

## PRELODGE MENT PANEL ADVICE

**PROPERTY:** Lot 117 Lachlan's Line (6 Halifax Street, Macquarie Park).

**PRELODGE MENT No:** PRL NO 2023/6 – Supplementary Advice

**DEVELOPMENT:** Proposed Affordable housing development. 9,887sqm of GFA including 13 storeys 38 car parking spaces and total 135 units

**Note:** The site benefits from a Concept Approval under SSD-5093.

**ATTENDANCE:** UDRP Panel: N/A – This is a supplementary letter relating to an Email inquiry issued by the Applicant on the 27th April 2023

Proponents: N/A – This is a supplementary letter relating to an Email inquiry issued by the Applicant on the 27<sup>th</sup> April 2023

### **NOTES FOR PROPONENTS**

The purpose of the UDRP & Pre Lodgement Panels is to enable you to discuss your proposal with Council officers. Council officers will endeavor to provide information which will enable you to identify issues that must be addressed in any application.

However, the onus remains on the applicant to ensure that all relevant controls and issues are considered prior to the submission of the application. In addition, the quality of the officers' advice will depend on the information you are able to provide at the meeting.

The UDRP & Pre-Lodgement Panel's advice does NOT constitute a formal assessment of your proposal and at no time should comments of the officers be taken as a guarantee of approval of your proposal.

### ***Feedback***

#### **Introduction**

On the 27<sup>th</sup> of April 2023 the Applicant for 6 Halifax Street has requested further comment from Council on the following Questions:

- 1. Would Council consider a reduced width for the northern Mews Road to facilitate a larger building separation within the design. This was due to the Mews Road being 17.5m and the private driveway within the Mews only requiring a 6m width.*

*2. Is there a need for a Heavy Rigid Vehicle (HRV) to access the basement as it is driving certain design outcomes which could be avoided by using a smaller truck (i.e. MRV)*

Supporting their questions, the Applicant provided two supplementary letters prepared by:

- GLN Planning Consulting Strategy – Planning Review 20 April 2023
- ARC Traffic + Transport – Technical Note 20 April 2023

This Pre-DA advice is in respect of the supplementary information provided by the Applicant. Council has issued its Pre-DA advice to the Applicant on the 26 April 2023. The Contents of that advice remains. The Advice issued contained recommendations for the Applicant to explore in respect of the questions raised. The Applicant is encouraged to review that advice and this supplementary advice in preparation of its amended scheme.

Council provides the following comments in respect of the above questions.

### **Increased building separation and Mews Road width reduction.**

#### Building Separation

The proposal as presented for the Pre-DA indicated 2 x fourteen storeys towers separated by 6m with balconies and other habitable rooms directly facing each other. This was well under the minimum required building separation under the ADG which would be between 12m to 24m for the proposed number of storeys. The ADG provides the minimum separation distances:

#### Up to four storeys (approximately 12m):

- 12m between habitable rooms/balconies
- 9m between habitable and non-habitable rooms
- 6m between non-habitable rooms

#### Five to eight storeys (approximately 25m):

- 18m between habitable rooms/balconies
- 12m between habitable and non-habitable rooms
- 9m between non-habitable rooms

#### Nine storeys and above (over 25m):

- 24m between habitable rooms/balconies
- 18m between habitable and non-habitable rooms
- 12m between non-habitable rooms

This issue was raised by both Council's planning team and UDRP as a concern. The UDRP proposed a cautious solution to make the towers slender by increasing the separation and taking the lost GFA to additional floors subject to detailed design modelling on overshadowing, urban design, and amenity of future residents.

The Applicant is claiming that the UDRP has recommended to increase the building separation by shifting the building mass over Mews Road by reducing its width. The written notes from UDRP have no reference to such recommendation and only solution they proposed towards increasing the building separation was through a more slender built form and taking the lost GFA to additional upper floors. The Applicant has not explored this option.

The proposed 9.5m separation will not comply with the ADG requirements for the proposed number of storeys. It is also not possible to comment on acceptability of 9.5m building separation without looking into the proposed interface i.e. if the 9.5m separation will be between habitable rooms, non-habitable rooms or between habitable to non-habitable rooms.

It is therefore recommended that the Applicant review UDRP notes carefully and design the building separation in accordance with the design guidelines of ADG. It is also recommended that the Applicant carefully review the development potential of adjoining lot being Lot 118 which has similar height and FSR standards as the subject site and it would need 24m separation as per the guidelines of ADG. Given the 24m separation requirement, the Applicants proposed separation to Lot 118 needs to be increased, which could reasonably be achieved through a taller slender built form, as suggested in Council's Pre-DA & UDRP advice previously issued.

#### Mews Road Width Reduction

The LLUDG requires a Mews Road Width of 17.5m for the site, whilst the Applicant has proposed a 13.5m Mews Road. This is inconsistent with the LLUDG. The Applicant is advised to thoroughly consider the objectives of control 3.2 *Circulation Networks* and 4.2 *Construction of Mews Road and Vehicular Access* of the LLUDG should they wish to investigate a Mews Road width reduction.

Of particular importance is that Mews Roads are required to provide for car share spaces. These car spaces are required to be provided on the Mews Roads. The reduction of any Mews Road Width must not impact on the ability for the Mews Road to deliver car share spaces.

The applicant justifies reduction in the width of Mews Road through removal of required footpaths under the LLUDG. If the footpaths are removed, it is unclear how the pedestrian connection, permeability and access would be achieved under the proposed Mews Road design. The information provided with the supplementary package does not sufficiently demonstrate how the reduction of Mews Road width, would sufficiently support pedestrian access and permeability. Should the Applicant explore a reduction of a Mews Road width, they should ensure appropriate access and permeability is achieved in the reduced Mews Road Width. These details were not provided.

The reduction of the Mews Road width should not comprise the Mews Road ability to deliver Street Planting on the Mews Road as required by *Control 3.4 Landscape and Deep Soil* of the LLUDG. Should the applicant explore a reduction in the width of Mews Road, they should ensure there is sufficient widths available for street trees on the Mews Road, with appropriate soil depths to enable tree growth.

The reduction of the Mews Road width impacts the sites' ability to sufficiently provide appropriate separation distances between Lot 118 to enable compliant separation distances under the ADG, this is evidenced as it shifts the built form mass towards the north. As Lot 118, has a similar height and FSR to the subject site, the reduced Mews Roads width impacts the site's ability to deliver a compliant separation distance. 17.5m Mews Road width, is required under the LLUDG as the boundary setback of the adjoining site is 4.5m, providing a total separation distance of 22m which is required under LLUDG.

The reduction of the Mews Road width on the Applicants site places an unfair burden onto the adjoining lot to deliver additional separation distances between the applicant's site to ensure a compliant ADG separation depending on the scheme proposed.

#### **Design and operation of Mews Road for traffic and waste collection**

The Supplementary information provided by the Applicant is asking the following:

*Is there a need for a Heavy Rigid Vehicle (HRV) to access the basement as it is driving certain design outcomes which could be avoided by using a smaller truck (i.e. MRV)*

In response to the above question, the following advice is provided for the Applicants consideration.

## Parking

The traffic statement provided is seeking to reverse the bulky waste vehicle into Mews Road and complete unloading from there. In regard to this point:

- The Applicant hasn't adequately clarified the issue to justify the proposed compromise. The waste truck dimensions have a smaller wheelbase than a HRV vehicle so the swept path is not as great and the required headroom clearances are the same for MRV and HRV (4.5m).
- Plans are unclear but it appears to suggest standing the waste vehicle on Mews Road in a region which will impose on vision along footpath regions. In this regard it is a poor outcome for traffic & pedestrian safety.
- Additionally, as these spaces are reserved for car share spaces consistent with the LLUDG, the Applicant has no control over managing vehicles parking in these spaces to ensure they are moved prior to waste vehicle collection. The suggestion that the waste truck can park in the car share spaces isn't supported as in practise, these spaces would be unable to be moved, to ensure to vehicle and waste truck conflicts occur.
- Proposing the car share spaces for waste vehicle collection is inconsistent with Council's DCP 9.3 Parking Controls. Specifically control 3.1(b), which states servicing vehicles should not stand on public access, footpaths. The proposed arrangement is inconsistent with this requirement. Control 3.1(b) of section 9.3 states:
  - *Loading docks shall be located in such a position that vehicles do not stand on any public road, footway, laneway or service road and, that where possible, vehicles entering and leaving the site move in a forward direction.*

## Waste

- The incline of Mews Road makes it not comparable to 1-9 Alma Road. As seen in the photographs enclosed in the parking assessment, there is more open space available in Alma Road compared to the proposed development. As such isn't considered a comparable development.
- The 1-9 Alma Road development doesn't have shared car spaces that the waste truck needs to park across to service the development. This aspect also makes the comparison not appropriate.
- Loading large household bulky waste on an incline could pose operational complexities and WHS issues, the bulky waste room would also need to be adjacent to the collection point.
- The suggestion of using the visitor parking for the waste vehicle to conduct collections, this isn't a suitable arrangement. How would it be ensured that cars are not parked there and obstructing access. Who and how is going to move them, if they are? In practise parking waste trucks in spaces that can never be guaranteed to be free isn't appropriate.

## Conclusion

The Applicant has not sufficiently demonstrated that Mews Road waste collection can be appropriately managed, as such consistent with Council's previous Pre-DA & UDRP advice internalised waste collection is required.

Whilst the increase separation is notable, it is still a significant shortfall that what's required under the ADG. As per Council's and the UDRP's previous advice, the Applicant should explore a taller and slender built form to increase spatial separation of the building towers. This approach will not unreasonably impact separation onto the future development at 118.

## End of advice