.73Ha in area with a 150m frontage to Woodville Road, 147m frontage to Lansdowne Street and 117m frontage to Highland Street. It is noted that the developer has at this stage been unable to attain two isolated properties along Lansdowne Street.

The site is adjacent to Granville South Public School and a service centre comprising a petrol station and take-away food premises. Opposite the site on Woodville Road is a mixed use residential and commercial development and residential dwellings.

The site is proposed to be rezoned from R2 and B6 use to B4 Mixed use as part of an imminent amendment of draft Parramatta LEP 2011, and then to B2 use as part of Draft Cumberland LEP 2020.

The proposed mixed use development comprises demolition of existing structures/site improvements and construction of a mixed-use development, with a varying height of 5 to 9 storeys comprising commercial and retail premises, residential apartments/shop top housing (413 apartments), childcare centre, hotel/serviced apartments (95 rooms), public park and associated landscaping, road access, two levels of basement parking and associated site works.

DEP ELECTRONIC REVIEW 11-18.12.2020

AS REQUESTED BY COUNCIL FURTHER TO THE EARLIER DEP REVIEW OF THIS DA ON 12.11.2020, THE PANEL HAS CONSIDERED THE REVISED MATERIAL SUBMITTED AND RESPONDS IN SUMMARY AS FOLLOWS:

GROUND FLOOR

RESIDENTIAL, RETAIL AND CARPARK ENTRIES ARE STILL SHOWN IN A CONVOLUTED LAYOUT THAT SEVERELY DETRACTS FROM THE OVERALL AMENITY OF THE PROPOSAL. THIS RESULTS FROM INTERFACES OF ELEMENTS BOTH ABOVE AND BELOW AND COMPROMISES THE RESULTANT ALLOCATION OF GROUND FLOOR USES AND THE DESIGN QUALITY OF PUBLIC AND COMMUNAL OPEN SPACES AROUND THE PERIMETER OF THE SITE.

THE RETAIL ENTRIES AND ASSOCIATED TENANCIES HAVE SUB-OPTIMAL PLANNING THAT MAY RESULT IN THEM NOT BEING SUSTAINABLE / LETTABLE. SOME FURTHER DESIGN RESOLUTION IS ALSO REQUIRED TO ADDRESS THE CONSTRICTED ENTRIES TO RESIDENTIAL TOWER LOBBIES, AND IN PARTICULAR BUILDING A THAT HAS A SECOND LIFT WITH VERY COMPROMISED ACCESS VIA COMMUNITY SPACE.

UPPER LEVELS

A FURTHER CONCERN RELATES TO THE FACT THAT BOTH BUILDINGS A AND B HAVE 2 LIFTS EACH IN SEPARATE CORES THAT DO NOT CONSIDER THE IMPACT ON RESIDENT AMENITY WHEN THEY ARE OUT OF ACTION FOR MAINTENANCE OR DURING REMOVALS. THIS MEANS CLIMBING UP TO 6-7 STOREYS FOR SOME RESIDENTS UNLESS AN UPPER LEVEL CROSS CONNECTION IS PROVIDED. THIS COULD BE THROUGH REPLANNING THE TOP FLOOR WITH A CONNECTING CORRIDOR, OR PROVIDING CROSS ACCESS VIA A ROOF TERRACE.

PC2 LEVEL 1 PODIUM

THE DESIGN OUTCOME FOR THE PODIUM IN TERMS OF THE IMPACT OF THE HIGH NARROW SPACE FOR THE PODIUM LEVEL APARTMENTS AND OVERALL AESTHETIC OF THE PODIUM (REFER TO THE DA SECTIONS) IS NOT A GOOD OUTCOME FOR THE DEVELOPMENT, EITHER IN RESIDENT AMENITY OR STREETScape OUTCOMES.

THE ONLY JUSTIFICATION FOR THIS BUILT FORM OUTCOME APPEARS TO BE THE RELUCTANCE TO PROVIDE LEVEL 1 COMMERCIAL SPACE. WHILE IT IS UNDERSTOOD THAT THE ECONOMIC ANALYSIS INDICATES THAT COMMERCIAL SPACE MAY NOT BE CURRENTLY VIABLE, THE OPTION OF PROVIDING THIS SPACE AS A FLEXIBLE AREA FOR FUTURE COMMERCIAL USE APPEARS TO HAVE BEEN REJECTED ON THE BASIS OF ISSUES RELATED TO MIXING COMMERCIAL AND RESIDENTIAL USES ON A SINGLE FLOOR.

THERE IS CERTAINLY A PRECEDENT FOR THIS APPROACH AND VALIDITY IN HOW WORKSPACES MIGHT BE MORE SUITABLE FOR A FUTURE CONFIGURATION POST COVID-19. AS IMPACTS ARE LIMITED TO A SINGLE LEVEL IT IS NOT CONSIDERED TO BE A REASON IN ITSELF FOR REJECTING THIS APPROACH.

PC3 BUILDING C ADDITIONAL LEVELS ON NEW STREET

THERE APPEARS TO BE NO ARCHITECTURAL OR URBAN DESIGN JUSTIFICATION FOR THE ADDITIONAL LEVELS ON NEW STREET FOR BUILDING C OTHER THAN ADDITIONAL FSR. THE DCP ENVISAGES A STEP DOWN OF SCALE FROM WOODVILLE RD THAT IS NOT PROVIDED, AND THE BUILT FORM AS PROPOSED ADDS ADDITIONAL OVERSHADOWING TO THE MAIN PLAY AREA OF THE ADJACENT SCHOOL AS A RESULT OF THESE ADDITIONAL LEVELS.

PC4 ADDITIONAL LEVELS.

THE DCP PROVIDES CLEAR GUIDANCE ON THE LEVELS PERMISSIBLE AND THE PANEL COULD NOT SEE THE ARCHITECTURAL OR URBAN DESIGN JUSTIFICATION TO ADD ADDITIONAL LEVELS TO THE BUILDING D RETURN ON LANSDOWNE STREET OTHER THAN FOR ADDITIONAL FSR. THE ADDITIONAL LEVELS WILL ALSO CAUSE ADDITIONAL OVERSHADOWING OF SOME OF THE ADJOINING APARTMENTS AND THE PODIUM OPEN SPACE.

ANY CLAIM FOR FSR EXCEEDANCE SHOULD SHOW DESIGN EXCELLENCE MERIT WITHIN A COMPLIANT BUILT FORM AND VALID POSITIVE BENEFITS TO THE OVERALL DEVELOPMENT OUTCOME. THIS IS NOT DEMONSTRATED AND AN ALTERNATIVE DCP COMPLIANT SCHEME IS REQUIRED IF THE APPLICANT BELIEVES THIS WOULD SHOW THE DIFFICULTY IN REACHING DESIGN RESOLUTION BY COMPARISON WITH THE CURRENT PROPOSAL.

FOR BUILDINGS B, D AND E THE ISSUE OF VISUAL AND ACOUSTIC PRIVACY ON INTERNAL CORNERS WAS RAISED AS A CONCERN FOR ADG SEPARATION COMPLIANCE, AND THIS HAS NOT BEEN ADDRESSED SATISFACTORILY.

BACKGROUND

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Summary of key issues discussed:

- *Exceedance of building height limit in the LEP amendment*
- *Exceedance of number of storeys limit contained in the DCP*
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- *Covered access laneway*
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Panel Recommendation:

The Panel notes that the Pre-DA design has merit and is generally in accordance with the LEP controls for height and FSR and site-specific controls contained in the DCP. The Panel recommends that the issues listed above and discussed in greater detail below are addressed as part of the design development of the Pre DA/DA documentation.

It is expected that the Application will need to be re-referred to the Panel at the DA stage (or earlier if the Applicant wishes) after the specific recommendations relating to the changes requested have been made to address the Panel's concerns.

PANEL COMMENTS TO DA SUBMISSION

Panel discussion and post presentation comments

The table below provides details of the original comments provided by the Panel in relation to the Pre DA review of the development on 12 May 2020 and an assessment of how these issues have been resolved in the current DA submission reviewed on 12 November 2020.

FURTHER REVIEW HAS BEEN UNDERTAKEN BY THE PANEL VIA EMAIL AND COMMENTS NOTED AS 18.12.2020 BELOW

Considerations	Original Panel Comments 12.05 20	Panel Review 12.11.2020
<i>Whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved.</i>	<p>This area of Merrylands East is undergoing a transition in its character and built scale. The proposed new mixed-use development will establish the new building height for the Mixed-Use block and an urban presence in an area that is currently characterised by single storey retail and suburban houses with a 4 storey shop top apartment buildings along Woodville Road.</p> <p>Two 'Design Intent' 3D renderings have been provided in the architectural package (New Park Corner and Hotel Corner). The articulation and materiality shown in these images and the development a defined bottom, middle and top to the buildings is supported by the Panel.</p> <p>Concern is raised below regarding the design of the solid podium at upper level.</p>	<p>Minor changes between the Pre DA and DA drawings.</p> <p>Renderings of the New Park and Hotel Corner 3D views have been provided in the DA architectural pack. The images are the same as those submitted with the Pre DA submission.</p> <p>The concerns raised by the Panel regarding the design of the solid podium at upper level have not been addressed in the updated architectural drawings.</p> <p>THE REVISED SUBMISSION STILL DOES NOT SHOW A DESIGN APPROACH FOR THE PODIUM THAT CAN ADDRESS THE CONCERNS RAISED ABOVE.</p> <p>18.12.2020</p>
Considerations	Original Panel Comments 12.05.2020	Panel Review 12.11.2020

<i>Whether the development detrimentally impacts on view corridors.</i>	The view corridors are along existing streets. The proposed development maintains these views	<p>No change. It is also important that the perimeter has more transparency to create better sense of internal activation from the surrounding view corridors. Opening up of the podium perimeter and views into the supermarket would help.</p> <p>AS PER COMMENTS ABOVE THERE ARE VIEW CORRIDOR IMPACTS RELATED TO INSUFFICIENT CHANGES BEING MADE ON ISSUES RAISED.</p> <p>18.12.2020</p>
How the development addresses the following matters:		
<i>The suitability of the land for development.</i>	The proposed mixed-use development is permissible as the land is to be zoned B4 mixed use under the Cumberland LEP amendment (No.38).	No change.
<i>Existing and proposed uses and use mix;</i>	The site currently consists of a vacant former John Cootes furniture outlet and residential lots. The proposal is to develop a mixed-Use development (Retail Shopping Centre, Child Care Centre, Top Shop Apartments and Local Park).	No change
<i>Heritage issues and streetscape constraints;</i>	<p>Granville South Public School immediately to the south of the site is listed as a heritage item in the LEP.</p> <p>It is recommended that the materiality of the propose buildings adjacent to the school pick up on the masonry language of the original school buildings.</p> <p>It is also considered that a detailed shadow and visual impact analysis be provided in the DA to maintain the privacy and amenity of the school</p>	<p>No Change</p> <p>The submitted elevations of Buildings B and C along New Street show a masonry (brick) podium. This approach follows the recommendations of the Panel and is supported.</p> <p>A shadow diagrams have been prepared by Marchese Partners indicating the shadow impact of the proposed development compared with the DCP massing shadow in midwinter 9.00am to 3.00pm. The analysis shows that</p>

	<p>buildings and outdoor play areas.</p>	<p>the proposed buildings fronting New Street will overshadow the adjoining school. In particular, the main school playground throughout the day.</p> <p>As discussed at the Pre DA stage, It is recommended that the 9 storey building element of Building C along New Street 1 be reduced in height to assist with reducing this shadow impact.</p> <p>THERE IS STILL NOT AN ADEQUATE RESPONSE TO THE ISSUES RAISED.</p> <p>18.12.2020</p>
<p><i>The location of any tower proposed, having regard to the need to achieve an acceptable relationship with other towers (existing or proposed) on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form;</i></p>	<p>Drawing 3.1 'Built Form Strategy Evolution' indicates the development of the built form controls for the site and the Architects interpretation of the controls.</p> <p>A comparison of the DCP Built Form image and the proposed Built Form image shows that with the exception of the 9 storey slab building along Woodville Rd the proposed development exceeds the number of building storeys in all remaining towers above podium.</p> <p>The rationale for this exceedence in building storeys is related to elimination of first floor commercial uses to sleeve additional residential levels into the development as discussed below. This is not supported by the Panel.</p> <p>It is further noted that in the proposed design, the 9 storey Woodville Rd building form provides a significant 9 storey building return on Lansdowne Street (4 storey in DCP) and New Street 1 (7 storey in DCP). The loss of the step down in the</p>	<p>No Change</p> <p>The bulk and scale of the proposed buildings and elimination of the first floor commercial as proposed in the Pre DA submission has not been modified in the DA submission as requested by the Panel. If this first floor space is kept then options for flexible work-share should be considered.</p> <p>The recommended step down of the 9 storey building on Lansdowne St and New Street have not been modified in the DA submission as requested by the Panel.</p>

	number of building storeys to Landsdowne St is not supported as it impacts on low scale of adjoining the properties. The loss of the step down on New Street is not supported due to overshadowing impacts to the school.	THERE IS NO CHANGE AND THE PANEL DOES NOT ACCEPT THE JUSTIFICATION FOR THE ADDITIONAL FSR SOUGHT. 18.12.2020
Considerations	Original Panel Comments 12.05.2020	Panel Review 12.11.2020
<i>Street frontage heights;</i>	<p>The Parramatta DCP requires a street wall height of 10 metres including retail ground floor uses with retail/commercial uses above.</p> <p>The proposed development does not provide retail and commercial uses at first floor level citing economic viability issues and proposing a hotel tower that will achieve an equivalent commercial floor space.</p> <p>The Architectural drawings provide comparative sections indicating the DCP section and the proposed section on the four street frontages of the podium.</p> <p>The proposed sections differ in detail. However, in concept they are all similar seeking to present a 10 metre podium façade to the street by creating a wall at level 1 with apartments set back creating a level1 courtyard. It is also noted the development seeks to use</p>	<p>No Change</p> <p>The DA includes an Economic Impact Assessment prepared by Hill PDA noting that the precinct currently would not support first floor commercial uses. The Panel notes that in similar precincts in transition, the first floor floor to floor heights have been maintained to allow the option for future commercial uses as the precinct matures. The Panel recommends that the design be modified to allow for future uses flexibility. Alternatively the applicant noted other WFH design models were being investigated. These should be presented to the Panel for review.</p> <p>The sections provided in the DA architectural drawings have not been modified to address the Panels concerns other than the provision of a slot to the podium balcony section facing the public park (New St 2 Section 1).</p> <p>The Panel does not consider that the minor change listed above have addressed the concerns listed at the Pre DA review, and scope for more transparency is recommended.</p>

	<p>the reduced floor to floor height of level 1 to 'squeeze' an additional residential level into the residential 'towers'.</p> <p>The Panel has concerns regarding the extended wall solution in lieu of the first-floor commercial uses. From a use perspective it is noted the LEP and DCP have assumed that the 'East Neighbourhood Centre' would include commercial uses at first floor level, as would be typical in other neighbourhood centres. From a design perspective the first-floor walls are not well resolved and will result in cavernous terraces with limited outlook and daylight amenity. It is recommended that first floor commercial uses are reintroduced into the design.</p>	<p>THERE IS INSUFFICIENT CHANGE AND THE PANEL DOES NOT ACCEPT THE JUSTIFICATION FOR THE CHANGE OF USE ON LEVEL 1 INSERTED FLOOR AND ADDITIONAL FSR SOUGHT.</p> <p>18.12.2020</p>
<p><i>Environmental impacts such as sustainable design, overshadowing, wind and reflectivity;</i></p>	<p>The diagrams provided by the Architect indicate compliance with the ADG midwinter solar access and cross flow ventilation requirements. Wind impacts at street and podium levels should be addressed in the DA documentation.</p>	<p>The SEE refers to a Wind Assessment under Appendix 12 of the report. However, no wind report was provided in the DA documents for the Panels assessment.</p> <p>OVERSHADOWING DUE TO EXTRA BUILT FORM AND ISSUES ARISING HAVE NOT BEEN ADEQUATELY ADDRESSED</p> <p>18.12.2020</p>
<p><i>The achievement of the principles of ecologically sustainable development;</i></p>	<p>No specific ESD strategies are proposed in the Pre DA submission. A report by a qualified ESD consultants should be provided in the DA submission that addressed all ESD commitments in the proposal.</p>	<p>A Multi Dwelling BASIX Certificate has been provided with the DA documentation stating that:</p> <p><i>The proposed development will meet the NSW governments requirements for sustainability, if it is built in accordance commitments set out below.</i></p>
<p>Pedestrian, cycle, vehicular and service access and</p>	<p>The ground floor plan provided by Marchese Partners provides the details of the proposed pedestrian, vehicle and service vehicle movements. No specific</p>	<p>Minimal change</p>

<p>circulation requirements; and</p>	<p>cycle paths are nominated on the plan.</p> <p>Pedestrian Circulation</p> <p>The site is effectively a perimeter block formed by the podium of the building. The existing street frontages on Woodville Rd and Lansdowne Street have been provided with widened landscaped footpaths that improve the current condition. 'New Street' 1 and 2 have also been provided with generous landscaped footpaths.</p> <p>It is noted that New Street 1 only provide a footpath on the northern side of the street and that this street has no tree planting.</p> <p>It is recommended that both sides of the street include footpaths and tree planting to improve pedestrian access and amenity.</p> <p>Cycle Circulation</p> <p>The plan does not reference cycle circulation. It is recommended that the applicant investigates opportunities to incorporate a cycle path in the generous landscaped footpath along Woodville Road.</p> <p>Service Vehicles</p> <p>The primary service vehicle loading dock access is on Lansdowne St close the intersection of Woodville Rd. It is understood that this junction is to be signalised as part of the development approval. The Panel raises concerns regarding the scale of loading dock and the impact it will have on the pedestrian amenity of the street and resident's amenity</p>	<p>New tree planting has been provided on New St 1 and 2 which is supported by the Panel.</p> <p>No additional footpath has been provided to the southern side of New St 1.</p> <p>No change. The cycle paths recommended by the Panel have not been provided on the submitted DA plans.</p> <p>No change. The design of the loading dock and size and location of the waste rooms has not been modified for the DA submission.</p>
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	<p>(existing and proposed) due to concentrated vehicle movements at ground level.</p> <p>It is assumed that this loading dock will provide for retail/commercial/ and residential deliveries and garbage. However, it is not clear from the drawings how this will function given the significant garbage storage requirements (not provided on plan) and the distance from retail/residential and hotel uses.</p> <p>The Panel suggests that the architect explores a number of small loading areas located in the building basement to address these issues.</p> <p>Vehicle Circulation</p> <p>The ground floor plan shows four access ramps in the proposed building podium: A retail parking ramp on Lansdowne St; two residential parking ramps on New Street 2 and one exit ramp in the landscape zone of New Street 1.</p> <p>The Panel recommends that the Architect explores consolidating the two ramps on New Street 2 to minimise the current impact on street activation and the use amenity on the pedestrian footpath. The current design shows the vehicle access points adjacent to residential apartment lobbys and the access to the internal shopping mall. This is a safety issue and is not supported under the ADG.</p> <p>The Panel recommends that the one way exit ramp in the landscaped zone of New Street 1 be deleted or relocated into the building podium.</p>	<p>It is noted that a Waste Management Plan has been prepared by Elephants Foot in support of the waste aspects of the design. It is recommended that council officers review of the Waste Management report considers the Panel requests that their comments regarding the size and location of the garbage rooms be reviewed.</p> <p>No Change</p> <p>No modifications have been provided with the DA submission in relation to the Panels recommendations.</p> <p>No Change</p>
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	The location of the exit ramp is considered to be a safety issue for other vehicles and pedestrians and a will negative impact on the quality of the landscaped buffer and deep soil zone between the development and adjoining school.	THERE IS NO SIGNIFICANT CHANGE AND THE PANEL DOES NOT ACCEPT THE JUSTIFICATION FOR THE LAYOUT AS SOUGHT. 18.12.2020
The impact on, and any proposed improvements to, the public domain.	The introduction of two new streets with activated ground floors and landscaping is supported (subject to comments above). The introduction of a new park is also supported.	No Change – supported.

RECOMMENDATION

It is noted that the majority of the Panel's recommended design changes following review of the Pre DA documentation have not been considered or incorporated as design modifications at the DA stage.

On this basis the following summary of key issues still apply to the DA:

- Exceedance of number of storeys limit contained in the DCP
- Lack of commercial / flexible WFH uses on first floor
- Conflict between existing building lots that form part of the site
- Access to loading and parking
- Overshadowing of the adjoining school
- Exceedance of building height limit in the LEP amendment
- Building articulation
- Setbacks
- Site isolation
- Potential acoustic issues of external uses and surrounding existing residential neighbourhood
- A detailed Arts Plan is provided that combines strategies for wayfinding, graphics and interpretive story telling for built form and open space elements.

Panel Recommendation:

THE PANEL NOTES THAT WHILE THE DA DESIGN HAS MERIT, THERE ARE STILL VARIANCES FROM THE LEP CONTROLS FOR HEIGHT AND FSR AND SITE-SPECIFIC CONTROLS CONTAINED IN THE DCP. THE PANEL AGAIN RECOMMENDS THAT THE ISSUES LISTED ABOVE AND DISCUSSED IN GREATER DETAIL IN THE TABLE ABOVE ARE ADDRESSED AS PART OF FURTHER DESIGN DEVELOPMENT OF THE SUBMITTED DA DOCUMENTATION.

IT IS EXPECTED THAT THE UPDATED DA WILL NEED TO BE RE-REFERRED TO THE PANEL AFTER THE SPECIFIC RECOMMENDATIONS RELATING TO THE CHANGES REQUESTED HAVE BEEN MADE TO ADDRESS THE PANEL'S CONCERNS.

Jon Johannsen Architect/Panel Chair

A handwritten signature in black ink, appearing to read 'J. Johannsen', with a stylized initial 'J'.

Aldo Raadik

Ian Armstrong

18.12.2020

marchesepartners

Merrylands East Neighbourhood Centre (DA2020/0493)

Summary of Design Excellence Panel (DEP) Recommendations included in DA Plans

DEP Recommendations	DEP Recommendations included in DA Plans
Podium building wall / elevations	<p>Streetscape amenity / aesthetic</p> <ul style="list-style-type: none"> The podium building wall / elevations have been developed in the DA design plans consistent with the DEP recommendations for: <ul style="list-style-type: none"> increased extent of wall openings and glazing for transparency and activation on the streetscape and natural light penetration into the podium building; minimised extent of blank masonry wall; clearly articulated vehicle and pedestrian access points; use of materials that pick up on the masonry language of the original buildings on adjacent school property; inclusion of more facade design articulation features in masonry elements (eg. wall art design space on Woodville Rd facade); maintaining consistency with DCP objective for definitive podium street wall. <p>Level 1 apartment courtyard amenity</p> <ul style="list-style-type: none"> The podium building wall parapet on Level 1 has been developed in the DA design plans consistent with the DEP recommendation to increase the size of the openings in it to maximise sunlight / daylight penetration into and views out of the Level 1 apartment courtyards inside the podium parapet wall. The Level 1 apartment courtyards have been increased in size with additional landscaping in the DA plans for greater amenity as suggested by the DEP.
Residential building street address and lift lobbies at ground level including in particular for Building A	<ul style="list-style-type: none"> Residential lift lobbies at ground level have been increased in size for better amenity as suggested by the DEP. Pedestrian access paths off New Street 2 for the Building A residential lobby and for the secondary retail access have been revised to provide more legible and amenable access pathways as recommended by the DEP. Residential street address and access points at ground level have been given more definition in the façade design and articulation on the streetscapes as suggested by the DEP.
Detail sections showing deep soil supporting trees and planting on podium terrace	<ul style="list-style-type: none"> Detailed sections are provided in the landscape plans submitted with the DA as recommended by the DEP.
Privacy and Amenity of Adjacent Granville South Public School	<p>Privacy and Amenity</p> <ul style="list-style-type: none"> The DA design plans have been developed to respect privacy and amenity of the adjacent school with the following measures consistent with the DEP comments: <ul style="list-style-type: none"> large setbacks and separation distances between the development and school with wide landscaped street and park

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<p>Privacy and Amenity of Adjacent Granville South Public School (cont.)</p>	<p>giving separation distances far exceeding the ADG;</p> <ul style="list-style-type: none"> – building setbacks from the school boundary of 20m to podium wall and 23m to Building B above podium; – landscape screening with 10 to 15m high trees along the southern boundary with the school; – louvred screens on the southern elevation balconies of Building B facing the school up to Level 6. <p>Shadows and solar access</p> <ul style="list-style-type: none"> • Shadow diagrams are provided in the DA material as recommended by the DEP which demonstrates the shadow impact of the development on solar access available at the school is reasonable as follows: <ul style="list-style-type: none"> – The overall extent of shadow impact on the school is relatively minor given the school has a total area of approximately 2 hectares and will retain an abundance of outdoor play areas receiving solar access during the whole day. The shadow from the proposed development at its maximum extent on the winter solstice at 9am covers an area of approximately 28% of the school site, and then drastically reduces to cover only approximately 6% of the school site at 11am, 5% of the school site at 12pm midday, and 3.5% of the school site at 3pm. The extent of shadow impact on the school is reasonable given the extent of outdoor play areas in the school that will not be affected by the development and that will continue to receive solar access during the day. The shadow impacts are well within good design parameters for education facilities to have outdoor areas in sun and in shade for solar protection. – There is no shadow impact on the main playing field in the school which will continue to receive sunlight all day throughout the year. – There is no shadow impact on any school building of heritage significance. – Shadow impact on the school is generally consistent with the building envelopes in the DCP with slightly less shadow in some areas and slightly more shadow other areas compared to the DCP. This is reasonable in the more detailed forming and design of buildings in design development progressing from DCP envelope to DA built form. – Shadows from the DA plans slightly beyond that of the DCP building envelopes are minor in being mainly around a school car park area, tree area, and existing shade structure.
<p>Separation distance between Buildings A and B</p>	<ul style="list-style-type: none"> • Buildings A and B have been revised in DA plans with increased setbacks and separation at upper levels in compliance with ADG separation distances as recommended by the DEP.
<p>Wind impacts should be addressed in the DA documentation</p>	<ul style="list-style-type: none"> • A specialist Wind Assessment is included in the DA as suggested by the DEP confirming the airflow/wind in new streets and podium will be mitigated by design elements in the DA plans to achieve pedestrian and seating comfort levels.
<p>Acoustic emissions created by external trading of cafes and restaurants along New Street 2</p>	<ul style="list-style-type: none"> • A specialist Acoustic Assessment is submitted with the DA as suggested by the DEP demonstrating noise from any outdoor dining on New Street 2 operating within proposed time limits of 7am to 10pm would be within residential noise levels at nearby residential receivers given the substantial separation distances.

ESD strategies / report should be provided in the DA submission that addresses all ESD commitments.	<ul style="list-style-type: none"> The DA is accompanied by BASIX Certificate for residential, Section J Report for commercial, and overall ESD report prepared by specialist consultants for the development which contain ESD commitments as recommended by the DEP.
Building C resident access to common open space on Level 1 is restricted and there is just one resident lift	<ul style="list-style-type: none"> Building C has been revised in the DA plans to include the following as recommended by the DEP: <ul style="list-style-type: none"> an additional lift servicing residential floor; and a direct connection for residents to and from the common open space on Level 1.
<p>The scale of loading dock and its impact on pedestrian and resident amenity in the street is a concern. Potential for conflict between loading dock truck turning movements and regular traffic at the intersection.</p> <p>The Panel suggests a number of small additional loading areas in the building basement to address these issues.</p>	<ul style="list-style-type: none"> The sitting and design of the main loading dock has been developed in DA plans to minimise impacts on the existing residential neighbourhood and proposed centre in the following respects consistent with the DEP comments: <ul style="list-style-type: none"> The loading dock is in a location that minimises truck movement and impact on traffic and amenity in existing streets and the proposed new streets around the neighbourhood centre. Any other location for the loading dock on the site would require further truck movements along more of the existing streets and proposed new streets and have a greater traffic and amenity impact on the neighbourhood and proposed development. The loading dock is designed for truck movements to enter and exit in a forward direction. No reversing impacts on the street are necessary. The loading dock is designed with solid walls and screening door on the street to internalise the noise and visual impacts in the loading dock. Additional small loading areas have been included in Basement 1 in the DA plans as recommended by the DEP. A specialist traffic impact assessment is submitted with the DA confirming the vehicle access arrangements for the loading dock comply with relevant standards and are appropriate. A specialist acoustic assessment is submitted with the DA and confirms the loading dock will meet relevant noise standards.
Vehicle access adjacent to residential apartment lobby and pedestrian access to shopping mall is a safety issue	<ul style="list-style-type: none"> The pedestrian access arrangements off New Street 2 for the Building A residential lobby and for the retail centre have been revised in the DA plans to provide better separation from vehicle access driveways and improve sightlines and safety in compliance with relevant standards as recommended by the DEP.
Safety and amenity of vehicle egress from basements onto New Street 1	<ul style="list-style-type: none"> Pedestrian safety fencing on the sides of New Street 1 and the vehicle egress ramp is being included in the DA plans to address the DEP comment. Project traffic engineers have reviewed the DEP comment and recommend the egress ramp with a direct egress onto Woodville Rd remain in place to contribute to the dispersal of traffic from the neighbourhood centre and reduce potential for traffic conflict and congestion in the middle of the centre next to the park and school. The traffic engineering advice also confirms the design of the egress ramp meets relevant traffic engineering standards and is not a safety issue.