

Department of Planning and Environment
4 Parramatta Square, 12 Darcy Street
Parramatta NSW 2124

Your Ref	SSD-66711218
Our Ref	NCA/2/2024
Contact	Douglas Bennett
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26/08/2024

ATTN: Amber Nehal,

COUNCIL SUBMISSION TO REQUEST FOR ADVICE ON EIS – MIXED-USE BUILD TO RENT DEVELOPMENT (SSD-66711218) AT 33 ARGYLE STREET, PARRAMATTA

I refer to the above request to provide advice on the proponent's Environmental Impact Statement in relation to the proposed mixed-used Build to Rent (BTR) development at 33 Argyle Street, Parramatta. Council has reviewed the supplied documentation and wishes to formally object to the proposal for the following key reasons:

1. Site Isolation. The proponent has not adequately demonstrated that the proposal would not unreasonably isolate adjoining sites.
2. Dwelling Mix – The proposed build-to-rent component does not provide adequate provision of 3-bedroom and 4-bedroom dwellings.
3. Turning Disc – The turning disc within the loading dock is not supported. The loading dock should be designed to enable all heavy vehicles to enter and exit in a forward direction.
4. Above Ground Parking – The proposed above ground parking is not supported for urban design reasons and should be deleted from the scheme.
5. Ground Floor – The proposed ground floor layout is not supported. The driveway width should be reduced to a maximum of 6m. Deep recesses should be avoided and the lobby/foyer reduced in size to facilitate the expansion of commercial/active uses on the ground floor.
6. Street Wall – The proposed street wall is not supported and should be amended to be predominately masonry in character and built to street alignment.
7. Tower – The exposure of the underside of tower floors is not supported. Horizontal articulation of the tower through louvres is also not supported as it clashes with the façade articulation of nearby towers at Parramatta Square.
8. Internal Configuration – The internal configuration of apartments is not supported.
9. Lifts – The proposal does not include a sufficient number of lifts to service the building.

Should additional documentation/information be provided by the proponent that addresses the above key matters to Council's satisfaction, Council will consider formally withdrawing its objection.

Attached at Appendix 1 is further commentary on the above issues and other matters.

Council appreciates the opportunity to comment on the above application, are supportive of the continued investment in build to rent development in the City of Parramatta and look forward to continued collaboration. It is noted that this is the recommendation of Council officers, and this submission has not been endorsed at a Council meeting. Should you wish

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to discuss the above matters, please contact Douglas Bennett, Development Assessment Officer on the details listed above.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Alex McDougall', written in a cursive style.

Alex McDougall

TEAM LEADER, CITY SIGNIFICANT DEVELOPMENT

Appendix 1

Site Isolation

As part of Council's formal advice on SEARs dated 23 January 2024, Council requested that the proponent prepare an analysis of the redevelopment potential of adjoining sites to ensure site isolation does not occur as a result of the proposed development. Indicative building envelopes on neighbouring sites (124-126 Marsden Street & 27-29 Argyle Street) were requested, demonstrating that the redevelopment of those sites can achieve the maximum permissible height and floor space under the *Parramatta Local Environmental Plan 2023*.

Council's request was incorporated into the Department's SEARs under item 1. The proponent has submitted a SEARs compliance table which addresses all matters raised by the Department. Item one is claimed to be addressed in the application's Environmental Impact Statement and Appendix B Statutory Compliance Table. However, a site isolation analysis (including building envelope diagrams) has not been included in either document. In this regard, the proponent has not adequately demonstrated that the concept development would not unreasonably isolate surrounding sites in accordance with the planning principle established in *Karavellas v Sutherland Shire Council [2004] NSWLEC 251*.

Dwelling Mix

Council notes that the proposal includes a Build to Rent residential tower with a total of 328 units with the following dwelling mix.

- Studio/1-bedroom: 168 units (or 51% of total dwellings).
- 2-bedroom: 146 units (or 44.5% of total dwellings).
- 3-bedroom: 14 units (or 4.3% of total dwellings).
- 4-bedroom: 0 units (or 0% of total dwellings).

The proposed development does not provide a diverse range of unit sizes and is inconsistent with the requirement to provide '...adequate options to prospective tenants in relation to the size and layout of the dwellings' - cl. 75(2)(b)(ii) of the *State Environmental Planning Policy (Housing) 2021*. In addition, the proposed dwelling mix would not enable tenants residing in the building to relocate to other dwellings in the building that will better accommodate their housing requirements should their requirements change – cl. 75(2)(b)(iii) of the *State Environmental Planning Policy (Housing) 2021*.

In addition, it is noted that the proposed dwelling mix is inconsistent with the dwelling mix requirements under the *Parramatta Development Control Plan 2023* (see table below).

Dwelling Type	Number of units proposed	Percentage of units proposed	Dwelling mix requirements in PDCP 2023	Compliance
Studio/1-bedroom	168	51%	10-20%	No
2-bedroom	146	44.5%	65-75%	No
3-bedroom	14	4.3%	10-20%	No
4-bedroom +	0	0%	5-10%	No

Council acknowledges that the provisions of the *Parramatta Development Control Plan 2023* do not strictly apply to state significant development. However, adherence to the dwelling mix requirements within the PDCP is critical in ensuring that an adequate supply of housing is provided for all family and household types in the Parramatta Local Government Area.

On 16 July 2024, the Parramatta Local Planning Panel endorsed the 'Harmonisation 'Orange Matters' and Housekeeping Amendment to the *Parramatta Local Planning Panel 2023*'. The amendment was subsequently endorsed at a Council meeting on 12 August 2024. Under the

proposed amendment to the LEP, Council is proposing the introduction of a new clause which requires minimum dwelling mix requirements for new residential flat buildings and shop-top housing developments. The draft clause would require at least 15% of dwellings, rounded to the nearest whole number of dwellings, in developments with 10 or more dwellings, to be 3 or more bedrooms. An overview of the proposal's compliance with the draft clause is provided in the following table.

Dwelling type	Number of units proposed	Percentage of units proposed	Draft LEP amendment requirement	Compliance
Studio/1-bedroom	168	51%	Minimum 10%	Yes
2-bedroom	146	44.5%	Maximum 75%	Yes
3 bedroom or more	14	4.3%	Minimum 15%	No

Whilst the draft amendment is not yet considered a proposed instrument that had been the subject of public consultation for the purposes of s. 4.15(1)(a)(ii) of the *Environmental Planning & Assessment Act 1979*, Council requests that the proponent give consideration to the proposed requirements, including the objectives of the proposed clause.

It is likely that the draft clause will be in effect at the time of lodgement of the state significant development application (stage 2) and should therefore be taken into account by the proponent at the concept state significant development application stage.

Supporting Data

Data shows that the City of Parramatta is experiencing a shift towards higher density living. Adequate provision of three-bedroom dwellings in high density developments is necessary to ensure the availability of diverse housing options to accommodate larger households.

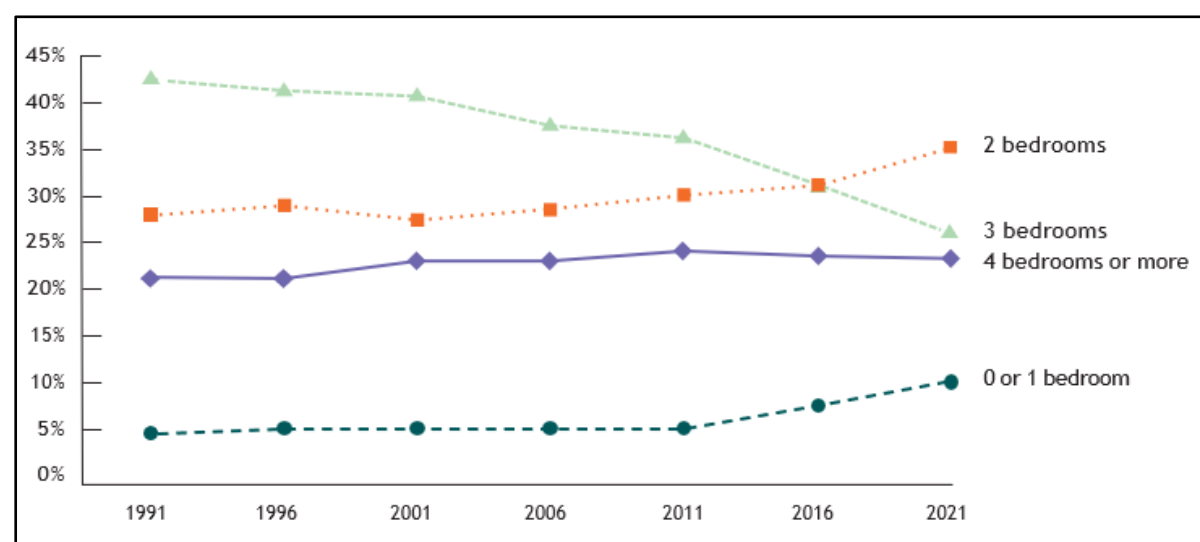


Figure 1 Proportion of bedrooms per dwelling in City of Parramatta between 1991 and 2021 (source: ABS)

Transformations in the built form of City of Parramatta have impacted the availability of different dwelling sizes. Whilst two and three-bedroom dwellings are the dominant dwelling size in City of Parramatta, Figure 1 shows that the proportion of three and four-bedroom dwellings declined between 2011 and 2021. A gap is emerging in the availability of three-bedroom dwellings, falling from 36.5% of total dwellings in 2011 to 26.8% in 2021.

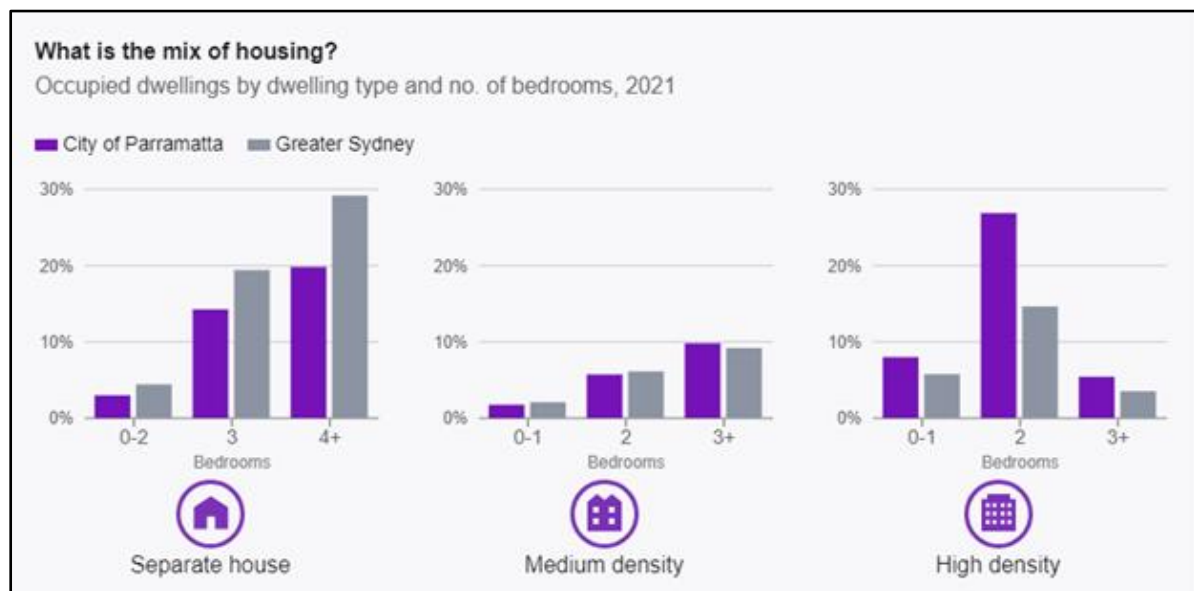


Figure 2 Occupied dwellings by dwelling type and number of bedrooms in 2021 (source: ABS data)

Figure 2 shows that the provision of three-bedroom dwellings in RFB developments is low. Most apartments are two-bedroom dwellings (26.9%), followed by studio/one-bedroom apartments (8%). Only 5.4% of apartments have three bedrooms or more, compared to 34.1% of separate houses and 9.8% of medium density housing.

The proposed dwelling mix should consider the demographic composition of Parramatta and accommodate a range of household sizes, so that the development can effectively meet the needs of the local community.

Communal Facilities & Designing with Country

Council is generally supportive of the provision of communal facilities within the development. The applicant should ensure that all above-ground communal outdoor spaces have adequate sunlight access to enhance residential amenity. The *Apartment Design Guide* requires developments to achieve a minimum of 50% direct sunlight to the principal usable part of the communal open space for a minimum of 2 hours between 9 am and 3 pm on 21 June (mid-winter).

Increased residential density at the site will increase pressure on community infrastructure. The applicant should ensure a sufficient provision of communal spaces on-site to support residential amenity and contribute to meeting demand for shared spaces.

In addition, Council is generally supportive of the inclusion of First Nations design elements in the scheme.

Landscape Comments

Council has reviewed the application's accompanying Stage 1 Landscape and Public Domain Concept Strategy Plans by LOCI Design Collective as well as the architectural plans by Turner and provides the following comments in relation to the landscaping elements of the proposal.

- Soil depth and soil volume proposed on podiums appears to be inadequate and it is unclear whether the podium can be designed to support the proposed landscaping.
- Raised planters and slab-setdowns should be considered and located within the podium terraces early in the building design.

- The pot plants showing small trees on level L5, L18, L45 and the rooftop are too small to support the mature growth of the trees.
- Council recommends that the size of the level L5 terrace should be increased to utilise the awning / roof structure as part of the planting area.
- Council notes that the private open space on level 5 does not appear to be enclosed sufficiently to enable appropriate visual privacy.
- Maintenance access to the planters to be considered early in the design stage.
- Irrigation to be considered at an early design stage to ensure planting will thrive with adequate moisture levels. The paving shown is not supported.
- Planters supporting shrubs are to be a minimum width 600mm x 600mm depth to ensure enough soil volume is provided to support a diverse palette of shrubs.
- The *Fraxinus oxycarpa* var. *raywoodii* (Claret Ash) street trees are noted to be replaced with *Corymbia maculata* (Spotted Gum) trees. This is inconsistent with the requirements of the *Parramatta Public Domain Guidelines* 2017 which requires the provision of *Platanus Orientalis 'Digitata'* (Cut-leaf Plane Tree) on Argyle Street. The accompanying plans should be updated to reflect the requirements of the PDG and ensure sufficient space for tree planting is provided.

Loading Dock

Concern is raised over the use of a turning disc within the proposed loading dock. Mechanical turning discs require ongoing maintenance and are prone to failure and should only be used as a last resort in the design of new developments. Loading docks should be designed in accordance with the Australian Standard AS 2890.2 – Parking Facilities – Off-Street Commercial Vehicle Facilities to allow heavy vehicles to enter and exit the site in a forward direction.

Urban Design

The envelope is generally satisfactory. Council raises the following concerns regarding the design of the ground floor, street wall, and tower as represented in the concept scheme.

Ground Floor

The ground floor must maximize activation and reduce the intensity of services and car park entry at the street frontage. Consolidation of the substation and car entry should be avoided to ensure that the inactive interfaces are dispersed more evenly. The relocation of the substation to free up the street level and enhance the public domain should be further investigated by the proponent. Deep recesses for entries should be avoided, with the glazing line of the commercial and residential lobby brought forward to the street.

Above Ground Parking

The above ground car parking is not supported due to its impact on the northern, street fronting interface. There is no clear rationale to suggest all parking cannot be accommodated in basements and greater efficiency achieved at ground level without the need to provide ramps for another parking level above.

Council recommends the deletion of above ground parking or placement in a further basement level (see PDCP section 9.3.6 for Council's expectation regarding above ground parking).

Street Wall

Balconies run almost the entire length of levels 2 to 4, and additional balcony-like treatments are applied to the car parking level. The concept design has created large areas of exposed under slab to the street and recessed the upper-level internal spaces (and potential nighttime illumination) away from public view which is not supported.

Council's vision for the Parramatta City Centre (as outlined in the *Parramatta Development Control Plan 2023*) includes street walls of predominantly masonry character, built to the street alignment along its full frontage at all levels that reinforces the street, promotes activation and use of legible architectural elements. These principles are currently not met by the concept approach, resulting in an envelope that is inconsistent with its surrounding environment.

The inclusion of 'greening' elements within the façade is not supported by Council at the Concept SSD stage. Green walls, screens and the like must not be used as an applied cover that masks the architectural attributes of the street wall façade.

Tower Proportions, Articulation and Communal Space Levels

The tower form is broken into four segments with two story breaks in the built form created for external communal uses. Breaks in articulation may be used but they should be limited to ensuring the tower is perceived as a visually slender form, rather than a series of stout segments.

Exposure of the underside of tower floors has the effect of amplifying tower scale and presence from the public domain. Exposing soffits at upper levels should be avoided.

Articulation shown in the renders are primarily dominated by horizontal louvers on the north and south elevations. The most prominent surrounding tower of similar height is 6&8 Parramatta Square which does not emphasize every floor in its façade articulation. Introducing stronger vertical articulation at the subject site would strengthen the visual breaks between towers and enable additional points of difference in articulation between towers.

Future Re-Development of Adjacent Sites

The neighbouring sites along Argyle Street can also develop towers of similar height leading to a greater combined impact. The Concept SSD should illustrate potential development on adjacent sites and address the risk of tower clustering and the combined impacts. Future competitors should take into consideration any such impacts from neighbouring sites on the design of the tower during the competition phase.

Visual Impact

The visual impact assessment does not include views of the tower from St John's Cathedral and surrounds, including Centenary Square and Church Street. The visibility of the tower from these areas should be acknowledged for the benefit of future competitors during the competition phase.

Internal Configuration

Council does not support balconies and 'snorkel's' that are deeper than they are wide. Windows that face blank walls and studio apartments with entries directly into bedroom areas are also not supported. Primary circulation of apartments through kitchens should be avoided.

Council recommends the inclusion of non-structural 'soft walls' between apartments where possible as well as dual key arrangements to allow greater flexibility in unit mix over the life

of the building. Note: dual key units are generally acceptable in providing greater flexibility in unit mix. However, dual key units should not be used to fulfill minimum 3-bedroom unit requirements as set out in Council's DCP and draft LEP clause.

Council recommends the quality of thresholds to each unit from common spaces must be considered. Unit entries that are directly opposite each other from a circulation space are not supported.

Lifts

Council raises concern over the proposed number of lifts within the residential tower and potential non-compliance with the provisions of the Apartment Design Guide. A lift report outlining good level of service should be provided.

Recommendations

Council recommends that the concept scheme be revised to address the above comments.

Design Excellence Strategy

Council requests clarity over whether the design team developing the Concept SSD will be invited to participate in the competition as part of the competitor selection process. In addition, the Design Excellence Strategy should also be amended to provide a rationale for a 5-person jury and whether it is intended for an owner, shareholder, or senior employee within the proponent's company to form part of this jury.

Council recommends that the strategy for design integrity include an odd number also for any future Design Integrity Panel including equal representation between the proponent and Council, and continued participation of the GANSW nominated Chair. In addition, steps to ensure that the proponent is confident they can work with any of the selected design teams through to the completion of the development should be included, should the 'team' be selected.

Council encourages competitions to provide opportunities for emerging architects to partner with lead architects and larger firms when suitable.

Recommendations

Council recommends that the Design Excellence Strategy be revised to address the above comments.

Public Domain

Street Activation

Services occupying the front façade should be minimised wherever possible to increase the area of active façade and expand the proposed retail tenancy. In addition, the width of the foyer should be reduced to further increase street level activation.

Council notes that Argyle Street is identified as requiring an active frontage on the Active Frontages Map in the *Parramatta Local Environmental Plan 2023*. To ensure the objectives of clause 7.10 of the PLEP 2023 are met, Council requests that the internal tenancy width of the retail tenancy be expanded to 6m. This will improve grain at street level.

A nominal 500mm interface zone at the frontage must be set aside to create façade depth, entries, opening of windows, seating ledges, benches, and general articulation in the active

facade. The facade must have a high level of expressed detail and tactile material quality. The base of the facade must achieve a well resolved meeting with the footpath that takes account of any slope. Fire escapes and service doors must be seamlessly incorporated into the facade with quality materials. Deep recesses for entry lobbies should be avoided as they are inconsistent with CPTED principles.

Any change in level required for flood planning must be handled inside the building.

Public Domain and Landscape

A clear path of travel must be provided in the public domain as defined in Council's Public Domain Guidelines. Public footpaths are to be designed in accordance with these guidelines. Proposed street furniture should be removed at this location due to the narrow public footpath.

The width of the proposed driveway should be limited to no more than 6m.

Street Trees and Awnings

Council requires street trees to be provided every 8-10m along the frontage of the site. Planting under the trees is not supported, as Council's Public Domain Guidelines recommends trees in tree cells with three grills in paving.

Council requests that street trees be prioritised over awnings at this site. Semi-recessed awnings should be investigated where the footpath is less than 3.9m (see figure below). Where a semi-recessed awning is proposed the awning must be integrated with the building soffit above. The space must be free of columns. The frontage must be integrated with the adjacent frontages. Any ground floor recess should be kept to a minimum if an awning is accommodated.

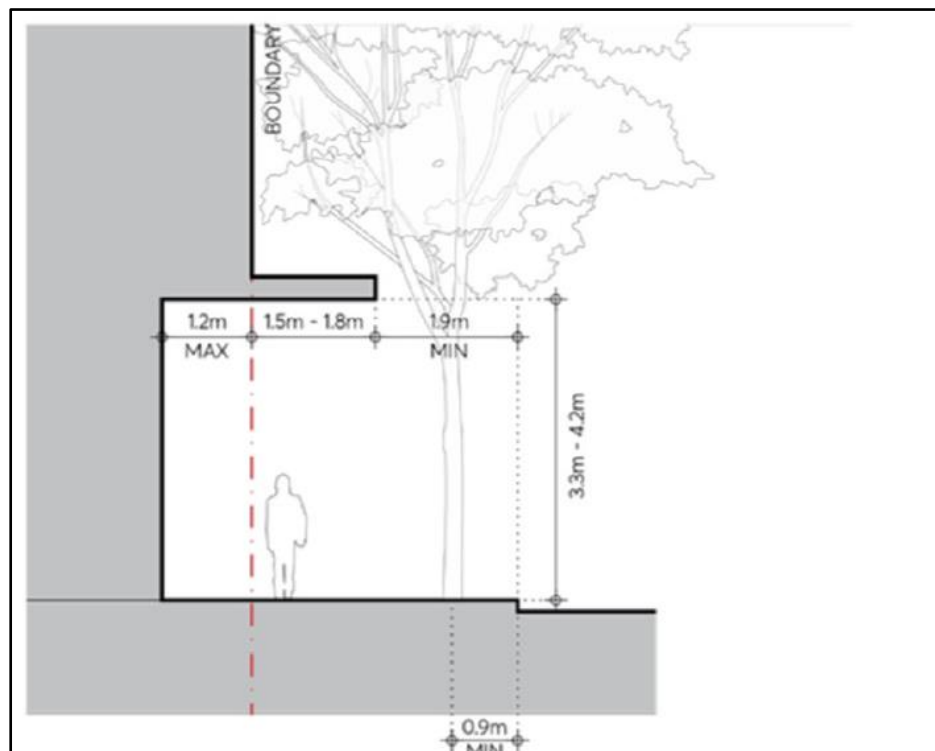


Figure 3 Semi-recessed awning (example)

Recommendations

Council recommends that the proponent submit updated architectural drawings that address the above issues.

Contamination & Remediation

The Preliminary Site Investigation has been reviewed and is considered satisfactory. Council considers the recommendations proposed in Section 6 of the report to be adequate.

Noise & Vibration

Council has reviewed the application's accompanying Noise and Vibration Impact Assessment. The report adequately identifies and addresses the potential acoustic and vibration concerns relative to the proposal at concept stage. Council recommends that the potential impact on residents within the building from surrounding lower building uses (i.e. rooftop plant and vehicle movements within Westfield Carpark) be further investigated and considered. Other developments of this type have resulted in Council receiving noise complaints related to the existing noise environment impacting on the reasonable enjoyment of residential premises and sleep disturbances. Mitigation measures adopted by new developments in similar environments in the CBD have proven inadequate.

Traffic and Parking

Vehicle Access

The current vehicle access is at the eastern corner of the Argyle Street frontage. The applicants Transport and Accessibility Impact Assessment (TAIA) proposes a driveway relocation to the western corner of the Argyle Street frontage. Similar to the existing situation, the relocation creates an enlarged driveway crossing (as this driveway will likely be adjacent to the driveway for 27-29 Argyle Street) which from a public amenity perspective is not desirable.

Council notes that the applicant's TIA states that Council's waste collection vehicles are approximately 10.8m long. Council's waste collection vehicles are 11m in length and have a specific turning path template. It is unclear if Council's waste collection vehicle can navigate the site.

Council also notes that the applicant's TIA proposes a turning disc for waste collection. Should the turn-table system breakdown and the vehicle cannot egress appropriately, it is unclear what measures will be in place to enable vehicle retrieval or similar. It is expected that the applicant's Loading Dock Management Plan (LDLP) will have a specific chapter focused on the turn-table, covering and not limited to maintenance interventions and emergency breakdowns. Council's preference however is that the turning disc be deleted from the scheme altogether.

Parking

The Classification of Off-street Car Parking Facilities shall be User Class 3, not 1 as indicated in the applicant TAIA report (ref: AS 2890.1:2004).

Table 3 within the applicant's TIA confirmed the overall parking provision being 100 spaces. It would be reasonable to assume that the allocation for resident parking could be proportionate to the allowable number of residential and commercial spaces (i.e. 152/175). Given that parking is very likely weighted towards resident parking it is appropriate that the development provides resident visitor parking within the potential 87 spaces which is

proportional to the reduced overall parking supply (approximately 10%) and this allocation is further supported by the limited on-street parking in the area for visitors. In this regard, 9 spaces should be “Resident Visitor Parking”.

Enlarged accessible spaces are proposed and it is assumed that these spaces are specifically allocated to the adaptable units. With any future plan update, the layout plans should be annotated with the parking space allocated to which adaptable unit. If the accessible space is to be used by others (non-adaptable housing) then compliance with AS 2890.6:2022 for angled parking will apply.

Bicycle Parking

Council recommends that the bicycle parking rates set out in the *Parramatta Development Control Plan 2023* be adopted, despite the non-applicability of the plan to the proposal.

Green Travel Plan

Council recommends the preparation and submission of a Green Travel Plan as part of any future detailed SSD application. Targets should include the reduction of single occupant car trips to the site for the journey to work and the reduction of business travel, particularly single occupant car trips. Travel data should include an initial estimate of the number of trips to the site by mode. Travel plans require an annual travel survey to estimate the change in travel behaviour to and from the site and a review of the measures including a list of specific tools or actions to achieve the target.

Trip Generation

The trip rates for both the AM and PM peaks for the residential component are supported. The rates for the commercial component require further review and consultation with Council. The specific technical references for trip rates must be stipulated in any updated future TIA report or similar for cross referencing.

Table 5 (Forecast Traffic Generation) of the applicant’s TIA does not include future retail vehicle trips. This should be included and summarised in a subsequent report update to confirm or otherwise if the number of vehicle trips being generated is a reduction. If the total number of vehicle trips is greater than the “current”, further investigation into the provision of ameliorative traffic management measures or similar will be required.

Preliminary Construction Traffic Management Plan (PCTMP)

The PCTMP must address how construction traffic will access the site safely and without causing disruption to the traffic flow on Argyle Street and surrounding interconnecting streets (for example, O’Connell Street and Marsden Street) during peak times. It is noted that the applicant will likely propose work zones within their CTMP when the detailed SSD application is lodged in due course. Given the location of the proposed development and kerbside bus priority lanes, Council is unlikely to support a work zone within the bus lane without concurrence/approval from TfNSW in advance (in particular, the bus planning/operations team or equivalent).

The applicant’s demolition/construction methodology should plan their activities on the basis that no work zone is permitted along the site’s Argyle Street frontage.

Flood & Stormwater

Stormwater Quantity

The proposed stormwater quantity and OSD design appear satisfactory at a concept demonstration level.

Basement and Groundwater

The proposed basement is required to be tanked as Council does not permit disposal of any groundwater into the public drainage system. All groundwater must remain in the ground and its flow must be provided for across the subsurface around or beneath the basement.

Water Sensitive Design

The nature of the site makes landscape integration of WSD difficult. The application's accompanying Integrated Water Management Plan is generally satisfactory but must be adjusted to better reflect the following:

- Capture and use of rainwater on the site above minimum standards.
- Reduction in net rainwater/stormwater discharges from the site by 10% from that of the site in a natural undeveloped state.

Flooding Risk

Council notes that there is no flood affectation on the site under the 1% AEP. Under the Probable Maximum Flood there is significant flood affectation in the adjoining streets but only some within the site (see figures below).



Figure 4 1% AEP Flooding

Council recommends that the proponent obtain the relevant current flood information prior to any design competition or detailed application and design the building accordingly. Shelter in place refuge should also be incorporated into the detailed design of the building.

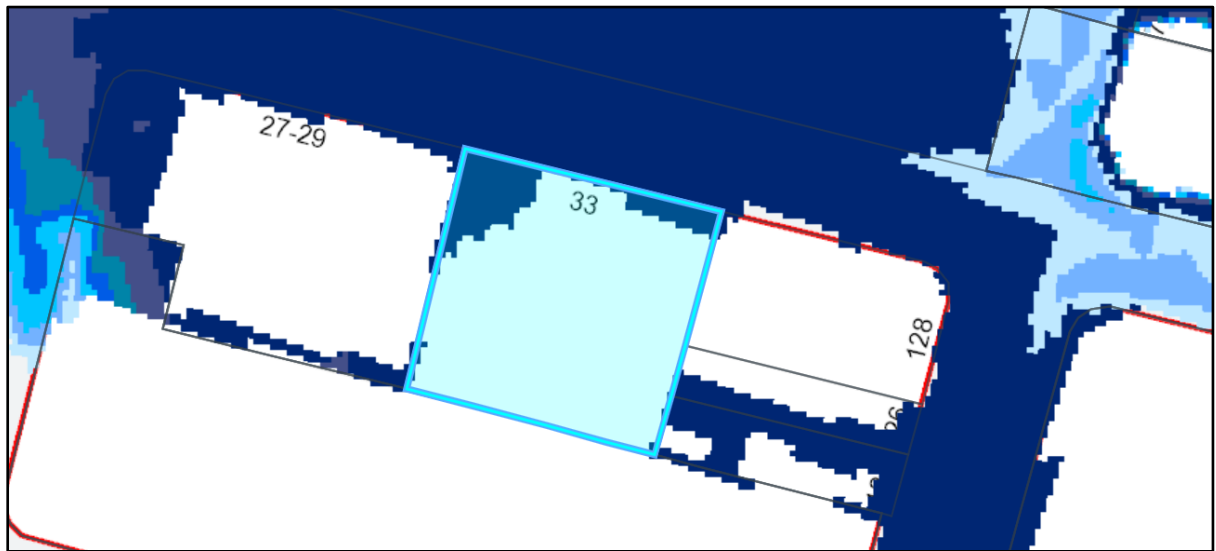


Figure 5 *Probable Maximum Flood*