



Architectural Excellence & Design Review Panel

Meeting Minutes & Recommendations

Site Address:	Parts of Leichhardt, Taverners Hill and Kings Bay Precincts within the Parramatta Road Corridor Urban Transformation Strategy 2016
Proposal:	Council-led Planning Proposal to amend the Inner West Local Environmental Plan 2022 and the associated Development Control Plan amendments to implement Parramatta Road Corridor Urban Transformation Strategy for parts of Leichhardt, Taverners Hill and Kings Bay Precincts.
Application No.:	-
Meeting Date:	3 April 2024
Previous Meeting Date:	5 April 2022
Panel Members:	Peter Ireland Diane Jones Tony Caro
Apologies:	-
Council staff:	Vishal Lakhia Gill Dawson Daniel East Leah Chiswick Laura Chen Bernadette Balatbat
Guests:	-
Declarations of Interest:	None
Applicant or applicant's representatives to address the panel:	Inner West Council's Strategic Planning Section

Background:

1. The Architectural Excellence & Design Review Panel (the Panel) was briefed by the Project Team through an online conference at the 3 April 2024 meeting. The briefing was aimed to provide context for this Council-led planning proposal and outlined the overall objectives and outcome at the start of the meeting.
2. The Panel was provided with a suite of complex documents relating to the Planning Proposal, a summary note and a slideshow presentation prepared by Council's Strategic Planning section. The Panel understands that this is a Council-led Planning Proposal to amend the Inner West Local Environmental Plan 2022 and the associated Development Control Plan amendments to implement Parramatta Road Corridor Urban Transformation Strategy for parts of Leichhardt,

Taverners Hill and Kings Bay Precincts. The expectation is delivery of 1,500 new dwellings and 2,000 new jobs as part of Stage 1.

- The Panel notes that Council's Strategic Planning section has referred these draft DCP amendments to the Panel mainly to satisfy the EPA Regulation, *Clause 15* which requires that Council seek independent advice from a design review panel prior to adoption of the DCP. The Strategic Planning section had initiated this process in 2016 in-line with the Parramatta Road Corridor Urban Transformation Strategy (PRCUTS) 2016 – enforced by the state government. This was prior to formation of the Inner West AEDRP (commenced in mid-2021).
3. The Panel is therefore being asked to review the draft DCP amendments at a relatively advanced stage in the process when many of the key strategic urban design decisions appear to be already embedded. Additionally, the Panel acknowledges their advisory-only role in the process and time and availability restrictions in reviewing the documents and preparing this report. As part of these reviews, it is the Panel's intent to make comments from a '*devil's advocate*' standpoint to offer a different perspective on interpretation of the proposed controls.
 4. Overall, the AEDRP supports the preparation of the draft DCP amendments in achieving intended outcomes of the Planning Proposal and provides the advice below to assist in ensuring outcomes are realised successfully.
 5. The discussion and recommendations offered by the Panel as part of this second review is structured below in two parts. Part 1 provides a table with previous recommendations and responses as to whether the previous matters have been addressed/unaddressed. Part 2 provides further recommendations as part of this second review which the Panel recommends be considered and incorporated.

Discussion & Recommendations:

Part 1 – Previous AEDRP Recommendations

	Previous Recommendation	Panel's Response at the second-time review
	General Matters	
1	Incorporate notations or introduction/preamble with reference to the NSW Apartment Design Guide (ADG)	The Panel notes that references to the ADG have been added rather than including general text in preamble.
2	Review where the terms 'and' and 'or are used to ensure clarity	Amended as required.
3	Provide more clarity and certainty of outcome by constructing controls that nominate numeric measures (setback dimensions, areas, %'s) that if met, will be considered to meet the objectives. Non-specific 'performance' type controls as proposed in many instances are not supported as they are subjective/ambiguous and cannot be effectively interpreted for design or administered for assessment.	Generally, more dimensions have been added. For example – dimensions confirmed for the street setbacks, plazas, or open spaces.
4	A greater emphasis on 'context' is required throughout.	The Panel understands that Desired Future Character

		Statements are to be added to provide up-front context.
5	Aspects which were relying on adoption of SEPP Design and Place can be resolved as this draft policy has been officially shelved.	The previous references to any shelved legislation have been removed.
6	'Incentive' floor space and height might be better formulated as 'Design excellence' floor space and height to reinforce and support better design outcomes.	<p>The Panel notes that Council has taken a different approach as 'Design excellence' is not their preferred method of offering incentives.</p> <p>A base floor space ratio and height is offered with an uplift available only where additional criteria are met – for example aspects such as – sustainability, active frontage, etc.</p>
7	Correct typographic and grammatical mistakes throughout.	While the Panel notes typographic corrections made in the updated documents, it encourages further editing where necessary.
Built Form		
8	Floor-to-floor heights to be increased with a minimum 3.2m recommendation for compliance with the NCC.	The Panel understands that a further review was undertaken by the Strategic Planning section and the heights are now increased to 3.2m. The maximum permissible height of buildings has been amended within the Planning Proposal to correspond with the increased floor to floor heights.
9	The lift overrun dimension to be reconsidered to allow a minimum 4.6m above the last floor served.	Reference to 1.5m lift overrun height has been deleted from the draft DCPs.
10	Interaction of the SEPP 65 30 (1) (c) and the proposed ceiling heights to be given further consideration.	Noted. Matter addressed as described in No. 8 and 9.
11	3.6m first floor commercial floor-to-floor height will not meet the ADG 4C-1 1. A minimum 3.7m is recommended to allow 3.3m ceiling plus 0.4m structure and services. Greater height may be required to meet the new NCC provisions.	The Panel notes that this control has been revised to 5m for the ground floor and 4m for the first floor unless the site is within a heritage conservation area or a heritage item where existing built form is required to be retained.
12	Overall building height and consideration of topography should be thoughtfully incorporated	Reference has been added to topographical allowances. Refer to Built Form Sections

		and control for floor to floor height within each precinct.
13	Guidance and controls to be offered on how to measure building separation distances where properties are located across narrow lanes. It is recommended that building separation distances are measured from centreline of the existing laneways.	<p>Unaddressed:</p> <p>The Panel notes that this applies to Dot Lane, Renwick Lane and Queen Street within Leichhardt; additionally within rear lanes in Kings Bay between Opportunity Sites and existing/proposed residential sites.</p> <p>The Panel understands that this is made to the ADG separation requirements, however, the Panel expects this to be confirmed as part of the controls or objectives.</p>
14	Identify flood-affected locations within the DCPs and ensure how the DCP restricts ramp-dominated building entries and ground floor interface with the public domain.	<p>Unaddressed</p> <p>The Panel requests confirmation on how front setback controls and public domain interfaces are framed within the revised DCPs.</p>
15	Address noise and air quality matters from – road and rail through cross-referencing the ADG.	<p>The Panel notes that references have been updated including for near rail corridors, busy roads within the relevant precincts. These standards also include reference to impacts on materials from electrolysis.</p>
16	Ensure natural ventilation to all habitable rooms regardless of noise and air quality issues. Cross-reference to the ADG is required.	<p>Unaddressed</p> <p>The Panel requests confirmation on how this matter is cross- referenced to the ADG guidance.</p>
17	Ensure built form articulation and architectural features are created within the building envelopes.	<p>Unaddressed</p> <p>The panel restates that there needs to be an acceptable relationship between GFA and envelope for residential multi-unit development, being that it should not exceed 70% of the envelope footprint to allow for appropriate articulation of the building form.</p>
18	Confirm how all side setbacks comply with the ADG Part 4F requirements for visual privacy	<p>Unaddressed</p> <p>The Panel requests confirmation on how this matter</p>

		is cross-referenced to ADG guidance.
19	Confirm how colours and external finishes are recommended within the DCP and how these align with Environmentally Sustainable Design (ESD) principles.	The Panel notes there are minor amendments made to Sustainability and Resilience section – Mitigate urban heat island effects in each DCP, And the matter is considered only partly addressed .
20	How is the critical relationship between FSR, building height and residential amenity tested to avoid potential conflict between the floor space ratio and height controls? Is FSR and height testing done in preparation of the DCP envelope diagrams?	Unaddressed As per 17
21	Are there any allowances for building fabric, balconies, building articulation and building breaks to occur all within the DCP envelopes – 3D and 2D drawings as part of the DCP?	Unaddressed As per 17
Ground Floor Commercial Use		
22	Consider the use of a minimum % of site area or FSR rather than % of ground floor GFA as this will assist in delivery of ground floor employment uses rather than small commercial unit(s) with remainder of ground floor used for residential, driveways, parking, services, or other purposes.	Unaddressed
23	It is noted that a minimum amount of non-residential use is anticipated as part of the previous urban design testing. If the expected minimum non-residential GFA is not achieved within a proposal then this will create additional pressure on achieving the residential GFA within a certain height. How is this managed in terms of residential amenity?	Unaddressed
Landscape Design and Minimum Tree Canopy		
24	Clarify the LEP requirements in terms of the minimum tree canopy cover, deep soil, landscaped area, and other requirements	The Panel notes that tree canopy controls are now consistent with the Inner West Council's Tree DCP Controls. Similarly, the deep soil area requirement is as per the ADG.
25	Offer guidance for podium and rooftop communal open space design, whether reference is made to Parts 4O Landscape Design and 4P Planting on structures of the ADG?	Unaddressed
Active Frontage		

26 Confirm whether 70% glazed frontage could be realistically achievable in certain locations **Unaddressed**

Access and Parking

27 The outcome should align with ADG Part 3J-4 3 on how much a basement structure is allowed to protrude over the natural ground level. **Unaddressed**

Lot Amalgamation

28 Recommendations on lot amalgamations may not be realistically achievable. A minimum lot size and lot width would be sufficient, however this should be informed by detailed urban design testing.

Where the preferred lot amalgamation is not achievable there is

- a) a minimum lot size/street frontage required or
- b) demonstrate it meets certain criteria such as “does not isolate surrounding lots, provides required setbacks” etc.

29 Avoid language such as ‘unviable’ as the DCP should not make recommendations based on ‘economic’ inferences

The word ‘unviable’ is now replaced with ‘impractical’

Norton Street Opportunity Site

30 This is a significant location which should benefit from a design competition and/or a Stage 1 DA with a site-specific DCP.

The Panel understands that it is already a part of the Inner West LEP 2022 requirement that sites over 3,000m2 area require a site-specific DCP

31 Details such as number of proposed storeys, width of open spaces, plazas, pedestrian links should be confirmed as part of the DCP diagrams.

Noted that the diagrams have been amended. Supported by written controls (Section 14.6.6 Leichhardt precinct, Leichhardt DCP)

32 Light-wells within any buildings along Norton Street are not supported and compliance with the ADG is expected - this should be clearly stated in the DCP

Unaddressed

The Panel requests a confirmation on how reference is made to the ADG.

33 Consideration should be given to requiring land dedication rather than ‘easements’ to achieve major public domain initiatives.

The Panel understands that in mixed use developments it is likely that a stratum subdivision would be the likely outcome with a Building Management Committee making operational decisions. There would be no advantage in Council having land dedicated as they would be subject to the BMC decisions and would have to pay ongoing strata fees.

Other Matters		
34	Strata clause should encourage mixed use living and home-based businesses	Unaddressed
35	Controls requiring the delivery of affordable housing should ensure that these are equivalent or have better amenity than market dwellings. For example – the affordable housing dwellings should not be all addressing Parramatta Road OR be all south-facing units.	The Council staff described at the meeting that it is difficult to formulate very specific controls regarding location of affordable housing units. The overall objectives are already established within the Inner West draft Affordable Housing Contributions Scheme.
36	Controls relating to alternative types of residential accommodation, particularly seniors housing, co-living and boarding houses not captured by SEPP 65 should be included, particularly with regard to overall built form and desired future character.	Unaddressed
37	Controls required for shielding of heat pumps and condenser units on balconies from the public domain and other habitable areas. Could provide guidance on location and arrangement of condenser units (eg roof top with screen/integrated by floor in own room/basement where natural ventilation available).	Unaddressed
38	Controls for waste collection areas, especially given trends to up to six waste streams.	The Panel has been informed at the meeting that these are already covered by the general section of the DCP.
39	Controls should relate to private land that is the subject of the development application. Controls relating to public land should be reevaluated for inclusion.	Unaddressed
40	Any requirements for through-site links should require these links to be 'open to the sky'. Further design consideration be given to the proposed controls in specific locations. For example: i) Treatment of corner lots in Leichhardt Parramatta Road South (for instance interaction with new park at Petersham Street); ii) Reducing setbacks to Crystal Street frontage; iii) Heights in Renwick Lane (there is a 3 storey precedent here)	The DCP requires through site link to be open to the sky (Section 14.6.8 - C50 and C51 Leichhardt DCP) Objective inserted into Leichhardt Precinct DCPs
Diagrams		
41	Diagrams should avoid possible conflicts and should only show the controls.	The Panel notes that the diagrams were reviewed by Council to establish consistency. Generic diagrams have been removed from the document. All diagrams have been labelled as 'indicative'.
42	Remove the word 'indicative' layouts as they only related to specific amalgamations and have the potential to create inconsistencies with the controls.	
43	All diagrams must have consistent scale, labelled dimensions, north point, and street names.	

Part 2 – Further AEDRP Recommendations

1. The DCP sections should be provided with front-end character statements for each precinct, including words describing the vision to the developer considering a proposal within any particular area where the DCP would be applicable.
2. The Panel recommends an overall reduction in the number of diagrams.
3. The Panel re-states that clear and consistent references be made to the NSW Apartment Design Guide, wherever relevant.
4. If a DCP section provides a 2D or 3D building envelope, section or a layout then this should be rigorously tested in terms of compatibility between the maximum permissible floor space ratio and height controls. To avoid potential mismatch between the envelope and FSR a general statement to be included – *“Only indicative envelopes are provided as part of the DCP diagrams. These envelopes represent the maximum permissible FSR of the allocated site, including an allowance for all building fabric including balconies, sun-shading and building articulation to be contained within them to a factor of 70%. The entire envelope shown in the DCP cannot be filled with built form and gross floor area as part of the detailed Pre DA or DA design process.”*
5. Instances where building envelopes create potential non-compliance with the ADG and potential amenity issues should be avoided. For example – the Panel identified a problematic DCP envelope diagram with a 26 metre building depth (e.g. page 25 Leichhardt Precinct Leichhardt DCP).
6. The Panel restates that all drawings should be at a consistent scale, provided with a north point and street names and that legends and graphics should be clear and consistent across drawings.
7. With the heritage section of the DCP, the words like ‘harmonise’ should be avoided and replaced with ‘integrate’
8. Page 35, Control 48 makes reference to ‘internal proportions’, more clarity is required as to what aspect of the building this is referring to.
9. The floor-to-floor heights should provide flexibility for the proposed built form to match the datum and to create better relationships with any heritage or historical buildings on the adjoining properties (for example buildings along the Parramatta Road frontage).
10. Lot amalgamation patterns are a helpful guide in monitoring development, however, these should not be restrictive and should offer flexibility.
11. The Panel has observed as part of many previous development applications that amenity for residential or co-living developments along Parramatta Road is generally compromised in terms of outlook and environmental quality for living. The DCP should offer guidance to avoid this issue.

Conclusion:

The Panel would like to thank Council for thoughtfully responding to the previous advice and suggestions and would appreciate further reflection on the unaddressed points.

The Panel is supportive of the latest version of DCPs subject to further consideration of the recommended changes in this AEDRP Report.