

15 April 2020

Mr Anthony Witherdin
Director
Key Sites Assessments
Department of Planning, Industry and Environment
4 Parramatta Square, 12 Darcy Street
PARRAMATTA NSW 2050

Attention: Ms Emily Dickson, A/Principal Planner

Modification to Concept Plan (MP09_0160 MOD 4) Response to Submissions – Test of Adequacy

Dear Emily,

Thank you for reviewing the Response to Submissions document submitted on 27 March 2020.

We provide the following response to the queries outlined in our email dated 30 March 2020. This is accompanied by an updated Response to Submissions document, including amendment to the covering report and Urban Design Study, as well as submission of a Design Excellence Statement and the original Ecological Report prepared by Kingfisher Urban Ecology.

In order for us to coordinate our planned community and stakeholder consultation we would appreciate your earliest advice regarding timing of any public notification of the RTS.

1. Urban design rational

DPIE's letter dated August 2019 requested a clear urban design rationale for any additional height proposed. The Response to Submissions proposes two built forms with heights between 14-17 storeys and 17-19 storeys, which are reduced from the built form proposed in the EIS, however it is unclear how you have arrived at these built forms. Further detail is requested to be provided to address this point.

The Urban Design Report has been revised to provide a full design statement (p5) which outlines the rational for the revised building form and height. Further detail on the design rational is also provided within the Urban Design report as follows:

- Strategic and Urban Context (p7-10)
- Neighbourhood Context (p11-18)
- Massing – Height and Density (p20)
- Massing – Streetscape and Context (p21-23)
- Demonstration of the ADG and amenity benefits of the revised built form (p27-45)

2. Base case

DPIE previously requested a base case design for the site to understand what can be achieved in the approved envelope i.e GFA, number of apartments, ADG compliance for solar, ventilation, separation and overshadowing. While some of this information is provided in the Urban Design Report, it is not clear and is difficult to compare with the proposal. A table clearly providing the figures for the base case and proposal is requested to be provided. In particular base case GFA, number of apartments with natural ventilation and levels of solar access is to be identified.

The Urban Design Report provides a comparison of the Current Approved Envelope with the Proposed 2020 Envelope in the sections outlined below.

- FSA comparison (p24)
- Envelope, Heights (p25)
- Typical Floor Plate/Illustrative plans (p26,28)
- Solar Access and Daylight to open spaces and facades (p27)
- Outlook (p29-31)
- Building Separation (p32-33)
- Outdoor open space & Connectivity (p34, 35)
- Natural Ventilation (p36)
- Overshadowing (p47-52)
- Summary table (p53)

To support the comparison additional detail has been added to the following pages: p26, p28, p31-33, and p53. Additional information has also been provided regarding the solar access to the courtyard and neighbouring apartment building (p50-52).

3. Internal courtyard separation

Query: DPIE's previous letters requested discussion about any changes to the internal courtyard separation. Provide further justification for reducing the internal courtyard separation from 24m to 18 m and discuss any impacts to residential amenity.

The proposed separation distances across the courtyard ensures a high level of amenity, and is more generous than the adjacent as built condition. The existing separation across the courtyard between the adjacent buildings D and J and E and H varies from between 12m and 19.3m. The proposed building envelope allows for a minimum 18m separation distance across the courtyard, ensuring compliance with the ADG building separation distances. For the illustrative plan this improves further allowing for separation of between 19.6m to 23.6m.

The Urban Design Report (p32-33) demonstrates that building separations achieve/exceed ADG requirements, and additional information has been added to compare the current as-built condition.

It is also noted that the proposed building envelope retains the existing street setback lines as preferred by Parramatta Council (compared to preliminary schemes presented in December 2019 to DPIE, and Parramatta Council in February 2020).

4. Urban design report

a. Courtyard area

Query: Provide figures that demonstrate how the courtyard is 24% bigger under the proposal

Drawing S75W-100-003 shows the area of the proposed courtyard (4,117sqm). This drawing has been updated to provide a comparison with the courtyard area under the 2013 approved envelope (3,324sqm). The Urban Design Report has been updated to include additional information comparing the current and proposed courtyard areas (p34 and p53).

It is also noted that the previous MOD 2 Open Space Area Diagrams (08053_DA06_G) shows the illustrative and as built condition for the courtyard of 3,380.

b. Merit summary of new dwellings

Query: Clarify solar access and ventilation for apartments that have no symbol. Also it is noted that all apartments above level 9 are shown as having no cross ventilation.

Apartments with no sun symbol achieve >15min solar access but less than 2 hours solar access in mid-winter between 9am and 3pm. Turner have now added a new symbol on the diagrams to clarify this. Please refer to the Urban Design Report (p37-38) and drawings S75W-400-005 and S75W-400-006.

With regards to cross ventilation, the ADG requirements are "at least 60% of apartments are naturally cross ventilated in the first nine storeys of the building...", therefore cross ventilation symbols have not been shown above storey nine.

c. Communal open space solar access

Query: Provide an additional diagram that shows the gains and losses (with area in sqm identified between 9am and 3pm) of solar access to the courtyard between the approved building envelopes and proposed building envelopes

The Urban Design Report has been updated to provide a detailed comparison of the solar access to the courtyard between 9am and 3pm in midwinter for the 2013 approved and 2020 proposed building envelopes (p50-51). The average solar access to the courtyard is also included in the summary table (p53).

d. Outlook of new dwellings

Query:

- *Identify apartments with the improved outlook and provide indicative view/s of the improved outlook*

The Urban Design Report (p29-31) include additional detail on the apartments that would have improved views and photos of the typical views.

e. Summary table – solar access

Query:

- *Clarify if the direct solar access of private dwelling figures are for the whole site or Buildings C and F only*
- *Expand on these figures to identify:*
 - *for the approved envelope, how many apartments receive minimum 2 hours solar access and no direct sunlight*
 - *for the proposal, how many apartments receive minimum 2 hours solar access and no direct sunlight, identify where the impact is greater (as there is a 1% decrease in solar access between approved and proposal)*
 - *provide figures and diagrams to demonstrate where the negligible impact to neighbouring buildings occurs*

The figures for direct solar access to private dwellings are for the whole development (existing buildings and Building C and F). This has been clarified in the Summary Table (p53).

The summary table has also been updated to show a comparison between the 2013 approval and 2020 proposal of how many apartments would a minimum of 2 hours solar access.

Calculations for “no direct sunlight” are not provided for existing apartments (as the DAs were approved prior to ADG). However, Turner completed solar access studies of existing apartments that are impacted by either the 2013 Approved or 2020 Proposed Building Envelopes. Of these apartments studied, 28 apartments receive no direct sunlight under the Current Approved Envelope and 23 apartments receive no direct sunlight under the Proposed Envelope.

We note that 70% is the minimum ADG requirement for 2hrs solar access to the main living area and balcony of apartments between the hours of 9am and 3pm. The proposed 2020 Illustrative plans achieve greater than 70% and are therefore compliant with the ADG and result in minimal impact on the existing as-built apartments within the development.

Further detail has been provided in the Urban Design Report on the solar access impact to the neighbouring Capri apartment block (p52) confirming that impacts of the 2020 Proposed Envelope would be negligible. The diagrams show that the corner ground floor unit begins to lose sun to the outdoor space after approximately 2.45pm in mid-winter.

f. Building width

Query: identify on the Urban Form Control drawing the width of buildings C and F and width of the balcony/ articulation zone.

The Urban Form Control Diagram (Urban Design Report p25 and Drawing S75W-400-001) has been updated to show the width of buildings C and F and width of the balcony/ articulation zone.

g. Appendix A – Proposed changes to the concept plan approval

Query:

- *Condition A2 – specify which plans are proposed to be updated*
- *Clarify if the changes to the statement of commitments identified in the EIS are still proposed*

Appendix A of the Response to Submissions sets out the proposed amendments to the instrument of approval. This replaces the proposed amendments set out in the original Concept Plan modification document (September 2018), including the changes to the Statement of Commitments proposed at that time.

This has also been updated to show the plans that are proposed to be approved by the modification to the Concept Plan. Given that the proposal relates to Building C and F only, it is proposed to retain the existing approved plans, and seek approval for the updated plans by exception for Buildings C and F only.

h. Landscape concept plan

Query: Provide an updated concept landscape plan

The approved landscape concept plan forms part of Modification 2, and includes landscaping of the courtyard, side setbacks, streets and Bay Park. The landscaping of the streets, Bay Park and side setbacks is complete, and the courtyard is partially complete. The as built condition of the courtyard is substantially different to the approved courtyard design. It is appropriate an updated courtyard design is prepared as part of future development applications. This requirement has been included as a proposed Statement of Commitment to form part of the Concept Plan approval.

i. BEA definition

Query: Identify what the acronym BEA stands for

BEA stands Building Envelope Area. This is the total area measured inside the concept plan ‘building envelopes’ ie the overall zone in which the buildings may be positioned. The proposed BEA / Concept

Plan Building Envelopes have provided substantial tolerance for the allowable FSA to be realised. This means that the illustrative plans will have a much smaller massing and footprint than the Concept Plan Building Envelopes, which is in line with best practice for the delivery of master planning frameworks.

The Urban Design Report has been updated to clarify what BEA stands for (p25).

5. Wind report

The Department notes our letter, Council and the GA all recommended wind tunnel testing be carried out. The updated Wind Assessment states that no wind tunnel testing was carried out. Wind tunnel testing is requested to be undertaken, or further justification provided for why it has not been carried out.

As the Masterplan approval relates to Building Envelopes, without façade articulation, awnings at ground floor entries, and the like, we consider that a full wind tunnel study, should be deferred until DA stage. The final wind study should be based on final proposed building forms and landscape features.

A desktop wind study has been prepared and identifies items that will be addressed during design development. Landscaping, façade and awning design will be able to mitigate wind issues and will be included for in the more future DA submission.

It is proposed that the preparation of wind modeling be included in the statement of commitments that forms part of the modification approval.

6. Design excellence

The Department's letter notes the Government Architect recommended at a minimum a Competitive Design Excellence process, however the RTS has not included this. A further response is required to this matter, and if a different option is proposed, adequate justification provided.

The 'One the Waterfront' development at 23 Bennelong Parkway is almost completed, including carpark, basement services and structure below Building C and F. These buildings are the final stage of the development. Due to the existing context and small footprint/structural restrictions, a competitive design excellence process seems misaligned with a suitable delivery method for this small component. Discussions with Parramatta Council indicated they did not support a competitive design process and there is no statutory requirement or precedent for such a process in the locality. We are unaware of any examples of competitive design process requirement for a modification, particularly given no additional floorspace is proposed.

Piety are committed to achieving a quality design outcome and a Design Excellence Process document has been provided which illustrates Turner's capabilities to deliver a high-quality design outcome for this project.

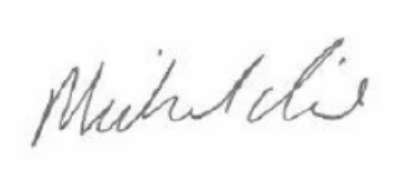
7. Ecological assessment

The Ecological assessment report submitted with the EIS was authored by SMEC. This is inconsistent with the RTS Ecological document submitted, authored by Geraldine Dalby Ball saying she was the author of the ecological assessment. Please provide the updated Ecological report to address the issues raised in submission and identified in the request for RTS letters.

The original Ecological report prepared by Kingfisher Ecological has now been included at Appendix E.

We trust this addresses your concerns, and would welcome that opportunity to meet to discuss should there remain any outstanding issues.

Regards,

A handwritten signature in dark ink, appearing to read "Michael File", is centered below the "Regards," text. The signature is fluid and cursive.

Michael File

Director

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