

# Architectural Excellence & Design Review Panel

## Meeting Minutes & Recommendations

Site Address:	106 Mullens Street Balmain
Proposal:	Demolition of existing structures and construction of a three-storey residential flat building and one level of basement car parking.
Application No.:	PDA/2022/0230
Meeting Date:	23 August 2022
Previous Meeting Date:	-
Panel Members:	Matthew Pullinger – chair; Jocelyn Jackson, Russell Olsson
Apologies:	-
Council staff:	Vishal Lakhia, Niall Macken, Eamon Egan
Guests:	-
Declarations of Interest:	None
Applicant or applicant's representatives to address the panel:	The Panel was informed at the meeting that the applicant's team, including the building designer and the town planner were invited but were unable to attend

### Background:

1. The Architectural Excellence & Design Review Panel reviewed pre-Development Application drawings and discussed the proposal through an online conference.
2. The Panel was informed at the commencement of the meeting that the pre-Development Application documentation appears to have been prepared without the direct involvement of a 'qualified designer' (defined as a NSW registered architect) as required by NSW State Environmental Planning Policy (SEPP) 65 and the NSW Environmental Planning & Assessment Regulation 2021.

3. The Panel therefore notes its concern for the validity of any future Development Application lodged under this authorship arrangement, which would potentially fail the jurisdictional thresholds that apply to the development of a residential apartment building. The Panel encourages Inner West Council to ensure that any future Development Application provides the necessary Design Verification Statement demonstrating that a registered architect has designed or directed the design of the project, in order to validate the status of any future DA.
4. The Panel notes that as a pre-DA discussion, only high level comments will be offered as part of this early review.

## Discussion & Recommendations:

1. The Panel notes that a maximum permissible floor space ratio of 0.7:1 applies for the site and a significantly greater floor space ratio of 1.85:1 is proposed by the applicant. The Panel finds it difficult to offer support for such a substantial variation given there are fundamental concerns with the proposed siting strategy, built form, scale and resultant residential amenity which arise from the proposal.
2. The design proposal should be informed by (and the documentation should include) some level of urban design and streetscape analysis identifying the predominant character and built form pattern of the surrounding context, particularly given that the subject site is located within a Heritage Conservation Area. The Panel also recommends the siting strategies, built form proposal and resultant architectural expression should establish a clear relationship to positive cues evident within the immediate context in order to reflect the character of the area.
3. It appears that the proposal seeks to establish a building form that broadly reinstates the form of the existing warehouse building that is proposed to be demolished. The Panel does not support this fundamental proposition. If all existing structures on the site are to be demolished, then the redevelopment of the site should begin with a careful analysis of the immediate context and the application of the development controls and development standards (particularly for FSR). Alternatively, the existing warehouse buildings could be considered for retention and adaptive reuse, subject to any residential uses being able to derive adequate amenity consistent with the targets established by the NSW Apartment Design Guide (ADG).
4. While the Panel supports - in principle - the applicant's strategy to demolish the existing building and replace it with a new building, the proposal needs to demonstrate consistency with the existing context and also the principal targets within the ADG including but not limited to – solar access, natural cross ventilation, building separation, communal open space and deep soil zone requirements.
5. Appropriate scaling strategies should be incorporated within the design proposal – one suggested strategy would be to reflect the rhythm of existing terrace houses within the area by creating greater emphasis on the vertical 'subdivision' proposed within the primary built form. Further, any proposed built form should appropriately respond to the topography of the site.
6. The Panel is concerned for the proposed arrangement of ground level parking addressing much of the street frontage, which creates poor street presentation. The proposed access configuration relies on relocation of the existing bus stop. The Panel recommends that the ground floor should be lowered to better relate to Mullens Street, incorporate residential uses, and carparking should be located within a true basement level. Any ground floor apartments with a street address should be provided with direct and individual entries to activate the street. An overall reconfiguration of the proposed levels is required to allow better ground floor integration and activation of Mullens Street.
7. The Panel notes that in its current configuration - due to compromised building separation distances - the apartments proposed along the side boundaries appear to borrow amenity from the neighbouring properties to the north and south. The proposal should adopt building separation distances identified within parts *2F building separation* and *3F visual privacy* of the

NSW ADG. The Panel also expressed concern for the resultant amenity able to be derived within the apartments due to excessive apartment depths. Overall, a built form which reflects the prevailing patterns of development within the immediate context, which manages adjacencies and interfaces at each boundary, and which defines a more useful and amenable communal open space should be considered to manage issues related to *built form and scale*. The proposed built form situated towards the rear of the site and addressing the cliff may be appropriate, however the Panel expects much better built form resolution along the side and front boundaries.

8. As noted above, the Panel recommends the relocation of communal open space to a more centrally accessible location. Communal open space with a minimum area equal to 25% of the site area should be provided and its location should ensure that at least 50% of the communal open space receives a minimum of 2 hours of direct sunlight between 9am to 3pm during mid-winter (ADG criteria 3D-1). A deep soil zone equivalent to 7% of the site area should also be provided for environmental benefits and to support meaningful landscape design including large canopy trees and shrubs within the site area. A suitably qualified landscape architect/designer should also be engaged to develop the landscape design concept.
9. The Panel does not support bedrooms, study spaces or habitable areas without a window as this is inconsistent with ADG Part 4D-1.2, and creates potential compliance issues with the NCC.
10. The proposed 3.0 metre floor-to-floor height does not meet the requirement of the ADG Part 4C. The Panel expects the proposal to achieve a minimum 2.7m floor-to-ceiling heights within all habitable areas (consistent with the ADG). The proposed floor-to-floor heights should also be reviewed to ensure compliance is capable with the new Design and Building Practitioners Act, and the related building performance requirements. The Panel understands that a floor to floor height of between 3.1m to 3.2m will be required to achieve compliance with the NCC and result in ceiling heights consistent with the ADG. Additionally, floor-to-floor ceiling heights should allow provision of ceiling fans as low-energy cooling alternative for the proposal.
11. The open-to-corridor configuration proposed for the fire stairs and the egress travel distances from the apartment entry doors to the fire stairs are inconsistent with the NCC and should be reviewed by/with a suitably qualified specialist. The Panel is also concerned for the egress path and point of discharge at street level.

## Conclusion:

1. It is the Panel's view that, in its current state, the proposal cannot be supported, as it does not meet a minimum standard for residential design and amenity expected from a contemporary proposal for a residential flat building within the Inner West area. The Panel expects any revised proposal to be developed in accordance with the recommendations offered within this report and should demonstrate consistency with targets established by the ADG.