

Attachment A

4 February 2026

1. Consistency with Strategic Planning Framework

The site is identified in State and local strategies to deliver housing, and Council supports this objective. The scale of the proposed development, however, significantly exceeds what these strategies envisage and does not demonstrate that it will result in good built form outcomes.

The table below outlines State and local planning strategies relevant to the subject site, including their proposed FSR and HOB recommendations which have been considered by this application:

There are four key State and Council strategic planning frameworks applying to the site, all of which identify an EI Local Centre zoning with building heights generally ranging from 6 to 8 storeys and FSRs between 3:1 and 3.75:1 depending on incentives. Together, these strategies show a consistent planning intent for moderate midrise development, while final controls under the current State-led rezoning process are still to be confirmed. See below. –rise development, while final controls under the current State-led rezoning process are still to be confirmed.

a) Inner West Precinct State-Led Rezoning (Parramatta Road)



Figure 1. NSW Government Indicative Study Area (14 September 2025) – Annotated by Council



In September 2025, the State Government announced the *Inner West Precinct State-Led Rezoning*, for sections along the Parramatta Road corridor in the Leichhardt and Camperdown precincts, to deliver up to 8,000 new homes.

As part of the State-led rezoning initiative, DPHI will be required to consider housing opportunities, local and state infrastructure, affordable housing requirements, active transport connections, new open space, retail and commercial opportunities, as well as improvements to the public domain.

Considering the State-led rezoning is in the early stages of development and without knowing the built form, height and density, land use, and infrastructure objectives for the site and the broader precinct, the SSD proposal is considered to be premature.

If the proposed development was to be progressed, it sets a dangerous precedent for the broader precinct, as DPHI is still undertaking investigations to inform the planning framework. The State-led process provides for a comprehensive and coordinated approach to establishing the planning controls that can support higher density development, together with the delivery of required infrastructure and ensuring place-based outcomes.

The SSD pathway does not provide for the rigorous testing required to demonstrate how the proposed development will proportionately respond to the significant growth envisaged for the precinct. Therefore, the proposal should be deferred until there is a clear vision in place, with a supporting structure plan and design guidance for the State-led rezoning. In the absence of the outcomes of State led rezoning and if the proposal was to proceed, it must be at least consistent with PRCUTS and Council's OFFP as discussed below.

b) Parramatta Road Corridor Urban Transformation Strategy (PRCUTS)

PRCUTS is the endorsed State strategy for the Parramatta Road corridor and carries statutory weight under Section 9.1 Local Planning Direction. Any rezoning must be consistent with this Direction or demonstrate how it delivers a superior planning outcome.

The proposed development significantly exceeds PRCUTS recommended controls and does not align with the vision or design objectives for the corridor. It provides insufficient justification for major departures from PRCUTS controls, including those relating to built form, height and massing, setbacks and separation, car parking, deep soil and tree canopy, and affordable housing.



The proposal is inconsistent with the PRCUTS objectives outlined below:

PRCUTS Planning and Design Guidelines

- *11.5 Open Space, Linkages and Connections and Public Domain:* The proposal does not consider the desired 'Public Transport Super Stop' along Parramatta Road in Leichhardt precinct. TfNSW are currently preparing a Transport Study to support the State-led rezoning for Parramatta Road. Further consultation with DPHI's Rezoning team and TfNSW is required to understand the implications for this site.
- *11.7 Fine Grain:* The proposal does not consider the Fine Grain Character Area 1 objectives in the [Parramatta Road Corridor Fine Grain Study](#):
 - Does not maintain key views along Parramatta Road.
 - Does not preserve or protect the historic character of the corridor with respects to scale and parapets (in contrast to new built forms on the southern side of Parramatta Road).
 - Does not provide the 2-storey street wall, consistent with the existing fine grain buildings.
 - Does not protect historic corner buildings (by not providing transitions to heritage item east of the site).
 - Does not provide the recommended 8m setback to upper levels to reduce the visual impact of the development on the streetscape.
 - Does not provide the recommended transition to lower built forms (by stepping down the development within the 45-degree angle at 1.5m height from the street edge).
 - Does not provide the recommended 18-20m building depth for the upper levels.
- *11.9 Recommended Planning Controls:* The proposal does not provide sufficient urban design justification for its significant deviation from the recommended heights, densities and built form plans for the Leichhardt precinct (refer to Table 1 above).

Implementation Plan 2016–2023: Out of Sequence Checklist

- *Criteria 1 Strategic Objectives, Land Use and Development:* The proposal is inconsistent with recommended planning controls and does not provide sufficient urban design justification.
- *Criteria 2 Integrated Infrastructure Delivery Plan:* The proposal does not provide detail regarding delivery of infrastructure in regard to open space, public domain, community infrastructure utilities and services. The proposed laneway reservation is not supported by a planning mechanism. See detailed comments in the below sections.



- *Criteria 3 Stakeholder Engagement:* By utilising the HDA pathway, the SSD proposal has not undertaken the stakeholder engagement requirements for PRCUTS.

Section 4 of this submission provides further detail as to how the proposed built form does not achieve a better outcome than PRCUTS and hinders the development potential of adjacent sites.

c) Our Fairer Future Plan (OFFP)

Council's OFFP is the place-based framework for Inner West including parts of the Parramatta Road corridor and is currently with DPHI for finalisation. It establishes design requirements for street wall heights and setbacks, heritage, car parking, deep soil, tree canopy and building sustainability. The site, located in the Parramatta Road East Sub-Precinct, can achieve up to 4.65:1 FSR and 36.95m HOB (10 storeys) where incentive criteria are met.

The SSD proposal does not respond to OFFP design requirements, including concentrating higher densities at block corners, need for a conceptual block-level master plan to avoid lot isolation, and providing appropriate transitions and setbacks to sensitive areas. The reference scheme significantly exceeds OFFP controls—by approximately 34% in FSR and 60% in height—and fails to ensure that surrounding sites can also achieve the uplift envisioned under the OFFP.

d) Departures between EOI and SSD

The proposed height and density represent a major departure from the original EOI supported by the HDA and Minister for Planning. The scheme has intensified across assessment stages – from an 8 storey, 110-unit proposal to 10 storeys at Planning Proposal Scoping stage, and now a substantially larger SSD proposal of 16 storeys.

The SSD application does not demonstrate how the increased scale contributes to precinct-wide planning, protects the development potential of neighbouring sites, or aligns with the desired future character. The uplift lacks adequate justification and is not matched by commensurate public benefits.

2. Impact on Neighbouring Sites

a) Isolation of adjoining sites along Parramatta Road

The proposed development creates a risk of isolating the adjoining properties at 325–327 and 297–303 Parramatta Road, limiting their ability to be redeveloped in an orderly and coordinated manner.



The proposal's indicative massing for the adjoining properties at 325–327 and 297–303 Parramatta Road does not account for all required setbacks applicable to these sites, resulting in significant constraints on their redevelopment potential, particularly for any development over 6 storeys. This is well below the assumed 9 storey envelope tested in the proponent's massing, meaning the proposal overstates what neighbouring sites can support, misrepresents future context, and results in an inconsistent built form at the Parramatta Road and Hay Street corner.

Amalgamation of the subject site with the adjoining lots should be pursued to avoid isolation and achieve a more coordinated, higher quality development across the block. If amalgamation is not feasible, the assessment must consider the *Karavellas* planning principle—quality development across the block. If amalgamation is not feasible, the assessment must consider the following questions are raised to determine whether a site will be isolated by a development:

- Firstly, is amalgamation of the sites feasible?
- Secondly, can orderly and economic use and development of the separate sites be achieved if amalgamation is not feasible?

Further, a schematic design analysis has not been undertaken for the corner site to demonstrate its ability to be reasonably redeveloped without being unfairly burdened with building separation requirements resulting from the SSD proposal.

If redevelopment of the corner sites relies solely on Hay Street for vehicle access, additional traffic management—such as turn restrictions—may be required. Alternative access solutions should be considered by the SSD to avoid unfairly constraining these sites.

b) Impacts on Council's Hay Street Carpark Affordable Housing development

The proposal will adversely affect the potential development of the adjacent Council-owned public car park which Council has identified for delivery of 100% affordable housing as part of any future redevelopment. Under OFFP and using the Affordable Housing SEPP, the site could achieve up to 2.95:1 FSR and 36.95m (10 storeys), significantly above what is assumed in the SSD's urban design report.

The reduced envelope is driven largely by the overscale 6 storey podium on the SSD site and maximising its solar access, resulting in building modulation that benefits the SSD site but penalises the carpark site (see below image). The

proposed massing would result in burdening Council-owned site to provide additional setbacks, which should be equally distributed between the sites. It also fails to consider key site-specific controls, including required upper-level setbacks to Hay Street and side setbacks to the northern boundary.

Overall, the SSD proposal fails to account for the full redevelopment capacity of adjacent sites and does not demonstrate how overshadowing, solar access and built form impacts from a compliant redevelopment would be accommodated in its design.

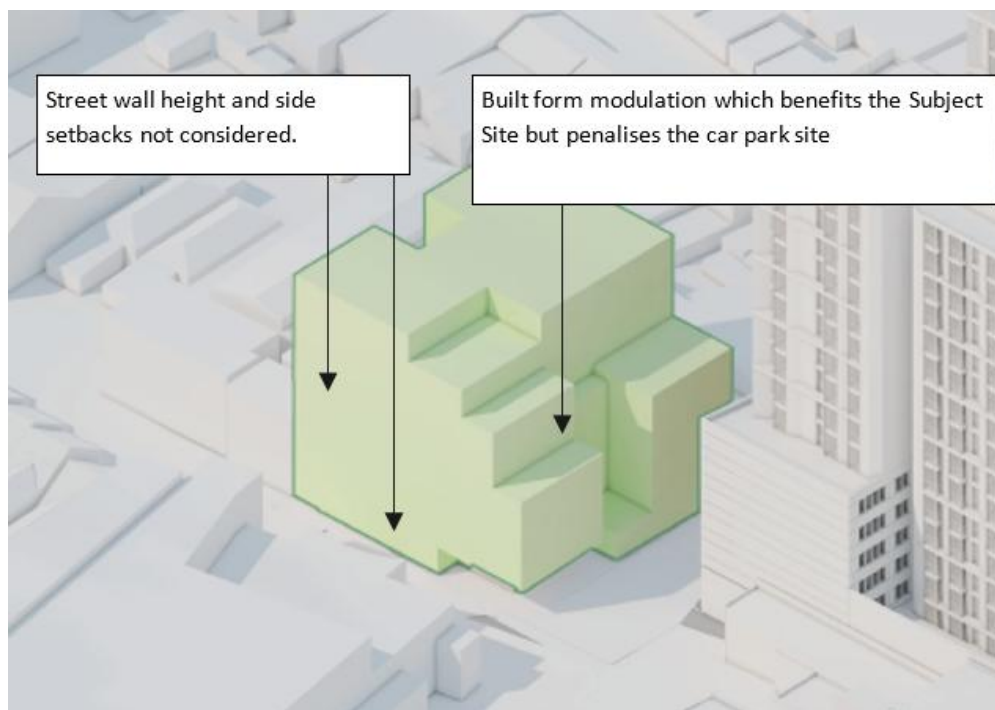


Figure 2. Indicative envelope of Hay Street Carpark Site

3. Design Excellence

a) IWLEP 2022 Clause 6.9

IWLEP 2022 Clause 6.9 Design Excellence requires that developments exhibit the highest standard of architectural and urban design as part of the built environment. It applies to any proposed development that is equal to, or greater than, 14m in height.

Clause 6.9 (3) of the LEP states that *Development consent must not be granted for development to which this clause applies unless the consent authority considers that the development exhibits design excellence.*



Given that the department is the consent authority for the proposed rezoning and SSD, it must be satisfied that the development exhibits design excellence as required for the matters listed in 6.9 (4):

- (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.*



In Council's view, the proposal is significantly incompatible with the surrounding context and does not demonstrate design excellence. This view is affirmed by Council's Architectural Excellence and Design Review Panel (AEDRP) to which this proposal was referred to for independent feedback. Refer to the below section for AEDRP's advice.

b) Inner West Architectural Excellence Design Review Panel (AEDRP)

Council's AEDRP provided comments on the design and amenity outcomes for the application. Their feedback is reiterated below, and the minutes are provided in Attachment B. A number of matters were identified that need to be addressed including:

- The proposal will limit the potential of neighbouring properties to provide housing and other uses, including but not limited to overshadowing and other amenity impacts and inadequate setbacks.
- The proposal does not adequately address the heritage qualities of the site.
- The proposal does not acknowledge urban design possibilities, especially the proposed east-west linkages along the northern boundary of the site and the potential civic interfaces and nodes.
- The poor-quality sequence of movement to the entry, formal expression and lack of amenity and safety of the residential address is highlighted.
- The proposed architectural language of the proposal is lacking in the appropriate level of articulation, materiality and response to different edge conditions and orientations, and the façade does not complement the level of articulation found in the significant buildings along Parramatta Road.
- The proposal will set a precedent for new high-rise development along Parramatta Road. Compliance with the ADG setback and building separation requirements requires the complete redesign of the proposal including height, setbacks and materials with a considered urban design at the ground plane.

As evidenced by the matters raised above, the proposal does not achieve design excellence, results in poor amenity including to neighbouring sites, and fails to consider its context.

c) State Design Review Panel

Given the scope of the works proposed, it is requested that the application be reviewed by the State Design Review Panel to ensure design excellence and that all design matters are properly and independently assessed.

4. Built Form and Urban Design

In addition to the comments provided by the AEDRP, the following comments are provided regarding the design considerations of the Apartment Design guide (ADG):

a) Podium and Tower Configuration

- A 55 metre long, 6 storey podium creates a continuous wall like built form along the northern boundary, which is considered visually bulky and inappropriate.
- Despite some façade articulation, the design does not sufficiently break down the bulk, contributing to poor visual and urban design outcomes.
- The podium height and limited upper-level setbacks also create ADG building separation matters and shift the burden of additional setbacks onto the neighbouring Hay Street Carpark site, reducing its redevelopment potential.



Figure 3. Indicative built form

b) Dual Tower Form

- The dual tower configuration (11–15 storeys) increases height, visual bulk, and overshadowing impacts, and lacks a sensitive height transition to Parramatta Road and neighbouring sites.
- Upper level setbacks of only 3m from Levels 1–15 do not comply with Council's draft Design guide of OFFP, which requires a minimum 6m setback above five storeys.



- Insufficient separation distance between the tower forms and non-compliance with ADG, particularly in between habitable rooms at the upper levels, represents an overdevelopment of the site which will compromise the amenity of the future residents and surrounding existing residents.
- Unless the subject site is amalgamated with the adjacent sites, its width is not sufficient to accommodate dual tower form that is ADG compliant and can respectfully meet all the required building setbacks and separation distances.

c) Building Setbacks and Separations

- The proposed side setbacks (4.25m and 6.1–6.8m) for the tower components do not comply with ADG requirements, which requires:
 - Minimum 6m setbacks for 5–8 storeys, and
 - Minimum 12m setbacks for 9+ storeys where habitable rooms face each other.
- The proposed 10.6m tower separation is also significantly below ADG minimums, which require:
 - 12m separation up to 4 storeys,
 - 18m for 5–8 storeys, and
 - 24m for 9+ storeys between habitable rooms.
- Although the design uses reeded glazing to mitigate privacy impacts, this does not address the fundamental non-compliances with setbacks and separation and is not considered to be an acceptable design response.
- Increased setbacks with single storey tower form will assist with meeting ADG requirements.

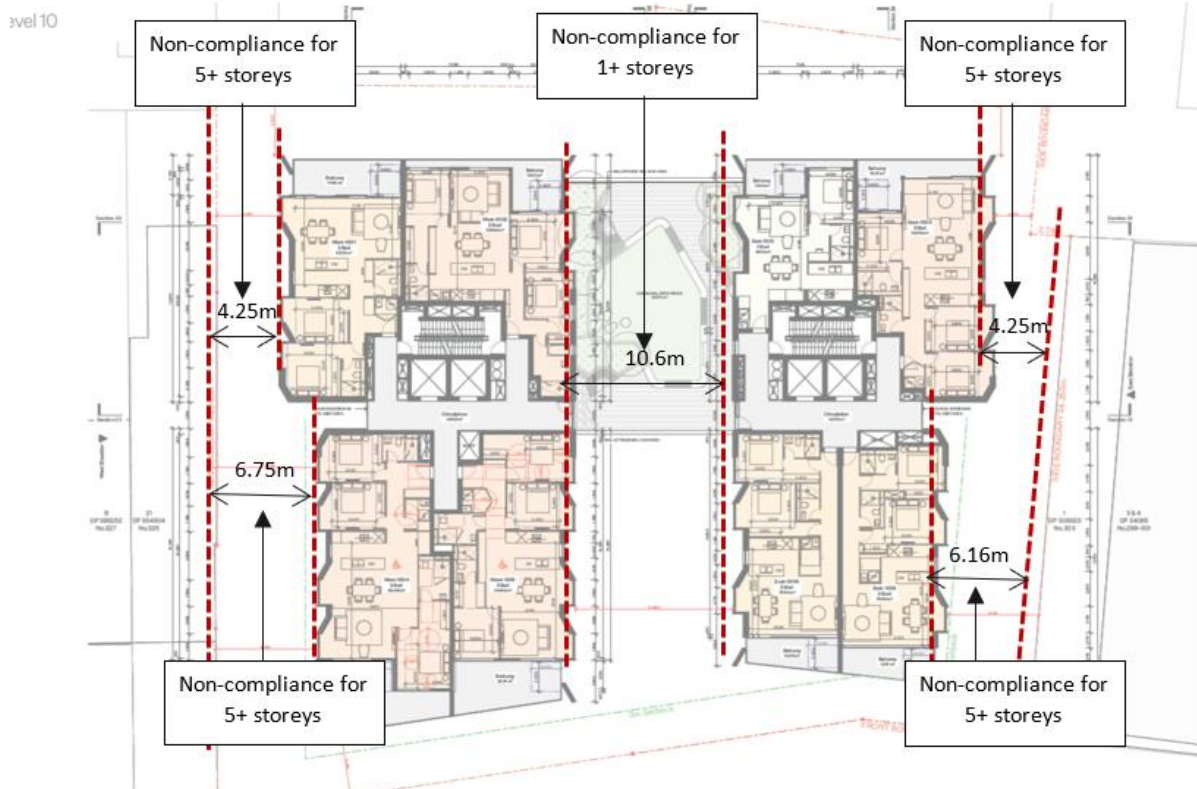


Figure 4. Proposed building setbacks and separation and non-compliance tower form

d) Communal Open Space Provision

- The communal open space area has been miscalculated and should not include any laneway widening/ground floor setbacks reserved for public domain improvements to meet the 25% communal open space requirements of the ADG.

e) Solar Access and Overshadowing

- The proponent's solar access analysis incorrectly assumes that neighbouring sites remain undeveloped, which misrepresents the level of solar access that will be achieved for both units and communal open space within the proposed development.
- The proposal has not analysed solar access impacts based on the likely future development envelopes of adjacent sites, contrary to ADG requirements for contextual testing. This omission may significantly alter the results presented. Although the proponent claims compliance for unit solar access (71.4% receiving 2 hours sunlight; 13.6% with no sunlight), these results may not be valid if (when) the surrounding sites are tested incorporating their future development potential, including Council-owned car park site.
- The majority of the units that do not receive solar access are nominated as the affordable units.



- Communal open space solar analysis is incomplete, with no assessment demonstrating that the principal usable part of the space receives the required minimum 2 hours of sunlight in mid-winter.
- Further overshadowing analysis is required to understand the impact on the future developments to the south of Parramatta Road. The proposed 16 storey tower form will overshadow any proposed developments to the south, resulting in poor amenity and solar access for future residents and limiting the development potential of these sites.
- The SSD proposal must be reassessed with overshadowing and solar access modelling that incorporates future development potential on all neighbouring sites.

f) ADG Deep Soil and Tree Canopy Calculations

- ADG requires 7% of the site area to be provided as deep soil with minimum 6m dimensions for sites over 1,500sqm. Inner West Tree Management DCP and PRCUTS set a minimum 25% tree canopy cover consistent with the GANSW Greener Places Strategy but the proposal provides only 23sqm (1%) of deep soil, which is significantly below requirements.
- It is recommended that consideration be given to increasing the deep soil areas to allow for the planting of some large canopy trees that will more appropriately suit the scale of the proposal and provide a greater contribution to achieving canopy cover targets.
- The tree species proposed along the northern boundary are small trees and considered inappropriate in scale. Additionally, in order to maximise the benefit that can be yielded from the deep soil, much larger trees are required.
- It is recommended that landscaping, including some deep soil for trees, is incorporated to the eastern and western edges of the site and to the Parramatta Road frontage.
- It is recommended that the soil volumes for 'on podium/slab' planters are sufficient to sustain some small and medium trees to provide additional canopy cover and provide a layered (trees, shrubs and groundcovers) planting outcome. Layered planting has the potential to offer some habitat benefit.

g) Gross Floor Area Calculation

- The Urban Design Study's Gross Floor Area (GFA) calculations exclude portions of the Level 10–15 circulation corridors. By omitting these areas, the study understates the total GFA, which in turn is likely to result in a higher actual Floor Space Ratio (FSR) than what has been reported.



5. Affordable Housing

The SSD proposal includes an affordable housing component of only 10% (or 21 units) for a period of 15 years. The application is not consistent with Council's endorsed policy nor PRCUTS.

PRCUTS (pg. 33 Vision for Parramatta Road Corridor Strategy document) requires minimum 5% of new housing be provided as affordable housing in perpetuity, and that it caters for diverse needs. Recent rezoning proposals approved by the Department, such as for 67-75 Lords Road, Leichhardt in the Parramatta Road Corridor have committed to this requirement.

Further at its meeting on 30 September 2025, Council resolved C0925(2), Item 1 *Our Fairer Future Plan*, to require a 20% affordable housing contribution for any additional floor space beyond the baseline provision on upzoned sites, secured in perpetuity and managed by a registered community housing provider. Council's Affordable Housing Policy also requires 15% of total residential units to be affordable housing.

Where the affordable housing target is not feasible, the land value uplift associated with the proposed development should be calculated in accordance with Council's Affordable Housing Policy and Voluntary Planning Agreement (VPA) Policy and a supporting offer to provide affordable housing contributions in perpetuity should be made.

The proposal is not supported given the lack of genuine commitment to provide affordable housing despite seeking a substantial increase in FSR than what is currently permitted or envisaged in the strategic planning framework for the site.

The proposed development should be supported by an economic feasibility assessment evaluating the financial viability of the project at the proposed FSR (which is not supportable), including the cost of in perpetuity affordable housing, and detailing the mechanism for delivering the affordable housing i.e. supporting LEP clause requiring delivery of affordable housing units on site or equivalent monetary contributions to Council to provide affordable housing elsewhere.

Where on-site affordable housing is provided, it should also ensure that the affordable housing component is well-integrated into the overall design of the residential accommodation and is provided with sufficient amenity. An appropriate mix of apartment sizes, including three-bedroom units, is also strongly encouraged to provide options that can accommodate a range of household types.



Preliminary discussions have been held whereby the residential units are proposed to be managed by Bridge Housing, community housing provider, for a minimum of 15 years. These discussions should be formalised and a binding agreement entered as part of the development approval process.

6. Local infrastructure

a) Alignment of Growth and Infrastructure

- Advancing the proposal ahead of the State's precinct-wide planning, LEP provisions, and Section 7.11 local infrastructure review, noting that the site sits within DPHI's Parramatta Road Precinct planning investigation area. The rezoning of Parramatta Road in collaboration with Council and State agencies – particularly in State-significant precincts – requires careful, comprehensive assessment that considers environmental and social impacts, identifies future infrastructure needs, and involves close consultation with councils and communities.
- The s9.1 Ministerial Direction (1.5) and the Parramatta Road Corridor Urban Transformation Strategy (PRCUTS), including its 2021 Implementation Update, require rezonings to align with corridor-wide strategies, deliver housing and jobs, and be supported by necessary infrastructure. PRCUTS specifically envisaged that rezonings would be underpinned by place-based LEP and DCP controls and accompanied by identified local infrastructure improvements, including Section 7.11 contribution plans and future land dedications.
- The local infrastructure considerations (or public benefits) prescribed by PRCUTS include:
 - Enhancement to the local road network to ensure orderly development to accommodate growth, including public domain improvements to Catherine Street, Leichhardt.
 - Promotion of the East-West cycle way providing a new laneway active transport link into the Leichhardt Precinct (affecting the northern rear aspect of this proposal).
 - Amenity and landscaping improvements for the pedestrian experience along Parramatta Road and laneways.
 - Movement and accessibility upgrades to existing bus stops along Parramatta Road.

An illustration of the public domain improvements to the Catherine Street intersection is shown below.

INNER WEST



Figure 5. The envisioned public domain improvements to Catherine Street. Source: PRCUTS Urban Amenity Improvement Works: Leichhardt Precinct (page 33).

b) Road widening for public domain improvements

- Reference is drawn to page 67 to Appendix 7 of the Urban Design Report, in particular the statement that “When the Hay Street car park is redeveloped, a portion of the 307-315 site can be acquired to allow for future road widening and a 2-way vehicle connection between Hay and Redmond Street”. The diagram accompanying the statement is provided below, noting the red shaded area as the applicant’s earmarked future land dedication area. The future land dedication is also stated on page 14 of Appendix 10 Stormwater Plans. The applicant’s statements acknowledges that road dedication is required to facilitate the surrounding lots’ redevelopment.

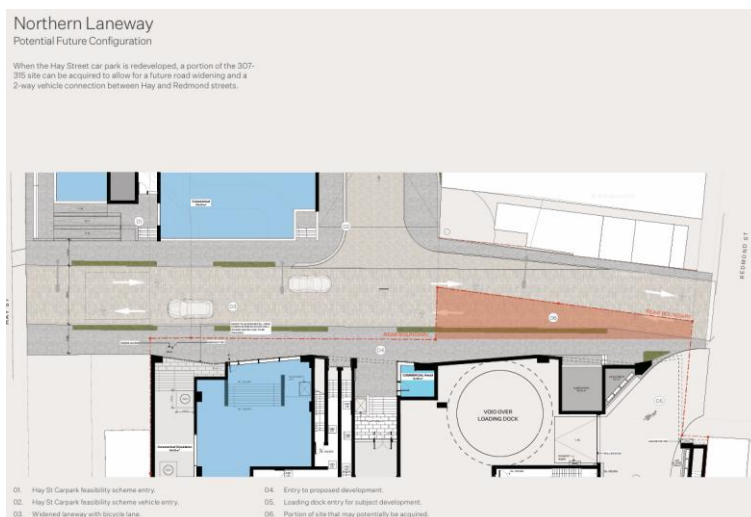


Figure 6. Applicant's indication of a future land dedication for public road shown in red shaded area for the northern laneway, Appendix 7 Urban Design Report (page 67)

- PRCUTS Urban Amenity Improvement Plan provides a framework for public domain and active transport improvements to support the uplift in residential densities. The Strategy identified a cycle link through Dot Lane that runs from Hay Street to Norton Street, with improvements connecting the existing cycle path along the northern boundary of the subject site.
- The SSD proposal considers a potential 12m wide laneway reserve between the subject site and Council's Hay Street Carpark site. It does not however clarify how this will be facilitated. It also does not provide adequate setbacks to achieve this 12m width. For example, at the intersection with Redmond Street, the proposal seeks to contribute to the public domain with 1.2m land dedication which will only facilitate 6.4m width for the laneway, against its own vision to provide 12m wide laneway.
- The proposal lacks a coordinated approach for the laneway improvement and undermines State and local planning for the public domain to align with changes to land use and growth in the Parramatta Road corridor. It comes ahead of the planning undertaken for the delivery of improved public domain and local infrastructure in these locations and will jeopardise Council's ability to provide a safe access and cycleway connection in this location.
- A minimum width of 9m is required to facilitate the cycleway/shared zone connection. This means that a minimum 4m wide dedication from the northeast portion of the site is required.
- This will allow this laneway to continue along Redmond St which is also currently 9m wide.

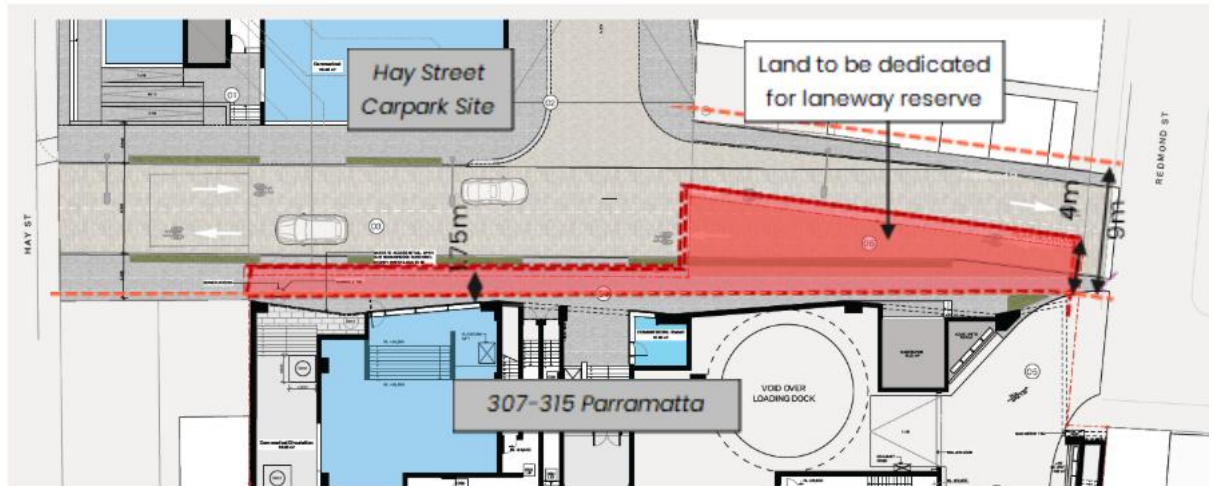


Figure 7. Land to be dedicated to Council to accommodate 9m wide laneway reserve between Redmond Street and Hay Street.

- The proposal must dedicate this land to facilitate the public domain improvements. The design should also be amended, including siting of the development and access, and extent of the basement encroachment, consistent with Council's aspirations.

c) Planning Mechanisms & Conditions of Consent

- It is emphasised that this proposal does not include a letter of offer to enter into planning agreement (VPA) with Council or the State Government. In Appendix 2B, the applicant states under the title of public benefits that "*council has the opportunity to acquire land from Ceerose to deliver this laneway*" (page 4). This inference that Council will need to acquire this land at market rates in an area experiencing significant uplift is contrary to the long-held principle in the NSW Planning system that developers are to help deliver public infrastructure as communities grow.
- The SSD application does not demonstrate sufficient strategic planning merits to allow the progression of this proposal ahead of the State Government's precinct-wide planning studies and should be refused at this time. Notwithstanding, should the SSD rezoning application be progressed, and in the absence of local planning agreement, Council requests that the Department utilise satisfactory arrangement clauses under section 7.2 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) to:
- Secure land dedication for public infrastructure (local road dedication) between Redmond St and Council's car park (13 Hay St) that facilitates a public road width of 9m that accommodates a shared way, footpaths and landscaping, as a condition of rezoning and at no cost to Council.



- That the developer must undertake domain improvement works to Redmond Street (between Catherine Street and the development site) to accommodate a shared use cycleway, at no cost to Council.
 - That traffic mitigation measures along Redmond Street in the north south direction be implemented to prevent rat-running along narrow laneways to the development site, at no cost to Council.
 - The development consent should further require the payment of section 7.11 monetary contributions. The suggested wording of this condition is shown below:
- Developer Contributions
 - Prior to the issue of the first Construction Certificate, the Applicant must provide written evidence to the Certifier that a monetary contribution pursuant to the provisions of the Inner West Local Infrastructure Contributions Plan 2023 has been paid to Council. Council must be contacted for calculation of required contributions.

d) Creative spaces and Artist studio for community access

Consideration should also be given to the provision of retail/commercial space at ground floor level with an activated street frontage accessible at ground level for community access and use. This can include dedicated car parking spaces in proximity to encourage and support uses such as community meetings, activity rooms, library and shared co-workspaces etc. This will provide opportunity for spill out into and use of the adjacent share way green space.

7. Heritage Conservation

The site is located within the Parramatta Road Heritage Conservation Area (HCA). Significant characteristics for commercial buildings that are evident within this precinct, include street wall heights, façade alignments and design, building height and associated bulk and materiality. Any infill development on the Site should respect the characteristic elements of the HCA to ensure an appropriate transition within the streetscape.

a) Street wall heights

A defining characteristic of the Parramatta Road HCA is the strong, continuous street wall, built to the front boundary and which is defined by, and reinforces, the road alignment of Parramatta Road.

The proposal includes a two-storey brick podium façade at ground and first floor that is largely built to the front boundary. In principle, this approach is appropriate, however, refinements are necessary to ensure that the proposed street façade



responds appropriately to the significant features and character of the Parramatta Road HCA as identified within the Parramatta Road Corridor Heritage Assessment.

b) Façade Alignment

The street façade includes a recessed entry at ground and first floor level that disrupts the consistent building line along this section of Parramatta Road. This visual break detracts from the significance of the Parramatta Road HCA. The façade treatment of this recess, with a lightweight screen, further emphasises this 'break' by utilising a lightweight material that contrasts with the solid masonry walls that define the Parramatta Road street wall.

The alignment of the facades at ground and first floor do not relate precisely to the road alignment, as is characteristic of commercial buildings along Parramatta Road. The break in the façade results in the legibility of the road alignment (in particular the 'kink' evident at this section) being diminished.

It is recommended that the recess at ground and first floor be deleted and the whole of the front façade at ground and first floor to be built to the front boundary, with nil setback.

c) Façade Design

To improve the façade design and presentation to Parramatta Road, the following design changes are recommended:

- The ground and first floor front façade should reinforce the solid "street wall" that forms part of the significance of the HCA.
- The façade at first floor includes large openings that are not complementary to the ratio of solid-to-void characteristic of the upper levels of commercial buildings along Parramatta Road. The large, open voids at first floor level (serving balconies behind) result in a façade that reads as a 'screen' rather than an external wall and diminishes the solid street wall that defines Parramatta Road. This is further emphasised by the drawings' intention that trees and vegetation could be seen through the façade.
- The southern façade at first floor level should be redesigned to comprise window openings that reflect the scale and proportion of contributory buildings along Parramatta Road and reinforce the
- It is recommended that the former fenestration detail and the splayed shopfront entry details are reinterpreted in the design of the fenestration at ground floor to Parramatta Road (for retail areas).



- The location of the fire stairs and carport exhaust rise at the southeastern corner of the building results in irregularities to the Parramatta Road façade, which is uncharacteristic of the consistent rhythm of shopfronts and facades that form part of the significance of the Parramatta Road. It is recommended these elements be relocated to the northern side of the building or integrated into the façade's pattern of vertical bays that complement the fine grain commercial development characteristic of Parramatta Road.

d) Height and Bulk

The proposed development, comprising 16 storeys and a rooftop level, with a six storey podium is excessive in height and bulk and is not in keeping with the existing or desired character of the Parramatta Road HCA, which is characterised by largely two storey shop top development. The height and bulk of the towers behind detract from the prominence of the two-storey street wall form (as identified in the statement of significance). Increased setback of the towers from Parramatta Road and reduced height may mitigate the impact of the proposal on the significance of the HCA.

The proposed height of the development is highly out of character and context with the 2 storey contributory buildings in the streetscape and the prominent form of the of the Albert Palais heritage item building.

e) Demolition

Nos. 307, 309, and 311-313 are identified as detracting from the HCA and their demolition will have no impact on the significance of the HCA. No. 315 is identified as being a neutral item in the HCA. Section 3.5 of the Parramatta Road Corridor Heritage Assessment recommends the following for neutral buildings:

Demolition of neutral buildings will be considered where it can be demonstrated that:

- a) restoration of the building is not reasonable; and
- b) the replacement building will not compromise the heritage significance of the heritage conservation area.

The southern first-floor façade of No. 315 is of some architectural interest, and features a simple parapet with central pediment, decorative mouldings and original timber sash windows evenly spaced along the façade. While it is currently painted an unsympathetic colour and windows are painted over, these elements would be capable of being easily reversed. The retention of the upper level façade



is encouraged and would improve the relationship of the new development with the streetscape and HCA.

f) Impact on heritage items in the vicinity

The heritage items in the vicinity comprise 1-2 storey buildings. The podium is six storeys in height and does not provide an appropriate transition in scale between the 15 storey towers and the heritage items in the vicinity, resulting in a development that will visually dominate these items. A reduction in scale is recommended to the north elevation and stepping additional levels back from the northern boundary to mediate the change in scale.

The proposed development will diminish views towards the Albert Palais building, particularly when viewed from the east, looking west. The statement of significance for the Albert Palais includes the following:

The building occupies a prominent corner and is a landmark and townscape element in this section of Parramatta Road.

Views of the building, in particular its distinctive parapet, clearly outlined by the open sky behind, will be diminished as a result of the new building, which will eliminate any open sky behind the Albert Palais.

g) Material

The extensive use of glazing, in particular to the balcony balustrades is not in keeping with the character of the Parramatta Road HCA, which is characterised by heavy masonry facades and vertically proportioned windows of traditional proportions and scale above ground level. The extent of glazed elements should be reduced.

8. Trees

Three trees are located within the carpark to the north of the site, this being:

- Trees 1 and 2 - *Cupaniopsis anacardioides* (Tuckeroo).
- Tree 3 - *Morus nigra* (Black Mulberry).

These trees can be viably retained however will require pruning. The pruning has been detailed in the Arboricultural Impact Assessment (AIA) and considered acceptable provided it is undertaken by a qualified Arborist (min AQF Level 3) in accordance with AS4373 - Pruning of amenity trees.



Additional pruning for scaffolding and or hoarding is not supported and any such structures must be designed and installed in liaison with an AQF Level 5 Arborist as recommended in Section 9.2 of the AIA.

To ensure the viable retention of the trees in relation to ground surface works and finished levels within the Notional Root Zones (NRZ), the recommendations detailed in Section 9.3 and 9.4 of the AIA must be adhered to. It is recommended that a Project Arborist (AQF Level 5) is appointed to review the final plans in regard to proposed finished levels and supervise all works within the NRZ of the trees, including ground protection and pruning. It should be noted that level changes that will impact the structural integrity or ongoing health of the trees is not supported.

9. Noise and Vibration

The site is located within the 25-30 ANEF band Australian Noise Exposure Forecast (2039) Contour, which should be addressed in the acoustic report. Additionally, an acoustic report should be provided to address the noise emissions from the operation of the development including but not limited to noise emissions from any plant equipment (e.g. mechanical ventilation systems, refrigeration condensers, air conditioning units, road traffic noise intrusion, aircraft noise intrusion).

10. Waste Management

The following matters regarding the proposed waste management plan are to be addressed:

- Turntable – The submitted Waste Management Plan, Architectural Plans and Transport Impact Statement propose a turntable to be established in the loading dock to allow for waste servicing. This is not supported by Inner West Council and the Leichhardt DCP 2013 Part C section 1.11, C36 which only permits turntables in the event there is no viable alternative for vehicles to enter and exit the area in a forward direction. Approved turntables are subject to breaking down which prevents collection crews from servicing the site.
- Commercial waste generation and storage – It is recommended for a retail space of this size that the waste storage be able to accommodate a high waste generating tenancy. Please demonstrate that the commercial waste storage area can accommodate a higher waste generating tenancy.

11. Stormwater and Flooding

The following matters regarding the proposal are to be addressed:



- The basement must be “tanked” in accordance with the minimum requirements of Water NSW and DPHI as set out in DPHI’s “Minimum requirements for building site groundwater investigations and reporting Information for developers and consultants, January 2021” Guide.
- The stormwater design shall be amended to allow for direct connection to Council’s Stormwater System in Catherine Street rather than Redmond Street. Redmond Street does not have an overland flow path available, and any surcharge of the system will inundate the properties adjacent in particular 8 and 10 Catherine Street.

It is requested that the proposal be amended to address the aforementioned stormwater and flooding matters identified.

12. Public Domain

The following matters regarding the proposal are to be addressed:

- Page 67 of the Urban Design Report indicates a future through connection (Northern Lane) linking Redmond St and Hay St considering the Hay St Carpark re-development. The land required to facilitate the Northern Lane must be dedicated to Council as part of this redevelopment of the site.
- The full length of the laneway is to be designed and delivered as a 10 km/h shared zone, in accordance with relevant Transport for NSW (TfNSW) and Local Traffic Committee requirements.
- The proponent should design and deliver the length of the Northern Lane for its full frontage at the rear. This will create a safer, and higher-quality street environment that benefits both the community and the development. The connection will encourage more street activity and improve passive surveillance between residents and pedestrians.
- Further design development of the laneway should be undertaken in consultation with Council to ensure alignment with relevant Council policies.
- A 2mx2m splay corner shall be provided and dedicated to Council at the intersections of the Northern Lane and Redmond Street to allow for adequate sight distance to pedestrians and cyclist.
- Suitable street lighting shall be provided to the widened Northern Lane serviced via underground power.
- The existing substation shall be relocated to a suitable location so as to allow for the full construction of the Northern Lane in Future

It is requested that the proposal be amended to address the aforementioned public domain matters identified.

13. Traffic and Parking

The following matters regarding the proposal are noted:

- Council does not support the use of car parking rates based on Leichhardt DCP 2013 for the proposed high density residential development. The site should be subject to maximum car parking rates under PRCUTS (Leichhardt Precinct) and Council's Our Fairer Future Plan. The aim is to reduce reliance on car parking for developments located in well serviced-centres, close to high-frequency public transport. Based on the maximum rates under PRCUTS and Our Fairer Future Plan, the current proposal should provide no more than 112 residential parking spaces, and 12 retail parking spaces. The proposed development however exceeds these maximum rates by providing 41 additional residential car spaces and 1 additional retail car space. However, given Council's other concerns with the built form which request the reduction of proposed density and height, the proposed parking rates will have to be adjusted accordingly to match the PRCUTS car parking rates.
- All vehicle access and servicing of the site shall be from the rear widened Northern Lane including collection of waste.
- An internal loading dock shall be provided for the development and must be suitable to accommodate Council's waste vehicle. Collection of waste and servicing of the site shall not occur from the adjacent road reserve.
- The vehicle access to the basement car park shall be relocated to the rear Northern Lane. The current proposed access off Redmond Street is too close to the intersection of the Northern Lane and will interfere with its operation and result in conflict between vehicles accessing the Northern Lane and vehicles entering or leaving the basement. This will result in an unsafe and confusing traffic and pedestrian environment.
- Vehicle access must be a minimum of 6m from intersections including the intersections of the widened Northern Lane in accordance with the requirements of AS2890.1
- The proposed basement vehicle access location may have limited sight distance between exiting vehicles and vehicles from Hay Street Car Park. Ensure safety assessment is undertaken.
- Swept path analysis is required to show that visitors in the basement car park can turn around at the residential boom gate.
- Ensure DDA compliance: accessible parking spaces are located near the primary accessible entrance/lift.

It is requested that the proposal be amended to address the aforementioned vehicular access and parking matters identified.



14. Bicycle Parking

Bicycle parking should be provided for residents, workers, customers and residential visitors in accordance with LDCP 2013 and PRCUTS.

All bike parking should be easy to use and easily accessible for daily use.

AS 2890.3 has Class A, B and C parking types.

Class B bike parking (bike racks inside a room/cage) should be provided for residents separate to storage lockers.

Class C bike parking (bike racks) should be provided for customer and residential visitors, located on-site, at street level, near building entry points, easily visible and easy to use.

15. Intersection Performance

SIDRA Intersection analysis was provided as part of the TIA report, however, it appears that network model assessment was not undertaken. For example, the existing AM Peak 95th percentile queue on Catherine Street at the Catherine Street/Parramatta Road intersection model shows that it queues passed Redmond Street intersection. This would also mean that vehicles from Redmond Street can access Parramatta Road during peak hours and would result in long delays, this was not captured in the model for Redmond Street/Catherine Street intersection.

The network assessment should include Albion Street/Catherine Street intersection due to its close proximity to Redmond Street/Catherine Street intersection.

Furthermore, analysis for post-development traffic should use expected proposed development's opening year background traffic rather than existing background traffic (year 2024) and including any cumulative traffic generated by known development within the road network, this is to provide a more realistic representative of the future network performance when the proposed development is completed.

16. Transport Considerations

Generally, it is considered that the current proposal represents an over development of the site, particularly in relation to the precedent that would be established should the proposed rates of on-site parking provision be approved and potentially rolled out across other future developments.



The development, as it currently stands, proposes to provide a relatively high rate of on-site parking provision. This rate of provision is based on assumptions related to previous future scenario for Parramatta Road, not the future now envisaged for the corridor. Should such rates be applied along the corridor, for its newly envisaged development scenario, it is likely that significant traffic congestion would result; jeopardising the efficiency of the corridor's public transport services.

Concern is therefore expressed that this proposal does not consider the overall future development of the Corridor, and that potentially, that this proposal disproportionately uses up network capacity rather than working harmoniously within the constraints of the future Corridor. It is considered that any future developments in the Corridor should address the achievement of an equitably distributed of travel demand for all future development sites.

While it is recognised that it is Council's responsibility to ensure that controls are in place to encourage equity across the Corridor, the very dynamic planning environment for Parramatta Road has resulted in the need for newer controls which will constrain parking and encourage increased public and active transport utilisation.

Should the proposal's rate of on-site parking provision be approved and a precedent set for future nearby developments it is likely that the operational integrity of the following key intersections could be jeopardised:

Parramatta Road with:

- Catherine Street
- Balmain Road/Crystal Street
- Norton Street.

Should the integrity of these intersections be jeopardised it is likely that the reliability of bus services along Parramatta Road would be significantly impacted. This could potentially result in a decline in public transport mode share, counter to Council and the State's vision for Parramatta Road.

In saying this, it must be noted that, in order for the overall Corridor to be developed at the levels envisaged by the State Government, increasing rather than decreasing mode share is essential.



In relation to more specific issues for consideration, it is requested that the development provide enhanced opportunities for active and public transport, including but not limited to:

- Creation of a shared zone in the East-West section of Redmond Street and the link between Redmond Street and the existing Hay Street car park.
- While the link between Redmond St and the Hay Street car park is currently operating with less than 6 metres of carriageway width, it is considered that the space to the south of the link should be provided to Council to accommodate the shared zone, including pedestrian respite space in the public domain. It should be noted that Redmond Street and this link are an integral part of priority cycling route that runs parallel to Parramatta Road (in Albion Street, Dot Lane and Albert St.) between Susan Street and Flood Street. As this route evolves, it is likely to serve a sub-regional or regional function.
- To maintain safety and amenity, traffic associated with the development should be focused on the east-west section of Redmond Street. In order to reduce the likelihood site related traffic using the north-south section of Richmond Street, the development should provide traffic calming to assist in reducing vehicle speeds and maintaining, or improving, amenity in the neighbourhood. This should be carried out as part of both a traffic management scheme and a 'good neighbour' program.

Detailed design of the proposal's access from Redmond Street should include careful consideration of safety, including movements from the north to the site, because of poor sightlines and complex movements near its access point.]

Further, As PRCUTS is supported by a section 9.1 Ministerial Direction, and TfNSW Guide to Transport Impact Assessment mandates that any TIA must consider the strategic directions outlined in government strategy documents (page 12). As none of the above transport matters have been considered, and the proposal is absent of public benefits being secured by either a State or local planning agreement, the application does not meet the requirements set out by the SEARS.

The review of applicant's response to the PRCUTS Implementation Plans (Appendix 1G) finds the responses are inadequate in lieu of substantial omission of the relevant PRCUTS considerations outlined above. These omissions will likely have consequences on the safety and amenity for pedestrians, cyclists, and bus commuters, service vehicle drivers, may isolate the redevelopment of surrounding

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lots by impeding vehicle access to Redmond St via the Catherine St/Parramatta Road intersection, and encouraging rat-running in the north/south direction along Redmond St.