kennedy associates architects

241–244 PENNANT HILLS ROAD, CARLINGFORD

RTS MATRIX – KAA RESPONSE

MAY 26, 2026

INTRODUCTION

This report has been prepared by Kennedy Associates Architects to address and respond to the urban design and architectural issues set out in the DPHI Letters of 5 & 26 February 2026 and Parramatta City Council submission dated 3 February 2026 for the proposed development at 241-244 Pennant Hills Road, Carlingford – SSDA No 84699461.

The report focusses exclusively on urban design and architecture.

Items not specifically relevant to Urban Design / Architecture have not been addressed within this document.

This document is to be read in conjunction with:

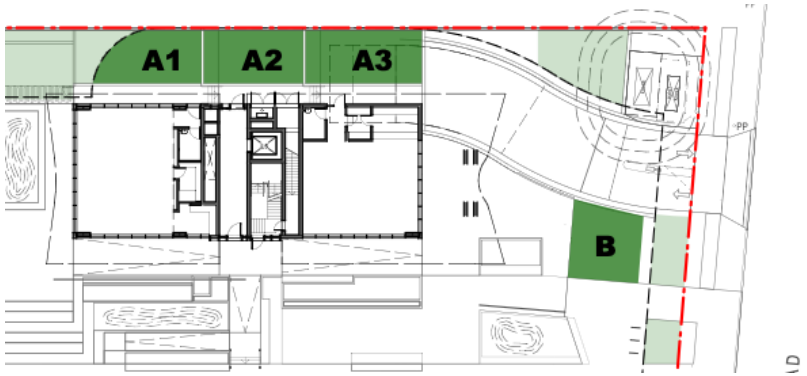
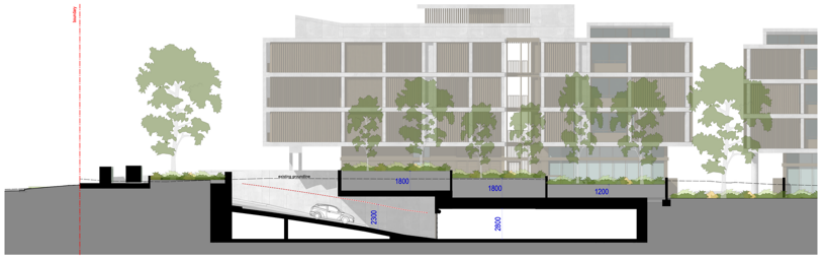
- the revised Design Report, dated May 2026 – Rev C
- the amended architectural drawings, Job No 1804 / Revision C & D / dated 15 – 22 May 2026.

Ref	Agency	Comment	KAA Comments
	DPHI Key Issues Letter		
	Site Area		
1a	DPHI	The site area detailed on the Survey Plan (6,331 m²), minus the future road acquisition SP2 - zoned land (indicated as 282 m² and 201 m² as shown on the Architectural Plan DA0050 as extracted from the Parramatta Local Environmental Plan 2023 (PLEP) land acquisition map - identified as Method A), being 5,848 m² must be consistently applied to all plans and calculations as the 'developable site area' and reflected in all documentation.	The site area of 5848m2 has been adopted for all site calculations throughout the amended plans.
1b	DPHI	The updates to calculations will require corresponding changes to the proposal to ensure compliance is achieved. Update all plans and documentation to reflect the amendments.	The compliance tables have been amended.
	Side Setbacks and Landscaping		
2a	DPHI	The setbacks to the building and basement must be measured from the 'developable site area' boundaries, which exclude the future road widening SP2 zone.	Building setbacks from Pennant Hills Road have been amended to be measured from the 'developable site area' boundaries / excluding SP2 zoned lands.

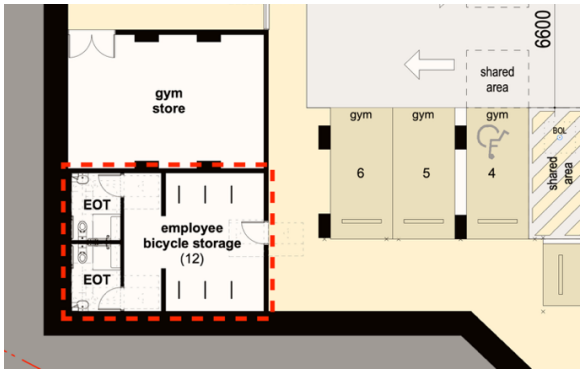
2b	DPHI	Review the proposed building and basement setbacks from the 'developable site area' boundaries to Pennant Hills Road and the corner which extends around to Felton Road, noting that there is limited opportunity for landscaping in these prominent areas after any future road widening occurs. Increased setbacks should be provided from the future boundary, including deep soil and tree planting, to contribute to the landscaped character of the area and mitigate the visual impacts of the proposal from the public domain.	Building A has been reworked to provide a minimum 6m setback to Pennant Hills Road as measured from the 'developable site area'.  ***Figure 2b.1:*** *Amended Typical floor plans with overlay of footprint from original DA submission shown dashed in purple.* The basement footprint has been reduced with increased setbacks of between 4.5 - 6m to Pennant Hills Road with external walls of the basement amended to align with the edges of hard paved areas above.

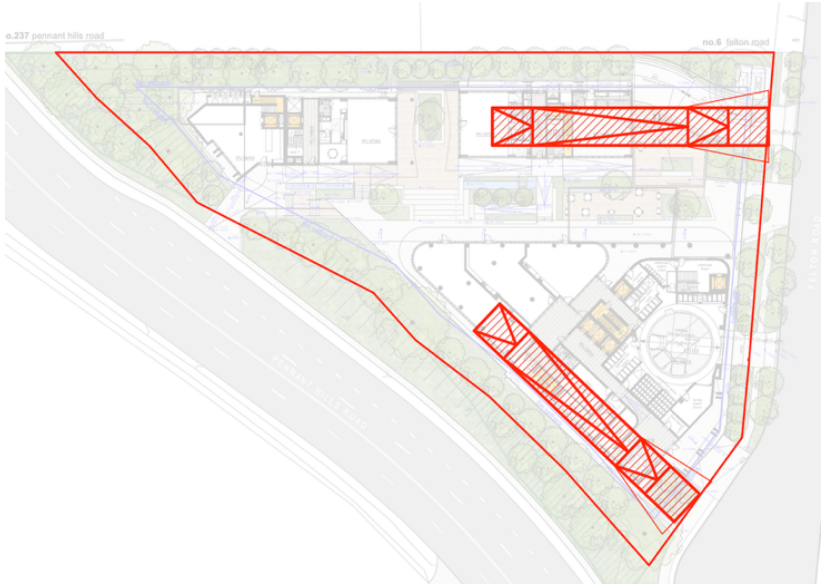
			 ***Figure 2b.2:*** *Amended Basement 01 plan with overlay of basement footprint from original DA submission shown dashed in yellow.*
2c	DPHI	The landscaping proposed within the area identified for future road widening must be excluded from landscaping calculations. Landscaping of the road widening area is beneficial from a visual perspective until such time as the widening occurs, however is not part of the developable site area and cannot be relied upon long - term. Additional plans are required detailing the landscaping from the 'developable site area' boundary after road widening with no landscaping shown external to the site to clearly see the landscaping within the site.	The amended plans demonstrate compliance with the Housing SEPP with a landscape area of 47.5% relative to the 'developable site area' (exceeding the 30% minimum landscape require under the Housing SEPP)

2d	DPHI	Further, within the SP2 zone, any works including proposed landscaping, services and footpaths are only permitted with consent under the PLEP if ordinarily incidental or ancillary to development for that purpose of a Classified Road. Therefore, any landscaping within the SP2 zone must be limited to ancillary to the purpose as Classified Road.	Works within the SP2 zoned land are limited to the pedestrian connection to the footpath on Pennant Hills Road at the southern end of the through site link and plantings indicated on the landscape plans.
2e	DPHI	The basement hard on the western boundary is unlikely to allow for deep soil landscaping above which is important for tree growth which provides shade for residents to address urban heat and screening of the proposal from the adjoining properties. The setback should be increased to allow for deep soil and avoid any works extending across the boundary (e.g. shoring).	Alternative ramp locations were considered during the initial planning for the site. The proposed location along the western boundary was considered optimal as it: - maximised the space available for commercial frontage activation - maximised public space associated with the Thru Site Link - minimised interaction between pedestrians and cars, including the CCC - was the least intrusive location visually ADG 4P Planting on structures identifies - 1m soil deep being suitable for medium size trees 8-12m high with 16m crown spread. More than 50% of the basement area located within the 6m setback zone is capped with deep soil planters with a minimum soil deep of 1.2m - 1.8m. These planters are capable of supporting significant tree planting of a height suitable for the location, including preserving amenity to neighbouring properties. The amended Landscape Plans indicate 6 trees planted in the planters over the driveway - 2 x hymenosporum flavum (up to 20m high) and 4 x Acacia implexa (5-12m high)

			 ***Figure 2e.2:*** *Deep Soil Planters on structures*  ***Figure 2e.3:*** *Section through deep soil planters over driveway.* That is, only the portion of the driveway open to the sky will not be capable of supporting substantial landscaping, including large trees.
2f	DPHI	The Design Statement indicates that deep soil areas are a minimum of 3 m wide as per State Environmental Planning Policy (Housing) 2021 (Housing SEPP), however Section 19(3) of the Housing SEPP states that the deep soil requirement is not applicable and therefore the Apartment Design Guide (ADG) will apply. Recalculate and reconsider deep soil areas to ensure only areas 6 m wide are included in the calculations, consistent with the definition of what can constitute a deep soil area of the ADG. The deep soil calculations must be based on the 'developable site area'.	The amended plans have been reworked to comply with ADG deep soil requirements. Notably, Buildings A and C have been reworked to achieve 6m wide deep soil zones contributing to a total deep soil area across the 'developable site' area of 15.9%.

2g	DPHI	Provide a cross-section which demonstrates suitable depth for deep soil in any limited areas where trees are proposed but the full 6 m deep soil is not achieved, or where there is a conflict with infrastructure (e.g. on-site stormwater detention tank or basement below proposed trees).	Refer Drawing "1804 - 0320 - Section Details - Deep Soil Planters" for section details over the entry driveway along the western boundary demonstrating planter depths of between 1.2m and 1.8m  ***Figure 2g.1:*** *Section through deep soil planters over driveway.*
2h	DPHI	The width of the revised landscaped area within all three setbacks to boundaries is to be increased to accommodate large canopy trees, noting that the Landscape Plan currently indicates proposed areas of no trees, trees with a mature height of between 2 -3 m and 6 -15 m, with only one 25 m tree proposed on the site within the south -west corner. The three setbacks are to accommodate additional trees with a mature height of 20 -25 m or greater given that all vegetation is being removed from the site and having regard to the building height of the proposal.	All three frontages / setback zones are provided with a series of significant canopy trees. The only locations without trees are driveway crossings and the main drop off / entry to Building A. Refer Amended Landscape Plan. KAA are unaware of a SEPP, LEP or DCP control that mandates the provision of trees achieving 25m in height. Notwithstanding that, the landscape design has been amended to include a series of Angophora Costata in key locations throughout the development. These are in addition to the provision of over 130 other trees throughout the development.

	Traffic and Car Parking		
3b	DPHI	The proposal includes 166 residential car parking spaces, which is 29 spaces greater than the minimum parking rates for market and affordable housing provided in the Housing SEPP. The Department recommends you reduce the number of residential (market and affordable) car parking spaces to be no more than the Housing SEPP car parking rates noting the site's location within the Carlingford Centre, within walking distance of various modes of high - frequency public transport. In addition, the Parramatta Development Control Plan 2023 (PDCP) includes restrained parking rates to decrease reliance on private car use, minimise traffic congestion and increase public transport use in this area.	Residential parking provisions have been adjusted to comply with the maximum allowable spaces permitted under rates prescribed within the Chapter 2 of the Housing SEPP. A total of 216 residential spaces has been provided comprising 17 AH spaces and 199 no AH spaces. 2 8 visitor spaces have been provided based on PD CP's rate of 0.2 / spaces per dwelling.
3d	DPHI	Provide end of trip facilities for the commercial and retail users.	End of trip facilities have been provided in the southern end of Basement Level 01  ***Figure 3d.1:*** *Basement 01 Plan Detail indicating EOT facilities*
3e	DPHI	Provide EV charging for the commercial and retail users.	10 - 20% of commercial, gym and parking spaces will be capable of being fitted with EV charging devices in accordance with the NCC.
3f	DPHI	Detail how the proposed three and managed appropriately for use by all residents. EV spaces for the residential spaces are sufficient in quantum.	All residential parking spaces will be capable of being fitted if EV charging devices in accordance with the NCC.

	Side Setbacks and Landscaping		
4a	DPHI	Explore options to locate loading, waste storage and collection within the basement. The above ground level has led to paths of travel through the public domain (see point b below) which may be alleviated by relocation to the basement.	Vehicular access to the site is restricted to Felton Road, which is both the only location possible and the highest portion of the site, being more than 3m above the lowest portion of Pennant Hills Road. The basement level is established by the point of connection of the Through Site Link to Pennant Hills Road, which is 2.2m below Felton Road. Access requirements for getting HRV into the basement would require extensive and intrusive ramps seriously impacting the quality and amenity of the development.  ***Figure 4a.1:*** *Diagram indicating extent of ramp required for an HRV vehicle.*

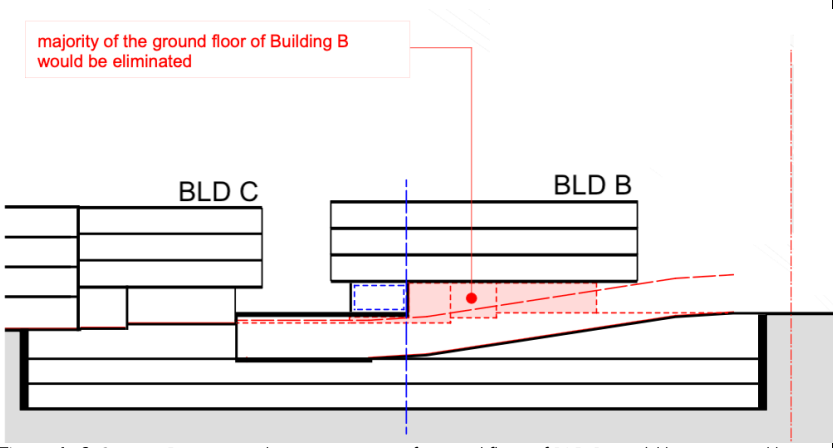


Figure 4a.2: *Section Diagram indicating majority of ground floor of BLD B would be impacted by headroom requirements of an HRV vehicular ramp to the basement*

The currently proposed location is in KAA's view, optimal because it:

- is discrete
- is located in the least 'active' portion of the site
- minimises the footprint of the Waste / Service area
- is easily accessible and controlled
- minimises impacts on the primary frontages of the building
- maximises opportunities for ground level activation

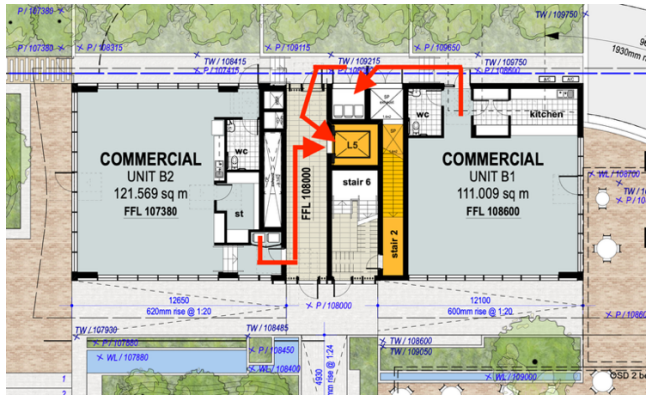
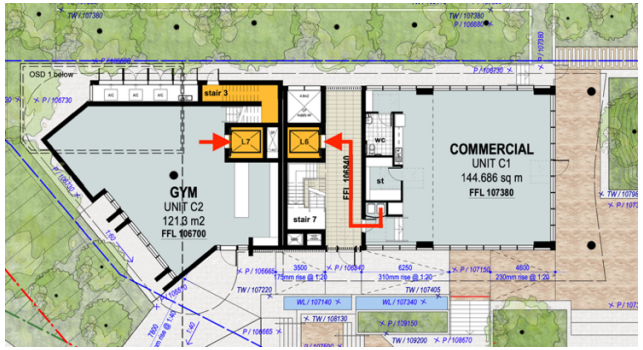
4b	DPHI	The proposed waste management arrangements indicate that building manager/caretaker is responsible for moving the waste bins from Buildings B and C on the western side of the site to the collection area in Building A. Appendix B of the WMP indicates the path of travel for commercial via the pedestrian site link/ central forecourt, however the WMP does not indicate: • residential movements from Buildings B and C on the western side of the site to the collection area in Building A. • what time of day these movements from Buildings B and C on the western side of the site to the collection area in Building A will occur, nor the frequency. The number of movements of bins through the central forecourt should be limited, as well as the time of day, to ensure that it occurs at a suitable time where there will be minimal pedestrian conflict whilst adhering the noise management measures.	Within Buildings B & C, each commercial tenancy is provided with its own bin storage area whilst residential units are provided with bin rooms on each level. The movement of bins to the bin collection area will be done by Building Management. The design has been amended to enable commercial and residential waste in Buildings B and C to be taken down to Basement Level 1 (via Lifts 5, 6 and 7) and then taken across to Lift 8 and carried up to the waste and loading areas on the ground level of Building A. A bin tug storage location has been provided in Basement Level 1.  *Figure 4-b.1: BLD B commercial waste carting route to Lift 5*  *Figure 4-b.2: BLD C commercial waste carting route to Lifts 6&7*

Figure 4-b.3: Building B & C waste bin carting route in Basement 1

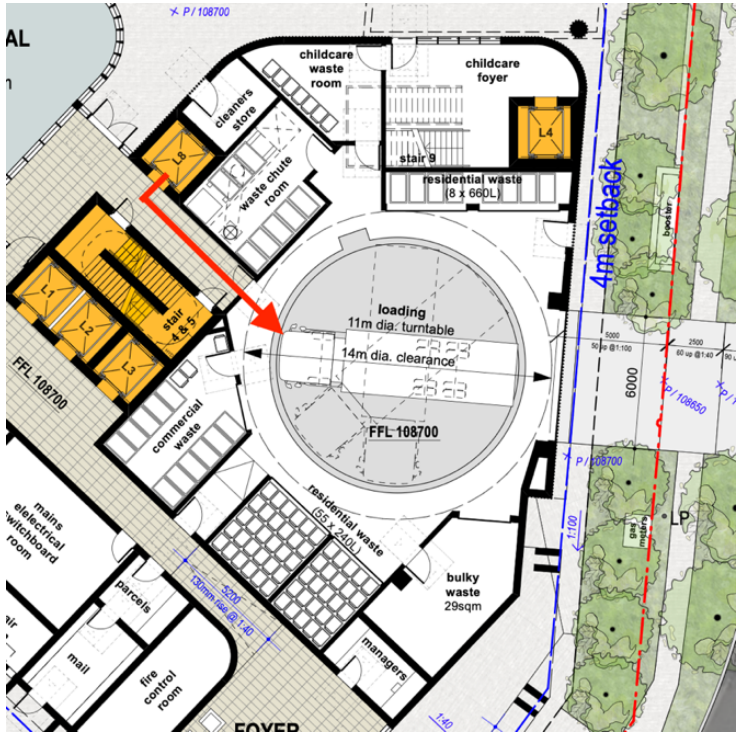
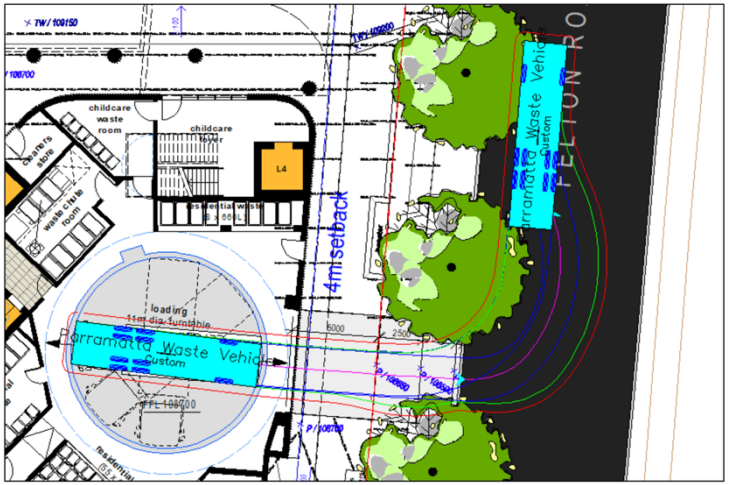


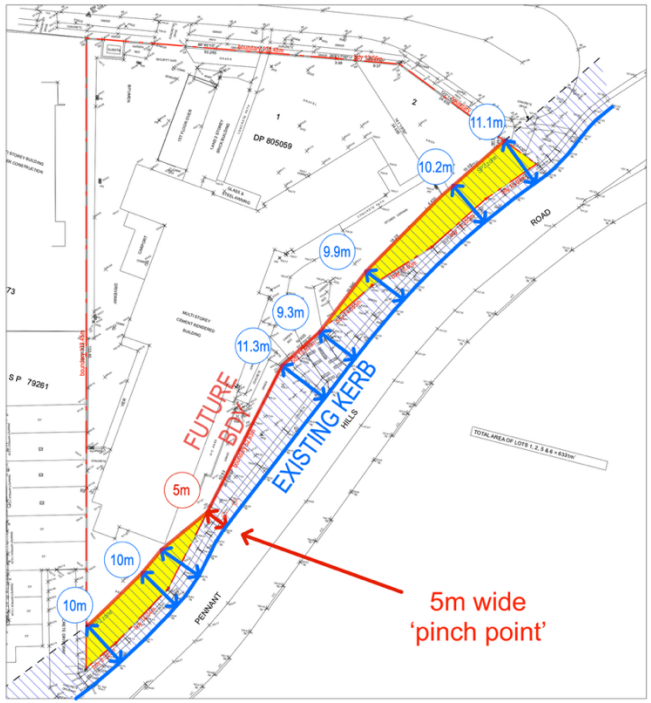
Figure 4-b.3: Building B & C waste bin carting route from lift L8 to loading area.

4c	DPHI	Clarify the location of the vehicle loading areas for all land uses. It is unclear if the loading area within the waste collection area is being used for delivery of goods to commercial premises, and if so, details need to be provided regarding how this area functions and any conflict between deliveries and waste.	The loading area on the ground floor of Building A is proposed to be used for both the commercial and residential premises. Use of the loading dock will be coordinated via the Building Manager, who has an office immediately adjacent. Refer Figure 4-b-3. The basement Level 01 has been amended to provide an additional loading bay for smaller delivery vans to provide flexibility for both commercial and residential users.  ***Figure 4-c.1:*** *Additional loading bay on Basement 01 for smaller delivery vehicles (vans etc)*
4d	DPHI	Provide details of how removalists will service the proposal.	The intention is that the loading area on the ground floor of Building A will be used by removalists via a booking system overseen by the building manager. The delivery bay on Basement Level 01 will also be available for resident use.

	Apartment Design Guide		
5a	DPHI	Demonstrate that all affordable housing apartments will achieve a good level of amenity with reference to the key ADG criteria and the 'Residential amenity of affordable housing' section (p15) of the In-fill Affordable Housing Practice Note Design Report.	Architectural Drawing "1804 - DA0402 - Affordable Housing" has been updated to demonstrate the units allocated for AH have a high level of amenity in accordance with the Practice Note and in excess of the requirements of the ADG.  ***Figure 5a.1:*** *ADG Affordable Housing Allocation ADG Amenity Diagram*
5b	DPHI	Provide an updated assessment of the amended proposal against the ADG criteria in a table format that clearly addresses consistency against ADG design criteria. The table must also include a column at the end that clearly indicates consistency, or inconsistent information is available on the ADG website available at Apartment Design Guide | Planning.	Section 4 of the Design Report has been amended to provide the requested information. The scheme, including the affordable housing component, exceeds the requirements of the ADG on key criteria such as solar, cross ventilation and communal open space.
5c	DPHI	Provide amended plans which resolve any areas of inconsistency with the ADG.	The project has been amended to remove inconsistencies with the ADG
	Design Report		
7a	DPHI	The FSR in the Design Report p80 is shown as 3:1 not 2.73:1 and the wintergarden shown as 465 m² not 456 m². The errors in the table are to be corrected and recalculated.	FSR calculations have been updated and are consistent across the project documentation.
7b	DPHI	Based on the content of this letter and corresponding changes to the proposal, update the Design Report.	The Design Report has been updated.

Ref	Agency	Comment	KAA Comments
	Parramatta City Council Submission – Cover Letter		
C-1	CoPC	**Waste Collection** The proposed ground floor loading dock cannot accommodate Council's waste collection vehicles and Council will therefore be unable to service the residential component of the development. Council can provide further information on our requirements.	The loading bay is specifically designed to accommodate Council's waste trucks. It: • includes an 11m dia. turntable with a 14m dia. clearance zone • has a 4.5m floor to ceiling height in accordance with AS 2890.2 Traffic Swept Path Analysis have been updated to demonstrate capacity for the site to be serviced by Council's HRV rear loader waster vehicle which is 10.7m long x 3.8m high  *Figure C-1.1: Loading dock swept path analysis of Councils HRV waste truck*

	Council Submission – APPENDIX 1 – KEY ISSUES		
	Urban Design and Public Domain		
C-3	CoPC	Basement Footprint The basement extends beyond the building footprint on all sides (Pennant Hills Road, Felton Road) with a 0m lot setback on the western boundary. This removes all opportunity for structural soil volumes, infiltration, and continuous planting beds. Council requires the footprint be reduced to align with building setbacks as described below along the key edges of Pennant Hills Road and the western boundary to enable deep soil and properly anchored trees.	The basement has been reconfigured to have a reduced footprint notably via increased setbacks to Pennant Hills Road. The adjusted basement generally aligns with either the footprint of the buildings above or with hard paved areas that are integral to the site planning. The amended proposal complies with the Housing SEPP's non-discretionary standards for deep soil – i.e. greater than 15% of the developable site is proposed to be deep soil greater than 6m wide. The design retains the entry driveway along the western boundary. Alternative locations for this ramp were investigated during the design stage but ultimately considered suboptimal. REFER: KAA response to Issue 4a above The proposed basement ramp location offers significant activation along Felton Road - notably in the NE corner of the site as well as each side of the through site link. The loss of deep soil planting resulting from the ramp has been mitigated by the provision of 1.2m - 1.8m deep planters which cover more than 50% of the entry driveway.
C-4	CoPC	Pennant Hills Road Setback A 10-metre front setback is required along Pennant Hills Road, which is being applied consistently to recent development proposals on this corridor including large mixed-use schemes such as the site further to the north (263-281 Pennant Hills Road, Carlingford). This setback must be measured from the future property boundary, accounting for the land that will be acquired as part of the TfNSW road widening program. When the ultimate boundary is considered, the current	The scheme has been amended to provide a minimum 6m setback from Pennant Hills Road as measured from the future (post road widening) boundary. This setback arrangement is consistent with what was approved in the Planning Proposal for the site. The SP2 parcels on the site have been in place since 1990 and remained unactioned for over 30 years raising doubt as to the likelihood of the road widening ever proceeding.

		scheme positions the building too close to the street, and the footprint will need to be adjusted to achieve the required setback. Retaining only 6 m at the primary frontage limits the ability to establish a robust landscape buffer, constrains opportunities for large canopy trees, and results in an excessive built interface with the major arterial road. In addition, the reduced setback reduces the amenity and usability of balconies facing Pennant Hills Road due to excessive noise emissions and pollutants. A setback of 10 m would provide space for taller tree species, improve pedestrian amenity, and help moderate the scale and visual impact of the podium and tower when viewed from Pennant Hills Road. Large street trees, able to grow to a height of more than 15m, should be planted at 10-12m centres within the front setback to provide a green edge. Council's public domain guidelines recommend Eucalyptus Scoparia, Brachychiton acerifolius, Jacaranda mimosifolia and Angophora floribunda as the large tree species for tree planting within setbacks along this road.	Site constraints at both ends also raise questions as to the likelihood of the widening proceeding. Including the bridge, the substation to the north, vehicular access to basement of the adjoining development to the south. Further, between the two SP2 parcels the dimension from the existing kerb to the future boundary reduces from 10m down to a minimum dimension of 5m, which is likely to constrain the extent of future road widening and suggests that a substantial portion of the existing verge will be retained in a road widening scenario.  ***Figure C-4.1:*** *Diagram analysis of verge width available for future road widening. Indicating 5m pinch point toward the southern end.* The landscape plan has been amended across the Pennant Hills Road Frontage consistent with council's planting guidelines.

C-5	CoPC	**Pennant Hills Road Footpath** A new 1.8 m wide concrete footpath should be provided at the new property boundary along the Pennant Hills Road frontage considering the final arrangement of the street. A turfed verge should be installed to cover the balance area to the existing (and eventually proposed) road kerb. In addition, equitable access should be provided to all the commercial spaces within the site, from this footpath.	The site planning and landscaping strategy for the site have been developed on the basis that the road widening is unlikely to occur in the immediate to long-term, if at all. Relocating the footpath would be both premature and result in a poor urban outcome, diverting foot traffic and minimising landscaping. The area incorporates the Through Site Link, A landscape focused solution has therefore been proposed for the portions of the site currently zoned SP2.
C-6	CoPC	**Felton Road Setback** The proposed building line to Felton Road varies across the frontage, but key portions reduce to approximately 4 m, which is insufficient to support deep soil planting, limit visual bulk, or provide appropriate separation to the adjoining Ausgrid Transmission Substation site. A minimum 6 metre setback is recommended along Felton Road to accommodate large canopy trees and meaningful buffer planting, improve the spatial transition to the school frontage opposite, and strengthen the relationship between the built form and the adjacent infrastructure corridor. Street trees should be planted at 8-10m along this street frontage. Species should match the existing Ficus species down the street in front of the school. A new 1.5m wide concrete footpath at the property boundary with a turfed verge should also be provided. Increasing the setback to 6 m reflects long established Council position and Urban Design principles, where landscape width, canopy potential and clarity of edge conditions are key determinants of amenity and character, particularly in high density environments.	The proposed setbacks are appropriate because: • the setbacks across Felton Road vary from 4m to 16m (not including the Through Site Link) • more than 50 % of the setback to Felton St frontage significantly exceeds 6m • the portion of Felton Road where the building is located is a cul-de-sac with no current, or potential for future, neighbours to the east or opposite to the north • it is only a portion of Building A that provides a setback of less than 6m • this is partially an outcome of the unusual trapezoidal nature of the site and is compensated by substantial street setbacks in excess of 12m, particularly on the western boundary where it adjoins neighbouring developments • Building A is a standalone development, has no neighbours and has been designed carefully to ensure it does not set up a condition that impacts on other development within Felton St • that portion of the site where Building A is located is the least active for both pedestrians and vehicles • the design accommodates substantial planting both in the verge and behind the property boundary, including in the 4m setback zone, including more than 25 trees • the proposed 4m setback to Building A is consistent with the setbacks proposed in the approved Planning Proposal

			KAA note that: • the existing ficus trees nominated by Council as suitable street trees for the site are currently only located on the northern side of the street in front of the school, are nor located on the southern side in front of residential development and are not located on the northern side in front of the substation. • fig trees have extensive and highly invasive root systems, including above ground, and are notorious for causing major problems with structures.
C-7	CoPC	**Western Boundary Setback** A 6 m western setback is shown in the design, which in principle provides a reasonable transition to the neighbouring residential properties. However, this setback is undermined by the basement extending to the boundary, preventing deep soil and limiting the ability to plant larger species. To achieve a functional buffer zone and a more appropriate interface, the setback should remain clear of basement and driveway structures, allowing for a continuous deep soil zone, native tree planting to provide privacy screening, and a softer, compatible edge condition. Establishing this landscape buffer emphasises the importance of vegetated perimeter setbacks as a means of mediating transitions between higher density forms and existing suburban housing.	As discussed in 4a above, alternative ramp locations were considered during the initial planning for the site. The proposed location along the western boundary was considered optimal as it 'freed up' the centre of the site, maximising activation of the Through Site Link – a key Council concern. The partial loss of deep soil due to the driveway has been mitigated by ensuring that more than 50% of the basement within the 6m setback zone is capped with deep soil planters with a minimum soil deep of 1.2m - 1.8m, significantly greater than the depth recommended in the ADG. ADG 4P Planting on Structures identifies - 1m soil depth as suitable for medium size trees 8-12m high with 16m crown spread). The amended landscape plans allow for 6 trees in the planters over the driveway - 2 x hymenosporum flavum (up to 20m high) and 4 x Acacia implexa (5-12m high) More than 25 trees are to be planted within the side setback along the western boundary. In addition to the proposed tree plantings, privacy to neighbouring developments to the west is ensured by the provision of adjustable screens proposed to the western elevation of building B and C.

C-8	CoPC	**Built Form and Massing (Building A)** The overall composition of the building is highly complex, with multiple projecting elements, deep recesses, undercroft spaces and competing geometries that result in a visually busy and convoluted built form. The lack of a clear massing hierarchy makes the building appear heavier and more fragmented than necessary. The tower does not exhibit the qualities associated with good high-rise proportioning, where the built form is typically arranged as a tall, slender element with a compact floorplate and a coherent vertical expression. Instead, the proposed tower reads as a wide, solid volume with an expansive floorplate that gives it a broad and heavy profile, intensifying its perceived bulk from both Pennant Hills Road and Felton Road. A more refined architectural approach would consolidate the tower into a leaner, more vertically oriented form with reduced horizontal spread, allowing for improved skyline proportion and reduced perception from distant views. Greater setbacks and landscape integration for the podium would also provide a more human scale pedestrian interface and an improved microclimate. The tower width dimension is significantly greater than what would be expected for a well-proportioned tower in this location (60m width along Pennant Hills Road is proposed). A more appropriate length, based on established urban design principles for tall building proportion and the earlier iterations and plans for this precinct, would be in the order of 45 metres. Reducing the tower's horizontal extent, or introducing substantial recesses and vertical breaks, would help achieve a more balanced massing outcome and soften its presence in the broader landscape.	The design of Building A, the tower building, addresses the complex character of its triangular site in a careful and innovative manner. The building expresses the triangular form created by Pennant Hills Road, Felton Street and the Through Site Link directly in a building composed of three discrete elements rotating around a triangular central core. This enables the building to have individual and unique facades fronting all three 'streets'. The three facades are separated by 'breaks' (deep recesses) which open the building on the corners, articulating the individual elements and creating transparency. Each frontage is then further articulated by three vertical elements, separated by recessed balconies, emphasising verticality through form, depth, shadow and material; and balancing the tower form with the horizontal ribbon of the podium. That is, the building's program evolves out of its site specific geometry which becomes the generating theme for the building. • three frontages • three facades • three residential units per façade • three vertical elements within each facade With the exception of the corner of the building at the junction of Pennant Hills Road and Felton Road, the podium forms a ribbon wrapping and enclosing the lower levels and then turning up in the centre of the Pennant Hills Road and Felton Road frontages. This is a classic modelling approach in contemporary architecture. The building comes to the ground on the corner of Pennant Hills Road and Felton Road to express entry and ground the building as it addresses Carlingford Town Centre.

			Elsewhere, the building is set on 'legs' which lift it off the podium lightening its appearance. Verticality is further emphasised by the use of, columns, materiality, glazing and articulation. Each facade is then specific to its particular orientation. The Pennant Hills Road façade is more 'closed' through the use of winter gardens to address street noise, whilst the Northern and Western Facade utilise slab edges and screening to address solar impacts. The corners are 'open'. Collectively, these measures ensure the development achieves a well-proportioned, balanced and nuanced outcome that is consistent with contemporary tall building design principles and appropriate to its site.  ***Figure C-8.1:*** *Pennant Hills Road Elevation massing diagram*

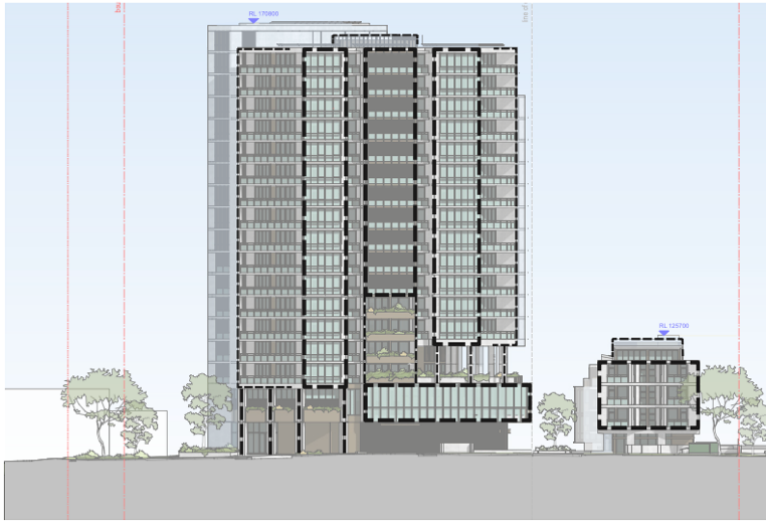


Figure C-8.2: *Felton Road Elevation massing diagram*

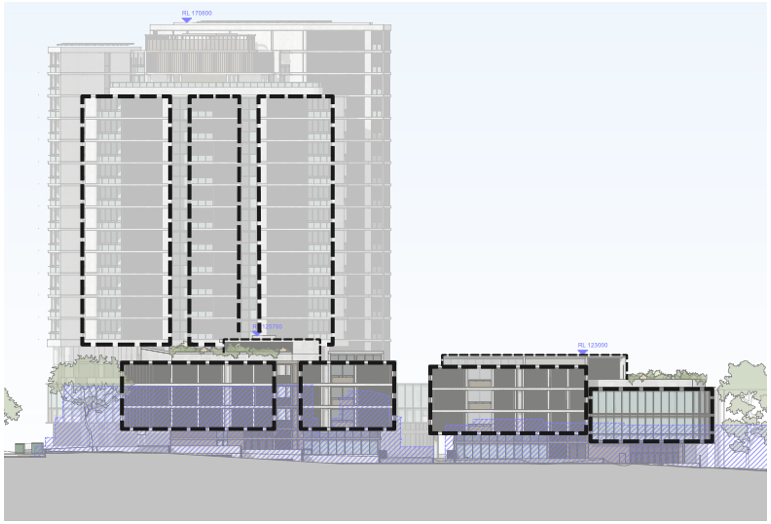
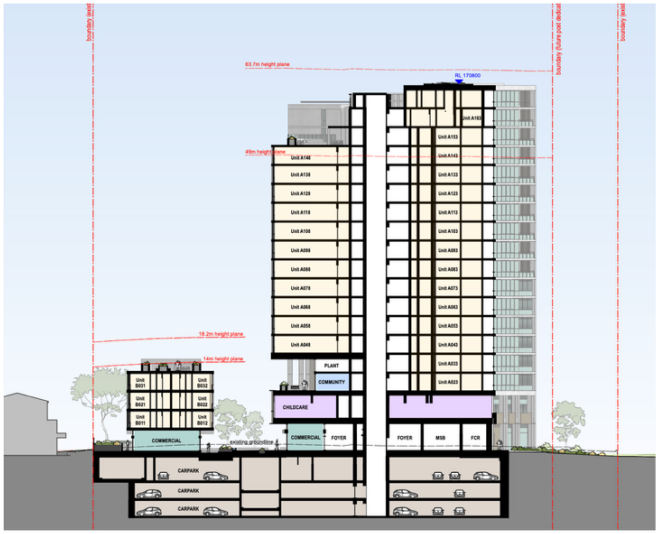


Figure C-8.3: *Western Elevation massing diagram*

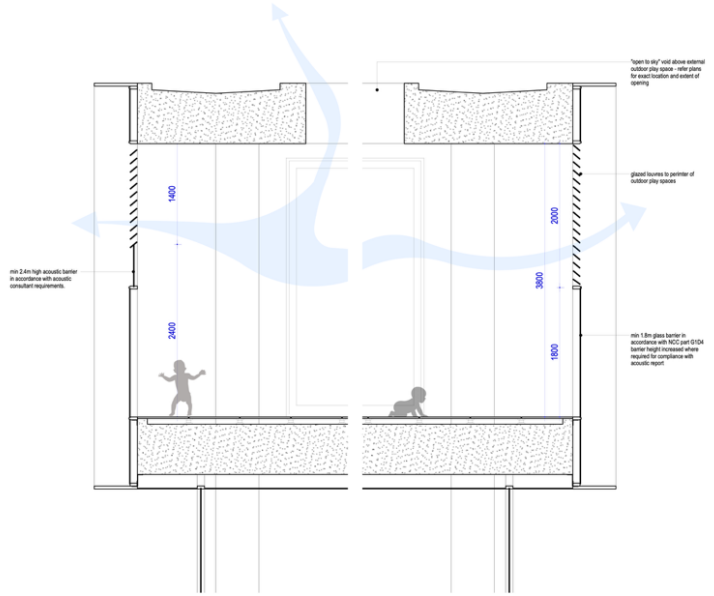
			It is relevant to note that: - Council have incorrectly described Building A as being 60m wide. The 60m dimension relates only to the podium frontage at Levels 01 and 02, which is not uncommon for a development of this scale and urban context. The tower itself is measured at approximately 45m from the primary building line, which is in line with the 45m dimension Council prescribed as being appropriate within their assessment. - The design derives from and is in accordance with the massing and form approved in the Planning Proposal
C-9	CoPC	**Tower Setbacks and Undercroft Conditions (Building A)** Upper-level setbacks are limited and, in several locations, insufficient to meaningfully reduce bulk or improve the tower's silhouette. At podium levels, large undercroft areas—including those associated with the proposed childcare centre—are poorly resolved and do not meet the expectations for functional, well lit, or landscape integrated ground plane design. The reliance on overhangs and recessed spaces contributes to the perceived heaviness of the podium and reduces the clarity of the building's base, middle and top. To reduce apparent bulk and achieve finer skyline modulation, a 3-5m upper-level recess from Level 10 and above on the Pennant Hills Road frontage should be incorporated. In addition, a 3m upper-level setback on the western façade should also be investigated to improve the transition to existing dwellings, along with vertical articulation breaks or a two-part tower expression consistent with best practice urban design principles for long tower facades.	The tower has been designed as a clear and coherent built form with a consistent vertical expression, avoiding unnecessary fragmentation or arbitrary modulation. The scale of the building, at 18 storeys, is neither excessive nor unusual, particularly in the currently evolving urban form of Sydney where buildings of up to 40 storeys are now common and where such buildings are usually designed as a singular form without stepping. The stepping of tall buildings is now recognised as potentially diminishing rather than improving their visual character. Introducing additional setbacks from Level 10 and above, as suggested by Council, would result in an overly complex "wedding cake" form. Rather than reducing perceived bulk, this approach would create a visually confused and overly pyramidal skyline. The "undercroft" areas on level 02 have been carefully conceived as a double-height communal open space providing high-quality resident amenity. They are in addition to the public areas of the Through Site Link and offer a variety of all weather spaces with different orientations and outlook, and good solar access.

			The elevated COS articulates the podium–tower interface and lifts the tower off the podium; a well recognised approach to such buildings. Similarly, the outdoor areas of the Child Care Centre are double height spaces delivering a high quality of light and amenity. They are provided with glazed, perimeter screen walls which are generally required for all urban child care centres. Each of the outdoor play areas is, in part, open to the sky. The overall site organisation includes Buildings B & C, which extend along the western boundary. These two buildings are limited to being 4 storeys high (nom 14m), in accordance with the agreed heights established in the Planning Proposal, providing a clear and effective transition between the lower scale residential development to the west and the Tower Building. Building A steps down to the west by three storeys, aligning the western façade with the heights approved under the Planning Proposal.  ***Figure C-9.1:*** *Site Section demonstrating transitional heights across the development*

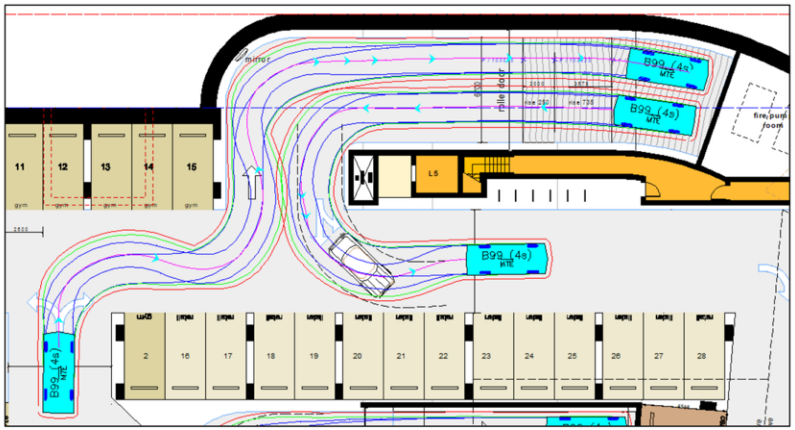
C-10	CoPC	**Deep Soil Zones** The ADG requires at least 15% of the site area to be deep soil with 6m as a minimum dimension for a site this size. The deep soil zone should ideally be a consolidated space to allow meaningful growth of vegetation and located within setbacks and communal areas to allow movement of fauna and groundwater.	The amended scheme complies with ADG requirements with greater than 15% deep soil at min 6m wide.
C-11	CoPC	**Through-Site Link** Council does not support the design and configuration of the through-site link. The principal pathway from Felton Road to Pennant Hills Road is convoluted and should be simplified. The pedestrian link should be easily identifiable by pedestrians and perceived as an extension of the public domain. In addition, the pathway narrows to 2.6m at certain points and should be widened to ensure it is at least 3m wide throughout its entire extent. Graded equitable access should also be provided with ramps set at <1:20 (1:14 ramps are not supported). Council recommends the siting of the principal pedestrian footpath through the centre of the through-site link, which would also ensure the pedestrian footpath is entirely open to sky (currently it is partially located underneath an undercroft). Pedestrian lighting (designed to relevant Australian Standards) should be provided within the link to ensure safe access at all times. In addition, public seating and rest areas should be incorporated at regular intervals adjacent to the main pedestrian link. Planting of trees within the through-site link is supported. However, Council requests that sufficient soil volume is provided to support trees, in accordance with planting on structure guidelines in the Apartment Design Guide. In addition, clarification is required over how the internal landscape areas (and other publicly accessible elements) will be serviced and maintained. The through site link connection to the 1.8m wide footpath along Pennant Hills Road, should provide a more clear and direct connection between this footpath & the link while maintaining consistent visual connection / view corridor to Felton Street.	The Through Site Link provides both pedestrian connection from Pennant Hills Road and Felton Road and access to the site, including a series of commercial and public spaces. The Through Site Link is not in a location that will generate a high level of foot traffic, as it is not in a key path of travel or connects key destinations. It is not open to vehicles and incorporates a fall of over 2m. Accordingly, it has been designed as a series of spaces accommodating a variety of uses and functions including outdoor recreation areas associated with commercial tenancies, significant street planting and a water feature – 'stream' connecting the two ends. Access is via both sides, with multiple points of connection, including a small outdoor performance space. The accessible path has been adjusted to provide a minimum 3m width throughout, providing a continuous compliant 1:20 accessible path of travel without handrails. The pedestrian paths are provided with all weather access via cantilevered building elements and awnings. Centralising the access paths would diminish opportunities for meaningful landscaping throughout the link. The key location for introducing trees and vegetation in the Through Site Link is the central spine, away from building edges and maximising sunlight to them.

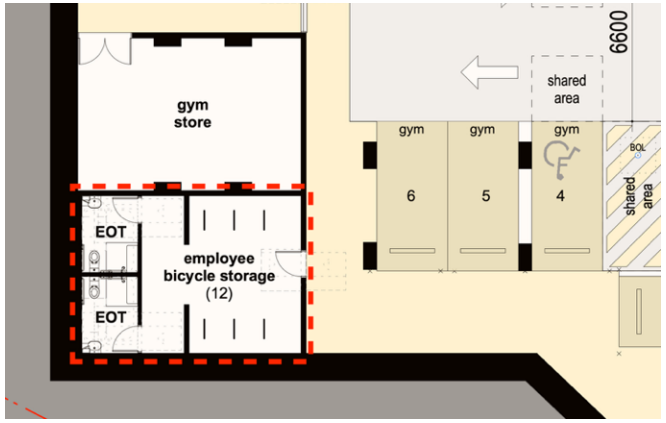
			The space mediates the harsh environment of Pennant Hills Road and creates a relaxed and engaging environment, more suitable to the location than a formal 'road'. That is, it is activated by uses rather than movement.  ***Figure C-11.1:*** *Perspective view of the south entry point to the through site link on Pennant Hills Road.*
C-12	CoPC	**Other Pedestrian Areas** Council requests clarification on the purpose and intent of the wide concrete expanse at the eastern corner of the site. If this area is meant to be a pedestrian connection, it should match the other footpath widths within the public domain, namely either the 1.8m wide footpath along Pennant Hills Road or the 1.5m wide footpath along Felton Road.	The proposed footpath configuration in the NE corner has been reconfigured in response to Councils comments. A new 1.8m footpath is proposed around the east perimeter of the Felton Road cul-de-sac that will provide a more direct access route from the southern side of Felton Road toward the Carlingford Light Rail Station.

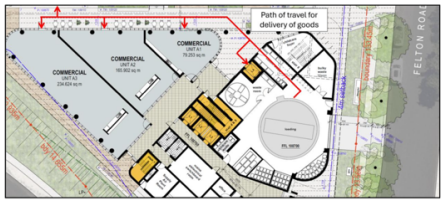
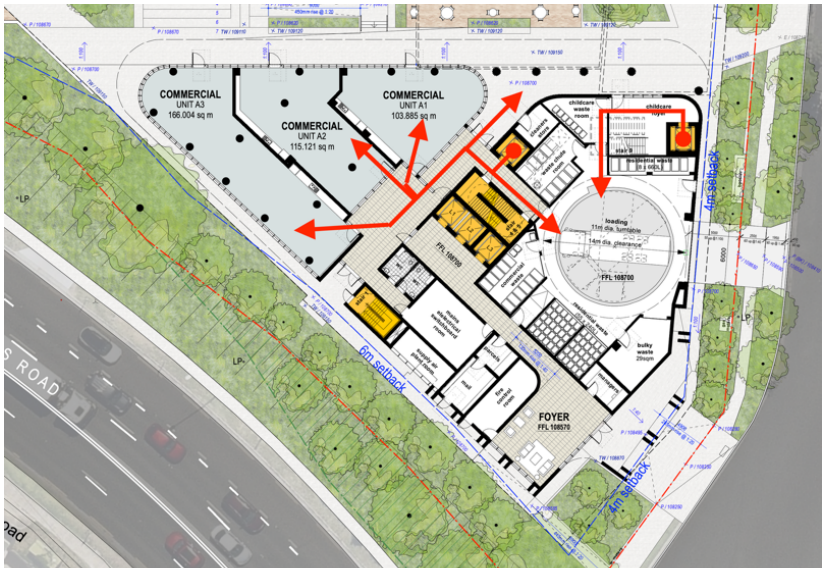
	Gross Floor Area Calculations		
C-22	CoPC	Upon review of the gross floor area calculations provided by the proponent, it is evident that the total gross floor area of the proposed development has been incorrectly calculated. In summary, the applicant has calculated a total floorspace of 15,738sqm (16,203sqm including 465sqm winter garden allowance) whilst Council calculates a total of floorspace of 16,722.7sqm (17,187.7sqm including 465sqm winter garden allowance). .....REFER LETTER FOR FULL DETAILS & TABLE.... There are numerous areas within the gross floor area calculations provided by the proponent that have been incorrectly excluded. A summary of these areas is provided in the following table. As identified above, a total of 1,007.7sqm of additional floor space may be counted toward gross floor area under the statutory definition of the Parramatta Local Environmental Plan 2023. The proposal therefore likely exceeds the maximum floor space ratio permitted under the Parramatta Local Environmental Plan 2023 and State Environmental Planning Policy (Housing) 2021. As no clause 4.6 variation request accompanies the application, the application can only be determined by way of refusal.	Council's concerns regarding the gross floor area (GFA) calculations are noted. Updated GFA calculations have been provided with the amended scheme, which incorporate areas identified in Council's table, including waste storage areas. Consistent with the original DA submission, the childcare outdoor play areas are excluded from GFA. Council has argued that these areas should be included on the basis that perimeter walls exceed 1.4m in heigh, however it is common and necessary practice in Child Care Centres for perimeter barriers to exceed 1.4m in outdoor play areas to address safety, acoustic and fall prevention requirements. For example, the NCC requires 1.8m high barriers to outdoor play spaces more than 2m above ground level. This does not, in itself, result in the 'outdoor' areas meeting the definition of GFA. In this instance, each of the outdoor play areas incorporates a number of non-weather protected openings including a fully open void space to sky. That is they are 'external' areas which are not fully enclosed and are, in part, open to the sky. This approach to GFA is supported by established case law. In C & J Corporation Pty Ltd v Canterbury-Bankstown Council, the Court accepted partially enclosed and partially roofed outdoor play areas as not forming part of Gross Floor Area. Similarly, in Bright Beginnings v Bayside Council, the Court accepted a covered upper-level outdoor terrace substantially enclosed by full-height

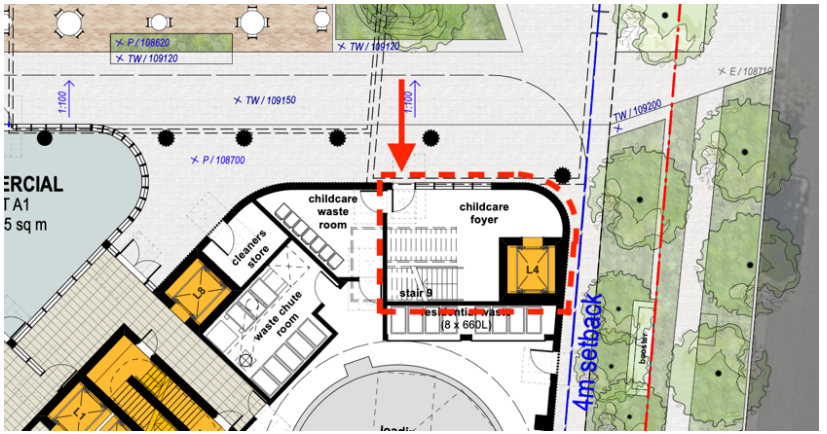
			walls and acoustic barriers, where the space still maintained a meaningful opening to air and external conditions. In addition, the façade treatments have been developed to incorporate a combination of louvres and low level acoustically rated plenums to ensure these spaces are permanently naturally ventilated. They provide open-air access, natural light and ventilation notwithstanding the necessary perimeter treatments required for safety, acoustic performance and compliance with NCC climbability requirements.  *Figure C-22.1: Typical Outdoor Play Space Façade Details indicating ventilation, acoustic and climability requirements.* The covered outdoor areas are 3.8m high, which and are capable of incorporating not only play structures but substantial planting. As such, the spaces are considered to provide an appropriate outdoor environment for a contemporary child care.

	Council Submission – APPENDIX 2 – MATTERS TO BE RESOLVED		
	Traffic and Parking – Other Matters		
C-28	CoPC	Residential Parking Based on the non-discretionary standards of the SEPP (Housing), the following parking rates are applicable for the residential component of the development: **Affordable Component** Rate / Qty / Required Parking / Provided Parking 1 Bedroom: 0.4 / 3 / 1.2 / 2 Bedroom: 0.5 / 14 / 7 / 3 Bedroom: 1 / 8 / 8 / Total / 17 / 24 **Non-Affordable Component** Rate / Qty / Required Parking / Provided Parking 1 Bedroom: 0.5 / 20 / 10 / 2 Bedroom: 1 / 70 / 70 / 3 or more bedrooms: 1.5 / 46 / 69 / Total / 149 / 127 **Grand Total** / **166** / **151** In accordance with the table above, the development is required to provide a total of 166 residential parking spaces in order to meet the SEPP requirements. However, the development only provides 151 spaces resulting in a shortfall of 15 spaces. Furthermore, it is noted that for the non-affordable component, the shortfall is higher at 22 spaces. Consideration can be given the TfNSW reference rates for this site noting that it is within 800m of a Light Rail stop. Application of this reduced rate for the whole development site would still result in a shortfall of 14 residential spaces. Concern is raised over the significant shortfall in residential parking and its (likely) impacts on on-street parking in the surrounding area.	The contention that the proposal has an undersupply of parking is based on an incorrect assessment of the development yield and parking requirements. In line with commentary from DPHI, the residential parking provisions have been reduced to comply with the maximum allowable spaces permitted under rates prescribed within the Chapter 2 of the Housing SEPP. A total of 216 residential spaces has been provided, which comprises 17 AH spaces and 199 non AH spaces. 28 visitor spaces have been provided based on PDCP's rate of 0.2 / spaces per dwelling.

C-29	CoPC	**Gym Parking** In accordance with the TfNSW reference rates, a 475m2 gym should provide parking at a rate of 3 spaces per 100m2 GFA resulting in 15 spaces. As 26 parking spaces are proposed for this use, there is a surplus of 11 parking spaces. Council recommends that this surplus parking be reallocated to other uses at the site (such as residential).	The gym parking provisions have been adjusted to comply with Council's proposed rate of 3 spaces per 100m2 of GFA.
C-31	CoPC	**Car Park Design** It is noted that the ramps to the basement car park are curved meaning that the shorter radius curve may be exceeding the maximum grades permitted as per AS 2890.1:2004. Accordingly, long sections of both edges of the ramps should be submitted, and the TIA should confirm that they meet the requirements of the standards. Further, it is noted that a control point and median is located at the bottom of the ramp just after a bend. The TIA should perform a swept path analysis to confirm that the vehicles will be able to safely navigate this point in the car park. The Gym parking spaces 6 and 7 cannot be accessed without excessive reversing movements which will compromise the safety of the car park. Accordingly, these spaces are not to be used, and bollards are to be installed to prevent unintended access. The same issue exists for residential parking spaces 4 and 70 and, visitor parking spaces 1 and 14.	**Entry Driveway Ramp** Gradients and arc lengths indicated on the plans are measured from the inner radius (inside kerb) in accordance with AS 2890.1. **Intercom Median** The median strip at the base of the entry driveway has been deleted from the amended plans.  ***Figure C-31.1:*** *Entry Driveway Swept Paths*

			Gym Parking Aisle The Gym parking and lower levels have been reconfigured to eliminate the need for reversing movements. In accordance with AS2890.1 no parking bay is provided as the aisle is not more than 6 spaces deep.  ***Figure C-31.2:*** *Amended Gym parking aisle.*
C-32	CoPC	**Bicycle Parking** Council queries the location of the employee bicycle parking space within Basement Level 1, noting that the bicycle parking facilities are located some distance from commercial tenancies located within Building B and C. It is recommended that end-of-trip facilities for the commercial uses be located within proximity to entry points to these uses, in order to promote active transit options to the site.	End of trip facilities have for commercial tenancy employees have been consolidated in the southern end of basement level 01.  ***Figure C-32.1:*** *Basement 01 Plan Detail indicating EOT facilities*

C-33	CoPC	**Loading and Servicing** The TIA does not perform any assessment of the loading and servicing needs to the proposed development to confirm whether the proposed facility will be sufficient. It is recommended that the TfNSW Last Mile Toolkit be used to perform an assessment of the loading and servicing needs of the proposed development. The assessment should confirm that the vertical clearance within the loading dock meets the minimum requirements of AS 2890.2. Council notes the provision of a loading dock within the ground level of Building A, to be used for the collection and removal of waste as well as deliveries for the site. The provision of multiple waste storage rooms within close proximity to the loading dock would facilitate efficient waste removal. However, the separation of this loading dock from commercial storage areas located within Basement Level 1 is considered to be impractical. Any goods delivered to the site would need to be transported through waste rooms (with narrow doorways) and to the commercial premises located within Buildings A-C or transported via Lift 4 to Basement Level 1 which is understood to be a passenger (and not goods) lift.  **Figure 1** *Path of Travel for Delivery of Goods* The absence of dedicated storage space for the delivery of goods and easy access to commercial storage areas from this loading dock is considered to be poor design. In addition, the need to transport goods (including food deliveries) through waste storage areas may give rise to adverse public health outcomes. Council recommends that the ground floor loading dock be redesigned to include appropriate facilities to receive the delivery of commercial goods. In addition, it is recommended that a dedicated goods lift be incorporated into the loading dock, to enable transportation of goods from the loading dock to the basement commercial storage areas.	**Loading Dock Headroom** The loading dock has a vertical clearance of 4.5m and complies with AS 2890.2 **Loading Dock Layout** The ground floor of Building A has been reconfigured to provide safer access to the loading area via the Building A commercial foyer. **Commercial Lifts** The general commercial lift, L 8, has been internalised and is accessed from inside the commercial foyer of BLD A rather than off the through site link. For the scale of the development and proposed commercial spaces a dedicated goods lift was not considered viable or necessary. An additional lift, L4, has been added for dedicated use by the childcare centre.  ***Figure C-33.1:*** *Building A Ground Floor Detail indicating access routes to and from the Loading Dock.*

	Child Care Centre		
C-35	CoPC	**Centre-Based Child Care Facilities - Parking** Council notes that the dedicated parking spaces for the childcare centre are shared with other parking spaces for commercial uses within the development. It is recommended that the dedicated parking spaces be separated from other spaces wherever possible, with a demarcated walkway running the extent of the childcare parking area provided.	The parking spaces for the childcare will be clearly identified with appropriate signage. All of the spaces for the childcare are provided with a min 1.2m wide walkway that will provide safe passage to the childcare lift (L4)
C-36	CoPC	**Centre-Based Child Care Facilities – Access** The ground floor childcare entry foyer does not provide a ground floor access to the childcare lift. The current design shows the lift separated from the foyer. This is not supported. As the childcare is wholly located on the first floor, the lift should be collocated with the foyer to enable users walking in from the ground floor to take prams up to the centre.	The childcare entry foyer and lift access have been reconfigured. An additional lift, L4, has been provided for dedicated use by the childcare. The lift and stair are now co-located and accessed from within the childcare foyer on the Ground Level  ***Figure C-36.1:*** *Ground Floor Plan Detail of the Childcare Foyer.*

C-37	CoPC	**Centre-Based Child Care Facilities – Outdoor Play Areas** It is unclear whether the largely enclosed outdoor spaces meet the definition of "outdoor play area". Information provided by Australian Children's Education and Care Quality Authority (ACECQA) on appropriate outdoor space states that "Enclosed, covered outdoor spaces that are not open to the air will not be considered part of the outdoor space without approval by the regulatory authority" (p. 3). Given that the outdoor spaces are enclosed on all sides by the outer walls of the building, with only small openings provided, it is considered unlikely that these spaces count toward unencumbered outdoor space requirements under the regulation. In the event that these spaces do not meet the relevant definition / requirements, the absence of suitable outdoor play space is considered to be a poor design outcome. Council would not support a facility of this scale that solely relies on simulated outdoor play. In addition, concern is raised over the fragmentation of the outdoor play areas. The fragmented spaces, combined with the provision of multiple columns within those spaces, will likely inhibit effective supervision of children. The outdoor play areas also present privacy conflicts with the nearby proposed terrace dwellings. Additional separation between the outdoor play areas and nearby dwellings is required, through the form of landscaping (or the like). Based on the above, Council recommends a significant redesign of the proposed Centre-Based Child Care Facility.	Council's concern regarding the proposed outdoor play areas is noted. As noted in C22 above, each outdoor play space includes an area directly open to sky. In addition, the façade treatments have been developed to incorporate a combination of louvres and low level acoustically rated plenums to ensure these spaces are permanently naturally ventilated. For portions that are covered floor to ceiling height of 3.8m is proposed. As such, the spaces are considered to provide an appropriate outdoor environment for a contemporary child care.  ***Figure C-37.1:*** *Diagram showing extent of open to sky voids above outdoor play spaces*

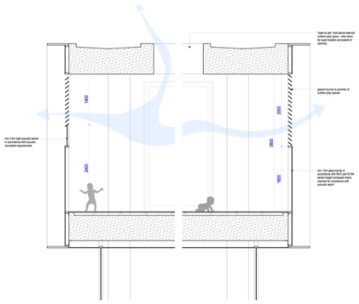


Figure C-37.2: *Typical Outdoor Play Space Façade Details indicating ventilation, acoustic and climability requirements.*

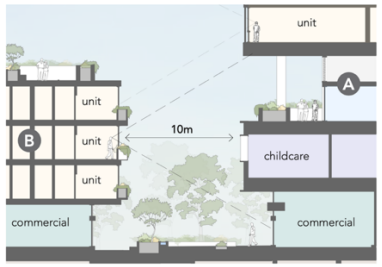


Figure C-37.2: *Section Detail indicating building separation between the childcare and residential units in BLD B.*

In relation to fragmentation, the layout reflects current child care operational practice whereby separate outdoor spaces are provided for infants, toddlers and preschool-aged children.

Locating the outdoor spaces at the corners of the triangular podium floorplate also ensures a high quality of solar access, ventilation and outlook.

The proposal maintains approximately 10m separation between the child care centre and Building B.

Acoustic barriers, with a minimum height of 1.8m are incorporated into the façade design and balcony planters have been incorporated into the residential unit design.

C-38	CoPC	**Centre-Based Child Care Facilities – Fire Safety** For fire safety, the design of the centre must include a smoke lobby as per D1.7 of the National Construction Code. The applicant should also consider implementing additional fire safety measures in line with Fire and Rescue NSW's recommendations for childcare centres to decrease potential safety risks (e.g., fire sprinkler system).	Council's comments regarding fire safety are noted. The reference to Clause D1.7 relates to a superseded version of the NCC, with the relevant provision now contained within NCC Clause D3D7. KAA anticipates that the main corridor in the childcare, which wraps around the main core of Building A will be capable of being constructed as a smoke lobby in accordance with the NCC, subject to detailed design development and certification.  ***Figure C-38.1:*** *Child Care Plan Detail with anticipated extent of smoke lobby shown highlighted in red.* Council's recommendation regarding additional fire safety measures is also acknowledged, including consideration of a sprinkler system, which will be further reviewed in consultation with the project fire engineer as part of the construction documentation process.

	Universal Access		
C-41	CoPC	Equipment and furniture within the communal areas including the communal open spaces, commercial, childcare, and gym areas will require accessible and inclusive features suitable for a person with a mobility and other impairments. Note: AS1428.2 provides guidance on accessible furniture including reach ranges and varying heights of tables and seats with back and arm rests. Any discrepancies between the footpath and entries into the development are to be taken up within the site. The distortion of the footpath will not be tolerated. Building lines and clear paths of travel are to be maintained. The active leaf of doors must provide a clear opening no less than 850mm. Low level thresholds are required at all doors accessing outdoor and differing areas. The Abutment of differing surfaces shall have a smooth transition. Design transition shall be 0 mm. Construction tolerances shall be as follows: (a) 0 ±3 mm vertical. (b) 0 ±5 mm, provided the edges have a bevelled or rounded edge to reduce the likelihood of tripping. AS1428.1.7.2.	These issues can be further addressed via a condition of consent

	Landscaping		
		An amended landscape plan is required.	The Landscape Plans have been amended to address CoPC's comments. Refer: 2h above
C-50	CoPC	CPTED Council is broadly supportive of the application's accompanying Crime Prevention Through Environmental Design Assessment Report and recommends that, in the event of approval, the following requirements are imposed by way of condition. • Mailboxes must be located inside each apartment building and positioned so that mail can only be removed from inside a private space that is fitted with access control to prevent non-residents from accessing the area. • Each mailbox must be fitted with an individualised non-master key lock, alternatively, individual electronic access provided. • Implement a CCTV system to provide 24/7 surveillance of all building entry and exit points (including car park entry and exit), mailbox area, as well as park areas, footpaths and publicly accessible areas. The CCTV system operated by the complex should comply with Australian Standard AS/NZS 62676.1.2:2020. Images should be retained for a minimum of 30 days. • Security system to be provided in the basement to distinguish between the public and private parking areas and to prevent unauthorised access to private basement parking and storage areas. • Any basement storage compartment provided to residents must be secure, with solid, opaque walls and door and fitted with an individualised non-master key lock.	CPTED can be further addressed via a condition of consent.

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