

Architectural Excellence & Design Review Panel

Meeting Minutes & Recommendations

Site Address:	595 King Street Newtown
Proposal:	Alterations and additions to existing building for use as a mixed-use development comprising retail premises and dwellings with associated parking.
Application No.:	DA/2022/0879
Meeting Date:	17 January 2023
Previous Meeting Date:	-
Panel Members:	Tony Caro – chair, Diane Jones and Jocelyn Jackson
Apologies:	-
Council staff:	Vishal Lakhia, Niall Macken, Ferdinand Dickel and Kaitlin Zieme
Guests:	-
Declarations of Interest:	None
Applicant or applicant’s representatives to address the panel:	Nick Sekulovski – Applicant; The Panel was informed at the meeting that the architect for the project was invited but was unable to attend.

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 existing 3 storey mixed use building was approved through a Section 34 conference as part of the NSW Land & Environment Court appeal process.

Discussion & Recommendations:

1. The Panel understands that the proposed floor space ratio of 2.16:1 exceeds the maximum permissible LEP control of 1.5:1, and the proposed height of 16.54m exceeds the maximum LEP height control of 14m.
2. The Panel has some significant concerns with the approved (now constructed) 3 storey building in terms of its planning configuration and residential amenity outcomes. The development application for a further addition of an apartment should not be supported as it will exacerbate these problems, as follows:

- a. Highly internalised unit layouts with bedrooms relying on light-wells as the only source of daylight and natural ventilation.
 - b. Potential visual and acoustic privacy concerns with bedrooms opening onto the light-wells given adjacencies with other bedrooms located on the levels above and/or below. Furthermore, there are potential overlooking and acoustic privacy issues given the adjacency of the common corridor.
 - c. Open configuration for common staircase and corridors could be problematic as there are potential BCA compliance issues with regards to fire egress, notwithstanding that Panel was advised by applicant that building is sprinklered. It was also noted that no fire hose reels were shown on the plans.
3. The Panel noted the applicant's justification that bedroom windows are only secondary and the residents could rely on mechanical ventilation. This is not supported as the Panel would expect that all habitable areas would comply with the BCA for access to and the area requirements for have daylight and natural ventilation.
 4. The communal open space provided on the rooftop is devoid of any amenity having no provision of landscaped areas, shade or any common facilities.
 5. The Panel discussed that the rooftop area needs to incorporate rainwater drainage requirements which will impact amenity within the apartment below as bulkheads will be required within the apartment ceiling. As a consequence, a minimum 2.7m floor-to-ceiling height required by the NSW Apartment Design Guide (ADG) may not be achievable within the habitable areas of Unit 6.
 6. In terms of architectural expression, the Panel considers the proposal is not consistent with the predominant streetscape character of the buildings along King Street. The Panel considers the proposed built form addition to be problematic since the party walls will be highly visible from the surrounding public domain and nearby development, particularly from oblique viewing angles.
 7. The applicant should investigate whether a new BASIX is required for the entire proposal, including the existing apartments below, as water, energy and thermal performance of the overall building would change.

Conclusion:

It is the Panel's view that in its current state, the proposal should not be supported due to the above reasons.