



# Architectural Excellence & Design Review Panel

## Meeting Minutes & Recommendations

|  |   |
|--|---|
| Site Address:  | 22 Fisher Street Petersham  |
| Proposal:  | Boarding house proposal (top storey addition to an existing 6 storey boarding house)          |
| Application No.:   | PDA/2023/0167   |
| Meeting Date:  | 19 September 2023   |
| Previous Meeting Date:   | -   |
| Panel Members:   | Vishal Lakhia (chair);<br>Jon Johannsen;<br>Russell Olsson; and<br>Niall Macken               |
| Apologies:   | -   |
| Council staff:   | Ferdinand Dickel;<br>Sean Wilson;<br>Tom Irons;<br>Kaitlin Zieme;<br>Martin Amy               |
| Guests:  | -   |
| Declarations of Interest:                                      | None  |
| Applicant or applicant's representatives to address the panel: | Warwick Gosling (DFP Planning) – Urban Planner for the project; and<br>Greg Boyce – Applicant |

### 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 designer for the project was invited but unable to attend the meeting and the Panel discussed the proposal with the urban planner and the applicant in this instance.

### Discussion & Recommendations:

1. The Panel understands that the proposal was approved as part of the NSW Land & Environment Court – Class 1 Appeal process and details of the former proposal approved as part of the Court process were not reviewed by the Panel.
2. The applicant described at the meeting that the site context has changed since the proposal was approved by the Court, and an 8 storey residential flat building has been approved on the

adjoining property to the east – 16-20 Fisher Street (DA201800173). The applicant's intent through this pre-development application discussion is to consider a one floor addition above the existing building to create a 7 storey built form on the subject site. In the applicant's view, the proposed top floor addition will improve the built form transition to the west.

3. The Panel extensively discussed the design issues surrounding the proposed departures from the floor space ratio and height controls for the site. A floor space ratio of 2.53:1 is proposed exceeding the maximum LEP control of 2.3:1, and a height of 24.6m is proposed exceeding the maximum LEP control of 20m.
4. The Panel offered their general view that departures for height control have been supported in past reviews by the Panel, however, the support had been dependent upon design excellence merit established on the grounds of urban design, landscape design, sustainability, and amenity. For example – the Panel mentioned instances where a lift shaft, fire egress stair and landscape design elements were supported for the reason that additional amenity benefits accrue from roof-top communal spaces located partly or entirely beyond the LEP height plane.
5. The Panel expressed reservations in offering support for the height departure in this instance since it is the Panel's view that the increased density is not supported by additional amenity, increased quantum of communal/social benefit or improved sustainability outcomes. The Panel further highlighted that only privately owned and managed boarding rooms are offered as part of the built form and density increase. While the Panel is not against the provision of additional housing, in this instance the increase is achieved through compromised amenity.
6. The addition of 7 new boarding rooms would create a total 53 boarding rooms within the proposal. The Panel notes there would be an added pressure on the vertical circulation which only includes a single lift within the building. The applicant should thoughtfully consider impact on amenity in a scenario where a single lift is out-of-service or is used for deliveries.
7. The Panel notes that the built form relationship of the proposal with the adjoining property to the west – 24 Fisher Street has not been adequately tested in terms of its visual impact on the laneway. If the height exceedance is supported in this instance then the future proposal on the adjoining property would be expected to address the height transition. Whilst this may be achievable, it would be a complication for the future applicant and approval process. The Panel is concerned that the current proposal could set a poor precedent for future development within the area.
8. The Panel understands there are overarching statutory planning considerations due to introduction of the new Housing SEPP 2021 (in November 2021) which sets minimum expectations for lot size, communal living room and communal open areas, including a minimum 3 hour solar in mid-winter. The Panel recommends the applicant should have separate discussions with Council's assessment officers to address these statutory planning matters for the Panel's satisfaction as a priority.
9. The Panel would have preferred that more sustainability measures be incorporated in the entire building as part of this proposal. For example – provision of ceiling fans to all boarding rooms and common rooms, photovoltaic system within the rooftop, rainwater tank for collection and reuse within the site. Additionally, the amount of broader social benefits should be expanded by creating additional communal rooms and spaces within the building. The Panel is aware there may be practical limitations due to the current ownership and management status of the existing rooms (within Levels 1 to 7) which may not allow these recommendations to be incorporated.
10. The Panel also queried the potential amenity impacts on the existing residents during the construction process over the existing building. The applicant needs to consider appropriate strategies for access, loading, unloading and storage of building materials during the construction process.
11. The Panel recognises its role as an independent and advisory Panel and offers its view that the proposal, in its current form and configuration, should not be supported. Should the applicant wish to re-submit a revised proposal it should include considerations of communal benefit, visibility from the lane, sustainability measures and other recommendations of this report incorporated and/or addressed.