

GOVERNMENT ARCHITECT NEW SOUTH WALES

06 April 2023

Andrew Harvey
Director
Urbis
Angel Place, Level 8
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Sydney NSW 2000

Via email:
aharvey@urbis.com.au

CC:
Matthew Bullivant
Legal Services Manager,
Penrith City Council

Via email:
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Sandra Fagan
Senior Development
Assessment Planner

Via Email:
Sandra.Fagan@penrith.city

Dear Mr Harvey,

RE: REQUEST FOR ARCHITECTURAL DESIGN COMPETITION WAIVER
PROJECT: 184 LORD SHEFFIELD CIRCUIT – DA22/0213 AND DA22/0214

I am writing to you in response to your letter of 23 February 2023 in which you requested a waiver of the design competition requirement for this project under the Penrith LEP 2010 Cl. 8.4.

In your letter you outline key facts relevant to this project and describe the current position of Council that an architectural design competition has not been held for the proposal subject to the current development application.

The circumstances relevant to this waiver request are unique – a competitive design process was held in 2016 for a scheme comprising two towers, resulting in the appointment of Crone Architects as the winning design team. Crone Architects have continued to work with the proponents through design development since 2016, including working with a Design Integrity Panel (DIP) chaired by GANSW and comprising members of the original jury (including Brett Newbold as the Council nominee). The design development and design integrity processes have led to development applications for a scheme that is substantially different to the original competition winning scheme from 2016.

Notwithstanding this, it is the opinion of GANSW, that the proponent and their design team have worked earnestly towards achieving Design Excellence in accordance with the LEP throughout the period since the 2016 competition. Further, it is the opinion of the Design Integrity Panel that the updated scheme as lodged for assessment is of high quality and is capable of achieving design excellence.

Under delegation from the Secretary of the NSW Department of Planning and for the above reasons specific to the circumstances of this project, I confirm a design competition waiver is granted for this project.

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As conditions of this waiver, the Proponent's team must:

- consult with Council to address remaining threshold issues impacting the assessment of the development applications
- present the current proposal to the DIP prior to determination
- submit a detailed written report from any future DIP meetings to Council's Assessments Team to inform and assist the assessment process

This decision to grant a waiver should not be seen as a precedent for any other waiver request on any other site. I wish you well in ensuring Design Excellence will be achieved for this significant project.

Yours Sincerely



Abbie Galvin LFRAIA
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GANSW

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