Attachment 13 - DEP Comments and Applicant's response

DEP

The proposed development sits between a commercial zone on Parramatta Road as well as Hampstead Road intersection, and a low-density residential zone on Hampstead Road. The massing, materiality and detailing of the development must be sensitive the positive elements of the existing character and amenity of the precinct while considering a likely denser future to mitigate negative impacts. Loading dock and substation along Hampstead Road will impact existing residential uses opposite.

The building mass is built up to and beyond the height limit. Additional roof articulation should be provided to avoid the extensive flat top of the current proposal whilst avoiding any negative overshadowing impacts to the surrounds.

The horizontal layering of the building masses is generally supported, but consideration should be given to providing a continuous vertical expression to the façade fronting the central circulation atrium.

The front entry to the building is poorly resolved with the entry axis from the street terminating in a door accessing toilets.

Whilst the provision of a 'public park' creates a softer interface with residential on the eastern side of Hampstead Road. It may also create unsafe space (particularly at night) if the retail tenancies are not active, and the landscape (including lighting) is not well considered.

Applicant's Response

The massing, materiality and detailing of the development

The building is taller than the adjacent residences. It is also generally consistent with the height limits set for the zone. We believe that the massing materiality and detailing of the development is sensitive to the residential character opposite Hampstead Road. The internal park is designed to align with the public park opposite, creating a green link for the area. The rhythm of the street façade breaks down the massing of the building into a human scale while separating the lower and upper blocks with a recessed band at the third floor reduces the vertical impact.

Loading dock and substation

The loading dock and substation are aligned with Hampstead Road through necessity. The existing developments have several loading docks leading to Hampstead Road as well as a kiosk style substation. The proposed development will reduce the number of loading dock entries and incorporate the substation within the built form. To suggest that these elements are a compromise discounts a fundamental necessity of the modern built environment.

Additional roof articulation

The proposed stage 2 building has been designed with a flat roof to minimise impact of overshadowing onto the adjoining residential area and Hampstead Road reserve. The expansive flat roof additionally allows for an effective location for solar panels to improve overall sustainability targets of the development. Please refer to DA2-A-S110 for amended roof plan including solar panels.

Vertical expression to the façade fronting central circulation atrium

Consideration has been given to providing a continuous vertical expression to the façade fronting the central circulation atrium. Due to the existing articulation of the building forms, it would break up the building masses in an unfavourable manner.

The front entry to the building

Spatially the site has been arranged around a central forecourt, featuring landscaped park areas, a large dining zone and designed to allow for future cross site links to Parramatta Road along the stormwater easement. This forecourt acts as a welcoming public space, drawing people into the proposed shopping, dining and office precinct. Both buildings have been designed to address this central forecourt, with the front entrance to the stage 2 building designed as a large angled opening welcoming people from the forecourt into the central atrium of the Stage 2 building. Walking in either direction on Hampstead Road, direct lines of sight are provided to either the Stage 1 or Stage 2 building entries.

The development steps back from the street in approach to this forecourt, allowing for a covered colonnade which acts as a widening of the existing footpath and increasing permeability of the site. The entry space to the toilet block has been redesigned to align with the adjacent cafes, allowing the entryway to blend into the development and increasing the forecourt area.

The below diagram highlights the arrangement of the built form around the central forecourt, which is intended to act as the main focal point of the site. The forecourt is proposed to draw people into the shopping and dining precinct increasing activation within the area.

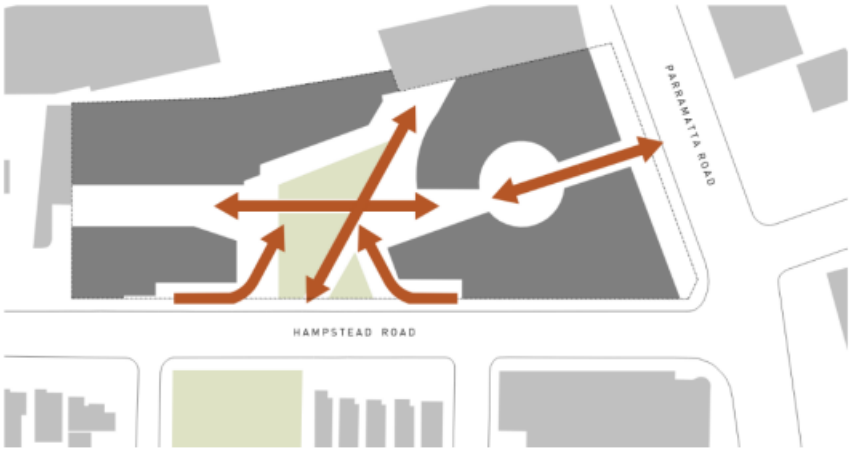

FIGURE 1: PROPOSED BUILT FORM ARRANGED AROUND CENTRAL FORECOURT

Public Park safety

The park is intended to be an active zone with safety provided by multiple users of the space. As discussed previously, this area provides the entry zone to the pair of buildings that address it. The cafés to the west of the courtyard are expected to remain open throughout the day providing further activity to this area.

Public Park

Query

Clarification on park size, access and safety. Future link aligned with existing culvert to western site is encouraged, however the design must ensure that safety is maintained until such time as the adjacent site is redeveloped.

Approved ‘park’ location shown in concept plan provides a more appropriate relationship to the public park opposite, a wider frontage and better lines of sight into the development and the resulting increased circulation space reducing the useable space within the park. The amount of circulation bisecting the park should be reconsidered and the built form adapted to improve the relationship of the park to its surrounds.

Applicant’s Response

Clarification on park size, access and safety

Clarification on park size has been provided on DA2-A-S103 where dimensions have been added to the existing plans.

Approved and proposed park location

The original concept plans for this site were prepared on the basis of the land to the west of the site being rezoned for mixed use development. This was consistent with the Parramatta Road Strategy at the time. This planning proposal has since been abandoned and the land has been zoned E3 productivity support by council in the Cumberland LEP 2021. With this new land zoning it is unlikely that the land to the west will be divided up with a new street network, as residential uses are not permitted. The southern link in the concept plans created a ‘dead-end’’ lane. Issues around security and activation were raised in the assessment of the original development application.

The changing land use strategies on this site has meant that the approved concept application building forms and park location are no longer suitable to the future desired character of the neighbourhood. The building forms have been improved to allow for centralised circulation on the site, improved solar access to the park and forecourt as well as avoiding issues around ‘dead end’ lanes.

The proposed location of the park maintains a strong connection to Hampstead Road Reserve with a wide frontage to the Hampstead Road boundary. The proposed park extends deeper into the site providing generous open space in the centre of the development with increased opportunity for sunlight whilst allowing for effective building forms, improved lines of site into the development and opportunities for diverse uses e.g. outdoor dining area connected to the café/restaurant. The rotated park location maintains the use of the stormwater easement as a ‘through site link’ to future development.

Circulation bisecting the park

The park location relates directly to Hampstead Road reserve to improve public amenity and strengthen the relationship to the existing surrounding context. The bisecting circulation allows for effective connection between the northern and southern building forms. The building form allows for effective solar access to the proposed park creating inviting spaces for future users.

Childcare

Query

The panel has concerns for the amenity and access of the childcare centre on the upper levels due to;

- impact of overshadowing on the open space of the childcare resulting from stage 1 development
- Entry to childcare needs to be better defined and provide space for parents to wait
- Ensure the design meets the requirements for safe evacuation (prams and young children who cannot evacuated alone to be considered)
- Solid wall along the western boundary may prevent solar access (how tall is it?)
- drop off / pick up parking Childcare planning guideline states ‘drop off and pick up zones that are exclusively available for use during the facility’s operating hours with spaces clearly marked accordingly, close to the main entrance and preferably at the same floor level.’
- Design of levels above Level 3 childcare terrace need to address overlooking/privacy issues
- Access and security arrangements need to be defined to ensure safe access to Childcare out of usual office hours
- Question office tenancy next to childcare

The panel notes that Councils internal Engineering, environmental health and Education and Care team have reviewed the proposal and raised issues which shall be referred to the applicant to resolve comments prior to determination.

Applicant's Response

Overshadowing

Please refer to drawing sheets DA2-A-S832 and DA2-A-S833 which provide additional view from the sun diagrams provided as part of this RFI specific to the Childcare outdoor play area. The analysis shows that overshadowing from the stage 1 development is insignificant by 10am and non-existent after 11am.

Entry

Once on level 3, after a short walk from the lifts through the atrium families will arrive at the entry and reception to the childcare centre. Adjacent to the entry is a generous breakout and seating area providing a relaxing and comfortable space for parents to linger and chat.

Evacuation

Escape from the childcare centre will be demonstrated by way of an alternate fire engineered solution as part of the construction documentation stage. The fire engineer has reviewed the design and provided advice as to how this will be achieved. Refer to response prepared by the project Fire engineer, E-Lab

Boundary Wall

The western wall is 1.8m high. Refer to DA2-A-S832 and DA2-A-S833 for Childcare compliance with sun access to the outdoor play area, which is not negatively affected by this boundary wall.

Parking

Vehicular access is by way of the building B vehicle entry adjacent to Hampstead Road down to level 2 of the underground carpark. On level 2 there are 26 parking spaces dedicated to the childcare centre. Level 1 contains 1 childcare accessible space. Totalling 27 Childcare parking spaces. These spaces are centred around the bank of lifts.

Privacy

The architectural drawing package has been amended to include shade structures protecting the outdoor play area. This will have the dual benefit of reducing the impact of direct sun on the children, it will also reduce the opportunity for overlooking from the offices above. The façade to the office levels above childcare also feature 600 mm horizontal blades, allowing for additional privacy to the childcare.

Office Space

We acknowledge concerns relating to the office space abutting the childcare centre. Both the Childcare Centre and the office spaces and the office spaces opposite the atrium open onto the atrium. The atrium space is a shared zone with multiple sightlines from active spaces. Unaccompanied children will not be in the atrium area and play areas will not be visible from the atrium.

The wall between the office space and the childcare area will be continuous from concrete slab to concrete slab and well insulated.

In recognition of the concerns raised here the outdoor areas around the office space have been reassigned from terrace areas to be planting areas and there will be a full height screen between the planting areas and the outdoor play area.

Query

The long, southern blank wall requires further articulation and to be constructed in highquality, low maintenance materials to avoid negative impacts on the project's surrounds.

Applicant's Response

The southern blank wall has been amended to be broken into three distinct sections to provide further articulation and avoid negative impacts on the projects surrounds. Please refer to the south elevation on DA2-A-S201. The section of the wall closest to Hampstead Road will be constructed from cast cement panels which will be indented to continue the grided pattern seen on the Hampstead Road facing façade of the building. The central section of the wall will be pushed back slightly from the boundary and constructed from a precast cement. The final section of the wall towards the western boundary will be left blank as is it blocked by the neighbouring factory at 52A Hampstead Road. Fibre cement is a high-quality, low maintenance material.

Building Height

Query

The proposed height of 29.54m exceeds the permissible height of 27.00m. This is not supported as there is little justification for its requirement in demonstrating Design Excellence. Upper levels are contributing to the bulkiness of the mass, investigate opportunities to modulate. Any rooftop plant should be appropriately screened and integrated into the overall building design to avoid negative visual and/or acoustic impacts.

Applicant's Response

29.54m relates to the height of the rooftop plant provided to the top of the building. This plant is central to the building form and will not be visible from the street. The design has been amended to include screening to rooftop plants to further ensure avoidance of negative visual and/or acoustic impacts. The maximum height of the building (not inclusive of the plant) is 28.19m with a non-compliance of 1.19m. Overshadowing impacts caused by the height non-compliance are minimal and have been analysed and discussed in the overshadowing section of this letter.

FSR

Query

Greater clarity on FSR calculation required. Circulation concourse is fairly enclosed on some lower levels, this would need to be justified in calculations.

Applicant's Response

We have excluded circulation areas within the atrium as this area is open to the elements at either end. This allows natural ventilation to this area. The walls facing the atrium will be constructed as external walls not as internal partitions. The balconies all have balustrades less than 1.4 metres high. This is consistent with the definition of Gross Floor Area taken from Council's LEP. Please refer to DA2-S-A203, where an additional section has been added to the architectural drawing package to highlight the openness of the central atrium.

Street frontage height

Query

Interface to Hampstead Road compromised by vehicular access, booster and substation. Specialised retail on Hampstead Road is awkward to access and shop frontage is not well shared (very little frontage for one shop which is tucked behind the substation). Retail would be better located with direct street access (i.e. not setback).

Applicant’s Response

The nominated services; substation, hydrant and vehicle entry are all required to have direct street access. Additionally, they are essential for the operation of the building. Finally, due to the slope of the street, the retail floor level is higher than the ground level of the street, adjacent to the park area. In order to address these issues, we have created a covered walkway adjacent to the retail facade that has on grade access. the hydrant boosters have been kept as low as possible to create sightlines over the top of this equipment from the covered walkway.

Applicant’s Response

To address concerns of overshadowing to Hampstead Road reserve and the existing residential properties, extensive analysis has been added to the architectural drawing package. The approved concept envelope forms have been compared with the proposed detailed development to directly compare any additional extent of overshadowing between the two. Please refer to the below table and drawings DA2-A-S853 through to DA2-A-S857 for results of this analysis.

It is noted that every residential property affected by the proposed development maintains an excess of 2 hours sun access between 9am - 3pm on the 21st of June as per compliance with the ADG.

Overshadowing to the residential developments does not occur until 12:30pm where there is minimal additional overshadowing caused by the proposed building. From 12:30 onwards the additional overshadowing mostly occurs to no.63 Hampstead Road. The proposed park receives a noticeable amount more afternoon sun and Hampstead Road reserve receives more sun access into the late afternoon, where in the approved development it is almost entirely shaded by 3pm.

Arrangement

Query

The lower-level southern tenancies, in particular those in the SW corner of the site, should be reconfigured to achieve adequate natural light, improving their appeal and to reduce reliance on artificial illumination.

Applicant’s Response

The lower-level southern tenancies are proposed to be specialised retail. This category of retail does not rely on natural lighting for customer appeal. Each tenancy has a large, glazed frontage to the open central atrium allowing for natural light to enter then tenancy. The floor plates are deep and will rely on artificial illumination for adequate lighting, these artificial lights will be LED to reduce power consumption.

Loading Access

Query

Acknowledging the constraints of the site, the panel is concerned about the location of the loading dock entry directly opposite low density residential uses on Hampstead Road would be disruptive. Detail to be provided on the operational times of the dock for managed solution. The goods lift configuration should be developed further to avoid conflicts between back and front of house. The driveway is particularly wide and further design development is recommended to reduce the width of the crossover, manage the impact of vehicle lights on the residences opposite and improve the active frontage of the proposal. The substation and booster positions should be developed to minimise the frontage taken up by services and to improve the quality of the proposal’s presentation to the street.

Applicant’s Response

As discussed previously the loading dock and substation are aligned with Hampstead Road through necessity. The existing developments have several loading docks leading to Hampstead Road as well

as a kiosk style substation. The proposed development will reduce the number of loading dock entries and incorporate the substation within the built form.