



DESIGN COMPETITION
JURY'S REPORT MIXED USE
DEVELOPMENT
640 - 652 HIGH STREET
PENRITH



Design Competition Jury's Report

Mixed Use Development

640-652 High Street, Penrith

Prepared for



By



ABN 39 585 262 237

A Level 10, 70 Pitt Street, Sydney 2000 GPO Box 5013, Sydney
NSW 2001

ii T (02) 9249 4100 F (02) 2949 4111 E info@glnplanning.com.au



ABN 39 585 262 237

A Level 10, 70 Pitt Street, Sydney 2000 GPO Box 5013, Sydney NSW 2001

T (02) 9249 4100 F (02) 2949 4111 E info@glnplanning.com.au



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Table of Contents

Executive Summary	1
Background	1
Preferred Proposal and Architect	1
Recommendation	2
1 Introduction	3
1.1 Background	3
1.2 Requirement for Design Competition	3
2 The Site and TOGA Vision	5
2.1 Site Location	5
2.2 Key Site Conditions	6
2.3 Vision	7
2.4 Reference Masterplan	8
3 The Architectural Design Process and Detailed Objectives	9
3.1 Architectural Design Competition Governance	9
3.2 Architectural Design Competition Objectives	9
3.3 Competition Jurors	9
3.4 Competition Participants	9
3.5 Technical Assistance	10
3.6 Competition Process	10
3.7 Submission Requirements	11
4 Submissions	12
4.1 SJB and Architect Prineas	12
4.2 Kann Finch and Urban Possible	14
4.3 RotheLowman and Baber Studio	15
5 Conclusion	17
6 Endorsement of Juror's Report	18

Tables

Table 1	Real Property Descriptions and site areas	6
Table 2	Technical Assistance Specialists	10
Table 3	Key Milestone Events	10



Figures

Figure 1	Key Sites map (location of TOGA site outlined in blue)	5
Figure 2	TOGA site outlined in blue	6
Figure 3	SJB with Architect Prineas 6:1 Scheme Perspective	13
Figure 4	Kann Finch with Urban Possible 6:1 Perspective	14
Figure 5	RotheLowman with Baber Studio 6:1 Perspective	16

Appendices

Appendix A: Architect's Brief	
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Executive Summary

This document summarises the background, process and recommendation by the Competition Jury for an Architectural Design Competition held for a proposed mixed use development on land comprising 640 – 652 High Street and incorporating the unformed John Tipping Grove at Penrith.

Background

TOGA has secured an interest in the development of Key Sites 3 and 10 identified in Penrith Local Environmental Plan (LEP) 2010 for a mixed use development located at the western end of the Penrith Central Business District.

A Design Competition is required for development exceeding \$1,000,000 on Key Sites under Clause 8.4 of Penrith LEP 2010. It is a competitive process whereby 3 architects are selected to prepare a scheme to be judged by a Jury comprising a representative from Penrith City Council (typically from its Urban Design Panel), a representative from the Government Architect NSW and an independent architect selected TOGA.

TOGA prepared a Brief for Architects including a Vision Document, Design Brief and Reference Masterplan to outline the key design and development considerations for the site. This Brief for Architects document was endorsed by the Government Architect NSW, Penrith City Council and after consideration by the Council's Design Review Panel. All jury members endorsed the Vision and Design Competition Brief for the site.

TOGA invited 3 architectural firms with emerging architects to participate in the competition.

The Design Competition required each participant to prepare two schemes showing the development of the site under the existing planning controls assuming a base 3:1 floor space ratio (FSR) and maximum height of 24m; and under a draft LEP which proposes a maximum FSR of 6:1, no height limit and subject to the scheme delivering material public benefit.

Aside from the Brief, the participants were required to present preliminary schemes for presentation at a first round presentation on 17 October 2017, at which time specialist consultants and TOGA could seek clarification as to how elements of the scheme met the Vision Statement and Project Brief. The specialist consultants were made available for further consultation, if required, up until submission of the final scheme.

Documents and plans submitted by all architects, together with a presentation to the competition jury on 10 November 2017. After this meeting the jury selected SJB with Architect Prineas as the competition winner.

Preferred Proposal and Architect

Following the presentation, the Jury identified the schemes by SJB with Architect Prineas as the preferred scheme, but requiring some further resolution to reconcile podium, car parking and open space areas and confirmation that wind shear could be addressed at design development stage.

SJB with Architect Prineas have provided additional information addressing these issues. SJB with Architect Prineas have satisfied in general terms the jurors that the issues can be resolved at the



detail design stage. To ensure this occurs the jurors have requested the design be reviewed again prior to lodgement with Council to confirm design excellence is achieved.

The Jury selected the SJB with Architect Prineas scheme for the following reasons:

1. The number of tower elements were reduced and setback from the podium to "open" the public domain space in the centre of the site.
2. The podium edge to the central public space was articulated to mimic the effects of erosion taken from the Blue Mountains with the material from this represented at ground level
3. The towers at the western edge could be staged and then linked to produce a single built form element.
4. The facade detailing particularly to the western (Mulgoa Road frontage) presented a well considered quality elevation.
5. The massing represented the best outcome for the site context.

Recommendation

The Jury recommends SJB with Architect Prineas as the winners of the Design Competition being the scheme that could achieve Design Excellence subject to ongoing design as part of a future development application focussing on the following matters:

Ground level open public space has been narrowed significantly due to the increased parking accommodated in podium beneath towers A + B. This area requires detailed landscape design to confirm it can still offer a high quality public space.

Active frontages to the lane have been diminished due to additional parking being proposed below towers C + D. Opportunities to reactivate this edge should be explored

Reconfiguration of tower D is recommended to avoid proposed internal courtyard.

The increase in area to Block A + B podium terrace is positive and allows for improved privacy to apartments.

Tower A wind shear needs to be addressed

The revised planning for retail pavilions is supported subject to design development ensuring transparent connections between podium retail and the public open space.

All parking requires further development to confirm satisfactory efficiencies are achieved.

As agreed the Panel believes these issues can be resolved by ongoing design review.



1 Introduction

This report has been prepared by GLN Planning to document the process and findings of a Design Competition for the site comprising 240- 252 High Street and including John Tipping Grove at Penrith (the site).

The architectural design responses submitted for the site are based on a Vision Document and Design Brief prepared by TOGA and issued to the invited architects on 25 September 2017. The Design Brief was endorsed by the NSW Government Architect Office and Penrith City Council. A copy of the Vision Document and Design Brief is at **Appendix A**.

1.1 Background

TOGA secured an interest in 2 sites known as Key Sites 3 and 10 at 650 - 652 High St Penrith in February 2017. Key Sites 3 and 10 are separated by the unformed John Tipping Grove in the ownership of Council, but is included as part of the site given this area can be embellished to achieve material public benefit with the potential to unite architecture, movement and function between buildings. The site also has frontage to Union Road and provides a future connection to Union Lane which currently terminates at the site boundary.

TOGA propose to develop the site for a mixed development including retail/commercial space (including potential for a hotel) with residential apartments above retail/ commercial podium levels. John Tipping Grove will remain an open space centre piece of the development linking the two keys sites at ground level and potentially underground at basement level. The embellishment of John Tipping Grove and the construction of a new road link between High Street and Union Road (and connecting Union Lane) are matters consistent with Council's requirements and will comprise a substantial part of the material public benefit from development of the site.

1.2 Requirement for Design Competition

The Design Competition considered two scheme from each participant – one being generally consistent with the existing planning controls which set a maximum FSR of 3:1 and maximum height of 24m; and the other consistent with a draft LEP which sets a maximum FSR of 6:1 and removes the height limit, subject to delivery of material public benefit. The draft LEP for Key Sites 3 and 10 has been deferred while the Department of Planning and Environment examine evacuation issues in a Probable Maximum Flood event from the Hawkesbury Nepean River.

Regardless of the outcome of the draft LEP, Clause 8.4 of Penrith LEP 2010 requires a design competition for Sites 3 and 10 for any development exceeding \$1,000,000. Clause 8.4 states:

- (3) *Development consent must not be granted for any of the following development on land to which this part applies unless an architectural design competition has been held in relation to development:*
 - (a) *Development in respect of a building that is, or will be, greater than 24 metres or 6 storeys (or both) in height.*
 - (b) *Development that has a capital value of more than \$1,000,000 on a key site identified on the Key Sites Map.*



- (c) *Development for which the applicant has chosen to have an architectural design competition.*

The proposed development on these key sites will exceed \$1,000,000.

The Architectural Design Competition required by Clause 8.4 of Penrith LEP 2010 is intended as a competitive process whereby at least 3 architects are selected to submit schemes to be judged by a Competition Jury – in this case comprising a representative from Penrith City Council (selected from its Urban Design Panel), an architect from the Government Architect NSW and an independent architect selected TOGA.

The competition is to determine Architectural Design Excellence having regard to a Vision Document and Design Brief. The competition follows a strict process with briefings, mid-point submissions and presentations to appoint a final winner. The process for this Architectural Design Competition is outlined in more detail in Section 3.

The winning scheme will be further developed to form a development application package to be assessed by Penrith City Council.



2 The Site and TOGA Vision

2.1 Site Location

The site is located opposite Penrith Council on land bounded by High Street, Mulgoa Road and Union Road at the western end of the High Street commercial area and is approximately 800m from the entry to Penrith Station. John Tipping Grove is an unformed road reserve that currently separates the parcels, while Union Lane terminates at the site's eastern boundary. **Figure 1** shows the location of the Key Sites with the location of the TOGA site circled in blue.



Figure 1 Key Sites map (location of TOGA site outlined in blue)

The land is located in a B4 Mixed Use Zone under Penrith LEP 2010 which permits, among other things, residential flat buildings, retail and commercial premises and hotel or motel accommodation.

The existing planning controls set a maximum FSR of 3:1 and maximum height of 24m. A draft LEP applying to the sites proposes a maximum FSR of 6:1 and removes the height limit, subject to delivery of material public benefit.

Clause 8.4 provides for an increase in height or FSR of up to 10% for applicants that participate in an architectural design competition.



Site	Address	Lot/DP	Area m ²	Area m ²
East Site (Site 10)	634-638 High St	1 / DP 544302	3,269	5,402.1
	87 Union Rd	1 / DP1202310	802.1	
	89 Union Rd	2 / DP1202310	1,331	
West Site (Site 3)	640 High St	3 / DP242506	1,783	7,144.4
	652 High St	12 / DP717196	151.4	
	652 High St	13 / DP717196	2,217	
	640 High St	36 / DP731213	2,993	
Total			12,546.5	

Table 1 Real Property Descriptions and site areas

The unformed John Tipping Grove has the potential to be incorporated in the site of the TOGA development. John Tipping Grove has an area of 1,853m².

Figure 2 shows an amalgamated site boundary.



Figure 2 TOGA site outlined in blue

2.2 Key Site Conditions

Vehicular Access

No vehicle access is allowed from Mulgoa Road, within 6m of the tangent point of the adjacent intersections and within the queue lengths on approach to a signalised intersection. Access must take into consideration Proposed Upgrades to Mulgoa Road.



Geotechnical

Ground water measured at approximately 7-8m below ground level presenting cost barriers for basements structures beyond 2 levels.

Services Infrastructure

The site has an array of underground and overhead utility services. It is expected most will be retained in their existing locations. There are no plans to relocate services in John Tipping Grove.

Waste Management

Designs to consider the storage and collection of waste from the proposed uses on site.

Flooding

The site is partially affected by overland flow inundation during a 1% Annual Exceedance Probability. Building and car park entries are to consider flooding.

View Corridors

There are view corridors from locations in High Street and beyond towards the Blue Mountains identified from which the visual impact of the development should be minimised.

Landscape Design

Schemes must include landscaping integrated into the overall design consistent with the LEP and DCP.

2.3 Vision

TOGA's vision for the site as set out in the Vision Document and Design Brief is to develop a large-scale mixed use, residential development which will bridge the western end of the city centre to the river corridor beyond. The creation of "High Street Penrith" as an urban village precinct creates a significant opportunity to establish a new gateway for the City of Penrith, and to catalyse the creation of a dynamic, new urban character for the western CBD precinct.

The Vision is to "create a vibrant, diverse and uniquely Penrith urban precinct which represents the values of the community, is a commercially successful project and establishes a new benchmark in urban regeneration and place making".

The principles which will underpin the success of the project have been crystallised for TOGA through their extensive community engagement and research. The Vision is to embed these principles in the built form response, urban and landscape design, retail and commercial strategy. TOGA's development vision will address key community concerns such as:

Community connectivity including facilitation of the bridge to bridge walk through our site, north-south civic space connectivity and enabling greater connections to surrounding retail and transport destinations.



Retail activation of the plaza providing choices to stimulate the local economy morning, noon and night creating a central hub for the people of Penrith.

Lifestyle amenity on your doorstep by strengthening the link to the river, views to the mountains and enabling a cosmopolitan lifestyle in the centre of Penrith.

Parking choices and increased availability of underground parking for the retail facilities and for the residents of the apartment buildings.

Providing open spaces that are well lit and provide safe evening entertainment and activities in the centre of Penrith.

The Vision is to contribute to the recognition of Penrith as a key destination in an emerging market through a considered and successful development which addresses the cultural values, lifestyle aspirations and accommodation needs of the local community.

It should be a place to live, dine and shop. A place that attracts the people of Penrith to visit and enjoy with friends. This precinct will create new modern apartments so Penrith residents can enjoy city living and bask in the views of the mountains.

2.4 Reference Masterplan

A reference masterplan was prepared by TRACT to test built form outcomes consistent with the Vision at a FSR of 6:1. Participants were requested to challenge the masterplan outcomes to improve and achieve the best urban design and architectural outcome.



3 The Architectural Design Process and Detailed Objectives

3.1 Architectural Design Competition Governance

The Architectural Design Competition comprises a number of key steps or milestones to ensure:

All participants have consistent briefing material and access to the same technical experts to assist resolving queries related to design development

All participants have the same timeframes to complete Mid-Point and Final Schemes

All participants have an opportunity to present to the Jury and respond to questions as to how their respective schemes achieve Design Excellence. No other contact was permitted between the Jury and participants.

More detail on the governance is incorporated in the Brief to Architects at Appendix A.

3.2 Architectural Design Competition Objectives

TOGA prepared a Vision Document and Project Brief which included a reference master plan. These were endorsed by the Jury members and Penrith City Council. The brief included specific design, planning, commercial, construction and cost objectives which are included in the document at Appendix A.

3.3 Competition Jurors

The Competition Jury comprised 3 jurors; one from the Office of the Government Architect; one selected by Penrith City Council; and one selected by TOGA. The jurors selected are:

Dillon Kombumerri – Government Architect NSW Representative and Chair

Bob Nation – Toga Representative and Independent Architect

Brett Newbold – Penrith Design Review Panel and Urban Design Expert

3.4 Competition Participants

The participants in the Architectural Design Competition were selected by TOGA, Penrith City Council, Office of the Government Architect and the Competition Jury. A total of 3 architectural teams were selected with each team comprising 1 established architect and 1 emerging architect. Each competitor was required to be a person, corporation or firm registered as an architect in accordance with the NSW Architects Act 2003. The invitees were:

SJB with Architect Prineas

Kann Finch with Urban Possible

RotheLowman with Baber Studio



3.5 Technical Assistance

Technical consultants were made available to provide advice to the participants during the design development. Enquiries between consultant and Technical advisors were directed through a Competition Manager (Alex Black, Development Manager TOGA).

Table 2 Technical Assistance Specialists

Technical Assistance Specialists Number	Discipline	Company
1	Town Planning	GLN Planning
2	Structural Engineer	Webber Design
3	Services Engineer	Insync
4	Quantity Surveyor	TOGA Development and Construction
5	Building and Construction	TOGA Development and Construction
6	Landscape	Arcadia
7	Wind	CPP Wind
8	Traffic	Parking and Traffic
9	Retail	TOGA Asset Management / NH Architecture

The technical consultants also reviewed all final submissions and provided a summary of matters that the Jury clarify during questions in the final Presentation.

3.6 Competition Process

The Architectural Design Competition followed a process with Key Milestone Events as follows:

Table 3 Key Milestone Events

Date	Milestone
25 September 2017	Architectural Design Competition Commences
26 September 2017	Competitors invited to an open competition briefing
13 October 2017	Mid-point Progress Submission
17 October 2017	Mid-point Progress Session (with technical consultants only)
3 November 2017	Final Submission due
10 November 2017	Presentation of scheme to Jury



Date	Milestone
20 November 2017	Updated SJB + Architect Prineas Submission to the Jury
28 November 2017	Winning architect announced

3.7 Submission Requirements

The submission requirements for the Mid-Point Progress included a preliminary concept design (including specified set of plans as outlined in Section 6.1 of the Architect's Brief at Appendix A).

The Final Submission included final designs as outlined in Section 6.1 of the Architect's Brief at **Appendix A**) as well as Statement of Intent, Statement of Compliance, Area Schedule and Yield Analysis, Architectural Fee Proposal, perspectives of view corridors & Materials Use Schedule. This information was used by the Quantity Surveyor to complete a preliminary cost estimate for each scheme. .

Evaluation

To assist with the evaluation of the scheme evaluation criteria and weightings were prepared. These are included in the Architects Brief at **Appendix A**.



4 Submissions

Two (2) schemes were submitted by each architectural team based on the existing controls at 3:1 FSR and 24m height limit and the draft LEP controls at 6:1 with no height limit. All schemes were consistent with the FSR controls set by the LEP and draft LEP and proposed embellishment of the central public domain area focussed in and adjacent to John Tipping Grove and the north south road link between High Street and Union Road, including connecting with Union Lane.

The difference between the built form outcomes at 6:1 verse 3:1, particularly ground level spaces were significant as the 3:1 had much larger floor plates which reduced the public domain areas and landscape outcomes.

The following summarise the schemes submitted by each participant and the positive features noted by the jury.

4.1 SJB with Architect Prineas

The 6:1 FSR Scheme

The SJB with Architect Prineas 6:1 FSR scheme departed from the reference masterplan. The number of tower elements were reduced and setback from the podium to “open” the public domain space in the centre of the site. This also enabled the throat of the open space in High Street to be increased to create 3 zones of public space including a community zone, a green zone and a square for future market zone.

The podium was identified as a contributor to the central public domain area. The podium is a prominent feature that will define the space. The Architect Team propose detailing to mimic the visual effects of erosion on Blue Mountain escarpments by strong articulation to punctuate the podium façade, with these ‘cut out elements’ incorporated into the central ground level landscape space (although the Jury considered these should be reduced in scale so they did not present a barrier between the ground floor retail areas or open space. The other defining edge to the space was a veranda to the hotel zone.

The rationalisation of the towers in the scheme (compared to the Reference Masterplan) ensure greater solar access and well exceed Apartment Design Guide requirements. The western most tower can be staged as 2 towers and then linked to produce a single built form element. The maximum tower height proposed is 38 storeys.

The jurors were impressed with the facade detailing particularly to the western (Mulgoa Road frontage) elevation which presented a well considered quality elevation and treatment that could help create shadow to deal with the western sun. This scheme also enables activation with ground floor retail/commercial along a significant length of Mulgoa Road.

The siting of Building B massing will abut the existing development of Union Road providing a better streetscape outcome along this section of Union Road.



Figure 3 SJB with Architect Prineas 6:1 Scheme Perspective

The 3:1 FSR Scheme

The SJB with Architect Prineas 3:1 FSR has smaller central open spaces given the larger building footprints. The space lends itself to a lineal planting scheme to reinforce the link into and through the site. Good consideration of live work units to activate Mulgoa Road. The scheme has a maximum height of 11 storeys and exceeds Council's height limit.



4.2 Kann Finch with Urban Possible

The 6:1 FSR Scheme

The Kann Finch with Urban Possible 6:1 FSR scheme recognise that the importance of the central public domain areas to create an important place in Penrith and had pushed the north south road linking High Street and Union Road to the east of the site. This enabled a large space which was broken into an urban forest closest to High Street, park area in the middle incorporating play for children and water features and a square at the heart incorporating an amphitheatre at the terminating vista to Union Lane and area for weekend markets. This structure also created some pedestrian laneways leading to the central space for activation by retail and residential. The jurors queried whether these could be activated sufficiently given the linkages and wayfinding residences and lobby drop off.

The podium height to the central space was limited to 4 storeys for scale with the residential above each podium comprising 3 towers above of similar design but distinguished by colours. A separate smaller building was proposed along the Union Frontage toward the east to respond to the context of existing urban development. The maximum tower height is 37 storeys.



Figure 4 Kann Finch with Urban Possible 6:1 Perspective



The 3:1 FSR Scheme

The Kann Finch with Urban Possible 3:1 FSR scheme, complying height comprised 2 buildings either side of John Tipping Grove which becomes the north south road between High Street and Union Road but in a location inconsistent with the DCP. It was unclear how connections to Union Lane and the roundabout on High Street. The jurors also queried the amenity of the central courtyard. The scheme has a maximum height of 8 storeys complies with Council's height limit.

4.3 RotheLowman and Baber Studio

The 6:1 FSR Scheme

The RotheLowman with Baber Studio 6:1 FSR scheme was the only one which proposed the hotel on the western side of John Tipping Grove to get exposure to the High Street traffic lights and pedestrian foot traffic. Its drop point is further south off an area leading to the north south link road between High Street and Union Road. This building will assist in breaking up the scale of the western most building when viewed from High Street in the east.

The central spaces proposed are smaller than the other schemes but look to address the weather extremes at Penrith by incorporating water and shade elements – or specifically 'big roofs' to create cover and support for vegetation. The park would be broken into unique places including the winter park, the veranda, water play and Union Lane. A flexible water feature was incorporated for play during the day and atmosphere at night. The detailing of these spaces including extents of shade cover, movement patterns and activations were not fully resolved but could be addressed in the final park design.

The podium expression presented possibility for ground floor uses at the Mulgoa Road and High Street intersection and all internal spaces were bordered by retail spaces. The podium massing was reduced by lifting the buildings which also provided an airgap address wind issues.

The towers would be constructed as a framed structure with infill to improve constructability. The maximum tower height proposed was 34 storeys (2 towers).



Figure 5 RotheLowman with Baber Studio 6:1 Perspective

The 3:1 FSR Scheme

The RotheLowman and Baber Studio 3:1 FSR scheme is identical to the 6:1 scheme but reduced in height with a maximum tower height of 14 storeys. This which exceeds the 24m height limit.



5 Conclusion

The Architectural Design Competition for the TOGA site was required to meet the requirements of Clause 8.4 of Penrith LEP 2010.

The competition involved 3 Architectural Teams to submit 2 schemes reflecting the development potential under the existing planning controls at 3:1 FSR and under a draft LEP at 6:1 FSR, to be judge by a panel of jurors including representation comprising architects from the Office of the Government Architect, Penrith City Council and TOGA.

The competition resulted in high quality submissions from SJB with Architect Prineas, Kann Finch with Urban Possible and RotheLowman with Baber Studio. The competition was conducted in accordance with a detailed process to ensure equity and fairness.

The preferred proposal from SJB with Architect Prineas best fulfils the planning, design, commercial, construction and cost objectives set in the Architects Brief. The Jury considers that the design with further development as part of a future development application will achieve design excellence.

- Ground level open public space has been narrowed significantly due to the increased parking accommodated in podium beneath towers A + B. This area requires detailed landscape design to confirm it can still offer a high quality public space.
- Active frontages to the lane have been diminished due to additional parking being proposed below towers C + D. Opportunities to reactivate this edge should be explored
- Reconfiguration of tower D is recommended to avoid proposed internal courtyard.
- The increase in area to Block A + B podium terrace is positive and allows for improved privacy to apartments.
- Tower A wind shear needs to be addressed
- The revised planning for retail pavilions is supported subject to design development ensuring transparent connections between podium retail and the public open space.
- All parking requires further development to confirm satisfactory efficiencies are achieved.

As agreed the Panel believes these issues can be resolved by ongoing design review.



6 Endorsement of Juror's Report

The Competition Jury has reviewed this Juror's Report and endorse its contents and recommendations as evidenced by the Juror's signatures below:

Dillon Kombumerri	Government Architect NSW Representative and Chair
	Date 30.11.17
Bob Nation	Toga Representative and Independent Architect
	Date 30 November 2017
Brett Newbold	Penrith Design Review Panel and Urban Design Expert
	Date 29 November 2017



APPENDIX A: ARCHITECT'S BRIEF

High Street Penrith

Design Excellence Competition: Brief for Architects



634-652 High Street & 87-91 Union Road, Penrith NSW

September 2017

Contents

1.0	Introduction	4
1.1	General Information	4
1.2	Planning Context	6
1.3	Development Strategy	7
2.0	Site Vision	10
2.1	Vision for the Site	10
2.2	Voluntary Planning Agreement	12
3.0	Site Description	13
3.1	Site Location	13
3.2	Site Area	14
3.3	Existing Buildings	15
3.4	Site Context	17
3.5	Adjacent Sites	18
3.6	John Tipping Grove	19
3.7	Specialist Site Conditions	20
3.8	Reference Masterplan	23
4.0	Objectives for the Proposal	24
4.1	Design Objectives	24
4.2	Planning Objectives	26
4.3	Commercial Objectives	27
4.4	Construction Objectives	29
5.0	Competition Procedures	31
5.1	Competition Entry	31
5.2	Competition Brief	31
5.3	The Competition Jury	31
5.4	Juror's Obligations	32
5.5	Technical Assistance	32
5.6	Communications and Questions	34
5.7	Mid-Point Progress Submission and Presentation	35
5.8	Final Submissions	35
5.9	Lodgment of Submissions	35
5.10	Disqualification	36
5.11	Presentation	36
5.12	Competitive Design Process Assessment and Decision	36
5.13	Appointment of the Architect of the Preferred Proposal	37
5.14	Announcement	38
5.15	Architectural Design Competition Report	38
5.16	Care of Materials and Insurance	38
5.17	Competition Fee	38

5.18	Copyright.....	39
5.19	Confidentiality.....	39
5.20	Disclaimer	39
6.0	Presentation Material for Competitor’s Submissions.....	40
6.1	Mid–Point Progress Session Submission	40
6.2	Final Submission	40
6.3	Statement of Intent	42
6.4	Statement of Compliance	42
6.5	Area Schedule & Yield Analysis	42
6.6	Architectural Fee Proposal	43
6.7	Construction Costs	43
6.8	Models and Digital Animations	43
6.9	CAD Files	43
7.0	Assessment Criteria for Panel	44
8.0	Appendices	45

- A. Reference Masterplan
- B. Design Considerations
- C. Community Engagement Report
- D. Vision Document
- E. Urban Design Review Panel Comments
- F. Retail Brief
- G. Hotel Brief
- H. Construction Cost Brief
- I. Traffic Report
- J. Building Services Spatial Considerations
- K. Building Structure Brief
- L. Waste Management Brief
- M. Wind Brief
- N. Flood Impact Assessment
- O. Site Survey
- P. Services Report
- Q. Planning Controls Summary
- R. Penrith Public Benefit Policy 2016
- S. Returnable Schedules

1.0 Introduction

1.1 General Information

The purpose of this Design Excellence Competition Process (**Competition**) is to select the highest quality, community appropriate and site responsive architectural and urban design solution for the development of 634-652 High Street & 87-91 Union Road, Penrith (**Site**).

TOGA Penrith Developments Pty Ltd (**TOGA**) is the developer of the Site and is the Proponent of this Competition.

TOGA and has invited three architectural teams to prepare design proposals for the Site. TOGA acts as the Competition Manager for this Competition.

The development strategy for the Site is to develop an exemplar mixed-use community comprising of residential apartments, a potential 3-4 star hotel, retail and public domain. TOGA will retain all non-residential assets with all residential apartments sold to the market.

Penrith City Council (**Council**) has reviewed this Design Competition Brief (Brief) and has provided its endorsement of this Competition.

The successful architecture team will be required to move straight to a Stage 1 DA and a site specific DCP (as appropriate).

The key dates for the Competition are:

Date	Milestone
25 September 2017	<p>Commencement Architectural Design Competition begins.</p>
26 September 2017	<p>Competition Briefing Competitors are invited to attend an open Competition Briefing held at:</p> <p>Toga Head Office Level 5, 45 Jones Street Ultimo NSW 2007</p>
10 October 2017	<p>Mid-Point Progress Submission Submissions due by 3pm.</p>
12 October 2017	<p>Mid-Point Progress Session Competitors to present plans and area schedule for preliminary planning compliance and cost planning review and feedback. This is limited to technical feedback from the consultants and does not involve the Jury.</p> <p>Session to be held at: Toga Head Office Level 5, 45 Jones Street Ultimo NSW 2007</p>
3 November 2017	<p>Final Submission Submissions due by 3pm.</p>
10 November 2017	<p>Presentation Competitors are invited to present their final submissions to the Jury. Presentations to be held at:</p> <p>TOGA Head Office Level 5, 45 Jones Street Ultimo NSW 2007</p>
No later than 17 November 2017	<p>Decision Date Date by which submissions are evaluated by the Jury with a recommendation made for formal appointment of successful Architect.</p>

Table 1: Key Dates

1.2 Planning Context

On 7 December 2015, Penrith City Council supported a Planning Proposal to amend Penrith LEP 2010 to incorporate a floor space incentive clause for Key Sites. The incentives clause seeks to increase the development potential on Key Sites within the Penrith CBD by removing the existing height restrictions and providing the opportunity to increase FSR to a maximum of 6:1 for the subject site. The incentive clause applies subject to each development providing:

- a) a public benefit over and above any development contribution required by Section 94; and
- b) meeting design excellence requirements.

On 23 June 2017, Amendment No 14 to Penrith LEP was gazetted to implement the Key Site provisions. Key Site 3 & 10 together with a number of other Key Sites were deferred to ensure flood risk and evacuation are properly addressed prior to increasing development potential. It is anticipated that the inclusion of the subject site will not be subject to any further planning proposal and is expected in the short term, but this remains uncertain. For the purposes of this design competition, it should be assumed that the Incentives Clause will apply to this Site with the Proponent clearly understanding that this is at their own cost and risk.

Council's Penrith Development Control Plan 2014 applies to the site. If the design proposes an arrangement that is not consistent with the Penrith DCP 2014, then an amendment to the DCP may be required.

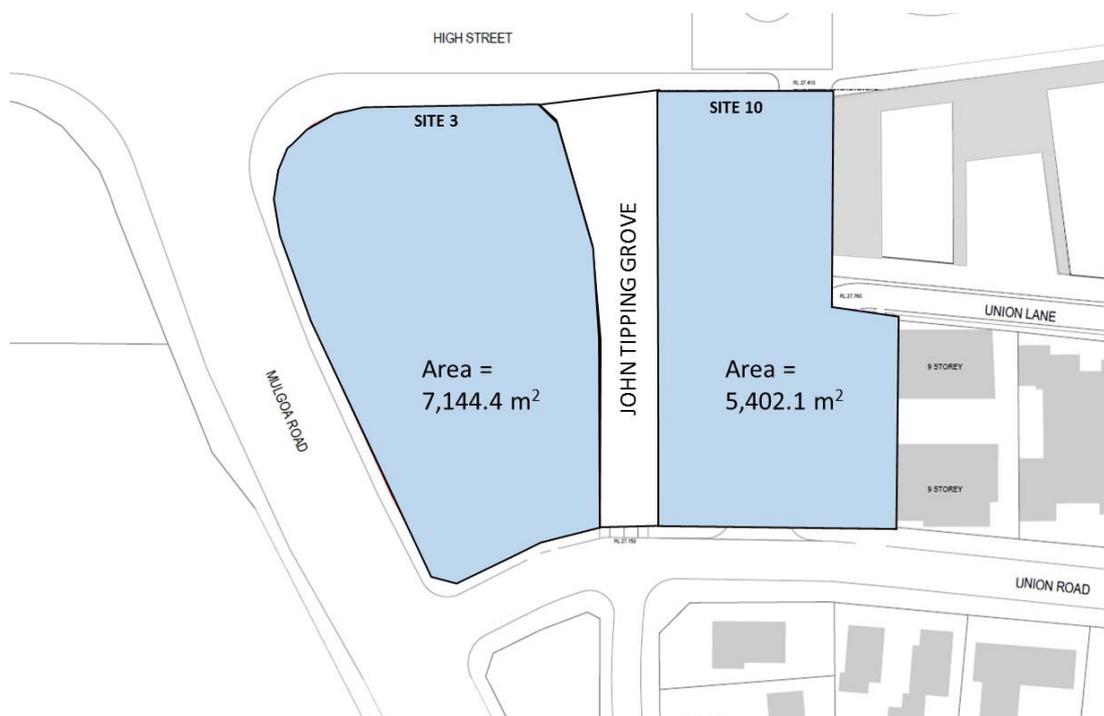


Figure 1: Key Sites 3 & 10 to which the Design Excellence provisions under Clause 8.4 of PLEP 2010 is intended to apply

1.3 Development Strategy

Whilst it is acknowledged that the LEP Amendment has not been gazetted, Toga understands the strategic importance of this Site and has adopted a development strategy which allows development to progress prior to the finalisation of the LEP Amendment.

The strategy is to undertake a design competition for the entire site, in which the Competitors will propose two schemes as follows.

Scheme 1:

Scheme 1 will require that each Competitor prepares a scheme that may achieve a maximum 6:1 FSR across the entire Site.

Scheme 1 will propose the best Urban Design & Architectural outcome as though the LEP amendment had been gazetted. The potential for a maximum FSR of 6:1 is to be adopted across the entire site with no height restrictions

A component of the site must be designed to be consistent with Council's current development controls, allowing some development to proceed while Toga await the outcome of the LEP amendment (which is uncertain).

The incentives clause will be assumed to apply which requires a public benefit to be provided. It is Toga's preference to deal with this through works within the Site. Refer to Section 2.2 and Appendix Q for Council's Public Benefit Policy.

While John Tipping Grove does not currently form part of Toga's site, the Competitors must consider this area within the overall Urban Design of the site and aim to integrate this space into the public realm.

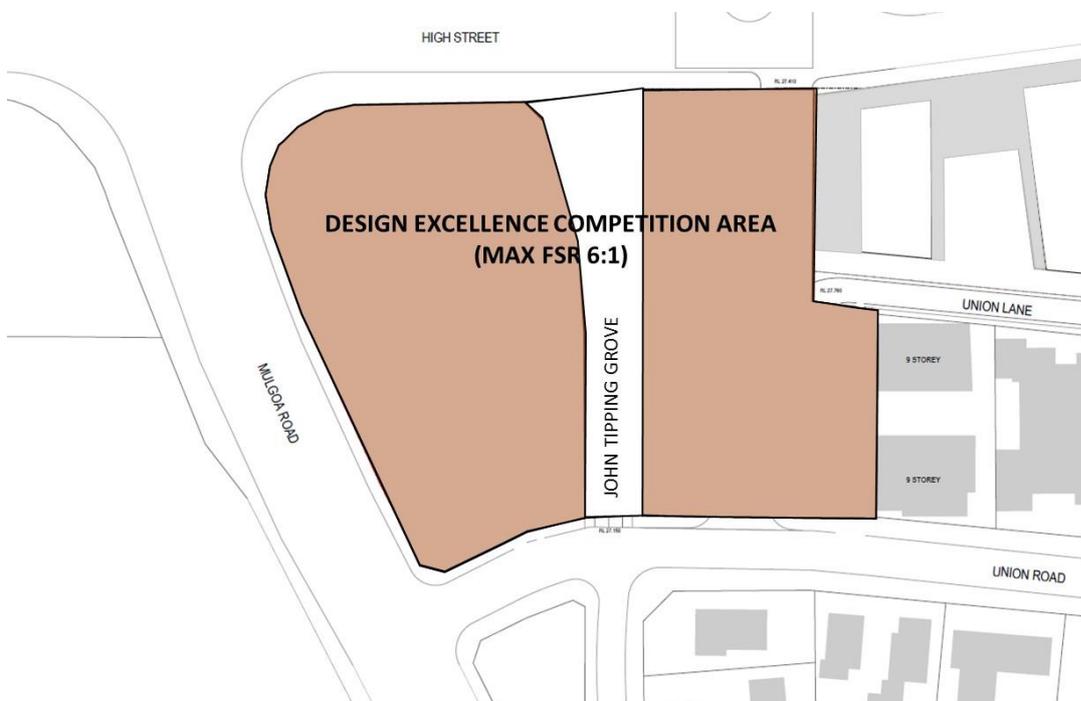


Figure 2: Scheme 1 Competition Site Area

Scheme 2:

Scheme 2 will require that each Competitor prepares a scheme which complies with the existing planning controls contained in Penrith LEP 2010 and Penrith DCP 2014.

The existing controls include a FSR of 3:1 and height of 24m with potential for an additional 10% for undertaking a Design Excellence Competition. Minor variances may be accommodated by Council under Clause 4.6 of the LEP.

The scheme allows Toga to progress with a Development Application where the LEP gazettal is delayed for a significant period of time or not gazetted at all.

Scheme 2 will propose the best Urban Design & Architectural outcome according to the current planning controls.

The incentives clause does not apply to the current planning controls, thus a public benefit contribution should not be considered.

While John Tipping Grove does not form part of Toga's site, the Competitors must consider this area within the overall Urban Design of the site.

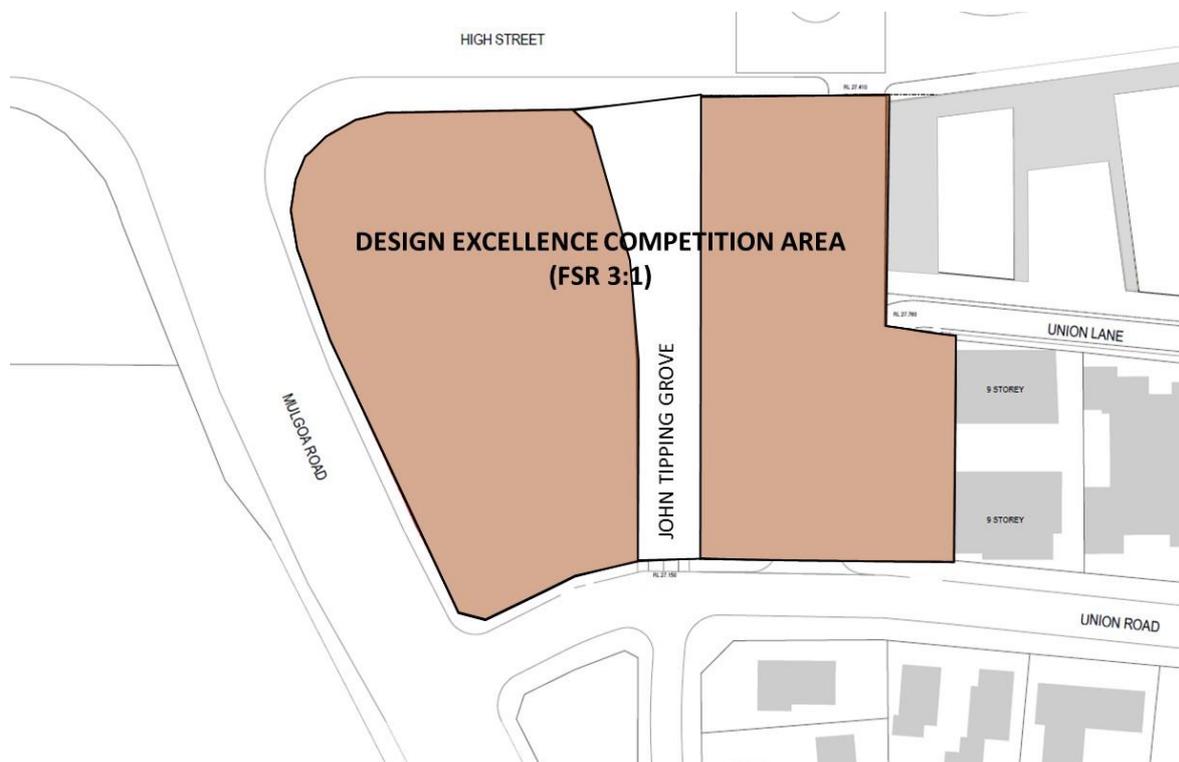


Figure 3: Scheme 2 Competition Site Area

TOGA will commit to preparing a Staged Development Application under Section 83B of the Environmental Planning and Assessment Act 1979 (the Act).

A. Hotel Scenario

Scheme 1

Toga are considering incorporating an 80 - 120 key Travelodge hotel into the development for Scheme 1. It is requested that Competitors include schemes that meet:

1. Option 1: Residential and retail uses only.
2. Option 2: Residential, retail and hotel uses.

Key considerations for the Hotel scenario include:

- The hotel does not have to be a stand-alone building and may be combined with apartments above hotel rooms. However, structural grids need to be considered to avoid any structural transfers;
- The hotel should not be located in the first stage of construction;
- Retail frontage to a civic plaza should be prioritised over a hotel lobby;
- Set down area to be provided to accept tourist buses and 3 cars in public space; and
- 80-120 guest rooms of 22m².

Refer to Appendix D for the Hotel Brief.

Scheme 2

No hotel is required to be considered for Scheme 2.

B. Retail

Competitors are to consider ground floor retail within the proposed competition entries.

The amount of retail for the Site has been derived from analysis conducted by Urbis (Retail Market Analysis), Belle Property and Toga Asset Management.

Scheme 1

The retail space is to consist of a maximum area of 4,000m². A Retail Brief has been prepared which includes retail objectives and an indicative tenancy mix for the Site.

Refer to Appendix D for the Scheme 1 Retail Brief.

Scheme 2

The retail space is to consist of a maximum area of 400m². The retail space should be designed as Food and Beverage tenancies and be distributed across the buildings to provide the best retail outcome for the Site.

2.0 Site Vision

2.1 Vision for the Site

TOGA are embarking on a large-scale mixed use, residential development which will bridge the western end of the city centre to the river corridor beyond. The creation of “High Street Penrith” as an urban village precinct creates a significant opportunity to establish a new gateway for the City of Penrith, and to catalyse the creation of a dynamic, new urban character for the western CBD precinct.

Our vision is to “create a vibrant, diverse and uniquely Penrith urban precinct which represents the values of the community, is a commercially successful project and establishes a new benchmark in urban regeneration and placemaking”.

The principles which will underpin the success of the project have been crystallised for TOGA through their extensive community engagement and research. It is our vision to embed these principles in our built form response, urban and landscape design, retail and commercial strategy. Our development vision will address key community concerns such as:

- Community connectivity including facilitation of the bridge to bridge walk through our site, north-south civic space connectivity and enabling greater connections to surrounding retail and transport destinations.
- Retail activation of the plaza providing choices to stimulate the local economy morning, noon and night creating a central hub for the people of Penrith.
- Lifestyle amenity on your doorstep by strengthening the link to the river, views to the mountains and enabling a cosmopolitan lifestyle in the centre of Penrith.
- Parking choices and increased availability of underground parking for the retail facilities and for the residents of the apartment buildings.
- Providing open spaces that are well lit and provide safe evening entertainment and activities in the centre of Penrith.



It is our vision to contribute to the recognition of Penrith as a key destination in an emerging market through a considered and successful development which addresses the cultural values, lifestyle aspirations and accommodation needs of the local community.

We wish to create a place to live, dine and shop. A place that attracts the people of Penrith to visit and enjoy with friends. This precinct will create new modern apartments so Penrith residents can enjoy city living and bask in the views of the mountains.



2.2 Voluntary Planning Agreement

Scheme 1

The planning proposal was prepared with the key objective of activating the Penrith City Centre.

Penrith LEP 2010 contains “key sites” mapping relating to clause 8.4 Design Excellence. The planning proposal to add and amend the key sites mapping (proposed clause 8.7) will create the opportunity for the FSR to be increased to 6:1 on both key sites 3 and 10 provided that community infrastructure objectives (public benefits) are achieved.

Clause 8.7 outlines community infrastructure to mean:

‘development for the purposes of recreation areas, recreation facilities (indoor), recreation facilities (outdoor), recreation facilities (major), public car parks or public roads’

The Penrith Public Benefit Policy 2016 outlines principles regarding public benefits (refer to Appendix R). The cost of the public benefit contribution is \$150 per square metre of residential GFA above the previous FSR control of 3:1. If the Site were to achieve a maximum FSR of 6:1, it is estimated that the monetary contribution equivalent for the public benefit would be in the order of \$5.65m.

Council’s policy provides an opportunity for community infrastructure to be delivered through works-in-kind, for items that are over and above what would normally be required by the development. It is Toga’s intention to enter into a Voluntary Planning Agreement (**VPA**) with Council for the development of public benefit within the Site.

All Competition design proposals are to consider the public benefit requirements of the incentive clause.

Scheme 2

Council’s current planning controls do not require a public benefit to be provided. Thus, a VPA and public benefit contribution is not required to be considered for Scheme 2.

3.0 Site Description

3.1 Site Location

The Property is located on at 634-652 High Street & 87-91 Union Road, Penrith and is positioned on the eastern side of Mulgoa Road, between High Street and Union Road. John Tipping Grove bisects the Site in a North-South direction.

Refer to **Figure 4** and **Figure 5**.

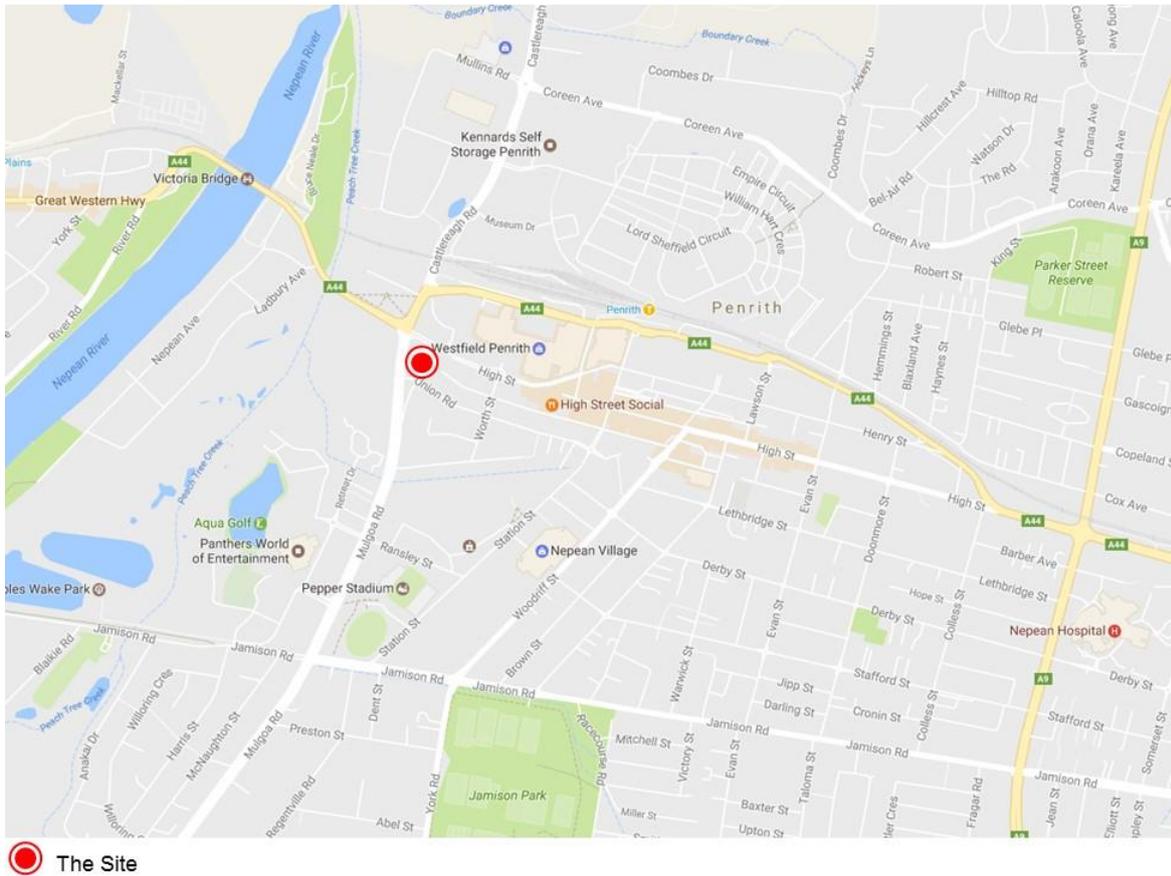
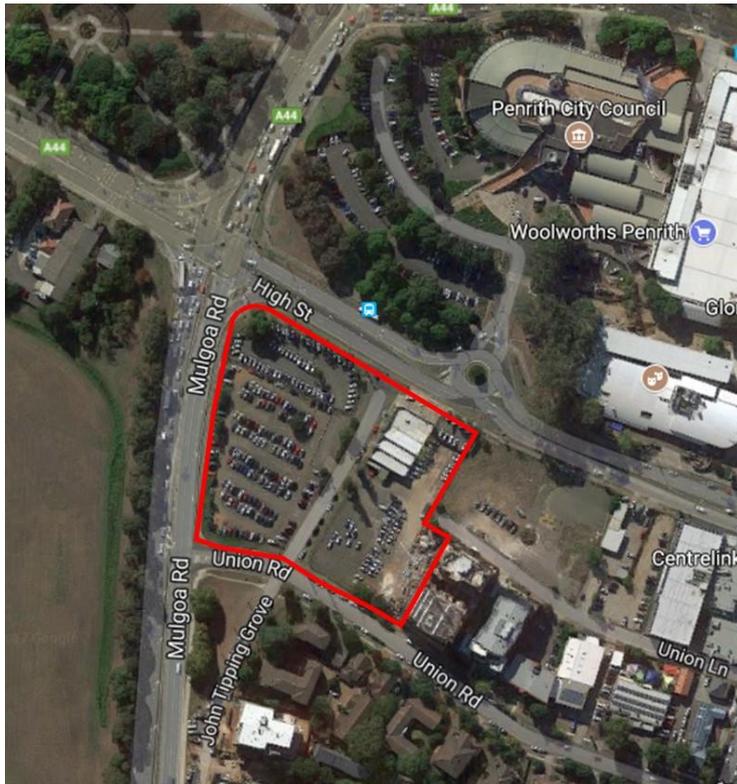


Figure 4: Site Context
(Source: Google & Toga)



The Site

Figure 5: Aerial Photograph of Site

Source: Google and Toga

3.2 Site Area

The site has an area of 12,547m² and comprises of seven individual lots as shown in **Table 2**. The Site area excludes John Tipping Grove as this is publicly owned land.

Site	Address	Lot/DP	Area m ²	Area m ²
East Site (Site 10)	634-638 High St	1 / DP 544302	3,269	5,402.1
	87 Union Rd	1 / DP1202310	802.1	
	89 Union Rd	2 / DP1202310	1,331	
West Site (Site 3)	640 High St	3 / DP242506	1,783	7,144.4
	652 High St	12 / DP717196	151.4	
	652 High St	13 / DP717196	2,217	
	640 High St	36 / DP731213	2,993	
Total			12,546.5	

Table 2: Lots at Subject Site



Figure 6: Subject Site

Site surveys prepared by RPS Australia & VAC Group are attached at Appendix O.

3.3 Existing Buildings

The Property comprises an existing hardstand area with multiple single level buildings used as a car sales office.

Photos of the existing condition of the Property are provided in **Figure 7**, **Figure 8**, **Figure 9** and **Figure 10**.



Figure 7: Property frontage to High Street (East Site)



Figure 8: John Tipping Grove



Figure 9: High Street frontage (West site)



Figure 10: Property frontage to Union Road (showing John Tipping Grove entry)

3.4 Site Context

The Site is located at the western end of High street on the corner of Mulgoa Rd, bookending the High Street retail precinct. To the west of the site lies the Nepean River and beyond that the Blue Mountains. As the gateway to the Penrith CBD the site represents a key landmark in the interaction between the natural environment of the Greater Penrith Region and the Penrith CBD. The site also marks the transition between the future civic and leisure precinct to the west of the site and the CBD as outlined in the strategic vision of Council.

Fronting High Street are a mix of retail and commercial buildings that make up the CBD. The tenants of these buildings include major national franchises, government departments and medium and small businesses. A major component of the CBD is the Westfield shopping centre which fronts both High St and Jane St.

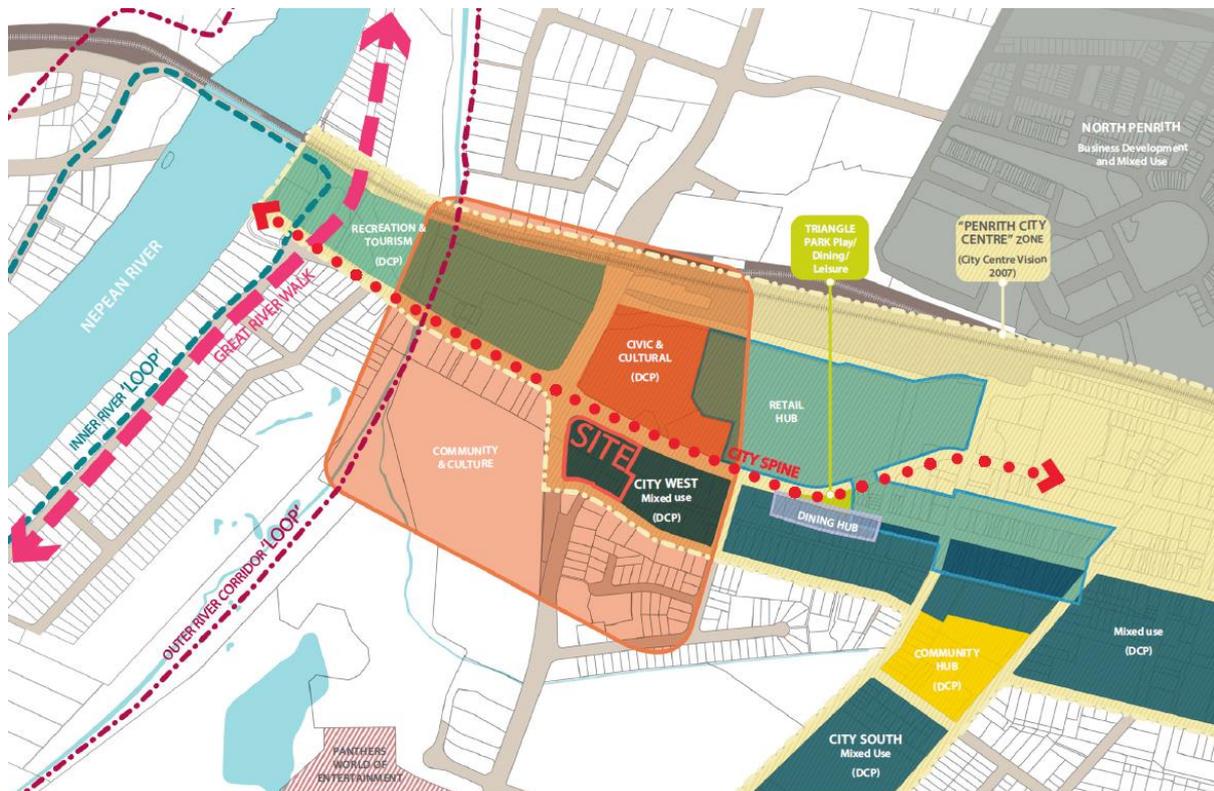


Figure 11: Penrith City Districts

The south of the Site is comprised of medium density apartment buildings of varying heights, density, ages and styles. Heights typically range from 3 to 6 storeys. Further south are bulky goods retailers and the Penrith Panthers site.

Newer developments in the area are predominately high density multi-residential developments. Directly next to the site to the east are a number of high density apartment buildings ranging in height from 3 to 9 storeys. A number of these new multi-residential developments are near the Nepean Hospital and to the South of the retail strip bounding High St.

Further north of the CBD lies the Penrith train station and Thornton Estate. This area is made up of high density multi-residential and mixed use buildings. There are around 1,000 new residences being developed within this precinct that also includes a childcare centre and supermarket.

The Site is currently inactive and generally uninviting to pedestrians. The footpath along High St and Mulgoa Rd suffers from its exposure to the high traffic volumes. Council Chambers and the Joan Sutherland Performing Arts Centre are located directly opposite the Site.

3.5 Adjacent Sites

The Site is identified as a “Key Site” as part of the Penrith LEP 2010. One of the objectives of a key site, as outlined in Council’s Planning Proposal, is to “increase the development capacity of Key Sites whilst protecting the development potential of adjacent sites”.

Consideration must be given to the adjacent sites and their development potential under applicable development standards in the LEP and DCP. The built form must be integrated into the planned future development of the locality.

Refer to **Figure 12** for the maximum building height, zone and maximum Floor Space Ratio of adjoining sites, as per Penrith LEP 2010.

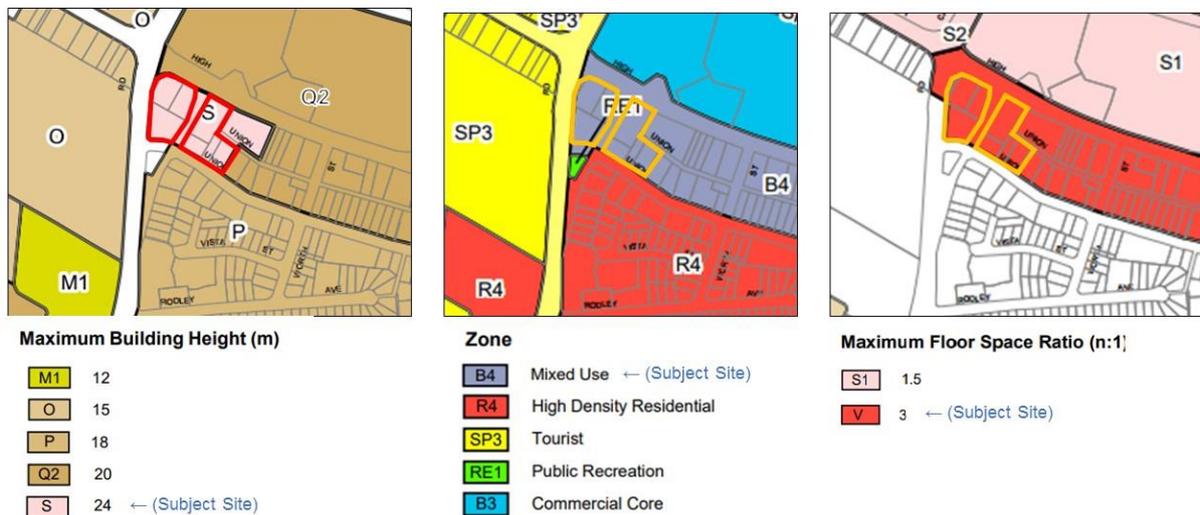


Figure 12: Penrith LEP 2010 Maps

The Site forms part of Key Site 10, with the other portion of this site being owned by Urban Apartments, as outlined in **Figure 13**.

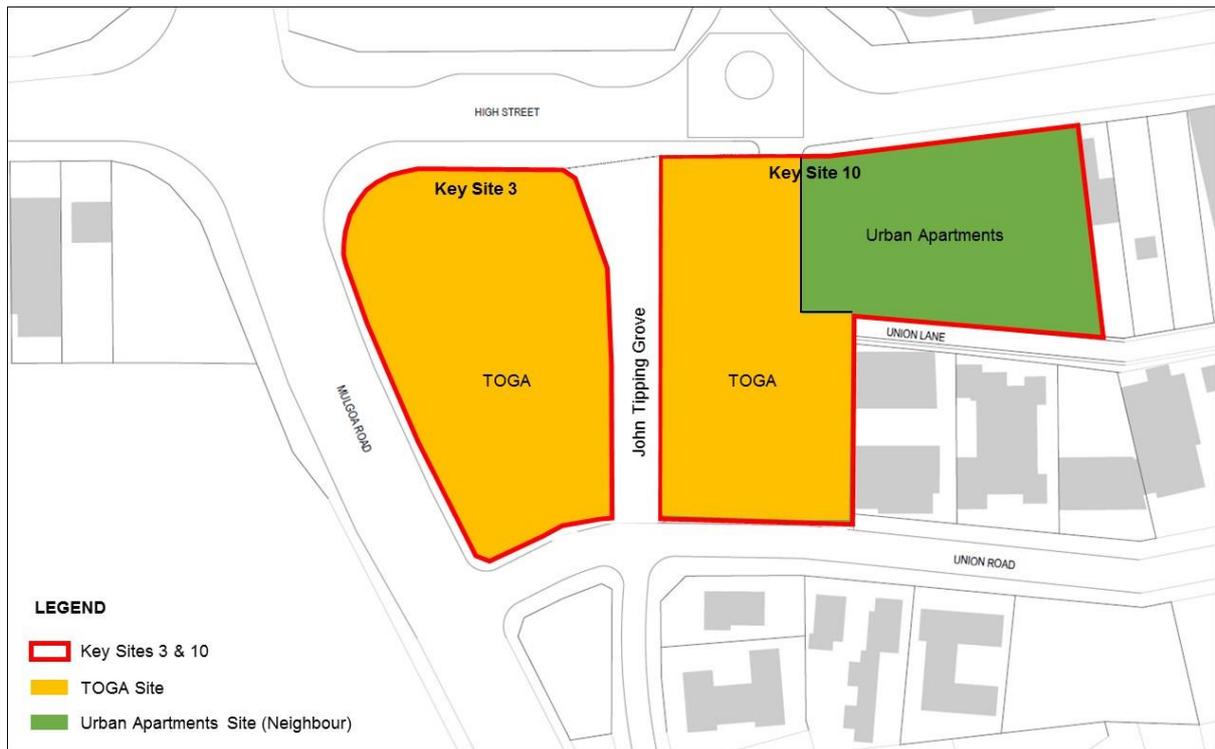


Figure 13: Key Site Map

Competitors are to consider the impacts of the proposal on adjacent properties.

3.6 John Tipping Grove

John Tipping Grove has the potential to perform an important function within the ultimate urban design. The road is currently used for local access only, with no through link to High Street. It is expected that the road be declassified as part of the Master planning process and its function changed from vehicular access to either full pedestrian access or part pedestrian / part vehicular access.

John Tipping Grove currently contains a number of public underground utilities and can therefore not be built over with permanent structures, without significant infrastructure diversion costs.

The Reference Masterplan contemplates basement connections by way of tunnels under this existing road and the services contained within.

The Reference Masterplan also contemplates the conversion of John Tipping Grove to a space being adapted to retail uses. In this regard, it is the Proponent's intention to either acquire the above-ground stratum or take a head lease over that space to facilitate embellishment and ongoing operation for retail leasing purposes.

The land is owned by Council and use of the site will be subject to negotiations, which could also relate to Council's Public Benefit policy (Scheme 1).

3.7 Specialist Site Conditions

A. Heritage

There are no heritage listings for the Property and there are no heritage items in the immediate surrounding area.

B. Traffic Access Arrangements

Design proposals are to accommodate the following desired access requirements:

Vehicle Access

No vehicle access is allowed from Mulgoa Road (RMS Controlled Road), within 6 metres of a tangent point of a kerb return on an adjacent intersection or within the influence of normal queue length on the approach to a signalised intersection. These locations are shown indicatively, in red, on Figure 14.



Figure 14: Vehicle Access Constraint

The location of any vehicular access must take into consideration the Proposed RMS Network Upgrades, with regard to the proposed slip lanes, turning lanes and central medians provided in conjunction with the signalised intersection upgrades and any restrictions these may invoke on vehicular access.

Refer to Appendix I for the complete Traffic Brief.

C. Geotechnical Assessment & Excavation Strategy

A Geotechnical investigation was undertaken by Douglas Partners Pty Ltd on the Site in April 2017. At the time four (4) boreholes were carried out.

The boreholes were advanced to approximately 17m in depth below ground level at each location with the following subsurface conditions identified:

- Fill Material, residual sandy clay and silty sand to approximately 2-3.5m below ground level.
- Gravel layers extending from a depth of approximately 1.7-3.5m to approximately 12-13m below ground level.
- Laminite (Sandstone/Siltstone) below 12-13m and increasing in strength from 13-14m depth to a Grade I-II rock classification.
- Groundwater was measured at approximately 7-8m below ground level in all boreholes.

All design submissions must minimise the basement depth due to the current water table level to avoid the requirements of a tanked basement. The basement design will also need to consider possible flooding implications, including location of services.

D. Services Infrastructure

The Site encompasses an array of underground and overhead utility services. These services include high pressure water and gas as well as significant sewer, fibre optic and other assets. It is expected that a large number of services will be retained in their existing locations.

Council owned road, John Tipping Grove, encompasses a number of services. Toga is not aware of any plans to relocate these services. Thus, it is expected that they will remain in their existing locations.

Refer to Appendix O for a site survey and Appendix P for a Services Report.

E. Waste Management

Waste management is a significant consideration for the operation of a mixed use building.

Design proposals are to respond to the individual and cumulative impact of waste generated from each of the building's uses – retail, hotel and residential apartments. Design proposals must also reference compliance with DCP 2014 and Council's relevant supporting waste management guidelines.

Refer to Appendix E for the Waste Management Brief.

F. Contours and Gradient

The site is largely flat with a gentle gradient up to RL27.52 in the centre of the site bounded by High St, Mulgoa Rd and John Tipping Grove. The land then continues to slope down to RL26.70 in a SSW direction across the Site. The other portion of the Site to the east of John Tipping Grove is generally even and flat. A site survey has been attached for reference.

G. Flooding

A Flood Study has been undertaken for the Site to provide minimum floor levels for flood scenarios. A review of Council's DCP in relation to flood impact assessments has also been undertaken.

The site is partially affected by overland flow inundation during a 1% Annual Exceedance Probability (AEP) event. Accordingly, flood scenarios are to be considered in any design proposal for the Site.

Building and carpark entries must consider the requirements of the Flood Study report. The Australian Height Datums for flood design are noted in the Flood Study report.

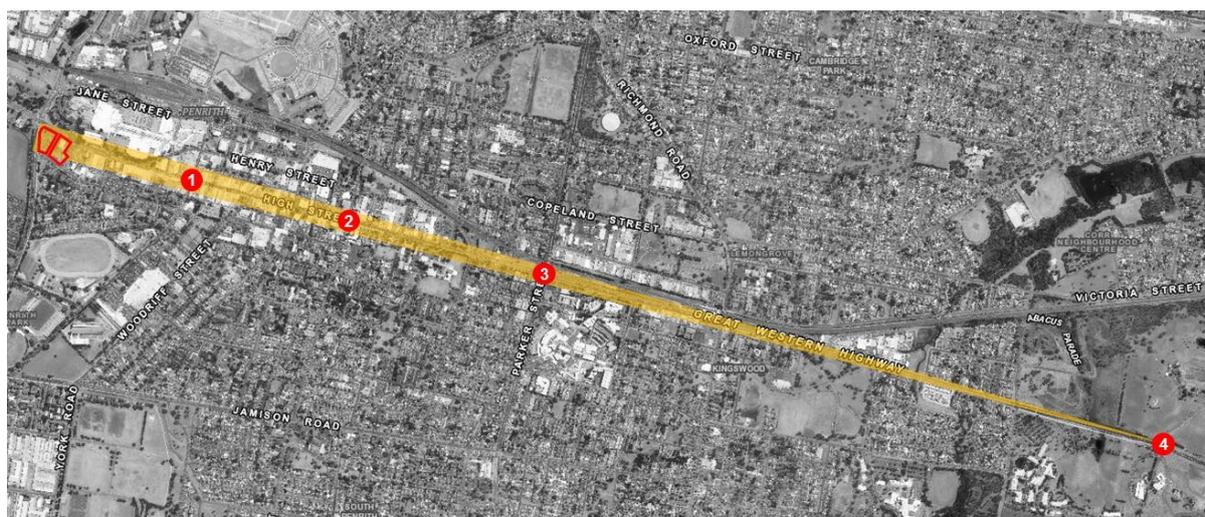
Refer to of Appendix O for the Flood Study.

H. View Corridors

The Penrith LEP 2010 and DCP 2014 identify areas that have particular scenic value either from major roads, identified heritage items or other public places. This includes views to the Blue Mountains and Nepean River. Any development that impacts these views must minimise the visual impact of the development from major roads and other public places.

Council has requested that Competitors analyse view corridors to the Blue Mountains from crossings and intersections along High Street. Competitors are requested to provide view analysis towards the Blue Mountains from the following locations:

1. High Street / Station Street intersection
2. High Street / Evan Street intersection
3. Parker Street / Great Western Highway intersection
4. Great Western Highway, Werrington (adjacent to the Western Sydney University overpass)



I. Landscape Design

Landscape design and tree planting will be an important element within the development. Competitors are to adhere to the LEP and DCP requirements relating to landscaped areas. Competitors must also consider the right balance of the landscaping and how this is integrated into the overall design.

3.8 Reference Masterplan

Taking into consideration the specialist technical studies that have been prepared for the site, a Reference Masterplan has been prepared as is provided as Appendix A. The purpose of the Reference Masterplan was to “test” various built form outcomes on the site (based on a 6:1 FSR) to determine whether a scheme could be achieved which meets the development vision for the site.

Competitors are **not** required to propose a scheme that is consistent with the Reference Masterplan and should demonstrate how the Reference Masterplan has been challenged to improve and achieve the best urban design and architectural outcome.

4.0 Objectives for the Proposal

Competitors are invited to submit proposals that comply with the design, planning, commercial, construction and cost objectives. Any submission that does not meet the commercial and cost criteria will not be considered by the Jury and will be disqualified. A Design Jury will assess the complying proposals based on how well the design responds to the site opportunities and constraints. Objectives are provided in relation to design, planning controls, commercial viability and construction. It is important to note that the Jury will be assessing the 'design'. Commercial and construction objectives are provided as it is important to ensure that Competitors are putting forward designs that are reasonable, but this will not be judged by the Jury as only complying schemes are considered.

4.1 Design Objectives

The design objectives for the Competition are to:

General

- Achieve design excellence;
- The development, and in particular the public space, will be a vibrant, active civic precinct. It will be a flexible platform for activity as well as a generator of life and energy;
- Balance composition between building mass, rhythm and proportion;
- Provide a design for high quality mixed use buildings utilising the design objectives of the brief;
- Maximise the site's visual connection to the Blue Mountains and key district views;
- Avoid disrupting views to the Blue Mountains from key locations;
- Achieve an efficient traffic and building servicing strategy, minimising entry ways;
- Locate waste storage areas for efficient waste management and servicing;
- Minimise the potential acoustic impacts on the surrounding residential amenity;
- Position carpark access and loading dock provision discretely along the façade;

Residential

- The architecture of each building **MUST** vary in design and material (look and feel) ensuring that the overall project does not look homogenous;
- Provide a high quality built form outcome by way of suitable façade composition, building materials, colours and textures, and by appropriate building articulation;
- Deliver excellence in internal apartment design and layout, including circulation and shared spaces;
- Apartments are orientated to achieve views, aspect and privacy;
- Consider providing semi-private space for residential residents on rooftops or podiums;
- Residential levels are to achieve a floor-to-floor height of 3.05 meters (in order to achieve ADG compliance of 2.7m internal ceilings);
- The podium car parking levels are to achieve a minimum floor-to-floor height of 3.05 meters;
- Wet areas must be positioned on common walls not inter-tenancy walls to enable off-site manufacturing;

- Provide daylight and natural ventilation to internal service core areas to reduce lifecycle energy costs as well as to improve the amenity for the residents;
- Optimise opportunities for ecologically sustainable design and best practise environmental performance including low running costs in relation to water and energy use;

Retail

- Design and create a retail environment that caters to the local community's requirements and becomes a meeting place;
- Maximise the retail trading opportunity for day time and evening economies;
- Floor to floor ceiling height for retail of approx. 4m (min. 3.5m, max. 4.5m);

Hotel (Scheme 1)

- The Hotel should be positioned to maximise its exposure to Mulgoa Road or High Street but not be located directly on Mulgoa Road;

Public Amenity

- Prioritise the public amenity of the building's surrounds;
- Ensure building massing provides amenity to any designed public spaces, maximising natural light and solar access into the through site link;
- Maximise opportunities to create a pedestrian permeable ground plane linking neighbourhood streets to the plaza, retail and adjoining amenities;
- Consider the importance of the High Street, Mulgoa Road, Union Lane and Union Road streetscapes and the site contribution to the urban character of Penrith;
- Building design should create a positive relationship with the public domain, balancing amenity and privacy considerations of private and semi-private space, with activation, casual surveillance, scale and legibility of the public domain. The building design should address the different types of public spaces.

4.2 Planning Objectives

The planning objectives for this Competition should comply with the statutory framework including:

1. State Environmental Planning Policy No. 65 and Apartment Design Guidelines
2. Penrith Local Environmental Plan 2010 & Draft LEP Amendment for Site 3 & 10 (assuming that the amendment to the Key Sites provisions has been applied to this site)
3. Penrith Development Control Plan 2014
4. Relevant City and applicable State plans and policies

Any instances of departures from numerical provision must be justified against the objectives and strategic direction of the controls

Key planning considerations include:

- Provision of public benefit in accordance with Council's Public Benefit Policy ;
- Pedestrian and vehicular access in and through the site;
- Overshadowing of neighbours and within the precinct itself;
- Parking, access and driveways;
- Floor space ratio & height of buildings;
- Front setbacks, boundary setbacks and building separation;
- Impact of the development on key view corridors including the High Street view towards the Blue Mountains from UWS and Nepean Hospital (on Great Western Highway);
- Wind restrictions;
- Flooding requirements;
- Active street frontages; and
- Building depth.

Refer to Appendix Q for a Planning Controls Summary for the Site.

4.3 Commercial Objectives

The commercial objectives for this Competition are to:

1. Achieve the maximum allowable floor space ratio (FSR) of 6:1 across the entire Site and optimise gross floor area (GFA);
2. Achieve apartment quality and amenity to maximise apartment sales rates;
3. Achieve minimum GFA efficiency ratios of:
 - a. Residential use – 87% Net Saleable Area
 - b. Specialty Retail Use – 90% Gross Lettable Area Retail
4. Provide a vibrant civic and retail precinct that is able to be activated at all times of the day and during evening as permitted;
5. Provide a design response that meets the construction budget of \$270,000 per apartment (excluding public realm embellishment and GST);
6. Provide a design which allows structural continuity (no transfers);
7. Align key building elements such as lift shafts, fire stairs and services penetrations to enable the use of efficient and innovative construction systems;
8. Consider the practicality and buildability of the design;
9. Buildings should be limited to a maximum of 200 apartments;
10. All design submissions must minimise the basement depth to avoid the necessity for a tanked basement;
11. Building forms are to follow typical grids and avoid curved façade surfaces;
12. Provide a design that can be staged into 5-6 construction stages with a maximum of 200 apartments per stage. Consideration needs to be given to temporary and permanent scenarios for parking, access and services;
13. Basements, servicing and access should be contained within each stage of the development; and
14. Standardise the number of apartment types and apartment elements including kitchens, bathrooms and laundries to enable modulation.

Key development measurements are described in the following table.

Component	Scheme 1 Quantum	Scheme 2 Quantum
Overall site area	12,546.5 sqm	12,546.5 sqm
Floor space ratio	Potential for 6:1 under LEP amendment subject to satisfying public benefit policy (no additional bonus for design excellence)	Maximum of 3:1 under current planning controls (with potential for a 10% bonus for design excellence)
Max. Gross Floor Area	75,276 sqm	37,639 sqm (with potential for a 10% bonus for design excellence)

Retail	Optimise ground floor retail uses to activate surrounding streetscape and maximise value.	Optimise ground floor retail uses to activate surrounding streetscape and maximise value.
Retail Area	Maximum of 4,000 sqm	Maximum of 400 sqm
Indicative Apartment Mix	1 Bed – 30% (1B 20-25% / 1B+S 5-10%)	1 Bed – 30% (1B 20-25% / 1B+S 5-10%)
	2 Bed – 60% (2B 40-50% / 2B+S 10-20%)	2 Bed – 60% (2B 40-50% / 2B+S 10-20%)
	3 Bed – 5-10%	3 Bed – 5-10%
Hotel Guest Rooms	80-120 keys of 22m2 guest rooms (including 10 apartments of 35m2)	Nil

Table 3: Commercial Objectives

4.4 Construction Objectives

The objectives of the construction process will intrinsically require:

1. Consideration for buildability issues so the project is efficient in construction;
2. An efficient design using appropriate geometry;
3. Minimising wastage of building materials during construction;
4. The appropriate selection of materials;
5. The assessment of existing infrastructure that may be utilised to best services the development; and
6. Design suitability for conventional construction methods as well as prefabricated technology and modular systems.

A. Basement

Consideration should be given to the following elements in the design of the basement:

- Efficient parking layout - target of 32m² per space;
- Travel path access to apartments and retail are minimised;
- Extent of basement excavation must be limited;
- Consolidated lift cores;
- Split level... Consider efficient ramps to parking (scissor ramp);
- Limited number of entry/exit points; and
- Limit the impact of Hydrology challenges.

B. Structure

Objectives include:

- No transfer structure within the design;
- Grid and column alignment is to be uniform;
- Structural elements are to be parallel and plumb;
- Consideration for retail trade floors services design;
- Lift core design to accommodate standard lift design;
- Efficient use of construction joints – minimise and eliminate where possible; and
- Location of risers to be consolidated and the ability of the design to allow services to travel vertically without interruption/diversion.

C. Façade:

Objectives include:

- Nominal sizes to incorporate standard panel sizes, be it composite metal cladding, fibre cement sheeting or precast concrete;
- Typical window and frame panel sizes;
- Simplified façade systems such as precast, brickwork, composite materials;
- Utilisation of temporary construction, e.g. precast for edge protection; and
- Perimeter core and fire stairs to form part of external façade and elevation.

D. Façade Systems

For mid to high-rise apartment buildings

The objective is to deliver a façade system that allows performance requirements which include energy efficiency, environmental sustainability, adaptability, production efficiencies, and functionality within the climatic conditions of the Penrith area within the identified budget.

The Performance

The performance criteria that needs to be considered in the façade system proposal is as follows:

- **Structural safety** – level of structural performance during construction and the intended life of the building. All possible load combinations such as wind and heat;
- **Fire safety** – providing safeguards against smoke generation and spread of fire, including but not limited to, adjacent floors and/or buildings;
- **Technical functionality and durability** – ensuring that the façade system proposal together with its joints with other elements / components (i) has provisions and adequate controls against water and air leakage, differential movements and condensation, and (ii) continues to function properly during the intended service life with only normal maintenance when subjected to expected degrading agents such as rainwater, solar radiation and frost;
- **Indoor environment related performance** - having provisions to help maintaining adequate interior spaces in terms of air temperature, air quality, and lighting and sound levels;
- **Constructability** – having efficient and economical construction and maintenance of the system including manufacturing of its components;

E. Cost Objectives

A detailed construction cost brief is provided in Appendix H.

5.0 Competition Procedures

5.1 Competition Entry

This Competition is for invited participants only.

A total of three (3) architectural teams will participate in the Competition. Each team will consist of an established architect and emerging architect as follows;

ARCHITECTURE TEAM	ARCHITECT
Architecture Team 1	1x Established Architect and 1x Emerging Architect
Architecture Team 2	1x Established Architect and 1x Emerging Architect
Architecture Team 3	1x Established Architect and 1x Emerging Architect

The selection of Competitors participating in the Competition will be undertaken by the Proponent, Penrith City Council (Council) and Office of the Government Architect (GAO).

Each Competitor will be a person, corporation or firm registered as an architect in accordance with the NSW Architects Act 2003.

Each architect shall prepare and submit a design proposal that satisfies the requirements of this Brief (complying scheme) and may prepare an alternative design in addition to a complying scheme if it so desires.

5.2 Competition Brief

This brief sets out:

- The basis for participation;
- Site description;
- Objectives;
- Submission requirements; and
- The responsibilities of the developer and the duties of the Jury.

5.3 The Competition Jury

The Competition Jury comprises of four (4) jurors;

- a) **One** (1) member nominated by the Penrith City Council (PCC)
- b) **One** (1) member nominated by the Office of the Governor Architect (OGA)
- c) **One** (1) member nominated by the Proponent (TOGA)

Jury members are to:

1. Consider the submissions in response to the key objectives of the Competition Brief
2. Represent the public interest
3. Be appropriate to the type of development proposed and include only persons who have appropriate expertise in the design and construction professions and industry.

One of the Jury members is to be selected as Chair. The Chair is to ensure that the Jury deliberations proceed in a fair and orderly manner. The Chair will have expertise in architectural design and be a recognized advocate of design excellence in NSW.

If any of the Jury members have to withdraw prior to the completion of the Competition, another Jury member of equivalent credentials will be appointed by whoever originally appointed that Jury member.

5.4 Juror's Obligations

In accepting a position on the Jury, the Jury members agree to:

- Have no contact with any of the Competitors in relation to the Site and the Competition from their time of appointment until the completion of the Process, other than during presentation of final submissions;
- Evaluate submissions promptly in accordance with the competition milestones;
- Abide by the requirements of the Competition Brief;
- Consider planning or other technical advice provided by the Consent Authority;
- Refrain from introducing irrelevant considerations in addition to, or contrary to, those described in the Competition Brief, or contrary to the statutory framework;
- Make every effort to arrive at a consensus in the selection of a winner; and
- Sign a statement confirming that they have read and understood the Jury member's obligations and agree to respect those obligations for the duration of the Competition.

5.5 Technical Assistance

Technical Assistance to the Jury

The Jury may seek technical assistance, if required. The technical advisors will be strictly limited to providing technical advice to the Jury specific to their professional discipline.

Technical Assistance to the Competitors

The Proponent will make available the consultancy services listed below and will pay for these services directly (over and above the competition entry fee) for the number of hours specified.

Competitors are encouraged to seek advice to the Technical Support Team to achieve the best possible architectural and commercial outcome for the proposed scheme.

Competitor requests for access to the Proponent's technical consultants will be via the Competition Manager. The Competition Manager may permit direct communication between the Competitor and the nominated technical consultant at its discretion. Where this occurs all communications will be required to be copied to the Competition Manager and the Consent Authority.

A. Town planner

Company: GLN Planning

Contact: Peter Lawrence (Director)

Telephone: +61 402 181 571
Email: peter@glplanning.com.au

Up to 2 Hours of consultancy advice to be paid for by the Proponent for each Competitor.

B. Structural Engineer

Company: Webber Design
Contact: Paul Webber
Telephone: +61 400 008 444
Email: paul@webberdesign.com

Up to 4 Hours of consultancy advice to be paid for by the Proponent for each Competitor.

C. Services Engineer

Company: Insync Services
Contact: Brett Lipscombe
Telephone: +61 419 299 175
Email: brettl@insyncservices.com.au

Up to 2 Hours of consultancy advice to be paid for by the Proponent for each Competitor.

D. Quantity Surveyor

Company: TOGA Development & Construction
Contact: Barbara Smirneos (Estimating Manager)
Telephone: +61 415 390 477
Email: bsmirneos@toga.com.au

Up to 4 Hours of consultancy advice to be paid for by the Proponent for each Competitor.
The Quantity Surveyor is to provide a cost plan of the participant's design after the Mid-Point Progress Submission and after the Final Design Submission.

E. Building & Construction

Company: TOGA Development & Construction
Contact: Michael Kouknas (Acting Head of Construction)
Telephone: +61 400 252 256
Email: mkouknas@toga.com.au

Up to 4 Hours of consultancy advice to be paid for by the Proponent for each Competitor.

F. Landscape

Company: Arcadia
Contact: Alex Longley (Director)
Telephone: +61 411 390 760
Email: alexl@arcadiala.com.au

Up to 2 Hours of consultancy advice to be paid for by the Proponent for each Competitor.

G. Wind

Company: CPP Wind
Contact: Joe Paetzold
Telephone: +61 468 424 849
Email: jpaetzold@cppwind.com

Up to 1 Hour of consultancy advice to be paid for by the Proponent for each Competitor.

H. Traffic

Company: Parking & Traffic
Contact: Andrew Morse (Director)
Telephone: +61 2 9922 4737
Email: andrew.morse@parkingconsultants.com

Up to 4 Hours of consultancy advice to be paid for by the Proponent for each Competitor.

5.6 Communications and Questions

Competitors should not communicate verbally regarding clarification of the Competition with the developer, technical advisors, Consent Authority or other competitors.

Competitors are to refer questions in writing (email) to the Competition Manager:

Alex Black
Development Manager
Email – ablack@toga.com.au

Questions should be sent to the Competition Manager no later than 10 business days before the close of the Competition.

Answers to these questions will be compiled and sent to all competitors without revealing the source of the questions.

5.7 Mid-Point Progress Submission and Presentation

Each Competitor will be required to present a preliminary design on the Mid-Point Progression Session Submission as specified in the key dates table within Section 1.1.

The purpose of this Progress Session is to provide the Competitors with an opportunity to have the design works in progress reviewed and receive feedback from the technical advisors in relation to project costing and planning compliance matters. The consultants who will be present to provide technical and compliance advice include:

- Town planner
- Structural engineer
- Services engineer
- Quantity surveyor
- Building & construction
- Landscape
- Wind
- Traffic

Responses and feedback are limited to technical and compliance matters only.

In addition to planning compliance feedback provided at the presentation, formal planning compliance feedback will be provided in writing two working days following the Mid-Point Progress Session.

High level cost plan feedback will be provided by the quantity surveyor at the Presentation with formal construction cost plan feedback provided within two weeks of the Mid-Point Progress Session.

No Jurors will be attending the Mid-Point Progress Session. Toga, GAO and Council are invited to attend this presentation.

5.8 Final Submissions

Submissions must be lodged with the Competition Manager as specified in the key dates table in Section 1.1.

It is the sole responsibility of the Competitor to ensure actual delivery to the Proponent by the deadline.

5.9 Lodgment of Submissions

Competitors shall lodge their submissions in a sealed package to the Competition Manager, at the following address:

TOGA Project Services Pty Ltd
Level 5, 45 Jones Street
Ultimo NSW 2007

Attention – Alex Black

The submission should be lodged no later than 3:00pm on the submission date. The package should be labelled “*HIGH STREET PENRITH – Design Excellence Submission*”.

Any submissions received after the deadline will be deemed non-conforming and may be returned to the sender. In the event that the submission date is extended by the Proponent, all Competitors will be notified in writing by the Competition Manager.

5.10 Disqualification

Submissions that fail to meet a significant number of the competition procedures may be disqualified, in particular, where:

- the submission is received after the lodgement time and date;
- the submission is contrary to the objectives of the design brief and no Complying Scheme is provided at the same time;
- the submission is not submitted in accordance with the submission requirements, as stated by TOGA in this Brief; and or
- A Competitor attempts to influence the Jury outside of the Competition Process.

The Jury will determine any disqualifications.

5.11 Presentation

The Competitors must present their entry to the Jury in person.

Competitors are to provide an electronic version of their Presentation Submission material to the Competition Manager no later than 24 hours prior to the Presentation Date (PowerPoint or PDF), in accordance with the Key Dates nominated in Section 1.1 of this Brief.

The presentation and question time must be no longer than ninety minutes in duration, with the presentation accounting for no more than sixty minutes, allowing a 30 minute question period.

Toga, GAO and Council are invited to attend this presentation as observers.

5.12 Competitive Design Process Assessment and Decision

The Jury will select the preferred proposal based upon the assessment criteria specified within Section 7.0.

TOGA Design & Construction team will provide commentary to the Jury on buildability and cost planning following each of the presentations.

The Jury shall be responsible for selection of the preferred design. All designs shall be evaluated using the same criteria.

The Jury may disregard, and does not encourage, any additions to presentation materials submitted by the Competitors on the Presentation Date, which have not been formally requested by TOGA for the sole purpose of clarification.

The Jury's decision will be via a majority vote with each Jury member receiving 1 vote. Unanimous agreement is not required, but is encouraged.

At the completion of the Presentations, the Jury will deliberate and select which scheme is considered to exhibit the potential to meet design excellence and notify the Competitors via letter by the Decision Date.

The decision of the Jury will not fetter the discretion of the Consent Authority in its determination of any subsequent DA associated with the development site that is the subject of the Competition process.

A report (referred to as the Design Competition Report) will be submitted to the Consent Authority advising of the outcome of the competitive design process. This report must be provided to the Consent Authority prior to the submission of the relevant development application.

5.13 Appointment of the Architect of the Preferred Proposal

The Proponent shall appoint the architect of the winning entry as selected by the Jury. Full design of the winning proposal should then occur for a Stage 1 Development Application for the entire site. To ensure that design continuity and excellence of the winning proposal are maintained during the design development process, the architectural commission is expected to include:

- Preparation of a Stage 1 Development Application for the preferred design;
- Preparation of Stage 2 Development Applications for the staged development process;
- Peer review during the tender and documentation stage which will be conducted by TOGA's documentation team to ensure that the concept design and principles are maintained through to realisation;
- Continuity of design review during the construction phases through to the completion of the project.

The winning architectural team is expected to be appointed within one (1) month of the Decision Date, under the commercial terms attached to this Brief.

The winning architect may elect to work in collaboration with an Interior Design firm however Interior Design will not be part of the winning Competitor's scope.

Each team must confirm the distribution of work across the Site / buildings between the established architect and emerging architect.

5.14 Announcement

Competition results will be made public within 7 days of the appointment of the winning competitor.

TOGA will advise competitors in writing of the decision.

5.15 Architectural Design Competition Report

TOGA's Representative must prepare a draft Design Competition Report for Jury review and approval prior to the submission of the subsequent Development Application. The Design Competition Report shall:

- Include each of the design alternatives considered;
- Include an assessment of the design and merits of each alternative;
- Set out the rationale for the choice of the preferred design and demonstrate how the design clearly exhibits design excellence and best satisfies the requirements of this Brief;
- Account for the Jury's comments and aspects of the design that need to be further addressed prior to DA lodgement.

TOGA is to submit the Architectural Design Competition Report to the Consent Authority within twenty one (21) days of the final Decision Date.

5.16 Care of Materials and Insurance

It is each competitor's responsibility to wrap, ship, mail or deliver by other means, their submission, ensuring timely and intact arrival. The developer disclaims any responsibility for any loss or damage during transit.

No liability shall be attached to TOGA regarding the submissions, whilst in the possession of TOGA. All reasonable care shall be taken to maintain the submissions in good condition, but a limited amount of 'wear and tear' is inevitable. Competitors are advised to make copies of their submissions, so as to retain a copy of their work.

Responsibility for insuring submissions rests solely with Competitors.

5.17 Competition Fee

A Competition Fee of \$60,000 (excluding GST) shall be paid to each Competitor for participating in this invited Competition. This will be split between each architect team as follows:

- Established Architect - \$40,000 (excluding GST)
- Emerging Architect - \$20,000 (excluding GST)

All competition fees are to be lodged in trust with the Australian Institute of Architects (AIA) prior to the Commencement Date unless an alternative arrangement (Agreement Letter) to guarantee fee payment has been negotiated between the Competitors and TOGA.

Upon receipt of evidence that a comprehensive competition submission has been lodged, the AIA shall release the Competition Fee to the Competitor.

5.18 Copyright

Copyright for each submission shall remain in the ownership of the original author(s) unless separately negotiated between TOGA and the winning architect.

The Architectural team will grant to Toga a perpetual, irrevocable, royalty free, non-exclusive and transferable licence (including a right to sublicense) to use the Submission Documents and Design.

The Proponent and the Consent Authority shall have the right to display, photograph, or otherwise duplicate or record all submissions for publication, publicity or other such purposes. Any such reproductions shall acknowledge the copyright owner(s).

Execution of the Agreement Letter shall be deemed as legal permission for the Proponent and Consent Authority to publish the Competitor's designs. No compensation shall be made for such reproduction or publication.

5.19 Confidentiality

Competitors shall observe complete confidentiality at all times in relation to their submission, including plans, information whether verbal or written, documentation or any advice until Decision Date.

The same strict rules of confidentiality are to apply to any consultants or other persons or entities from whom the Competitors may seek advice.

This Brief and the documents comprising the Competitor's submission are confidential and the Competitor must not use them for any other purpose without the prior written consent of TOGA until the competition decision is announced and made public.

TOGA and the Jury shall observe complete confidentiality in relation to all submissions received, prior to a decision in relation to the Competition that is made public.

5.20 Disclaimer

Toga acknowledges that the LEP Amendment has not been gazetted and that the winning scheme of the design competition may not comply with the existing planning controls. TOGA also acknowledges that where the design differs from Council's planning controls, an amendment may be sought at its own cost.

Nothing in this design brief, proposals received or decision of the Jury will fetter either Council's or other Consent Authority's decision making.

6.0 Presentation Material for Competitor's Submissions

6.1 Mid-Point Progress Session Submission

The following documentation is required for the preliminary concept presentation at the Mid-Point Progress Session:

- a) Site plan including public realm layouts;
- b) Basement, Ground Floor, typical and atypical upper and lower level plans;
- c) Plant level (if applicable) and roof plan;
- d) Section and elevations showing RLs;
- e) Typical layouts for each apartment type (1:50);
- f) Area Schedule as per standard template (See Appendix S);
- g) Description of the façade;
- h) Descriptions/concepts for the retail precinct;
- i) Material use schedule (See Appendix S);
- j) Axometric plans.

All plans are required to be at scale 1:200 @ A3, except where noted above.

All preliminary concept submission materials are to be submitted via email to the Competition Manager, two days prior to the Mid-Point Progress Session.

6.2 Final Submission

The submission documents shall be in the form of:

1. Eight complete A3 hard copies of all submission documents
2. Eight copies of all presentation materials (collated into a single Power Point slide show or PDF document) on USB Memory Sticks.

Note: All submission and presentation materials are to include the Competitor's identity. Submissions should also be of a quality suitable for public exhibition.

Each Competitor's submission shall generally consist of:

- Site Analysis (1:500);
- Local context sketch plan (1:500);
- Streetscape elevations (1:500 or 1:200);
- Site concept plan (1:500). This must locate existing and new streets, public domain improvements, building form and massing;
- Ground floor plan including the relationship to the public domain (1:500 or 1:200);
- Typical and atypical plans, elevations and sections including all basement levels and the ground plane (1:500 or 1:200). Floor plans are to include the following:
 - All apartments to be numbered;
 - The NSA and the external area for individual apartments is to be indicated;
 - The minimum dimension of each balcony;

- Dimensions of any relevant building separation distances.
- Layout plan of each typical apartment floor (1:500 or 1:200);
- Floor plans demonstrating which apartments achieve the minimum ADG solar access and natural ventilation requirements;
- Typical apartment layout – submission to include 1 bedroom, 2 bedroom and 3 bedroom layouts (1:50);
- Section showing indicative structural thicknesses / podium storeys and street setback requirements;
- 3D massing or modulation study;
- Shadow diagrams;
- Solar and cross ventilation compliance;
- Landscaping plan (including any green roofs);
- Car park layouts;
- Vehicle circulation space and allocation of parking areas per asset (i.e. Retail, residential);
- A minimum of two computer or hand-generated perspectives or photomontages of the proposal;
- Perspectives of the key views
- Presentation of computer “massing” model for the scheme. Please note this is not a requirement for a physical model;
- Material use schedule. See Appendix S;
- Area schedule and yield analysis. See Appendix S;
- Statement of Intent. See Section 0;
- Statement of Compliance. See Section 6.4;
- Apartment Design Guide compliance statement;
- Descriptions/concepts for the retail precinct;
- Architectural Fee Proposal as per Section 6.6;
- Distribution of work between the established and emerging architect through the Competition process;
- Staging plan;
- Marked up TOGA Consultant Agreement document as per Appendix S.

Competitors are to ensure that all Final Submission materials are to include:

- All plans, elevations and sections are to be presented at the scale specified and are to include the scale, scale bar, north point;
- Critical relative levels are to be shown on sections and elevations;
- Relevant planning control envelope, height limits, setbacks are to be shown on plans, elevations and sections.

Presentation material may be printed, photocopied, photographed, or reproduced in any manner chosen by the Competitor. The Architectural team will grant to Toga a perpetual, irrevocable, royalty free, non-exclusive and transferable licence (including a right to sublicense) to use the Submission Documents and Design.

6.3 Statement of Intent

Each submission is to include text and sketch diagrams detailing the design principles and intent. This statement is to address the proposal's approach and response to the objectives of this Brief. The Architectural Design Statement is to address at a minimum the following areas:

- a) Design objectives;
- b) Planning objectives;
- c) Commercial objectives;
- d) Construction objectives;
- e) Cost Objectives.

Each submission must also highlight and justify any non-compliance with the applicable planning controls for the site.

6.4 Statement of Compliance

Each submission must include a completed Compliance Table prepared by a suitably qualified person indicating the proposal's compliance with the objectives of and the controls embodied within the planning framework, primarily:

- Penrith LEP 2010 (noting that the amendment to Key Sites provisions do not yet apply to this site);;
- Penrith DCP 2014;
- Any adopted site specific or master planning DCP;
- The endorsed Design Competition Brief;
- Relevant State Planning Policies.

Each submission must also highlight and justify any non-compliance with the applicable planning controls for the site.

See Compliance Table template in Annexure S.

6.5 Area Schedule & Yield Analysis

Each submission shall include the populated pro forma table setting out the area and yield, including:

NSA – The area within the dwelling measured to the inner face of a party wall and/or an external wall and to the face of the glazing line for wall to ceiling openings and excluding the area of any fully enclosed services ductwork within the dwelling.

GFA – The area as defined in the Penrith LEP 2010.

GBA – The total of the enclosed and unenclosed area of the building at all building floor levels measured between the normal outside face of any enclosing wall, balustrades and supports.

6.6 Architectural Fee Proposal

Competitors are to separately submit a fee proposal for the architectural services for the full development, which is to include confirmation of availability and nomination of a dedicated project team. The fee is to cover the following key phases for each DA:

PROJECT STAGE	ESTABLISHED ARCHITECT	EMERGING ARCHITECT
Design Development	Lead	Support
Development Application	Lead	Support
Tender documentation	Peer review	Peer review
Construction documentation	Peer review	Peer review
Construction phase	Peer review	Peer review

6.7 Construction Costs

The Quantity Surveyor will assess each submission and provide a cost plan to each Competitor to form part of their Presentation.

The Quantity Surveyor will use the Mid-Point Progress Session materials to prepare a cost plan and issue this cost plan within two weeks.

The cost plan will be updated on receipt of the Final Submissions and provided to each Competitor prior to the Presentation date.

In order to facilitate timely assessment and advice, Competitors may liaise directly with TOGA's Quantity Surveyor in the preparation of the final cost estimate.

6.8 Models and Digital Animations

The provision of a physical model or digital animation is not a submission requirement for the Competition, and will not form part of the Jury assessment.

6.9 CAD Files

The winning Competitor, will be required to submit a DWG/DGN file of ground floor plan only, geospatially referenced to the MGA (Mapping Grid of Australia). The origin is not to be relocated.

7.0 Assessment Criteria for Panel

Evaluation Criteria	Weighing	Competitor 1	Competitor 2	Competitor 3
Compliance with Planning <ul style="list-style-type: none"> ▪ Penrith LEP 2010 ▪ Penrith DCP 2014 ▪ Other relevant State plans & policies 	15%			
Compliance with Development Brief <ul style="list-style-type: none"> ▪ Floor space area ▪ Marketability ▪ Apartment Mix ▪ Car parking provision 	20%			
Compliance with Design Brief & Vision Document <ul style="list-style-type: none"> ▪ Urban Design Principles ▪ Masterplan ▪ Architectural design ▪ Internal planning and amenity ▪ Façade Design & Visual Appeal ▪ Public domain ▪ Integration with Penrith city & environs ▪ Unit planning principles ▪ Internal planning and amenity ▪ Efficient use of building envelope 	50%			
Buildability / Construction Objectives <ul style="list-style-type: none"> ▪ Structural design ▪ Services and plant ▪ Construction methodology 	15%			
Development Budget <ul style="list-style-type: none"> ▪ Compliance with development budget 	Pass/Fail			
TOTAL	100%			

8.0 Appendices

- A. Reference Masterplan
- B. Design Considerations
- C. Community Engagement Report
- D. Vision Document
- E. Urban Design Review Panel Comments
- F. Retail Brief
- G. Hotel Brief
- H. Construction Cost Brief
- I. Traffic Report
- J. Building Services Spatial Considerations
- K. Building Structure Brief
- L. Waste Management Brief
- M. Wind Brief
- N. Flood Impact Assessment
- O. Site Survey
- P. Services Report
- Q. Planning Controls Summary
- R. Penrith Public Benefit Policy 2016
- S. Returnable Schedules