

**Cumberland
Council**



**CUMBERLAND
DESIGN EXCELLENCE
GUIDELINES**

November 2016

CUMBERLAND DESIGN EXCELLENCE GUIDELINES

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1 INTRODUCTION

Cumberland Council is committed to ensuring all major developments deliver the highest standard of architectural and urban design.

The purpose of these Design Excellence Guidelines is to articulate Council's criteria for the assessment of new building designs pertaining to major development proposals in the Merrylands Station and McFarlane Street Precinct and the Wentworthville Centre seeking heights greater than 55 metres.

The Cumberland Design Excellence Panel (**CDE Panel**) comprises professionals of the highest calibre in architecture, urban design and urban planning who will be responsible for determining the level of excellence a proposed development may display and the numerical entitlement that should be awarded in accordance with Council's incentive bonus provisions.

2 OBJECTIVES OF THESE GUIDELINES

- a) Establish the necessary steps an applicant must undertake when seeking support under Council's incentive bonus provisions pertaining to design excellence;
- b) Encourage diverse and innovative design that is both contextually appropriate and makes a positive contribution to the architectural quality of new building designs; and
- c) Ensure the design excellence principles that are endorsed by the CDE Panel are incorporated in future detailed development applications.

3 LAND TO WHICH THESE GUIDELINES APPLY

These guidelines apply to land bounded by a heavy black line on the Design Excellence Map (Ref: Holroyd LEP 2013).

4 ASSESSMENT CRITERIA

Under the design excellence provisions of Holroyd Local Environmental Plan 2013, property owners may seek a variation to the allowable building height of up to an additional 10% or additional floor space ratio of up to 0.5:1 where it can be demonstrated that a development proposal exhibits design excellence. Accordingly, the CDE Panel will give consideration to the following matters as part of their deliberation:

- a) whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved;
- b) whether the form and external appearance of the proposed development is a good contextual fit in keeping with the desired future scale and character of the area;
- c) whether the proposed development detrimentally impacts on view corridors;
- d) how the proposed development addresses the following matters:
 - the suitability of the land for development,
 - the existing and proposed uses and use mix,

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- any heritage issues and streetscape constraints,
- the location of any tower proposed, having regard to the need to achieve an acceptable relationship with other towers (existing or proposed) on the same site or on neighbouring sites in terms of separation, setbacks amenity and urban form,
- the bulk, massing and modulation of buildings,
- street frontage heights,
- solar access,
- environmental impacts such as sustainable design, overshadowing, wind and reflectivity,
- the achievement of the principles of ecologically sustainable development,
- pedestrian, cycle, vehicular and service access and circulation requirements,
- the impact on, and any proposed improvements to the public domain.

In situations where the CDE Panel is satisfied a development proposal exhibits design excellence, a Design Excellence Certificate (**Certificate**) will be issued to the applicant with or without recommended amendments. Refer to **Appendix A**.

The certificate must then be submitted with the lodgement of a formal development application.

It will be at Council's discretion whether future Section 96 design modifications are referred to the CDE Panel.

5 PROVISIONS

5.1 CDE Panel Responsibilities

The CDE Panel is an advisory body whose primary role is to comprehensively evaluate and provide comment on all design aspects of major developments within the nominated areas prior to a formal development application being lodged.

In assessing whether an application displays design excellence the CDE Panel may elect to:

- a) Support the design scheme as originally submitted;
- b) Support the design scheme with amendments; or
- c) Not support the design scheme, in which case, the Panel may request a re-design and the amended scheme being referred back to the Panel for further consideration.

5.2 Application Procedures

Due to the scale and complexity of assessing major developments and to assist streamline the approval process, it is imperative that the issue of design excellence is resolved at an early stage in the development process, particularly having regard to other related technical and merit based issues that may require consideration.

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Consequently, an applicant is to attend a formal Pre-DA Lodgment Meeting (PLM) before submitting an application to the CDE Panel. A copy of the meeting's minutes is to be submitted with the design excellence application to the CDE Panel.

The step-by-step application process is described below.

- Step 1:** Following completion of a Pre-DA Lodgment Panel meeting, applicant submits formal Design Excellence application and supporting documentation to CDE Panel Coordinator for processing. [Note: the documentation submitted must include a copy of the minutes from the Pre-DA meeting and the design is to be generally consistent with the recommendations contained in the minutes]
- Step 2:** CDE Panel Coordinator prepares Briefing Note on proposed development to accompany copies of design documentation to Panel members.
- Step 3:** Panel members conduct site inspection with Council staff and project representatives prior to applicant addressing the Panel – *[Note: it is advisable that the project architect or designer presents the design scheme to the Panel explaining how the proposed development exhibits design excellence].*
- Step 4:** CDE Panel formalises their determination and minutes of meeting are drafted – *[Note: if design scheme is endorsed by the CDE Panel, a Design Excellence Certificate will be issued to the applicant with or without recommended amendments].*
- Step 5:** Applicant lodges formal Development Application including copy of Design Excellence Certificate.

The CDE Panel Coordinator will be responsible for recording the minutes of the Panel meeting.

Panel members will be required to confirm the minutes within 5 working days thereafter.

Applicants are not permitted to contact Panel members directly at any time.

All communication involving the administration of the CDE Panel is to be directed to the CDE Panel Coordinator.

5.3 Documentation Requirements

Mandatory documentation required to be lodged with all design excellence projects are listed below and must be submitted to the DEP Coordinator 7 working days prior to the meeting.

- a) Current site survey;
- b) Comprehensive site analysis;
- c) Photographic record of existing site and surrounding sites and buildings;
- d) Proposed site plan;
- e) Floor plans;
- f) Elevations;
- g) Photomontages;
- h) Urban design/architectural design statement;

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- i) Summary of key project features and elements;

Copies of all project documentation are to be provided in both electronic form and four (4) hard copies.

It will be at the discretion of the CDE Panel Coordinator whether additional information may be required.

5.4 Panel Coordinator

The Design Excellence Panel Coordinator (Panel Coordinator) will be responsible for:

- a) design documentation advice;
- b) checking and collating information upon lodgement;
- c) setting the meeting date;
- d) coordinating the circulation of the agenda to Panel members;
- e) registering the attendance of Panel members;
- f) preparing Panel briefing notes;
- g) preparing and distributing draft minutes to Panel members; and
- h) arranging distribution of final minutes.

5.5 Panel Chairperson

The Chairperson will be nominated by the General Manager or delegate.

5.6 Application Fees

An application fee will be required to be paid on lodgement of the Design Excellence application in accordance with Council's fees and charges.

A fee equal to 50% of the initial fee is payable for subsequent referrals.

This fee is separate to any other fees and charges associated with the development application including a Pre-DA Lodgment application fee.

6 PANEL ADMINISTRATION AND OPERATIONAL PROCEDURES

6.1 Panel Membership & Terms

The Panel shall comprise three (3) suitably qualified persons who will be selected from a register of five (5) persons with skill bases comprising:

- Architecture;
- Urban Design;
- Landscape Architecture

A panel member cannot be employed by Cumberland Council, including Council officers and elected Councillors, other than the Panel Coordinator.

Panel members will be appointed by the *Group Manager – Planning* for a twelve (12) month term via expressions of interest administered by the Panel Coordinator.

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6.2 Frequency of Meetings

The CDE Panel will meet on an “as needs” basis following receipt of an application.

Panel members will be notified of the receipt of an application within five (5) working days of lodgment. A Panel meeting will be scheduled as soon as practicable thereafter.

All CDE Panel meetings will be held in the Cumberland Council offices.

6.3 Meeting Procedures

Both the applicant and nominated architect for the development proposal will be invited to attend the CDE Panel. The Panel meeting will be conducted generally as follows:-

- Site inspection and on site discussion with project representatives
- Presentation of proposal by applicant/consultant and engagement with Panel members
- Panel discussion, review and recommendations

6.4 Conflict of Interest

Panel members are to ensure the highest ethical standards are maintained in the exercise of their professional duties to ensure the integrity and fairness of the decision making process is maintained.

Panel members must not unlawfully disclose or misuse any information provided to or discussed at the Panel meeting.

A Panel member who may have a potential conflict of interest must advise the Panel Coordinator as soon as practicable.

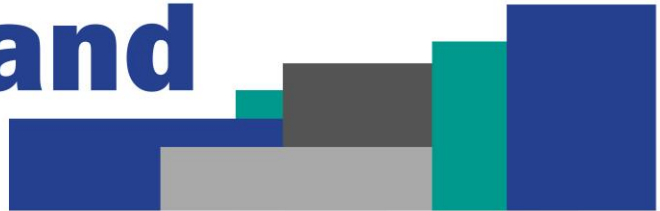
6.5 Code of Conduct

All Panel members are required to comply with Council’s Code of Conduct Policy.

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7 APPENDIX A:

DESIGN EXCELLENCE CERTIFICATE



DESIGN EXCELLENCE CERTIFICATE

Certificate No: xxx/2016

Date:

PROPERTY DETAILS

Street Address:

Lot No:

PROPOSED DEVELOPMENT

Description of Proposed Design Scheme:

Document Identification Details:

CERTIFICATION

This certificate hereby certifies that the abovementioned development has satisfied the design excellence assessment criteria detailed in Holroyd Local Environmental Plan 2013 and is worthy of:

1: An increase of xx metres in building height up to a maximum of xx metres (yy storeys)

2: An increase of xxx% in floor space ratio up to a maximum of xxx:1

Approval:

.....

Chairperson
Cumberland Design Excellence Panel

Date: