

CUMBERLAND  
COUNCIL
**CUMBERLAND DESIGN EXCELLENCE PANEL (CDEP)  
MEETING MINUTES**

<b>DATE OF MEETING</b>	<b>26 October 2022</b>
<b>MEETING LOCATION</b>	Via teleconference (Teams)

<b>PROPERTY ADDRESS</b>	276 Parramatta Road, Auburn
<b>Application No.</b>	DA2022/0463
<b>FILE No.</b>	
<b>PANEL MEMBERS</b>	Mr Ashley Dunn (Chair) Mr Glenn O'Loughlin Mr Aldo Raadik
<b>APOLOGIES</b>	nil
<b>ATTENDEES</b>	James Matthews – Planner/ Pacific Planning Raymond Raad – Client Peter Smith – Architect/ Smith & Tzannes Matthew Daniel
<b>COUNCIL STAFF</b>	Michael Lawani – Senior Planner Ms Olivia Yana – Planner Ms. Esra Calim – Planner Ms Rashika Rani – Support Officer
<b>APPLICANTS</b>	Raad Property Acquisition No. 65 Pty Ltd/ James Matthews, Pacific Planning
<b>DECLARATION OF INTEREST</b>	No known conflicts of interest registered
<b>REASONS FOR CONSIDERATION BY CDEP</b>	Submission of a development application incorporating buildings with a height greater than 25m.
<b>BACKGROUND/PREVIOUS MEETINGS/SITE MEETINGS</b>	N/A


**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.

This Design Excellence Panel aims to:

- a) Support Council's *Community Strategic Plan* goals for a resilient built environment

- b) Facilitate design excellence in development for Cumberland
- c) Assist in shaping Cumberland's centres into vibrant, attractive and liveable spaces
- d) Promote innovative design solutions that achieve high quality buildings and spaces for key sites
- e) Encourage diverse and innovative design that is both contextually appropriate and makes a positive contribution to the architectural quality of the locality

The Design Excellence Panel is established to:

- a) Act as an advisory panel where applicants for significant development proposals can receive expert design feedback. This includes critical consideration of design elements and, where required, alternative design suggestions and solutions to achieve design excellence
- b) Support the statutory Design Excellence provisions within Council's Local Environmental Plan

In considering the proposal the Panel takes into account:

- a) Council's Local Environmental Plans (LEPs);
- b) Council's Development Control Plans (DCPs);
- c) State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development (SEPP 65);
- d) Apartment Design Guide (ADG).

The Panel's focus is on design excellence, particularly the amenity of the proposal for occupants as well as the quality of the proposal in its context. Absence of a comment related directly to any of the principles, clauses or controls does not necessarily imply that the Panel considers the particular matter has been satisfactorily addressed.

## **PROPOSAL**

### **Description**

The subject site associated with Stage 1 of the development is legally described as Part Lot B DP 26290, Part Lot C DP 26290, Lot D DP 26290 & Lot E DP 26290, and is known as 276-278 & 280-282 Parramatta Road and Part 60-68 Hampstead Road, Auburn.

The overall site comprises a total area of 10,081 square metres inclusive of 54-58 Hampstead Road & Part of 60-68 Hampstead Road that are for Stage 2 and maintains dual frontages to Parramatta Road (70m) and Hampstead Road (172m).

### **Site History**

DA2020/0310 was approved on 17 May 2021 by the Sydney Central City Planning Panel being a Concept Development Application for building footprints, basement car parking and massing envelopes for a mixed-use development comprising specialised retail premises, hotel and motel accommodation, office premises, child care facilities, cafe and open space. Basement car parking under Building C contains 1 level and under Building A contains 4 levels.

MOD2022/0128 was accepted by Council on the 6 May 2022 as Section 4.55(1A) modification for various amendments to the approved Concept Development for a mixed use development including alterations to upper level envelope plan for northern and central buildings, redefine basement footprints, park and forecourt areas and amend wording of conditions. Basement car parking under Building A will be reduced to 3 levels.

This application is still under assessment and the subject application, DA2022/0463, is relying on the approval of this modification.

The following provides comparison between the current proposed works under MOD2022/0128 and the subject application, DA2022/0463.

The changes proposed under MOD2022/0128 have not been reflected on the plans submitted with DA2022/0463. Council will further review the documentation submitted for MOD2022/0128 to ensure consistency with DA2022/0463.

Notable differences under DA2022/0463 are as follows:

- The massing of Building A and its internal layout has been modified to accommodate a circular shape with an open atrium in the middle. The amended footprint is proposed to provide additional solar access to the proposed open space.
- The approved land use in Building A has been amended to comprise café, 3 levels of specialised retail with 4 level of hotel above.
- Reduced front setbacks containing landscaped area of Buildings A (by 1m) and B (by 2.156m) may decrease opportunity of canopy tree particularly for Building A.
- The proposed Stage 1 open space on Hampstead Road is slightly amended with the addition of a grease arrestor loading mini truck within the entry area.
- The through site link setback between Buildings A and B has been reduced from 15.8m to 10.095m.

## **Referral**

Council is in receipt of development application for Stage 1 of approved Concept Plan for mixed use development - Demolition of existing structures and construction of a seven (7) storey building comprising of specialised retail premises and a hotel over basement car parking.

The Stage 1 application includes three levels of basement parking, a level for flood storage, 8,816 square metres of hotel accommodation and 9,050 square metres of specialised retail premises. No changes are proposed to the location of the approved vehicular accesses to Buildings A and C. The proposed Stage 1 open space on Hampstead Road is slightly amended with the addition of a grease arrestor loading mini truck. The through site link setback between Buildings A and B has been reduced from 15.8m to 10.095m.

The application is referred to the Design Excellence Panel in accordance with the Cumberland Design Excellence Panel Policy as the proposal incorporates a building with a height greater than 25 metres.

## **PANEL COMMENTS**

### **Summary of Key Issues Discussed**

- The Panel has significant concerns about the proposed separation of the project into 2 approval and construction stages. Whilst design excellence may still be possible to achieve whilst staging the development there is insufficient information provided to the Panel to demonstrate how this would work.
- Reliance on stage 2 for loading and servicing the first stage is not supported. Temporary loading and servicing on a partly occupied or vacant site is also not supported. If the project is to be staged then loading and servicing for stage 1 should be provided within that stage.
- The proponent should prepare a report that clearly demonstrates and supports the positioning, capacity, frequency and volumetric capability of loading areas for all stages of this development including waste management.
- The hotel entry experience requires further consideration. Positioning the lobby adjacent to the park and away from the street is acceptable to provide park activation. Sightlines from the street should be improved to provide greater legibility for guests arriving on foot and to maintain a safe public environment.

- A dedicated space should be provided at ground level to cater for guests arriving by car or Taxi/rideshare to an attractive, legible and safe area within close proximity to the hotel lobby.
- Consideration should be given to moving the southern facade of the SPECIALISED RETAIL (BA) tenancy on Hampstead Road adjacent the park north to increase sightlines to the hotel entry. The location and orientation of the substation should also be considered further.
- The Panel supports the additional setbacks now proposed around the park to maintain solar access in the middle of the day in winter.
- A mechanism to deliver the park in Stage 1 should be developed to provide certainty around its development.
- The pedestrian connection between Parramatta Road and the park is supported, however, further consideration should be given to avoid unsecured dead-end corridors or opportunities for concealment.
- The Panel generally supports the proposed relocation of the hotel to the Parramatta Road frontage, noting that acoustic impacts from the road should be carefully addressed.
- The Panel acknowledges the benefits of the drum-like form of the hotel in reducing the impact of building mass on the park and surrounds, as well as providing an identity for the project. The relationship of this form with the podium requires further resolution to avoid negative impacts both on the streetscape.
- The reduced setback on the west of the hotel and the proximity to the neighbour to the west needs to be considered further to ensure that it does not negatively impact future development of the neighbouring site to the west.
- West facing hotel rooms require further consideration with regard to the impact on views to and from the site and impact on future development of 284 Parramatta Road.
- The façades of tower and podium should have either a stronger continuity or a clearer delineation. The blurred relationship between podium and tower in the current proposal results in some less-than-ideal amenity outcomes for the lower level hotel rooms, particularly the corner suite and reduced legibility of the building from the public realm. For example the “slot” running vertically up the Parramatta Road façade should be reconsidered to better denote the pedestrian entry at this point.
- The mid-level planning of the retail spaces should be reconsidered to avoid difficult to lease tenancies and increase legibility for users navigating the space. Planning changes to improve the relationship between vertical circulation and the floor plate and opportunities to bring natural light further into the building’s deep footprint are recommended to improve viability of the centre. Additional opportunities to improve the amount and quality of natural light reaching the atrium and arcade should be explored in conjunction with this.
- The current proposal to access the courtyard from the roof when removing or adding large or bulky is not supported. Access to and the maintenance of the Courtyard landscape needs to be further considered to ensure that it remains an integral part of the building experience over time.
- The plan of the hotel should be amended to provide visual access to the courtyard from the communal areas such as corridors, lift lobby etc.
- Integral and quantifiable ESD targets should be identified and designed into the Architecture. The panel recommends that a target of 5 Star Green Star or equivalent is achieved.

## **RECOMMENDATION**

Due to the comments made above, the Panel is of the opinion that the Stage 1 of this scheme does not currently achieve Design Excellence, but is capable of achieving Design Excellence if the recommendations made above are incorporated. The amended scheme should be referred back to the Panel for further consideration.

## ATTACHMENT 3 - CDEP Correspondence

A meeting with the Cumberland Design Excellence Panel (CDEP) was held on 26 October 2022. The response to the matters raised by the Panel is included in the attached design statement prepared by Smith & Tzannes and summarised in the table below:

Cumberland Design Excellence Panel	Response
<b>Summary of key issues discussed</b>	
<ul style="list-style-type: none"><li>The Panel has significant concerns about the proposed separation of the project into 2 approval and construction stages. Whilst design excellence may still be possible to achieve whilst staging the development there is insufficient information provided to the Panel to demonstrate how this would work.</li></ul>	<p>It has previously been recognised by the property owner that Council will seek surety against overall design where a staged delivery is proposed. In order to provide this surety to Council, the property owner has obtained an initial approval for the whole of the project including the park through the concept approval and recent modification.</p> <p>This was done to allow flexibility of delivery to the owner while providing confidence to Council that the project will be completed. Preparing a staged delivery is also not excluded by this approval.</p> <p>Delivering the park prior to completion of construction of the whole project will impact the ability of the owner to complete construction of the development. The area that will be a park needs to be used as a staging area, work zone and vehicle turning area at various stages throughout the project. In addition, it is noted that conducting construction adjacent to a park space has a detrimental impact on both the quality and usability of the space.</p>

	<p>Further, the warehouse, proposed to accommodate the loading dock is an existing building. It will provide a safe, enclosed space from which loading and unloading can occur without creating a significant change to the streetscape.</p> <p>In order to provide confidence to Council that the space can be operated effectively, a detailed loading dock management plan along with more detailed staging plans have been provided with this submission (Refer to Attachment 5 for loading plan and Attachment 1 for updated Staging plans).</p> <p>The loading dock management plan provides clear advice as to how the dock will operate safely and effectively. Loading bays for the subject development cannot be supplied in stage 1 as they are planned as part of Stage 2.</p> <p>The ground floor plan has been amended to provide a path along the shop fronts at Parramatta Road. This path is partially covered by the overhang of the building above. Level access is provided to this path from the Parramatta Road footpath. An accessible path of travel is provided from Parramatta Road to the main entrance. This amendment also provides further opportunity for an active frontage along Parramatta Road that a future tenant could utilise.</p>
<ul style="list-style-type: none"> <li>Reliance on stage 2 for loading and servicing the first stage is not supported. Temporary loading and servicing on a partly occupied or vacant site is also not supported. If the project is to be staged then loading and servicing for stage 1 should be provided within that stage.</li> </ul>	<p>Stage 1 and 2 have previously been approved by Council under the recent modification: MOD2022/0128. Preparing a staged delivery is not excluded by this approval. The warehouse, proposed to accommodate the loading dock is an existing building. It will provide a safe, enclosed space from which loading and unloading can occur without creating a significant change to the streetscape.</p> <p>The temporary loading strategy is described by both the staging plans and the loading dock strategy. The traffic consultant has described a situation where adequate loading has been provided in the temporary scenarios.</p> <p>In addition the scheme provides a dedicated loading dock space for the hotel within C3. It also provides dedicated waste storage spaces on level C1 and C3.</p> <p>In order to provide confidence to Council that the space can be operated effectively, a detailed loading dock management plan along with more detailed staging plans have been provided with this submission.</p> <p>The loading dock management plan provides clear advice as to how the dock will operate safely and effectively.</p>

	<p>Loading bays for the subject development cannot be supplied in stage 1 as they are planned as part of Stage 2.</p>
<ul style="list-style-type: none"> <li>The proponent should prepare a report that clearly demonstrates and supports the positioning, capacity, frequency and volumetric capability of loading areas for all stages of this development including waste management.</li> </ul>	<p>Please refer to the attached Lyle Marshall report “<i>Parking Utilisation and Capacity Analysis of loading facilities for specialised retail and hotel use</i>” at Attachment 6.</p>
<ul style="list-style-type: none"> <li>The hotel entry experience requires further consideration. Positioning the lobby adjacent to the park and away from the street is acceptable to provide park activation. Sightlines from the street should be improved to provide greater legibility for guests arriving on foot and to maintain a safe public environment.</li> </ul>	<p>The hotel entrance has been amended to make it more prominent when viewed from Hampstead Road and the Park and to improve sightlines and security.</p> <p>Refer to the architectural response in the attached design statement at Attachment 2.</p>
<ul style="list-style-type: none"> <li>A dedicated space should be provided at ground level to cater for guests arriving by car or Taxi/rideshare to an attractive, legible and safe area within close proximity to the hotel lobby.</li> </ul>	<p>Dedicated space for dropping off from vehicles have been provided in basement levels C1 and C3. C3 is a dedicated floor for the hotel and also this function to be safely managed.</p> <p>Bus parking will be provided within the loading dock with dedicated access to the courtyard. Presently an on grade vehicle drop off area on Hampstead road is not proposed for the following reasons:</p> <ol style="list-style-type: none"> <li>it will take away parking spaces along the road;</li> <li>there is a no stopping zone in effect during the morning rush hour;</li> <li>It is not considered appropriate to provide dedicated space at ground level for drop-off and layby. This will destroy the pedestrian environment and public space provided at ground level. This has been provided in Level C1. Signage on the street front will direct vehicles to the basement.</li> </ol>
<ul style="list-style-type: none"> <li>Consideration should be given to moving the southern facade of the SPECIALISED RETAIL (BA) tenancy on Hampstead Road adjacent the park north to increase sightlines to the hotel entry.</li> </ul>	<p>The hotel entrance has been amended to make it more prominent when viewed from Hampstead Road and the Park and to improve sightlines and security.</p>
<ul style="list-style-type: none"> <li>The location and orientation of the substation should also be considered further.</li> </ul>	<p>A great deal of consideration has been undertaken with regard to the positioning of the substation. Items considered:</p> <ol style="list-style-type: none"> <li>Substation access needs to be direct to vehicular access;</li> </ol>

	<p>2. Parramatta Road is not recommended as it is a Classified road. Vehicular access from here is to be avoided;</p> <p>3. Placing the substation on either corner of the Hampstead road facade would create a less visually appealing corner presentation. The current position is therefore considered to be optimum for both functionality and aesthetics.</p>
<ul style="list-style-type: none"> <li>The Panel supports the additional setbacks now proposed around the park to maintain solar access in the middle of the day in winter.</li> </ul>	Noted. Detailed design will incorporate this advice.
<ul style="list-style-type: none"> <li>A mechanism to deliver the park in Stage 1 should be developed to provide certainty around its development.</li> </ul>	<p>It has previously been recognised by the property owner that Council will seek surety against overall design where a staged delivery is proposed. In order to provide this surety to Council, the property owner has obtained an initial approval for the whole of the project including the park.</p> <p>This was done to allow flexibility of delivery to the owner while providing confidence to Council that the project will be completed.</p> <p>Delivering the park prior to completion of construction of the whole project will impact the ability of the owner to complete construction of the development. The area that will be a park needs to be used as a staging area, work zone and vehicle turning area at various stages throughout the project.</p> <p>In addition, it is noted that conducting construction adjacent to a park space has a detrimental impact on both the quality and usability of the space.</p>
<ul style="list-style-type: none"> <li>The pedestrian connection between Parramatta Road and the park is supported, however, further consideration should be given to avoid unsecured dead-end corridors or opportunities for concealment.</li> </ul>	The dead-end corridor has been removed.
<ul style="list-style-type: none"> <li>The Panel generally supports the proposed relocation of the hotel to the Parramatta Road frontage, noting that acoustic impacts from the road should be carefully addressed.</li> </ul>	This requirement has been addressed in Section 4.2 of Renzo Tonin's " <i>Acoustic assessment for DA</i> " provided with the Development Application
<ul style="list-style-type: none"> <li>The Panel acknowledges the benefits of the drum-like form of the hotel in reducing the impact of building mass on the park and surrounds, as well as providing an identity for the project. The relationship of this form with the podium requires further resolution to avoid negative impacts both on the streetscape.</li> </ul>	The façade has been refined with greater clarity and integration of the architectural language between the two forms. The vertical expressed concrete of the columns has been extended into the lower levels to create a more subtle distinction between the hotel levels and retail levels.
<ul style="list-style-type: none"> <li>The reduced setback on the west of the hotel and the proximity to the neighbour to the</li> </ul>	The location of the lift core has been adjusted to ensure a better relationship between the hotel rooms and potential

<p>west needs to be considered further to ensure that it does not negatively impact future development of the neighbouring site to the west.</p>	<p>development adjacent. Refer to drawing DA2-A-SK021 for view study.</p>
<ul style="list-style-type: none"> <li>West facing hotel rooms require further consideration with regard to the impact on views to and from the site and impact on future development of 284 Parramatta Road.</li> </ul>	<p>The location of the lift core has been adjusted to ensure a better relationship between the hotel rooms and potential development adjacent. Refer to drawing DA2-A-SK021 for view study.</p>
<ul style="list-style-type: none"> <li>The façades of tower and podium should have either a stronger continuity or a clearer delineation. The blurred relationship between podium and tower in the current proposal results in some less-than-ideal amenity outcomes for the lower level hotel rooms, particularly the corner suite and reduced legibility of the building from the public realm.</li> <li>For example the “slot” running vertically up the Parramatta Road façade should be reconsidered to better denote the pedestrian entry at this point.</li> </ul>	<p>The façade has been refined with greater clarity and integration of the architectural language between the two forms. The vertical expressed concrete of the columns has been extended into the lower levels to create a more subtle distinction between the hotel levels and retail levels.</p>
<ul style="list-style-type: none"> <li>The mid-level planning of the retail spaces should be reconsidered to avoid difficult to lease tenancies and increase legibility for users navigating the space. Planning changes to improve the relationship between vertical circulation and the floor plate and opportunities to bring natural light further into the building’s deep footprint are recommended to improve viability of the centre. Additional opportunities to improve the amount and quality of natural light reaching the atrium and arcade should be explored in conjunction with this.</li> </ul>	<p>The retail spaces and tenancies have been specifically designed to facilitate large floorplates and footprints to accommodate a “<i>large area for handling, display or storage</i>” of goods, as per the definition of specialised retail premises. The format is consistent with typical large floorplates for this type of retail development with deep footprints that do not rely on natural light throughout a large area. The principal architect has designed the specialised retail floorplans according to standard design practice for specialised retail which is typical across this type of development.</p>
<ul style="list-style-type: none"> <li>The current proposal to access the courtyard from the roof when removing or adding large or bulky is not supported. Access to and the maintenance of the Courtyard landscape needs to be further considered to ensure that it remains an integral part of the building experience over time.</li> </ul>	<p>Access to the courtyard for maintenance is provided in close proximity to the lifts. This will accommodate materials for the day-to-day maintenance of the garden.</p> <p>We note that the courtyard will be open to the restaurant providing easy access to the area.</p> <p>Should wholesale renovation to the landscape be required this would be carried out in a similar way to renovation of any other part of the building. The building will be fitted with a BMU that will allow for large bulka bags of soil or large trees to be handled over the roof. (This would be expected to occur only once every 10yrs or more)</p>

<ul style="list-style-type: none"> <li>The plan of the hotel should be amended to provide visual access to the courtyard from the communal areas such as corridors, lift lobby etc.</li> </ul>	<p>This has been provided through the stairs that are glazed and are provided with doors that have hold back mechanisms to encourage use by guests and views to the courtyard.</p>
<ul style="list-style-type: none"> <li>Integral and quantifiable ESD targets should be identified and designed into the Architecture. The panel recommends that a target of 5 Star Green Star or equivalent is achieved.</li> </ul>	<p>The proposal has been designed to achieve a 4 star NABERS energy rating for the hotel component and a 5.5 star NABERS energy rating for the specialized retail component. It also has a significant quantity of photovoltaics on the roof for energy generation. This is consistent with the requirements of the State Environmental Planning Policy (Sustainable Buildings) 2022.</p> <p>The façade and building fabric have been designed with passive shading devices to reduce the heat load on the façade in summer and reduce energy consumption.</p> <p>Rainwater tanks have been provided for re-use of rainwater collected from the roof.</p> <p>Significant tree planting is proposed that provides shade to the paved areas and the facades of the building and provides a positive improvement on the site's ecology.</p> <p>SLR has been engaged to prepare an Energy Efficiency &amp; Ecologically Sustainable Design Report which included as part of this response. Refer to Attachment 16.</p> <p>We note that "<i>Integral and quantifiable ESD targets</i>" are required of the development by law under Section J of the BCA.</p>

Thank you for your consideration of application and we look forward to working with council towards a determination of the Stage 1 works application and the subsequent preparation and consideration of the Stage 2 works application. If you have any questions in relation to this matter, please do not hesitate to contact me on 0437 521 110.

Yours sincerely



**James Mathews**  
**Planning Director**  
**Pacific Planningbx**