



# Architectural Excellence & Design Review Panel

## Meeting Minutes & Recommendations

Site Address:	469-483 Balmain Road LILYFIELD
Proposal:	Concept and detailed (Stage 1) development application for a mixed-use development comprising of residential flat buildings and light industrial uses
Application No.:	DA/2023/0467
Meeting Date:	22 August 2023
Previous Meeting Date:	7 June 2022 (as part of the site-specific Draft DCP Review)
Panel Members:	Matthew Pullinger (chair); Diane Jones; and Jean Rice
Apologies:	-
Council staff:	Vishal Lakhia; Niall Macken; Annalise Ifield; Tom Irons; and Kaitlin Zieme
Guests:	-
Declarations of Interest:	None
Applicant or applicant's representatives to address the panel:	Tai Ropiha and Joshua Zoeller – Architects for the project (CHROFI); Matthew Di Maggio and Michael Oliver – Urban Planners for the project (Ethos Urban); Wes van der Gardner – Applicant's Representative (Roche Property Group)

### Background:

1. The Architectural Excellence & Design Review Panel reviewed the architectural drawings and discussed the proposal with the applicant through an online conference.
2. The Panel understands that the proposal is lodged as a Stage 1 Concept Development Application. A previous draft site-specific Development Control Plan (DCP) forming part of the rezoning process was reviewed by the Panel at an earlier meeting in June 2022. The previous AEDRP Report (7 June 2022) is attached to this report for reference.
3. As a proposal subject to the State Environmental Planning Policy No 65 (SEPP 65) – Design Quality of Residential Apartment Development, the Panel's review and comments have been



structured against the 9 Design Quality Principles set out in the SEPP 65 NSW Apartment Design Guide (ADG).

## Discussion & Recommendations:

### Principle 1 – Context and Neighbourhood Character

1. The Panel commends the applicant for providing a comprehensive set of architectural drawings, 3D views and photomontages. The Panel recognises that the amended scheme presented at this meeting reconfigures and improves the proposed built form by eliminating the earlier 'H-shaped' building envelope and instead providing two distinct, separate buildings atop a united podium.
2. The amended building forms also improve the presentation of the proposal to Balmain Road and Callan Park to the northwest, and improve the transition in scale as it steps down towards the traditional, lower-scale areas of Lilyfield to the southeast.
3. As part of the overarching discussion and the Panel's in principle support for the proposal, the Panel questioned the applicant's approach to the extent and distribution of proposed communal open space and deep soil particularly given the demographic profile and mix of uses anticipated within the precinct.
4. The Panel encourages the applicant to demonstrate the greatest possible consistency with Parts 3D *Communal and public open space* and 3E *Deep soil zones* of the ADG as part of the Stage 1 DA - acknowledging though that the endorsed Planning Proposal and building retention strategy establishes a number of constraints. One strategy that may assist here is a comparative analysis between the extent of deep soil currently accommodated on the site as a baseline for comparison.
5. Further discussion regarding the format, quantum and quality of the communal open space is offered in *Principle 5 – Landscape* of this report.

### Principle 2 – Built Form and Scale

1. The Panel offers further in principle support for the proposed 12m building separation between the 4 storey towers addressing Balmain Road. A key benefit of this strategy over the earlier 'H-shaped' buildings is the reduced apparent density afforded by the physical break between these two building forms. Notwithstanding this support, the Panel notes that the twisted forms towards the centre of the site (which seek to better capture city views), result in a diminution of the benefits of the building separation. For example –
  - a. The pinch point of 6m internal building separation between the ends of the south eastern residential towers located over the podium creates acoustic and visual privacy impacts, particularly for the 1 bed apartment to the east;
  - b. Minimum 8.1 and 8.9m separation between the upper levels of residential buildings (D, E and F) addressing Alberto Lane similarly creates acoustic and visual privacy impacts.
2. The Panel discussed the location of the proposed adaptable apartments within the south eastern residential apartment buildings (D and E). The allocation at the topmost level is potentially problematic as it risks isolating residents from the surrounding public domain and communal open space. Adaptable apartments should generally have either direct access to the street network or be located in a building with more than one lift.

Additionally, the lobby connectivity for residential flat buildings D, E and F with their surrounding public domain needs resolution to demonstrate barrier-free connection along Fred Street.

3. Bicycle parking should be provided in a more readily accessible location, rather than at the lowest of the basement levels.



4. The proposed kiosk substation should be sited in a more discreet location or integrated into a built chamber. The current prominent location along Alberto Street detracts from the residential address of Building D.

### **Principle 3 – Density**

1. The Panel notes that the proposal appears to be consistent with the endorsed planning proposal and has been amended in a manner which reduces the apparent density as discussed in Built Form and Scale above.

### **Principle 4 – Sustainability**

1. The Panel notes that the applicant's decision to depart from the preparation of a site-specific DCP should not diminish any commitment to ecologically sustainable development principles that were previously set out in the draft DCP. As a minimum, the Panel expects that the applicant demonstrates consistency with the sustainability targets within the ADG for solar access (Part 4A-1, design criteria 1, 2 and 3) and natural cross ventilation (Part 4B-3, design criteria 1). Additionally, the applicant should identify any further commitments related to energy, waste and water efficiency as part of this Stage 1 development application. It is the Panel's view that the sustainability outcomes should be ambitious regardless of the approval pathway.
2. The Panel encourages use of ceiling fans within all bedrooms and living areas as a low energy alternative/augmentation to mechanical A/C systems.
3. Provision of a rainwater tank should be considered to allow collection, storage and reuse within the subject site.
4. The applicant should include details of an appropriate photovoltaic system on all architectural drawings and 3D views.
5. Full building electrification is encouraged along with the inclusion of EV charging points within the basement carpark.

### **Principle 5 – Landscape**

1. The Panel questions the extent and distribution of the proposed communal open space and deep soil areas within the proposal. The Panel encourages the applicant to demonstrate the greatest possible consistency with Part 3D-1 of the ADG in terms of the minimum 25% target with a minimum 50% direct solar access to the principal usable part of a communal space at mid-winter. Similarly and in terms of the deep soil areas proposed, the applicant should demonstrate the greatest possible consistency with the ADG targets for a minimum of 15% of the site area, given that the site is greater than 1,500m<sup>2</sup>.
2. In particular, the Panel is concerned for the apparent constrained utility of the podium top communal open spaces given the proposed arrangement of central skylights and the resultant irregular open spaces created by the twisting building forms relative to the podium.
3. If the proposal can clearly demonstrate that the extent, distribution and resultant quality of communal open space and deep soil is acceptable in landscape and urban design terms and relative to the extent of deep soil currently provided on the site, the Panel may offer support for an inconsistency in meeting the communal open space and deep soil targets set out in the ADG.
4. The applicant should further demonstrate social sustainability benefits of the proposed landscape design in terms of its ground level porosity and connectivity, accessibility and usage. For example, the extent to which the site permits public access and activation, whether children and a range of age groups living within the precinct are catered for, whether the communal and public spaces invite informal recreation, outdoor play activities and shaded areas. The Panel notes a significant degree of potential cross viewing between commercial tenancies and residential open



spaces (both communal and private). Further opportunities should be considered for integrating play equipment, indoor/outdoor gyms or similar facilities for the residents or wider public.

## **Principle 6 – Amenity**

1. In terms of the residential amenity, the Panel queried the effectiveness and amenity of the proposed 'light-well gardens', particularly those within Building D. It is currently not clear if these light wells offer adequate daylight, natural ventilation and a desirable outlook to the residents given their constrained size adjacent to the basement ramp structure. Reliance on light-wells within apartments D001, D002, D004, E001, E002 and E004 is potentially problematic for the master bedrooms, primary living areas and balconies served within these apartments and for achieving effective cross ventilation. The applicant should demonstrate that acceptable amenity, privacy and outlook can be achieved, or consider alternative internal configuration strategies to eliminate these issues.
2. The Panel recommends further resolution and refinement of a number of detailed apartment layouts to establish greater consistency with the guidance offered within *Part 4D Apartment size and layout* of the ADG. For example, combined living/dining rooms should have a minimum width of 3.6m for studio and 1 bedroom apartments, and 4m for 2 and 3 bedroom apartments.
3. The applicant should confirm the internal and external storage volumes for all residential apartments in terms of demonstrating consistency with *Part 4G Storage* of the ADG.

## **Principle 7 – Safety**

1. The Panel recommends further refinement of the ground level layout to improve safe and barrier-free connectivity between the existing surrounding streets and the newly introduced public domain within the site. Additionally, opportunities for passive surveillance and direct address from ground floor apartments should be maximised, particularly within the south eastern residential apartment Buildings D, E, and F.
2. The applicant should develop a night-time safety, activation and lighting strategies as part of any revised documentation.

## **Principle 8 – Housing Diversity and Social Interaction**

1. While the proposal is supported for the good unit mix, the Panel suggests introducing an occasional 'Dual Key' apartments within the proposal, potentially linking a studio unit and a 2 or 3 bed apartment to broaden the scope and affordability of accommodation types provided.

## **Principle 9 – Aesthetics**

1. The Panel requests the applicant provide a clear expression of detailed design intent. This should take the form of 1:20 sections and details of each primary facade type to clearly show materials, balustrade types and fixing, balcony edges, junctions, integration of rainwater drainage including any downpipes and similar details within the proposal. Sections should also confirm whether a 3.1m floor to-floor height will be adequate in achieving compliance with the relevant NCC provisions, whilst also achieving minimum 2.7m floor-to-ceiling heights within all habitable spaces of the apartments.

## **Non-SEPP 65 Matters:**

1. The applicant and Council are encouraged to consider whether community consultation should be required to be undertaken as part of the Stage 1 development application process.



Additionally, background and research regarding indigenous history of the site should be considered as part of the applicant's investigation of an appropriate connection with Country.

## **Conclusion:**

1. In order to build upon the Panel's in principle support, the proposal should be refined to demonstrate the greatest possible consistency with the NSW Apartment Design Guide and the recommendations within this AEDRP Report.
2. The Panel recommends a second opportunity to review this proposal as part of this Stage 1 development application.



# 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.