



## CUMBERLAND DESIGN EXCELLENCE PANEL

### MEETING MINUTES

<b>DATE OF MEETING</b>	19/06/2024
<b>MEETING LOCATION</b>	Online
<b>PROPERTY ADDRESS</b>	2 Bachell Street Lidcombe
<b>FILE No.</b>	DA2023/0775
<b>PANEL MEMBERS</b>	Krista McMaster Sandor Duzs Clare Johnston
<b>APOLOGIES</b>	Nil
<b>ATTENDEES</b>	Matthew Daniel Raymond Raad Erica Marshall-Evans Bob Nation Kristina Mitkovski
<b>- COUNCIL STAFF</b>	Esra Calim Mona Lababidi Haroula Michael Harley Pearman
<b>- APPLICANTS</b>	James Matthews of Pacific Planning.
<b>DECLARATION OF INTEREST</b>	Nil disclosure
<b>REASONS FOR CONSIDERATION BY CDEP</b>	The proposed development exceeds 25m in height.
<b>APPLICANT PRESENTER</b>	Kristina Mitkovski
<b>BACKGROUND/PREVIOUS MEETINGS/SITE MEETINGS</b>	A Planning Proposal to amend the then former Auburn Local Environmental Plan was submitted to Council in November 2018. Over the course of the planning proposal, changes were made with the request from the proponent seeking an

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	<p>alteration to the Gateway Determination for the planning proposal for 2 Bachell Avenue, Lidcombe.</p> <p>A pre-lodgement (PL2021/0005) was lodged with Council for the Construction of a mixed use development, including light industries, office and business premises, food and drink premises, specialised retail, centre-based child care, recreation facility, self storage, and wholesale supplies consisting of 4 to 9 storey buildings, integrated open space areas and basement parking.</p>
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## **GENERAL INFORMATION**

The 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 application.

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

The absence of a comment related directly to any of the principles noted does not necessarily imply that the Panel considers the particular matter has been satisfactorily addressed.

## **PROPOSAL**

Demolition of existing structures, construction of a mixed use commercial and light industrial development across nine-storeys with associated parking for specialised retail, high technology industries, light industrial, office and medical uses, storage units, recreation facility (indoor), take away food and drink premises, centre based childcare facility and an animal boarding facility. The detailed site analysis, precedent study and description of design principles provided in the design report is appreciated by the panel and reflects an understanding of the site context.

## **PANEL COMMENTS**

### **Built form, mass and articulation**

- The proposed development exceeds the maximum permissible building height of 18m at Bachell Street. Further modulation of the mass to address this height requirement is required, stepped setbacks to Bachell Street will promote a more harmonious relationship with the surrounding context.
- Please design height breaches out of the proposed design – there is no clear reasoning behind why these are required.
- The proposed FSR of 3.21:1 exceeds the maximum permissible FSR of 3.0:1.
- Describe the massing of the development what strategy have been deployed to allow daylight into the central courtyard. There is a risk this space will be dark and windy.
- Layout of uses is generally ad-hoc and confusing- it lacks integration between uses and with the local area. Consider how someone visiting the development will want to move around and design to make it as easy (and efficient) as possible. The layout of light industrial uses appears odd – 'back of house', disconnected from the development, yet demands expensive ramp infrastructure to access Level 2. Is there a reason why these uses can't be all on ground floor?
- Location of day care on level 5: Likely to have different hours of operation to the rest of the development – how will access be controlled? Lifts to Level 5 are somewhat hidden. How do parents with prams access the ground floor/lifts? Appears to be stairs at each approach. Where is the parking for parents to stop and drop? Question the inclusion of movement

corridor as part of the 7sqm play space. Play space at the southeast will be in shadow most of the day.

- Doggy daycare on Level 9. Is this an appropriate location given the only access is via shared lift? Also appears that there is no outdoor space.
- General orientation of built form will preclude solar access to the plaza area at ground floor.
- Plaza concept, whilst noted as an attempt to create an integrated design, will create issues for safety. Passive surveillance is not strong.
- Security management will be difficult with so many different uses and hours of operation.

#### **Structure / Buildability / Maintenance**

- Considering the difficult, triangular shaped site, clean, consistent structural system is recommended. The presented design indicates the need of transfer structure above LGF, however there are further structural misalignments on the upper floors as well.
- The indicated 300mm wide columns in the basement are not realistic – in case of a 12 storey (3 basement + 9), with type A construction, considering all the load and the required fire rating the columns will be much wider than 300mm. As there is no tolerance left in the design, the 2600mm visitor spaces will be quite likely compromised. Early structural engineer involvement is recommended.
- Over articulation of the courtyard circulation areas and building mass leads to poor weather protection and maintenance issues. Rain-water to be handled on open corridors – glass balustrades act as water-trap – open balustrades cause linear dripping/flowing of water.
- The amenities / wet areas are scattered, not aligned. From a buildability / construction cost point of view well aligned wet areas would be beneficial.

#### **Parking, circulation and servicing**

- Clarification required on justification for excluding the basement self storage from FSR calculation
- Future EV charging not noted, consider fire protection.
- Justify the use of tandem spaces.
- Loading of Self Storage only by B99 is not realistic. Business model to be confirmed by specialist consultant.
- 52 bicycles parking on B1 and B2, but only 28 on LGF. Is it possible to have all bicycles on LGF? Or even on GF?
- Aisle width of 6m is not sufficient for SRV turning / loading. Refer to AS 2890.2 Off-street commercial Parking
- Locating 18 bicycle on the bottom of the driveway on LGF raises safety issues.
- Locating loading bay on the bottom of the driveway of LGF raises safety issues.
- SRV Loading on LGF blocks GYM entry
- Fire exits, fire egress merging clearances, lengths, night-time exits through after hours controlled access points etc. to be reviewed and resolved.
- The exhaust system will likely be required for heat and smoke exhaust as well – the location of the proposed exhaust above the GF street frontage footpath is to be reviewed and coordinated, not only from carpark ventilation, but also from fire, health and acoustic point of view.
- Proposed accessible car parking spaces: B2: 1/218, B1: 1/191, LGF: 7/133. Total: 9/542. To be reviewed, especially in light of the medical use in the building. Accessible spaces headroom requirements to be checked (can be critical on B1 and B2)
- Ambulance access to medical use is not clear. The indicated corridor is about a 1m wide, long corridor, which is not sufficient for stretcher or bed transport.
- Ambulance bay + corridor headroom to be checked
- Circulation of MRV Loading 14 is not sufficient.
- Passing bay is blocking BG.05 loading
- After hour access lines to be reviewed.
- Vehicle access / turning of B2.01, B2.06, B2.07 is not sufficient

- Egress from Northern terrace of child-care to be checked
- Commercially operating a dog daycare on the top of the building can be challenging – especially for the office users and the babies and kids on the floors below. Acoustic report and advise recommended.
- Child-care centre drop-off, fire, acoustic, and servicing requirements to be coordinated and checked
- Does the ramp up to level 2 provide appropriate clearance for the type of vehicles expected to utilise it?

### **Accessibility and amenities**

- The proposal lacks consideration of disabled access. Many stairs up into courtyards/units with no other access shown.
- Accessible entry is not provided for units AG.05-AG.13, BG.05-BG.07, BG.09
- Drawings are not dimensioned, but either the ambulant toilets are too wide, or the normal toilets are too narrow. Please check.
- Door clearances to be checked. Accessible toilet behind BG.03, and behind B2.12 not compliant.
- Lift lobby in front of Lift 1 and 2 on GF to be checked – probably not stretcher compliant. Adjoining ramp clearances to be checked.
- DG.01 is not accessible.
- DG.01, D1.01 and D1.02 does not have access to toilets (separated by driveways)
- DG.01, DG.02, D.101, D1.03 and D1.02 does not have accessible toilets provided
- Clearances at the internal stairs are not compliant at CG.01-06
- A2.01, A3.01, A3.02, D3.01, D4.01, A4.01 need another ambulant toilet.
- Some of the units on L2, L3 don't have access to toilet. There are only two accessible toilets on the floor which is not enough toilets to serve the floor
- All toilets recommended to be designed with door opening outward with a privacy wall or hand-wash lobby, otherwise lift-off hinges to be used.
- D5.02 ambulant toilet and the accessible toilet not compliant.

### **Sustainability and environment**

- The panel acknowledges the sustainability targets set for the project of 5.5 star NABERS energy and 2 star water rating and encourages further development of strong ESD principles for the project.
- Promising to see the consideration for the integration of good CEPTED principles.
- The rail corridor to the south of the site has the potential to provide borrowed landscape amenity to the development. Consideration should be made for this opportunity in the developing design.
- What strategies have been adopted to account for the flooding risk on site
- How is the stormwater channel going to be managed? Have you met with Sydney water?
- Proposed deep soil zone not clear
- Proposed canopy cover not clear
- General approach to landscaping lacks consistency and reasoning (for example, why is the pavement criss-crossed? If assisting in wayfinding this makes sense but there is no correlation which is confusing)

### **Street address**

- The primary street addressing mass clad in brick is an visually attractive, contextual and human scale response to the street frontage.
- There is a good rhythm to the street a facing elevation which is not evident in the taller buildings at the rear
- Understanding that the intention is that the ground floor tenancies are dual frontage, stairs and retaining walls at the street frontage are to be avoided. Review level of ground floor slab.

- Min. 3m wide green front setback recommended

### **Site access**

- Various entry points to the development will make it difficult for people to find their way into and around safely and conveniently.
- Access is generally convoluted – long, winding and indirect corridors may be unpleasant and unsafe. Pedestrian pathways/access along the north east edge is not clear.
- Potential for conflict at the merge of ramp system at the ground floor. Why does the building follow the curved driveway – this may present a collision issue.
- The access way between the tenancy and ambulance bay at the ground floor seems too narrow to take a stretcher and will require review
- Alignment of the carpark entry with the round about at Bachell street is legible and supportable

### **Presentation**

- Strong context study
- The legibility of plans, elevations and sections needs to be improved ahead of DA lodgement. Scale of annotations, levels, clear dimensions, hierarchy of colouring and hatches, presence of surrounding context.
- North points, RLs, legends please

A more detailed comments in relation to the project are summarised in the following table:

<b>A. DESIGN EXCELLENCE</b>	
<i>Whether a high level of architectural design, materials and detailing appropriate to the building type and location will be achieved</i>	<p>The presented design, materials and detailing is high quality in their components, however altogether probably “over designed”, due to the number of design languages combined into a conglomerate.</p> <p>The submitted material clearly shows that the design is in passionate and good hands to amend and fine tune the proposal.</p>
<i>Whether the form and external appearance of the proposed development will improve the quality and amenity of the public domain</i>	Min. 3m wide green front setback recommended
<i>Whether the proposed development detrimentally overshadows an area shown distinctively coloured and numbered on the sun plane protection map</i>	The proposal does overshadow its eastern neighbour. However, not significantly.
<b>B. HOW THE DEVELOPMENT ADDRESSES THE FOLLOWING</b>	
<i>Existing and proposed uses and land mix</i>	The development proposed a diverse mix of uses which has the potential to activate the area and promote multipurpose trips and extended dwell time. The panel considers this to be of potential benefit to the amenity area, however a more cohesive approach to planning for access, operation and safety needs development
<i>Heritage issues and streetscape constraints</i>	The site is not a Heritage item and is not located in a Heritage Conservation Area.
<i>The location of any tower proposed, having regard to the need to achieve an acceptable</i>	The composition of the proposal at the east of the site has a less successful relationship with the street street. In

<i>relationship with other towers (existing or proposed) on the same site or neighbouring sites in terms of separation, setbacks, amenity and urban form.</i>	the panel's opinion elements of this tower form are perhaps seeking to squeeze too much GFA out of the site and should be reconsidered.
<i>Bulk massing and modulation of buildings</i>	Street frontage modulation is acceptable, rear massing is not ideal, too complex.
<i>Street frontage height</i>	The proposed development has a well conceived scale and relationship with the street. The ground floor level could be reconsidered to avoid stepped entries tot the commercial tenancies from the street. The concern here is that the street frontage will become the secondary entry to these tenancies, with the mall facing entries becoming the preferred entry as it is step free. This would result in a poor interface with the street.
<i>Environmental impacts such as sustainable design, overshadowing, wind and reflectivity</i>	Solar amenity and protection from wind tunnelling in the central courtyard is not demonstrated. The proportions of the central courtyard could benefit from being increased to ensure quality and use of this space.
<i>The achievement of the principles of ecologically sustainable development</i>	The panel acknowledges the sustainability targets set for the project of 5.5 star NABERS energy and 2 star water rating and encourages further development of strong ESD principles for the project.
<i>Pedestrian, cycle, vehicular, and service access, circulation and requirements</i>	Pedestrian circulation is too complicated especially considering accessibility requirements. Some of the accessible amenities can be approached only through public domain, which is not acceptable.
<i>Impact on, and any proposed improvements to, the public domain</i>	See street frontage and street frontage height
<i>Key issues, further comments and recommendations</i>	<p>The Local Green Grid diagram in the design report does not indicate the green strip, and the trees along the street frontage, however the existing green set back is more substantial than most of the highlighted green areas.</p> <p>Keeping a 3 metre wide green set-back is recommended, in line with the previous design excellence panel's opinion.</p> <p>The over 500 car parking spaces would cause big pressure one the single lane roundabout which would be congested in peak hours due to short queuing distances in the underground car park.</p> <p>In general the site is overdeveloped, internal arrangement, fire egress strategy and circulation is over complicated and not efficient. Open corridors are not weather protected, creating stormwater management and maintenance issues. Considering the special shape of the site the FSR increase and the height increase are not supported.</p>

## **RECOMMENDATION**

The development proposes a diverse mix of uses to support small to medium business operations with the potential to activate the neighbourhood and promote employment. This concept is supported by the panel.

There are many potential successes presented by the design. However, further development is required to achieve the principles of design excellence set out by Cumberland City Council. The panel believes that the design needs to be revised, and the above-mentioned concerns and comments need to be addressed.