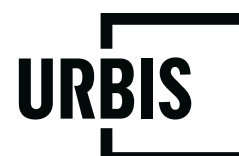




TELOPEA CONCEPT PLAN AND STAGE 1A

Submissions Report
SSD-14378717

Prepared for
FRASERS PROPERTY TELOPEA DEVELOPER PTY LTD
20 April 2022



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EXECUTIVE SUMMARY

This Submissions Report has been prepared on behalf of Frasers Property Telopea Developer Pty Ltd to address the matters raised by government agencies, local Council, the community and relevant stakeholder groups during public exhibition of the proposed staged redevelopment of the 'Telopea Concept Plan Area' (the site).

The State Significant Development Application (**SSDA**) was lodged with the Department of Planning and Environment (**DPE**) in accordance with Schedule 1, Clause 26 of *State Environmental Planning Policy (State and Regional Development) 2011*.

DPE issued a letter to the Applicant on 12 November 2021, noting that the public exhibition period had ended but DPE were still awaiting responses from key government agencies including City of Parramatta Council, Transport for NSW, Parramatta Light Rail and Sydney Water. This letter noted that once these submissions were received, the submissions and a list of key issues for consideration would be issued by DPE to the Proponent.

An additional letter was received on 23 December 2022 requesting a response to the issues raised during the public exhibition of the application. The following specific matters were identified by DPE in their Request for Additional Information:

- Voluntary Planning Agreements (VPA)
- Design Excellence
- Concept Plan Layout
- Isolated Lots
- Setbacks
- Housing Policy
- Open Space, Trees and Deep Soil
- Traffic and Car Parking
- Stage 1A: Built Form and Amenity
- Other Matters

This Submissions Report outlines the proposed refinements to the Concept Plan and Stage 1 A built form and responds to all concerns raised within submissions.

Overview of Submissions

The SSDA was on public exhibition between 12 October and 9 November 2021. A total of 37 submissions were received from NSW government agencies, City of Parramatta Council (**Council**), special interest groups and individuals, including:

- Transport for NSW (TfNSW)
- Sydney Water
- Environment, Energy and Science Group (EESG)
- NSW Environment Protection Authority (EPA)
- Heritage NSW – Heritage Council of NSW, Historical Archaeology and Aboriginal Cultural Heritage
- Endeavour Energy
- Western Sydney Local Health District
- Dundas Valley Medical Centre

In addition, submissions were received from neighbouring property owners, residents and businesses within the community.

The key issues raised in the submissions can be broadly grouped into the following categories:

- The project: Physical layout and design and overall timing
- Procedural matters: Compliance with the SEARs and Identification of relevant statutory requirements
- Economic, environmental and social Impacts including:
 - Amenity
 - Biodiversity
 - Heritage
 - Traffic
 - Flooding
 - Contamination
- Justification and evaluation of the project including consistency of project with Government plans, policies and guidelines

This Submissions Report provides a response all submissions within **Section 4**.

Actions Taken Since Exhibition

Since the SSDA was publicly exhibited, the Applicant has undertaken further consultation with Parramatta Council, DPE and a range of Public Authorities to discuss the issues raised within their submissions. This Submissions Report is accompanied by:

- Updated Architectural, Landscape and Civil Plans which set out the proposed refinements to the original scheme and the clear identification of works associated with the Concept Proposal and the Stage 1A works for the first stage of development.
- Supplementary reports and technical advice which provide additional clarification and further information as appended to this report and including the following:
 - Response to Submissions Design Report (Concept RTS Design Report) prepared by Bates Smart
 - Stage 1A Design Report prepared by Plus Architecture
 - Clause 4.6 Variation to FSR in relation to the Concept Plan prepared by Urbis
 - Addenda Flood Assessment prepared by BG&E
 - SDRP Response (Session 3) prepared by Frasers Property and Urbis
 - State VPA Response to Formal Offer prepared by Frasers
 - BDAR Waiver prepared by ACS Environmental and Urbis
 - Historical Archaeological Assessment prepared by Urbis
 - Stage 1A Addendum Traffic and Parking Statement prepared by Ason Group
 - Revised Electrolysis Report prepared by Corrosion Control Engineering

Response to Submissions

The Applicant has amended the proposal in response to the submissions and stakeholder consultation. The key changes are summarised as follows:

- Refinements to the building heights, setbacks and footprints within the Core Precinct.
- Refinements to the built form within Stage 1A including the removal of the proposed basement entrance from Winter Street with all traffic and parking now directed along Sturt Street.
- Upgrades to the overall civil plans to reflect Council and TfNSW comments

Updated Justification and Evaluation

The refinements and clarifications made in response to key issues raised within the submissions are changes that fit within the limits set by the project description. These refinements do not change what the application is seeking consent for, and therefore an amendment to the proposal is not required.

Beyond those impacts previously assessed within the Environmental Impact Statement (EIS), there will be no additional impacts as a result of the refinements and clarifications to the proposal. Rather, the refinements include additional measures to ensure any previously known and assessed impacts will be appropriately managed and mitigated where relevant.

Overall, the proposal remains consistent with the strategic policy framework delivering a range of housing types and sizes to meet the needs of different households. The provision of social housing creates opportunities to directly combat homelessness and relieve housing stress for low income households. As part of the Communities Plus model, the proposal provides housing supply, choice and affordability, with access to jobs, services, retail offerings, community infrastructure and public transport in an identified urban renewal area.

The strategic proposal for homes adjacent to the PLR will facilitate the delivery of a city shaping corridor and the 30-minute city vision, through locating residents close to major employment and education centres within the broader region.

In summary, the Concept Proposal and Stage 1 Application for the Telopea CPA (including minor design refinements and clarifications) is in the public interest, and is therefore considered acceptable.

1. INTRODUCTION

This Submissions Report relates to the concept approval for the staged redevelopment of the 'Telopea Concept Plan Area' (**CPA, the site**), as well as a detailed proposal for the first stage of development known as 'Stage 1A'. This Submissions Report has been prepared for Frasers Property Telopea Developer Pty Ltd (**Frasers, the Proponent**) on behalf of Land and Housing Corporation (**LAHC**) to address the matters raised by public agencies, local Council, the community and other relevant stakeholders throughout the public exhibition period.

The State Significant Development Application (**SSDA**) was lodged with the Department of Planning and Environment (**DPE**) in July 2021 (SSD-14378717). The SSDA was placed on public exhibition for 28 days between 12 October and 9 November 2021.

This Submissions Report has been prepared in accordance with the DPE *State Significant Development Guidelines – Preparing a Submissions Report (Appendix C) July 2021*.

1.1. EXHIBITED PROJECT

The SSDA seeks concept approval for the staged redevelopment of the Telopea CPA, as well as a detailed proposal for the first stage of development. The original EIS sought consent for the following:

Concept Proposal

The Concept Proposal sets out the maximum building envelopes and gross floor area (GFA) that can be accommodated across the CPA, and identifies the land uses and public infrastructure upgrades to be provided. The Concept proposal will establish the planning and development framework from which any future development application will be assessed against.

The Telopea CPA proposal comprises:

- A mixed-use development including:
 - Approximately 4,700 dwellings, including a mix of social, affordable and market dwellings
 - Inclusion of a new retail precinct with a new supermarket, food and beverage, and speciality retail
 - Proposed childcare facility
 - Proposed combined library and community centre
 - Proposed combined Church, Residential Aged Care Facility (RACF) and Independent living unit's (ILU) facility
- Delivery of new public open space, including:
 - A new light rail plaza
 - Hill top park
 - Eyles pedestrian link
 - Open space associated with the proposed library
- Retention of existing significant trees
- Road and intersection upgrades
- Cycle way upgrades
- Upgrade of utility services.

Stage 1A Works

The first stage of works to be delivered (known as 'Stage 1A') is located within the Core precinct adjacent to the Parramatta Light Rail station and will include:

- Site establishment works including demolition of all existing buildings and structures, tree removal, site preparation, excavation, and services augmentation.

- Construction of a new arrival plaza for the PLR known as 'Telopea Station Plaza' incorporating a hilltop park surrounding existing significant trees.
- Construction of the Sturt Street West extension over the PLR including Adderton Road intersection works and cycleway connection.
- Upgrade of Sturt and Shortland Streets including kerb realignment, new footpaths and verge landscaping, new indented parking bays, bus zones and pedestrian crossing.
- Construction of five residential buildings between 4 and 14 storeys in height with a shared basement, comprising a total of 446 studio, one-, two- and three-bedroom apartments.
- Construction of two basement levels with ingress/egress from Sturt Street, comprising a total of 421 car parking spaces and 476 bicycle storage spaces, waste and loading facilities.
- Associated open space and landscaping works, including construction of a new public park and through site link, retention of existing significant trees, and ground and rooftop communal open space.
- Construction of a new publicly accessible mews street, providing access to the five residential buildings and new public park.
- Torrens Title Subdivision.

1.2. SUPPORTING DOCUMENTATION

This Submissions Report is supported by the following technical reports and documentation.

Table 1 Supporting Documentation

Appendix	Report	Prepared By
Appendix A	Submissions Register	Urbis
Appendix B	Updated Mitigation Measures	Urbis
Appendix C	List of Plans for Approval	Urbis
Appendix D	QS Report	WT Partnership
Appendix E	Concept Masterplan Drawings	Bates Smart
Appendix F	Concept Response to Submissions Report	Bates Smart
Appendix G	Design Guidelines	Bates Smart
Appendix H	Design Excellence Strategy	Urbis
Appendix I	Masterplan Civil Drawings	J Wyndam Prince
Appendix J	Stage 1A Design Report	Plus Architecture
Appendix K	Stage 1A Landscape Concept Plan	Hassell
Appendix L	Stage 1A Landscape Plans	Hassell
Appendix M	Stage 1A Public Domain Plans	Hassell
Appendix N	Stage 1A Civil Drawings	J Wyndam Prince
Appendix O	Clause 4.6 Variation to height in relation to the Concept Plan	Urbis

Appendix	Report	Prepared By
Appendix P	Clause 4.6 Variation to height in relation to Stage 1A	Urbis
Appendix Q	Clause 4.6 Variation to FSR in relation to the Concept Plan	Urbis
Appendix R	Addenda Flood Assessment	BG&E
Appendix S	Stage 1A Subdivision Plans	LTS
Appendix T	Dedication Plan	Hassell
Appendix U	SDRP Response (Session 3)	Frasers Property
Appendix V	State VPA Response to Formal Offer	Frasers Property
Appendix W	Electrolysis Report	Corrosion Control Engineering
Appendix X	Noise Impact Statement	White Noise Acoustics
Appendix Y	BDAR Waiver	ACS Environmental and Urbis
Appendix Z	Historical Archaeological Assessment	Urbis
Appendix AA	Stage 1A Addendum Traffic and Parking Statement	Ason Group
Appendix BB	PDA Program	Frasers Property
Appendix CC	Progress Consultation Report	WSP
Appendix DD	Stage 1A Architectural Plans	Plus Architecture
Appendix EE	MUSIC Model	JWP

2. ANALYSIS OF SUBMISSIONS

This section provides a summary of the submissions received including a breakdown of respondent type, nature/ position and number of submissions received.

2.1. BREAKDOWN OF SUBMISSIONS

The SSDA was publicly exhibited between 12 October and 9 November 2021. There were 8 submissions received from public agencies and the local Council, and 29 submissions received from special interest groups, members of the local community and individuals. In addition to the individual submissions, a petition with 18 signatories was received.

All submissions were managed by DPE, which included registering and uploading the submissions onto the 'Major Projects website' (SSD-14378717).

A breakdown of the submissions made by group and issues raised is provided in **Table 2** below with responses provided in **Section 4** and **5** with further detail provided in **Appendix A**.

Table 2 Telopea SSDA Submissions

Source	Position	Number of Submissions
Public Authorities		
City of Parramatta Council	Objects to Concept Plan Supports Stage 1A Application	1
TfNSW	Comment	1
Sydney Water	Supports with comments	1
Environment, Energy and Science Group	Comment – requires further information to provide assessment	1
Environment Protection Authority	Supports with comments	1
Heritage NSW – Heritage Council of NSW	Comment	1
Heritage NSW – Historical Archaeology and Aboriginal Cultural Heritage Regulation	Supports	1
Endeavour Energy	Supports with comments	1
Community Organisations	Support	0
	Comment	2
	Object	2
General Public	Support	2
	Comment	3
	Object	20
SUBTOTAL		37

2.2. CATEGORISING KEY ISSUES

In accordance with the DPE *State Significant Development Guidelines*, the issues raised in the submissions are summarised in **Table 3** below. A response to submissions is provided in **Section 4** and **5** of this report.

Table 3 Categorising Issues Raised

Category of Issue		Summary of Matters Raised
The project	Physical layout and design	Provide further justification regarding <i>Parramatta Local Environmental Plan 2011</i> (LEP) and ADG compliance. Provide evidence of amalgamation of isolated lots.
	Timing	Provide further detail on staging and timing of facilities on site (library, supermarket, medical facilities etc).
Procedural matters	Compliance with the SEARs	Prepare a revised QS Report which includes a jobs estimate. Prepare a Biodiversity Development Assessment Report or apply for a waiver. Prepare a Historical Archaeological Assessment.
	Identification of relevant statutory requirements	Provide further justification regarding LEP and ADG compliance. Demonstrate how the concept proposal adequately addresses the requirements of the design excellence provisions of Clause 6.12 of the LEP. Provide further justification regarding compliance with the provisions of Council's Telopea DCP.
Economic, Environmental and Social Impacts	Amenity	Provide further justification for the quantum of public open space proposed.
	Biodiversity	Revise current Aboricultural Report.
	Heritage	Provide further assessment on the heritage impacts of former Adderton Estate within the concept approval area.
	Traffic	Concern that Winter Street is too narrow and is not a suitable location for the garage entrance/two way-traffic. Revise current car parking provisions.
	VPA	Updates required to the VPA.

Category of Issue		Summary of Matters Raised
	Flooding	Demonstrate how the development complies with Council's Local Floodplain Risk Management Policy, Parramatta LEP 2011 and DCP 2011.
	Contamination	Prepare detailed site investigation (DSI) covering soil, groundwater and subsurface gas for Stage 1A.
Justification and evaluation of the project	Consistency of project with Government plans, policies and guidelines	Include detailed consideration of the proposal against the following policies/guidance including the Housing SEPP, Housing 2041 strategy, and Future Directions for Social Housing in NSW.
Issues beyond the scope of the project	Social Housing	Displacement of current residents. Increase in social housing will devalue properties.

3. ACTIONS TAKEN SINCE EXHIBITION

In response to the key issues raised within the submissions, minor design refinements and clarifications have been made to the proposed development since public exhibition.

This section summarises the changes that have been made to the project since its public exhibition. It also outlines the additional assessment undertaken to respond to the concerns raised with the public agency, organisation and public submissions outlined in **Section 2**.

3.1. FURTHER ENGAGEMENT

Since the public exhibition of the SSDA between 12 October and 9 November 2021, the Proponent team have undertaken further consultation with Parramatta Council, DPE and Public Authorities.

A detailed response to each of the issues raised by the DPE as part of the RTS can be found in **Section 4.1** of this Report.

3.1.1 Community

WSP have prepared an update Consultation Report (**Appendix CC**) outlining the additional community consultation undertaken in late 2021. Practical and collaborative engagement will underpin the success of the Telopea redevelopment. The engagement strategy prepared by WSP is focused on and addresses the needs of:

- Existing tenants;
- Surrounding residents;
- Agencies and authorities including the City of Parramatta; and
- Local community-based organisations and service providers.

Proactive and early consultation was undertaken to:

- Meet statutory engagement requirements along with those of the NSW Government and also fulfil Frasers commitment to consulting on all their projects.
- Increase awareness of:
 - the existing approved LEP within the project will be delivered.
 - the objectives of Communities Plus and the importance of delivering more social and affordable housing in the context of mixed housing communities.
 - making the most of significant government investment in the light rail by appropriately placed housing in proximity to new public transport infrastructure.
- Identify community issues and potential solutions prior to plans being finalised.
- Assist the community to constructively navigate the renewal process and build a sense of confidence and excitement about Telopea's future.
- Create the community partnerships to support the renewal effort and the various social programs that will
- Be developed to support social housing residents and promote integration of existing and new communities.
- Develop relationships with returning and incoming social housing residents well before occupation.

A range of engagement tools and techniques will be used to ensure the community and stakeholders can be informed about the project as it progresses and have an opportunity to provide input at the appropriate times as Telopea is created over a 15–20-year time horizon.

Initially engagement will focus on:

- Refining the project vision and supporting high level planning applications
- Involving the community in discussions about public domain and proposed community facilities

- Establishing a framework for collaborating with local businesses, schools, service providers and peak
- Bodies to deliver the social outcomes that are desired for Telopea.

Over time, this focus will turn to:

- Community building
- Ongoing detailed development applications
- Communication to assist in managing construction activities
- Services, programs and activities to nurture a cohesive, supportive and healthy community.

Since the lodgement of the SSDA a 3-hour drop-in session was held at the Dundas Community Centre on Wednesday November 2, 2021. It was attended by approximately 25 people. Attendees were mostly local residents, however the City of Parramatta's Deputy Lord Mayor, Michelle Garrard, was also in attendance.

During the 3-hour session staff listened to feedback and answered attendees' questions. A thematic analysis was undertaken of the feedback captured and is outlined within the Consultation Report prepared by WSP (**Appendix CC**). Themes are listed in order of frequency and included:

- Existing traffic issues:
 - Winter Street (concern around traffic congestion and safety)
 - Adderton Road and Mansion Street signalised intersection (supportive of proposed upgrade)
 - Railway bridge (concern about traffic banking up).
- Density (concern that the proposal is too dense, too many new residents and a change in character).
- Car parking (concern stemmed around overflow of cars parking on surrounding residential streets).
- Neighbourhood centre (generally very supportive of the proposed neighbourhood centre and facilities).
- School upgrades (concern around ability of school to accommodate additional enrolments. Supportive of proposed contribution to school upgrade).
- Aged care (questions around how aged care placements will be made).
- Existing shopping centre (questions around whether the existing shopping centre was included in the proposal. It is not as it is not within LACH owned land).
- Proposed retail and childcare (questions around size and location of retail and childcare).
- Accessibility (concern regarding gradient of the site and equitable access i.e. wheelchair access).
- General support for the proposal.

3.1.2 Parramatta City Council

Fraser's have addressed Council's detailed submission within Section 1 of **Appendix A** of this Report.

Fraser's are progressing discussions with Council on the proposed VPA for the proposal. The following summarises the key aspects of the VPA currently being resolved by Fraser's with Council. Most recently a meeting was held at Council's offices on 18 March 2022 with Fraser's and Council.

1. Calculation of the contribution quantum

The contributions plan applicable to the Concept Masterplan SSDA, including the Stage 1A SSDA is the *Parramatta Section 94A Development Contribution Plan (Amendment No. 5)*. It should be noted that the Concept Masterplan and Stage 1A applications were made on the 17th of September 2021, being the date on which the requisite fees were paid.

Having regard for the wording of the relevant savings and transitional provisions, the contributions plan applicable to future stage applications the Proponent intends to lodge for this development is the *Parramatta Section 94A Development Contribution Plan (Amendment No. 5)*.

Therefore, based on the exhibited SSDA and Stage 1A documents, Frasers have calculated the total contribution applicable for the entire development as outlined within **Table 4**.

Table 4 Calculation of Local Contributions

Stage	Dwellings	Rate	Contribution/ Offset	Notes
Stage 1A	443	1% of construction cost	~ \$1,802,526.75	Parramatta Section 94A Contributions Plan 2011
Future Applications	3266	As per rates by dwelling mix*	~ \$53,555,766	Parramatta Section 94A Development Contributions Plan Table 1; Contribution Rates as at 20 September 2021 <i>*Social & Affordable dwellings do not attract contribution under the 2021 Contributions Plan. This is consistent with SEPP ARH.</i>
Existing Dwelling Offset	486	\$17,051	~ -\$8,286,786	Credit for existing population as per Parramatta Section 94A Contributions Plan 2011
Total			~ \$47,071,506.75	The contribution quantum.

2. Library – transfer of land

It is understood Parramatta City Council's preference is to not undertake a 'land swap' under the mechanism of a VPA for 21 Sturt Street, and that this matter should be dealt with separately. Frasers propose that the legal mechanism used for the transfer is compulsory acquisition by agreement, between Council and LAHC pursuant to an agreement under Section 30 of the *Land Acquisition (Just Terms Compensation) Act 1991*. This option provides a number of benefits, including both parties' agreement on the monetary value of the land and the timing of the transfer, and a reduction in the administrative burden on Council. In the meeting held with Council Officers on 18 March 2022, LAHC confirmed that this transfer arrangement via compulsory acquisition is supported.

The Section 30 agreement will need to be built in as a condition of the VPA so that it is 'linked' to the conditions of the VPA which are proposed to include the future delivery of the new facility and subsequent termination of the existing facility.

3. Other items

A small number of items are still being discussed including:

- Frasers to undertake a further review of the proposed streetscapes in relation to the cost and timing of the undergrounding of powerlines to align with infrastructure upgrades and staging of the development.
- Frasers to review the proposed retail plaza embellishments and proposed Easement benefitting Council, taking into consideration access and maintenance costs of the plaza area.
- Frasers to review the Marshall Road/Sophie Street proposed connection as per the PCC DCP.
- Frasers, LAHC and Council to undertake a tour of the Wentworth Point library (targeted for early April).
- Commence fortnightly meetings with Frasers, LAHC and Council to progress VPA.
- Frasers and LAHC to provide a briefing to the Councillors, subject to Council staff approval.

3.1.3 Department of Planning and Environment

Ongoing discussions have occurred with DPE following the lodgement of the SSDA and receipt of the RTS submissions. A meeting was held via Teams on 1 April 2022 with members of DPE's Key Sites Assessment Team, GANSW, and City of Parramatta Council to provide a briefing of the proposed refinements to the SSDA scheme. This briefing also outlined how the proposed scheme has responded to comments received from relevant stakeholders and provides improved amenity for residents and visitors to the Telopea CPA.

3.1.4 Government Architect of NSW

The proposal has been reviewed by the Government Architect of NSW through the State Design Review Panel (SDRP) at three formal sessions:

- SDRP session #1 - 1 April 2021
- SDRP session #2 - 16 June 2021
- SDRP session #3 - 12 August 2021

The commentary, advice and recommendations of the SDRP following the third SDRP session is addressed in detail in **Appendix U**.

Overall, the suggested removal of the Winter Street basement entrance into Stage 1A, and the reduction in building envelopes have the most consequence to the proposal, however these changes have been made without any adverse impacts to the design scheme which would necessitate a holistic SDRP review as noted in the meeting held on 1 April 2022 with DPE, GANSW and Parramatta Council. As such, the proposal remains generally consistent with the previous SDRP recommendations and an additional SDRP meeting was not considered necessary prior to the lodgement of the Submissions Package.

DPE confirmed that another SDRP session prior to lodgement of the RtS was not required. DPE has advised that another SDRP session will be required following lodgement of the RtS. The further SDRP session will be held on 5 May 2022.

3.1.5 Other

Frasers are working with utility providers to ensure the proposal is adequately serviced. Since lodgement of the SSDA, Frasers have continued to work with Sydney Water and Endeavour Energy to establish requirements for lead in infrastructure.

3.2. REFINEMENTS TO THE PROJECT

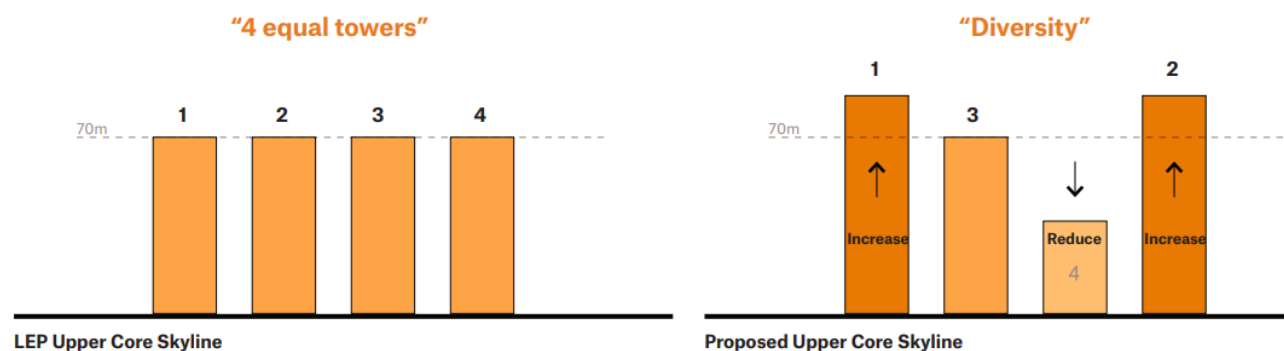
A number of refinements are proposed in response to the submissions received. These refinements do not fundamentally alter the proposal and comprise of minor changes which fit within the limits set by the project description, and therefore an Amendment to the proposal is not required under the *Environmental Planning & Assessment Regulation 2000* (EPA Regulation). The refinements improve residential amenity and reduce the perception of bulk within the Core Precinct, while retaining the built form objectives of the Telopea Masterplan and responding to comments received from the SDRP. In particular, the refined proposal has responded to concerns regarding non-compliance with the LEP height control, with further justification provided below and in the Concept Response to Submissions Report prepared by Bates Smart enclosed in **Appendix F** and **Section 5** of this Report.

3.2.1. Core Precinct

Building Height

Based on the LEP height control and Telopea Masterplan, a compliant scheme would allow for four 70 metre towers located within the Core Precinct at the top of the hill (refer to **Figure 1**). The proposal revises the proportions of three of the four upper core buildings to provide a diversity in tower form skyline variation.

Figure 1 Upper Core Skyline



Source: Bates Smart

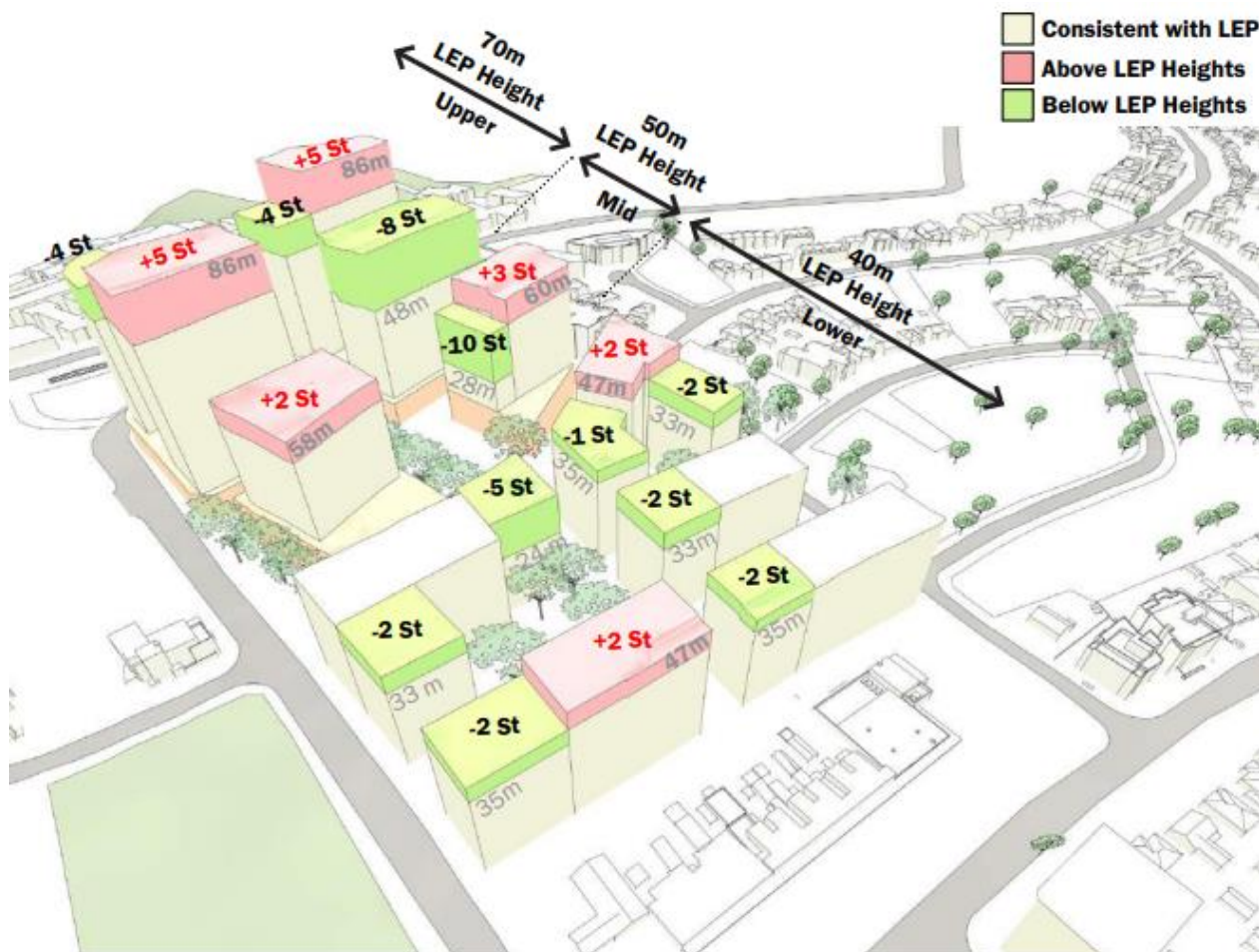
The proposal reduces the number of tall buildings (above 70 metres) in the upper core from four to three. Two towers have increased in height by 5 storeys compared to an LEP compliant scheme, to enable one of the tower forms to reduce in height by half, introducing a new street wall mid-rise typology into the upper core, illustrated in **Figure 5**. Key changes include:

- C1.1 is unchanged and has a four storey skyline step
- C2.1 has partially increased in height and partially reduced in height, with the secondary form now expressed as a setback 'shoulder' from the primary tower volume.
- C1.2 has reduced in length and depth and increased in height
- C2.2 has reduced significantly in height and increased in length, creating a new mid-rise street wall typology in the upper core

The refined scheme improves amenity to both the public domain and residential apartments within the Core Precinct. The proposed adjustments to the envelopes create a greater diversity and range of building heights and types.

The refined building design provides smaller floorplates, with fewer apartments per core, improved daylight to lift lobbies and shorter wait times (for lifts) for residents. Greater diversity of core types and floorplates have been achieved as a result of the refinements to height in the inner core. An LEP compliant scheme with larger floorplates equated to 6 towers with central cores. The proposal has reduced the floor plates sizes to 3 central core towers, two multi-core buildings and 1 side core.

Figure 2 Axonometric of refined scheme



Source: Bates Smart

Building Setbacks

A number of refinements are proposed to the building setbacks and building separation within Core Precinct, in response to received submissions and to provide a varied street wall height to enhance the diversity along the streetscape. A summary of proposed refinements is illustrated in **Figure 3** and described below:

1. **Reduce Depth of C1.1:** Reduced from 29 metres to 27 metres, increasing open space, improving efficiency, openness to sky, building separation and relationship to trees
2. **Reduce Length of C1.2:** Reduced by 3 metres, improving efficiency and openness to sky
3. **Reduce Length of C2.1b:** Reduced by 3 metres, improving efficiency and openness to sky
4. **Add Articulation to C2.2:** Reducing perceived building length
5. **Reduce Height of C4 Lower Floorplate from 28 metres to 25 metres:** improving building separation to C2.2, ensuring that the built form complies with the 18 metre building separation required below 25 metres
6. **Provide an upper level setback on C6.1a above 25 metres rather than 35 metres:** increasing openness to sky
7. **Provide an upper level setback on C7.1 above 25 metres rather than 28 metres:** improving building separation to C2.2, ensuring compliance
8. **Provide an upper level setback on C7.2 above 25 metres:** ensuring 24 metres of building separation to future developments across Benaud Lane is achieved

9. **Provide an upper level setback on C8:** above 25 metres rather than a mix of 35 and 40 metres providing compliant building separation to C6.2
10. **Provide an upper level setback of 3 metre above 25 metres for all building fronting Bernaud Lane**
11. **Increased southern setback on E1:** from 6 metres to 9 metres from Level 5 to Level 9
12. **Increased northern setback on E2:** from 4 metres to 6 metres up to 25 metres and 9 metres above 25 metres as well as the introduction of an upper level setback to Moffats Drive

Figure 3 Proposed Refinements to the Core Precinct



Picture 1 Current Scheme



Picture 2 Proposed Refinements to the Core Precinct

Source: Bates Smart

Public Domain Improvements

The current ground floor link which connects from Manson Street to the C6 residential courtyard has been refined to provide an open to the sky linkage within the Core Precinct. The new open-to-sky link illustrated in **Figure 4** benefits the public domain by:

- Visually connecting open spaces and existing trees
- Reducing streetwall lengths
- Improving daylight to the ground floor link

The minor refinement also benefits residents by increasing solar access to residential apartments and reducing building footprints along Manson Street.

Figure 4 Manson Street green link



Picture 3 Current Scheme

Picture 4 Proposed refinements

Source: Bates Smart

Additional open space has also been provided to the retail courtyard in the upper core and to the Community Courtyard adjacent the library and church. Due to the proposed reduction of the C2.2 floorplate reducing in size, the overall visual connectivity between these two open spaces has been improved as illustrated in **Figure 5**. The proposal now provides:

- 944sqm retail courtyard (16% increase)
- 2,750sqm community courtyard (11% increase)

Figure 5 Refinements to open space in Core Precinct

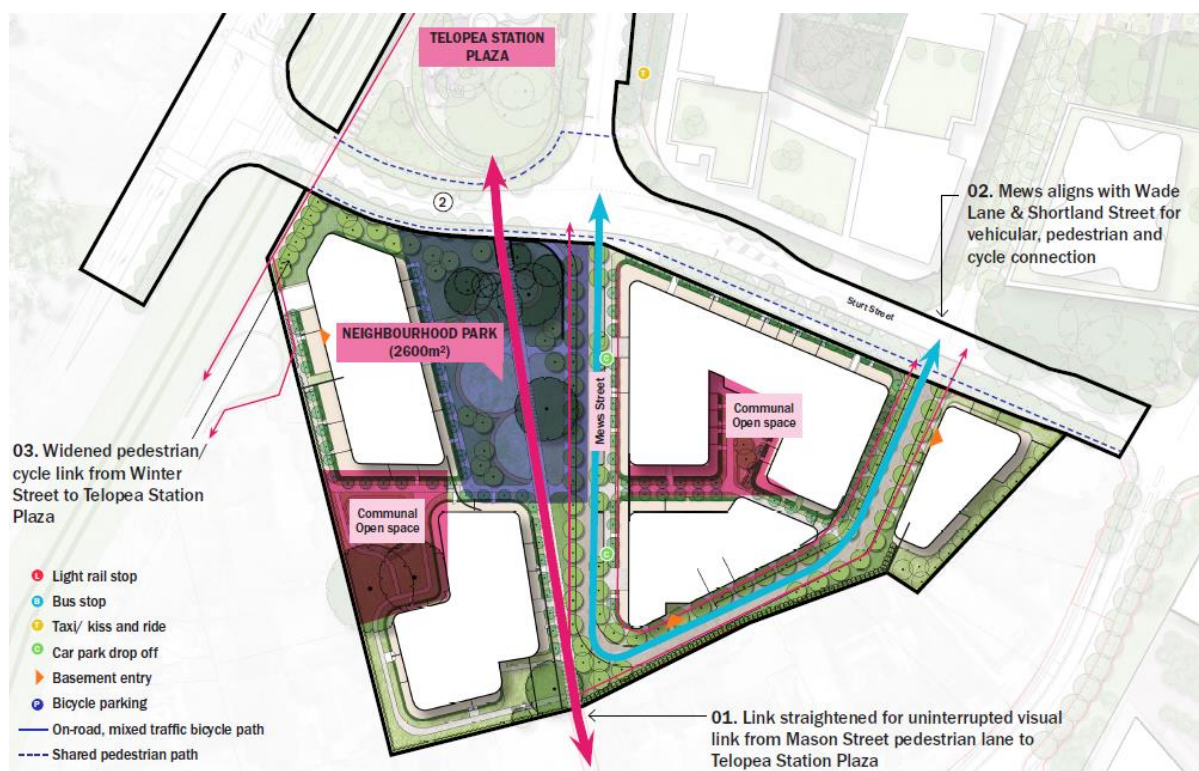


Source: Bates Smart

3.2.2. Stage 1A

In response to submissions from Council, TfNSW and the public, the proposed basement entrance for Stage 1A has been moved from Winter Street with all traffic and parking now directed along Sturt Street. The additional amendments have resulted in reconfiguration of open space to improve north-south link legibility and update the configuration of both public open space and communal open space as illustrated in **Figure 6**.

Figure 6 Refinements to open space in Stage 1A



Source: Hassell

The proposal also incorporates the reconfiguration of the internal layouts of apartments in Stage 1A including amalgamating and splitting apartments within the development. Overall, the minor refinements to Stage 1A result in an additional 3 apartments. To reflect these refinements to the design and ongoing design development, minor changes have occurred to the civil, architectural and landscape plans for Stage 1A as described in **Table 5** below.

Table 5 Refinements to Stage 1A Plans

Level	Minor Amendment	Change to GFA
Basement 02	Minor update to BMO adjacent to the vehicular entrance and lift core	Additional 1.1sqm of GFA
Basement 01	Building A: <ul style="list-style-type: none"> A01.02 updated from 1 bedroom + study to 2 bedroom + study Stage A achieves a 6 metre front setback to surrounding neighbours 	Additional 15sqm of GFA
Lower Ground Floor Plan	Building A: <ul style="list-style-type: none"> Minor refinements to the internal layout of A.LG.03 Building D: <ul style="list-style-type: none"> D.LG.01 and D.LG.05 updated from 2 bedroom apartment to 2 bedroom + study D.LG.04 updated from 1 bedroom apartment to 1 bedroom + study D.LG.02 and D.LG.07 to improve internal layouts Introduction of new basement ramp, car washway and reconfiguration of pump room to reflect changes to Winter Street entrance Building E: <ul style="list-style-type: none"> Removal of Winter Street basement entrance and replacement with additional storage lockers and RWT in the basement E.LG.01 updated from 2 bedroom to 3 bedroom apartment (original plans did include E.LG.01 as a 3 bedroom apartment as a typo) Replacement of RWT with E.LG.02 (2 bedroom apartment) and E.LG.03 (1 bedroom apartment). Mailroom has reduced in size from 27sqm to 16sqm but is still maintained in its proposed location. 	Additional 186sqm of GFA
Upper Ground Floor	Building A: <ul style="list-style-type: none"> Minor refinements to the internal layout of A.UG.03 Building B: <ul style="list-style-type: none"> Minor refinements to the internal layout of B.UG.18 B.UG.19 updated from 1 bedroom + study to 2 bedroom apartment Building C: <ul style="list-style-type: none"> C.UG.02 updated from 1 bedroom to 2 bedroom apartment C.UG.03 and C.UG.04 refined to improve internal layouts 	Additional 100sqm of GFA

Level	Minor Amendment	Change to GFA
	<ul style="list-style-type: none"> C.UG.05 updated from studio to 1 bedroom apartment <p>Building D:</p> <ul style="list-style-type: none"> Refinements to D.UG.02, D.UG.03, D.UG.04 and D.UG.09 to improve internal layouts D.UG.05 updated from 2 bedroom to 1 bedroom apartment to improve building separation <p>Building E:</p> <ul style="list-style-type: none"> Refinements to E.UG.02, E.UG.05 and E.UG.07 to improve internal layouts and increase internal floorspace 	
Level 01	<p>Building A:</p> <ul style="list-style-type: none"> Minor refinements to the internal layout of A.01.03 <p>Building B:</p> <ul style="list-style-type: none"> B.01.06 updated from 1 bedroom + study to 2 bedroom apartment B.01.02 and B.01.01 are reconfigured from two 1 bedroom apartments to one 2 bedroom apartment (B.01.02) and 1 studio (B.01.01) <p>Building C:</p> <ul style="list-style-type: none"> Updates to C.01.07 to increase private outdoor space <p>Stage E:</p> <ul style="list-style-type: none"> Refinements to E.01.02 and E.01.03 to improve internal layouts 	Additional 22sqm of GFA
Level 02	<p>Building A:</p> <ul style="list-style-type: none"> Relocation of communal open space Reconfiguration of A.02.05 (3 bedroom unit) Introduction of additional 1 bedroom unit (A.02.04) <p>Building B:</p> <ul style="list-style-type: none"> B.02.06 updated from 1 bedroom + study to 2 bedroom apartment <p>Building E:</p> <ul style="list-style-type: none"> Refinements to E.02.02 and E.02.03 to improve internal layouts 	Additional 22sqm of GFA
Level 03	<p>Building A:</p> <ul style="list-style-type: none"> Minor increase in roof to cover refinements on Level 02 <p>Building B:</p> <ul style="list-style-type: none"> B.03.06 updated from 1 bedroom + study to 2 bedroom apartment B.03.02 and B.03.01 are reconfigured from two 1 bedroom apartments to one 2 bedroom apartment (B.03.02) and 1 studio (B.03.01) <p>Building E:</p> <ul style="list-style-type: none"> Refinements to E.03.02 and E.03.03 to improve internal layouts 	Additional 10sqm of GFA

Level	Minor Amendment	Change to GFA
Level 04	Building B: <ul style="list-style-type: none"> Internal refinements to B.04.02, B.04.03, B.04.05 and B.04.07 Stage E: <ul style="list-style-type: none"> Refinements to E.04.02 and E.04.03 to improve internal layouts 	Additional 41sqm of GFA
Level 05	Building B: <ul style="list-style-type: none"> Internal refinements to B.05.05 and B.05.07 Stage E: <ul style="list-style-type: none"> Refinements to E.05.02 and E.05.03 to improve internal layouts 	Additional 3sqm of GFA
Level 06	Building B: <ul style="list-style-type: none"> Internal refinements to B.06.05 and B.06.07 Building E: <ul style="list-style-type: none"> Refinements to E.06.02 and E.06.03 to improve internal layouts 	Additional 3sqm of GFA
Level 07	Building B: <ul style="list-style-type: none"> Internal refinements to B.07.05 and B.07.07 Building E: <ul style="list-style-type: none"> Refinements to E.07.02 and E.07.03 to improve internal layouts 	Additional 3sqm of GFA
Level 08	Building B: <ul style="list-style-type: none"> Internal refinements to B.08.05 and B.08.07 	Additional 3sqm of GFA
Level 09	Building B: <ul style="list-style-type: none"> Internal refinements to B.09.05 and B.09.07 	Additional 3sqm of GFA
Level 10	Building B: <ul style="list-style-type: none"> Internal refinements to B.10.05 and B.10.07 	Additional 3sqm of GFA
Level 11	Building B: <ul style="list-style-type: none"> Internal refinements to B.11.05 and B.11.07 	Additional 3sqm of GFA
Level 12	Building B: <ul style="list-style-type: none"> Internal refinements to B.12.05 and B.12.07 	Additional 3sqm of GFA
Level 13	Building B: <ul style="list-style-type: none"> Internal refinements to B.13.05 and B.13.07 	Additional 3sqm of GFA

Overall, the proposed refinements to the design result in a minor increase in GFA from 36,528sqm to 36,970sqm (+442sqm). Additional assessment of the refined design is included in the amended Stage 1A Design Report prepared by Plus Architecture (**Appendix J**). This report confirms that the refined scheme does not result in any additional impacts and remains compliant with the relevant ADG controls.

Revised Stage 1A subdivision plans are provided as **Appendix S** with Architectural Plans provided as **Appendix DD**.

3.2.3. Civil Plans

In accordance with comments from Council and TfNSW, the Civil Plans for the Concept Masterplan (**Appendix I**) and Stage 1A (**Appendix N**) have been updated by J Wyndam Prince to incorporate recommended amendments to the proposed road network including:

- A minor refinement has been incorporated to the pedestrian refuge island on Sturt Street
- The median strip on Wade Street is to be widened by 0.5 metres. Kerb and gutter on the eastern side of the street will also be adjusted to provide a minimum 3 metre lane width.
- Signals are incorporated at the intersection of Adderton and New Link Rd with pedestrian crossings at all three legs
- The cross section of Adderton Road including the PLR line has been submitted for review to confirm adequate storage space in the road reserve for pedestrians is provided

The proposed changes do not result in any major impacts on trip generation, parking rates or overall level of service within the Telopea CPA. Further assessment of the refined road network is included in **Section 5.7** of this report. Additional commentary regarding comments from Council and TfNSW is enclosed in **Appendix A** with other comments/updates from both agencies considered acceptable conditions of consent.

4. RESPONSE TO SUBMISSIONS

4.1. RESPONSE TO DPE COMMENTS

The following table sets out a response to each issue raised by DPE in their RFI letter dated 23 December 2022.

Table 6 DPE Comments

DPE Comment	Response	Supporting Documentation
Voluntary Planning Agreements		
<u>Council VPA</u> Address the issues raised in Council's letter dated 17 December 2021 regarding the Letter of Offer to enter into a VPA.	Ongoing discussions are occurring between Council and the Proponent as outlined within Section 3.1.2 of this report.	Section 3.1.2
<u>State VPA</u> The Department has provided separate advice regarding the State VPA Letter of Offer. Please provide details of agreement/resolution regarding the key issues raised prior to lodging the RTS.	Fraser's are continuing to work with the DPE with a copy of the most recent correspondence (24 January 2022) provided with this RTS as Appendix V .	Appendix V
Design Excellence		
Address the comments and recommendations of the State Design Review Panel (SDRP) dated 30 August 2021.	Fraser's have provided a written response to the items raised by the GANSW following the third SDRP session held in August 2021. A copy of these responses is contained in Section 3.1 of this report with a copy of the SDRP comments from 30 August 2021 provided as Appendix U .	Section 3.1 Appendix U
Provide additional information demonstrating how the concept proposal adequately addresses the requirements of the design excellence provisions of Clause 6.12 of <i>Parramatta Local Environmental Plan 2011</i> (PLEP 2011).	The Design Excellence Strategy enclosed in Appendix H has been updated to remove inconsistencies with the Design Guidelines. Further discussion on Design Excellence is contained below in Section 5.1 .	Section 5.1. Appendix H
Present the updated Concept and Stage 1A proposals to the SDRP and Council, and address any further comments, prior to lodgement of the RTS.	Fraser's have provided a written response to the items raised by the GANSW following the third SDRP session held in August 2021. A copy of these responses is contained in Section 3.1 of this report with a copy of the	Section 3.1 Appendix U

DPE Comment	Response	Supporting Documentation
	<p>SDRP comments from 30 August 2021 provided as Appendix U.</p> <p>A briefing was held on 1 April 2022 with DPE Key Sites Team, GANSW and Parramatta Council to present the updated Concept and Stage 1A Proposals to relevant stakeholders.</p>	
Confirm the number of future sites to be subject to a design excellence competition, noting there is some discrepancy between three or four sites in Appendix H and Appendix PP.	<p>The Design Excellence Strategy enclosed in Appendix H has been updated to confirm the following sites will be subject to a design competition:</p> <ul style="list-style-type: none"> ▪ Buildings C1 and C2 and Telopea Square (Core site) ▪ Building C3 (future Council Library site) ▪ Each future stage of the development will also be required to be reviewed by the SDRP which overrides the requirement for a design competition. 	<p>Section 5.1.</p> <p>Appendix H</p>
Concept Plan Layout		
<p><u>GFA/FSR:</u></p> <p>Provide a detailed explanation and breakdown of how the relevant SEPP and LEP bonuses have been applied for each block and the overall site.</p> <p>Provide validation of the GFA calculations against the proposed envelope plans.</p> <p>Provide further information regarding the proposed GFA for Buildings C3 and C4 given they are located in areas that include existing roads which are not allocated an FSR in PLEP 2011.</p>	<p>A detailed explanation and breakdown of how the relevant SEPP and LEP bonuses have been applied for each site is provided in Section 5.2.</p> <p>For an abundance of caution a Clause 4.6 Variation for FSR has been for the Core Precinct addressing the technical noncompliance resulting for the realigned road reserves and inconsistencies with the LEP FSR map. Refer to Appendix Q.</p>	<p>Section 5.2</p> <p>Appendix Q</p>
<p><u>Urban design:</u></p> <p>Provide a response to the concerns identified in the Core urban design assessment undertaken by Council, including street layout/widths, street wall heights, length and depth of buildings, pedestrianisation of Eyles Street and tree retention/longevity.</p>	<p>The typical residential levels measure to an efficiency of 73% in the mid-lower core and 69% in the upper core. There is slightly more unused envelope area in the upper core towers to provide more flexibility in the planning of the tall towers.</p> <p>Further justification has been provided in Section 3.2 of this Report and Section 5 the</p>	<p>Section 3.2</p> <p>Appendix F</p>

DPE Comment	Response	Supporting Documentation
<p>Provide a response to the key concerns identified in the Precinct urban design assessment undertaken by Council, including consistent built form, excessive excavation, façade length, building depths, setbacks, isolated lots, and loss of trees.</p> <p>Consider further redistribution of GFA and provide additional articulation zones and stepping of building heights to break down the length and depth of the proposed building envelopes.</p> <p>Provide a maximum volumetric control for which future buildings can fill the proposed building envelopes.</p>	<p>Concept Response to Submissions prepared by Bates Smart enclosed in Appendix F.</p>	
<p><u>Height:</u></p> <p>Provide additional information demonstrating how the proposed variations to the maximum building height control in PLEP 2011 result in a beneficial design and amenity outcome compared to a fully compliant proposal.</p> <p>Provide a revised clause 4.6 variation request for the concept proposal that includes all proposed building height variations (and notwithstanding a separate clause 4.6 variation request has been submitted for the detailed Stage 1A proposal).</p> <p>Amend the justification provided in the EIS and clause 4.6 variation request that the proposed height variations will not impact the main grassed area of Sturt Park, noting this appears incorrect at 3 pm in midwinter.</p>	<p>The proposed increases in height are primarily located at the top of the hill within close proximity to the light rail station. The height increases and reductions have been carefully located providing a greater diversity of building forms and height within the town centre, enabling a host of benefits in relation to overall built form, residential amenity and public domain improvements as outlined in the Concept Response to Submissions prepared by Bates Smart enclosed in Appendix F and Section 3.2 of this Report.</p> <p>The Clause 4.6 Variation to height for the Core Precinct (Appendix O) and Stage 1A (Appendix P) have also been updated.</p>	<p>Section 3.2</p> <p>Appendix F</p> <p>Appendix O</p> <p>Appendix P</p>
<p><u>Building separation:</u></p> <p>Provide justification/further information regarding any proposed variations to Apartment Design Guide (ADG) minimum building separation distances. These include:</p>	<p>As noted in Section 3.2, refinements are proposed to reflect Council's comments. Overall, it should be noted that the Concept DA only relates to the overall building envelopes and maximum GFA for development outside of Stage 1A. It is anticipated that design development</p>	<p>Section 3.2</p> <p>Appendix E</p> <p>Appendix F</p>

DPE Comment	Response	Supporting Documentation
<ul style="list-style-type: none"> Building C1 to C3: 19.6 m instead of 21 m between the 86 m C1 tower and the 18 m C3 podium Building C2 to C4: 19.6 m instead of 21 m/24 m between the 48 m C2 tower and the 28 m C4 podium Building C7 to C8: 18 m instead of 24 m (above height of 25 m) Building E2 to No.4 Moffats Drive: 4 m instead of 6 m/12 m Building E1 to No.17 Sturt Street: 6 m instead of 6 m/12 m. <p>Provide further information regarding the proposed setbacks of Buildings C7 and C8 to the centre of Benaud Lane and the provision of building separation distances that satisfy ADG recommendations, noting the adjacent block containing the Waratah Shops is zoned B4 Mixed Use.</p> <p>Reconsider the Envelope Control Plan to ensure proposed minimum setbacks to upper storeys are included and dimensioned.</p>	<p>including setbacks and building articulation will be assessed in a future detailed DA for the site.</p> <p>C1 to C3: Based on current ADG controls, only 18 metres of separation is required. The only area of non-compliance is a very small section of the C1 tower and is highly subjective to the future built form surrounding the site.</p> <p>C2 to C4: Based on current ADG controls, only 18 metres of separation is required. The height of the C4 mid-rise envelope has been reduced from 28 metres to 25 metres to maintain ADG compliance.</p> <p>C7 to C8: No change is required as the current design complies with habitable to non habitable building separation in accordance with the ADG.</p> <p>E2 to 4 Moffats Drive The setback has been increased from 4m to 6m to reflect comments.</p> <p>E1 to 17 Sturt: The building envelope has been amended to increase the setback from 6 metres to 9 metres above 15 metres to maintain compliance to 17 Sturt Street. The 9 metre setback to Level 8 (above 25m) in lieu of 12m ADG requirement is supportable due to 17 Sturt Street being a recent development with a total height of 5 storeys.</p> <p>C7 and C8 set backs: The building envelopes of C7 and C8 have been amended to incorporate a new upper level setback either side of Benaud Lane. The new envelopes provide a 9 metre setback up to 25 metres and a 12 metre setback above 25 metres to maintain ADG compliance.</p> <p>Envelope Control Plan has been updated to incorporate upper level setbacks in key locations to maintain ADG compliance, and remains largely consistent with the reference design.</p>	
Isolated Lots		

DPE Comment	Response	Supporting Documentation
Confirm and provide evidence of what attempts have been made to amalgamate isolated lots to form part of the proposed redevelopment. Given the scale of the proposed concept redevelopment, the Department considers the creation of isolated lots should be avoided unless it is clearly demonstrated the respective owners do not wish to amalgamate.	<p>The proposed design has been prepared based on sites owned by LAHC. It is not considered within the scope of an SSDA to require a public authority to buy additional sites to undertake development.</p> <p>Nevertheless, the integration of LAHC sites with privately owned sites will be carefully considered particularly during future stages of development with isolated lots to be a key consideration of future detailed DAs.</p>	No additional information required
Provide consideration of No.2 Fig Tree Avenue and Nos 11 & 11A Cunningham Street in relation to future development potential.	All adjacent lots have been considered in the concept design and the Proponent and project team have made all efforts to minimise any impacts to surrounding properties.	Section 5.5 Appendix F
Provide consideration of No.3 Marshall Road in relation to future development potential noting its location between Building N1 and an existing townhouse development at 5-7 Marshall Road.	All adjacent lots have been considered in the concept design and the Proponent and project team have made all efforts to minimise any impacts to surrounding properties.	Section 5.5 Appendix F
Setbacks		
<p>Reconsider the proposed setbacks in the north and south precincts, noting these are not consistent with the following DCP provisions, where neighbouring sites (including isolated lots) will need to comply with and therefore may result in a poor visual, amenity and deep soil/landscape outcomes:</p> <ul style="list-style-type: none"> 4 m to 6 m front setback control 3 m to 4 m side setback control 10 m (or 15% of the total length of the site) rear setback control. 	<p>The building envelopes and design guidelines have been reviewed to ensure street setbacks are designed to provide the optimal urban design outcome as discussed in Section 5.3 of this report and the Concept Response to Submissions prepared by Bates Smart enclosed in Appendix F.</p> <p>Isolated lots are discussed further in Section 5.5.</p>	Section 5.3 Section 5.5 Appendix F
Housing Policy		
<p>Include detailed consideration of the proposal against the following policies/guidance:</p> <p>a. Housing SEPP</p>	It is noted that as the application was lodged in July 2021, prior to public exhibition of the draft legislation of the <i>State Environmental Planning Policy (Housing) 2021</i> (Housing SEPP) which occurred from 31 July 2021	Section 5.8

DPE Comment	Response	Supporting Documentation
<p>b. Housing 2041 strategy</p> <p>c. Future Directions for Social Housing in NSW.</p>	<p>until 29 August 2021 and the commencement of the Housing SEPP on 26 November 2021. Under Schedule 7, Clause 2 of the Housing SEPP, the former provisions of a repealed instrument continue to apply for any:</p> <ul style="list-style-type: none"> ▪ Development application made, but not yet determined, on or before the commencement date, ▪ Concept development application made, but not yet determined, on or before the commencement date, ▪ Staged development application made subsequent to a concept development application approval granted on or before the commencement date. <p>As such the relevant provisions of the Housing SEPP are not a formal matter for consideration for the SSDA. Nevertheless, consideration of the proposal against the identified planning policies is included in Section 5.8 of this report. It is also noted that the Housing SEPP will a matter for consideration of future detailed DAs for built form proposed under the Telopea Concept Plan.</p>	
Open Space, Trees and Deep Soil		
<p>Reconsider the extent of the proposed tree removal and identify locations where revisions to the proposal would enable additional existing trees, particularly high value trees, to be retained.</p>	<p>The proposal as lodged is the optimum outcome for tree retention and has been developed through 18 months of rigorous testing and consideration. Tree retention has been considered across the site with deep soil areas prioritising tree retention.</p>	<p>Appendix F</p>
<p>Provide further justification for the quantum of public open space proposed, including provision of a Community and Recreational Facility Report and consideration of the proposal against the design criteria in objective 12 (public space) of the Department's Draft Urban Design Guide.</p>	<p>A Community and Recreational Facility Report and consideration of the DPE Draft Urban Design Guide was not required as part of the SEARS.</p> <p>It is noted that the proposal was lodged prior to the release of the <i>draft State Environmental Planning Policy (Design and Place) 2021</i> for public exhibition on 10 December 2021.</p>	<p>No additional information required</p>

DPE Comment	Response	Supporting Documentation
Provide a table of proposed deep soil areas across the overall site and for each individual block, including confirmation of minimum width and percentage of the site area. Provide justification for inclusion of areas with a high percentage of impervious surfaces such as Wade Lane and portions of the Mews loop road.	It is noted there is no requirement under the ADG for this assessment to be undertaken. Nevertheless, the information has been previously provided in the Concept Design Report provided as part of the original EIS package and within Architectural Plans - DA01.MP.220, DA01.MP.120 and DA01.MP.320 at Appendix E .	Appendix E
Traffic and Car Parking		
Review and respond to the Transport for New South Wales submission and the recommendations of Council's Technical Traffic Assessment.	Refer to Appendix A . Further details on Traffic, Parking and Access are also provided in Section 5.7 of this report.	Section 5.7 Appendix A
Review the proposed use of Winter Street to provide vehicle access to the Stage 1A basement carpark, noting various issues raised in public submissions, including the narrow width of Winter Street and safety issues.	As noted in Section 3.2 , the Winter Street vehicle access for Stage 1A has been removed. Civil and Stage 1A Plans have been amended to reflect his change	Section 5.7 Appendix J Appendix L Appendix N Appendix N Appendix DD
Reconsider the proposed visitor car parking rate for Stage 1A and the proposed location of 23 visitor car parking spaces on-street, noting this is inconsistent the Telopea Precinct Development Control Plan (DCP) and the ADG.	The Draft Telopea DCP allows for the provision of residential visitor car parking on-street. Given the significant amount of new on-street parking that will be delivered as part of the Concept Plan, and particularly parking within the Telopea Core, the current parking arrangements are considered appropriate for Stage 1A. It is also noted that the SDRP provided commentary in advice dated 30 August 2021, stating that any opportunities for further lowering proposed parking rates, reducing car reliance and prioritising both pedestrian movement and public transit usership is generally supported by the SDRP.	Section 5.7 Appendix U
Review the figures and assessment in the TIA noting it refers to a proposal for 4,500 dwellings and 7,000 m ² retail rather than 4,700 dwellings and 7,785 m ² of retail.	The 2021 TIA did assess 7,785 m ² of retail GFA; however, it is correct that only approx. 4,500 dwellings were assessed, an amended assessment in incorporated in Section 5.7 of this report and the Addendum Traffic and	Section 5.7 Appendix AA

DPE Comment	Response	Supporting Documentation
	Parking Statement enclosed in Appendix AA .	
Stage 1A: Built Form and Amenity		
<p>Provide a detailed breakdown of separation distances for each proposed building, including increased separation requirements over upper storeys, demonstrating compliance with ADG building separation design criteria.</p> <p>For example, there would appear to be variations regarding:</p> <ul style="list-style-type: none"> ▪ Building C (22 m portion) to Building B (31 m portion) ▪ Building C (31 m portion) to Building B (47 m portion) ▪ Building D to Building E. 	<p>The proposal seeks to maintain building separation for both privacy and acoustic treatment. As a result it creates generous public and communal spaces emerging between to create gathering spaces for the community.</p> <p>Building separation has been incorporated in the floor plans prepared by Plus Architecture as part of the Stage 1A Architectural Plans (Appendix DD).</p> <p>In response to DPE's specific building separation queries:</p> <ul style="list-style-type: none"> ▪ Building C (22 m portion) to Building B (31 m portion) provides an 12.05 metre separation for Levels 01 to 03 and a minimum 18.05 metre separation above Level 04 which is complaint with the ADG controls for habitable to habitable rooms. ▪ Building C (31 m portion) to Building B (47 m portion) provides an 18.05 metre separation between habitable to habitable rooms between four and eight storeys which is complaint as Building C does not provide habitable space on Level 09. ▪ Building D to Building E provides an 11.76 metre separation on Level 01 which is considered acceptable due to the privacy screen on the balcony of E.01.08. A minimum 15 metre building separation is provided on Levels 02 to Level 08 of Building D which is also considered acceptable given the orientation of the two buildings away from each other as well as the use of privacy screens to further protect residents. 	<p>Appendix J</p> <p>Appendix DD</p>

The site plan illustrates the proposed development at 65 New Link Road, bounded by Adderton Rd to the west, Winter St to the south, and Sturt St to the east. The plan is divided into two stages: Stage 1 (outlined in red) and Stage 2 (outlined in black). The site includes several building footprints (BLD A through BLD E) with associated setbacks and dimensions. Landscaping is indicated by green circles of varying sizes, representing trees and shrubs. The plan also shows existing and proposed parking spaces, including a 6-space parking area near BLD A and a 12-space parking area near BLD E. The site is adjacent to a residential area, with existing houses visible to the north and east.

STAGE 1 (Red Outline):

- BLD A:** 5m setback from Sturt St, 15m setback from Manson St, 12m setback from Winter St.
- BLD B:** 18m setback from Sturt St, 12m setback from Winter St.
- BLD C:** 18m setback from Sturt St, 12m setback from Winter St.
- BLD D:** 24m setback from Sturt St, 12m setback from Winter St.
- BLD E:** 12m setback from Sturt St, 15m setback from Winter St.

STAGE 2 (Black Outline):

- BLD F:** 9m setback from Sturt St, 12m setback from Winter St.
- BLD G:** 9m setback from Sturt St, 12m setback from Winter St.

Setbacks and Dimensions:

- Sturt St:** 15m, 18m, 12m, 24m, 12m setbacks.
- Winter St:** 12m, 15m, 12m setbacks.
- Manson St:** 15m setback.
- Adderton Rd:** 9m setback.

Landscaping: The plan shows numerous trees and shrubs, including a large tree near BLD A and a cluster of trees near BLD E. The landscaping is designed to provide shade and improve the site's aesthetics.

Provide a detailed breakdown of separation distances for each proposed building to the boundary and neighbouring apartment buildings/future permissible neighbouring apartment buildings, demonstrating compliance with ADG building separation design criteria. For example, there would appear to be variations regarding:

- The proposal seeks to maintain building separation for both privacy and acoustic treatment. As a result it creates generous public and communal spaces emerging between to create gathering spaces for the community.

In locations where ADG building separation could not be met, privacy screens have been used through out to further protect the residents to ensure privacy is maintained.

Setbacks are proposed as follows:

- setback of Building A to eastern boundary is 6m.
- setback of Building C and southern boundary is 11.4m.
- setback of Building E to western boundary is 9m.

Across the development, a total of 338 out of 446 (75.8%) apartments within Stage 1A achieve the ADG recommendation for solar access to primary living areas and private open space between 8.00am and 4.00pm. Whilst this differs from the ADG period, the

Appendix J

Appendix DD

Section 5.4

am to 3 pm in midwinter and that no more than 15% of dwellings in each building would receive zero solar access in midwinter.	two hours of direct sunlight achieved for 70% of apartments between 8.00am and 4.00pm, additional assessment has been undertaken in Section 5.4 of this report which confirms that the proposed development reflects the ADG design criteria for solar access and provides sufficient amenity for all dwellings.	
Provide further information demonstrating each proposed building achieves a minimum of 60% cross-ventilation of dwellings in the first nine storeys, noting it appears Buildings B, C and D do not satisfy this design criteria.	Buildings A, B and C (stage 1 of Stage 1A) achieve 62% cross ventilation, Building D and E (stage 2 of Stage1A) achieve 61%. A number of design solutions are used to ensure natural cross ventilation for apartments is optimised including grouping rooms with similar uses together. Additional assessment has been undertaken at a stage by stage basis. It is noted both Stage 1 and 2 achieve compliant natural ventilation in accordance with the ADG.	Appendix J Appendix DD
Provide further information demonstrating minimum habitable room depths are achieved or confirm locations where they are not achieved and provide justification, noting the Appendix J Stage 1 Design Report notes partial compliance with this design criteria.	Refer to the ADG compliance table at Appendix 08 of the Plus Stage 1A Design Report at Appendix J . Habitable room depth of some units with open plan layouts are up to 8.8m when measured to kitchen splashback which is considered a minor non-compliance.	Appendix J Appendix DD
Provide further information demonstrating minimum balcony sizes are achieved, noting it appears some dwellings do not satisfy this design criteria.	Refer to the ADG compliance table at Appendix 08 of the Plus Stage 1A Design Report at Appendix J . The balconies within the development have been designed in accordance to the ADG.	Appendix J Appendix DD
Review the layout of dwellings in Building B where bedrooms are proposed with very limited access to natural light.	All bedrooms in Building B have been designed to have window or sliding door to balconies to allow for natural light.	Appendix J Appendix DD
Review the layout of dwellings where significant oversized pantries are proposed.	"Oversized pantries" provide storage improving residential amenity.	Appendix J Appendix DD
Reconsider whether sufficient amenity will be provided to dwellings in Buildings C, D and E that receive poor/zero solar access and zero cross-ventilation, including design	The development proposes a total of 446 apartments up to 14 storeys. Of these, 245 are naturally cross ventilated (61.6%) with only 26 (6%) of apartments receiving zero solar access.	Appendix J Appendix DD

revisions to improve the amenity of these dwellings.		
Provide elevational shadow diagrams and analysis of neighbouring residential buildings that would receive increased overshadowing as a result of the proposed height control non-compliances, including 11-15 Mawson Street. Diagrams should also be provided demonstrating that future residential apartment buildings on these sites will still be able to satisfy ADG solar access design criteria.	Sun eye solar diagrams and shadow study diagrams have been prepared by Plus Architecture as part of the Stage 1A Architectural Plans (Appendix DD).	Appendix J Appendix DD
Include building separation and setback dimensions to proposed buildings and neighbouring buildings and include proposed surrounding ground level RLs on the architectural plans.	Stage 1A Architectural Plans (Appendix DD) have been updated to include building separation and setback dimensions.	Appendix J Appendix DD
Reconsider potential privacy impacts from the terraces of dwellings in Basement Level 1 and 2 dwellings in Building A noting the ground level differences between the terraces and neighbouring properties.	Basement Level 1 and 2 provide considerable landscape buffering to the terraces for the units. A 6 metre setback to the façade line from the boundary is also provided to aid in the privacy for these units in Building A.	Appendix J Appendix DD
Increase the number of adaptable dwellings to a minimum of 10% in accordance with Council's policy.	The proposed number of adaptable apartments align with the design guidelines for the site, which are consistent with other Communities Plus projects including the Ivanhoe Estate.	Appendix J Appendix DD
Confirm a minimum of 20% of dwellings in each building would achieve a silver level performance rating (Liveable Housing Guidelines).	The proposed number of silver level apartments align with the design guidelines for the site, which are consistent with other Communities Plus projects including the Ivanhoe Estate.	Appendix J Appendix DD
Review the basement car park design to ensure it does not encroach below the proposed neighbourhood park.	It has been confirmed by the design team and shown in relevant architectural plans that the basement car park does not encroach below the proposed neighbourhood park to be dedicated to Council.	Appendix J Appendix DD
Other Matters		
To satisfy the requirements of the Biodiversity Conservation Act 2016, provide a Biodiversity Development	A BDAR Waiver has been prepared as part of the RTS Package.	Appendix Y

Assessment Report or apply for a waiver.		
Review the Social Impact Assessment in response to comments from DPIE's Social Impact Assessment team.	A full response to comments from the Social Impact Assessment team are enclosed in Appendix A .	Appendix A
Reconsider the concept and Stage 1A proposals in relation to sustainability and the provisions of Council's Telopea DCP, including the provision of electric vehicle infrastructure and water efficiency through use of dual piping.	<p>The Proponent fundamentally disagrees with the wording of the draft DCP in relation to sustainability requirements and have advised Council of this on multiple occasions. Notwithstanding this, the overall development including Stage 1A has been designed to deliver third party verified sustainability targets including 5 star green star design and as build residential buildings, 6 star green star community ratings and will be Australia's first silver level WELLS rated community.</p> <p>All three initiatives target an outcomes based approach rather than the prescriptive approached sought in the DCP.</p>	No further information required
Provide a copy of the Stage 1A BASIX stamped plans.	<p>A draft BASIX certificate has been provided as part of the original EIS Package.</p> <p>A copy of the Stage 1A BASIX Plans will be provided to DPE once the overall design is accepted by DPE.</p>	No further information required
Confirm the area (m2) of Council owned land to be dedicated to LAHC and the area of LAHC owned land to be dedicated to Council.	This forms part of current VPA negotiations as discussed further in Section 3.1.2 . Refer to the revised Dedication Plan at Appendix T .	Appendix T
Confirm the legal mechanism for the process to allow LAHC to acquire Council's road and property.	Refer to Section 3.1.2 for further discussion on the proposed VPA between Council and LAHC.	Section 3.1.2
Confirm the size of the proposed neighbourhood park.	A 2,200sqm neighbourhood park is proposed by the Proponent. The park will be dedicated to Council and will be unimpeded by basement below.	Appendix T
Revise the Quantity Surveyor report to include a jobs estimate as required by SEARs.	An addendum to the QS Report has been prepared by WT Partnership and is enclosed in Appendix D .	Appendix D
Confirm which of the submitted concept plans are to be included in any consent. Please note the Department was advised at lodgement	A list of the plans to be submitted for approval is provided in Appendix C .	Appendix C

that the subdivision plans are indicative only except for Stage 1A.		
Confirm agreement to surrender the existing Telopea Urban Renewal Project Concept Plan approval (MP09_0170).	This is noted and agreed to by the Proponent.	No further information required

4.2. RESPONSE TO PUBLIC AUTHORITY SUBMISSIONS

Submissions were received from a number of authorities with detailed responses provided as outlined in Table 7.

Table 7 Response to Public Authority Submissions

Public Authority	Response	Supporting Documentation
City of Parramatta Council	Objects to Concept Plan Supports Stage 1A Application	Appendix A Section 5
TfNSW	Comments regarding: <ul style="list-style-type: none"> ▪ Traffic modelling ▪ Upgrades to road network ▪ Design of residential development within 20 metres of the rail corridor 	Appendix A Appendix AA Section 5
Sydney Water	Supports with comments. Further details provided in Appendix A . It is noted that Frasers and LAHC do not support dual piping due to major cost implications. It is also noted that no commitment has been received from Sydney Water on when the relevant infrastructure required for dual piping would be delivered for the Telopea Precinct.	Appendix A
Environment, Energy and Science Group	Environment, Energy and Science Group notes that the applicant has not provided a biodiversity development assessment report (BDAR) with the development application. A BDAR Waiver has been prepared by ACS Environmental and Urbis and is enclosed in Appendix Y . EES has considered the potential flooding aspects and impacts associated with the proposal and has no comments to make.	Appendix Y
Environment Protection Authority	Supports with comments No comments to provide on this project and no follow-up consultation is required. The proposal does not appear to require an environment protection licence under the <i>Protection of the Environment Operations Act 1997</i> .	No additional information required

Public Authority	Response	Supporting Documentation
	Parramatta Council should be consulted as the appropriate regulatory authority for the <i>Protection of the Environment Operations Act 1997</i> .	
Heritage NSW – Heritage Council of NSW	Heritage NSW notes that the applicant has not provided a Historical Archaeology Report with the development application. A Historical Archaeology Report has been prepared by Urbis and is enclosed in Appendix Z .	Appendix Z
Heritage NSW – Historical Archaeology and Aboriginal Cultural Heritage Regulation	Supports with recommended updates to the ACHA.	Appendix A
Endeavour Energy	Supports with comments. Ongoing engagement has been ongoing undertaken with Endeavour Energy	No additional information required

4.3. RESPONSE TO PUBLIC SUBMISSIONS

4.3.1 Community Organisation

Table 8 Response to Community Organisations

Community Organisation	Response	Supporting Documentation
Western Sydney Local Health District (WSLHD)		
Confirm the staging/timing of the redevelopment of proposed community facilities.	A Staging Plan was prepared as part of the original EIS package by Bates Smart and Hassell. Community facilities are located in the Core Precinct which are some of the earliest stages of the development.	Appendix E of the original EIS Package
Dundas Valley Medical Centre		
Concern that shops on Benaud Place will be demolished prior to new shops/medical facilities being available in the locality.	The Benaud Place shops are not owned by LAHC and not part of this proposal. The proposal does not incorporate these land holdings. The SSDA scope does not impede on the ability to redevelop other sites in Telopea.	No additional information required

Community Organisation	Response	Supporting Documentation
Winter Street residents/Residents on Winter Street		
Concern that Winter Street is too narrow and is not a suitable location for the garage entrance/two way-traffic	As noted in Section 3.2 , the Winter Street vehicle access for Stage 1A has been removed.	Section 3.2 Section 5.7 Appendix J Appendix DD

4.3.2 Public Submissions

Table 9 Response to Public Submissions

Comment	Response	Supporting Documentation
Traffic Impacts		
Concern that Winter Street is too narrow and is not a suitable location for the garage entrance/two way-traffic	As noted in Section 3.2 , the Winter Street vehicle access for Stage 1A has been removed.	Section 3.2 Section 5.7 Appendix J Appendix DD
Recommendation of increased proposed off street parking	<p>As noted above, the Draft Telopea DCP allows for the provision of residential visitor car parking on-street. Given the significant amount of new on-street parking that will be delivered as part of the Concept Plan, and particularly parking within the Telopea Core, the current parking arrangements are considered appropriate for Stage 1A.</p> <p>It is also noted that the SDRP provided commentary in advice dated 30 August 2021, stating that any opportunities for further lowering proposed parking rates, reducing car reliance and prioritising both pedestrian movement and public transit usership is generally supported by the SDRP.</p>	Section 5.7 Appendix U Appendix AA
Built form		
Increase setback for seven storey building on the corner of Field Place and Marshall Road to increase privacy (N1)	A 4 metre side setback is proposed for N1. The Concept DA only relates to the overall building envelope for the northern precinct. It is anticipated that design development including setbacks and building articulation	Appendix E Appendix F

Comment	Response	Supporting Documentation
	will be assessed in a future detailed DA for the site.	
Limit social housing to existing footprints around Sturt, Wade and Shortland Streets	This approach would be inconsistent with the Communities Plus model.	Section 5.8
Other Matters		
Include 9 Chestnut Avenue in proposed scheme	9 Chestnut Avenue is not owned by LAHC and not part of this proposal. The proposal does not incorporate these land holdings. The SSDA scope does not impede on the ability to redevelop other sites in Telopea.	No additional information required
Displacement of current residents	The proposal does not intend to displace current residents. This proposal seeks to minimise displacement of existing residents through the current staging plan, however LAHC's proposed re-developments outside of Telopea and their broader property ownership allows the relocation of people to more suitable and better quality housing.	No additional information required
Increase in social housing will devalue properties	This is not considered a planning consideration. The site is owned by LAHC who have a role as a public authority to actively grow and manage the supply of the right types of housing, in the right areas, for people in need in our communities. The proposed development aligns with government policies as outlined in Section 5.8 .	Section 5.8

5. KEY THEMES AND ADDITIONAL ASSESSMENT

This section provides a detailed summary of the applicant's response to the issues raised in submissions.

To assist submitters find the response to the issues they raised in submissions, a submissions register has been appended to the submissions report (**Appendix A**).

5.1. DESIGN EXCELLENCE

The provisions of Clause 6.12 of the PLEP 2011 have been considered in the preparation of the Telopea Design Excellence Strategy (refer **Appendix H**) and the proposed process for delivery of design excellence across the Telopea CPA.

The Telopea Design Excellence Strategy outlines the principles and procedures that will be followed during each stage of the Concept Masterplan delivery program. This will ensure that the architectural and urban design of future development stages achieves design excellence and positively contributes to the broader Telopea Precinct and Parramatta Local Government Area.

The Strategy more specifically articulates the proposed design excellence process and demonstrates how design excellence will be achieved during this stage of the development. The Strategy is based on the following six principles:

- Establishment of site-specific Design Guidelines, to guide the future development of the precinct and ensure a high quality architectural and amenity outcome is achieved.
- Incorporation of Connecting with Country requirements (as recommended by The Fulcrum Agency), including ongoing engagement with appropriate Aboriginal stakeholders throughout the project.
- Establishment of a robust process to select the Design Team for each site, ensuring appropriate experience in designing and delivering design excellence, and encouraging design diversity and visual interest across the precinct.
- Undertake Design Excellence Competitions for three strategically important sites.
- Undertake a process of Design Review with the NSW Government Architect, Parramatta City Council, and other relevant stakeholders during the preparation of detailed development applications.
- Ensure Design Integrity is maintained throughout the design process.

A detailed assessment against clause 6.12 of the LEP is provided in **Table 10** below.

Table 10 LEP Design Excellence

Provision	Project Response
(1) The objective of this clause is to ensure that development exhibits design excellence that contributes to the natural, cultural, visual and built character values of Parramatta.	The Concept proposal seeks to ensure future design excellence of built form. The Concept proposal has taken into consideration and seeks to enhance, the natural, cultural, visual and built character values of the Telopea Precinct.
(2) This clause applies to development involving the erection of a new building or external alterations to an existing building on land identified as "Parramatta North Urban Renewal Area" and "Telopea Precinct" on the Key Sites Map or as "B" on the Design Excellence Map.	The proposal comprises development involving land identified as "Telopea Precinct" on the Design Excellence Map.
(3) Development consent must not be granted for development to which this clause applies unless	Telopea Design Excellence Strategy (refer Appendix H) outlines the proposed process for

Provision	Project Response
the consent authority considers that the development exhibits design excellence.	delivery of design excellence across the Telopea CPA.
<p>(4) In considering whether the development exhibits design excellence, the consent authority must have regard to the following matters—</p> <p>(a) whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved,</p> <p>(b) whether the form and external appearance of the development will improve the quality and amenity of the public domain,</p> <p>(c) whether the development detrimentally impacts on view corridors,</p> <p>(d) whether the development detrimentally impacts on any land protected by solar access controls established in the Parramatta Development Control Plan,</p> <p>(e) the requirements of the Parramatta Development Control Plan,</p> <p>(f) how the development addresses the following matters—</p> <p>(i) the suitability of the land for development,</p> <p>(ii) existing and proposed uses and use mix,</p> <p>(iii) heritage issues and streetscape constraints,</p> <p>(iv) the relationship of the development with other development (existing or proposed) on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form,</p> <p>(v) bulk, massing and modulation of buildings,</p> <p>(vi) street frontage heights,</p> <p>(vii) environmental impacts such as sustainable design, overshadowing, wind and reflectivity,</p> <p>(viii) the achievement of the principles of ecologically sustainable development,</p> <p>(ix) pedestrian, cycle, vehicular and service access, circulation and requirements,</p> <p>(x) the impact on, and any proposed improvements to, the public domain.</p>	<p>The EIS and this RTS report along with supporting documentation prepared by Bates Smart and Hassel have addressed these matters in detail.</p>

Provision	Project Response
<p>(5) Development consent must not be granted to the following development to which this clause applies unless an architectural design competition that is consistent with the Design Excellence Guidelines has been held in relation to the proposed development—</p> <p>(a) development in respect of a building that is, or will be, higher than 55 metres above ground level (existing),</p> <p>(b) development having a capital value of more than \$100,000,000,</p> <p>(c) development for which the applicant has chosen to have such a competition.</p>	<p>Four building development blocks propose building envelopes which exceed 55m in height these include C1, C2, C3 and C4.</p> <p>The proposed Design Excellence Strategy for the CPA includes a commitment to undertake Design Excellence Competitions for three strategically important sites, including:</p> <ul style="list-style-type: none"> ▪ Buildings C1 and C2 and Telopea Square (Core site). ▪ Building C3 (future Council Library site). ▪ Other within North or South Precinct (location to be determined). <p>A Design Excellence Competition is not proposed to be undertaken for Building C4 which has a 60m high envelope.</p>
<p>(6) Subclause (5) does not apply if the Council certifies in writing that the development is one for which an architectural design competition is not required.</p>	<p>Agreement from Council/ DPE as the consent authority on the proposed approach to Design Excellence as outlined within the Design Excellence Strategy is sought.</p>
<p>(7) In deciding whether to grant development consent to the development application, the consent authority is to take into account the results of the architectural design competition.</p>	<p>Noted.</p>

5.2. GFA CALCULATIONS

The DPE have requested a detailed explanation of how the relevant SEPP and LEP bonuses have been applied for each site and the overall site along with additional information regarding buildings C3 and C4 which are located on land with no FSR mapped under the LEP.

Clause 4.4 of the LEP sets maximum floor space ratios for development in the Telopea CPA as shown at **Figure 8**.

In addition to the FSR illustrated on the FSR map, Clause 6.17 of the LEP allows:

- Development within the area identified as within “Area B” on the Floor Space Ratio Map (which encompasses the upper Core area of the CPA – Blocks C1-C4) to exceed the maximum floor space ratio shown for the land, but only if the consent authority is satisfied that the additional floor space will be used for community facilities.
- A floor space ratio of 2:1 for sites with an area of at least 2,000 squares and identified as within “Area C” on the Floor Space Ratio Map (which encompasses the North and South Precincts of the CPA).

Figure 8 Exert from LEP FSR Map with CPA Areas identified.



Source: PLEP 2011

The *State Environmental Planning Policy (Affordable Rental Housing) 2009* (ARH SEPP) sets out the standard for development and maintenance of affordable rental housing in NSW. The Telopea CPA will deliver 740 social housing units on the site, which have been designed to be consistent with the design criteria set out in Division 1 and Division 5 of the ARH SEPP.

Division 1 of the ARH SEPP applies to the development that is permitted with consent under an environmental planning instrument, is located on a site that does not contain a heritage item, and where all or part of the development is within an accessible area. The proposed development is permissible with consent under the LEP in the B4 Mixed Use and R4 High Density Residential zones. It is not affected by a heritage item and is located within 500m of the Telopea Light Rail Station.

Pursuant to Clause 6(2) of the ARH SEPP, any residential development on land owned by the Land and Housing Corporation is *'taken to be for the purposes of affordable housing'*. In accordance with the ARH SEPP, all residential development with the Telopea CPA is considered affordable housing.

Clause 13 of the ARH SEPP permits a FSR bonus if at least 20% of the GFA of the development is to be used for affordable housing. The key provisions of the ARH SEPP have been considered in the preparation of this SSD DA and are addressed in Table 13 of the EIS.

The *State Environmental Planning Policy (Housing for Seniors or People with Disability) 2004* (Seniors Housing SEPP) aims to encourage the provision of housing (including residential care facilities) that will –

- (h) Increase the supply and diversity of residences that meet the needs of seniors or people with a disability, and
- (i) Make efficient use of existing infrastructure and services, and
- (j) Be of good design.

Block C3 and C4 of the Concept Plan are intended to provide seniors housing including independent living units (ILUs). The fit out and operation of the residential care facility will be subject to a separate future development application and will incorporate an assessment of the relevant provisions of the Seniors

Housing SEPP including Clause 45 for vertical villages. As such a FSR bonus has been applied to Blocks C3 and C4.

Pursuant to Clause 13 of the ARH SEPP and Clause 45 of the Seniors Housing SEPP, a floor space ratio (FSR) bonus is permitted as the land owned by the Land and Housing Corporation (LAHC) and includes provision for affordable and seniors housing. This 'bonus' FSR has been dispersed across the site with the total FSR and GFA remaining compliant with the relevant floor space requirements under the LEP, ARH SEPP and Seniors Housing SEPP.

In summary the steps taken to determine the permissible GFA over the CPA were as follows:

1. Establish the land area (via a surveyor) with an overlay of the LEP zoning.
2. Work out the base GFA available to the site by using the mapped FSR by the site area.
3. Apply the LEP CI 6.17 bonuses where relevant.
4. Apply the ARH SEPP bonus available to LAHC.
5. Apply the SEPP Seniors bonus for applicable land housing ILUS and RACFs (see attached land markups).

The sum of the above calculations equaled a permissible GFA of 391,940m². The indicative scheme was developed based on the permissible GFA and Urban Design Guidelines.

Table 11 Summary of Proposed GFA

Summary of Gross Floor Area (GFA)	(m²)
Base GFA	311,379
Affordable Bonus (ARH SEPP)	73,577.72
Seniors Bonus (Seniors Housing SEPP)	2,533.24
Community use GFA (LEP Clause 6.17)	4,450
Total	391,940

To provide an appropriate level of flexibility in the detail design of the future buildings, a minimum and maximum GFA has been nominated for each development block. The proposed maximum GFA of 391,940m², comprising a maximum total residential of 376,940m² and a minimum non-residential GFA of 15,000m² is not to be exceeded.

The approach to FSR/GFA calculation across the CPA as described means that a detailed break down of FSR and GFA calculations for each block is unable to be provided. The GFA has been calculated across the CPA and then distributed across the development to maximise public benefit, residential amenity and in accordance with the design principles outlined within the Telopea Design Guidelines.

Buildings C3 and C4 are located in areas that include existing roads which are not allocated an FSR under the LEP as illustrated in Figure 9. Frasers and LAHC are in negotiations with Council on a landswap arrangement to facilitate the revised road layout. The land which is currently not allocated a maximum FSR under the LEP due to being an existing road reserve would almost certainly have had the equivalent FSR mapping as the land adjacent. Whilst the exact quantum of land being exchanged is still under negotiation it is anticipated this will be close to an equal swap. Therefore the method for calculating the maximum permissible GFA for the CPA remains relevant.

The technical non-compliance with the LEP FSR map is addressed within a Clause 4.6 request accompanying this Report enclosed in **Appendix Q**.

Figure 9 Core Building Areas overlayed on LEP FSR Map



Source: PLEP 2011/ Bates Smart/ Urbis

5.3. BULK AND SCALE

The refinements to the Core precinct envelopes and future built form results in a reduction the perceived bulk and scale. The refined proposal reduces the number of tall buildings (above 70 metres) in the upper core from four to three. Two towers have increased in height by 5 storeys, to enable one of the tower forms to reduce in height by half, introducing a new street wall mid-rise typology into the upper core.

The refined scheme improves amenity to both the public domain and residential apartments within the Core Precinct, as noted in **Section 0**. The proposed adjustments to the envelopes create a greater diversity and range of building heights and types.

In comparison to an LEP compliant scheme, the additional height proposal better celebrates the built form principles established in the 2017 Telopea Masterplan through the following design principles:

- Taller built form on the ridge gives better views, reinforces land form and balances solar access
- Homogeneous height built form will obstruct views and solar access
- Thinner and taller built form casts longer fast moving

The proposed envelopes and reference design envisages reduced tower footprints that are further setback from the public domain, and increased in height in key locations. As a result of the amendments to the proposed building heights within the Core Precinct, the proposed refinements to upper-level setbacks provide a greater mix of street wall heights across the precinct and enhance diversity in streetscape character as identified in **Figure 10**.

Figure 10 Street Wall Heights



LEP Compliant Envelopes



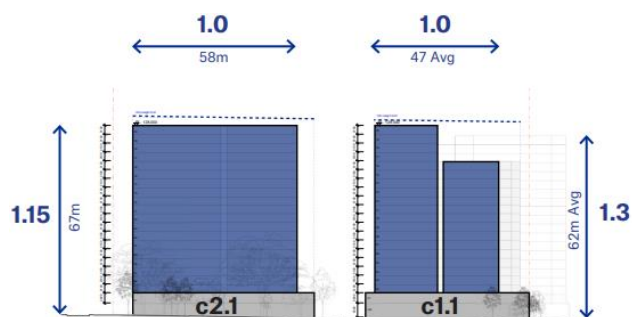
Proposed Envelopes

Source: Bates Smart

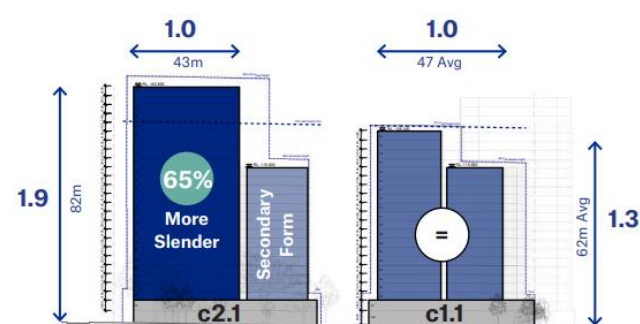
An LEP compliant scheme would result in six large footprint towers in the upper core, all of which would have typical floorplates larger than 1000sqm. The proposed envelopes envisage reduced tower footprints that are further setback from the public domain. Significantly, three of the tower forms that were above 1,000sqm have been reduced to less than 1,000sqm, with one tower (C2.2) reducing in height significantly, introducing a new mid-rise street wall typology into the upper core.

Overall, the refinements to the bulk and scale within the Core Precinct have improved solar access to the public domain including Eyles Link, the retail courtyard, the library interface and community courtyard. Refining the envelopes and reducing height in key areas has improved the available daylight, maximises the potential for tree retention and adjacent landscape areas.

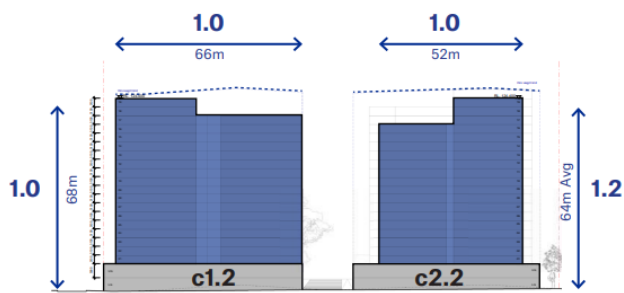
Figure 11 Upper Core Precinct Elevations



Picture 5 Current Sturt Street Elevation

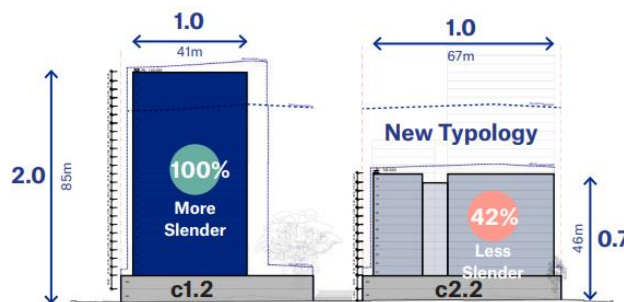


Picture 6 Proposed Sturt Street Elevation



Picture 7 Current Wade Street Elevation

Source: Bates Smart



Picture 8 Proposed Wade Street Elevation

Figure 12 Upper Core Skyline



LEP Compliant Typical Level

Source: Bates Smart



Proposed Typical Level

Refinements to the Core Precinct including the reduction of the C1.2 building footprint has improved the overall visual connectivity between Eyles Link, the community courtyard and the retail courtyard. Overall, the reduction in bulk and scale improves views between two key open spaces and provides sight lines to significant existing tree canopy within the site.

Figure 13 Upper Core Precinct Elevations



Picture 9 LEP Compliant Envelopes

Source: Bates Smart



Picture 10 Proposed Envelopes

It is also noted that Council has undertaken design testing between the proposed scheme and the Telopea Masterplan (2017) to demonstrate the benefits of more efficient street and block layout consistent with the Parramatta LEP 2011. The perceived benefits outlined in their Technical Assessment include:

1. There is more developable land (more street blocks and less street area) and therefore it is more efficient in achieving the GFA sought within the maximum height of buildings;

2. *A new wider street with clearer sightlines;*
3. *More street frontage and buildings with street address;-Improved street accessibility as they are designed along contours;*
4. *Desktop analysis reveals that this would not result in more tree removal than the applicant's proposal (noting that compared with the Masterplan 2017 the applicant's scheme only retains 6 more A+ trees); and*
5. *Improved communal space outcomes - having private boundaries, rather than 'backing on to' public open space or streets.*

Based on the Proponent and relevant technical consultants' review of the block planning exercise, no consideration toward ADG compliance, solar studies, arborist reports or site surveys, civil & infrastructure servicing or any other specialised considerations. It is unreasonable after 18 months of consultation for Council to propose a basic block plan with no consideration of the above items.

5.4. SOLAR ACCESS

It is noted in submissions from DPE and Parramatta Council that solar access for Stage 1A has been assessed for the extended hours of 8.00am to 4.00pm. A breakdown of the percentage of apartments that receive a minimum of 2 hours of solar access to living rooms and private open space between 9.00am and 3.00pm as well as between 8.00am and 4.00pm on 21 June is provided in **Table 12** below.

Table 12 Stage 1A Solar Access

	9:00am to 3:00pm	8:00am to 4:00pm
Building A	0%	57%
Building B	64%	74%
Building C	53%	64%
Building D	70%	71%
Building E	96%	96%
Stage 1 (Buildings A, B and C)	55.7%	65%
Stage 2 (Buildings D and E)	82.4%	83.5%
Total	67.3%	74.25%

Extended hours are frequently taken into consideration in circumstances where urban structure, slope of the land, and external overshadowing present challenges for strict consistency with solar access to apartments between 9.00am and 3.00pm. The extended hours also ensure that the overall development avoids incorporating counter intuitive design elements just to ensure compliance with the relevant ADG criteria.

Assessment of adequate solar access between 9.00am and 3.00pm is a legacy from early controls for single dwellings in suburban settings where the desired mature tree canopied character was assumed to limit the likely ongoing availability of winter sun beyond those times. To apply these time limits without reference to the availability of earlier and later sun is inappropriate, and this opinion has consistently had the support of the Land and Environment Court specifically in the matter of *Botany Development Pty Ltd v Botany Council LEC 10360* of 2013.

While the judgement refers to the Residential Flat Building Design Code (RFDC), the principles on which it is based continue to be applicable to the application of the ADG. Commissioner Brown specifically states the following in *Botany Development Pty Ltd v Botany Council LEC 10360*:

86. I do not accept that the RFDC should be read as a development standard or a requirement that must be complied with. In the second dot point, the Rules of Thumb contemplate variations to the requirements. Also, the definition in the RFDC for Rules of Thumb supports the application of a flexible approach where it states: rules of thumb recommend minimum standards as a guide for local decision making. Minimum standards may vary depending on local context issues and/or if development applicants are able to demonstrate that they have addressed the better design practice guidelines and achieved the stated objectives.

87. In this case, I am satisfied that the minimum 70% standard can be varied given the relatively small variation (10 units out of 158 units excluding any benefit from the deletion of 4 units), the sunlight available between 8 am and 4 pm, the orientation of the site and the design that seeks to maximise solar access to the northern face of the building. In brief, the detailed determination in *Botany Development Pty Ltd v Council of the City of Botany Bay* makes clear that:

- Due regard can be taken of all the sunlight available;
- Allowance should be made for the difficulties imposed by external overshadowing of the site.

In the case of Stage 1A it is reasonable, to assess the project using the extended hours for the following reasons:

- Solar access to new public open space has been prioritised; and
- The site is located on a south facing slope; and
- Orientation of buildings are towards new open spaces and new internal roads to address and provide passive surveillance to these public spaces; and
- External overshadowing from taller built form in Core Precinct; and
- A diversity of apartments are proposed in sunny locations of the buildings.

Another key issue identified in submissions relates to how solar access has been measured across Stage 1A. DPE requested an assessment of how each proposed building receives a minimum of two hours solar access to 70% of dwellings between 9 am to 3 pm in midwinter and that no more than 15% of dwellings in each building would receive zero solar access in midwinter.

Where there are multiple buildings in a single development application, especially where there is a linked basement and/podium, it is common practice that solar access to all apartments should be assessed holistically given that the overall development has been designed to achieve a high level of amenity across the site and has considered the context of the development.

It is also noteworthy that the urban structure and site layout of Stage 1A has been guided and workshopped with Council and the SDRP. Commentary from the SDRP largely supports the current scheme and is considered a good urban design outcome in its current form for the site.

5.5. SITE SETBACKS

Front Setback Control (DCP 4-6 metres)

The DCP current required a 4-6 metre front setback for the Telopea CPA. The building envelopes and design guidelines have been reviewed to ensure street setbacks are designed to provide the optimal urban design outcome.

Building setbacks must be selected appropriately to be suitable for the a given density. In a CBD location one would expect to find high rise buildings with zero setback, while in a suburban location one find low rise buildings with a large landscaped setback. Research has been undertaken by the Proponent on a range of different planning controls to assess how height, density and setbacks are related.

The City of Sydney is particularly helpful as it sets out a range of different urban densities, each with associated FSR range, typical maximum building height and landscaped street setback. These range from one extreme - the Sydney CBD, which proposed a zero street setback for buildings 15-50 storeys, to the much lower density Ashmore Precinct, which proposes a 3 metre landscaped setbacks for buildings five to nine storeys.

Table 13 provides three different examples from the Sydney DCP, to compare with the proposed Telopea envelopes in the North and South Precincts.

Table 13 Setback analysis

Location	Green Square Town Centre	Epsom Park, Green Square	Ashmore Precinct	Telopea, North and South Precincts
Landscaped setback	0 metres	1.5 – 2 metres	3 metres	3 – 6 metres
Urban Condition	Urban	High density residential	Medium density residential	Medium density residential
Typical FSR	6:1+	1.5:1 – 2.5:1	1:1 – 1.75:1	1.1:1 – 2.4:1 (mainly 1.7:1)
Typical maximum building height	15-30 storeys	6 – 20 storeys	5 – 9 storeys	4 – 8 storeys

While a 3 metre minimum setback is considered appropriate for the density of the North and South Precincts, the design guidelines have been revised to emphasise the importance of aligning with setbacks of adjacent developments. The revised DG1.1.5 states:

Street setbacks within the non-core areas should be between 3 and 6 metres. The setback must demonstrate that it adequately considers: setbacks on adjacent properties; Site levels; existing vegetation; topography; surrounding built form; and footpaths and boundaries.

Side Setback Control (DCP 3-4 metres)

Generally, ADG side setbacks will override any DCP side setback control. Where LAHC owned sites' northern side boundaries adjoin isolated sites, a nil/zero setback has been proposed to promote a continuous street wall and provide the isolated sites the maximum potential exposure to northern solar access. Where LAHC owned sites' southern side boundaries adjoin isolated sites, we propose a 6m setback to maximise sunlight to the northern aspect of adjacent isolated sites.

Non-LAHC owned Isolated lots are recommended to have a nil/zero setback along the southern boundary to promote a continuous street wall approach and zero to 3 metre setback along the northern boundary to maximise amenity to small footprint buildings.

Rear Setback Control (DCP 10m or 15%)

A consistent 10 metre or 15% site length rear setback does not consider the precinct wide tree retention strategy. Significant clusters of existing substantial trees have been retained across the Telopea CPA to create local pocket parks, celebrating the sites existing terrain and landscape.

Current setbacks and through site links (N5 and N6) and increased side boundary setbacks adjacent to Isolated lots prioritise deep soil zones in areas that benefit neighbouring developments. All sites provide a portion of deep soil along rear setbacks, but generally in a stepped form, forming smaller courtyards rather than one large continuous 10 metre deep soil zone to rear boundaries as shown in **Figure 13**. The proposed deep soil provisions are overall consistent with the minimum DCP requirements.

Figure 14 Deep Soil Calculations



Source: Bates Smart

5.6. POTENTIALLY ISOLATED SITES

The Isolated Site Study at Appendix RR of the EIS was prepared by Bates Smart and contained an assessment of potential isolated sites within the Northern Precinct. The study includes two reference designs illustrating how potential isolated sites could be developed in accordance with the maximum height of buildings and floor space ratio provisions of the LEP and achieve consistency with the Apartment Design Guide that accompanies SEPP 65.

The properties included in the Isolated Sites Study were:

1. Site A: 22 Marshall Avenue
2. Site B: 8 Fig Tree Avenue
3. Site C: 25 The Parade

The Isolated Site Study shows two scenarios, the first comprising a 3m setback to the northern boundary and a zero setback to the southern boundary, and the second comprising zero setbacks on the northern and southern boundaries for the potential isolated sites. In both scenarios, the proposed envelopes in the Telopea CPA have a 6 metre side setback from the boundary of the potential isolated lots to provide amenity for future occupants of residential flat buildings on those lots.

The Isolated Site Study found that future redevelopment would likely give rise to a pattern of six storey development of a similar typology to ensure that the development of the Telopea CPA will not leave orphan sites in the streetscapes, and that there will be a good degree of uniformity in the building form.

DPE have requested an assessment of potential isolated sites having regard to the Land and Environment Court's judgment *Karavellas v Sutherland Shire Council* [2004] NSWLEC 251.

The *Karavellas* case sets out the planning principle for addressing the isolation of a site resulting from the redevelopment of an adjoining site in the assessment of a development application for that redevelopment. However, an isolated site adjoining the land to be developed must first be identified as "isolated" in order for the planning principle in the *Karavellas* case to be applied. The Court has considered that where there will be no non-compliance with planning controls, including minimum lot requirements (such as minimum lot size) resulting from an adjoining development, and a site can still be feasibly developed after an adjoining development is carried out, then it will not be isolated through redevelopment: see *680-682 Kingsway Caringbah Pty Ltd v Sutherland Shire Council* at [2017] NSWLEC 99 at [134].

As demonstrated in the Isolated Site Study, those sites are not in fact 'isolated' by the proposed envelopes in the Concept SSD and therefore the application of the principle in the *Karavellas* case does not apply. This is because there is no minimum lot size requirement that must be met under the LEP for the feasible future development of those adjoining sites. Further, the schematic scenarios shown in the Isolated Site Study

show that those sites could be developed in accordance with the maximum height of buildings and floor space ratio provisions of the LEP and achieve consistency with the Apartment Design Guide that accompanies SEPP 65.

Notwithstanding the above, we provide further consideration below in relation to the planning principle in the *Karavellas* case, including with regard to three additional properties that DPE requested be considered.

In the *Karavellas* case Commissioner Tuor considered whether a proposal would result in inefficient and uncoordinated development if an adjoining site was left in isolation when the development proposal did not comply with the minimum lot size for residential flat buildings in the relevant environmental planning instrument.

In determining whether the non-compliance with the minimum lot size was reasonable, Commissioner Tuor set out two questions that must be considered:

- 1) Whether reasonable efforts have been undertaken to facilitate amalgamation into the development site; and
- 2) What are the consequences if amalgamation is not feasible?

The first question as to whether amalgamation of the sites is feasible is to be determined in accordance with the principles described in *Melissa Grech v Auburn Council* [2004] NSWLEC 40 (at 50) described below.:

1. Where a property will be isolated by a proposed development and that property cannot satisfy the minimum lot requirements (which we say do not apply to the sites identified as being potentially isolated, in accordance with our commentary above), then negotiations between the owners of the properties should commence .
2. Where no satisfactory result is achieved from the negotiations, the development application should include details of the negotiations between the owners of the properties. These details should include offers to the owner of the isolated property. A reasonable offer, for the purposes of determining the development application and addressing the planning implications of an isolated lot, is to be based on at least one recent independent valuation and may include other reasonable expenses likely to be incurred by the owner of the isolated property in the sale of the property.

The relevant question is whether the applicant has taken reasonable steps to cause an amalgamation. It is not necessary for an applicant to do any more than what is reasonable.

3. The level of negotiation and any offers made for the isolated site are matters that can be given weight in the consideration of the development application.

It is important to understand that consideration of the actions of the applicant in having regard to a potential isolated site is different to the case of a compulsory acquisition or offer to acquire an easement, and should not be confused with these scenarios.

The second question which is required to be addressed by the planning principle in *Karavellas* is whether orderly and economic use and development of the separate sites can be achieved if amalgamation with the isolated site is not feasible. The Court has held that in order to address this question an applicant can provide an analysis or plans explaining or showing how the site can be developed even if not amalgamated. This could include a consideration of the development types that are permissible in the zone, and what forms of development could be undertaken on the site. Plans can help to illustrate this, in order to show how a site could hypothetically be developed to prove that it will not be unreasonably isolated. Having regard to the three additional properties that DPE have requested, it is noted each of these properties were considered at the time of preparing EIS and deemed not relevant for consideration in the Isolated Site Study as the following was observed:

- 1) **2 Figtree Avenue** has a development application with CoP for "*Demolition, tree removal and construction of a 4 storey residential flat building containing 12 units over 1 level of basement carparking for 15 vehicles, landscaping works and associated strata subdivision*" (DA/315/2016);
- 2) **11 and 11A Cunningham Street** has had a recently completed 3 storey duplex development; and

- 3) **3 Marshall Road** adjoins Site N1. Site N1 fronts Field Place, whereas 3 Marshall Road fronts Marshall Road. 3 Marshall Road would more appropriately adopt the character of the neighbouring townhouses at 5 Marshall Avenue.

Having regard to these observations, the proposed building envelopes in the Concept SSD application have been appropriately designed taking into consideration these approved developments, streetscape character and residential amenity. As a result, and for the reasons otherwise set out above in relation to the sites identified in the Isolated Site Study, we also do not consider that these additional sites give rise to any need to apply or address the planning principle in *Karavellas*.

The proposed building envelopes have been designed based on land currently owned by LAHC and do not burden the future redevelopment of land not incorporated into the proposal.

The lots in question are adjacent to the stages which are expected to be delivered between 2032-2037 (subject to planning approvals and market conditions). Given the staging and timeframes envisaged, and on the basis that the Isolated Site Study has demonstrated the potential isolated sites are not isolated and a reasonable development can occur without amalgamation with the LAHC lots, it is likely that these owners may choose to pursue redevelopment of their lots ahead of the LAHC / Frasers development program.

In conclusion, the Isolated Site Study demonstrates that the Concept SSD application is able to be assessed and determined without needing to demonstrate feasibility in amalgamating with neighbouring lots. The Concept DA proposal sets up the framework to enable the redevelopment of these neighbouring sites, consistent with the Parramatta LEP 2011, SEPP 65 and the Apartment Design Guide and Draft Telopea DCP.

5.7. TRANSPORT, PARKING AND ACCESS

Trip Generation

As part of this RFI process it was confirmed that the 2021 Transport and Accessibility Impact Assessment (TAIA) assessed 4,504 dwellings; however, the Telopea CPA proposes 4,700 dwellings. The difference of 196 dwellings consists entirely of market dwellings which has been incorporated into the addendum Traffic and Parking Statement prepared by Ason Group and enclosed in **Appendix AA**.

Application of the 0.25 peak hour trip rate (AM & PM) from the 2021 TAIA to these 196 dwellings results in an additional forecast peak hour traffic generation of 49 trips. Accounting for these additional 49 trips provides the following peak hour comparative assessment with the 2018 Precinct Traffic and Transport Assessment (Precinct TTA) Addendum that informed the approved Planning Proposal:

Based on current trip rate data, there would be approximately 27% fewer trips during peak hours compared to the 2018 Precinct TTA Addendum forecast with:

- 28.6% fewer trips during the AM Peak hour
- 25.0% fewer trips during the PM Peak hour

The revised traffic generation above confirms that with the additional 196 dwellings included in the comparative traffic generation assessment, the peak hour traffic generation is still forecast to be significantly lower than the forecast traffic generation of the 2018 Precinct TTA Addendum and therefore the conclusion stands that the proposed upgrades and refinements to the design do not impact of the ability to satisfy the traffic demands of the Telopea CPA.

Winter Street Basement

As noted in **Section 3.2.2**, Stage 1A has been amended to remove the proposed car parking access via Winter Street. The resulting reassignment of traffic due to the closure of the Winter St access has been assessed by Ason Group as part of the addendum Traffic and Parking Statement enclosed in **Appendix AA**. To reflect the removal of the Winter Street vehicular access, the additional 196 dwellings which were not calculated as part of the original TAIA and updated civil plans, the SIDRA analysis at the intersection of Adderton Road with Manson Street has been revisited.

In summary, the SIDRA model confirms:

- The closure on the Winter Street access has resulted in a minor volume of traffic (27 trips during the morning peak hour and 21 trips during the evening peak hour) that have been reassigned at the intersection of Adderton Road with Manson Street.

- Additional trips at this associated with the 196 dwellings that were overlooked as part of the 2021 TAIA study do not result in traffic impacts on this intersection compared to the 2018 Precinct TTA Addendum and 2021 TAIA.

The results of the revisited SIDRA modelling forecast that the proposed signalised intersection of Adderton Road with Manson Street would continue to operate within acceptable parameters in both the AM and PM peak periods with moderate delays, with the results showing levels of service of C and B during the AM and PM peak periods, respectively.

It is also noted that the modifications required to facilitate this change were minimal, nonetheless, the revised plans have been reviewed and it is confirmed that the plans have been developed in accordance with relevant AS2890 Australian Standards.

Stage 1A Parking Rates

Both Council and TfNSW have recommended Stage 1A is revised to include additional visitor parking in line with RMS standards and Council DCP. The proposed DCP residential visitor parking rate of 1 space per 5 dwellings is not considered appropriate nor sustainable in the context of the Precinct. Regarding this, it is noted that the TfNSW (formerly RMS) Guide states the following:

Councils may wish to reduce this requirement for buildings located in close proximity to public transport, or where short-term unit leasing is expected."

Ason Group have confirmed in the addendum Traffic and Parking Statement enclosed in **Appendix AA** that the Telopea CPA qualifies for such consideration, being immediately adjacent to the new Parramatta Light Rail (PLR) stop and also well supported by existing bus services. Accordingly, the 2021 TAIA adopted a visitor car parking rate of 1 space per 10 dwellings, including any on-street parking available to encourage the use of public transport. It is noteworthy that this is the same rate for visitor parking recommended in the Melrose Park Transport Management & Accessibility Plan (TMAP) – for an almost identical urban renewal project – where a rate of 1 space per 10 units was recommended even though Stage 2 of the PLR was (and remains) not guaranteed.

It is also noted that the SDRP provided commentary in advice dated 30 August 2021 (**Appendix U**), stating that any opportunities for further lowering proposed parking rates, reducing car reliance and prioritising both pedestrian movement and public transit usership is generally supported by the SDRP.

The Draft Telopea DCP allows for the provision of residential visitor car parking on-street. Given the significant amount of new on-street parking that will be delivered as part of the Concept Plan, and particularly parking within the Telopea Core, the current parking arrangements are considered appropriate for Stage 1A. The DCP requires 45 visitor car spaces for Stage 1A. Overall, Stage 1A provides the following visitor parking:

- On street spaces – 22
- Carshare spaces (on-street) – 2
- Visitor parking within Stage 1A basement – 23

Overall, the proposal provides 47 potential visitor spaces within the basement and on-street including 2 car share spaces. Furthermore, the reduced rate is justified on the basis that the Telopea CPA would also include retail parking and community facilities parking (subject to VPA) in the core of the Precinct. These facilities would be used by visitors for meeting at restaurants, cafes, community centres, etc., in conjunction with visitor parking in the residential buildings. Therefore, even without consideration of the substantial potential for shared parking at different times of the day given the peak demands for the different land use components in the Telopea CPA, it is considered that the rate of 1 visitor space per 10 dwellings, including on-street parking, is reasonable and acceptable.

Based on the accessibility of the site from a range of public transport options, as well as the likelihood visitors will likely visit multiple services within the Telopea CPA, the current visitor parking rates are considered acceptable for Stage 1A and future stages of development.

5.8. HOUSING POLICIES

Housing SEPP

It is noted that as the application was lodged in July 2021, prior to public exhibition of the draft *State Environmental Planning Policy (Housing) 2021* (Housing SEPP) which occurred from 31 July 2021 until 29 August 2021 and the commencement of the Housing SEPP on 26 November 2021. Under Schedule 7, Clause 2 of the Housing SEPP, the former provisions of a repealed instrument continue to apply for any:

- Development application made, but not yet determined, on or before the commencement date,
- Concept development application made, but not yet determined, on or before the commencement date,
- Staged development application made subsequent to a concept development application approval granted on or before the commencement date.

As such the relevant provisions of the Housing SEPP are not a formal matter for consideration for the SSDA. It is noted that the Housing SEPP will be a matter for consideration of future detailed DAs for built form proposed under the Telopea Concept Plan.

Housing 2041

Housing 2041 is a 20-year commitment to achieving the goals and ambitions for better housing outcomes and greater housing choice for the people of NSW. The actions for Housing 2041 are embedded in a strategic framework which aims to ensure that NSW will have housing that supports security, comfort, independence and choice for all people at all stages of their lives.

The proposed redevelopment is critical to achieving one of the five priorities for Housing 2041 by '*maximising the impact of government-owned land, investment or assets, and government-led development projects or funding to achieve the housing vision*'. The proposed redevelopment of the Telopea CPA will provide a mixed tenure community which will reinvigorate existing government owned land with a range of retail, residential and open spaces.

Future Directions for Social Housing in NSW

Future Directions for Social Housing in NSW (Future Directions), published in 2016, sets out the NSW Government's vision for social housing over the next 10 years. Future Directions is underpinned by three strategic priorities:

- More social housing;
- More opportunities, support and incentives to avoid and/or leave social housing; and
- A better social housing experience.

Achieving these strategic priorities will be measured against the following outcomes:

- Increase successful transitions out of social housing by 5%.
- Increase the proportion of young people who successfully move from specialist homelessness services to long term stable accommodation by 10%.

To deliver Future Directions, the NSW Government is collaborating with the private sector, not-for-profit sector and all levels of government. By 2025, Future Directions is seeking to transform the social housing system in NSW from one which is dominated by the public sector to a new system which is characterised by:

- Greater involvement of private and non-government partners in financing, owning and managing a significantly expanded stock of social and affordable housing assets;
- Expanded support in the private rental market, reducing demand on social housing and the social housing wait list;
- More competition and diversity in provision of tenancy management services through the expanded capacity and capability of community housing providers; and

- Housing assistance being seen as a pathway to independence and an enabler of improved social and economic participation for tenants living in vibrant and socio-economically diverse communities. To achieve these goals, Future Directions has set the following strategies:
- Significant expansion and redevelopment of stock through partnership with private sector developers and finance;
- Transferring significant tenancy management responsibility to non-government housing providers; and
- “Wrap-around” services to support tenants, build their capabilities and take advantage of the economic opportunities in strengthening our economy.

Communities Plus is a government program which will facilitate non-government and private sector partnership to redevelop Land and Housing Corporation (LAHC) sites throughout metropolitan Sydney and regional NSW. Communities Plus is based on an asset management framework that leverages the value of the existing portfolio to accelerate supply. Communities Plus will redevelop LAHC land by engaging private sector developers and community housing providers to design, fund and build social, affordable and private housing. As each development is completed, new social housing properties are handed over to LAHC as payment for the land making the program entirely self-funding. One of the actions for Future Directions is to ‘increase redevelopment of Land and Housing Corporation properties to renew and grow supply’, which will be achieved through Communities Plus. This action is guided by the following goals:

- Deliver redevelopment projects on LAHC sites throughout NSW through Communities Plus;
- Align redevelopment projects with Urban Growth priority renewal areas;
- Work with planning agencies and authorities to ensure appropriate rezoning is possible; and
- Ensure large redevelopment target of a 70:30 ratio of private to social housing to enable more integrated communities (generally with an increased number of social housing where practicable).

The Telopea CPA has been identified as one of seven major sites to be delivered through the Communities Plus program. It will deliver approximately 740 social housing units and 256 affordable rental housing units, in addition to private dwellings, seniors living and other community facilities.

6. UPDATED PROJECT JUSTIFICATION

This Submissions Report has responded to the key issues raised within the submissions regarding the for the staged redevelopment of the Telopea CPA, as well as a detailed proposal for the first stage of development. This Submissions Report is accompanied by:

- Updated Architectural, Landscape and Civil Plans which set out the proposed refinements to the original scheme and the clear identification of works associated with the Concept Proposal and the Stage 1A works for the first stage of development.
- Supplementary reports and technical advice which provides additional clarification and further information regarding the proposed development where relevant.

The report and supporting documents have been informed by additional consultation and engagement with key stakeholders, including the Department, City of Parramatta Council, TfNSW and Heritage NSW.

An updated table of proposed mitigation measures is provided at **Appendix B** which has regard to the economic, environmental and social impacts of the proposal.

6.1. UPDATED EVALUATION OF THE PROPOSED DEVELOPMENT

Importantly, the refinements and clarifications made in responses to key issues raised within the submissions are changes that fit within the limits set by the project description. These refinements do not change what the application is seeking consent for, and therefore an amendment to the proposal is not required. The Concept Proposal and Stage 1A Application for detailed works for the Telopea CPA (including minor design refinements and clarifications) is considered acceptable having regard to the following economic, environmental and social considerations, the proposed development will:

- Deliver revitalised social housing and introduce affordable housing in accordance with the *Future Directions for Social Housing in NSW* and to support the welfare of the community and those in need within Sydney;
- Respond to the strategic importance of the site and the character of the site and surrounding area;
- Support the economic and orderly development of land with the delivery of the first detailed stage of the development;
- Incorporate the overall road network of which portions will be dedicated to Council to create land for public purposes;
- Incorporate biodiversity offset measures, tree protection, and replacement planting to conserve the natural environment; and
- Provide buildings that achieve a range of sustainability targets and measures established under the Concept Plan.

Overall the proposal is considered appropriate for the site and warrants approval from the Minister for Planning for the following reasons:

- The proposal is consistent with the strategic policy framework delivering a range of housing types and sizes to meet the needs of different households.
- The design of the proposal has been carefully considered to minimise any impacts, with the primary design objective centred on the health and wellbeing of the community; creating a place which is open, inclusive and highly connected with a focus on green spaces and healthy living.
- Opportunities and recommendations for Connecting with Country will be responded to in each of the future development phases for the Telopea CPA, alongside ongoing engagement with appropriate Indigenous stakeholders throughout the project.
- The staging strategy maintains a consistent tenure split between social and market dwellings as well as ensuring that the necessary infrastructure is delivered to service the relevant stages. Stage 1 is to be delivered from 2023 to 2029 including approximately 2,100 dwellings in areas closest to station; delivering community benefits and supporting the light rail project.

- In accordance with the BC Act, the proposal will not impose any adverse impact to ecological communities, habitat of threatened species, populations or ecological communities, or any significant species of fauna or flora.
- The residential development has been designed generally in accordance with SEPP 65 and meets the design criteria of the ADG.
- The proposed development has taken measures to minimise any impacts on the rail corridor in accordance with ISEPP.
- An Environmental Management Plan and Asbestos Management Plan are proposed to ensure the site is suitable for the proposed development in accordance with SEPP 55.
- The proposed social housing units have been designed to be consistent with the design criteria set out in the ARH SEPP.
- In accordance with the Seniors Housing SEPP and the Education SEPP the proposal will deliver seniors housing and a childcare centre.
- The Stage 1A proposed development meets the BASIX requirements and the Sustainability Report outlines the environmental sustainability measures to be implemented across the precinct.
- The proposal is consistent with the PLEP 2011 land use zones for the site and will deliver the objectives for high density residential and mixed use development and public recreation.
- The proposal generally complies with the PLEP 2011 height of building control that applies to the site and the development is supported by a Clause 4.6 Variation Request to exceed the height control in the Core area. The Clause 4.6 Variation Request provides a comprehensive justification that compliance with this part of the height control is unreasonable and unnecessary in the circumstances of the case as:
 - The objectives of the development standard including providing a transition in built form and land use intensity; minimising visual impact, disruption of views, loss of privacy and loss of solar access; reinforcing and respecting the character of the area; and maintaining satisfactory sky exposure and daylight to buildings and the public domain are achieved by the proposed development; and
 - There are sufficient environmental planning grounds to support the proposed development, in that the proposal does not result in any unacceptable impacts on amenity, or any heritage impacts and the proposed variation allows for the delivery of higher quality residential development, greater public open space and improved residential amenity.
- The proposal is consistent with the FSR provisions for the site in accordance with the PLEP 2011, the ARH SEPP and Seniors Housing SEPP.
- The proposed development does not affect the heritage significance or view from any heritage assets.
- In accordance with the PLEP 2011, the proposed development is acceptable in relation to flood impacts.
- The Concept Plan was developed through a rigorous design process with consideration on the Design Excellence principles set within the PLEP 2011. Site-specific Design Guidelines have been developed to guide the ongoing architectural and urban design of the Telopea CPA. The Design Guidelines will ensure a high quality architectural and amenity outcome is achieved across the precinct. The Design Guidelines set out the vision for future development, as well as objectives and provisions in relation to built form, public domain, open space and trees, transport and parking and sustainability.
- The proposal is acceptable in relation to visual impacts and does not result in any significant negative visual effects or impacts on its visual catchment. The proposal will cause a substantial but positive change to the existing character of the site and the surroundings. The proposal is responsive to the visual opportunities and constraints of the site and its surroundings and appropriately responds to the character of adjacent land uses.
- The proposal has no unacceptable traffic impacts and provides for infrastructure upgrade works as required. The proposal promotes the use and accessibility of public transport through new pedestrian connections and the light rail plaza.
- With the mitigation measures proposed, the proposal will result in a moderate to high positive impact on the contribution of trees to local amenity and character.

- Subject to the mitigation measures proposed, the development will have an acceptable impact in relation to Aboriginal Cultural Heritage.
- Subject to the identified utilities augmentation requirements, there is sufficient capacity to service the proposed development.

Where further investigations are recommended in order to assess any mitigation measures required in relation the proposed development, these investigations will be undertaken as part of any future detailed applications, in accordance with the Concept Proposal.

The proposal will generate a highly positive social impact, particularly in the long term. Any identified negative impacts are proposed to be mitigated through implementation of appropriate management measures. Key social impacts include:

- Access to high quality social housing
- Access to high quality affordable housing
- Improved community facilities and access to high quality open space
- Access to new supermarket, food and beverage, and specialty retail
- A healthy built environment
- Improved public safety
- Community integration, belonging and connection
- Neighbourhood renewal.

This SSD is accompanied by a VPA for the provision of public infrastructure that supports the Concept Proposal as part of the overall renewal of Telopea. The proposed VPA includes additional infrastructure over and above the Telopea Masterplan that provides a public benefit including a neighbourhood park near hilltop park and arrival plaza; additional open space and public domain areas; and a contribution to Telopea Public School for a co-located community facility.

Frasers is committed to continued meaningful engagement with stakeholders and the community. A range of engagement tools and techniques will be used to ensure the community can be informed about the project as it progresses and have an opportunity to provide input at the appropriate times as Telopea is created over the 15-20 year timeframe. Initially communications and engagement will focus on:

- refining the project vision and supporting high level planning applications;
- involving the community in discussions about public domain and proposed community facilities; and
- establishing a framework for collaborating with local businesses, schools, service providers and peak bodies to deliver the social outcomes that are desired for Telopea.

Over time, this focus will turn to community building; ongoing detailed development applications communication to assist in managing construction activities; and services, programs, and activities to nurture a cohesive, supportive and healthy community.

Overall, the proposal will have long-term positive economic, social, and environmental impacts for the local community, the Paramatta LGA and the Greater Sydney region. In view of the above, we submit that the proposal is in the public interest and that the SSDA should be approved subject to appropriate conditions.

DISCLAIMER

This report is dated 20 April 2022 and incorporates information and events up to that date only and excludes any information arising, or event occurring, after that date which may affect the validity of Urbis Pty Ltd (**Urbis**) opinion in this report. Urbis prepared this report on the instructions, and for the benefit only, of Frasers Property Telopea Developer Pty Ltd (**Instructing Party**) for the purpose of Response to Submissions (**Purpose**) and not for any other purpose or use. To the extent permitted by applicable law, Urbis expressly disclaims all liability, whether direct or indirect, to the Instructing Party which relies or purports to rely on this report for any purpose other than the Purpose, and to any other person which relies or purports to rely on this report for any purpose whatsoever (including the Purpose).

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This report has been prepared with due care and diligence by Urbis and the statements and opinions given by Urbis in this report are given in good faith and in the reasonable belief that they are correct and not misleading, subject to the limitations above.

APPENDIX F

**CONCEPT RESPONSE TO
SUBMISSIONS REPORT**

APPENDIX P

CLAUSE 4.6 VARIATION TO HEIGHT IN RELATION TO STAGE 1A

APPENDIX Q

CLAUSE 4.6 VARIATION TO FSR IN RELATION TO THE CONCEPT PLAN

APPENDIX Z

HISTORICAL ARCHAEOLOGICAL ASSESSMENT

