



**AGENDA**

**INNER WEST  
LOCAL PLANNING PANEL**

**VOLUME 1**

**17 March 2026**



## PLANNING PROPOSAL REPORT

### From Strategic Planning

Planning Proposal No.	PPAP/2026/0001
Proposal	<i>Amend the Inner West Local Environmental Plan 2022 - Clause 6.9 Design Excellence</i>
Summary	<p>This report recommends an amendment to the design excellence provision (Clause 6.9 of the Inner West LEP 2022) to introduce a design review process to inform the assessment of applicable proposals.</p> <p>The proposed amendment to improve the design excellence provision has strategic merit and is consistent with State and Local planning policies, objectives and directions.</p>

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### RECOMMENDATION

- 1. That Inner West Local Planning Panel advise Council to support forwarding the Planning Proposal – Amendment to Inner West LEP 2022 Clause 6.9 Design Excellence to the Minister for Planning in accordance with Section 3.34 of the Environmental Planning and Assessment Act 1979 for Gateway determination.**
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### SUMMARY

This planning proposal seeks to amend Clause 6.9 Design Excellence of the Inner West LEP 2022 to strengthen the existing provision by introducing a mandatory design review process for applicable development applications. The current clause does not require referral to a design review panel, limiting opportunities for independent expert assessment of design quality, built form and place-based outcomes, including for State Significant Development where Council is not the consent authority.

The amendment proposes to require referral of relevant proposals to a design review panel and for the consent authority to formally consider the panel's advice in its assessment. The proposal also introduces a clear definition of a "design review panel" to support consistent implementation.

As the Inner West continues to accommodate significant housing delivery, it remains critical that growth is matched with high-quality design outcomes that enhance local character, liveability and sustainability.

### DISCUSSION

#### **Design excellence Clause 6.9 of the Inner West LEP 2022**

The current LEP clause is as follows:

## **6.9 Design excellence**

- (1) *The objective of this clause is to ensure that development to which this clause applies exhibits the highest standard of architectural and urban design as part of the built environment.*
- (2) *This clause applies to development involving the construction of a new building, or external alterations to an existing building, that will result in a building that is equal to, or greater than, 14m in height.*
- (3) *Development consent must not be granted for development to which this clause applies unless the consent authority considers that the development exhibits design excellence.*
- (4) *In considering whether the development exhibits design excellence, the consent authority must have regard to the following matters—*
  - (a) *whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved,*
  - (b) *whether the form and external appearance of the development will improve the quality and amenity of the public domain,*
  - (c) *whether the development detrimentally impacts on view corridors and landmarks,*
  - (d) *whether the development detrimentally impacts on land protected by solar access controls established in the relevant development control plan,*
  - (e) *the requirements of the relevant development control plan,*
  - (f) *how the development addresses the following matters—*
    - (i) *the suitability of the land for development,*
    - (ii) *existing and proposed uses and use mix,*
    - (iii) *heritage issues and streetscape constraints,*
    - (iv) *the relationship of the development with other existing or proposed development on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form,*
    - (v) *bulk, massing and modulation of buildings,*
    - (vi) *street frontage heights,*
    - (vii) *environmental impacts, including sustainable design, overshadowing, wind and reflectivity and visual and acoustic privacy,*
    - (viii) *the achievement of the principles of ecologically sustainable development,*
    - (ix) *pedestrian, cycle, vehicular and service access, circulation and requirements, including the permeability of any pedestrian network,*
    - (x) *the impact on, and proposed improvements to, the public domain, including landscape design,*
    - (xi) *the relationship of the development with the street and building frontage.*
- (5) *In this clause—*

*relevant development control plan means one of the following development control plans, as in force on the commencement of this clause, that applies to the land—*

  - (a) *Inner West Comprehensive Development Control Plan 2016,*
  - (b) *Leichhardt Development Control Plan 2013,*
  - (c) *Marrickville Development Control Plan 2011.*

## **DISCUSSION**

The above clause is currently implemented by Council through the referral of applications to its Architectural Excellence and Design Review Panel (AEDRP) for independent and impartial advice with regard to urban design, architectural quality and design excellence.

The AEDRP is a local panel established to provide Council with independent expert advice on urban design, architectural quality and excellence. The advice given by the panel informs the assessment of selected pre-development applications, development applications, master

plans, development control plans (DCPs) and planning proposals to promote high quality architecture, urban design and sustainability.

Council appoints a minimum of four external panel members and two internal members to be on the design review panel. Panel members are selected externally for their demonstrated experience and knowledge of urban design, landscape architecture and/ or architecture.

Although Council routinely refers applications that are subject to the Design Excellence clause to Council's AEDRP, this is not currently a process mandated in the LEP. There is also a gap in the assessment process regarding State Significant Development Applications for which Council is not the consent authority. In these instances, no expert independent urban design review advice is being sought for these large developments as the process is not mandated in the LEP. The current IWLEP clause for design excellence is therefore not sufficiently robust. This Planning Proposal (Attachment 1) seeks to formalise the independent design review process in the assessment of development applications where the design excellence clause is triggered, including where Council may not be the consent authority. No changes are proposed to where the design excellence clause applies as it is already set out in the IWLEP 2022 as detailed in the above section.

The proposed amendment to the Inner West LEP 2022 will:

- include the requirement for all applicable proposals to be referred to a design review panel for independent expert review and feedback where design excellence needs to be demonstrated.
- require the relevant consent authority to formally consider that feedback in assessing proposals.
- insert a subclause at the end to include a definition that a "*design review panel means a panel of at least 3 persons established by the consent authority*"

The proposed amendment to the Design Excellence clause follows a similar pathway to other Councils, such as Willoughby and Bayside Councils (Attachment 2), that have also mandated in their LEP the requirement of design review panels in the assessment of larger development applications.

From an assessment timeframe and resourcing perspective, applications 14m in height or greater are already referred to Council's AEDRP and hence there will be no impact on Council's assessment timeframes. Similarly, there should be no increase in assessment timeframes where Council is not the consent authority as the State Design Review Panel has been established by the Department of Planning for assessment of State Significant Development Applications.

As the Inner West continues to pursue both accelerated housing delivery and high-quality built form outcomes, strengthening the design excellence provisions ensures that growth is supported by rigorous, consistent and expert-led design review.

## **ATTACHMENTS**

Attachment 1 – Design Excellence Planning Proposal

Attachment 2 – Willoughby and Bayside LEP Design Excellence Clause