

# Architectural Excellence & Design Review Panel

## Meeting Minutes & Recommendations

Site Address:	19-23 Hercules Street Ashfield
Proposal:	Mixed use building with basement car parking, ground floor retail and shop top housing with 16 apartments including one affordable housing unit
Application No.:	DA/2022/0832
Meeting Date:	15 November 2022
Previous Meeting Date:	2 November 2021
Panel Members:	Tony Caro – chair; Jon Johannsen; and Jean Rice
Apologies:	-
Council staff:	Vishal Lakhia, Niall Macken, Conor Wilson, and Jai Reid
Declarations of Interest:	None
Applicant or applicant's representatives to address the panel:	Tony Owen – architect for the project

### Background:

1. The Architectural Excellence & Design Review Panel reviewed the architectural drawings and discussed the proposal with the applicant through an online conference.
2. As a proposal subject to the State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development (SEPP 65), the Panel's comments have been structured against the nine Design Quality Principles set out in the SEPP 65 NSW Apartment Design Guide (ADG).
3. The Panel considers the development application does not yet sufficiently address the Panel's recommendations from the previous AEDRP review at Pre DA stage. The previous recommendations and comments are therefore restated in this report.
4. At the meeting the applicant stated that commercial constraints determine the design outcome for this project. The Panel is mindful of these parameters, however its primary task is to advise Council and proponents whether this application achieves the standards of urban design and residential quality expected by relevant codes and within the Inner West local government area.
5. The applicant needs to confirm true north on the architectural drawings, as the Panel notes discrepancies in the submitted documentation.

## Discussion & Recommendations:

### Principle 1 – Context and Neighbourhood Character

*“Good design responds and contributes to its context. Context is the key natural and built features of an area, their relationship and the character they create when combined. It also includes social, economic, health and environmental conditions.*

*Responding to context involves identifying the desirable elements of an area’s existing or future character. Well designed buildings respond to and enhance the qualities and identity of the area including the adjacent sites, streetscape and neighbourhood. Consideration of local context is important for all sites, including sites in established areas, those undergoing change or identified for change.”*

1. The Panel recommends that the applicant undertake separate discussions with Council on statutory planning matters related to potential site isolation of 25 Hercules Street. At the AEDRP pre-DA meeting, the Panel advised that the proposal would likely result in long term isolation of the adjoining property to the immediate south at 25 Hercules Street. The Panel considers that the addition of 25 Hercules St to the subject development would allow an improved design and noted that the narrow width of 25 Hercules St and its location adjacent a heritage item to its south (corner of Liverpool Rd) would preclude a future viable development of that site in isolation.
2. Based on the ‘benchmark design’ for 25 Hercules Road as an isolated site the Panel does not consider this would be a viable development with compromised access via a shared basement that already appears very tight.

### Principle 2 – Built Form and Scale

*“Good design achieves a scale, bulk and height appropriate to the existing or desired future character of the street and surrounding buildings.*

*Good design also achieves an appropriate built form for a site and the building’s purpose in terms of building alignments, proportions, building type, articulation and the manipulation of building elements. Appropriate built form defines the public domain, contributes to the character of streetscapes and parks, including their views and vistas, and provides internal amenity and outlook.”*

1. Together, the heritage item 261-263 Liverpool Rd and 27 Hercules St, 25 Hercules St and the existing building facades on the subject site, form a heritage frontage and corner that contributes positively to the local streetscape character. The Panel is therefore of the view that the existing facades of the subject proposal should be retained and incorporated into revised unit layouts as noted below.
2. The Panel noted that the southern boundary side wall (nil setback) will be highly visible particularly until such time that the adjoining property at 25 Hercules Street may be redeveloped. This elevation requires a more considered resolution in terms of its design composition, fenestration and material selection due to its high visibility from Hercules Street, Liverpool Road and Fox’s Lane.
3. One possibility would be to provide openings to allow natural light into units, perhaps with an upper level setback to create some built form articulation. This would require further consideration of NCCA fire safety compliance, which should be reviewed with a suitably qualified specialist.
4. The Panel also suggested alternatives such as glass blocks for parts of the southern party wall. Other options could be explored in a materiality and façade composition study.
5. The Panel recommends reconfiguration of the ground floor to allow a more generous and amenable pedestrian entry from the street, and a more legible approach to the lift.
6. The Panel was advised that an additional 25% floor space ratio beyond the maximum permissible LEP control is available as an affordable housing bonus. The Panel noted the generosity of this, as the additional gross floor area exceeds the 75sqm of affordable housing required.
7. Details of any affordable housing provision in terms of nominated apartment/s, affordable housing provider and perpetuity of the arrangement should be confirmed with Council as part of this development application.
8. The Panel notes that the nil lot setbacks will require confirmation of the structural integrity of adjoining properties. Further details should be provided with required input from a structural engineer.

## Principle 3 – Density

*“Good design achieves a high level of amenity for residents and each apartment, resulting in a density appropriate to the site and its context. Appropriate densities are consistent with the area’s existing or projected population.*

*Appropriate densities can be sustained by existing or proposed infrastructure, public transport, access to jobs, community facilities and the environment.”*

1. The Panel noted that the shape and narrowness of the site and the number of apartments proposed makes it difficult to achieve satisfactory outcomes based on the Design Quality Principles set out in the ADG.
2. As noted below a reconfiguration of the unit layouts is recommended that should improve their amenity and enable improved ADG compliance.

## Principle 4 – Sustainability

*“Good design combines positive environmental, social and economic outcomes. Good sustainable design includes use of natural cross ventilation and sunlight for the amenity and liveability of residents and passive thermal design for ventilation, heating and cooling reducing reliance on technology and operation costs. Other elements include recycling and reuse of materials and waste, use of sustainable materials, and deep soil zones for groundwater recharge and vegetation.”*

1. The Panel noted that compliance with ADG requirements for solar access and natural cross ventilation will need to be confirmed with Council once the final building floor plan layouts are confirmed (refer to Principle 6 – Amenity comments below) . The Panel also noted discrepancies in the true north annotation on the architectural drawings.
2. The Panel restates that provision of ceiling fans to all habitable areas is encouraged as a low energy alternative to any A/C system, with floor-to-floor and floor-to-ceiling heights to be both ADG compliant and therefore suitable for the use of ceiling fans.
3. The applicant is encouraged to include a rooftop photovoltaic system for environmental benefits and for use in power/lighting to common areas. This could be integrated into a pergola structure to provide shade at the roof terrace level. Consideration should also be given to provision of an ‘all electric’ power service with no gas appliances.
4. Provision of a rainwater tank should be considered to allow water collection, storage and reuse within the site.

## Principle 5 – Landscape

*“Good design recognises that together landscape and buildings operate as an integrated and sustainable system, resulting in attractive developments with good amenity. A positive image and contextual fit of well designed developments is achieved by contributing to the landscape character of the streetscape and neighbourhood*

*Good landscape design enhances the development’s environmental performance by retaining positive natural features which contribute to the local context, co-ordinating water and soil management, solar access, micro-climate, tree canopy, habitat values, and preserving green networks. Good landscape design optimises usability, privacy and opportunities for social interaction, equitable access, respect for neighbours’ amenity, provides for practical establishment and long term management.”*

1. The Panel recommends the provision of rooftop communal open space and the applicant should demonstrate consistency with the ADG in terms of guidance offered within Parts 4O and 4P. Additionally, the applicant should refer to Council’s Green Roof Policy and Guidelines to develop a detailed design.
2. The rooftop communal open space should ensure compliant universal access, provision of planter boxes with appropriate soil depths, outdoor seating, shaded areas, barbecue or outdoor kitchen, sink and unisex accessible toilet.

## Principle 6 – Amenity

*“Good design positively influences internal and external amenity for residents and neighbours. Achieving good amenity contributes to positive living environments and resident well being.*

*Good amenity combines appropriate room dimensions and shapes, access to sunlight, natural ventilation, outlook, visual and acoustic privacy, storage, indoor and outdoor space, efficient layouts and service areas, and ease of access for all age groups and degrees of mobility.”*

1. The Panel restates their concern regarding provision of the communal 'courtyards' or 'void' spaces within the podium levels as these spaces pose potential fire separation and visual/acoustic privacy issues within the proposal. The Panel considers that the proposed strategy for adjoining apartments to rely on this 'void' space for natural cross ventilation is also problematic and unlikely to be acceptable. Alternative building configuration strategies avoiding 'void' spaces should be considered by the applicant, as discussed at the meeting.
2. The Panel questions the excessively large services areas labelled 'Main Switch Room', 'Fire Equipment', 'Comms', 'Storage' and 'Bike Storage Room' located within the podium levels. There is a need for a greater degree of resolution of podium internal planning in conjunction with redesign and access to units on the floors above.
3. The Panel notes that while the proposed apartments comply with the minimum requirements of *ADG Part 4D Apartment size and layout*, large internal circulation areas proposed result in inadequate sizes of primary living areas. This is particularly the case at levels 1 and 2. The Panel suggested that the generous rear terraces could be reduced in depth to assist in resolving this issue. Also that the two east facing apartments on each of levels 1 and 2 could be replaced by single apartments on each level. Additional floor space could be balanced by re-planning of the south facing units and having larger terraces behind the heritage facades. A range of other options could be explored to improve the design of the apartments on Levels 1 and 2.
4. The combined living and dining areas within all apartments are too small to allow for reasonable furnishing, flexibility and space to move around. The applicant should consider reconfiguration to generally improve amenity within the living areas.
5. The Panel raised concern for the availability of natural light and natural ventilation within the master bedrooms of apartments 302, 402, 502, 602 and 702. The 'snorkel' arrangement is not acceptable and should generally be avoided.
6. The Panel notes that many apartment layouts have bathrooms opening directly into the main living areas. Layouts of these apartments should be re-configured so bathroom doors are more discretely located.
7. In summary, the Panel considers that, largely due to amenity issues as described above, the proposal is not appropriate to the site, and suggested that 2 larger units per floor (instead of 3 small apartments per floor as proposed) would likely provide a better outcome.

## Principle 7 – Safety

*"Good design optimises safety and security, within the development and the public domain. It provides for quality public and private spaces that are clearly defined and fit for the intended purpose. Opportunities to maximise passive surveillance of public and communal areas promote safety."*

*"A positive relationship between public and private spaces is achieved through clearly defined secure access points and well lit and visible areas that are easily maintained and appropriate to the location and purpose."*

1. The ground floor pedestrian entry door should be moved forward to align with the building line and avoid potential CPTED issues at the entry. Utility service provisions located at the entry door should be relocated to a more discrete location to improve the quality of the residential entry.
2. Fire egress strategy for ground floor level should be reviewed by/with a suitably qualified specialist to ensure NCC compliance.

## Principle 8 – Housing Diversity and Social Interaction

*"Good design achieves a mix of apartment sizes, providing housing choice for different demographics, living needs and household budgets."*

*"Well designed apartment developments respond to social context by providing housing and facilities to suit the existing and future social mix. Good design involves practical and flexible features, including different types of communal spaces for a broad range of people, providing opportunities for social interaction amongst residents."*

1. The ground floor residential foyer should be redesigned to be a more appealing space with improved amenity and to allow for social interaction. The panel discussed options of a central lobby between two smaller shops and adjusted lift and stair locations, and this should be included in an overall consideration of unit configuration and access to levels above.

## Principle 9 – Aesthetics

*“Good design achieves a built form that has good proportions and a balanced composition of elements, reflecting the internal layout and structure. Good design uses a variety of materials, colours and textures.*

*The visual appearance of well designed apartment development responds to the existing or future local context, particularly desirable elements and repetitions of the streetscape.”*

1. The Panel noted the effort to relate this proposal to the recent development of the adjacent site at 15-17 Hercules Road, but does not consider the contemporary podium expression would provide a better streetscape outcome compared to retention of the existing heritage façade.
2. The inclusion of a Public Art Strategy was appreciated, and could include how the blank side elevation to 25 Hercules Road might be treated.
3. Revised architectural drawings should confirm location of A/C condenser units and other mechanical equipment. The Panel advises that these should not be located within balconies unless thoughtfully designed with screens, or anywhere visually apparent from the surrounding public domain.
4. Developed architectural documentation should include details of the proposed design intent with 1:20 sections indicating materials, balustrade types and fixing, balcony edges, junctions, rainwater drainage including any downpipes and similar details within the proposal.

## Conclusion:

The Panel recommends that the design team reconsider the proposal in respect to the advice provided in this Report. Any revised proposal should return to the Panel for further review.