

Department of Planning and Environment  
4 Parramatta Square, 12 Darcy Street  
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<b>Your Ref</b>	SSD-49808717
<b>Our Ref</b>	NCA/21/2022
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**27 July 2023**

ATTN: Judith Elijah

**COUNCIL SUBMISSION  
NOTICE OF EXHIBITION OF ENVIRONMENTAL IMPACT STATEMENT FOR THE  
FITZWILLIAM AND ARGYLE STREETS BUILD-TO-RENT AND OFFICE TOWERS (2 AND  
2R FITZWILLIAM ST, PARRAMATTA)**

I refer to the above application and the request to provide advice on the proponent's Environmental Impact Statement. Council officer's have reviewed the supplied reports and **object** to the proposal due to the poor built form outcomes that result primarily from insufficient setbacks and resolution of the ground floor.

**Built Form**

The built form for this proposal should be guided by the controls in Part 6 – Parramatta City Centre of the Parramatta Development Control Plan 2011 (PDCP 2011). This part aims to create a legible, coherent, and attractive City Centre characterised by lively streets of human scale and detail, and a distinctive skyline of tall, slender towers set back from the streets.

The proposal's bulk, massing and modulation is excessive. Greater podium height, tower separation and setbacks are to be provided for the development to better comply with the PDCP 2011 and achieve an improved built form outcome as detailed in this submission. Under 6.13 of PLEP 2023 to meet the Design Excellence requirements, the application would be assessed against the controls contained within part 6 of PDCP 2011.

Podium height

Given the age of the Westfield Cinema building it should not be used as a precedent. It is recommended that the proposed podium retains a maximum height of 21m as per the DCP. This street wall will still relate to the 24m height of the existing Westfield building while ensuring a consistency to the street wall for future development.

Tower separation

The proposed 12m separation between the two towers is inadequate. While mitigation of some privacy issues has been considered in the concept scheme, there is little consideration

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of the impacts that reduced tower separation may have on the amenity of streets and public spaces. Providing adequate daylight and sky views and breaks between buildings large enough to reduce the overall impact of cumulative increased density within the city is imperative. It is evident in the view analysis that the proposed 12m tower separation does not provide substantial separation as three of the four views show the towers as one uninterrupted mass.

Part 6 of the PDCP 2011 requires a minimum 15m building separation above street wall height for commercial buildings seeking to benefit from the unlimited floor space provision in Clause 7.28 of the PLEP 2023. As such, it is required that the building separation between the two towers be increased to a minimum 15m.

#### Tower setbacks to Argyle Street and Fitzwilliam Street

PDCP 2011 recommends a minimum 6m tower setback from podiums. A nil tower setback to Argyle Street and Fitzwilliam Street is not supported as it does not result in a distinct street wall with a defined human-scale and increases the perceived scale of the development from the ground level. Recognising that the site is constrained in terms of depth, it may not be possible to achieve the full setback requirement. Notwithstanding, the setback adopted must be sufficiently justified and ensure the relevant PDCP 2011 objectives are met.

Increased tower setbacks will also reduce downdraft tower wind impacts which is also a design excellence requirement under PLEP 2011 clause 6.13 and a requirement of the PDCP 2011. An increased tower setback combined with a reduced podium will also be more sympathetic to the scale of the heritage listed railway station opposite.

#### Tower setbacks to the north and south

The 6m tower setbacks to the north and south must both increase to 7.5m (from the boundary) to comply with the 15m building separation requirement associated with this clause. A 7.5m setback from the boundary will ensure adequate breaks between towers should the adjoining sites develop and prevent the onus of this separation being unevenly allocated to neighbouring sites. A 7.5m setback to the north boundary would be contingent on meeting the requirements of the ADG for privacy with increases up to 12m as per the ADG requirements.

### **Urban Design**

#### Podium undercroft

One of the key objectives of Part 6 of PDCP 2011 is to reinforce the spatial definition of the street and surrounding public spaces through a distinct street wall of an appropriate scale and fine grain modulation with a tower set back above. The proposed undercroft to Argyle Street will create the sense of the podium looming over the footpath and reduce access to daylight and views of the sky from the street for pedestrians.

Whilst we acknowledge the need for a recessed ground level, the spatial quality of that space must be interrogated in the architectural design. Architecture should be modulated and articulated in a way that still presents a fine-grain to the façade and a human-scale to the development for pedestrians. Amenity impacts including access to solar, views to sky, wind mitigation, wayfinding and clear pedestrian paths of travel should all be considered in the design response. Minimisation of columns within this area is strongly recommended.

Further information on the activation of Fitzwilliam Street, Argyle Street and the through-site link is to be provided at the detailed design stage.

### Through site link

The relocation of the through site link to mid-block is generally supported.

Future designs should ensure the accessibility ramps coming down to Argyle Street on the north-western boundary and from 10 Valentine Street to this ramp is retained after development of this site.

The concept scheme shows steps, escalators, and a lift in the through-site link. It is noted that the lifts generally tend to fail over time and as such it is recommended that the existing ramped access from Argyle Street up to Fitzwilliam Street and 10 Valentine be retained. It is noted that the current through-site links are widely used by people of all abilities.

### Building efficiencies

It is recommended that the concept not approve any specific allowable GFA. It appears that the efficiencies used to calculate the GFA for both towers are quite high. Given height restrictions on the site due to sun plane controls these high efficiencies could impact proposed setbacks and massing at later design stages. The approved envelopes will set a natural limit on GFA at later design stages.

### Floor to floor heights

The ground floor levels along Argyle Street and Fitzwilliam Street should comply with the minimum floor to floor height of 4.5m in the City Centre DCP. The EIS notes a variation to this requirement, with floor to floor heights of 4m proposed, however the Appendix D Concept Envelope Plans show a lower ground floor height of RL 15.0 and a ground floor height of RL 18.0 (i.e. 3m) and it is unclear on these drawings how the RLs marry up with the floor to floor heights. Clarification is required.

### Ground floor RLs

It is requested that any concept envelope plan documentation include ground level RLs (including along pedestrian easement on Argyle Street and along Fitzwilliam Street) to provide needed context for proposed RL heights, subject to future flood modelling.

### Amenity

While it is acknowledged that the reference scheme provided is simply proof of concept, it is concerning that none of the proposed apartments facing Fitzwilliam Street (up to level 41) meet solar access requirements with several receiving no direct sunlight. This is considered to be proof that the floorplate of the tower and the lack of separation to adjoining towers is fundamentally problematic. Increasing setbacks as outlined in this advice will help to resolve this issue.

The solar analysis compliance table provided appears to be incomplete as it only includes information on compliant apartments (as does the cross-ventilation table).

### **Traffic**

It is to be noted that Council intends to convert Valentine Avenue to a two-way arrangement in the near future. This will mean that left turns into the site for larger vehicles may not be possible due to the constrained space. Right turns into the site will likely create delays at the signalised intersection of Fitzwilliam/Wentworth/Valentine.

This is a concern from a Traffic perspective and the vehicular access will need further consideration to ensure that the design vehicles can get into and out of the site in a forward direction, and without overhanging onto the oncoming lane or, without adversely impacting traffic flow within the road network.

**Waste Servicing**

The development will need to allow a minimum height clearance of 4.5 meters along the entire swept path for a Heavy Rigid Vehicle (HRV). Council does not have smaller vehicles available for residential waste collection at this time and a building the size of that proposed will require a larger vehicle for service.

The detailed application must provide a swept path for collection that allows a HRV waste collection truck to move in a forward direction when entering and leaving the site without the use of a turntable.

**Wind Impacts**

It is noted that the provided Pedestrian Wind Impact Report is very basic and does not use Wind Tunnel testing to support its conclusion. It is recommended that a more comprehensive wind tunnel report is provided as any tower downdraft can inform the tower and podium setbacks and built form at concept stage. This report should be peer reviewed by the Department of Planning and Environment.

Council will expect comfortable pedestrian wind environment conditions along both Argyle and Fitzwilliam St and the pedestrian through site link as these spaces are used heavily by commuters of the bus stops and taxi ranks. The current report indicates a moderately windy condition and windy environment for the through site link, it is unclear how this conclusion was reached. This is also insufficient to satisfy clause 6.13 of the PLEP 2023 which requires consideration of the wind environmental impacts.

**Conclusion**

It is noted that this is a Council officer submission.

Council officers appreciate the opportunity to comment on this application and look forward to continued collaboration.

Should you wish to discuss the above matters, please contact Paul Sartor on the details listed above.

Yours sincerely



Myfanwy McNally  
**Manager City Significant Development**