



Architectural Excellence & Design Review Panel

Meeting Minutes & Recommendations

Site Address:	350 Illawarra Road Marrickville
Proposal:	Construction of a six (6) storey shop top housing development comprising one (1) commercial tenancy and five (5) residential units, serviced by a mechanical car stacker and replacement of existing shopfront awning.
Application No.:	DA/2023/0022
Meeting Date:	6 April 2023
Previous Meeting Date:	19 July 2022
Panel Members:	Jocelyn Jackson – chair, Tony Caro; and Matthew Pullinger
Apologies:	-
Council staff:	Vishal Lakhia; Niall Macken; Annalise Ifield; Kaitlin Zieme; Martin Amy
Guests:	-
Declarations of Interest:	None
Applicant or applicant's representatives to address the panel:	Glenn McCormack – Architect for the project; Darren Laybutt – Urban Planner 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 notes that a pre-DA submission was previously reviewed at the 19 July 2022 AEDRP meeting and the previous comments were reviewed by this Panel.
3. The Panel appreciates that the proposal presents design challenges on a highly constrained site that is also required to comply with the Inner West precinct-specific DCP controls. Regardless, the Panel considers that in terms of the urban design, building form and scale, and the overall configuration, the development application remains largely similar to the Pre-DA architectural drawings reviewed previously. A majority of the substantive recommendations made by the Panel at the previous meeting still need to be addressed. The AEDRP *Discussion & Recommendations* from the previous meeting remain relevant and are restated in this report to ensure consistency is established with the previous AEDRP advice.

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 understands that the proposal significantly exceeds the height and floor space ratio controls for this site set out in the Inner West DCP precinct-specific controls. Whilst the Inner West Council LEP establishes a 20m maximum height of building and 2.5:1 FSR control for the site, these provisions are subject to further compliance with precinct-specific controls set out in the DCP, in particular the requirement for development lots to have a minimum 12m site frontage and 325sqm minimum site area for shop top housing in order to achieve the maximum permissible development controls of the LEP. The Panel further understands that under the DCP, if a 7m wide site such as this is developed in isolation, then a 14m height of building control (equivalent to 4 storeys including a non-residential ground floor) and 1.5:1 FSR control apply.
2. The architect restated at the meeting that the owner has made formal offers for site amalgamation with the adjoining property to the south west (No. 352 Illawarra Road), however this has not been successful. The owner is therefore submitting this shop top housing development application for the 7m wide site with a corresponding exceedance of the applicable DCP built form controls.
3. The Panel supports the retention and refurbishment of the existing 2-storey building fabric addressing the Illawarra Road frontage, and acknowledges the positive aspects of the proposal including the internal configuration and the overall architectural expression. However, these positive aspects do not alleviate the Panel’s more fundamental concerns about the proposed form, height and floor space ratio exceedance.
4. The Panel is aware that the proposal on an isolated site is likely to set a precedent within the Inner West local government area. Therefore, the applicant must further demonstrate through urban design analysis how the proposal could integrate successfully with adjoining and other properties within the urban block if they are redeveloped, and provide justification why any departure from the DCP controls achieves a better outcome than that envisaged by the precinct-specific DCP.
5. Further, the Panel is concerned for a scenario where the adjoining property (to the southwest) is not redeveloped, resulting in a 6-storey party-wall highly visible from the surrounding public domain, particularly from along the Illawarra Road frontage. This is a critical issue that could set a poor urban design precedent for other properties along the Illawarra Road frontage, Heritage Conservation Areas and other locations within the Inner West local government area.
6. The Panel restates that to address the above-mentioned concerns, the applicant should consider an overall form reduction - to four storeys - based on the Inner West controls. An additional fifth storey (Ground + four residential levels) may be supportable subject to consistency established by the applicant with the recommendations offered in this AEDRP Report. The applicant needs to carefully develop the form of any proposed fifth storey, which should be setback further than 6m from the street and lane frontages.
7. In addition (to Paragraph 6), offsite overshadowing impacts on future potential envelopes to adjoining sites within the vicinity should also be tested for consistency with the NSW Apartment Design Guide (ADG) Part 4A – Solar and daylight access.



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. The planning of the ground floor appears circuitous and inefficient. The front entry door should be pushed closer to the street alignment, to avoid potential CPTED issues. The built form presentation to the laneway should be reviewed against CPTED and best practice urban design principles.
2. The Panel recommends further resolution of the ground floor configuration to allow comfortable and intuitive movement for the residents. The spatial and architectural quality of the residential entry also needs improvement.
3. The internal configuration of the proposal needs to be reviewed by a qualified BCA/NCC consultant/Fire Engineer, as the egress stair is not separated from the lift. Fire egress from the ground floor also appears to be problematic and requires performance review. The Panel also notes there are windows and openings near (or on) the side boundaries that should be reviewed for NCC fire safety compliance.
4. The Panel queried buildability of the boundary party-walls given the constrained width of the lot. Party-walls along these boundaries must be built and maintained without relying on access from the neighbouring properties which would not be included in any development approval.
5. The applicant needs to investigate structural impacts on existing party-walls on both the subject site and adjoining properties and, in particular, the construction of the deep excavation proposed on the boundaries of the two adjoining sites for the car stacker
6. The Panel discussed a number of potential issues with the proposed vehicular parking, access and egress configuration and their impacts on the laneway. The Panel further recommends that the car stacker arrangement, and associated pedestrian access and egress be reviewed by a suitably qualified specialist in consultation with Council. Similarly, the waste management plan should be reviewed with Council.

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 does not support the density proposed in its current form. The proposal should be developed in accordance with the recommendations offered in this report, which would contribute to delivering acceptable design quality.

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 expects that key ADG targets for solar access and natural cross ventilation will be met by the proposal, as well as sustainability targets for water, energy and waste efficiency.
2. The Panel encourages provision of ceiling fans for habitable areas. Floor-to-floor and floor-to-ceiling heights should be ADG compliant to allow the use of ceiling fans.
3. Provision of a rainwater tank should be considered to allow 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 absence of deep soil and communal open space does not meet targets set out in the NSW ADG and the Panel recommends this should be addressed in a revised scheme. The applicant should develop a detailed landscape design with a suitably qualified landscape architect, to consider provision of green walls, planters and greening elements, particularly to the rooftop courtyards.

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 proposal should provide storage requirements to comply with Part 4G of the NSW ADG and generally meet ADG targets for cross ventilation and solar access.

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 front and rear entry configuration needs further resolution to avoid potential CPTED issues within the Illawarra Road and laneway frontages. Refer recommendations offered in Principle 2 Built form and scale.

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. Wheelchair access to the rear portion and from the car parking on the ground floor appears problematic. All common areas within the proposal should be provided with barrier-free wheelchair access of compliant dimensions in accordance with AS1428.1-2021.
2. The Panel notes that accessible car parking is not provided as part of the proposal. The applicant’s justification is that such provision is not required by Council’s DCP. However, the Panel recommends that accessible car parking should be reviewed by a suitably qualified specialist against the requirements of the DDA (Disability Discrimination Act) and for compliance with the relevant Australian Standards.



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. Future architectural documentation should identify locations of A/C condenser units and other mechanical equipment. These should not be located on balconies unless thoughtfully integrated so not visible from the public domain and clear of balcony furnishing. It needs to be demonstrated that the A/C condenser units on balconies facing Illawarra Rd meet the requirements noted above.
2. 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 notes that its role is independent and advisory only, and that the proposal should return for a further review with the recommendations of this report incorporated and/or addressed.

The Panel also considers that the proposal would be more acceptable if the applicant amalgamates with either of the two adjoining properties. If this remains unachievable then the applicant must better demonstrate how this presently non-compliant proposal is consistent with the objectives of the site specific DCP