

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

Your Ref	SSD-34919690-Mod-2
Our Ref	NCA/3/2022
Contact	Douglas Bennett
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04/12/2024

ATTN: Judith Elijah,

**COUNCIL SUBMISSION TO REQUEST FOR ADVICE ON MODIFICATION REPORT –
NOVUS ON HARRIS AT 39-43 HASSALL STREET, PARRAMATTA**

I refer to the above request to provide advice on the proponent's Modification Report in relation to the approved mixed-used Build to Rent (BTR) development at 39-43 Hassall Street, Parramatta. Council has reviewed the supplied documentation and wishes to provide comments/recommendations including, but not limit to:

1. FSR – It is not clear how the significant number of additional units does not increase the GFA of the development. If the FSR control is exceeded, Council would recommend there be additional public benefits, such as affordable housing.
2. Dwelling Mix – The proportion of 2-bed units and 'flexible size units' should be maximised.
3. Landscape Design – Several trees are proposed in close proximity to the building which is not ideal.
4. Urban Design – Several of the proposed design modifications would result in a poorer amenity outcome for occupants.
5. Universal Access – The changes to apartment type 2A require excessive works to convert to the post-adaptable state and involve a significant reduction in internal amenity.

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

Yours sincerely



Alex McDougall

ACTING MANAGER, CITY SIGNIFICANT DEVELOPMENT

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Appendix 1

The following comments are provided in no particular order.

Dwelling Mix

According to the architectural plans, the development proposes a total of 233 units (an additional 23 units or 10% increase) with the following dwelling mix:

- Studio/ 1-bedroom: 134 units (or 57.5% of the total dwellings)
- 2-bedroom: 95 units (or 40.8% of the total dwellings)
- 3-bedroom: 4 units (or 1.7% of the total dwellings).

Section 75 of the Housing SEPP 2021 requires consideration of the following pertinent points:

- (ii) whether the configuration and variety of dwellings in the building will provide adequate options to prospective tenants in relation to the size and layout of the dwellings,*
(iii) whether tenants residing in the building will be able to relocate to other dwellings in the building that will better accommodate their housing requirements if their requirements change.

The Parramatta DCP 2023 outlines the following dwelling mix targets:

Dwelling Type	Dwelling Mix
Studio / 1 Bedroom	10 - 20% of total dwellings
2 Bedroom	55 - 70% of total dwellings
3 Bedrooms	10 - 20% of total dwellings
4 Bedrooms	5 - 10% of total dwellings

While DCP controls do not technically apply to SSD applications, this guide is based on Council's research into the relative demographic need for dwelling types (see evidence below).

Demographic needs in Parramatta

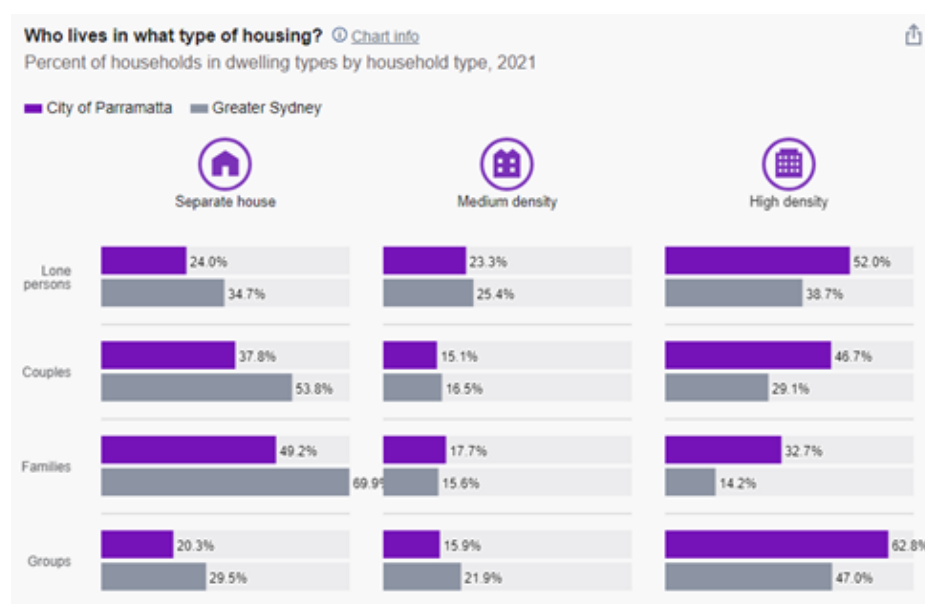


Figure 1 – Comparison of households in different dwelling types in the City of Parramatta and Greater Sydney

- In the City of Parramatta, the predominant household type is couples with children, which accounts for 35.5% of all households. In total, 44.5% of households have at least one child.
- In addition, the households that are likely to look for 2+ bedroom units are couples with children, one parent families, other families and group households. They form 50.7% of the total households in Parramatta.
- High density dwellings have typically been associated with smaller households, including single people and couples without children. Despite the majority of households living in high density developments being lone persons, Figure 1 shows that 32.7% of families live in high density development, which is significantly higher than Greater Sydney (14.2%).

Concern is raised that the proposal too heavily favours smaller units. This will both limit the variety of dwellings available and will also limit the ability of tenants to relocate within the development.

It is noted that that percentage of 3+ bed units is also low but acknowledge that an additional three-bedroom unit has been provided under the amended scheme.

As such Council recommend that additional 2-bedroom units are provided and the provision of three-bedroom units be increased wherever possible.

While it is not a substitute for full compliance, flexible floor plan options would improve the adaptability of the building and its unit mix. Methods could include 'soft wall construction', dual key or other construction methods that result in a building that is 'long life, loose fit'.

Landscape Design

Council has reviewed the revised landscape report for the modification application and raises concern over the location of 4 x *Tristaniopsis laurina* (Watergum) trees, at ground level, that are shown to only be planted between 0.45-0.5m away from the approved building. This is not considered to be ideal. The proximity to the building means the trees will clash with the building façade, causing on-going building maintenance issues. Constant pruning will be required, resulting in the poor form, structure and overall decline of the proposed trees. The likely outcome of this will be the eventual removal of the trees from the site.

Section B of the application's accompanying landscape report incorrectly illustrates the location of *Tristaniopsis laurina* and shows the tree as clashing with the building façade (see figures below).

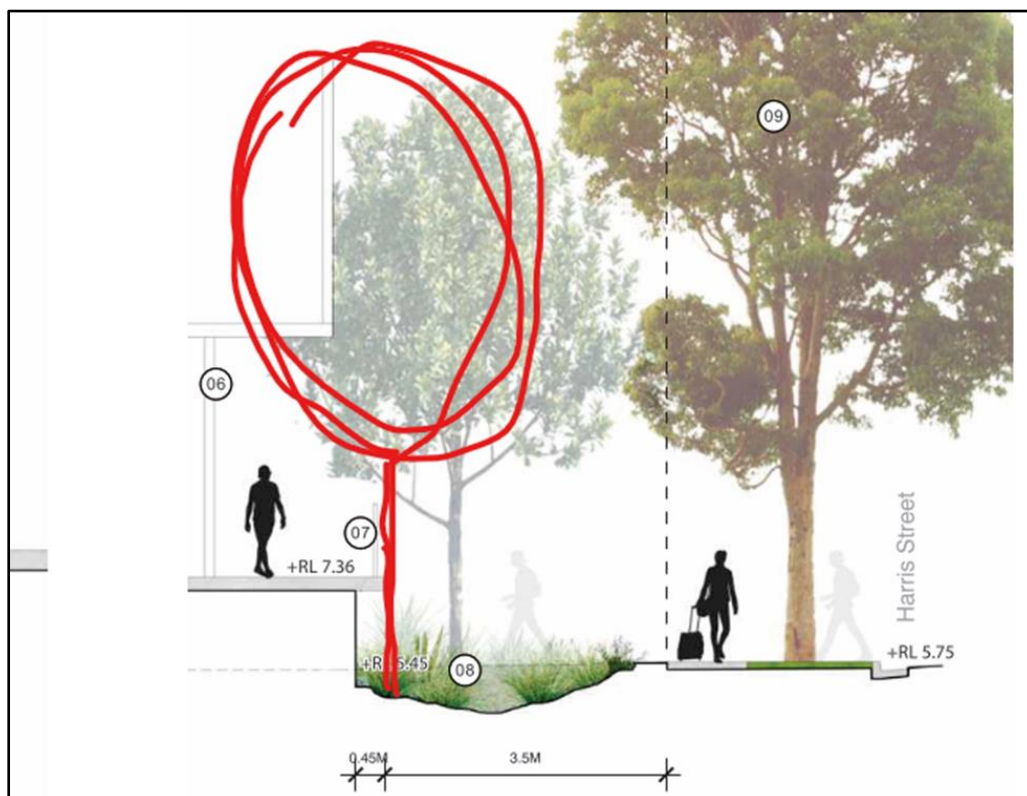


Figure 3 – Indicative location of trees

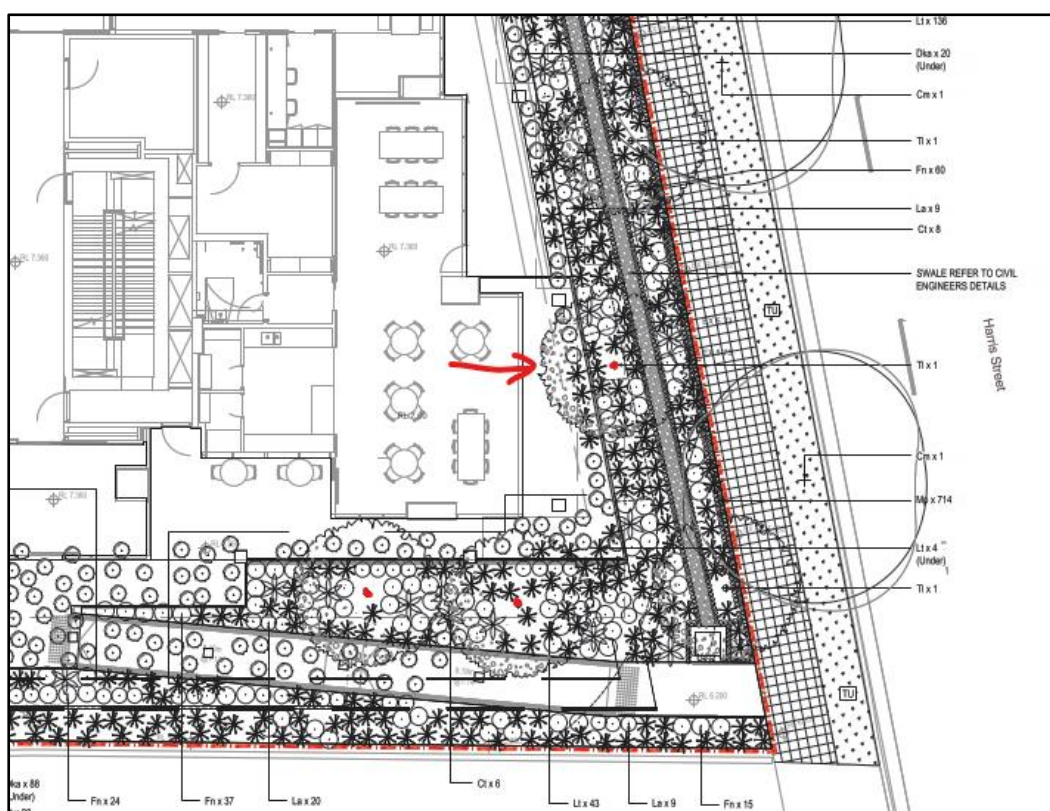


Figure 4 – Landscape Plan

Council requests the following changes to the landscape report:

- All trees at ground level are to be relocated a minimum 3m away from the edge of the building. Detail is to be provided in an amended report.

- Section A of the landscape report does not show the basement structure only 1.2m from the boundary extent, below the proposed planting strip/riparian zone.
- Planting on structure details are to be provided showing substrate depth, drainage, waterproofing for all planting on structures, including planting over the basement at ground level.
- Soil volume, depth and soil areas on podium and over the basement must meet the following prescribed standards in the Apartment Design Guide (ADG) – Part 4, 4P *Planting on Structures – Tools for improving the design of residential apartment development* (NSW Department of Planning and Environment, 2015):
 - Typical tree planting on structure detail to show overall 800-1200mm soil depth.
 - Soil volume to be reflective of proposed tree species size.

Waste Collection

Council requests that the applicant confirm whether there is sufficient space within the loading dock for the collection of bulky waste by Council's collection vehicles.

Traffic and Parking

On-site parking

Council notes that the application proposes 75 parking spaces including two (2) car share spaces and one (1) car wash bay. This is an increase of two parking spaces from the minimum required under Condition B28 of 73 on-site parking spaces. It should be noted that while the SEPP states that minimum parking rate is applicable for BTR developments unless a lower number is specified in the relevant planning controls. As this location is within the Parramatta CBD, a maximum only parking rate is applicable to this site as per the Parramatta LEP 2023, and the Parramatta LEP 2011 which is active at the time of the original application. The purpose of this is to reduce private vehicle ownership and to promote more sustainable transport options. Accordingly, the wording of the condition should be revised to state 'maximum' instead of 'minimum'.

With regards to the increase in parking proposed by the modification, consideration is given to the FSR and GFA of the approved and proposed development which is not increasing. Furthermore, the approved scheme could allow for 85 residential parking spaces (if the Parramatta LEP 2023 was to be applied). Given this, the proposed parking rate is considered acceptable and Condition B28 which required a 'minimum of 73 on-site parking spaces' is to be modified to state a '**maximum of 75** on-site parking spaces including two (2) car share parking spaces and one (1) car wash bay'.

The design of the carpark is generally consistent with the previous approval and with Australian Standard requirements. It is noted that Council previously raised concerns with the high provision of small car spaces on the basis that there is an increasing trend of new vehicles being larger.

Driveway Gradients

Council notes that the driveway ramp to the TIL Flood Barrier protrudes further into the accessway for the loading dock. Any trucks entering the site will be required to navigate a potentially 250mm high hump affecting one wheel only. Council requests that the applicant's traffic engineer confirm and provide a vertical clearance model to ensure all vehicles using the loading dock will not be scraping or bottoming as per AS 2890.2 and that, due to the incline of the truck, it will not collide with the adjacent wall. Council considers that trucks are likely to collide with the adjacent walls.

Urban Design

Clay Cliff Creek Interface

The southern access ramp is proposed to be rationalised and connected to the raised ground floor in a more linear and direct way. Per the DCP (DCP 5.9 CREEK CORRIDORS Figure 5.9.1 – Creek Corridor Setbacks and Street Wall), the setback from the Creek top of bank should be a minimum of 6m, provided as deep soil. The creek should be a corridor that achieves environmental and publicly accessible movement objectives, a corridor ultimately linking Wigram St and Harris St.

It is noted that the approved plans include a ramp in this location; however, the proposed modification is not ideal as it further erodes the quantum of consolidated deep soil zone in this location by splitting it in two. The approved ramp should be moved further from the Creek to facilitate movement along the Creek while also facilitating consolidated deep soil zone.

Ground Floor

It is noted that ground floor has been raised, from the approved RL 7.000 to RL 7.360 as a result of compliance with Condition B3(a) which requires the driveway crest to be raised to RL 6.92. To accommodate the necessary vertical clearance for vehicles entering the basement carpark, the ground floor of the development has been raised to RL 7.360.

The approved raised ground floor height creates a significant physical separation between the public domain and the active frontage, characterised by a blank/service wall of 2m in height along Hassall Street.

It is unknown whether the driveway crest can be raised to RL 6.92 whilst also maintaining the ground floor plane at its existing approved RL of RL 7.00. If possible, Council requests that the ground floor be maintained at RL 7.00 either partially or in its entirety.

First Floor

The north-south commercial lobby corridor facing Clay Cliff Creek to the South is proposed to be removed to allow for a larger service area. The existing approved opening allowed for natural light into the lobby space. The modification is not ideal as it significantly reduces amenity to this space.

Level 32

The proposed modifications include the provision of three additional apartments at level 32 at the expense of communal space. Communal space is proposed to be reduced from 403.3sqm to 318.5sqm.

The approved scheme included departures from the requirements of the Apartment Design Guide. These departures were accepted by the Independent Planning Commission on the basis that a high level of amenity would be provided through the extensive provision of communal facilities within the development. Council does not consider it ideal for any reduction in floor space for communal areas/facilities as this significantly reduces amenity for residents. Given the concurrent increase in residents proposed, the reduction in communal space per resident is exacerbated.

Height of Building

The proposed scheme has a total height increase of 205mm. This does not represent a concern from an urban design point of view. However, it would be Council preference to

maintain the approved Ground Floor RL (7.00) maintaining the total height of building within the approved parameters.

Total GFA

It is noted that the applicant contends that the proposed total GFA has not changed compared to the approved submission. It is not clear how this has been achieved, given the introduction of new units in areas previously not counted as GFA and given that no additional non-GFA functions appear to have been introduced. Council requests that the applicant clarify this aspect of the application through the preparation of detailed GFA diagrams prepared in accordance with the relevant definition under the *Parramatta Local Environmental Plan 2023*. Council does not normally support residential GFA above the FSR limit unless some offsetting public benefit, such as an appropriate quantum of affordable housing, is also provided.

'NOVUS' Sign

Council notes in Section 1.1 of the application's accompanying architectural report that a sign reading 'NOVUS' is shown on the northern elevation of the ground floor façade. This sign is not illustrated on the elevations of the approved drawings and no detail has been given for the materiality of this sign. Consent has not been explicitly sought for this sign in the modification application.

Council raises significant concern with the provision of this sign on the façade of the building. The sign is likely an impermissible use, noting that the only relevant form of signage permitted in the MU1 Mixed Use zone is **business identification signage** which is defined as follows:

business identification sign means a sign—

(a) that indicates—

(i) the name of the person or business, and

(ii) the nature of the business carried on by the person at the premises or place at which the sign is displayed, and

(b) that may include the address of the premises or place and a logo or other symbol that identifies the business,

but that does not contain any advertising relating to a person who does not carry on business at the premises or place.

Note—

*Business identification signs are a type of **signage**—see the definition of that term in this Dictionary.*

The sign identifies 'Novus', a business with no physical presence at the site. The BTR development will be managed by Novus externally from a separate address. In addition, there is no conceivable 'business' being carried out at the premises by Novus, as the building will be occupied by renters with leases with Novus. Renting apartments is not a defined commercial activity – if this was the case then rental apartments in residential zones would not be consistent with land use zoning or LEP controls.

Council requests that the signage be deleted from all plans.

Universal Access

Platform Lift and Universal Access Entry Points

Council maintains its concerns around the provision of the platform lift to the north of the development and the apparent non-compliant universal access entry points. Concern is raised over potential DDA compliance action that may be undertaken if design changes are not made to improve universal access to the development. Please refer to the comments raised in

Council's submission(s) for the original SSD application – particularly the submission dated 26 July 2023.

Footpath

The distortion of the footpath to suit built conditions will not be accepted and all level variances are to be taken up within the site boundary.

Adaptable Units

Significant changes to unit 2A have been proposed. The works required to convert this unit to a post-adaptable state are inconsistent with the principles of AS 4299 which requires adaptable housing to be adapted at relatively little extra initial cost at minimum inconvenience. Council notes the following works are required to convert this unit to its post adaptable state:

- Reduction of the laundry size – the post-adaptable state requires the reduction in the size of the laundry and partial demolition of laundry walls. The works also require the relocation of the bedroom door which is impractical and inconsistent with the principles of AS 4299. This is not ideal.
- Reduction of storage areas – the post-adaptable state requires the deletion (and loss) of storage space in the study area. This is not ideal.
- Reduction of study area – insufficient circulation space has been provided to the study area in the post-adaptable state. This is not ideal.
- Reduction of kitchen – the post adaptable state includes a reduction in benchtop surface area in the kitchen, eliminating the required preparation areas required in AS 4299. This is not ideal.
- Reduction of size of the living area to provide ramps up to the outdoor balcony. This is not ideal.
- Deletion of dining room table – no dining room table is provided in the post-adapted state. This is not ideal.