



Architectural Excellence & Design Review Panel

Meeting Minutes & Recommendations

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| Site Address: | 167 Norton Street Leichhardt |
| Proposal: | Demolition of existing structures and construction of a four storey shop top housing development, containing commercial premises and seven residential dwellings. |
| Application No.: | PDA 2024 0187 |
| Meeting Date: | 8 May 2025 |
| Previous Meeting Date: | 19 November 2024 |
| Panel Members: | Tony Caro (chair) Jon Johannsen Diane Jones |
| Apologies: | - |
| Council staff: | Vishal Lakhia Adele Cowie Dr Noni Boyd |
| Guests: | - |
| Declarations of Interest: | None |
| Applicant or applicant's representatives to address the panel: | Dejan Simovic – architect for the project Tatjana Djuric Simovic – urban designer 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. The Panel acknowledges that the proposal is subject to Chapter 4 – State Environmental Planning Policy (SEPP) Housing 2021 - Design of residential apartment development - and the NSW Apartment Design Guide (ADG) applies to the proposal. Additionally, design excellence expectations from the Inner West Local Environmental Plan 2022 – [Clause 6.9](#) need to be reviewed to the Panel and Council's satisfaction.

Discussion & Recommendations:

1. Council staff briefed the Panel that the existing building on the site is identified as a contributory item within the Wetherill Estate Heritage Conservation Area (Inner West LEP 2022 - Schedule 5 - C59). It was noted that previous proposals for this have not been supported by Council.
2. Additionally, the AEDRP did not support the scheme during the Pre-DA stage review held on 19 November 2024. Despite this, the applicant has chosen to proceed with a detailed DA

submission. All previously raised concerns by the Panel remain relevant, and are reiterated in this report.

3. Council's assessment officer advised that the proposal does not meet the planning definition of 'shop top housing' due to the ground floor configuration, which includes a dwelling. The Panel considers this to be a statutory planning matter that should be resolved to Council's satisfaction.
4. The Panel notes the applicant has not submitted the previously requested urban design analysis to demonstrate the proposal's suitability within its existing and potential future urban context.
5. Whilst the Panel appreciates the architects desire to create well-designed, commodious dwellings and generous communal open spaces, the scheme presents a number of significant concerns regarding urban design and its overall planning configuration, including:
 - a. A questionable, high-risk site planning approach that proposes two buildings connected by open/gallery access corridors at each level along a side boundary, resulting in significant issues related to amenity, privacy, fire egress, and fire separation to adjoining properties;
 - b. The high visual impact of the proposed building mass and side elevations as viewed from the public domain and neighbouring sites. This would be amplified if the presently open side boundaries were required to be enclosed for fire safety, as noted above.
 - c. Substantial non-compliances with Housing SEPP 2021 and the NSW Apartment Design Guide (ADG). These include but are not limited to building separation, solar access, internal amenity, storage, landscaping, and overall design quality;
 - d. Inadequate response to the site's historical context and the established streetscape.
6. The Panel is concerned that the proposed floor-to-floor height of 3.05 metres is insufficient to achieve compliance with both the National Construction Code (NCC) and the ADG. A minimum floor-to-floor height of 3.15–3.2 metres is generally needed to confidently provide the minimum 2.7m floor-to-ceiling height required by ADG Part 5C, while also accommodating structural depth, services integration, drainage, waterproofing, and insulation requirements as per the Design and Building Practitioners Act 2020 and the NCC.
7. The Panel acknowledges minor design amendments, including an increased street frontage height for the third storey and some changes to the architectural treatment of the existing building. However, the overall scheme remains, in essence, the same as that previously reviewed during the Pre-DA stage, with substantial issues raised then still unresolved.
8. For these reasons, the Panel does not support the current proposal, which is considered to be an unacceptable design outcome. Substantial resolution of concerns relating to statutory planning, urban design, and residential amenity in this and previous reports need to be progressed.
9. If the applicant wishes to proceed with determination of the scheme as submitted, they should advise Council as such. If the Applicant wishes to proceed with an alternative development that addresses the Panels concerns, it is recommended that this be submitted for review as a Pre-DA submission.