



# Architectural Excellence & Design Review Panel Meeting Minutes & Recommendations

Site Address:	469-483 Balmain Road Lilyfield
Proposal:	Site-specific Development Control Plan (DCP) Review
Application No.:	-
Meeting Date:	7 June 2022
Previous Meeting Date:	-
Panel Members:	Tony Caro (chair); Peter Ireland; and Jean Rice
Apologies:	-
Council staff:	Vishal Lakhia; Niall Macken; Daniel East; Gunika Singh; Con Colot; Sarah Guan; Colette Goodwin
Guests:	-
Declarations of Interest:	None
Applicant or applicant's representatives to address the panel:	-

## Introduction and Background:

1. The Architectural Excellence & Design Review Panel has been asked to review documentation provided by Council pertaining to the subject Draft DCP. This report is a record of the discussion with Inner West Council staff members through an online conference, and the panels subsequent consolidated advice.
2. The Inner West AEDRP was formed in July 2021, which is subsequent to DPIEs determination of the Planning Proposal associated with this Draft DCP. The Panel is therefore being asked to review the Draft DCP at a relatively advanced stage in the process, when many of the key strategic urban design decisions appear to be already embedded.
3. The Panel was specifically requested by Council to review the draft DCP for its consistency with the NSW Apartment Design Guide (ADG) *Part 1 – Identifying the context* and *Part 2 – Developing the controls*. It is noted however that any advice in relation to the ADG also requires consideration of *Part 3-Siting the Development* and *Part 4-Designing the Building*, which are strongly inter-related with matters covered in Parts 1 and 2.

## Panel Comments and Discussion

1. As part of the NSW ADG review, the Panel is not convinced about a number of issues, including but not limited to –
  - a. setting and testing of primary controls (floor space ratio, height and setbacks),
  - b. building configuration due to the proposed 'H' form plan of the main building , and
  - c. excessive building envelope depths (24-29m in some instances).

The Panel considers resultant residential amenity achieved within the Draft DCP envelopes will not be optimum and there will be spatial planning, outlook, overlooking and acoustic privacy issues particularly at the re-entrant corners of the floor plan.

2. The Panel also notes that there will likely be tension between the maximum floor space ratio and maximum building height controls formalised through the planning proposal. The mismatch between the FSR and height will create significant pressure on yield versus residential amenity. The Panel is not sure whether the building envelopes provide the recommended 25-30% allowance for balconies, lifts, stairs and building/architectural articulation, as expected in Part 2B of the NSW ADG.
3. The Panel is aware that a site-specific DCP does not need to include residential layouts and verification for compliance with the NSW ADG. However, the Panel has been asked specifically to review the proposal for its ability to meet ADG requirements. It is noted that the proposed building envelopes included within the DCP are informed by the proponent's typical floor diagrams, however as a SEPP 65 Design Review Panel, it is suggested that the proponent needs to establish compliance with the primary ADG criteria for solar access, natural cross ventilation, maximum south facing apartments (without solar access), building depths, deep soil areas, communal open areas, as well as demonstrating acceptable inter-unit visual and aural privacy.
4. It is the Panel's view that consistency with the NSW ADG primary controls is not yet evident within proponent's urban design report and the appendices. For example – The Panel reviewed the typical residential level 'diagrams' included in the proponent's urban design study, and it appears that in its current configuration compliance with the minimum requirements of primary ADG controls is problematic in key areas.
5. The Panel was advised that based on the LEP provision, a minimum FSR 0.88:1 is to be allocated to employment use. However following the Panel's review of the proponents diagrams in the urban design study, it was evident that the required quantum of employment use may not be achievable since substantial allowances need to be provided for ground floor lobby access, fire exit corridors, vertical movement shafts, residential service shafts, industrial use ventilation and exhaust requirements, vehicular and service access and loading requirements. Excessive depth of the employment footprint and the resultant amenity for occupants is also a concern for the Panel.
6. The Panel does not support a shortfall to NSW ADG criteria in deep soil zone requirements since the increased density on the subject site should be supported by environmental benefits from deep soil zones. The Panel recommends that the DCP framework should ensure consistency with the minimum ADG criteria, which is 15% of the site reserved for genuine deep soil for sites greater than 1,500m<sup>2</sup>, with a minimum 6m dimension.
7. All plans within the DCP should include a north-point. The DCP should include at least 2 schematic cross-sections across the site. All 3D views and cross sections should accurately depict fall of land.
8. While the Panel understands a minimum 2.7m floor-to-ceiling height is required by the NSW ADG, floor-to-floor heights need to be reviewed to ensure compliance with the new NCC and building performance requirements. The Panel suggested a minimum 3.2m floor-to-floor height would allow compliance with the NCC and additionally allow for provision of ceiling fans for low-energy alternative and for environmental benefits.
9. The Panel notes that in order to improve acoustic amenity the DCP allows for a 400mm thick structural slab above the ground floor, however, this will not resolve structural-borne sound and vibration that could travel through building fabric into the residential buildings.

10. The Panel discussed that while good street activation and passive street surveillance are necessary, the DCP framework should facilitate a balance in terms of glazing and masonry elements for all ground level facades, to establish greater consistency of architectural expression with an appropriate inner-city fine grain residential and industrial character.
11. The Panel discussed that co-location of residential and light industrial uses create potential acoustic and other amenity issues for the residents and industrial occupants, nevertheless, natural ventilation and daylight should be maximised to all habitable areas. Appropriate guidance and controls for noise mitigation are available within Parts 4B and 4J of the NSW ADG.
12. The Panel discussed alternative site planning strategies, and if the proponent had considered residential and light industrial in separate buildings rather than in the proposed configuration. The panel considered that the DCP should allow alternate envelopes to be proposed if better residential amenity and light industrial viability and operability can be achieved.

## Conclusion and Recommendations:

The Panel does not support the Draft DCP in its current form, as in the Panel's opinion:

- The proposed residential envelopes are a pragmatic response to external factors, principally being the need to minimise impacts on existing low density residential to the southwest through southeast of the subject site. Whilst this is an important consideration, the resultant residential envelopes described by the DCP are not optimised for a high quality contemporary residential amenity outcome.
- Viable continuation of light industrial uses on the ground floor must be co-ordinated with adequate provision for a range of spatial requirements arising from its co-location with the residential development above, and the need for active frontages to streets and the proposed new public square is not sufficiently embedded into the DCP. The panel is concerned that the viability of the light industrial uses may be compromised by the requirements of the residential component.
- The ground floor plan is too deep for provision of good natural light and ventilation to the parts of the internalised industrial and creative spaces. It is likely that large penetrations for lighting and ventilation would be required through the first floor slab into the residential level, thereby creating a range of probable compliance and amenity tensions between the two uses.
- As a consequence of these issues, the Panel is concerned that the allowable maximum FSR allocated to the site will be difficult to achieve successfully within the proposed envelope controls, and particularly the proposed maximum height. Additional height should be investigated in parts of this large site where there are acceptable impacts on existing residential neighbourhoods, For instance within the north-western portion the site (opposite the park), where the scale of the urban setting could accommodate this (excluding retained heritage buildings).
- The Panel acknowledges that site specific DCPs generally do not include a requirement for detailed internal floor plans. In this specific case however, the Panel found that the lack of information in relation to planning constraints arising from intended uses within the non-residential ground floor plan results in a significant lack of certainty as to how the residential development above would integrate successfully with the intended light industrial uses in the ground floor below.
- In summary, the Panel considers that the Draft DCP envelopes adopted from the proponents urban design report and planning proposal have a range of issues as described in this report, and Council should avoid overly prescriptive envelopes within the DCP to allow for possible improved configurations. The DCP should provide a high-level framework allowing more planning flexibility so that compliance with the NSW ADG primary controls (such as building depths, solar access, natural cross ventilation, maximum south facing apartments, deep soil and communal open space criteria) can be achieved during the DA stage.
- Furthermore, the DCP needs to describe the overall project objectives and vision for the precinct, as this was not available to the Panel in the documentation provided for the meeting.