



CUMBERLAND DESIGN EXCELLENCE PANEL

MEETING MINUTES

DATE OF MEETING	28 th August 2024
MEETING LOCATION	Online
PROPERTY ADDRESS	54-68 Hampstead Road & 276-282 Parramatta Road, Auburn
FILE No.	DA2024/0200 and PAN-431094 MOD2024/0093 and PAN-414542
PANEL MEMBERS	Krista McMaster Glenn O'Loughlin Clare Johnston
APOLOGIES	
ATTENDEES	
- COUNCIL STAFF	Mona Lababidi Esra Calim Haroula Michael Michael Iawani Eman Korani
- APPLICANTS	Smith & Tzannes Architects Pacific Planning Pty Ltd Raad Property Acquisition
DECLARATION OF INTEREST	None declared
REASONS FOR CONSIDERATION BY CDEP	The proposed development exceeds 25m
APPLICANT PRESENTER	Smith & Tzannes Architects
BACKGROUND/PREVIOUS MEETINGS/SITE MEETINGS	Development Application No. DA2020/0310 was approved by the Sydney Central City Planning Panel (SCCPP) on 17 May 2021, issuing consent for a Concept Development

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	<p>Application for building footprints, basement footprints and massing envelopes for a mixed use development.</p> <p>Modification Application No. MOD2022/0128 was approved by Council under staff delegation on 1 March 2023, issuing consent for Section 4.55(1A) Modification to the approved concept development application No. DA2020/0310 for various amendments to the mixed-use development.</p> <p>Development Application No. DA2022/0463 by the Sydney Central City Planning Panel (SCCPP) on 17 October 2023, issuing consent for the demolition of existing structures and construction of a seven (7) storey mixed use building.</p> <p>MOD2024/0034 was lodged with Council on 5 March 2024 seeking approval for Section 4.55(1A) modification to DA2022/0463 for amendments to Stage 1 conditions. Currently under assessment.</p> <p>MOD2024/0093 was lodged with Council on 26 March 2024 seeking approval for Section 4.55(1A) modification to approved concept development application no.DA2020/0310 and subsequent Section 4.55(1A) modification no.MOD2022/0128 for various amendments to the mixed use development</p> <p>Concept DA2020/0310 is currently under assessment and is concurrently being reported to the Design Excellence Panel for consideration.</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

Stage 2 - Demolition of existing structures including removal of trees and construction of a seven storey mixed use development comprising specialised retail, office, childcare, food and drink premise over 3 levels of basement parking associated with the section 4.22 approved concept Development Application No. DA2020/0310.

STAGE 2 PANEL COMMENTS - DA2024/0200 and PAN-431094

A. DESIGN EXCELLENCE	
<i>Whether the form and external appearance of the proposed development will improve the quality and amenity of the public domain</i>	<p>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.</p> <p>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.</p> <p>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.</p> <p>The front entry to the building is poorly resolved with the entry axis from the street terminating in a door accessing toilets.</p> <p>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) design is not well considered.</p>
B. HOW THE DEVELOPMENT ADDRESSES THE FOLLOWING	
<i>Existing and proposed uses and land mix</i>	<p>Existing Trees</p> <p>Removal of established trees on the site is discouraged.</p> <p>Public Park</p> <p>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.</p> <p>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.</p>

	<p>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.</p> <p>Mix of uses</p> <p>The project proposes a seven-storey mixed use commercial building with specialised retail, office, childcare centre and food and drink premises above three levels of basement parking. Mix of uses is encouraged.</p> <p>Childcare</p> <p>The panel has concerns for the amenity and access of the childcare centre on the upper levels due to;</p> <ul style="list-style-type: none"> - 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 <p>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.'</p> <ul style="list-style-type: none"> - 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 <p>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.</p> <p>Retail Uses</p> <p>Above ground retail tenancies defined as speciality retail, what is intended here? How can foot fall be guaranteed. Requires a strong wayfinding strategy.</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 neighbouring</i></p>	<p>The long, southern blank wall requires further articulation and to be constructed in high-quality, low maintenance materials to avoid negative impacts on the project's surrounds.</p>

<i>sites in terms of separation, setbacks, amenity and urban form.</i>	
<i>Bulk massing and modulation of buildings</i>	<p>Building Height</p> <p>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.</p> <p>Upper levels are contributing to the bulkiness of the mass, investigate opportunities to modulate.</p> <p>Any rooftop plant should be appropriately screened and integrated into the overall building design to avoid negative visual and/or acoustic impacts.</p> <p>FSR</p> <p>Greater clarity on FSR calculation required. Circulation concourse is fairly enclosed on some lower levels, this would need to be justified in calculations.</p>
<i>Street frontage height</i>	<p>Interface to Hampstead Road compromised by vehicular access, booster and substation.</p> <p>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 (ie. not setback)</p>
<i>Environmental impacts such as sustainable design, overshadowing, wind and reflectivity</i>	<p>Stormwater Easement</p> <p>There is an existing stormwater easement through the site. The panel notes there has been early engagement with Council and Sydney Water to coordinate. Provided through site link to Parra rd.</p> <p>Overshadowing</p> <p>The increased mass of the proposed development overshadows Hampstead Road Reserve and public domain. As well as surrounding residential properties. The panel recommends that the design team investigates strategies to minimise overshadowing. This should include redistribution of the mass on the north-east corner of the site which reduces the width of the proposed park on site, takes up the area of the site with the best solar access and contributes most significantly to the impacts on the existing public park and residences.</p> <p>The proposal to merge the previously approved 2 buildings into 1 further contributes to overshadowing. Shadow diagrams consider the overshadowing of proposed courtyard, the same level of analysis would be appropriate for Hampstead Reserve. There are no shadows in the shadow plans. Provide analysis of current</p>

	<p>and proposed amenity loss to existing residential development.</p> <p>Staging</p> <p>What is proposed for stage 2 when stage 1 is built, will there be any interim uses?</p> <p>Arrangement</p> <p>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.</p>
<p><i>The achievement of the principles of ecologically sustainable development</i></p>	<p>The Panel were advised that the development intends to achieve the minimum Section J requirements only.</p> <p>The Panel supports the inclusion of shading elements in the façade to limit overheating.</p> <p>The Panel encourages the applicant to also consider the benefits of a more wholistic sustainability strategy, particularly as this is increasingly necessary to secure tenants who seek reduced running costs and often need to meet their own mandatory sustainability commitments.</p> <p>Opportunities include:</p> <ol style="list-style-type: none"> 1. An uplift beyond minimum Section J requirements. 2. A suitable Greenstar or NABERS target. 3. Optimise building electrification with exclusion of gas, and inclusion of solar panels (and batteries where possible) to augment energy generation and management. 4. Inclusion of ceiling fans to all sales or front-of-house areas. 5. Capacity for EV charging in basement parking. 6. Glazing to be of appropriate dimensions and performance. 7. High levels of insulation and air-tightness coupled with a breathable façade. 8. Extensive landscaping and allowance for a continuous tree canopy. 9. Reductions in embodied energy via use of sustainable materials. 10. At least one substantial building element designed for disassembly at end of life. 11. Water collection and on site re-use, for landscaping but also potentially for toilet flushing. 12. Water Sensitive Urban Design strategies incorporated into landscape design.

	<p>13. Details of sustainability measures adopted are to be added to the drawings.</p> <p>14. Additional/better located end-of-trip facilities that encourage walking and cycling to the site and make it easy for cyclists to park their bike and access the showers without having to walk through the buildings.</p> <p>Landscape</p> <p>Deep soil zone appears to be achieved, following some water sensitive urban design principles. Review proposed tree locations outside of deep soil zones to confirm we are achieving the necessary soil depth to support growth of a tree this size is unlikely. Seek input from landscape architect.</p>
<i>Pedestrian, cycle, vehicular, and service access, circulation and requirements</i>	<p>Parking</p> <p>The allocation of accessible parking spots seems low. Applicant to discuss strategy and location.</p> <p>Loading access</p> <p>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.</p> <p>The goods lift configuration should be developed further to avoid conflicts between back and front of house.</p> <p>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.</p> <p>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.</p> <p>Mechanical</p> <p>There are two F&B tenancies marked on the ground floor, where no provision for mechanical exhaust has been made. The spatial and acoustic impacts of associated ductwork and equipment is not insignificant and will impact uses above. Suggest engagement with mechanical engineer and kitchen consultant. The same can be said for the carpark and dock ventilation requirements.</p>
<i>Impact on, and any proposed improvements to, the public domain</i>	Publicly accessible areas of the development

	<p>The intention to provide publicly accessible areas is encouraged but must be developed with consideration for good CPTED and safe lighting principles.</p> <p>See overshadowing on reserve and public domain above.</p>
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STAGE 1 PANEL COMMENTS - MOD2024/0093 and PAN-414542

Proposed Development

Section 4.55(1A) modification to DA2020/0310 for various amendments to the mixed-use development comprising specialised retail premises, hotel and motel accommodation, office premises, child care facilities, café and open space including alterations to the southern and central building envelopes into one consolidated building form including redefining associated basement level footprints, increase the height of building envelope over 27m

Panel Comments

Elevations and rendered perspectives not provided to the panel in advance of the meeting.

Height of building

The development exceeds the permissible height of 27 metres. The diagrams show the proposed envelope exceeds the permissible height. What is the proposed height of the development?

Overshadowing

The solar analysis diagrams do not comprehensively show shadows cast. Scale of impact is cropped in diagrams, but indicate significant over shadowing to Hampstead Reserve and residences on Hampstead Road. The panel would like to understand the over shadowing impacts of the northern mass on the courtyard, childcare terrace, proposed office, childcare, and retail uses as well as existing surrounding properties and Hampstead reserve. Please talk through impacts?

Loading parking & vehicular access

Multiple vehicular entries adjacent to low density residential uses.

Street setbacks

Plans included a 5m deep soil zone at Parramatta Road, providing a zone for trees, landscape buffer and amenity. the continuation of this zone along the Hampstead Street boundary is encouraged and may improve the relationship between the proposed development and the low density residential uses opposite.

Courtyard

The landscaped courtyard is opposite Hampstead Reserve, this adjacency could create a pedestrian desire line between the two green assets, this would be risky as it will conflict with loading and parking entry.

PANNEL RECOMMENDATIONS

DA2024/0200 and PAN-431094 & MOD2024/0093. PAN-414542

The Pannel recommends that the proposed development is revised to address the above considerations in order to meet the criteria set out under the City of Cumberland Design Excellence Policy with specific attention to addressing;

- Improved amenity and access to the childcare centre
- Reduction of overshadowing to properties and park on Hampstead Road
- Development of a sitewide sustainability strategy which exceeds section J requirements and above sustainability recommendations
- Adherence to the height limit
- Minimising negative impacts of vehicular and loading access on the amenity of adjacent residential properties and park.
- Provide clarity on FSR calculation and compliance
- Safety of publicly accessible spaces
- Clarity of wayfinding and safe access to upper level retail areas
- Location and proportions of 'park'. 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.