



12 December 2024

Department of Planning, Housing, and Infrastructure  
Locked Bag 5022  
Parramatta NSW 2124

**ATTENTION: Michelle Niles**

Dear Michelle,

**Inner West Council Response: SSD-73228210 – Mixed use development with affordable housing at 129-153 Parramatta Road and 53-75 Queens Road, Five Dock**

Thank you for the opportunity to comment on the proposed mixed-use development with affordable housing, submitted as a State Significant Development Application (SSDA) in the City of Canada Bay Local Government Area. Inner West Council (Council) has engaged in consultation with the applicant for this proposal and provided advice regarding the proposed development's scale and its associated impacts on the Inner West Council Local Government Area (LGA). This input was provided as part of the Scoping Meeting process. Council has reviewed the submitted SSDA proposal and offers the following comments for consideration as part of any redesign process.

**1. Height of Building Variation**

As outlined in Appendix 5 – Clause 4.6 Variation Request, the proposal seeks to vary the Height of Building Development Standard between 3.6% to 7.7% for Buildings A, B1, B2, C, D, E1 and E2 (podium). This proposed variation contributes to adverse overshadowing impacts on the low-density residential development to the south of the subject site, as discussed in Point 2 of this correspondence.

The Clause 4.6 Variation Request advances eight environmental planning grounds to justify contravening the Height of Building Development Standard. However, these grounds are not considered sufficient to warrant a departure from the Height of Building Development Standard.

Regarding environmental planning ground three, the variation request states that the proposed variation *'facilitates an increase in floor to floor heights from 3.15m to 3.2m*

*which will allow for additional insulation and set downs for water proofing in keeping with contemporary construction standards.'* The abovementioned environmental planning ground is not considered to be well-founded, as the Apartment Design Guide (ADG) only requires 400mm of ceiling-to-floor space to accommodate services and insulation above habitable areas, while maintaining the minimum 2.7m floor-to-ceiling heights for habitable rooms apartments. The Council objects to the merit of the submitted Clause 4.6, given that there is adequate scope to reduce the height of the proposed buildings by reducing the floor-to-floor heights in accordance with the minimum requirements as outlined under Part 4C – Ceiling Heights of the ADG.

The ADG controls are designed to provide apartments suitable for residential purposes, providing adequate comfort and useability. Amending the floor-to-floor heights to align with the ADG's minimum requirements would still allow for the construction of habitable residential apartments while protecting the solar amenity of surrounding low-density residential developments within the Inner West Council LGA to the south.

## **2. Solar Access and Overshadowing**

Croydon, a suburb within the Inner West Council LGA, is located to the south of the subject site and is likely to be significantly impacted by the proposed development, especially in relation to solar access and overshadowing impacts as evident in the provided Shadow Diagrams. According to the Winter Solstice plan view Shadow Diagram on page 106 of the Architectural Plans (DA-711-001, Rev 01), the low-density residential dwellings located along Lang Street and the northern side of Dalmar Street will be additionally overshadowed from 11am to 3pm on June 21 and the dwellings located along Byron Street will also be impacted at 3pm.

The Comprehensive Development Control Plan (DCP) 2016 applies to the suburb of Croydon, and the following provisions from Chapter F – Development Category Guidelines of the Comprehensive Inner West DCP 2016 are pertinent:

- **DS13.1** – *Sunlight to at least 50% (or 35 m<sup>2</sup> with minimum dimension 2.5 m, whichever is the lesser area) of private open space areas of adjoining properties is not reduced to less than three (3) hours between 9 am and 3 pm on 21 June*
  - *Note: if existing solar access is already less than this standard it is not to be further reduced*
- **DS13.2** – *Existing solar access is maintained to at least 40% of the glazed areas of any neighboring north facing primary living area windows for a period of at least three (3) hours between 9 am and 3 pm on 21 June*

- o *Note: if existing solar access is already less than this standard it is not to be further reduced*

The overshadowing caused by the proposed uplift scheme and the associated variation to the Height of Building Development Standard will reduce solar access to private open space areas and the main living room glazing of the low-density residential dwellings along Lang Street, Dalmar Street and Byron Street during the Winter Solstice. This overshadowing is inconsistent with the DCP's solar access provisions. Specifically, properties from No. 73 to No. 49 Dalmar Street and No. 2A Lang Street will be overshadowed from midday onward and properties from No. 34 to 42 Byron Street will be overshadowed at 3pm, creating adverse solar access impacts.

Additionally, it is important to consider the future residential development potential along Lang Street, Dalmar Street and Byron Street, ensuring that compliant solar access is achievable under the Apartment Design Guidelines (ADG). The relevant ADG controls are:

- *Living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 2 hours direct sunlight between 9 am and 3 pm at mid-winter in the Sydney Metropolitan Area and in the Newcastle and Wollongong local government areas.*
- *A maximum of 15% of apartments in a building receive no direct sunlight between 9 am and 3 pm at mid winter.*

Considering the above, Inner West Council recommends the built form of the proposed mixed-use development is designed in consideration of the solar amenity of the low-density residential dwellings within Croydon. Specifically, it is recommended that the height of the buildings is reduced to ensure compliance with the Height of Building Development Standard.

### **3. Parking**

#### Motorcycle Parking

The maximum car parking spaces generated by the proposed development as per Clause 8.11 of Part 8 of the *Canada Bay Local Environmental Plan 2013* is equivalent to 1,456 spaces. Control C35 under Part B3 of the Canada Bay Development Control Plan (CBDCP) requires one motorcycle parking space for every 30 car parking spaces. Accordingly, 49 motorcycle parking spaces are required for the proposed development, based on the maximum.

#### Bicycle Parking

The proposed development is considered to underestimate the bicycle parking requirements for retail staff and visitors. Based on a GFA of 13,815sqm, the required bicycle parking spaces are 111 for staff and 276 for visitors, which is double the provision identified in the Traffic Impact Assessment by JMT Consulting.

Part B3.7 of the CBDCP, specifies the provision of personal lockers, showers, changing cubicles, and lockers. Due to the shortfall in bicycle parking facilities, the proposal has a significant shortfall in the required end-of-trip facilities.

The proposed development is not considered to adequately address motorcycle parking, and bicycle parking requirements, leading to shortfalls that could negatively impact the proposed development's functionality, accessibility and reliance on surrounding streets for parking (including streets in the Inner West Council LGA).

#### **4. Traffic**

The following recommendations should be considered to enhance public transport access and improve safety for pedestrians:

- **Pedestrian Crossing:** A pedestrian crossing leg should be introduced at the signalised intersection of Harris Road and Parramatta Road. This element is deemed essential to accommodate the expected increase in pedestrian traffic and improve active transport connections.
- **Bus Stop Review:** The bus stop location near the site, particularly Bus Stop ID.204668 should be revised to take advantage of the expanded public domain space along the site's frontage. Additionally, Bus Stop ID.213221, located on the southern side of Parramatta Road, should be reviewed to ensure both bus stops complement each other and are accessible.
- **Public Transport:** The proposal is anticipated to increase demand for public transportation services and impact existing service levels. The Transport Impact Assessment by JMT Consulting at Appendix 40 should evaluate the potential impacts on existing services and propose measures to address these issues. These findings can also guide the development of strategies for inclusion in the Preliminary Green Travel Plan by JMT Consulting provided in Appendix 39.

#### **5. Social Impact Assessment**

The Social Impact Assessment (SIA) prepared by Sarah George Consulting, included as Appendix 67, estimates that the proposed development will increase the local population by approximately 2,175 people. This population influx will significantly

increase demand for public transportation services, potentially compromising the current service levels enjoyed by the existing population. While future plans for a metro station at Five Dock are acknowledged, the station's location approximately 1.2km from the site does not meet the definition of an "accessible area" under the *State Environmental Planning Policy (Housing) 2021*, which specifies a maximum walking distance of 800m from a public entrance to a metro station.

The SIA also highlights the benefits of affordable housing but does not address the implications of the affordable housing component ending after the minimum 15-year period. This raises concerns about the long-term availability of affordable housing and the potential displacement of lower-income residents once the term expires.

These issues warrant further consideration within the SIA. Inner West Council recommends:

1. Revising the SIA to analyse the impact of increased population on public transport services and propose measures to mitigate these impacts. Reference should be made to the proposal's Transport Impact Assessment.
2. Providing a strategy for the long-term management of the affordable housing component to ensure it remains available beyond the 15-year period.

Incorporating these considerations into the SIA will help address residual social impacts and enhance the development's contribution to the people who would benefit most from affordable housing.

If you need any further information in relation to the above response, please contact Inner West Council's Assessment Planners – Kuepper Weir – 02 9392 5848 or [kuepper.weir@innerwest.nsw.gov.au](mailto:kuepper.weir@innerwest.nsw.gov.au), or Kaitlyn Attard – 02 9392 5483 or [kaitlyn.attard@innerwest.nsw.gov.au](mailto:kaitlyn.attard@innerwest.nsw.gov.au).

Yours faithfully,

A handwritten signature in black ink, appearing to read 'M. Amy', with a stylized, flowing script.

Martin Amy

**Development Assessment Manager**