

Burwood Design Review Panel

Meeting Minutes & Recommendations

Proposal Description:	Proposed amendments to Section 5.4 of the Burwood Development Control Plan - Boarding House and Co-Living Housing
Meeting Date:	25 November 2022
Panel Members:	Ms Karla Castellanos – Audax Urban (Alternate Chair) Mr Matthew Taylor – Taylor Brammer Landscape Architects Mr Greg Dyson – Urban Fabric
Apologies:	N/A
Council Staff:	Mr Dylan Porter Mr Rita Vella Ms Holly Duan
Guests:	N/A
Declarations of Interest:	None
Applicant or Applicant's representatives to address the Panel:	N/A

Background:

1. The Panel reviewed the proposed Draft DCP and supporting briefing to the Panel and met with the council staff to discuss the proposal.
2. Council staff briefed the Panel and explained the rationale and the urgency of incorporating these amendments into the local planning controls.
 - Amendments coming forward in response to the Housing SEPP an introduction of Co-Living as a new housing typology.
 - Presently the BDCP does not capture Co-living and there is a desire to introduce local controls.
 - Also, existing provisions in relation to Boarding Housing are outdated and there is a desire to update these.
 - Council is also receiving new applications for Co-living and there is a need to close gaps in the current SEPP where there is a silence on terms of design controls. For example, there is a control in the SEPP for minimum room size but no other elements in the room.
 - Council is also undertaking a whole scale review of the DCP.

Discussion:

3. Panel asked whether there are other internal amenity considerations. – Council responded that there are existing controls in the DCP and Council would be looking to bring forward these controls to also address Co-living.
4. There are no intended controls for Co-living in relation to site management and rent levels. As compared to boarding houses which have to be managed by a CHP.
5. No requirement for on-site manager. A workspace to be provided for management.
6. Council is considering options to bring forward a template for site management plans. This was viewed as a positive outcome.
7. The Panel questioned as to what might be seen as risks associated with no on site management?
 - o Suggestion that this would be controlled site via the site management plan. This may include 24 hr on call service for site management. This could also include signage and other site controls.
8. Comment from the panel: Bayside Council has had substantial experience in this housing typology.
9. Not necessarily the case that this type of housing is transition accommodation only but is used for a range of residents on temporary assignments.
10. ADG is a good tool but advisory in its nature.
11. Panel question regarding the moratorium on boarding houses in HCAs?
 - o Council informed the panel that this moratorium has been extended indefinitely.
 - o However, Co-living is not permitted in the R2 Zone which largely covers the HCAs in Burwood Council.
12. The panel asked whether Co-living has a minimum number of rooms?
 - o The SEPP definition is that Co-Living must have 6 or more rooms.

13. How is FSR going to be managed and how is bonus FSR to be managed?
- There is a non-discretionary standard in the SEPP which permits a 10% bonus to FSR. However, a further amendment to the SEPP has been issued from the Department which may provide further clarification. However, on first review – does not apply to Co-Living.
 - However, for the purposes of the DCP – Council has no control over the SEPP

Comments & Feedback:

14. There is a need to clarify the applicability of Design Excellence and ensuring the clause 6.5 of the BLEP can be applied to these applications. This would allow things such as amenity, common areas outlook etc to be considered.
15. How can the Design Excellence clause to be brought to bear on co-living outside the B4 and B2 zone.
- Council staff suggests the design excellence provisions may be replicated in the DCP without amending the BLEP.
16. Comment from Council that Design Excellence provisions could be brought into the DCP and the objectives of the controls.
17. Remaining concern that site management is not a feature of Co-living development. There is a risk that this housing typology will decline and potentially be abused.
18. Council put forward that a provision for the requirement of on-site management can be included however, this is an on-going concern regarding the enforceability of the condition.
19. The panel reflected that this housing typology could promote and reflect contemporary social mobility and allow access to cost-effective short-term accommodation.
20. Commentary regarding the long-term upkeep and maintenance of the accommodation and this would be specifically managed – could this be drawn into the management plan.
21. What would be the consideration of reduced lot sizes? The response from Council considered that a clause 4.6 objection would be required but there was some concern and doubt as to whether substantive reduction in minimum lot size would be permitted.

Conclusions and Recommendations:

- The Panel commented on the comprehensive nature of the proposed DCP amendment and that most sections had already been covered.
- The Panel unanimously suggested that Design Excellence provisions already existing in the BDCP be also incorporated into the amendment.

General Recommendations offered by the Alternate Chair include:

- Generally, recommend a response only to the contributory elements in the surrounding context.

More detailed/specific recommendations include:

- **Provision P4:** The suggestion that the development application is to be supported by a 'statement' may signal to applicants that this is all that is needed: a statement. Place more emphasis in the process not in providing one more document.
- **P4 First Bullet point:** should the word 'contributory' be used instead of the word characteristic?
- **P4 second bullet, points vi and vii:** As per above, insert the word contributory before buildings and make sure to suggest to identify and not emulate detracting parking arrangements such as open ramps and un-'sleeved' surface carparking.
- **P6** Side entrances should not be acceptable as they are contrary to the ADG (albeit not applicable to this typology), but their acceptance could lead to inconsistencies along the streetscape. However, entrances can be permitted on primary and secondary frontages.
- **P7** This provision somehow implies that bonuses will not be considered. Should something be added to the effect that the applicant should demonstrate how (if a bonus is applicable) it is consistent with the aims of the controls?
- **P8 item i,** should the floor to ceiling height be a minimum like stated in the sketch?
- **P8 item ii,** should the floor-to-floor height be a minimum?
- **P14** should the words "within the setback", be stricken? as this opens the opportunity for them. Require the visual improvements behind the setback. They should be attractive regardless of their location.
- **P16** As we saw in the Gladstone St application, tight sites will count the front setback to meet the minimum open space provision. But, in co-living this could lead to acoustic amenity impacts from gatherings close to the street. Should communal open space only be acceptable behind the front building line?
- **P17** should the words "contributory elements of the" be inserted after the word complement? Add roof features to the least and discourage flat unarticulated roof forms.
- **P18** the suggestion of artwork on blank walls then, in a way, gives a way out to applicants to have them. It is better to encourage well-articulated walls with a 'solid to void' ratio as per the design excellence provisions in the DCP?
- **P22** refer to provisions P63 and P64 of the same document.
- **P29** is council opening a can of worms by specifying a refrigerator with a storage of 0.13 sqm per person? How can this be enforced or measured for compliance? Also is capacity not measured in cubic metres?
- **P32** suggest that it should also be well integrated within the landscape plan?
- **P34** include communal or gathering spaces in upper levels. Should everything after the words 'residential uses be stricken? If you suggest that highlight windows or screening can be used, that is exactly what applicants will do. Suggest 'redirection of views to the front or rear' instead.
- **P40** as per the ADG, 7% is for small lots. Why not equate it to the rest of the ADG percentages to cater for larger or any scale of site?
- **P42** should the first bullet point be stricken? Don't give it away so easily. Planting on Structure should then be provided. Good storm water management should be achieved as well as good planting and deep soil, not one or the other.
- **P44,** should "a established residential neighbourhood" be added in addition to residential zone?
- **P46 and p47,** should the words 'rooms in upper levels' be changed to above ground level?
- **P50 item ii** should the words 'visual and acoustic' be inserted before privacy?
- **P51** I believe that the ADG only requires 2 hours of solar access in Metropolitan areas. Is 3 hours excessive?
- **P52** Should DCP design excellence provisions for the design of roof top areas apply?

- **P54** should the words “or be incorporated into a roof feature” be inserted after the word recessive?
- **P55** the overall expected quality of the landscape is not spelled out.
- **P62-P64** Well done for including these!