

Attachment A – Council Officer response to Response to Request for Further Information (December 2022)

State Significant Development Application - Telopea Stage 1A and Concept Proposal

1. Land Use Planning	2
2. State and Local Contributions VPAs	8
3. Property and Legal Matters	10
4. Urban Design	11
5 Public Domain.....	32
6. Open Space.....	43
7. Traffic and Transport.....	46
8. Tree Management	52
9. Social Impacts	54
10. Sustainability	56
11. Biodiversity	58
12. Contamination.....	59
13. Drainage and Catchment Management.....	60
14. Waste management.....	65

1. Land Use Planning

Council Submission - Recommendation (November 2021)	Response to Submissions Report (April 2022)	Council Comments (June 2022)	Response to Request for Further Information (December 2022)	Council Comments (February 2023)
1. Land Use Planning				
1.1 That the Clause 4.6 request to vary height and FSR not be supported for The Core.	The overall design was workshopped in conjunction with Council and SDRP. As result of the SDRP sessions, a height variance was requested to provide a better urban design outcome, whilst maintaining the same amount FSR.	<p>Not addressed</p> <p><u>Clause 4.6 variation request - Heights</u> The concerns raised in Council's submission with respect to the Clause 4.6 request has not been adequately addressed and no changes to the proposed heights have been made (refer Section 2.1 of Councils submission). The height increase variations range between 16% and 23%. These are considered significant non-compliances to a relatively recently approved master plan. It is considered that variation in heights can be achieved under a compliant scheme and that this is not a reason to exceed permissible building envelopes.</p> <p>The Clause 4.6 relies heavily on the benefits of the proposal in general, which should not be the focus a variation request. This was observed in the Land & Environment Court judgement in Initial Action Pty Ltd v Woollahra Council [2018] NSWLEC 2018, where Preston J observed: <i>"...in order for there to be 'sufficient' environmental planning grounds to justify a written request under clause 4.6, the focus must be on the aspect or element of the development that contravenes the development standard and the environmental planning grounds advanced in the written request must justify contravening the development standard, not simply promote the benefits of carrying out the development as a whole"</i></p> <p>Based on the above, the applicant has not provided sufficient justification for the 4.6 variation request and on this basis the request cannot be supported. Council requests that the applicant demonstrate through presenting a Telopea DCP / Master Plan compliant scheme and provide a comparison whereby it is understood clearly that the variation to the heights is as a result of bonus FSR relating to seniors housing and LAHC's residential development available under the State Environmental Planning Policy (Housing) 2021.</p> <p><u>Clause 4.6 variation request - FSR</u> The application (refer Appendix Q) does not clearly identify what variation is being sought with respect to floor space and percentage variation, instead it relies on a total GFA spread over the Core and Precincts. Council does not support this approach. A Clause 4.6 Variation to Standard must indicate where the FSR is being drawn from in relation to the PLEP 2011 FSR Map and what variation is being sought over and above the permitted FSR under PLEP 2011 (not total GFA). Specifically, in its original submission, Council considered that the proposal should not be including FSR from the area (of public road) where no height and FSR are allocated under the PLEP 2011 and as such the applicant must justify this in its Clause 4.6 application. Clarification is required on the planning and legal implications of locating buildings over this land and the subsequent non-compliance.</p>	<p>As noted in Section 3, refinements to height have made across the Telopea CPA.</p> <p>Amended Clause 4.6 Variations for height in relation to the Concept DA and Stage 1A development has been prepared by Urbis to address the comments raised in the CoP submission. Buildings with heights consistent with the LEP, and above and below the LEP heights are shown in 3D model views, and visualisations of the proposed heights.</p> <p>The Concept DA exceeds the maximum height of buildings across development blocks C1, C2, C3, C4, C6 and C7, with the greatest exceedance being 17m (24%). This is attributed to development blocks C1 and C2, which are located within the Upper Core in immediate proximity to PLR and where the tallest buildings are located.</p> <p>The degree of variation is either reduced and/or offset by lower building heights the further the development transitions eastward from the Middle Core to the Lower Core. Most notably, seven buildings within development blocks C5, C6, C7 and C8 (east of Manson Street in the Middle and Lower Core), propose a scale of development 4- 7m below the maximum allowable height limit. The only exception is one building (C6.1b), which exceeds the maximum height by 7m (18%). Overall, seven of the twenty buildings within the Core Precinct exceed the maximum height standard ranging from 16% to 24%. A compensatory reduction in built form has been applied to eight buildings of between - 13% and - 50%. This strategy has resulted in improved solar access to the public domain (Eyles Street Pedestrian Link), reduction in overshadowing to Telopea Public School when compared to a LEP compliant scheme (whilst balanced with minor increases in overshadowing to Sturt Park when compared to a LEP compliant scheme), improved ADG performance and reduced visual impact as a result of taller but fewer towers across the skyline.</p> <p>The core accommodates 20% additional floorspace than that envisaged by the LEP</p>	<p>Not addressed</p> <p><u>The Core - Clause 4.6 variation request - FSR</u> The revised Clause 4.6 Variation Request (Refer Appendix P) is inadequate, and Council recommends an amended report be prepared and submitted for the following reasons:</p> <ol style="list-style-type: none"> The report does not clearly state what variation is being sought with respect to FSR and the resultant percentage variation, instead it relies on GFAs spread over the Core and Precincts. It is unclear where the FSR is being drawn from within The Core and therefore the magnitude of variation for each development block within The Core is not clearly understood. The report must clearly identify which FSR is being drawn in relation to each of the development blocks. <ol style="list-style-type: none"> If the maximum permissible GFA within The Core was calculated based on the maximum FSR (PLEP 2011 + SEPP bonuses) multiplied by the square metres of FSR 'tiles', it is estimated that this would be approximately 181,133sqm of permitted GFA. On this basis the report is seeking a variation of 9,515sqm (5.25%) of GFA (190,648sqm 'proposed indicative scheme – Appendix P). However, if the maximum permissible GFA was calculated based on each development blocks within The Core, then a total of 139,666sqm of GFA would be permitted (the sum of each of the development blocks as overlaid on the FSR tiles + SEPP Bonuses). On this basis the report is seeking a variation of 45,425sqm (32.5%) of GFA (190,648sqm 'proposed indicative scheme – Appendix P). A map the development blocks and the FSR map from the PLEP 2011 should be overlaid to ensure that the site area of the public road where no height and FSR is allocated is appropriately acknowledged. Currently the non-compliance for C3 and C4 which is located over part of this area is not justified. The report nominates a total minimum and maximum GFA for each development blocks. This is considered unacceptable planning outcome and Council objects to this request by the applicant. Amendments made in 2018 by DPE to the Parramatta LEP 2011 to FSR and height foreshadowed a built form outcome for Telopea based on technical supporting information. By creating a 'range' of GFA which far exceeds the permissible GFA/FSR does not provide certainty and clarity to the community in terms of what it can expect from any

Council Submission - Recommendation (November 2021)	Response to Submissions Report (April 2022)	Council Comments (June 2022)	Response to Request for Further Information (December 2022)	Council Comments (February 2023)
1. Land Use Planning				
			<p>height controls as a result of FSR bonus provisions allowed under PLEP 2011, Seniors SEPP and ARH SEPP. Figure 19 of the Clause 4.6 Variation for the Concept DA illustrates how the proposed additional height sought for buildings C1.2, C2.1, C3, C4, C6.1 and C7.2 can be attributed directly to the bonus floorspace associated with social housing, affordable housing, and community facilities in C3 and C4.</p> <p>It is important to note that 21,000 sqm of the GFA sits below the PLEP 2011 height and 16,000sqm of GFA above across six buildings. The additional GFA contributes to the following:</p> <ul style="list-style-type: none"> • Additional four/five storeys within C1.2A with reduced height below the height plane for C2.2 • Approximately two storeys across C3.1 and C4.1 • One additional storey for C6.1b with reduced height for C6.1A and C5.1 <p>Furthermore, 1,000sqm of the height projection is to accommodate an increase in the library from 3,000sqm to 4,150sqm in response to Council's request for a full-size library to be delivered.</p> <p>Overall, the application of bonus FSR provisions requires floor area to be physically accommodated within taller building forms.</p>	<p>development.</p> <p>e) The report is required to formally include the Precinct areas within the Clause 4.6 FSR Variation request. It is unclear if the Clause 4.6 variation applies to the Precinct areas. From Council Officers calculations E2, N2, N3 and N10 and all of the South Precinct development blocks are in excess of the allowable FSR. Council Officers calculate that cumulatively the excess GFA is ~11,875sqm.</p> <p><u>The Core - Clause 4.6 variation request – Heights</u> The concerns raised in the June 2022 Council's submission with respect to the Clause 4.6 request has not been adequately addressed. The height changes are considered additional and significant non-compliances to a relatively recently approved rezoning. It is considered that variation in heights can be achieved under a compliant scheme and that this is not a reason to exceed permissible building envelopes. Furthermore Council considers the overshadowing impacts on Telopea Public School and Sturt Park to be unacceptable. Increase in height due to building envelope reductions and the National Construction Code (NCC) is not an adequate justification given the overall proposed GFA exceeds the maximum permissible. The Urban Design (Section 4) of this attachment provides further reasoning.</p> <p>Council has consistently requested that the applicant demonstrate through presenting a Telopea DCP / Master Plan compliant scheme and provide a comparison whereby it is understood clearly that the variation to the heights is as a result of bonus FSR relating to seniors housing and LAHC's residential development available under the State Environmental Planning Policy (Housing) 2021. This has not been provided to date.</p> <p><u>In summary, the applicant has not provided sufficient justification for the 4.6 variation requests for both height and FSR and on this basis the requests cannot be supported.</u></p>
1.2 The applicant presents a scheduled breakdown of the FSR and GFA allocations (including standard efficiency rates) for each lot within the Concept Area (The Core and Precincts) corresponding to accurate plans and showing that the maximum permissible FSR for each lot has not been exceeded.		<p>Not addressed</p> <p>Council is concerned that:</p> <ul style="list-style-type: none"> • a detailed schedule of GFA with corresponding plans for the Precincts have not been provided by the applicant. • The information provided in relation to The Core is inadequate and there are discrepancies between the proposed base GFA for buildings in The Core and the envelope plans presented in the application that do not match the GFA identified for that site. <p><u>The Core - Building Efficiencies</u> The applicant has included a list of contributing factors for a lower efficiency rate in the Core (primarily for towers C1 and C2 which have an efficiency rate of 65% and 64% respectively), <u>however Council does not consider that the identified factors would impact on</u></p>	<p>In response to comments from DPE and CoP, an updated GFA schedule have been provided for the Core and Precincts.</p> <p>The amended Clause 4.6 in relation to FSR has incorporated a detailed schedule of GFA to reflect CoP's comments.</p>	<p>Not addressed</p> <p>As stated previously the discrepancy in GFA calculations and lack of detailed FSR schedule for each building means there is a real risk that future development applications will exceed permissible FSRs for the Core and will result in poor building envelope outcomes.</p> <p>To ensure building envelopes for residential buildings are a close representation of what may form a detailed design, the Concept Application should calculate residential gross floor area (GFA) at a minimum of 75% of the building envelope.</p> <p>The building efficiencies for some envelopes are still low, for example upper levels of the towers of C1 and C2 have particularly low efficiencies at 59% and 62%. GFA plans for</p>

Council Submission - Recommendation (November 2021)	Response to Submissions Report (April 2022)	Council Comments (June 2022)	Response to Request for Further Information (December 2022)	Council Comments (February 2023)																																			
1. Land Use Planning																																							
Noting that this will form the basis for any Concept Approval, and therefore ensuring that the approved envelopes do not risk exceeding permissible density provisions in future development applications. Furthermore, that the proposal demonstrates that it does not draw GFA from the roads shown in the Parramatta LEP 2011 with no allocated FSR.		<p>efficiencies to the extent prescribed. While the factors below would contribute in some degree to a lower efficiency rate, Council considers most would impact only the lower levels/podium of a building and are taken into consideration through a lower efficiency rate for these levels than the upper levels of a tower. The upper levels of a building, particularly towers C1 and C2 should not have a reduced efficiency due to these factors.</p> <table><tr><th>Submission Report</th><th>Council response</th></tr><tr><td colspan="2">Upper Core</td></tr><tr><td>Multiple Ground Levels</td><td>This would be the case across the site due to the topography and would not have a greater impact on C1, C2.</td></tr><tr><td>Large Retail Envelopes for maximised flexibility</td><td>It is not considered that this would decrease the total efficiency for this site as it only impacts level.</td></tr><tr><td>Steep terrain impacting usability of deep envelopes on the bottom-most level</td><td>This would only impact the lower ground levels which is not enough to lower the efficiency rate as significantly as contended.</td></tr><tr><td>Additional 1m depth in residential planning for facade articulation and siting flexibility (i.e. 24m residential footprint, 25m deep envelope)</td><td>This additional depth is too significant. Telopea DCP has controls that allow for a percentage of balconies or architectural elements to extend beyond the building setback for these purposes. It is recommended that this additional area to each building volume be deducted from the GFA calculations.</td></tr><tr><td colspan="2">Mid and Lower Core</td></tr><tr><td>Steep terrain impacting usability of deep envelopes on the bottom-most level</td><td>This would only have an impact on Basement and lower ground levels. This should not have an impact on higher levels.</td></tr><tr><td>Position of through site links (Notes A & B) shown 4m South of reference design positions to provide flexibility.</td><td>This would not affect the GFA calculations as these cut outs would only impact 1-2 levels.</td></tr><tr><td>Additional 1m depth in residential planning for facade articulation and siting flexibility (i.e., 21.5m residential footprint, 22.5m deep envelope)</td><td>The extent of GFA minimised due to façade articulation is not supported.</td></tr></table> <p>Discrepancies of The Core GFA calculations based on lower efficiency</p> <p>The discrepancy in GFA calculations and lack of detailed FSR schedule for each building means there is a real risk that future development applications will exceed permissible FSRs for the Core and will result in poor building envelope outcomes. The Table below indicates the significant variations due to low building efficiencies.</p> <table><tr><td></td><td>Area</td><td>Base GFA Council (75% efficiency)</td><td>Base GFA reported (69% efficiency)</td><td>Difference</td></tr><tr><td>Core C1-C2</td><td>11,898sqm</td><td>90,124sqm</td><td>59,366.5sqm</td><td>30,758sqm/ 34%</td></tr><tr><td>Core C3-C8</td><td>31,210sqm</td><td>117,691sqm</td><td>90,156.14sqm</td><td>27535sqm/ 23%</td></tr></table> <p>Information requested</p> <p>The application provides no details on the proposed GFA for the</p>	Submission Report	Council response	Upper Core		Multiple Ground Levels	This would be the case across the site due to the topography and would not have a greater impact on C1, C2.	Large Retail Envelopes for maximised flexibility	It is not considered that this would decrease the total efficiency for this site as it only impacts level.	Steep terrain impacting usability of deep envelopes on the bottom-most level	This would only impact the lower ground levels which is not enough to lower the efficiency rate as significantly as contended.	Additional 1m depth in residential planning for facade articulation and siting flexibility (i.e. 24m residential footprint, 25m deep envelope)	This additional depth is too significant. Telopea DCP has controls that allow for a percentage of balconies or architectural elements to extend beyond the building setback for these purposes. It is recommended that this additional area to each building volume be deducted from the GFA calculations.	Mid and Lower Core		Steep terrain impacting usability of deep envelopes on the bottom-most level	This would only have an impact on Basement and lower ground levels. This should not have an impact on higher levels.	Position of through site links (Notes A & B) shown 4m South of reference design positions to provide flexibility.	This would not affect the GFA calculations as these cut outs would only impact 1-2 levels.	Additional 1m depth in residential planning for facade articulation and siting flexibility (i.e., 21.5m residential footprint, 22.5m deep envelope)	The extent of GFA minimised due to façade articulation is not supported.		Area	Base GFA Council (75% efficiency)	Base GFA reported (69% efficiency)	Difference	Core C1-C2	11,898sqm	90,124sqm	59,366.5sqm	30,758sqm/ 34%	Core C3-C8	31,210sqm	117,691sqm	90,156.14sqm	27535sqm/ 23%		<p>all levels should be provided to justify these low efficiencies.</p> <p>Further the submission uses the term GEA (Gross External Area which is not industry standard and does not form a clear relationship with either GFA or Gross Building Area (GBA). Officers are concerned that the building efficiencies have been inflated by including both GBA and GEA (which have greater areas than GBA within the tables) despite there being no discernable difference between the two. The proposal currently uses the lower GBA figures which makes the overall GFA look smaller and inflate the building efficiency. When calculating GFA based on the GEA numbers provided, there is a total variance of 54,129sqm across the whole proposal. For example, For C2 – Upper Ground Floor calculating the GFA (1,480sqm) based on the GBA (2,960sqm) would result in a 50% efficiency, and calculating it based on GEA (5.672sqm) results in a much lower 26% efficiency.</p> <p>Note: The area schedule for Stage 1A (Appendix I) does not use GEA.</p> <p>More information is required to assess the GFA in the Precincts including a breakdown of maximum GFA, site area, and applicable bonus for each building (not included in Clause 4.6).</p> <p>GFA plans only identify one level (for the Core and Precincts) and there are no GFA plans for the lower portion of the buildings. The GFA plans should be updated to include floor plans for all distinct levels including lower podium levels.</p> <p>There are discrepancies between the area schedule table in Appendix C2 and the GFA shown on GFA plans for the Core in Appendix B Part 2 including building C2.1a, C2.1b, C2.2a, C2.2b, C5.1a, C6.1b, E1, and S5. The area schedule and GFA plans must be updated to be consistent across both documents.</p> <p>Further to the above, the area schedule combines the calculations for buildings C1 and C2. These must be broken down into individual buildings.</p> <p>Overall, in The Core the proposed GFA is exceeding the permissible GFA plus additional FSR bonuses. If assessing the proposed FSR by individual lots within the Core (without transfer of any FSR from existing/proposed roads) the proposal has an overall GFA variance of 45,425sqm. The updated proposal has increased heights of buildings to maintain a similar GFA as to what was proposed in Round 1 despite this exceedance.</p> <p>The overall GFA in the Core should be reduced so that it does not exceed the maximum permissible GFA for the area. This will allow for height decreases to towers above</p>
Submission Report	Council response																																						
Upper Core																																							
Multiple Ground Levels	This would be the case across the site due to the topography and would not have a greater impact on C1, C2.																																						
Large Retail Envelopes for maximised flexibility	It is not considered that this would decrease the total efficiency for this site as it only impacts level.																																						
Steep terrain impacting usability of deep envelopes on the bottom-most level	This would only impact the lower ground levels which is not enough to lower the efficiency rate as significantly as contended.																																						
Additional 1m depth in residential planning for facade articulation and siting flexibility (i.e. 24m residential footprint, 25m deep envelope)	This additional depth is too significant. Telopea DCP has controls that allow for a percentage of balconies or architectural elements to extend beyond the building setback for these purposes. It is recommended that this additional area to each building volume be deducted from the GFA calculations.																																						
Mid and Lower Core																																							
Steep terrain impacting usability of deep envelopes on the bottom-most level	This would only have an impact on Basement and lower ground levels. This should not have an impact on higher levels.																																						
Position of through site links (Notes A & B) shown 4m South of reference design positions to provide flexibility.	This would not affect the GFA calculations as these cut outs would only impact 1-2 levels.																																						
Additional 1m depth in residential planning for facade articulation and siting flexibility (i.e., 21.5m residential footprint, 22.5m deep envelope)	The extent of GFA minimised due to façade articulation is not supported.																																						
	Area	Base GFA Council (75% efficiency)	Base GFA reported (69% efficiency)	Difference																																			
Core C1-C2	11,898sqm	90,124sqm	59,366.5sqm	30,758sqm/ 34%																																			
Core C3-C8	31,210sqm	117,691sqm	90,156.14sqm	27535sqm/ 23%																																			

Council Submission - Recommendation (November 2021)	Response to Submissions Report (April 2022)	Council Comments (June 2022)	Response to Request for Further Information (December 2022)	Council Comments (February 2023)
1. Land Use Planning				
		<p>Precincts. Like GFA calculations for the Core, there is a concern that proposed GFA for the Precincts will be less than the GFA calculated on the envelope plans. This could result in future development applications that will exceed permissible FSR for the Precincts. Additional building depth should not be added to building envelopes for articulation/balcony purposes as this will further mismatch the building envelopes with allowable GFA.</p> <p>Therefore, as requested in Council's submission, further information including a more detailed breakdown of GFA calculations for each building and GFA diagrams (both The Core and Precincts) must be provided to adequately assess the lower efficiency rate proposed, reconcile a potential mismatch between the proposed GFA and the approved building envelopes. This will reduce any flow-on impacts at DA approval stage.</p>		<p>the height limits and refinements to building envelopes.</p> <p>There are discrepancies between the proposed GFA for Stage 1A shown in different area schedules. The area schedule in the Stage 1A Design Report Appendix shows a proposed total GFA of 37,096sqm, the area schedule in Appendix C2 and the Clause 4.6 for Stage 1A has a total GFA of 36,967sqm. These discrepancies need to be addressed.</p>
1.2b (new) That the Clause 4.6 request to vary further height increases not be supported for Stage 1A.	<p>The April 2022 submission to DPE by the applicant, the height variation was as follows:</p> <ul style="list-style-type: none"> - Building B +17.58m / 2.88m (38.6% / 9.3% increase) - Building C +3.9m (12.2% increase) - Building D +4.12m (12.8% increase) - Building E +2.13m (7.1% increase) 	Council did not raise any objection to the height variation in June 2022 comments.	<p>Height increases (from the permission height of 28m) for Stage 1A are proposed as follows:</p> <ul style="list-style-type: none"> • Building B: 22m and 6m (79% & 21% increase) • Building C: 5m (18% increase) • Building D: 5m (18% increase) • Building E: 3m (18% increase) 	<p>The further increases to height variation for Stage 1A are not supported.</p> <p>Significant additional increases have been included in the December 2022 package. The rationale for the proposed exceedances is that there have been building envelope changes, and that Stage 1A is a GFA compliance scheme. As detailed below, the scheme is not FSR/GFA compliant and building envelope matters raised by Council consistently remain outstanding.</p> <p>It is considered important to manage the height within the Stage 1A area to distinguish it from the denser Core on the other side of Sturt Street and to provide a strong height transition away from the light rail stop and down into the lower-scale suburban areas.</p> <p>Stage 1A DA shows 3.1m floor to floor heights in the schedule and elevations, despite mentioning NCC requirement of 3150mm in Clause 4.6. Further clarification is required as what the floor to floor heights are within Stage 1A.</p> <p>The Design Report and Clause 4.6 must include lower ground and upper ground levels when discussing the overall height of Buildings (for example, Building E is 9 storeys when including the lower and upper ground levels.)</p> <p>The Urban Design (Section 4) and Public Domain (Section 5) of this attachment provides further design assessment of Stage 1A.</p>

Council Submission - Recommendation (November 2021)	Response to Submissions Report (April 2022)	Council Comments (June 2022)	Response to Request for Further Information (December 2022)	Council Comments (February 2023)
1. Land Use Planning				
1.2c (new) That a Clause 4.6 request to vary FSR is required to be submitted for Stage 1A			The RFI response report (Urbis) states that: <i>"The area of the Stage 1A site is 20,594sqm including the RE1 Public Recreation zoned land. The Stage 1A site is subject to a base Floor Space Ratio (FSR) of 1.7:1 (equating to 35,009.8sqm of floor space). An additional 20% bonus FSR or 0.2:1 (equating to 4,118sqm of floor space) is available under the Affordable Rental Housing (AFR) SEPP as the development is on land owned by LAHC and qualifies as affordable housing. The total permitted floor space is accordingly 39,128.6sqm. The proposed GFA of 37,096sqm is compliant with the applicable FSR controls."</i>	Not addressed The RE1 Public Recreation zoned land does not have an allocated FSR under the Parramatta LEP 2011, therefore should not be included in the site area calculation for Stage 1A. The permissible FSR for the site is 1.7:1 + 0.2:1 (1.9:1) allowable under the SEPP. It is Council estimate that approximately 34,618sqm GAF is allowable. The current scheme is approximately 2,478sqm or 0.136 FSR over the permissible FSR. A Clause 4.6 variation to the FSR development standard is required to be submitted.
1.3 Council recommends that the Design Excellence Strategy be revised to: <ul style="list-style-type: none"> Demonstrate compliance with Clause 6.12 Design Excellence of the Parramatta LEP 2011 That a Council representative is nominated for all Design Competitions, and not just the future Council library site. That the Government Architect of NSW nominate their preferred process and timing for Design Review and that the strategy be updated to reflect GANSW requirements. Design Juries should have an odd number of members and should not be dominated by parties representing the applicant. 	The Design Excellence Strategy enclosed in Appendix H has been updated to address the design excellence provisions of the PLEP 2011 and comments from Council including their Technical Assessment. A detailed assessment against the provisions of Clause 6.12 of the PLEP 2011 has been provided in Section 5.1 of the Submissions Report.	Not addressed. In considering whether a development exhibits design excellence, a consent authority must have regard for the matters in Cl 6.12(4) of PLEP2011. It is recommended the Design Excellence Strategy be updated to ensure compliance with PLEP 2011. Key issues include: <ul style="list-style-type: none"> The capital value for Stage 1A triggers a design competition as set out in Clause 6.12(5) of the PLEP 2011. Neither the Design Excellence Strategy nor Response to Submissions Report has directly addressed why this area should be exempt from the Clause 6.12(5). Within the Concept Proposal, blocks C1, C2, C3 and C4 all propose a tower element above the height trigger of 55m as set out in Clause 6.12(5) of PLEP2011. The application is seeking exemption from running a future Design Competition for block C4, however it is not clear why this is being sought or whether there is any compelling justification for Council to agree to any such exemption. In the context of this precinct, Council is of the view that LEP requirements for Design Excellence should be consistently applied in all cases where the threshold is met to ensure the best design outcomes possible for those sites. Further, the locations of the sites in the northern and southern precincts have not been provided and this gives no certainty to the determining authority that the competitions will be carried out as no sites have been identified. Council considers the PLEP 2011 is clear in its requirements and thresholds for holding design competitions. The application should clarify if they are seeking an exemption from Council in relation to holding competitions in this area. Council considers that the Design Excellence Strategy should be updated to: <ul style="list-style-type: none"> Address directly why exemptions from design competitions are being sought from Council and / or demonstrate compliance with Clause 6.12(5). It is noted that Council, not the consent authority (DPE) has the power to provide exemptions from design competitions. Confirm a Council representative on the Jury for all design competitions; Design Juries should have an odd number of members and have 	The Design Excellence Strategy for the Telopea Concept Plan Area has been amended to address comments provided by DPE and CoP officers. It is also noted that the proposed Concept Plan and Stage 1A has been subject to three State Design Review Panel processes to ensure Design Excellence is achieved. In response to CoP comments, a letter has been submitted to CoP to request a waiver for Stage 1A pursuant to Clause 6.12(6) of the PLEP 2011 on the basis that an alternative design excellence process has been sought for Stage 1A which is capable of exhibiting design excellence as required by Clause 6.12 of PLEP 2011. Further details on the alternative design excellence process for Stage 1A are included in the amended Design Excellence Strategy. No further exemptions are sought for future stages of the development at this time by FPA. If further exemptions are sought, the Design Excellence Strategy would be required to be updated and a request would need to be granted by CoP. Based on CoP comments, the Design Excellence Strategy has been amended to identify that the selection panel will comprise a minimum of five members, including: <ul style="list-style-type: none"> Government Architect NSW nominated representative (as Chair). FPA nominated Architect. 	Not addressed <u>Stage 1A</u> In accordance with Clause 6.12(3) and 6.12(4) of Parramatta LEP 2011, Council must be satisfied that Design Excellence is achieved for the proposal prior to granting a waiver. Council has reviewed the design amendments for Stage as part of the response to submission package to ensure that Frasers and LAHC have adequately addressed Council's concerns. Council Officers conclude that a waiver should not be granted at this time as the matters raised by Council have not been adequately addressed. <u>Concept Proposal</u> In accordance with Clause 6.12(3) and 6.12(4) of the Parramatta LEP 2011, the consent authority must be satisfied that Design Excellence is achieved for the concept proposal. We note the Court case The Uniting Church in Australia Property Trust (NSW) v Parramatta Council – [2018] NSWLEC 158) which concluded that a concept applications must demonstrate that design excellence is achieved. Note: it is Councils opinion that it is not necessary to undertake architectural design competition for concept applications. As Council raised fundamental concerns and objection in relation to the building envelope and layout of the Concept Application, Council considers the current concept application design does not achieve design excellence in accordance with the matters in Clause 6.12(4). Addressed Notwithstanding the above, Council Officers are supportive of the amendments made to the Design Excellence Strategy relating to architectural competitions, specifically: <ul style="list-style-type: none"> That future DAs undertake future competitions triggered by the thresholds set out in Clause 6.12(5) of the PLEP 2011;

Council Submission - Recommendation (November 2021)	Response to Submissions Report (April 2022)	Council Comments (June 2022)	Response to Request for Further Information (December 2022)	Council Comments (February 2023)
1. Land Use Planning				
		<p>equal representation of Proponent's and other representatives on the panel (not heavily weighted to the applicants, as it is proposed); and</p> <ul style="list-style-type: none"> Confirmation by Government Architects NSW of their nominated and preferred process for the post competition design integrity phase, timing and method of design review at the key project milestones that are required. <p>Refer to Council's Submission, Section 2.3 Attachment B for further detail.</p>	<ul style="list-style-type: none"> FPA nominated development representative. Consent authority nominated representative. CoP nominated representative. <p>The DPE and CoP will also be invited as observers for all competitions.</p>	<ul style="list-style-type: none"> Consistency with the Government Architects Office (GAO) model brief and that GAO endorses all briefs before finalised; Composition and number of jurors, including a Council representative on all design panels / juries; and The design integrity and post competition processes.
1.4 That the SDRP provide written certification that the submitted Detailed Development Application for Stage 1A has appropriately addressed the panel's recommendations.	Written advice was prepared by the SDRP following the design review session held on 12 August 2021. This advice confirmed that the SDRP were generally supportive of the design development of Stage 1A, including proposed architectural character, material strategies and diversity of apartment types is generally supported by the SDRP.	Noted.	The proposal remains generally consistent with the scheme discussed at the August SDRP meeting, with refinements made to address matters raised by CoP and DPE.	Based on the amendments to the Stage 1A, it is recommended that the SDRP review the proposal.
1.5 That the delivery timeframes for new housing in Stage 3 should be reconsidered to be brought forward, based on current condition of the existing housing stock in this area.	The current timing is based on both market conditions and obligations to LAHC. The staging has been designed to ensure that affordable housing proposed in Stage 3 is not isolated surrounding services.	<p>Not addressed</p> <p>Council requests that the proposal reconsider the staging of delivery of new housing based on current condition of the existing housing stock in Stage 3 areas Refer to Council Submission, Section 2.4 for original comment. Further justification is sought from LAHC is requested to be provided in relation to this matter.</p>	As previously advised to GANSW and DPE, changes to the proposed staging cannot occur due to the commercial arrangements between LAHC and FPA.	<p>Not addressed</p> <p>Council considers that LAHC, as the applicant, should address this matter.</p>

2. State and Local Contributions VPAs

Council Submission - Recommendation (November 2021)	Response to Submissions Report (April 2022)	Council Comment (June 2022)	Response to Request for Further Information (December 2022)	Council Response (February 2023)
<p>2.1 The development should contribute to the provision of local infrastructure to meet the demand from increased residential and worker population as a direct result from the development. This contribution should be equal or greater in value than the development contributions payable under the Parramatta (Outside CBD) Contributions Plan 2021.</p>		<p>Not addressed</p> <p>The quantum of development contributions calculated of ~ \$47,071,506.75 (refer Table 4, Section 3.12 of the Submissions Report) is not agreed to by Council. Specifically, the seeking off existing dwelling offset or credit for existing social housing on LAHC land is not supported as it is type of development that does not generate development contributions. The matter of potential contributions payable is part of the ongoing negotiations in relation to the VPA.</p>	<p>As outlined in Section 2.1.1 of this Report, FPA has invested significant effort in seeking to progress the Local VPA. At the time of writing, FPA awaits Council's formal response to the Revised Offer. It is understood officers are proposing to report the matter to Council's December 2022 meeting.</p> <p>FPA submits that Stage 1A could be approved ahead of the VPA's execution on the basis that conditions of consent could formalise contributions. FPA would be prepared to accept a suitably worded condition requiring execution of the VPA prior to the occupation of the first building in Stage 1A.</p>	<p>VPA negotiations are ongoing.</p> <p>Council at its meeting of 12 December 2022 resolved to support the VPA Letter of Offer dated 27 September subject to specific terms.</p> <p>Council notes the importance of a timely resolution of the matter and is committed to working with Frasers and LAHC to endorse a draft Planning Agreement prior to any consent being issued for the SSD.</p>
<p>2.2 That negotiations continue between LAHC/ Frasers and Council in relation to the Revised Letter of Offer (VPA).</p>	<p>Noted</p>	<p>VPA negotiations are ongoing.</p>	<p>The Local VPA negotiations have progressed significantly since receipt of the RFI. FPA understands the Draft VPA Offer is being reported to a Council meeting in December 2022 in accordance with procedures in the City of Parramatta VPA Policy, and until such time as Council passes a resolution, negotiations cannot progress. The Council reporting process does not preclude assessment of the Concept Plan and Stage 1A from progressing.</p>	<p>VPA negotiations are ongoing.</p> <p>Council at its meeting of 12 December 2022 resolved to support the VPA Letter of Offer dated 27 September subject to specific terms. Council notes the importance of a timely resolution of the matter and is committed to working with Frasers and LAHC to endorse a draft Planning Agreement prior to any consent being issued for the SSD.</p>
<p>2.3 That no approval be issued for the development prior to the agreement of Council to enter into a VPA with the applicant.</p>	<p>This is noted by the Proponent, however both the Proponent and Council have expressed the ability to draft a condition of consent to bond contribution to avoid VPA negotiations delaying the overall planning approval.</p>	<p>VPA negotiations are ongoing.</p>	<p>The Local VPA negotiations have progressed significantly since receipt of the RFI. FPA understands the Draft VPA Offer is being reported to a Council meeting in December 2022 in accordance with procedures in the City of Parramatta VPA Policy, and until such time as Council passes a resolution, negotiations cannot progress. The Council reporting process does not preclude assessment of the Concept Plan and Stage 1A from progressing. FPA aims to reach agreement to the key terms of the VPA, and progress towards this aim will be regularly reported to DPE.</p> <p>FPA submits that in this context Stage 1A could be approved ahead of the VPA's execution on the basis that conditions of consent could formalise contributions.</p>	<p>Council does not agree to a consent being issued without a VPA.</p> <p>It is in the interest of both parties to resolve the VPA prior to any consent being issued. A substantial number of items are part of the Stage 1A application and are still outstanding in terms of design and approvals from TfNSW. Council notes the importance of a timely resolution of the matter and is committed to working with Frasers and LAHC to endorse a draft Planning Agreement prior to any consent being issued for the SSD.</p>

Council Submission - Recommendation (November 2021)		Response to Submissions Report (April 2022)	Council Comment (June 2022)	Response to Request for Further Information (December 2022)	Council Response (February 2023)
				FPA would be prepared to accept a suitably worded condition requiring execution of the VPA prior to determination of the next DA for residential development following the Stage 1A project Application Approval.	
2.4	Transport for NSW and the Department of Education and/or School Infrastructure NSW, consult with Council in relation to the allocation of funding which may be of co-benefit to the local community.	This is noted by the Proponent. Ongoing discussions with other state agencies form part of the State VPA	Noted.	Consultation between State Government agencies and CoP in relation to allocation of funding in Telopea is a matter for the State Government and CoP.	For DPE to noted and action.

3. Property and Legal Matters

Council Submission - Recommendation (November 2021)	Response to Submissions Report (April 2022)	Council Comment (June 2022)	Response to Request for Further Information (December 2022)	Council Comments (February 2023)
3.1 That in accordance with Section 8 of the SEARs the legal mechanisms which guide the process for NSW LAHC to acquire Council's roads and Council's property at 21 Sturt Street should be outlined.	The preferred approach by both parties is compulsory acquisition with the precursor being the land is nominated in the VPA and/or a separate Deed is entered into.	<p>Not addressed</p> <p>In relation to public roads, clarity is required from the applicant as to whether an agreement is reached between Council and LAHC on the transfer of public roads, or it will be undertaken by compulsory acquisition (e.g. Section 30 agreement). It is noted that the avenue in which the applicant chooses will involve different methods and timeframes.</p> <p>In relation to 21 Sturt Street Council has now received written confirmation on 29 March 2022 from LAHC advising Council that it <i>"supports the compulsory acquisition of 21 Sturt Street, Telopea, as part of the Telopea Urban Renewal Project."</i></p>	Agreement between FPA/LAHC and CoP has been reached to apply Section 30 of the Land Acquisition (Just Terms Compensation) Act 1991 (NSW), which provides for compulsory acquisition of CoP owned public roads and 21 Stuart Street 'by consent'.	<p>VPA negotiations are ongoing.</p> <p>Council at its meeting of 12 December 2022 resolved to support the VPA Letter of Offer dated 27 September subject to specific terms. This included "The sale of 21 Sturt Street, in accordance with section 30 of Land Acquisition (Just Terms Compensation) Act 1991, is conditioned on the dedication of new stratum to Council and the delivery of a warm shell library and community centre and associated car parking and the payment of funds (upfront) for future fit out of facility".</p> <p>"Further that, in the event that a draft Planning Agreement is not agreed between the parties, that Council request the NSW Department of Planning and Environment and the Minister for Planning and Homes, the following: "That Council's land at 21 Sturt Street be removed from the SSD Application; and If, in the event, 21 Sturt Street is included for the purposes of residential development and roadway as part of the SSD application, Council will seek formal commencement of the compulsory acquisition process."</p>
3.2 That 21 Sturt Street and the proposed 'land swap' be removed from the VPA letter of offer.	This is noted. The agreed approach by both parties is compulsory acquisition, and will form part of ongoing negotiations between the Proponent and Council.	<p>Addressed, noting planning agreement negotiations ongoing.</p> <p>In relation to 21 Sturt Street Council has now received written confirmation on 29 March 2022 from LAHC advising Council that it <i>"supports the compulsory acquisition of 21 Sturt Street, Telopea, as part of the Telopea Urban Renewal Project."</i> Council maintains that the property shall not form part of the VPA and be removed from the Letter of Offer.</p>	Consistent with the Revised Letter of Offer made to Council, dated 9 November 2021 and subsequent discussions with Council Officers, 21 Sturt Street has been removed from the VPA Offer. Transfer of the land at 21 Sturt Street and Council owned roads is proposed via compulsory acquisition between Council and LAHC, provided the parties can reach an agreement under Section 30 of the Land Acquisition (Just Terms Compensation) Act 1991 (LA Act). Agreeing to the terms of a Section 30 agreement to transfer the 21 Sturt Street land and Council owned roads to LAHC will be a condition precedent to the delivery of the other developer contributions under the Local VPA.	<p>VPA negotiations are ongoing.</p> <p>Council at its meeting of 12 December 2022 resolved to support the VPA Letter of Offer dated 27 September subject to specific terms. This included "The sale of 21 Sturt Street, in accordance with section 30 of Land Acquisition (Just Terms Compensation) Act 1991, is conditioned on the dedication of new stratum to Council and the delivery of a warm shell library and community centre and associated car parking and the payment of funds (upfront) for future fit out of facility".</p> <p>"Further that, in the event that a draft Planning Agreement is not agreed between the parties, that Council request the NSW Department of Planning and Environment and the Minister for Planning and Homes, the following: That Council's land at 21 Sturt Street be removed from the SSD Application; and If, in the event, 21 Sturt Street is included for the purposes of residential development and roadway as part of the SSD application, Council will seek formal commencement of the compulsory acquisition process."</p>

4. Urban Design

Council Submission - Recommendation (November 2021)	Response to Submissions Report (April 2022)	Council Comment (June 2022)	Response to Request for Further Information (December 2022)	Council Comments (February 2023)
4.1 That the applicant revise the design of the Core to more closely reflect the Telopea Master Plan 2017 and controls within the Parramatta LEP 2011.	Further assessment of the proposed scheme against the Telopea Masterplan forms part of the Concept Response to Submissions Report prepared by Bates Smart (Appendix F). Overall, the scheme is considered in comparison to an LEP compliant scheme, the additional height proposal better celebrates the built form principles established in the 2017 Telopea Masterplan	Not addressed While minor alterations were made to some building envelopes to comply with the ADG, there has been no significant redesign of the Concept Plan to better reflect the Telopea Master Plan. As per Council's submission, The Concept Area should be redesigned to align with the LAHC and Council endorsed Telopea Masterplan 2017, which ultimately informed the Parramatta LEP 2011 and DCP 2011 controls relating to the Telopea Precinct.	While FPA acknowledges the CoP request to provide a scheme compliant with the Telopea Masterplan, the current scheme has been informed by the overarching principles of the masterplan while also incorporating technical inputs from the project team and advice from the GANSW.	Not addressed. Council once again requests that the Concept Area be redesigned to align with the LAHC and Council endorsed Telopea Masterplan.
		<i>Building Envelopes:</i> Proposed building envelopes are excessive for the site and do not provide a human-scale to the street. Building envelopes are irregularly shaped, with acute angles to buildings, upper-level setbacks are cut-off by tower elements, there are elongated facades, and excessive building depths and footprints. This results in an incoherent, awkward approach to siting and aligning the built forms within their context. For example, building C4 which has a podium at two separate levels and a tower which intersects irregularly with the podium and building C5 which has two different setbacks at ground level resulting in an incohesive building form that impacts view lines up Manson Street.	The refined Telopea CPA plans prepared by Bates Smart have addressed the CoP comments in relation to irregular building envelopes, (which were the result of tree retention efforts). C4 podium design is responding to the typography.	Not addressed. The excessive size of building envelopes within the Core and Precincts has not been addressed. The following changes should be applied to building envelopes in the Core to improve the proposed massing: <ul style="list-style-type: none"> • C1.1 – 3m tower setback to east façade • C1.2 – 3m tower setback to west façade • C1.2 – 3m tower setback at corner of Sturt St and Wade Lane to align with chamfered edge of podium • C2.1a and C2.1b – 3m tower setback to west façade • C2.1a and C2.1b – Reduction in overall length of tower to max. 50m • C2.2 – Reduction in overall length of tower to max. 50m • C.4 – 3m tower setback at corner of Shortland St and Manson Street to align with chamfered edge of podium • C.4 – Reduction of podium height to max. 4 storeys on Wade Lane and Shortland Street. • C.5.1c – Podium setback to align with C5.1b to maintain a consistent streetwall. Additional articulated breaks (min. 3m x 3m) required. • C6.1b and C6.1c – Articulated breaks required along Shortland Street (min. 3m x 3m). • C.7.2 – Apply 3m upper level setback to be consistent with C7.1A and C8 along Fig Tree Lane and along Eyles Link. • E1 – Break volume of E1 into two buildings along Evans Road. • E1 – Provide a with street wall height and upper level setback that aligns with Precinct requirements.

Council Submission - Recommendation (November 2021)	Response to Submissions Report (April 2022)	Council Comment (June 2022)	Response to Request for Further Information (December 2022)	Council Comments (February 2023)
		<i>Tower Heights</i> - The information does not demonstrate how variations to tower heights in comparison to the maximum heights contained in the PLEP 2011 are of greater benefit. The height of buildings C5, C6 and C7, all currently at a height of 13-14 storeys, should be decreased to acknowledge the height transition away from the light rail.'	Overall, seven of the twenty buildings within the Core Precinct exceed the maximum height standard ranging from 16% to 24%. A compensatory reduction in built form has been applied to eight buildings of between -13% and -50%. This strategy has resulted in improved solar access to the public domain (Eyles Street Pedestrian Link), reduction in overshadowing to Telopea Public School when compared to a LEP compliant scheme (whilst balanced with minor increases in overshadowing to Sturt Park when compared to a LEP compliant scheme), improved ADG performance and reduced visual impact as a result of taller but fewer towers across the skyline.	The buildings within the Core that exceed the maximum permissible height under PLEP 2011 must be reduced in height. This will improve the scale and bulk of some building envelopes, improve amenity to public spaces and streets and reduce the overall GFA within the Core to an amount more reflective of the prevailing FSR controls. Buildings within development blocks C5, C6, C7 and C8 all have some element that is either at the maximum height limit or exceeds it (C6). Portions of buildings should not exceed the maximum height limit simply because some of the building sits below this height limit.
			Proposed building heights have been adjusted in response to the NCC amendment (increasing typical floor to floor heights from 3100mm to 3150mm), this includes the following height adjustments: <ul style="list-style-type: none"> C1.1 – From 70m to 72m C1.2 and C2.1 – From 86m to 87m C6.1a – From 35 to 36m 	Additional height for this reason not supported. The NCC amendment is not resulting in blanket increase across all buildings and therefore some resolution within compliant heights should be possible. Architectural detailing to accommodate these technical requirements should be explored rather than increasing building height.
			Increase in height to the following building envelopes to accommodate proposed setbacks and deep soil zones. Increases are within LEP max height: <ul style="list-style-type: none"> C5.1c – From 24 to 30m E1 – From 12m to 15m. 	Additional height not supported. Increase in height due to building envelope reductions is not an adequate justification given the overall proposed GFA exceeds the maximum amount permissible.
		<i>Overshadowing</i> - The proposed variations to height appear to result in additional overshadowing to Telopea Public School and Sturt Park at key times during mid-winter which is not supported (Concept RTS Report, p. 32).	Between 1pm and 3pm on 21st June, the proposed building envelopes cast shadow beyond that cast by a PLEP 2011 compliant building height. At 1pm and 2pm additional shadow is cast over a portion of the Telopea Public School site. The additional overshadowing is only to a small portion of the school and park sites. The additional overshadowing at 1pm occurs at the western corner on the school site in an area which is already shaded by mature trees and at 2pm the additional overshadowing mainly occurs to existing school buildings and an area of car parking. The additional overshadowing, which is limited to approximately an hour, does not occur to the main areas of the school grounds during recess or lunchtime break periods. As shown in Section 4.6 of the Concept Response to Submissions Report proposed building envelope produces 1,585sqm less shadow across Telopea Public School, with the reference scheme producing 7,635sqm less shadow. Utilising the	Overshadowing to Telopea Public School is not supported <ul style="list-style-type: none"> The overshadowing is the result of an exceedance of maximum height and FSR controls within the Core. The solar analysis clearly indicates significant additional overshadowing to the Telopea Public School grounds during lunchtime, a time when solar access should be protected. The overshadowing to the school impacts an area of open space used for outdoor play and not just the carpark and buildings. The solar analysis compares overshadowing of the proposal against an LEP envelope but has not applied the relevant built form controls from the Parramatta DCP 2011 that would guide this development and create slenderer buildings. Therefore, any argument about how much more or less shadow the concept proposal creates against an LEP envelope is invalid.

Council Submission - Recommendation (November 2021)	Response to Submissions Report (April 2022)	Council Comment (June 2022)	Response to Request for Further Information (December 2022)	Council Comments (February 2023)
		Further justify overshadowing at Telopea Public School and Sturt Park.	<p>reference design, the Concept DA shadows 7.2% of Telopea Public School at its worst case being 2pm.</p> <p>In relation to Sturt Park, the additional overshadowing occurs at 3pm towards the northern boundary of the park to an area which is already partially shaded by mature trees. A majority of the grassed area of the Park will continue to receive full solar access. As shown in Section 4.6 of the Concept Response to Submissions, the proposed building envelope produces 1993sqm more shadow across Sturt Park, with the reference scheme producing 573sqm more shadow. Utilising the reference design, the Concept DA shadows 9.3% of Sturt Park at its worst case being 3pm.</p> <p>While representing a minor increase based on the reference scheme, the impacts are considered acceptable on balance that the shadow is cast at 3pm onwards and not continuously throughout 9am – 3pm.</p>	<p>Overshadowing to Sturt Park is not supported</p> <ul style="list-style-type: none"> The overshadowing is the result of an exceedance of maximum height and FSR controls within the Core. The solar analysis clearly indicates significant additional overshadowing to the park at 3pm, a time when it may have high use by children after school. The proposed public open spaces within the Core including along and off Eyles Street are significantly impacted by shadow from proposed developments during most of the day in mid-winter (see p.42 of Appendix C1). As such, it is even more important to protect solar access to the park as it is one of the only areas of open space that receives solar access in the afternoon. The solar analysis compares overshadowing of the proposal against an LEP envelope but has not applied the relevant built form controls from the Parramatta DCP 2011 that would guide this development and create slenderer buildings. Therefore, any argument about how much more or less shadow the concept proposal creates against an LEP envelope is invalid.
		Amenity benefits for building residents as a result of additional building height (more views, greater solar access on higher levels) have been detailed, however consideration of how these heights impact the experience and amenity at street level and within the public domain has not been provided. No visual impact assessment, wind impact assessment or detailed solar analysis has been provided along the streets and in open spaces.	<ul style="list-style-type: none"> The proposed building heights provide for an improved transition in built form and land use intensity from the Upper Core area adjacent to the future Telopea PLR to the Lower Core and the wider Telopea Precinct beyond; The proposed Concept building envelopes have been carefully designed to minimise visual impact, disruption of views and loss of privacy, delivery a high standard of amenity for existing and future residents. This is largely attributed to the creation of taller and slender tower forms that exceed the height limit; The proposed built form provides a high level of solar access to the public domain and public open space and any overshadowing impacts have sought to be minimised; The Concept DA will not have any adverse impacts on heritage items or historic views; The Concept DA utilises the landscape character of Telopea as a key design principle with the built form and layout respecting and reinforcing the topography of the Core Precinct and new public spaces being designed around the retention of existing mature trees; In response to SDRP and Council feedback, the proposed building heights allow high quality, high density residential development to be delivered in a varied and interesting building typology and form which provides greater amenity for the Telopea community; 	<p>Not addressed.</p> <p>The following information should be provided to assess amenity benefits at street level:</p> <ul style="list-style-type: none"> 3D perspectives at ground level along all streets and along the Eyles Link to better understand the spatial quality of these spaces, A wind assessment which includes an assessment of Eyles Link and comfort levels for pedestrians, Additional solar analysis that specifies what time of day in mid-winter the proposed public spaces (Eyles Link, Retail Courtyard, Community Courtyard and The Greens) are receiving any sunlight, and 1:100 street cross sections illustrating the spatial relationship between the streets, verges and building envelopes proposed. 1:100 sections along the length of Eyles Street

Council Submission - Recommendation (November 2021)	Response to Submissions Report (April 2022)	Council Comment (June 2022)	Response to Request for Further Information (December 2022)	Council Comments (February 2023)
			<ul style="list-style-type: none"> The Concept DA includes a variety of high quality public open spaces including parks, gardens, landscaped pedestrian links with a varied planting palette for the benefit of existing and future residents; The Concept DA will deliver new, high quality retail uses, a childcare centre, medical centre, library, church and residential aged care facility to serve the Telopea community; Of the twenty buildings proposed as part of the Core area, only seven represent a variation to the Height of Buildings control, with the remaining thirteen buildings within or below the height limit. Of the seven buildings that breach the PLEP 2011 height limit, the greatest exceedance is 24%, with four of the six buildings having a variation of 16%-20%; and A proposal which complied with the Height of Buildings development standard would result in lower quality housing, homogenous building forms, reduced public benefits for the community and greater impacts on the amenity of existing residents. 	
		There has been no consideration of the interface of the building envelopes adjoining the public spaces at street level and how high quality, active public spaces will be delivered. No details on the activation, accessibility and design of building envelopes along the Eyles pedestrian link have been provided, despite the ~280m long strip being a key focus of the Concept Plan.	<p>The ground level interface of built form and public domain has been considered at Section 1.2 of the Design Guidelines with objectives and provisions:</p> <ul style="list-style-type: none"> To transition between private and public domain without compromising safety and security. To maximise the amenity of new streets and public open spaces. To retain and enhance the amenity of Public open spaces. <p>The Indicative Schemes for the Core & East, Northern and Southern Precincts show how the objectives and provisions may be achieved.</p> <p>The Design Guidelines include a requirement that the Eyles Street access route should be activated by a mix of retail frontages, community facilities, open spaces, residential entrances to individual properties, residential lobbies and residential communal facilities. These requirements are demonstrated in the Indicative Scheme.</p> <p>The Concept Proposal Landscape Plans include public domain plans for Eyles Street, which varies in width as it transitions from high intensity use, transitioning in scale to residential uses adjacent Benaud Lane.</p>	<p>Not addressed.</p> <p>Comments on the Design Guidelines are provided at Attachment B to improve these interfaces at DA stage.</p>
		<i>Ground Level & Setbacks:</i> Plans and street elevations do not clearly identify where ground level uses are commercial/retail or residential. This usage determines the appropriate setback at ground level and therefore must be identified in the documentation. Where street frontages at ground level are activated with retail or commercial uses a 0-3m setback is required, and where residential	As noted previously, tree retention has been a core principle of the overall Concept Plan. The current proposed maintains three locations where a zero lot line setback has been used for tower typologies (C1.1, C1.2 and C2.1) to retain existing trees.	<p>Ground level front setbacks have been amended and are improved however the following changes are still sought:</p> <ul style="list-style-type: none"> ○ <u>Sturt & Shortland Streets</u> – 6m minimum ground level and basement car park setback at C4, C5, C6, C7, C8 and E1

Council Submission - Recommendation (November 2021)	Response to Submissions Report (April 2022)	Council Comment (June 2022)	Response to Request for Further Information (December 2022)	Council Comments (February 2023)
		uses are at ground level a greater setback of 3-6m is required. Ground level setbacks are not consistent along the length of a street block. For example, C5 has varying setbacks along one building façade.	Lot C2 proposed increased street setbacks (from 0m to 7-13m) creating a new north facing open space around the sites existing trees. As illustrated in Figure 9 , a 3m deep, two storey colonnade is proposed, the design strategy provides great amenity to the public domain in a slightly different configuration to the envisaged 0m street setback with towers setback 3m.	<ul style="list-style-type: none"> The following basements encroach into ground level setbacks and must be reduced to within the building footprint – C5, C6, C7, C8, E1, E2 <p>The 'colonnade design' is essentially a reverse podium and is not supported.</p>
		<i>Solar Analysis:</i> Solar analysis centres on the number of hours of sun access to spaces but does not consider the time of day these spaces may receive additional overshadowing from the proposed buildings. Hourly solar diagrams should be provided for each open space to assess when overshadowing may be happening (i.e., if there is additional overshadowing during the lunch period this is a concern).	Solar access shadow diagrams have been prepared by Bates Smart and are included in the Design Concept Plan Report. Shadow diagrams have been prepared for hourly intervals from 9am to 3pm for 21st June, representing the greatest overshadowing impact through the year. The shadow diagrams compare the shadow cast by existing development at the site, shadow cast by a building height compliant with the PLEP 2011, shadow cast by the proposed Concept Approval building envelopes, and shadow cast by the reference scheme.	<p>Solar analysis must clarify the difference between a 'Proposed Envelope' and an 'Indicative Design Scheme.'</p> <ul style="list-style-type: none"> The following buildings must comply with the minimum ADG requirements for solar access (75% of apartments) – N6.1 and S5. The following buildings must comply with the maximum ADG requirement for no sun (7% of apartments) – N7.2, N9.1a, N9.1b, S2, S7, S8. Reconsider building C6.1c which does not result in enough apartments receiving the minimum solar access and exceeds the maximum number of apartments that can receive no sun.
		<i>Street Widths:</i> Proposed streets are not wide enough to cater to the density proposed refer below for recommended widths.	No changes are proposed to the current street widths, as noted in the previous Response to Submissions, street widths (path and verge) have been designed in alignment with the 'Parramatta Design Guidelines (PDG) Town Centres' guidelines rather than CoP recommendations for minimum widths.	<p>Not addressed.</p> <p>The following specific amendments are requested:</p> <ul style="list-style-type: none"> <u>Benaud Street</u> – amendment of the road alignments to provide safe pedestrian access on the east side (the verge is currently only 0.7m) to service future development to the east. <u>Wade Lane</u> – tree planting in the parking lane is shown at about 8m centres. This means only one car space between trees which is very inefficient. Council can accept this but note that the expectation is regular trees at 8-10m centres. A review of the design to address this inefficiency is recommended.
		No details on how the footpaths, street verges, through-site-links and interfaces with adjacent buildings will be designed to deliver a pedestrian friendly environment.		<p>Not addressed.</p> <p>Details on how a pedestrian friendly environment will be delivered must be provided in accordance with June 2022 Council feedback.</p>
		No details have been provided on how the design deals with the lack of delineation between public and private spaces throughout the Core. This must be provided in a plan identifying clear boundary, use and site area.	Appendix F contains the Concept Proposal Landscape Drawings, which clearly delineate the boundary between the proposed public and private domain areas in the Core Precinct.	It is unclear how certain communal open spaces will be identified as such given their location adjacent to public spaces. For example, the communal open space for C6 is located on the corner of two public roads and reads as a public open space on plan, as does the communal open space for C5. The proposal should demonstrate how these spaces will be delineated through design.
		The envelope control plan for the Core does not provide sufficient dimensions for proposed envelopes. The length and depth of all proposed envelopes (including podiums) and all ground floor and upper-level setbacks should be dimensioned.	Envelope Controls Plans have been prepared for the Core & East Precinct (DA01.MP.130), North Precinct (DA01.MP.230) and South Precinct (DA01.MP.330) to reflect these comments.	No further action required.

Council Submission - Recommendation (November 2021)	Response to Submissions Report (April 2022)	Council Comment (June 2022)	Response to Request for Further Information (December 2022)	Council Comments (February 2023)
		Maximum RLs for each building envelope should be included on the envelope control plan. The inclusion of height in metres from ground level does not take into consideration the topography of the site.	Maximum RLs are included on all elevations. Envelope control plans show heights in metres and storeys for legibility.	No further action required.
		Individual buildings and towers should be labelled on all plans (i.e., Building C1 should be labelled with Lot C1.1 and Lot C1.2A, etc. to better match labelling on street elevations.)	DA02.MP.000 provides a key plan to identify all buildings	No further action required.
		A site plan for the Core should be provided that includes the street widths for all proposed streets (not just building envelope to building envelope), on-street parking, designated public and private open spaces and their site areas.	The Public Domain Plan includes typical sections for each street typology type to provide guidance on future design, including dimensions, activities, materiality and finishes.	Not addressed. An updated site plan with correct carriageway and verge widths for all proposed streets should be provided. There are discrepancies between the Public Domain Plan, the Concept Plan and the Civil Drawing sections which should be rectified including: <ul style="list-style-type: none"> Wade Lane on the Concept Plan and Public Domain Plan is identified with a road reserve width of 16.6m, and 17.1m in the civil sections, Shortland Street in the Public Domain Plan is shown with a road reserve width of 20.5m, and 22.6m in the civil drawings. No dimension is marked up on the Concept Plan for Shortland Street.
		The height of lower ground and upper ground levels are not dimensioned on elevations.		Not addressed. The following dimensions should be included on the relevant elevations: <ul style="list-style-type: none"> Elevation 1 – C8.1c (LG), Lot 6.2b (LG), Lot 6.1C (LG), Lot C4.1 (UG), Lot C2.2 (LG) Elevation 2 – Lot C1.2a (LG), Lot C3.1 (LG on Manson St), Lot C7.1 (LG), Lot E1 (UG) Elevation 3 – Lot C2.2 (LG), Lot C4.1 (LG), Lot 6.1a (LG), Lot 8.1a (LG) Elevation 4 – Lot C7.2 (LG), Lot C5.1c (LG) Elevation 5 – Lot C5.1a (LG), Lot C6.2b (lower level to Shortland St) Elevation 6 – Lot C8.1c (Lower level to Shortland St), Lot C7.1 (LG) Elevation 7 – Lot C7.1 (LG), Lot C7.2 (LG), Lot C8.1A (LG), Lot 8.1b (LG), Lot 8.1c (LG) Elevation 8 – Lot C2.1 (UG to Shortland St) Elevation 9 – Lot C1.2a (LG) Elevation 10 – Lot C4.1 (UG), Lot C3.1 (UG) Elevation 11 – Lot C4.1 (LG) Elevation 13 – N1 (LG) Elevation 16 – N4 (01) Elevation 17 – N3 (01) Elevation 18 – N1 (Lower ground to Marshall Rd) Elevation 19 – N3 (lower ground to Shortland St) Elevation 21 – N7.2 (01) Elevation 22 – N6.2 (01 to Shortland St) Elevation 24 – N7.1 (01 and lower ground to The Parade), N5.1 (lower ground to Fig Tree Ave) Elevation 25 – N10 (01), N9.2 (01) Elevation 26 – N9.1b (01), N5 (01)

Council Submission - Recommendation (November 2021)	Response to Submissions Report (April 2022)	Council Comment (June 2022)	Response to Request for Further Information (December 2022)	Council Comments (February 2023)
				<ul style="list-style-type: none"> Elevation 27 – N3 (lower ground to Fig Tree Ave) Elevation 29 – N7.3 (all) Elevation 30 – S3 (01 to Chestnut Ave), S1 (01 to Cunningham St) Elevation 33 – S5 (01) Elevation 35 – S2 (LG) Elevation 36 – S4 (01) Elevation 37 – S8 (01) Elevation 39 – S4 (01) Elevation 40 – S6 (01)
		Basements and the full extent of lower levels should be included on all street elevations or provided in sections and in plans.	Basements are not shown on elevations as they are not visible. Information on the footprint, layouts and depth of basements is provided in the set of architectural plans.	Not addressed. Plans are provided showing extent of basements. This information is still required on all sections. Provide sections through each building and include basement levels.
		<p>There are discrepancies between building envelopes in plan and in elevation including:</p> <ul style="list-style-type: none"> Street elevations show Lot C1.1 with an upper-level setback above level 1 to the east which is not shown in plan. Street elevations show Lot E2 at 7 storeys (22m) with no upper-level setback and in plan as 28m tall with an upper-level setback of 3m to each side at 25m height. Street elevations show Lot C3.1 with a setback to level 14 on one elevation and a setback to levels 13 and 14 on another elevation. These setbacks are not shown in plan at all. Building C2 is shown in street elevations with a podium at level 1 that extends between the two towers and is higher than the podium setbacks to the boundary. In plan C2 is shown as having one continuous podium with no level changes. Plans show a 3m upper-level setback to Shortland Street for tower C2.1 but in street elevations no upper-level setback is shown. Plan shows no difference in roof height on building C2.2 in the articulation zone, whereas street elevations show a lower roof along the articulation section. Street elevations for C4.1 do not show a setback above podium which can be seen in plan. 	<p>Updates have been made on the following building envelopes:</p> <ul style="list-style-type: none"> Street elevations show Lot C1.1 with an upper-level setback above level 1 to the east is shown in plan. Lot E2 envelope plans have been updated with the proposed built form providing a 7 storey built form with upper level 3 metre setback at 6 storeys. 	<p>Not addressed.</p> <p>The following discrepancies have been identified between the building envelopes in plan and elevation:</p> <ul style="list-style-type: none"> Elevations have been adjusted to remove the upper level setback on C1.1. A 3m tower setback is required. Elevation 43 shows Lot E2 with a podium height of 22.05m and an overall height of 25.5m while on the Envelope Control Plan the podium height is 25m and the overall height is 28m. Elevation 4 shows a setback to level 13 and 14, and Elevation 2 shows a setback to level 14 on C3.1 which is not shown on the Concept Plan. Elevation 3 shows level 01 on C2.1 extending across the podium and stepping down at Wade Lane. This is not shown on the Concept Plan. Elevation 8 does not show the 3m tower setback above podium along Shortland Street that is shown on the Concept Plan. Elevation 3 does not show a setback above podium for C4.1 which can be seen in plan. Elevations have not been updated to reflect through-site-links. Elevation 11 suggests there is no upper level setback to C4 along Shortland Street, but plans indicate a 3m setback above podium. No elevations show plant rooms or lift overruns on roofs. <p>Drawings must be amended to address these discrepancies.</p>
		<p><u>Length of Building facades should not exceed 45m (as per Guidelines) without building breaks:</u></p> <ul style="list-style-type: none"> There are still several facades that exceed 45m with no architectural articulation or breaks (C1.1 – 53m, C1.2 – 47m, C2.1 – 67m, C5 – 57m, C6 – 66m, E1 – 77m) 	Refinements include the introduction of building breaks to a number of buildings including C1.1, C2.1, C5.1b, C6.1b, C8 and E1.	<p>Not addressed.</p> <p>The architectural recesses applied to building envelopes are supported, however further building breaks must still be applied to the following perimeter buildings:</p>

Council Submission - Recommendation (November 2021)	Response to Submissions Report (April 2022)	Council Comment (June 2022)	Response to Request for Further Information (December 2022)	Council Comments (February 2023)
				<p>C4 (podium along Wade St – 55.3m), C5.1B and C5.1C (56m), C5.1B and C5.1A (49m), C6.1b and C6.1c (66.2m).</p> <p>The following buildings must limit their façade length to a maximum 50m: C1.1 (54m), C2.1 (68m), C2.2 (67m), E1 (77m), Building B (73m), Building C (54m), Building E (64m), N5 (70m), N6 (57m), N7 (80m, 51m), N8 (60m), S1 (58m), S2 (58m), S4 (54m), S5 (57m), S7 (79m) & S8 (53m).</p>
		<p><u>In the upper core (bounded by Sturt St, Shortland St, and Manson St) buildings should adopt a podium and tower typology with a street wall of 2-4 stores and a tower set back a minimum of 3m:</u></p> <ul style="list-style-type: none"> C2.2 has been described as a 'mid-rise street wall typology' in an area where buildings should adopt a podium and tower typology. Buildings C1.2 and C2.1 have a 0m setback to some street walls where they should apply a 3m setback. Building C4.1 exceeds the maximum street wall height of 4 storeys as it has not included the upper ground level which is of a considerable height. Building C5.1 does not have a streetwall with upper-level setback and instead has 9-12 storeys from ground level as the 'street wall.' 	<p>As noted in the Concept Response to Submissions Report prepared by Bates Smart, a greater mix of street wall and building heights have been proposed to create a diverse neighbourhood with a range of building heights and types. Heights have been reduced to benefit the public domain and improve solar access to open space. Upper level setbacks are also proposed in key locations to further enhance streetscape diversity.</p>	<p>Not addressed. A podium and tower typology should not be applied across the entire Core. It is identified in the Telopea Masterplan for the upper Core only. As such, the following amendments to the building envelopes must be made:</p> <ul style="list-style-type: none"> Upper level setbacks to C1 and C2 towers of min. 3m is required to all sides. Min 3m tower setback to C4 on the corner of Shortland and Manson St to align with chamfered podium edge Reduction of podium height on C4 from 25m down to a max. 4 storeys. C2.2 façade length must be reduced to a maximum 50m to provide a slenderer tower and better align with the podium and tower typology.
		<p>Street setbacks within the Core should be between 0-3m for retail/commercial uses and 3-6m for residential: Building uses have not been identified</p>		<p>Not addressed. Council still seeks amendments to ground level setbacks. Refer specific ground level and basement car park setbacks still sought for the Core (refer notes above). C5.1c must be set back a minimum 3m and align with C5.1b.</p>
		<p><u>Minimum floor to ceiling heights:</u> Minimum floor to ceiling heights have not been provided</p>	<p>Minimum floor to ceiling heights have been provided on all elevations.</p>	<p>No further action required.</p>
		<p>Communal open space has not been clearly defined from the public domain</p>	<p>Communal open space is clearly defined from the public domain in the Concept Proposal Drawings for the Core and East Precincts at DA02.MP.1403, North Precinct at DA02.MP.2402, and the South Precinct at DA02.MP.3402</p>	<p>Not addressed. Communal open space must be provided for buildings C7, C8 and Building A (Stage 1A) and identified in plans.</p>
		<p>Buildings with apartments located below the street level have not been identified</p>	<p>Buildings with apartments located below the street level have not been identified at the Concept Proposal stage. The Design Guidelines include design requirements for apartments that are located at a level below street level (if any are proposed in future detailed DAs).</p>	<p>Not addressed. Given that the Concept Plan must show how the proposed GFA works within the suggested building envelopes, it is important to gain an understanding of the location and quantity of apartments proposed below street level. These apartments should be included and identified within the GFA plans.</p>
		<p>Driveways and building entries have not been identified on plans</p>	<p>Driveways and building entries have been identified on plans for the indicatives schemes for the Core & East, Northern and South Precincts.</p>	<p>Not addressed. Council is concerned about the proposed driveway/loading dock configuration on the corner of Sturt and Street and Wade Lane. Further design detail is required to confirm the suitability of ground level facade presentation and driveway setbacks from the intersection.</p>

Council Submission - Recommendation (November 2021)	Response to Submissions Report (April 2022)	Council Comment (June 2022)	Response to Request for Further Information (December 2022)	Council Comments (February 2023)
		Rooftop communal spaces have not been identified on plans.	Rooftop communal spaces is identified on plans prepared by Bates Smart accompanying the Concept DA.	No further action required.
		Eyles Street should be retained as a public street between Benaud Lane and New Marshal Street. It should be a public shareway or laneway dedicated to Council to reflect its primary 'access' purpose and accommodate additional street parking. Council requests that the applicant submit revised drawings to reflect this or the DPE condition this as part of any approval.	No changes are proposed to Eyles Street beyond the proposed development. The Eyles Street Link remains as a pedestrian street which includes steps, ramps and lifts to provide 24 hour accessible routes to the top of the hill.	Not addressed. Council's position on this matter (from June 2022) has not changed.
		<p>Building facades of perimeter buildings should not exceed 50m without building breaks: There are still several facades that exceed 50m with no architectural articulation or breaks (C5 – 58- 84m, C6 – 66m, E1 – 77m)</p> <p>All other building facades should not exceed 50m in length. There are several buildings that exceed this length (C1.1 – 53m, C2.1 – 68m, C2.2 – 67m, C3 – 55m, C4 – 58m)</p>	<p>Building breaks (articulation zones) have been specifically added to the following buildings:</p> <ul style="list-style-type: none"> Core & East Precinct – C1.1, C2.1, C5.1b, C6.1b, C8 and E1 North Precinct – N3, N4, N7.2, N9.1 and N9.2 South Precinct – S2 <p>Other design refinements ensure that articulation is provided reflecting the intended design outcome.</p>	<p>Not adequately addressed. The architectural recesses applied to building envelopes are supported, however further building breaks must still be applied to the perimeter buildings: C4 (podium along Wade St – 55.3m), C5.1B and C5.1C (56m), C5.1B and C5.1A (49m), C6.1b and C6.1c (66.2m).</p> <p>The following buildings must limit their façade length to a maximum 50m: C1.1 (54m), C2.1 (68m), C2.2 (67m), E1 (77m), Building B (73m), Building C (54m), Building E (64m), N5 (70m), N6 (57m), N7 (80m, 51m), N8 (60m), S1 (58m), S2 (58m), S4 (54m), S5 (57m), S7 (79m) & S8 (53m).</p>
		In relation to the tower/podium buildings (C1, C2, C3, C4), Council considers: C1 & C2 & C3 – as the podium is retail (or community facilities) and only 2-3 levels high, it is acceptable to be a generally longer. The towers above should be no longer than 50m as measured from the horizontal façade. C4 – Assume this is a full residential building, therefore the podium level is excessive in length and will result in poor residential amenity. The building envelope needs to be refined to ensure the building length (as measured both for podium and tower) does not exceed 50m. Upper-level setbacks are required for the tower above this podium.		<p>Not addressed. The applicant must provide plans identifying indicative uses for all levels of podiums, not just the ground floor. This is to ascertain whether residential uses are located within the podium.</p> <p>C2.1 and C2.2 towers must be reduced to max. 50m façade length.</p> <p>Use and indicative floorplan layout of upper podium level of C4.1 is required.</p>

Council Submission - Recommendation (November 2021)	Response to Submissions Report (April 2022)	Council Comment (June 2022)	Response to Request for Further Information (December 2022)	Council Comments (February 2023)
		C5 – the building length along Manson Street is not acceptable and some form of building break or articulation, and resolution of the building setbacks and form is required.		<p>Not addressed.</p> <p>C5.1c must be setback to align with the rest of the streetscape along Manson Street and to adhere to min. 3m ground setback. This is to provide a consistent setback along the street to allow for tree planting and improve sightlines for pedestrians.</p> <p>At least 1 architectural recess of 3m x 3m is required on C5 along the Manson Street façade.</p>
		C6 – the 66m+ length façade is not acceptable and the stepping down of height is not a way to address articulation. Some form of cut out on this elevation must be incorporated.		<p>Not addressed.</p> <p>At least 1 architectural recess of 3m x 3m is required on C6 along the Shortland St façade to break up the length of the facade. This must be applied to all levels .</p>
		<p>In relation to C6, C7 and C8 - cut outs proposed are acceptable on the condition that:</p> <ul style="list-style-type: none"> • They must be located so that buildings facades do not exceed 50m in length without a cut out (refer plans Notes which states that the cut-out locations may vary this is not acceptable). • Cut outs are applied to all levels of the proposed building • Through site links that are open to sky are preferred for safety and amenity reasons. Semi-enclosed through site links 1-2 storeys high must incorporate the principles of CPTED (Crime Prevention through Environmental Design) to ensure these links are safe and secure. 	<p>Revised architectural plans show building breaks provided on each façade greater than 45m in length and provided to all levels of the building.</p> <p>The refined scheme has removed the through block connections from C8 and C6.2 to reflect DPE's comments. Two new mid-block links (N5 and N7) have also been introduced in the North precinct to increase permeability and reduce longer street blocks.</p>	<ul style="list-style-type: none"> • On all relevant documentation add to Note B, C, D and E – 'Position within block may vary <i>but will result in façade lengths on either side of the building break that do not exceed 45m in length.</i>' • A building break (min. 3m x 3m) is required to the C6 façade along Shortland St. • Elevation 5 still shows a 2 storey through-site-link to C6 which is not open to the sky. This is not supported. • Elevation 6 still shows 2 storey through-site-link to C8 which is not open to the sky. This is not supported. • C7.2 must apply a maximum street wall height of 6 storeys with an upper level setback of 3m to all levels above to align with the rest of the buildings on that block and provide an improved scale to the through-site-link for pedestrians.

Council Submission - Recommendation (November 2021)	Response to Submissions Report (April 2022)	Council Comment (June 2022)	Response to Request for Further Information (December 2022)	Council Comments (February 2023)
		E1 – the 77m+ façade is excessive and some form of building break or articulation on this elevation must be incorporated. There are opportunities for fine-grain articulation along this façade.	<p>The analysis provided in the revised Design Guidelines demonstrates the reconfiguration of Building E1 as suggested by the DPE would necessitate the removal of one (1) significant Category AA tree and two (2) Category A trees. The reconfiguration would also compromise the size and future solar access provision to the development block's communal open space, as well as the visual connections to the creek. Most notably, the reduced building diversity would result in a less height modulation that would result in reduced amenity (views, solar access) and building separation to the adjoining 15 Sturt Street.</p> <p>On the basis that two building envelopes would deliver a n inferior outcome, FPA has determined not to depict Building E1 as two separate building envelopes.</p>	<p>Not addressed. Elevation 41 identifies the excessive façade for Lot E1. It is Council Officers preference to break this into two building envelopes. If this is not possible additional architectural recesses (min. 3m x 3m) or building breaks (min. 6m width) should be applied along the façade of E1 to improve fine-grain articulation.</p> <ul style="list-style-type: none"> E1 must provide a max. 25m streetwall height and 3m upper-level setback to all facades, consistent with the requirements for the Precincts. Apply the following ground level setbacks to E1 to align with recommended controls on adjacent streets and promote the Precinct street typology: <ul style="list-style-type: none"> 6m setback along Sturt Street 6m setback along Evans Road 4m setback along Moffatts Drive
		Building C2.2 is not supported and should be redesigned as a tower-and-podium with a maximum tower façade length of 50m. Stepping down in height of the towers is not considered appropriate articulation of these facades.		<p>Not addressed. The floorplate and length of C2.2 must be reduced so that:</p> <ul style="list-style-type: none"> The floorplate size does not exceed 1000sqm, and The façade length does not exceed max. 50m in length. <p>This is to ensure that towers are slenderer in nature which will decrease overshadowing and improve amenity benefits for building occupants. Refer Attachment B comments on Design Guidelines.</p>
		Residential floorplates should not exceed 1000sqm. Building depth and length should be reduced to align with this control (for example, tower C2.2 has a building length of 67m and a depth of 25m, and a floorplate size of 1519sqm – resulting in a tower that is overscale for the site and potentially poor occupant amenity).	<p>The floorplates have reduced significantly in size. An LEP compliant scheme included six large footprint towers in the upper core, all of which had typical floorplates larger than 1000sqm. Significantly, three of the tower forms that were above 1,000sqm have been reduced to less than 1,000sqm, whilst one tower has reduced in height significantly, introducing a new mid-rise street wall typology into the upper core.</p>	<p>Not addressed. The following footprints must be reduced to under 1,000sqm:</p> <ul style="list-style-type: none"> C1.1, C2.1, C2.2, C3.1 <p>As noted above, comparison of proposed floorplates to a 'compliant LEP' envelope does not factor in DCP controls that guide the size of building envelopes and would result in far smaller floorplates than illustrated. Refer Attachment B comments on Design Guidelines.</p>
		The placement of upper levels on building C4 should be revised. The upper levels should not intrude into the street setbacks. The intersection of the upper levels and lower levels at the corner of Manson Street and Shortland Street is not supported.		<p>Not addressed. A 3m tower setback is required to C4 including at the corner of Shortland Street and Manson Street where the tower must be set back to allow for a 3m setback to the chamfered podium edge.</p>
		The height of buildings C5, C6 and C7, all currently at a height of 13-14 storeys, must be decreased to acknowledge the height transition away from the light rail.	An amended Clause 4.6 Request has been prepared to reflect DPE and CoP comments.	<p>Not addressed. C6.1b and C7.2 should be reduced in height to comply with the maximum height limit.</p>

Council Submission - Recommendation (November 2021)	Response to Submissions Report (April 2022)	Council Comment (June 2022)	Response to Request for Further Information (December 2022)	Council Comments (February 2023)
				The increased heights of C5.1c and C6.1a are not supported despite being under the max. height limit given the exceedance of GFA in the Core and should be reduced.
		The proposal must identify usages at ground level within the Core and provide appropriate setbacks to these buildings. Additional setbacks to retain or provide mature trees is supported.		An increased setback to buildings C6 and C8 along Shortland Street and C5, C7 and E1 along Sturt Street from 3m to 6m is required. The setback along Manson Street to C5 must be applied to the whole of building.
		Ground level front building setbacks 3m ground floor front setbacks in Wade, Manson Streets and Benaud Land and 6m front setbacks in Sturt and Shortland Streets.		Not addressed. Refer specific advice reiterated above regarding setbacks in Sturt and Shortland Streets.
		Minimum street widths should align with the Telopea DCP which requires: <ul style="list-style-type: none"> Wade Street (proposed as 10m) - a 13m carriageway (including roadway and on-street parking) of 13m and a footpath with landscape verge of 3m on each side For an extension of Eyles Street a 10m carriageway (including roadway and on-street parking) with a 4-5m footpath and landscape verge on each side For Benaud Place a 9m carriageway (including roadway and on street parking) and a 3m footpath and landscape verge on each side, and For any additional new road connections, a minimum 7m carriageway and a minimum 2.5m parking indented parking bays to one side of the street and a minimum of 3m verges (Fig Tree Lane is 8.5m wide, Manson Street 10m wide in proposal)		Not addressed. Refer specific requirements provided in comments above for Wade Lane and Benaud Lane.
		Grading and footway crossfalls at 3% do not confirm to AS1428.1:2021 or council standards and are not acceptable. Advice - Council reiterates that footway (kerb to property boundary line) crossfalls between 1% and 2.5% must be in accordance with council standards and AS1428.1:2021.		Not addressed. Previous comments regarding compliance with Council standards and AS1428.1:2021 must be addressed.
4.2 That the applicant revise the design of the Precincts consistent with the Telopea DCP.	As this project is designated as State significant, in accordance with Clause 11 of the SDR SEPP, DCPs do not apply to any State significant development and are not a relevant matter for consideration for the SSDA.	<p>Not addressed</p> <p>Council recommends the Precincts should be delivered in accordance with the controls contained in the Parramatta DCP for the Telopea Precinct to achieve consistency across the precinct. Refer Attachment B for specific commentary on the Design Guidelines and additional site testing in the Precinct.</p> <p>The Concept Plan for the Precincts does not provide a holistic approach to development for Telopea and may result in an inconsistent and unequitable approach between sites being redeveloped by LAHC/Frasers and those which are privately owned, resulting in piecemeal development through the Precincts that is at odds with the Telopea Master Plan 2017.</p> <p>Application of planning controls in the Telopea DCP is imperative to allow for the significant renewal of the area with new buildings and places that are designed to maintain existing site characteristics such as scale, proportion, setbacks, human scale, trees, and topography. The proposed built forms for the Precincts do not consider the existing topography, subdivision or curvilinear streets that are unique to Telopea. A coherent or consistent built</p>		<p>Not addressed.</p> <p>Council comments from June 2022 still stand.</p>

Council Submission - Recommendation (November 2021)	Response to Submissions Report (April 2022)	Council Comment (June 2022)	Response to Request for Further Information (December 2022)	Council Comments (February 2023)
		form has not been applied which results in a disconnect with the surrounding context. The proposed development is of a scale and bulk that is excessive for the area.		
		Street wall heights – Provide a maximum 6 storey street wall, and a 3m or 6m setback for the upper levels of a 7 or 8 storey building respectively.	N3, N6.1 and N8 have been redesigned to provide a consistent 25m street wall height to Shortland Street.	Not supported. The street wall height for N3, N6.1 and N8 must be reduced to provide a maximum 6 storey street wall to Shortland Street (currently 7 storeys), with an upper-level setback of 6m the two upper levels. This will provide consistency among the buildings within the Precinct. There is no consistent street wall height proposed on the other side of Shortland Street that would benefit from an increased street wall height to these buildings.
		Ensure buildings in the Precincts adopt a streetwall and upper level setback compatible with the Parramatta DCP 2011. (Details of DCP street wall heights and setbacks included in Design Guidelines provisions)	There are three buildings in the North Precinct with an 8 storey height limit (N3, N6 and N8). The requested 6m setback to the upper two storeys would result in inefficient floorplates. An alternative 7 storey street wall is proposed for the three buildings with a single storey upper level setback 3m from the building line.	Not supported. The proposed building envelopes in N2 and N3 in the North Precinct and all of the South Precincts lots exceeds the maximum permissible FSR under PLEP 2011. N3, N6 and N8 should comply with the recommended streetwall and upper-level setback controls which will provide a better relationship between these buildings and the rest of the buildings within the North precinct.
		The 0m side setbacks result in excessive façade lengths. While some articulation zones have been included on building envelopes in the Precinct, there are several facades that still reach between 70-100m. Such long facades may lead to issues of excessive excavation and large retaining walls, as well as impact the desired finer grain resolution for the streetscape.		A zero metre setback to side boundaries is not supported. It has not been demonstrated by the applicant that a 0m side setback can provide a better amenity outcome for neighbouring sites. Even with a 6m side setback north of isolated sites, development could still result in facades greater than 50m in length. These façade lengths are not in keeping with the desired streetscape pattern in the Precincts as detailed in the Telopea DCP.
		The proposed development of isolated lots via party walls with LAHC development will also needs to be considered, as these developments could create building lengths of up to 65m.		Not addressed. Council comments from June 2022 still stand.
		Front setbacks – New development must provide a 6m setback to the street to align with the existing streetscape, increase deep soil zone (DSZ) and improve amenity for residents.	Street setback has been increased from 3m to 4m.	Not addressed. Proposed increases in street setbacks are not sufficient and require amendment: <u>North, South & East Precincts</u> – 6m min ground level and basement car park front setbacks to all residential streets for all sites. <i>Reason: To provide suitable landscape setting for future high density residential context, create a different landscape character in the Core compared to the precincts, provide significant contiguous deep soil along public roads, create space to achieve tree canopy targets in a way the improves street amenity for everyone.</i>
		Side setbacks – A minimum 3m setback to the side boundaries for part of the length of the building, increased to 6m where habitable rooms only face the side boundary.	Generally, between 4 to 6 metres where habitable rooms face side boundaries.	Not addressed. Consistent side setbacks must be applied to all buildings within the Precincts. This will strengthen the desired streetscape and building typology for the area, improve privacy and amenity for habitable rooms and provide additional areas for deep soil


Council Submission - Recommendation (November 2021)	Response to Submissions Report (April 2022)	Council Comment (June 2022)	Response to Request for Further Information (December 2022)	Council Comments (February 2023)
				<p>zones at the sides of buildings. Amendments should be made to the following buildings:</p> <p><u>North Precinct</u></p> <p>N1:</p> <ul style="list-style-type: none"> • Increase side setback to west boundary to 6m for habitable rooms. • 0m side setback to north east boundary not supported. Increase to min. 3m for non-habitable rooms toward Marshall Rd and min. 6m for habitable rooms. <p>N2:</p> <ul style="list-style-type: none"> • Increase side setbacks to min. 6m for habitable rooms. • No windows/habitable rooms along entirety of south side boundary is not supported. <p>N3:</p> <ul style="list-style-type: none"> • Increase setbacks to north boundaries to min. 6m for habitable rooms. • Increase separation between upper levels to comply with ADG separation requirements for habitable rooms. <p>N4:</p> <ul style="list-style-type: none"> • Increase setback to south-west boundary to min. 6m for habitable rooms. • 0m side setback to north east boundary not supported. Min. 3m towards Marshall Rd for non-habitable rooms and min. 6m for habitable rooms. <p>N5:</p> <ul style="list-style-type: none"> • Increase side setback to south-east boundary along The Parade to a min. 6m for habitable rooms. • Increase side setback to east boundary along Fig Tree Ave to min. 6m for habitable rooms. • Identify whether facades above the 19m podium will be habitable or non-habitable rooms. <p>N6:</p> <ul style="list-style-type: none"> • 0m setback to north boundary not supported. Min. 3m towards Fig Tree Ave for non-habitable rooms and min- 6m for habitable rooms. • Increase side setback to south boundary along Fig Tree Ave to min. 6m for habitable rooms. • Increase side setback to west boundary along Shortland Street to min. 6m for habitable rooms. • Increase separation between N6 and N7 to min. 9m for habitable to non-habitable rooms and min. 12m habitable rooms to comply with ADG. <p>N7:</p>

Council Submission - Recommendation (November 2021)	Response to Submissions Report (April 2022)	Council Comment (June 2022)	Response to Request for Further Information (December 2022)	Council Comments (February 2023)
				<ul style="list-style-type: none"> • Increase separation between N7 building envelopes on Fig Tree Ave by min. 9m for habitable to non-habitable rooms and min. 12m for habitable rooms to comply with ADG. <p>N8:</p> <ul style="list-style-type: none"> • Min. 3m setback for non-habitable rooms towards Shortland Street and min. 6m setback for habitable rooms. • Increase separation between N8 and N9 to min. 9m for habitable to non-habitable rooms and min. 12m for habitable rooms to comply with ADG. <p>N9:</p> <ul style="list-style-type: none"> • Increase side setback to min. 3m towards The Parade for non-habitable rooms and min. 6m for habitable rooms. • Specify whether habitable or non-habitable rooms along through-site-link. • 0m side setback is not supported. Min. 3m setback for non-habitable rooms towards The Parade and min. 6m for habitable rooms. <p>N10:</p> <ul style="list-style-type: none"> • Increase side setback to the north to a min. 6m for habitable rooms. <p><u>South Precinct</u></p> <p>S1:</p> <ul style="list-style-type: none"> • Increase side setbacks to a min. 6m for habitable rooms. <p>S2:</p> <ul style="list-style-type: none"> • 0m side setback not supported. Increase to min. 3m for non-habitable rooms along Cunningham St and minimum 6m for habitable rooms. • Increase side setbacks to min. 6m for habitable rooms. <p>S3:</p> <ul style="list-style-type: none"> • Increase side setbacks to min. 6m for habitable rooms. <p>S4:</p> <ul style="list-style-type: none"> • Non-habitable rooms along entire east side boundary is not supported. Min. 3m setback towards Cunningham Street to increase to min. 6m setback. • Increase side setback along Burke St to min. 6m for habitable rooms. <p>S5:</p> <ul style="list-style-type: none"> • Non-habitable rooms along entire west side boundary is not supported. Min. 3m setback towards Chestnut Ave to then increase to min. 6m setback.

Council Submission - Recommendation (November 2021)	Response to Submissions Report (April 2022)	Council Comment (June 2022)	Response to Request for Further Information (December 2022)	Council Comments (February 2023)
				<ul style="list-style-type: none"> Increase side setback to east boundary to min. 6m for non-habitable rooms. <p>S6:</p> <ul style="list-style-type: none"> Non-habitable rooms along entire east side boundary is not supported. Min. 3m setback towards Chestnut Ave to then increase to min. 6m. Increase side setback to south boundary along Burke St to min. 6m for habitable rooms. <p>S7:</p> <ul style="list-style-type: none"> Increase side setback to north to min. 6m along the entire side boundary for habitable rooms. <p>S8:</p> <ul style="list-style-type: none"> Increase south side boundary from 5.5m to 6m.
		Amend setbacks in the North and South Precincts to provide side setbacks of 3m, and 6m where habitable rooms face side boundaries.	Generally, between 4 to 6 metres where habitable rooms face side boundaries. Rear setback of buildings N8, N9, N10 have been increased from 3 or 4m to 6m to maximise amenity to southern neighbours.	<p>Not addressed. Consistent side setbacks must be applied to all buildings within the Precincts. These controls are reflected in Council's comments on the Design Guidelines - Attachment B. This will strengthen the desired streetscape and building typology for the area, improve privacy and amenity for habitable rooms and provide additional areas for deep soil zones at the sides of buildings. Amendments should be made to the following buildings:</p> <p><u>North Precinct</u></p> <p>N1:</p> <ul style="list-style-type: none"> Increase side setback to west boundary to 6m for habitable rooms. 0m side setback to north east boundary not supported. Increase to min. 3m for non-habitable rooms toward Marshall Rd and min. 6m for habitable rooms. <p>N2:</p> <ul style="list-style-type: none"> Increase side setbacks to min. 6m for habitable rooms. No windows/habitable rooms along entirety of south side boundary is not supported. <p>N3:</p> <ul style="list-style-type: none"> Increase setbacks to north boundaries to min. 6m for habitable rooms. Increase separation between upper levels to comply with ADG separation requirements for habitable rooms. <p>N4:</p> <ul style="list-style-type: none"> Increase setback to south-west boundary to min. 6m for habitable rooms. 0m side setback to north east boundary not supported. Min. 3m towards Marshall Rd for non-habitable rooms and min. 6m for habitable rooms.

Council Submission - Recommendation (November 2021)	Response to Submissions Report (April 2022)	Council Comment (June 2022)	Response to Request for Further Information (December 2022)	Council Comments (February 2023)
				<p>N5:</p> <ul style="list-style-type: none"> • Increase side setback to south-east boundary along The Parade to a min. 6m for habitable rooms. • Increase side setback to east boundary along Fig Tree Ave to min. 6m for habitable rooms. • Identify whether facades above the 19m podium will be habitable or non-habitable rooms. <p>N6:</p> <ul style="list-style-type: none"> • 0m setback to north boundary not supported. Min. 3m towards Fig Tree Ave for non-habitable rooms and min- 6m for habitable rooms. • Increase side setback to south boundary along Fig Tree Ave to min. 6m for habitable rooms. • Increase side setback to west boundary along Shortland Street to min. 6m for habitable rooms. • Increase separation between N6 and N7 to min. 9m for habitable to non-habitable rooms and min. 12m habitable rooms to comply with ADG. <p>N7:</p> <ul style="list-style-type: none"> • Increase separation between N7 building envelopes on Fig Tree Ave by min. 9m for habitable to non-habitable rooms and min. 12m for habitable rooms to comply with ADG. <p>N8:</p> <ul style="list-style-type: none"> • Min. 3m setback for non-habitable rooms towards Shortland Street and min. 6m setback for habitable rooms. • Increase separation between N8 and N9 to min. 9m for habitable to non-habitable rooms and min. 12m for habitable rooms to comply with ADG. <p>N9:</p> <ul style="list-style-type: none"> • Increase side setback to min. 3m towards The Parade for non-habitable rooms and min. 6m for habitable rooms. • Specify whether habitable or non-habitable rooms along through-site-link. • 0m side setback is not supported. Min. 3m setback for non-habitable rooms towards The Parade and min. 6m for habitable rooms. <p>N10:</p> <ul style="list-style-type: none"> • Increase side setback to the north to a min. 6m for habitable rooms. <p><u>South Precinct</u></p> <p>S1:</p> <ul style="list-style-type: none"> • Increase side setbacks to a min. 6m for habitable rooms. <p>S2:</p>

Council Submission - Recommendation (November 2021)	Response to Submissions Report (April 2022)	Council Comment (June 2022)	Response to Request for Further Information (December 2022)	Council Comments (February 2023)
				<ul style="list-style-type: none"> 0m side setback not supported. Increase to min. 3m for non-habitable rooms along Cunningham St and minimum 6m for habitable rooms. Increase side setbacks to min. 6m for habitable rooms. <p>S3:</p> <ul style="list-style-type: none"> Increase side setbacks to min. 6m for habitable rooms. <p>S4:</p> <ul style="list-style-type: none"> Non-habitable rooms along entire east side boundary is not supported. Min. 3m setback towards Cunningham Street to increase to min. 6m setback. Increase side setback along Burke St to min. 6m for habitable rooms. <p>S5:</p> <ul style="list-style-type: none"> Non-habitable rooms along entire west side boundary is not supported. Min. 3m setback towards Chestnut Ave to then increase to min. 6m setback. Increase side setback to east boundary to min. 6m for non-habitable rooms. <p>S6:</p> <ul style="list-style-type: none"> Non-habitable rooms along entire east side boundary is not supported. Min. 3m setback towards Chestnut Ave to then increase to min. 6m. Increase side setback to south boundary along Burke St to min. 6m for habitable rooms. <p>S7:</p> <ul style="list-style-type: none"> Increase side setback to north to min. 6m along the entire side boundary for habitable rooms. <p>S8:</p> <ul style="list-style-type: none"> Increase south side boundary from 5.5m to 6m. <p>Not addressed. The following amendments are still sought for the North, South, and East Precincts:</p> <ul style="list-style-type: none"> A 10m minimum rear ground level and basement carpark setback for all Precinct development Amendments to the rear setbacks (min. 10m) for the following sites: N2, N5, N8, N9, N10, S1, S2, S5, S6, S7 and S8. Introduction of a whole of building break to N5 to allow the continuation of a contiguous area of deep soil along the middle of that block. <p>Council's previous submission detailed how both successful tree retention and increased contiguous deep soil zones at the rear of buildings could be achieved within the Precincts.</p>

		<p>Rear setbacks – A rear setback of 15% of the site length or 10m (whichever is greater) to allow for larger portions of uninterrupted DSZ of a reasonable width and depth. This will allow a continuous deep soil network formed with adjacent lots.</p> <p>Deep Soil Zones (DSZ) – Provide a minimum 30% of DSZ on the site area, with half of the total deep soil area located at the rear of the site. Minimum dimensions for area to be considered as deep soil are 4m x 4m as per the Parramatta DCP and 6mX 6m as per the ADG.</p>	<p>Rear setback of buildings N8, N9, N10 have been increased from 3 or 4m to 6m to maximise amenity to southern neighbours.</p> <p>While deep soil is located within rear setbacks as noted in the Telopea DCP, the proposed concept generally encourages a stepped form, forming smaller courtyards rather than one large continuous 10 metre deep soil zone to rear boundaries.</p>	<p>Not addressed.</p> <p>The Precinct development should provide a contiguous/connected deep soil zones focusing on front and rear setbacks as per the DCP. Refer above in relation to requirements for front and rear setbacks to achieve this.</p> <p>A 6m basement (deep soil) setback to the street frontage is required. This will contribute to residential amenity, create space for trees and achieve tree canopy targets for the area.</p> <p>Two suggested through site links in the North Precinct (from the Design Guidelines) are steep and unlikely to deliver a universally accessible connection in a narrow corridor without mechanical intervention. It is not clear if these are to be dedicated to Council. Council will not accept dedication unless accessible connections are confirmed. A landscaped buffer between development in the nominated corridors is supported.</p> <p>Further details of these through-site-links are not provided elsewhere in the documentation including on the Concept Plans or in the Design Report. The through-site-link to the Greenway from Marshall Road in the North Precinct must be illustrated and dimensioned on plans.</p>  <p>These controls are reflected in Council's comments on the Design Guidelines - Attachment B</p>
--	--	--	---	---

Council Submission - Recommendation (November 2021)	Response to Submissions Report (April 2022)	Council Comment (June 2022)	Response to Request for Further Information (December 2022)	Council Comments (February 2023)
4.3 The Applicant revises the isolated lots study which demonstrates development outcomes consistent with Council's Telopea DCP		<p>Not addressed</p> <p>Council reiterates the points raised in its original submission in relation to this matter. Site isolation is an important issue that needs to be addressed before any determination is given. The proponent needs to consider the purchase of these properties and not defer this matter to a future development approval process.</p> <p>Council refutes the ascertain in the Submissions Report that these sites are not in fact 'isolated' as there is no minimum lot size requirement under Parramatta LEP 2011 and therefore a six-storey development could be feasibly developed. The Parramatta DCP 2011 requires a minimum site frontage of 24 metres for sites without two street or lane frontages for residential flat buildings. This is to ensure that future development is on a site area great enough to deliver high amenity outcomes for the occupants, deep soil zone requirements and adequate building separation from neighbouring lots. <u>All isolated sites within the Precincts have a site frontage less than 24m and therefore a residential flat building under the DCP would not be able to be developed on these sites.</u></p>	<p>LAHC has prepared a letter addressed to the DPE provided at Appendix DD of this Report which provides details of the process undertaken to amalgamate isolated lots as part of the proposed redevelopment.</p> <p>Negotiations continue with seven (7) of ten (10) property owners, noting that two (2) property owners have indicated they are not interested in selling and 11 Cunningham Street is a recently redeveloped as a contemporary dual occupancy. The negotiation process typically takes six months from the time a Commencement Letter (also called an Opening Letter) is issued to provide sufficient time for valuation reports to be carried out, offers to be considered, purchase contracts to be finalised, and any relocation arrangements reached.</p> <p>In the event that acquisition of the isolated lots is unable to be achieved, LAHC and FPA have concurrently investigated the development potential of each of the isolated lots to confirm that they are able to be developed independently consistent with the Telopea DCP. The proposed envelopes propose nil setback to the southern boundary of an isolated site and 6m setback to the northern boundary of an isolated site to maximise amenity to neighbours.</p>	<p>Not addressed.</p> <ul style="list-style-type: none"> The Isolated Lots Study has not changed from the original Study from 2021 except to add two additional isolated sites to the list of sites impacted. The Isolated Lot Study does not provide evidence that any of the isolated lots are able to be developed. It does not include any documentation to suggest that a feasible outcome is possible on 4 out of 5 sites listed. The study only includes basic plans and elevations for one site, and this does not consider factors including room location, basement footprint, circulation space, etc. to show that development of the lot is feasible. Four lots within the Northern Precinct and all of the Southern Precinct exceeds permissible FSRs therefore further impacting on adjacent sites via reduced upper level, rear and side setbacks. <p>The Study does not provide any information on how redevelopment on the five sites can comply with ADG requirements for residential flat buildings. Council requests that adequate site testing is undertaken to ensure sites are not disadvantaged by the proposed development.</p> <p>Council request that DPE apply the precautionary principle in this case, which is to ensure that consistent setback controls are applied across the Precincts. Refer comments Attachment B.</p>
	<p>The current isolated lot study prepared by Bates Smart as part of the original EIS Package has considered the relevant DCP controls for sites outside of the Telopea Concept Plan Area and demonstrates that the potentially isolated sites are not isolated as they can be reasonably developed either as standalone sites or amalgamated with neighbouring sites. It is noted that further assessment of potential isolated lots would form part of future detailed development applications.</p> <p>Given the size of the Telopea Concept Plan Area, parts of the site are unlikely to be developed for ten years and undertaking further work now is considered unnecessary to assess the proposed concept envelopes.</p>	<p>The Isolated Sites Study notes the only way the proposed envelopes are possible is to share a party wall with LAHC development to the southern of each site. This creates several issues:</p> <ul style="list-style-type: none"> An increase in already excessive façade lengths (between 50 and 60m) with limited to no breaks in the façade, The development of 19 to 28m tall buildings to the property line with little consideration of the impact on those isolated sites prior to future development; and <p>Sets an undesirable precedent for future development in Telopea through the nil setback to the boundary.</p> <p>Furthermore, the Isolated Lot Study is not considered adequate as it:</p> <ul style="list-style-type: none"> Applies a nil setback on LAHC sites to the south of the isolated sites. This does not comply with the DCP, will hinder the redevelopment potential of neighbouring sites, and therefore is not supported. Does not provide parking, basement, or lobby details to demonstrate compliance. the Isolated Sites Study does not provide internal layouts for the proposed development on these sites to ensure compliance with the ADG. 	<p>The revised Isolated Lots Study prepared by Bates Smart demonstrates that the Concept Plan is not reliant upon, nor contingent on securing all isolated lots, and that each of the isolated lots can be redeveloped under current planning controls to deliver a complying residential typology.</p> <p>The negotiation and design testing processes progressed to date are also consistent with the Land and Environment Court's judgment <i>Karavellas v Sutherland Shire Council</i> [2004] NSWLEC 251 relating to site isolation. Reasonable efforts have been undertaken to acquire the isolated lots and will continue in order to facilitate amalgamation into the development site as part of future relevant stages.</p> <p>The Concept Plan cannot be used as the mechanism to amalgamate properties that are not within LAHC's ownership and are subject to ongoing negotiations. In the event that acquisition, and amalgamation does not occur, testing has demonstrated that orderly and efficient development can occur.</p>	<p>Not addressed.</p> <ul style="list-style-type: none"> All isolated lots have a site frontage less than the 24m required to develop a residential flat building under the Parramatta DCP. The Isolated Lots Study should provide the following: <ul style="list-style-type: none"> Plans and elevations for all isolated sites to demonstrate compliance with PDGP 2011 Details of habitable rooms, minimum apartment sizes, circulation, etc to demonstrate that the proposal could comply with ADG requirements Street elevations showing the relationship between the existing buildings on the isolated lots and the proposed building envelope with nil setback to the boundary, to assess whether this is a reasonable relationship.

Council Submission - Recommendation (November 2021)	Response to Submissions Report (April 2022)	Council Comment (June 2022)	Response to Request for Further Information (December 2022)	Council Comments (February 2023)
		Does not provide a detail level of compliance with the ADG, including details on solar access and natural ventilation to apartments.		
		<p>The redevelopment of these isolated sites under the proposed Concept Plan would lead to suboptimal residential flat buildings with decreased amenity to building occupants and neighbours. It would also significantly increase the scale and bulk of the streetscape through the use of a party wall. Prior to redevelopment the proposed Concept Plan will also cause amenity issues for these privately owned lots as they are built to the boundary. Therefore, it is not realistic to assume that these sites can be reasonably developed as standalone sites.</p> <p>The applicant has suggested further testing of these sites should occur at DA stage however, it is critical prior to any approval which 'locks in' building envelopes, that it must be proven that these sites can be reasonably developed in the future.</p> <p>Attachment B provides further urban design testing which demonstrates the development and design benefits of amalgamating lots with the LAHC proposal compared to redevelopment as isolated sites.</p> <p>Not addressed</p> <p>The Council submission in relation to this matter still stands – refer to Section 5.4 of Council's Submission regarding the creation of isolated sites. This remains a significant issue in the Precinct and the response provided indicating that the proposal does not burden existing landowners from redeveloping sites is rejected by Council. It is likely the redevelopment of these lots will be assessed by Council through the DA process. Based on Council's urban design testing for the Northern Precinct, very poor urban design and planning outcomes will result from the identified potential site isolation. The application does not provide sufficient justification for their isolation and has not been fully tested against the PDCP 2011 controls, for which these sites would be likely assessed. Given the sheer size of LAHC land holdings, only a few sites that will be isolated and the timeframe in which LAHC can achieve this, it is not unreasonable for the site purchase strategy to be demonstrated and potential future amalgamation to occur.</p>		<p>Not addressed.</p> <ul style="list-style-type: none"> Council's comments from June 2022 remain outstanding and require a response.
4.4 That the applicant prepares a site purchase strategy to demonstrate that efforts will be made to acquire any isolated sites and potential amalgamation to occur.	The overall scheme has been designed based on land currently owned by LAHC and does not burden the future redevelopment of land not incorporated into the proposal. Requiring the Proponent to demonstrate attempts to acquire additional lots is beyond the scope of the SSDA. The proposal does not burden existing landowners	<p>Not addressed</p> <p>The Council submission in relation to this matter still stands – refer to Section 5.4 of Council's Submission regarding the creation of isolated sites. This remains a significant issue in the Precinct and the response provided indicating that the proposal does not burden existing landowners from redeveloping sites is rejected by Council. It is likely the redevelopment of these lots will be assessed by Council through the DA process. Based on Council's urban design testing for the Northern Precinct, very poor urban design and planning outcomes will result from the identified potential site isolation. The application does not provide sufficient justification for</p>		<p>Not addressed</p> <p>The Council submission in relation to this matter still stands</p>

Council Submission - Recommendation (November 2021)	Response to Submissions Report (April 2022)	Council Comment (June 2022)	Response to Request for Further Information (December 2022)	Council Comments (February 2023)
	from redeveloping sites surrounding the Telopea CPA.	their isolation and has not been fully tested against the PDCP 2011 controls, for which these sites would be likely assessed. Given the sheer size of LAHC land holdings, only a few sites that will be isolated and the timeframe in which LAHC can achieve this, it is not unreasonable for the site purchase strategy to be demonstrated and potential future amalgamation to occur.		
4.5 The applicant presents urban design testing of the Evans Road (Waratah) shops block (bounded by Evans Road, Benaud Place, Shortland, and Sturt Streets) to demonstrate that the proposal does not adversely impact on the realisation of development potential in line with the controls of the Parramatta LEP 2011 and Telopea DCP. In particular, that the building separation and visual privacy distances contained Apartment Design Guide (ADG) of SEPP 65 are able to be satisfied, as measured from the centre of Benaud Lane.	Refinements to the design described in Section 3.2 include the reduction of upper-level setbacks along Benaud Lane to ensure compliance with the ADG can be achieved. Further urban design testing is not considered appropriate at the Concept Stage and will likely form part of future detailed development applications for Buildings C7 and C8.	Addressed The upper-level setbacks submitted as part of the revisions to The Core now comply with ADG building separation and visual privacy requirements. The built form is stepped so that levels above 25m are all 12m from the centreline along Benaud Lane and Sturt Street, and there is 24m between these buildings and the proposed development to the west along Fig Tree Lane.		No further action.
4.6 Council's comments in relation to Stage 1A revisions made as part of the RTS		Basement Carparking and Alignment <ul style="list-style-type: none"> Council supports the removal of basement access via Winter Street, however the resultant extent of basement decreases deep soil located south of the Neighbourhood Park and the avenue of trees aligned to Mews Street. By reducing deep soil, it reduces the growth of mature canopy sizes which impacts heat island effect. The connection of the car park basement between Building C and D should be redesigned as two separate structures on site. The driveway access point from the south of Building D is sufficient to allow for vehicle movement into the carpark. 	The amendments to the Stage 1A design 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. A total of 18.2% of the Stage 1A site area is proposed with deep soil landscaping. While the area above the basement link is not deep soil, medium and small trees and low shrub plantings will help to mitigate urban heat by reducing paving and highly reflective materials in this part of the public open space. Refer to Figure 11 . Overall, the proposed scheme improves connections and increases open space across the Precinct.	Not addressed. <ul style="list-style-type: none"> The connection of carparking basement between Building C and D is not supported and should be redesigned as two separate structures on site. The driveway access point from the south of Building D and C is sufficient to allow for vehicle movement into the carparks below these buildings and therefore the basement connection cannot be justified. The extent of basement decreases deep soil for the south of the Neighbourhood Park and the avenue of trees aligned to Mews Street. By reducing deep soil, it reduces the growth of mature canopy sizes which impacts heat island effect. Deleting the basement means that the whole of the link from Manson Street

Council Submission - Recommendation (November 2021)	Response to Submissions Report (April 2022)	Council Comment (June 2022)	Response to Request for Further Information (December 2022)	Council Comments (February 2023)
			The current design ensures that loading can be undertaken with minimal impacts on residential vehicular movement. The introduction of two separate basement structures would require an additional loading dock which would increase the overall basement size and reduce the potential for deep soil within the site.	<p>can remain public. This is recommended.. Council will not accept any land dedication above basement levels.</p> <ul style="list-style-type: none"> If the connection of carparking basement between Building C and D remains, the provision of sufficient soil depth to support planting over the basement link between buildings must be clearly demonstrated. The drawings also show no tree vegetation in this area, and such an outcome is not supported by Council officers. <p>Provide enough design detail (specific section relative to ground level) to confirm the following:</p> <ul style="list-style-type: none"> minimum 1m clear soil depth, <i>excluding mulch and drainage layers</i>, over basement carpark deck to support soft landscaping including trees of all sizes. large contiguous soil body zones supporting multiple trees and plants. A series of isolated, disparate containerised zones is not acceptable. a landscape design showing large trees planted over the basement link (if not removed as recommended) to match the rest of the park area. Basement carparking extent should be reduced particularly from boundaries and sit within building footprints. This is to allow for deep soil tree planting which supports large tree growth. Basement carpark to the Northern boundary of building C should be setback 4m. A number of the communal open spaces have the basement extending significantly into them. Basement should be reduced to allow for greater planted amenity within the communal open space.
		<p><i>Building C – blank wall</i> The extent of large brick walls to the substation on the corner of Building C presents a large blank wall without any planting to screen it. Council recommends a tree planted edge sitting in front of the substation and brick wall to help conceal and create visual interest.</p>	FPA have adopted the CoP recommendation and the proposed Stage 1A Architectural Plans and Landscape Plans have been amended to include a row of trees in front of the southern elevation of Building C.	
		<p><i>Ground level Setback- Sturt Street</i></p> <ul style="list-style-type: none"> The current 2.7m ground level front building setbacks in Sturt Street do not reflect DCP requirements (of 6 metres) and are not supported. In the context of the proposed high density and scale of development Council reiterates that the provision of generous space in street corridors is key to the creation of an amenable and comfortable neighbourhood for people. 	Stage 1A has been amended to provide an increased setback of 4 metres to Sturt Street reflecting street setbacks in the Parramatta DCP.	<p>Ground level front setbacks have been amended and are improved however the following changes are still sought: <u>Sturt Street</u> – 6m minimum ground level and basement car park setback for Stage 1A.</p> <p>This will improve the deep soil area available for trees, mimic the proposed setback to the Core on the other side of Sturt Street and increase the depth of private balconies or gardens for residents from the street.</p>

Council Submission - Recommendation (November 2021)	Response to Submissions Report (April 2022)	Council Comment (June 2022)	Response to Request for Further Information (December 2022)	Council Comments (February 2023)
				<ul style="list-style-type: none"> An increased setback to Mew Street could improve the pedestrian experience and increase areas for tree planting. Setbacks along the new internal road for Eastern side of Building C Ground Floor is only 2m with 0.50m of planting. Setback should be increased to allow for privacy and a larger planted outlook. The Southern side of Building C has a 0m setback to the new internal roadway. Opportunities to increase this setback should be explored.
		<p><i>Footpath widths</i></p> <ul style="list-style-type: none"> The Sturt Street cross sections alignment is shown inconsistently across the submitted drawing sets. The provision of a 3m minimum width concrete shared path on the south side of Sturt Street which forms an important connection to the Parramatta Light Rail and Active Transport Link. A 1.8m minimum concrete pedestrian path connection to Adderton Road is required on the northern side. The Mews Street footway at 1.7m is not supported (kerb to property boundary) and should have a minimum overall width of 3.5m in accordance with the Paramatta Public Domain Guidelines. This does not include parking lanes. All footpaths should be in situ concrete, min width 1800mm. It is recommended that the existing drawings be revised to reflect the amended pedestrian footway width. 	<p>The Stage 1A civil plans provide a minimum 3.5m wide verge with a shared path on the southern side of Sturt Street in Stage 1A. Details for concrete width can be incorporated as a condition of consent.</p> <p>The Stage 1A civil plans provide a minimum 4.5m wide verge with a pedestrian footpath to be northern side of Adderton Road. Details for concrete width can be incorporated as a condition of consent.</p>	<p>Not addressed for Sturt Street. Ref Appendices L and K</p> <p><u>Sturt Street cycle path</u> – Council seeks a 3.0m shared path on the south side of Sturt Street. All drawing sets should be amended accordingly. Note that Appendix K incorrectly shows a 2.5m path. This is not acceptable an acceptable outcome.</p> <p><u>Sturt Street pedestrian path</u> – a 2.3m path is shown. Please amend to 1.8m.</p> <p><i>Reason: Council seeks to balance hard paved and soft landscape areas in the public domain to maximize rainwater infiltration and root zone for trees.</i></p>
			<p>The Mews Street footway is a privacy accessway not a public footpath. In this section of the Mews the verge width of 4.2m and narrows in sections where there is indented parallel parking bays to 1.7m. This accessway will be managed and controlled by the appropriate strata body corporate.</p>	
		<p><i>Tree Retention</i></p> <ul style="list-style-type: none"> The revised plans submitted as part of Stage 1A have raised concerns in relation to further tree removal as a result of the extent of basement, road alignment, OSD storage tank alignment and building layout. There are two trees that were originally shown as retained in the previous submitted envelope plan that are now shown as removed and trees shown as retained that will consequently be removed due to the building envelope impacting on the Tree Protection Zone (TPZ) and Structural Root Zone (SRZ) of trees. 	<p>Tree retention has been a core principle of the overall Concept Plan with the proposal retaining an increased number of trees across the Telopea CPA when compared to the original Telopea Master Plan including a 25% increase in Category AA trees across the site. As part of the RFI response, a review of all tree removal and retention has been undertaken to ensure consistency is provided in all technical inputs.</p>	<p>Reference: Appendix H</p> <p>Design drawings still show conflict between basement alignments and existing trees to be retained. This will be exacerbated by construction zones. Council reiterates that basement encroachment into the TPZ of existing trees to be retained must be eliminated.</p> <p>For any DA approval (e.g., Stage 1A) the following DA Conditions are required:</p> <ul style="list-style-type: none"> Written confirmation from a Project Arborist to confirm the viability of the trees long term. Specific remedial actions that will be taken to ensure suitable air porosity to existing tree soil areas is guaranteed.
		<p>The applicant submit revised and aligned landscape, civil and architectural plans and examines and compares the number of trees removed and demonstrates ways more mature trees can be retained.</p>	<p>A comprehensive landscaping scheme has been developed by Hassall Landscape Architects to mitigate the loss of trees which includes the planting of new large, medium and small trees.</p>	
		<p>Plans should indicate that the basements must be set down so that trees can be planted at ground level in large contiguous planters with no lightweight soils. Site and building sections</p>	<p>The basement connection between Building A and B has a basement set down of approximately 1.5</p>	<p>Not addressed.</p> <p>See above comments above about the set down of the basement link between buildings in Stage 1A.</p>

Council Submission - Recommendation (November 2021)	Response to Submissions Report (April 2022)	Council Comment (June 2022)	Response to Request for Further Information (December 2022)	Council Comments (February 2023)
		should be provided clearly showing the extent and depth of basement parking under, in particular Mews Street.	metres, which will provide adequate soil volume of soil for tree planting.	
		In order for the proposed avenue of trees wrapping around Mews Street (which will create ample canopy cover and privacy for residents for this environment) to be realised, the current basement and Civil basin positions must be reconsidered. The basement connection between Building A and B should be removed or have a sufficient slab setdown to allow for a 1.8m depth of soil below grade to ensure trees can grow with adequate soil volume to support a large mature tree.	Updated Civil Plans provided by JWP have not relocated the Basin 5 or 6 within the Stage 1A Civil Plans. It is anticipated that the basins will not impact on the future street trees. If DPE require further certainty, a condition of consent could be implemented.	Not addressed. Reference: Appendices J & L Council's concern was the apparent conflict between proposed Mews Street trees and an underground retention basin/OSD basin at location of Basin 4. The applicant has not addressed this concern nor have they addressed the basement set down requirement. Refer comments above.
		The applicant provide updated drawings to relocate or reconfigure the OSD tank, so it does not jeopardise the ability to achieve the proposed landscape (tree planting) design. The current location of the OSD tank conflicts with other delivery commitments of street trees in Mews Street. It will not be suitable to have these trees planted in planter boxes at the side of the (narrow) road.		Not addressed. Refer above comment.
		The building be realigned so the existing trees can be retained in the southwest of the site. The Basement and building encroachment is more than the 10% allowable into the TPZ and sits within the SRZ of existing trees Similarly, the tree next to the end of Winter Street is also impacted by the proposed building.		Not addressed.
		<i>Prior to any Construction Certificate or similar approval:</i> <ul style="list-style-type: none"> Notwithstanding any development approval all Stage 1A public domain alignments, fixtures, materials and finishes for Council parks and footpaths are subject to final Council approval. Submission (to Council) of fully resolved Public Domain Construction Drawings in accordance with the requirement of the <i>Parramatta Public Domain Guidelines (refer PPDG Section 2.3 and 2.4)</i> is required prior to any CC approval. 		Not addressed. Preparation of CC standard documentation for Council approval is considered essential for all proposed construction work in the public domain (roads, infrastructure, footways, and council parks).
		Outline how the proposal complies with the building separation design criteria in the ADG for the proposed buildings and neighbouring properties and provide justification for any non-compliances. (DPE comment)		There are non-compliances with building separation as per the ADG which must be followed to achieve solar amenity and privacy to adjacent residential development. The following separation is required: <ul style="list-style-type: none"> The building separation between Building D and E should be increased from Level 5 and above to a minimum 18m (currently 15.2m) (habitable balcony to habitable balcony). The building separation between Building B and C should be increased from Level 8 and above to a minimum 24m (currently 18.05m) (habitable room to habitable room). Greater separation is needed for the habitable rooms looking onto the internal courtyard of Building B for privacy measures (for example, on Level 4 the separation between some of these apartments is only 5m between habitable rooms. This must be increased to 6m). Building A requires a 9m setback to the eastern boundary in areas with habitable rooms from Level 5 and above. The setback of Building C to the southern boundary must be increased from 11.4m to 12m.

Council Submission - Recommendation (November 2021)	Response to Submissions Report (April 2022)	Council Comment (June 2022)	Response to Request for Further Information (December 2022)	Council Comments (February 2023)
		Amend or justify articulation zones that are non-compliant with the Design Guidelines, noting these should be a minimum of 3m x 3m as measured from façade edge to façade edge. (DPE comment)		The architectural recesses on the following buildings must be amended to a minimum 3m x 3m: Buildings B, C, D and E.
				<u>Soft landscaping</u> The extent of soft landscape area is supported however the proposed large extent of shrub planting in parks and Sturt Street is not acceptable to Council due to future management, maintenance, and operational implications. Please amend the landscape design to provide the following: <ul style="list-style-type: none"> Reduced shrub planting and increased lawn areas in park areas to be dedicated to Council. Max. area of shrub planting 35%. Reduced shrub planting and increase lawn area in Sturt Street footways. Max. area of shrub planting areas approx. 20%.
				<u>Public domain finishes and materials</u> Proposed public domain finishes do not reflect the requirements of the Parramatta Public Domain Guidelines. For example, Council will not accept stone paving on Council footpaths in Sturt Street. In the parks, stone paving can be used sparingly in key areas where people congregate. It should not be used universally. Bins must conform to council's waste management system requirements (TBA).
				Telopea Masterplan envisaged a 9-storey height to the Stage 1A area. Building B and D, at 10 and 15 storeys respectively, is not in line with this vision. As such, any additional height increases are not supported, especially when it results in buildings that exceed the maximum height limit control in PLEP 2011. It is important to manage the height within the Stage 1A area to distinguish it from the denser Core on the other side of Sturt Street and to provide a strong height transition away from the light rail stop and down into the lower-scale suburban areas.
				Stage 1A DA shows 3.1m floor to floor heights in the schedule and elevations, despite mentioning NCC requirement of 3150mm in Clause 4.6. Further clarification as what the floor to floor heights are within Stage 1A is required.
				The Design Report and Clause 4.6 must include lower ground and upper ground levels when discussing the overall height of Buildings (for example, Building E is 9 storeys when including the lower and upper ground levels.)
				Buildings within the Stage 1A Precinct are not considered perimeter buildings and therefore the following building lengths must be reduced to 50m: <ul style="list-style-type: none"> Building E: 58m Building B to Sturt St: 72m

Council Submission - Recommendation (November 2021)	Response to Submissions Report (April 2022)	Council Comment (June 2022)	Response to Request for Further Information (December 2022)	Council Comments (February 2023)
				<ul style="list-style-type: none"> Building C to Mew St: 51m

5 Public Domain

Council Submission - Recommendation (November 2021)	Response to Submissions Report (April 2022)	Council Comment	Response to Request for Further Information (December 2022)	Council Comments (February 2023)
<p>5.1 The public domain plans should be revised in relation to the comments provided in Technical Assessment at Attachment B, including but not limited to the following:</p> <ul style="list-style-type: none"> • Clarification of all public domain works that will be delivered as part the Stage 1 approved DA, • Clarification of public domain works that will be delivered as part the Stage 1 approved VPA Offer, • That the design and documentation meet the requirements as set out in Chapter 2, 2.3 Development Application of the Parramatta Public Domain Guidelines i.e.: o minimum 60% resolved public domain layout design with dimensions, materials, typical details etc., and full resolved alignment plans. • Both the approved DA and VPA layout design and documentation should be fully coordinated and any subsequent adjacent stages (layout plans at 60% resolved design plus preliminary civil engineering design). 	<p>Public domain plans have been updated by Hassell (Appendix M) to reflect Council's comments with the overall design and documentation meeting the requirements as set out in Chapter 2, 2.3 Development Application of the <i>Parramatta Public Domain Guidelines</i>.</p>	<p>Stage 1A - Not addressed, recommended conditions of consent (Stage 1A)</p> <p>In relation to Stage 1A and the public domain – the proposed public domain finishes do not currently reflect the requirements of the Parramatta Public Domain Guidelines (e.g., stone paving on footpaths, street light types, bin types etc.). Therefore, any development consent for Stage 1A must be on the basis that final public domain fixtures, materials and finishes for council parks and footpaths are to be negotiated with, and approved by, Council during detailed design phases as follows:</p> <p><i>Prior to any Construction Certificate or similar approval:</i></p> <p>1. Notwithstanding any development approval all Stage 1A public domain alignments, fixtures, materials and finishes for Council parks and footpaths are subject to final Council approval. Submission (to Council) of fully resolved Public Domain Construction Drawings in accordance with the requirement of the <i>Parramatta Public Domain Guidelines</i> (refer <i>PPDG Section 2.3 and 2.4</i>) is required prior to any CC approval.</p> <p>The following submission information must be provided:</p> <p>a) Detailed finished spot levels and refined contour design for all pavements.</p> <p>b) <u>Longitudinal sections</u>: - Long sections cut along property boundaries. The longitudinal public footpath gradient must remain smooth and continuous. If local level changes are required to suit zero lot building finished floor levels and building entry points the transition must be handled within the private development site.</p> <p>c) <u>Civil cross sections</u> (building to building) at 20m intervals and at critical building interfaces (entries).</p> <p>i) surface levels and falls (refer <i>PPDG Section 2.3</i> for compliance)</p> <p>ii) interface with adjacent buildings (beyond the project boundary line right up to the adjacent building façade) or adjoining surface finish.</p> <p>iii) basement car parking structure under any public domain area if and where appropriate,</p> <p>iv) adjacent building finished floor levels.</p> <p>d) <u>Access design generally in accordance with DDA, AS1428 requirements and to the satisfaction of council's access consultant Access to buildings should be inclusive and equitable. Where steps are provided, graded walkways (min 1:20 grade) should be provided as well. Use of ramps (1:14 grade) should be avoided or minimal.</u></p>	<p>Ref Appendix K – Public Domain Plan</p> <p>The Public Domain Plan at Appendix K requires compliance with Council's Public Domain Guidelines.</p> <p>Nevertheless, some of the proposed conditions can be accepted by FPA prior to an agreement on VPA matters including:</p> <ul style="list-style-type: none"> • Condition 1 (a) – (d) and (h) – (k). • Condition 2 • Condition 4 • Condition 5 • Condition 6 <p>As noted in Condition 1, FPA does not agree to providing revised landscape plans to CoP prior to the commencement of construction works. Plans will remain consistent with the approval, and if changes are required this may require a Section 4.55 modification which will require referral and comment from CoP.</p> <p>Construction drawings will be submitted to and approved by the certifier as provided for under the EP&A Act.</p> <p>In relation to ongoing maintenance, this forms part of the ongoing VPA negotiations between CoP and FPA.</p> <p>Condition 3 is not accepted by FPA as it is intended that the number, species and size of trees proposed is consistent with the stamped plans to ensure the vision of the Telopea CPA is maintained.</p>	<p>Not addressed.</p> <p>The DA drawings do not currently reflect a number of design comments made in June 2022 by Council and should be amended. Amend the design layout to reflect comments made by Council's Public Domain and Open Space teams.</p> <p>The drawings (Appendix K) are lacking sufficient detail for either DA or construction approval. For example - one wall type WA01 (labelled 'stone wall - Adderton Road Link) is shown, however not located on plans. It is unclear what materials are proposed for all the other walls shown in Plaza and Hilltop Parks.</p> <p>The Stage 1 DA public domain plans must clearly reference the requirement to conform to Parramatta Public Domain Guidelines (PPDG) and Council standard construction details for all public domain materials, elements and finishes (i.e., add a note to this effect).</p> <p>Any development consent for Stage 1A must be conditioned (refer Council's submission June 2022) to ensure that final public domain fixtures, materials and finishes for council parks and footpaths are to be negotiated with, and approved by, Council during detailed design phases and prior to CC.</p> <p>Not Addressed</p> <p>The applicant does not agree to provide CC standard civil/public domain documentation for Council approval prior to an approval to construct Stage 1A. These drawings are essential for all public streets and public park construction in Parramatta.</p> <p>The application currently shows a high level of finish provided in the public domain. Council are not in a position to maintain all the nominated elements (e.g. stone pavers), unless the applicant is prepared to offer monetary contribution on annual recurrent basis sufficient to service the higher level of finish. It is noted that Council's requirements are reasonable and provide an acceptable quality standard of public domain.</p>

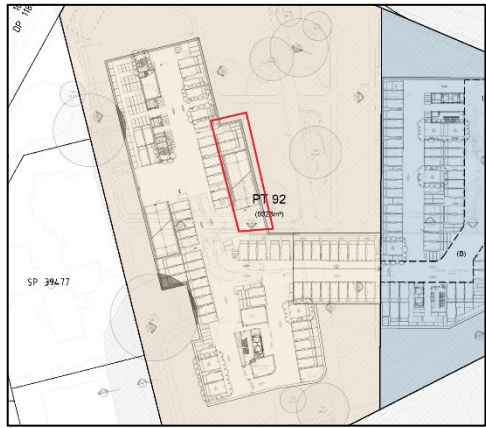
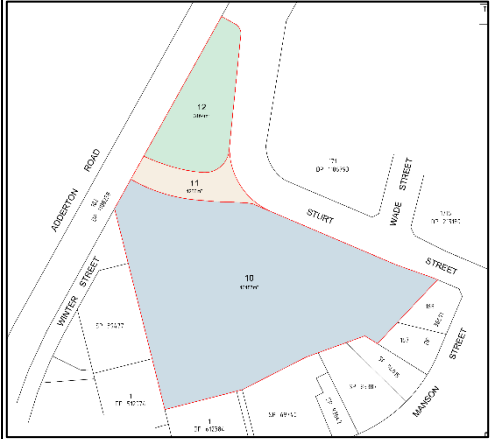
Council Submission - Recommendation (November 2021)	Response to Submissions Report (April 2022)	Council Comment	Response to Request for Further Information (December 2022)	Council Comments (February 2023)
		<p>e) <u>Soil volume calculations</u> demonstrating soil depth and volume compliance to ADG <u>requirements</u> for all plants planted on podium or basement. Soil depth calculations are to be based on soil fill material only - excluding any mulch and drainage layers.</p> <p>f) <u>Furniture Elements</u>: -</p> <p>i) the allocation of fixed bench seat types and other fixtures and fittings according to detailed design. Seats and benches with backrests and arm rests at minimum 30- 50 distances are required for the Light Rail Plaza Park. Additional benches and seats without backrests and armrests are permitted.</p> <p>ii) Seats and benches to be accessible and comfortable, robust and vandal-proof with strong frames and battens, and materials must be to Council approval. For seats, benches and all other elements refer to the requirements of the PPDG (Sections 5.2).</p> <p>iii) Bin type – must conform to Council's waste management collection system requirements – to be resolved with Council officers.</p> <p>iv) Fixing details for all proposed furniture elements must be provided.</p> <p>g) <u>Unit Paving</u>:</p> <p>i) Construction details in accordance with the relevant Council Standard details – DS 40-45 (except paving layout which may vary).</p> <p>ii) Jointing plans showing the co-ordination of all construction joints in the upper slab with the stone unit paving jointing over must be included.</p> <p>iii) For all unit paving areas - detailed paving layout and set-out plans are required to resolve detailed paving orientation/alignments and to minimise cut pavers at pram ramps, driveways and other fixtures.</p> <p>h) <u>Inlet pit lids and frames</u> - High quality, heel safe, Class C load capacity is required for all pedestrianized areas. Cast iron or stainless-steel finishes should be included in unit paved areas. Drainage grates on an accessible path of travel and within common areas are to have slots or circular openings with a maximum width of 13mm. Slots are to be laid with the long dimension at right angles to the paths of travel.</p> <p>i) <u>Infill pit lids</u> – to match surrounding pavement type with no concrete surround in unit paved areas.</p> <p>j) <u>Lighting levels</u> – to meet AS1158.3 design requirements.</p> <p>k) <u>Street light poles</u> – Endeavour Energy standard galvanised steel poles. Alignment and set- out to be shown.</p>		

Council Submission - Recommendation (November 2021)	Response to Submissions Report (April 2022)	Council Comment	Response to Request for Further Information (December 2022)	Council Comments (February 2023)
		<p>l) <u>Trees</u> – confirm proposed street tree strategy and species.</p> <p>The submission is required to be submitted to Council for approval prior to the issue of the relevant Construction Certificate. The submission is to be provided to and approved by Council's Group Manager of Development and Traffic Services Unit (DTSU).</p> <p>Reason: To ensure achievement of high-quality public domain, which will be the long-term assets of Council, are compliant with Council standards and policies.</p> <p>m) Pre and post sealant applications are required for all stone pavements prior to the issuing of any Occupation Certificate by Council. A natural look penetrating sealant is to be specified. The applicant will need to provide test results (after applying paving sealant) to prove all pavement material and finishes used in Telopea are non-slip surfaces that comply with a V5 rating (according to AS4586:2013) in both wet and dry conditions. Details of this are to be provided to Council for its records.</p> <p>Reason: to ensure a consistent sealant treatment of stone pavement is used across Council's public domain assets.</p> <p>n) Notwithstanding any approval of DA drawings, the number, species, and size of trees proposed for Council owned public places is subject to Council review and refinement in consultation with Council officers. Final tree species for public streets and parks to be approval by Council.</p> <p>o) All trees supplied must be grown in accordance with AS2303:2018 (Tree stock for landscape use). Certification is to be forwarded to the Principal Certifying Authority upon completion of the planting, certifying the trees have been grown in accordance with AS2303:2018. A copy of this certificate is to be forwarded to Council with the relevant Occupation Certificate. The requirements for height, callipers and branch clearance for street trees should be in accordance with AS2303:2018.</p> <p>Reason: To minimise plant failure rate and ensure quality of stock utilised.</p> <p>p) A structural pavement system is required around proposed trees in paved areas in the public footway and publicly accessible pedestrian areas to mitigate against soil compaction and to maximise aeration and porosity in the tree root zone. Suitable systems include suspended concrete slabs or structural cells such as strata cells. Granular structural soil is not acceptable. Tree grates may be required depending on the detailed design of the selected pavement structure system. The base of all tree pits will need to incorporate a drainage layer and pipe that connects to nearest stormwater pit and must be shown on the Public Domain Construction Drawings. The invert level of the storm water pit receiving the drainage water from the tree pits is also to be shown</p>		

Council Submission - Recommendation (November 2021)	Response to Submissions Report (April 2022)	Council Comment	Response to Request for Further Information (December 2022)	Council Comments (February 2023)
		<p>on the Public Domain Construction Drawings. Documentary evidence of compliance with these requirements is to be confirmed in the Public Domain Construction Drawings and submitted to and approved by Council's DTSU Manager prior to the issue of the relevant Construction Certificate.</p> <p>Reason: To ensure high quality street trees are provided.</p> <p>q) An automatic irrigation system is to be provided to all trees and understorey planting in parks and streets. Irrigation design information is to be provided in the Public Domain Construction Drawings.</p> <p>Reason: To provide best conditions to achieve healthy, thriving, long-lived trees in Telopea.</p>		
		<p>Concept Area – The Core – Not addressed</p> <p>Council's concerns in relation to the public domain have not been addressed by the RTS, specific concerns relate to:</p> <p>a) Inconsistencies - The drawing sets provided in the RTS show inconsistencies which indicate the design is still not final and/or fully coordinated across disciplines. For example, proposed tree retention and proposed public open space (ref Appendices E & L).</p> <p>b) Lack of adequate information - The orderly delivery of land development via separate DAs in the Core Area relies on rigorously resolved holistic master planning and certainty of site wide design outcomes to inform assessment of incremental DAs submissions. Therefore, clarity is required in relation to the proposed building levels, stormwater design, deep soil, groundwater movement, tree canopy networks, legible side wide strategies (WSUD, services, dual reticulation, cycle and bus connections), ground level setbacks and consistent and legible public domain outcomes. Detailed levels interfaces between sites need to be addressed now so that potential problems and undesirable outcomes are not forced down the line for surrounding development. For example, typical street sections shown at Appendix I are depicted flat which does not realistically convey complex site and project conditions. This level of information is not satisfactory to support future assessment of individual DA's</p> <p><i>Information requirements</i></p> <p>1. Additional design documentation is required to satisfactorily support future incremental delivery of land via separate development applications for the Core including:</p> <p>a. <u>Site wide bus, pedestrian, and cycle connection strategy diagrams.</u></p> <p>b. <u>Whole of street front and rear building setbacks diagrams.</u></p> <p>c. Diagram clarifying proposed road reservations, carriageway, and footway (kerb to boundary line) widths for all streets.</p> <p>d. <u>Site-wide deep soil/basement plan diagram</u> confirming deep soil setbacks at front and rear of lots (coordinated with the building setback diagram).</p>	<p>Ref Appendices B, F, and L & Proposed Civil Drawings G</p> <p>Refinements to all plans have been undertaken to ensure consistency across all documentation and to provide an adequate level of detail is provided across the Telopea CPA.</p> <p>To provide the level of detail requested by CoP would require full detailed DA level documentation for the entirety of the Telopea CPA Core Precinct.</p> <p>Given that concept approval is sought for the Core Precinct, and not detailed DAs it is not considered appropriate administration of planning approvals at this stage to provide additional detailed plans, which will be subject of a further detailed development application. It is considered that sufficient detail has been provided to progress the assessment of the Concept DA. It is acknowledged that further documentation will be required for each subsequent DA and be appropriately included within each further DA, to at least the level of detail included in the detailed design for the Stage 1A development.</p> <p>FPA invite suitable conditions requiring an appropriate level of detailed information related to the public domain for subsequent development applications for each stage of development, as outlined in the CoP submission.</p>	<p>Not addressed</p> <p>Council does not consider that the relevant information has been submitted to satisfy Council's requirements.</p> <p>In the event that DPE are of the mind to approve the application, Council strongly recommends that any consent requires that a comprehensive subdivision and early works DA be lodged (and approved) for all streets and public places prior to any individual development block DA lodgement. This is required to ensure the orderly development of The Core and consider holistically the topography, built form, streets and public domain outcomes to inform future development applications.</p>

Council Submission - Recommendation (November 2021)	Response to Submissions Report (April 2022)	Council Comment	Response to Request for Further Information (December 2022)	Council Comments (February 2023)
		<p>e. <u>Indicative building finished floor levels</u> to inform assessment of interfaces between submitted DAs and future undeveloped sites.</p> <p>2. A comprehensive subdivision DA submission for all streets and public places in the Core Area to inform assessment of incremental development applications (to be approved before any single site DA approval can be made) including the following:</p> <ul style="list-style-type: none"> o Full engineering grading plans (already provided). o Integrated services designs. o Regular street cross sections at 20m intervals for all streets showing existing and proposed levels and interface to the adjacent properties (minimum 5m) showing indicative, not typical, sections. o Longitudinal sections o Existing trees fully contained within contiguous deep soil zones (i.e., full drip line). o Public Domain finishes and embellishment in accordance with the requirement of the Parramatta Public Domain Guidelines (refer Chapter 2 for submission requirements and Chapters 3 to 6 for design requirements). o Soil strategy <p>Refer Appendix B for recommended design controls relating to the Concept Area – The Core and Precincts</p>		
5.2 Public domain improvements directly adjacent to the development sites should be included as Conditions of Consent of any approval and not be part of local constrictions or the VPA.	This is not agreed to by the Proponent. The proposed public domain improvements are considered well above the average streetscape expectations for a residential development. Overall, the streets have been designed to have noticeable public benefits	<p>Not addressed, recommended conditions of consent as above</p> <p>As per Council's submission, upgrades to the public domain are delivered via a condition of an approved development application and extends from the site boundary and or building entry to the kerb and for the full length of the site's street(s) frontage. Public domain works beyond the approved DA scope of work are typically delivered by the Planning Agreement.</p>	<p>The proposed public domain improvements are considered well above the average streetscape expectations for a residential development. Overall, the streets have been designed to have noticeable public benefits and are critically important to the overall public domain strategy for the Telopea CPA (refer to Appendix F). Public domain improvements include street furniture, public art installations, cycle ways and generous street tree planting for connected canopies and shade.</p> <p>The benefit of a single 'Master Plan Developer' for a precinct such as Telopea undergoing significant planned urban renewal is that the public domain standard is set at a high standard for a large area of the Telopea precinct.</p>	It is clarified that Council is seeking to confirm that part of any development consent for Stage 1A or future detailed DAs for the Concept Area, that it is a conditioned requiring upgrade to the public domain (footpath and verge) as part of the development in accordance with the Parramatta Public Domain Guidelines.

6. Open Space

Council Submission - Recommendation (November 2021)	Response to Submissions Report (April 2022)	Council Comment	Response to Request for Further Information (December 2022)	Council Comments (February 2023)
6.1 A plan of for all proposed open space to be dedicated to Council should be submitted which clearly indicates the extent of dedication to Council and aligns with the proposed subdivision plan, landscape and basement plans. All open space to be dedicated to Council shall demonstrate that there is no basement encroachment.	A Dedication Plan (DA01.MP.11 Rev 2) was prepared by Hassell. This plan has been amended to reflect the refinements to the design as part of the Submissions Report Package and can be found enclosed in Appendix T.	<p>Partially addressed, subject to inclusion of Council's recommended conditions</p> <p>Council is satisfied that there is no basement encroachment under the Neighbourhood park.</p> <p>Appendix S – Subdivision Plans are inconsistent with Appendix T, whereby separate lots are not shown for the neighbourhood park, arrival plaza or pocket parks on Shortland and Sturt Streets. Council requests that revised Subdivision Plans are resubmitted, however if DPE wish to proceed without amended plans, Council recommends the following be conditioned as part of any future approval for the SSD Application:</p> <ul style="list-style-type: none"> In relation to Stage 1A <ul style="list-style-type: none"> All land to be dedicated to Council should be shown on a Subdivision Plan as a separate lot (should also be zoned as RE1 to reflect intended landuse), including the: <ul style="list-style-type: none"> Neighbourhood Park; and Arrival Plaza. In relation to Concept Plan area: <ul style="list-style-type: none"> All land to be dedicated to Council should be shown on a Subdivision Plan as a separate lot (should also be zoned as RE1 to reflect intended landuse), including the: <ul style="list-style-type: none"> Sturt Street Pocket Park; Shortland Street Pocket Park; Community courtyard (between New Marshall Road and Wade Lane) 	<p>These recommendations are acknowledged.</p> <p>A Dedication Plan (DA01.MP.11) has been prepared by Hassell as part of the previous Submissions package. Given that VPA negotiations are ongoing, noting the progress made to date, an agreed final dedication plan will be provided, if changes occur.</p> <p>A suitably worded condition of consent on the Concept Plan approval could require submission of any such plan prior to submission of the next development application (post Stage 1A), noting that it would need to reflect the status of VPA negotiations at that time.</p>	<p>Not addressed</p> <p>Stage 1A latest subdivision plans indicate the encroachment of basement carparking into the Hilltop (Neighbourhood) Park. Carparking must be reconfigured to ensure all land dedicated to Council is deep soil and free from encumbrances. An adequate buffer zone must be provided between public open space and stratum below. Council will not accept land dedication above basement levels.</p>  <p>Stage 1A latest subdivision plan only provides a separate lot for the Arrival Plaza (Lot 12). As the Hilltop (Neighbourhood) Park is to be delivered to Council as part of Stage 1A it also requires a separate lot on the subdivision plan (Part Lot 10). <i>Note that the Arrival Plaza comprises a significant portion of road reserve (Sturt Street) that is inconsistent with the intended public park purpose.</i></p> 
6.2. Council design recommendations shall be incorporated for the Neighbourhood Park and Arrival Plaza prior to any approval and VPA agreement as outlined in	This is noted by the Proponent and forms part of current VPA negotiations. As part of the refined design, it is confirmed that a 2,200sqm Hilltop Neighbourhood Park is proposed to be dedicated	<p>Partially addressed, subject to inclusion of Council's recommended conditions</p> <p>In relation to the Arrival Plaza, Council supports the majority of design amendments. Council recommends the following be conditioned as part of any future approval for the Light Rail Arrival Plaza:</p>	<p>FPA does not agree to providing revised landscape plans to CoP prior to the commencement of construction works. Plans will remain consistent with the approval, and if changes are required this may require a Section 4.55 modification which will require comment from CoP.</p> <p>Construction drawings will be submitted to and approved by</p>	<p>Not addressed</p> <p>A detailed response to requested design amendments has not been provided and the updated plans do not appear to satisfactorily address previously specified requirements for the Arrival Plaza and Hilltop Park (refer June 2022 Council submission).</p>

Council Submission - Recommendation (November 2021)	Response to Submissions Report (April 2022)	Council Comment	Response to Request for Further Information (December 2022)	Council Comments (February 2023)
the Technical Assessment at Attachment B.6	to Council. In response to Council's comments on the Hilltop Neighbourhood Park – <i>lists a number of changes.</i>	<ul style="list-style-type: none"> Prior to any construction works commencing or the issuing of a Construction Certificate, a revised landscape plan and construction drawings be submitted to Council. The plans must be prepared by a suitably qualified designer and submitted to Council for approval by the Manager Open Space & Natural Resources or delegate. The landscape plan must address Council's concerns (but not be limited to) the following: <ul style="list-style-type: none"> a) Consolidation of the garden beds and 'opening up' the centre of the park by expansion of the lawn area and redesigning the pathway network; b) Removal of the pump track, c) Inclusion of detailed design drawings that will be used for construction, d) Reconfiguration of the playground and multi-use court to avoid conflict with any shade canopy structure and garden beds, e) Landings need to be provided at the top of all stairs, f) Tree protection measures consistent with conditions of this development consent. g) All dedicated open space will require a minimum 2 year maintenance period by the applicant following completion of each stage <p>In relation to the neighbourhood park, Council supports the majority of amendments to the design including the inclusion of shelters, BBQ facilities and benches and removal of water feature. Council requests the following be conditioned as part of any future approval for the Hilltop Neighbourhood Park:</p> <ul style="list-style-type: none"> Prior to any construction works commencing or the issuing of a Construction Certificate, a revised landscape plan and construction drawings be submitted to Council. The plans must be prepared by a suitably qualified designer and submitted to Council for approval by the Manager Open Space & Natural Resources or delegate. The landscape plan must address Council's concerns (but not be limited to) the following: <ul style="list-style-type: none"> Increase turfed areas / reduce garden beds to maximise useable open space and reduce ongoing maintenance burden Removal of all play equipment, Include detailed design drawings that will be used for construction, Tree protection measures consistent with conditions of this development consent. All dedicated open space will require a minimum 2 year maintenance period by the applicant following completion of each stage 	<p>the certifier as provided for under the EP&A Act.</p> <p>As noted above, the FPA does not agree to providing revised landscape plans to CoP prior to the commencement of construction works. Plans will remain consistent with the approval, if changes are required this may require a Section 4.55 modification which will require comment from CoP.</p> <p>Council's request for a 2 year maintenance period is contradictory to more recent feedback received from Council requesting oncosts be excluded from the VPA.</p> <p>Notwithstanding this, FPA maintains the VPA negotiations are ongoing and are pending Council's consideration of the Revised Letter of Offer at the upcoming November 2022 Council meeting. In the event that the VPA is not executed prior to determination of the Stage 1A Project Application, suitably worded conditions could be utilised to formalise an appropriate maintenance arrangement.</p>	<p>Submitted landscape and public domain plans lack clear identification of amendments in response to previous Council comments. Any changes are to be visibly 'marked-up' consistent with architectural plans, i.e., red bubbles, to facilitate detailed review.</p> <p>As the previously identified design issues have not been satisfactorily resolved, submission of revised plans for subsequent Council approval prior to issue of a Construction Certificate is critical to ensure that embellishment works are delivered in accordance with Council requirements. This is consistent with conditions imposed for other development sites where land is to be dedicated to Council as future landowner responsible for the ongoing maintenance burden in perpetuity.</p>

Council Submission - Recommendation (November 2021)	Response to Submissions Report (April 2022)	Council Comment	Response to Request for Further Information (December 2022)	Council Comments (February 2023)
6.3 The community/ library courtyard space shall increase in size to include Church courtyard and removal of Sturt St pocket park.	This is noted by the Proponent and forms part of current VPA negotiations.	Not addressed Refer Section 7.2 of original submission.	Drawing number DA01.MP.110 in the Concept Proposal Drawings pack prepared by Bates Smart clearly identifies land proposed to be dedicated to Council and land proposed to be dedicated to LAHC.	Not addressed.
6.4 Council supports a public shareway or laneway between New Marshall Road and Benaud Lane.	This is noted by the Proponent.	Not addressed, request amended plans or recommended conditions of consent As outlined in Council's submission, Council does not support open space between New Marshall Road and Benaud Lane for a number of reasons. A better outcome for this area is to maintain it as a public shareway or laneway dedicated to Council to reflect its primary 'access' purpose and accommodate additional street parking. <u>Council requests that the applicant submit revised drawings to reflect this or the DPE condition this as part of any approval.</u>	As outlined in Section 2.1.2 of this report, FPA's offer to fully fund a regional library is wholly contingent on open space across the Telopea CPA, and particularly the Eyles Street Pedestrian Link, being dedicated to Council. FPA maintains (with the support of the State Design Review Panel) that open space is a superior amenity outcome than the road based outcome Council is seeking to secure in this location. Notwithstanding this, to ensure VPA discussions progress, FPA would consider removing the lower two portions of the Eyles St Link between Manson St and Benaud Lane from the VPA and would seek to retain these portions in private ownership to ensure high quality open space is achieved for the Telopea CPA. FPA would accept a suitably worded condition to formalise this arrangement. FPA is not prepared to reduce the open space provision across the site. Accordingly, FPA concurs with Council that DPE would need to impose a condition on any future approval should it form the view that the land in question should be prioritised primarily for access purposes over an open space purpose. In doing so, DPE should satisfy itself that the introduction of vehicular movements in this part of the site can be supported on traffic grounds.	Not addressed, request amended plans or recommended conditions of consent Council is not supportive of land between Manson St and Benaud Lane to be dedicated to Council as open space due to poor amenity and limited capacity for recreational use. It is not clear to Council how this could be a well-designed open space which would provide amenity to residents and meet DDA compliance. Council reiterates its preference for the lower two portions of the Eyles St Link to be dedicated to Council as a pedestrian link, shareway or laneway to reflect their primary purpose.

7. Traffic and Transport

Council Submission - Recommendation (November 2021)	Response to Submissions Report (April 2022)	Council Comment (June 2022)	Response to Submissions #2 (November 2022)	Council Comment (February 2023)
7. Traffic and Transport				
7.1 That the Stage 1A scheme be 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: <i>"Councils may wish to reduce this requirement for buildings located in close proximity to public transport, or where short-term unit leasing is expected."</i> Telopea qualifies for such consideration, being immediately adjacent to the new Parramatta Light Rail (PLR) stop that is also well supported by bus services.	Not addressed The visitor parking shortfall has not been addressed. Refer to Council Submission, Section 8.2 Parking and Access for original comment. Council considers that those centres which qualify for reduced visitor parking rate are generally those strategic or major centres with significant interchanges such as the Parramatta CBD or Epping, not Telopea. Council Officers are aware there are significant issues currently within Telopea arising with existing residents and a high demand for on-street car parking due to increasing number of residential flat building development and insufficient visitor car parking.	The visitor parking shortfall was addressed in Section 5.7 of the Submissions Report and the Addendum Traffic and Parking Statement prepared by ASON. In summary, 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 TfNSW (formerly RMS) Guide states the following: CoP may wish to reduce this requirement for buildings located in close proximity to public transport, or where short-term unit leasing is expected." 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 use is generally supported by the SDRP.	Not addressed The visitor parking shortfall has still not been addressed. As per previous Council comments in June, centres that qualify for reduced visitor parking rates are generally those strategic or major centres with significant interchanges such as the Parramatta CBD or Epping, not Telopea. Council Officers are aware there are significant issues currently within Telopea arising with existing residents and a high demand for on-street car parking due to increasing number of residential flat building developments and insufficient visitor car parking. It is further noted that the streets within Telopea are narrow with limited opportunity for on-street parking. As such, on-street parking cannot be considered for reducing the visitor parking rate.
7.2 Stage 1A must prepare a Construction Pedestrian and Traffic Management Plan (CPTMP), including management of construction worker vehicles and parking, prior to the commencement of the works in consultation with Council's Traffic and Transport Manager.	This is accepted by the Proponent and is recommended as a condition of consent.	Addressed as condition of consent	No further comments	Addressed as condition of consent
7.3 Stage 1A and all future development stages of the Concept Plan submit a Green Travel Plan.	This is accepted by the Proponent and is recommended as a condition of consent.	Addressed as condition of consent	No further comments	Addressed as condition of consent
7.4 That Stage 1A be amended to remove car parking access via Winter Street and sole basement car park access be via new internal road.	An amended parking access has been provided as part of the overall refinements to the project.	Addressed		

Council Submission - Recommendation (November 2021)	Response to Submissions Report (April 2022)	Council Comment (June 2022)	Response to Submissions #2 (November 2022)	Council Comment (February 2023)
7.5 Incorporate Council recommended amendments (detailed in Attachment B) to proposed road network changes and either be agreed with Council Officers prior to development approval being granted or conditions be imposed requiring Council endorsements of amended plans prior to construction commencing.	In response to the traffic recommendations from Council, a list of refinements are proposed.	<p>Recommended amendments to Stage 1A - Not addressed</p> <p>In Council's submission, Attachment B, Section 7.1, detailed traffic comments were provided on Stage 1A in relation to the following matters:</p> <ul style="list-style-type: none"> <i>Raised Crossings</i> <i>Pedestrian Refuge Islands</i> <i>Cycleways</i> <i>Parking Bays</i> <i>Wade/Mews/Sturt Intersection Design and Mews Street General Comments</i> <i>Adderton Road</i> <i>Other intersections</i> <p>These matters have not been addressed and remain outstanding.</p>	The level of detail provided in the updated civil plans is appropriate for this DA stage. Detailed plans will be provided in accordance with development consent conditions to the certifier for the relevant construction certificate.	<p>Not addressed</p> <p>The following must be addressed as part of the application:</p> <ul style="list-style-type: none"> - Raised Crossings: Information needs to be provided regarding forecasted pedestrian volumes to provide evidence that Council's warrants for pedestrian crossings will be met. If the warrants are not met, the proposal may need to be revised which could affect the geometry of the road reserve area and have wider implications. - Pedestrian Refuge Islands: A sightline assessment must be carried out as per previous comments to ensure location is safe. The lane widths has been addressed. - Cycleways: Previous comments have not been addressed such as having a 3m shared path on the southern verge of New Link Road which is to have priority crossing over Mews Street. The western path of Mews Street should be a shared path/step free access is to be provided on the main alignment of the Manson Street connection as per Public Domain plan p33. Evans Road should include an uphill bike lane, and PS-2 logos in lane for downhill mixed traffic.. - Parking Bays: An inadequate supply of on-street parking spaces have been provided near the light rail stop. - Wade/Mews/Sturt Intersection Design and Mews Street General Comments: The swept paths for a 12.5m HRV turning left from and into Mews Street is not acceptable as the vehicle is crossing the centrelines which is against NSW Road Rules. Accordingly, the intersection geometry needs to be revised further to ensure the design vehicle does not cross the centrelines.
		<p>Recommended amendments to Telopea Concept Plan Area – Not addressed. In Council's submission, Attachment B, Section 7.2, Council provided detailed traffic comments on the Telopea Concept Plan Area. These matters have not been addressed and remain outstanding. The following comments are provided:</p> <p>A Warrant Assessment has not been undertaken for the provision of Traffic Control Signals. This is not acceptable to Council. A warrant assessment must be undertaken prior to approval of this development as this will have significant design implications. All traffic signals proposed at intersections are subject to meeting TfNSW's warrants (ref. TfNSW Traffic Signal Design Guide Section 2 Warrants).</p>		<p>Not addressed.</p> <p>Within NSW, all Traffic Control System (TCS) fall under the jurisdiction of TfNSW. Considering that none of the proposed TCS meet TfNSW warrant assessments is a concern due to the road safety and traffic implications they will have if they are not installed.</p> <p>Alternative treatments may not be possible to install at later stages of the development, such as roundabouts, due to the geometric constraints which is an added concern.</p>




Council Submission - Recommendation (November 2021)	Response to Submissions Report (April 2022)	Council Comment (June 2022)	Response to Submissions #2 (November 2022)	Council Comment (February 2023)
		<p>Approval will also need to be obtained from Council and TfNSW under Parramatta's Traffic Committee process.</p> <p>Although the kerb returns at intersections have been revised to accommodate vehicles, the approach taken at Sturt/Marshall/Manson where the right turn bays have been removed is not acceptable. Furthermore, it is noted that an amended SIDRA model was provided for the Sturt/Marshall/Manson intersection, however:</p> <ol style="list-style-type: none"> A Phasing Summary must be provided for further review It is considered likely that these signals will be linked with the one at Adderton/New Link Road intersection due to its close proximity. The SIDRA model should be amended to link to the signals at Adderton Road and cycle time also needs to be amended to 120 seconds. It is unclear whether pedestrian protection on all approaches has been accounted for in the model. <p>The lack of right turn bays particularly on Sturt Street will cause delays and queuing at this intersection which can also adversely impact Adderton Road/New Link Road intersection. Pedestrian protection on all approaches will result in all vehicles being blocked should a vehicle be wanting to turn left or right at the stop line due to the red arrow hold. Any right turning vehicles filtering through the intersection will also block any through/left turning movements. These can all increase delays and queuing on Sturt Street/New Link Road which is part of a bus route.</p>		<p>On this basis, the proposed development cannot be supported on Traffic grounds unless an in principle agreement between the developer and TfNSW can be reached for the TCS.</p> <p>Alternatively, the developer is to explore other treatments which ensure satisfactory Loss of Service (LoS) at intersections within the development area and addresses the safety concerns such as sight lines at the intersection of Adderton Road and Mason Street and cross traffic conflict at the intersection of Mason Street and Sturt Street. Treatments options may include installing roundabouts with raised pedestrian crossings at the following intersections:</p> <ul style="list-style-type: none"> Adderton Street/Manson Street Manson Street/Sturt Street Shortland Street/Evans Road <p>Further to this, concerns are raised in regards to the proposed New Link Road and the queueing in Adderton Road which extends back and effects the intersection of Adderton Road and Robert Street. This concern has not been adequately covered within the Traffic Modeling report and further information is required. Primarily, the report is to be revised to consider and model further options which include but are not to be limited to the following:</p> <ul style="list-style-type: none"> Relocating the existing midblock pedestrian signals in Adderton Road south and to the intersection with Robert Street. Works should include a dedicated right turn lane in Adderton Road. Installing a 'No Right Turn' restriction in Adderton Road to the New Link Road. Consideration is to be given to deleting the New Link Road from the proposal to improve traffic flow in Adderton Road in addition to improvements to be made at the intersection of Robert Street and Adderton Road. <p>Council must review any revised link plans as soon as practicable in order to address these concerns.</p> <p>In regards to the proposed widening of Sturt Street at Kissing Point Road, Council is supportive of the proposal</p>

Council Submission - Recommendation (November 2021)	Response to Submissions Report (April 2022)	Council Comment (June 2022)	Response to Submissions #2 (November 2022)	Council Comment (February 2023)
				however, it is to be noted that funding will be a matter for the State Governments consideration.
		A preliminary signs and line marking plan has been provided. This is acceptable, however approval will be required post development through the Traffic Committee process and the following minor corrections addressed: a) Plans should be amended to show what parking restrictions are proposed. b) 'Give Way' signs at a number of intersections appears to be set too far back from the intersection (e.g. Sturt Street, Wade Street, Marshall Street, etc.) c) 'No Stopping' signs at some intersections are missing the arrow pointing to the other side. This is to be amended. d) At Adderton/New Link Road intersection, it is recommended a 'Do Not Queue Across Intersection' sign be installed on New Link Road on approach to the signals to advise drivers to not queue across the light rail track. e) At New Link Road/Sturt/Mews intersection, an additional 'No Entry' and 'Left Only' sign should be installed on the western side of Mews Street f) The inconsistencies noted in the landscape plans have still not been resolved and should be addressed prior to approval.		Can be addressed as part of DA conditions
		Eyles Street Pedestrian Spine - Not addressed The Civil Plans show raised thresholds at all intersecting roads through the Eyles Street Pedestrian Spine. Raised thresholds should not be provided unless they are signposted and linemarked as raised pedestrian crossings and meet the relevant design standards (AS 1742.13, Austroads Guide to Road Design Part 4 and Austroads Guide to Traffic Management Part 8). Furthermore, The Traffic Report still does not comment on the forecasted pedestrian volumes to confirm if Council's interim warrants will be met as stated in Council's previous submission. Should the pedestrian volumes be too low, alternative pedestrian facilities through the Eyles Street Pedestrian Spine would need to be explored. These matters should be addressed prior to approval being granted.	The pedestrian refuge and kerb ramp on Shortland Street has been removed from the refined scheme. To ensure the intersection can accommodate 12.5 HRVs, swept path analysis has been prepared by JWP as part of the refined Civil Plans.	Not addressed The Civil Plans are now showing at-grade thresholds at all intersecting roads through the Eyles Street Pedestrian Spine which has not addressed Council's previous comments. It is noted that at-grade thresholds must not be installed at any location where pedestrians or motorists may confuse these devices as a pedestrian crossing. The forecasted pedestrian volumes along Eyles Street pedestrian spine and at other locations where pedestrian priority crossings are proposed are still required and need to be provided. Should the pedestrian volumes be too low to meet Council's warrants for pedestrian crossings, alternative pedestrian facilities will need to be explored.
		Bus Stop and Parking – Not addressed Please refer to Council's submission, Attachment B, Section 7.2 . These matters have not been addressed and remain outstanding, except for Council's recommendation below which has generally been agreed to by the applicant. This recommendation should be provided as a condition with any DA approval:		Not addressed The previous issues regarding Bus Stop identified within Council's submission, Attachment B, Section 7.2 have not been addressed and remain outstanding. These concerns may have impact on the geometry of the road and therefore

Council Submission - Recommendation (November 2021)	Response to Submissions Report (April 2022)	Council Comment (June 2022)	Response to Submissions #2 (November 2022)	Council Comment (February 2023)
		<p>'All parking bays are to have time restricted parking to ensure that residents do not park in these spaces all day and that visitors have places to park. The parking bays are also not to be line marked as this restricts capacity. The parking bays are to be designed in accordance with AS2890.5-2020.'</p>		<p>should be addressed prior to development approval.</p>
		<p>Wade Street – Not addressed The Civil plans have been adjusted to have the median island in Wade Street start after the pedestrian crossing points at Sturt Street and Shortland Street. This is not a desirable approach as pedestrians will use the projection of the median island as a make-shift refuge island which is not safe. The design for Wade Street will need to be revised to ensure that if a median island is provided in the road that refuge islands which comply with TfNSW Technical Directions are integrated into it.</p> <p>Furthermore, the location of the crossing point in Wade Street at Shortland Street is well clear of the pedestrian desire line. As such, it is unlikely for pedestrians to use this facility and are more likely to cross the road closer to Shortland Street in their direct path of travel. As noted above regarding the revised positioning of the median island on Wade Street, the approach taken to resolve this concern is not acceptable. Refuge islands provided on Wade Street should comply with TfNSW Technical Directions.</p>	<p>The current median island is 2 metres wide which can comply with TfNSW Technical Direction.</p>	<p>Not addressed This item has not been addressed and remains outstanding. As noted previously, the median island does not extend up to the crossing point and pedestrians may use the projection of the median island as a pedestrian refuge island which may create a safety concern. The intersection design will need to be updated to address these concerns prior to development approval.</p>
		<p>Evans Road – Not addressed It is still unclear when the staged upgrades at Pennant Hills Road and Evans Road intersection will occur and the proposed construction timeline. As mentioned previously, this intersection is considered critical to provide improved regional connections to the growing Telopea precinct and priority should be given at this location.</p>	<p>The timing of the staged upgrades to Pennant Hills Road and Evans Road, which were identified as a required future upgrade within the wider network upgrades during the rezoning of the Telopea Precinct, are subject to TfNSW review and assessment.</p>	<p>Not addressed This item has not been addressed and remains outstanding. It is noted that this item requires TfNSW review and assessment, however, given that it is critical to provide improved regional connections to the growing Telopea precinct, this information needs to be provided prior to development approval and Council must be satisfied with the timing of the delivery of the proposed TCS.</p>
		<p>SIDRA Modelling – Not addressed Evans Road and Shortland Street intersection SIDRA modelling:</p> <ul style="list-style-type: none"> Proposed signalisation will impact parking and access for the local residents and businesses in this area. Consultation is required with the affected residents and businesses. It is unclear why a pedestrian refuge island is proposed on Shortland Street, east of Benaud Lane given that there is a signalised pedestrian crossing approx. 40m east of this location. It is recommended that this refuge island be removed to encourage pedestrians to use the signalised crossing. Note that the pedestrian refuge will also need to meet the relevant warrants. A kerb ramp is required on the northern side of Shortland Street, west of Benaud Lane 	<p>Evans Road and Shortland Street intersection</p> <p>The pedestrian refuge and kerb ramp on Shortland Street has been removed from the refined scheme. To ensure the intersection can accommodate 12.5 HRVs, swept path analysis has been prepared by JWP as part of the updated Civil Plans.</p> <p>Adderton and Manson Street intersection</p> <p>As part of the proposed Concept DA, traffic signals are proposed for the following intersections:</p> <ul style="list-style-type: none"> Adderton Road/ New Link Road 	<p>Not addressed</p> <p>Evans Road and Shortland Street intersection It is noted that TfNSW warrants for TCS at this intersection have not been met. Should TfNSW not approve TCS at this location, the road/intersection design may need to be revised to include the construction of a roundabout with raised pedestrian crossings.</p> <p>Adderton and Manson Street intersection It is noted that TfNSW warrants for TCS at this intersection have not been met. Should TfNSW not approve TCS at this location, the road/intersection design may</p>

Council Submission - Recommendation (November 2021)	Response to Submissions Report (April 2022)	Council Comment (June 2022)	Response to Submissions #2 (November 2022)	Council Comment (February 2023)
		<ul style="list-style-type: none"> These signals will also need to meet TfNSW traffic signal warrants and approval from TfNSW. The intersection is to be designed to accommodate 12.5m HRVs. <p>Adderton Road and Manson Street intersection SIDRA modelling:</p> <ul style="list-style-type: none"> There are concerns with sight distance to these signals for SB vehicles on Adderton Road due to the bend over the railway bridge. It is recommended that 'Prepare to Stop Traffic Signals' with flashing lanterns be installed on approach to these signals to increase driver awareness. This will require consultation with affected residents and businesses. There appears to be insufficient footpath widths behind the kerb ramps on Manson Street. 	<ul style="list-style-type: none"> Sturt Street/ Manson Street Evans Road/ Shortland Street <p>A traffic warrant assessment has been carried out for the Adderton Road/ Manson Street based on traffic demand from the Traffic Signal Design – Section 2 Warrants guideline (TfNSW). The traffic warrant assessment that the intersection does not satisfy the traffic warrant criteria, based purely on traffic demand.</p>	<p>need to be revised to include the construction of a roundabout with raised pedestrian crossings.</p> <p>Previous concerns regarding insufficient footpath widths behind kerb ramps on Manson Street have not been addressed. As this may affect the road geometry, these issues need to be addressed prior to DA approval.</p>

8. Tree Management

Council Submission - Recommendation (November 2021)	Response to Submissions Report (April 2022)	Council Comment	Response to Request for Further Information (December 2022)	Council Comments (February 2023)
8. Tree Management				
<p>Council has reviewed Appendix V1 Arboricultural Impact Appraisal and Method Statement – Telopea Stage 1 and 1A Revision B prepared by Naturally Trees dated 18 June, 2021. The report recommends removal of a significant proportion of high value trees within this stage without providing any reasonable justification to suggest the development impacts have been adequately assessed in their entirety.</p> <p>In Attachment A, Section 8 of Council's submission, the application was requested to make a number of amendments to the Arboricultural Impact Appraisal and Method Statement.</p>	<p>Amendments were not required to the existing Arboricultural Impact Appraisal. It is noted that the original Arboricultural Impact Appraisal and Method Statement considered the architectural plans, civil documentation, stormwater and services documentation and landscape documentation.</p>	<p>Not addressed</p> <p>The application has not addressed any of the recommendations made in Attachment A, Section 8 of Council's submission. The level of reporting provided is not considered satisfactory. Specifically:</p> <ul style="list-style-type: none"> The revised documentation results in greater tree loss yet the application maintains amendments are not required to the original Arboricultural Impact Appraisal. Inconsistency between the arboricultural reporting, landscape and civil documentation regarding tree removal/tree retention are present. These inconsistencies must be resolved so that the extent of tree removal requested for approval can be clearly understood and assessed. An example can be provided for review between the following plans: 		<p>Not addressed</p> <p>Inconsistencies remain between the documentation provide regarding tree retention/removal and tree protection namely the arborist report, stormwater plans, landscape plans and master plans.</p> <p>The arboricultural impact appraisal and method statement has not taken into consideration all relevant documentation to allow for a complete assessment of works proposed.</p> <p>The arboricultural impact assessment has not identified possible impacts upon trees to be retained within the assessment which is considered critical for the assessment process to ensure the viable long-term retention of significant trees and vegetation within the precinct.</p> <p>Stage 1A</p> <p>For any DA approval, the following DA Conditions are required:</p> <ul style="list-style-type: none"> Written confirmation from a Project Arborist to confirm the viability of the trees long term. Specific remedial actions that will be taken to ensure suitable air porosity to existing tree soil areas is guaranteed. <p>The Core</p> <p>Existing tree retention and sustained longevity of the trees is at risk under the proposed concept plan due to basement encroachment, changes to the water table and soil levels, isolation and loss of sunlight. Existing trees play an important role in retention of tree canopy and significant shade amenity, 'knitting-in' new development on large sites (as identified in the Vision statement in the Design Guidelines), improving local amenity, mitigating visual impact and reducing the impact of perceived density. Accordingly, future detailed development applications on sites where existing trees are being retained must include (all recommendations to be prepared by suitable qualified arborist):</p> <ul style="list-style-type: none"> calculations demonstrating and
		 <p>Appendix K2, Drawing No. HSL_MP_L_1001, Landscape Plans (red dots indicate trees recommended for removal in either the arborist report or Civil plans)</p>		
		 <p>Appendix I, Drawing No. 110500-04-DA800, Tree Removal Plan Sheet 1. The yellow dots show the same trees shown in red in the landscape plans.</p>		
		 <p>Appendix V1 Arborist Telopea Concept Plan and Stage 1A (submitted with EIS), TMP01 B, Arborist Report indicate the same trees. Red numbering is used for trees proposed to be removed and black numbering for trees to be retained. In this excerpt, all trees located within the light rail plaza are proposed to be removed but this is not reflected in the landscape and civil plans.</p>		

					<p>confirming that the amount of deep soil required to ensure the trees to be retained will survive and be viable for minimum 5 years after works are completed.</p> <ul style="list-style-type: none"> • detailed impact assessment of above / below ground building envelopes on retained tree groups e.g., TPZ encroachment, overshadowing, soil moisture, hydrological assessment to evaluate the impacts on water table flows due to extensive basement carparking including recommended mitigation measures where required, • landscape plans that demonstrate implementation of the above recommended mitigation measures e.g., minimum soil volumes • For the C1 development site, confirmation of the long-term viability of the isolated retained soil mass supporting group of existing trees. Approval of development as shown on the Concept plan is subject to expert review of the viability of this isolated soil mass, detailed recommended mitigation measures and demonstrated methodology to guarantee application of mitigation measures to ensure the future survival of the trees.
--	--	--	--	--	--

9. Social Impacts

Council Submission - Recommendation (November 2021)	Response to Submissions Report (April 2022)	Council Comment	Response to Request for Further Information (December 2022)	Council Comments (February 2023)																				
As in the SIA, Council recommends that detailed design of future project stages continues to take a ‘tenure blind’ approach, with no external indicators of tenure type.	Tenure blind approach will be taken by not allocating specific blocks, buildings, facilities or spaces to a particular housing tenure and provides the same design quality for public, communal and private domains across the area.	Addressed The approach of not allocating specific blocks, buildings, facilities or spaces to a particular housing tenure is supported.	The CoP comments are noted. No further action required	No further action																				
Further details of how the Connecting with Country strategy will be responded to in future development is requested.	The Connecting with Country strategy provides project specific considerations for the Concept Plan with particular recommendations for Stage 1A incorporated into the landscape plans.	Not addressed It is requested the application detail the particular project specific Telopea Design Considerations recommended by the Fulcrum Agency to be implemented, at what stage, and process to monitor and report on implementation.	<p>This is acknowledged by FPA and addressed in the updated Design Excellence Strategy prepared by Urbis. The Connecting with Country Strategy includes an Opportunity Plan that identifies areas of the project that would benefit from immediate and long-term opportunities for Connecting with Country, as well as key design considerations and recommendations in relation to:</p> <ul style="list-style-type: none">• Landscape narratives• Caring for Country• Foreground contemporary Aboriginal culture in public spaces• Aboriginal art• Wayfinding and place names• Economic opportunities. <p>The recommendations of the Strategy will be responded to in each of the future development phases for the Telopea CPA alongside ongoing engagement with appropriate Aboriginal stakeholders throughout the project. The Public Domain Plans at Appendix F also contains Connecting with Country opportunities.</p>	Not addressed. The proponent has acknowledged but not sufficiently addressed the previous response by City of Parramatta Council. The Design Excellence Strategy prepared by Urbis lists a number of key design considerations and recommendations. However, Council refers the proponent back to the previous recommendations, that detailed information be provided on how the Connecting with Country strategy is proposed to be implemented across the time-line of the project with respect to key themes, as listed in Urbis’ report in addition to those in The Fulcrum Agency’s report.																				
Stage 1A be revised to adjust bedroom mix and inclusion of adaptable units in line with the Parramatta DCP 2011.	The current mix of dwellings is consistent with the design guidelines prepared by Bates Smart and Hassell.	Not addressed Where the State Environmental Planning Policy (Housing) 2021 is silent, the Parramatta DCP (PDCP) 2011 Dwelling Mix should be treated as a guide for dwelling mix provision in Telopea. The Bates Smart and Hassell Guidelines significantly departs from the PDCP 2011 as shown in the table below. <table><tr><td></td><td>PDCP 2011 Dwelling Mix</td><td>Telopea Stage 1 A Dwelling Mix <i>(green depicts compliance, red depicts noncompliance)</i></td><td>Number of units per bedroom number required to comply with PDCP dwelling mix</td></tr><tr><td>1 bedroom</td><td>10-20%</td><td>39% (1,265)</td><td>648 (20%)</td></tr><tr><td>2 Bedroom</td><td>60-75%</td><td>57% (1,873%)</td><td>2,592 (70%)</td></tr><tr><td>3 Bedroom</td><td>10-20%</td><td>4% (120)</td><td>300 (10%)</td></tr><tr><td>Total</td><td>3,704</td><td>3,704</td><td></td></tr></table> <p>The PDCP 2011 aims to provide equitable access to new housing that caters to different household types and people with particular housing needs (such as elderly, people with disability, low income groups).</p> <p>Australian Bureau of Statistics (ABS) Census of Population and Housing data shows that in 2016:</p>		PDCP 2011 Dwelling Mix	Telopea Stage 1 A Dwelling Mix <i>(green depicts compliance, red depicts noncompliance)</i>	Number of units per bedroom number required to comply with PDCP dwelling mix	1 bedroom	10-20%	39% (1,265)	648 (20%)	2 Bedroom	60-75%	57% (1,873%)	2,592 (70%)	3 Bedroom	10-20%	4% (120)	300 (10%)	Total	3,704	3,704		<p>As noted above, the Housing SEPP is not a relevant consideration for this SSDA, as the savings and transitional provisions of the Affordable Rental Housing SEPP and Seniors Housing SEPP apply to the development application. Dwelling mix has been based in ongoing discussions with LAHC and FPA to ensure that the outcomes and vision of the Communities Plus model can be met across the site.</p>	Not addressed. Council officers note the dwelling mix has not changed from the previous submission. Shortfalls remain in the proportion of two and three bedroom properties. the dwelling mix must fall within the range of diverse housing options as presented in the PDCP 2011. The rationale for the dwelling mix has not been stated by the applicant. As Stage 1A comprises private market, it is important to provide a adequate mix to meet the needs to future residents. 2021 Census data confirms the needs for larger housing options in Telopea, considering over 30% of households in the suburb are couples with children. Forecast estimates also determine minimal change between 2021 and 2041 which also supports the need to revisit the dwelling mix proposed (e.g. 2.53 persons/household in 2021 and 2.47 persons/household by 2041). (Refer to forecast ID ,
	PDCP 2011 Dwelling Mix	Telopea Stage 1 A Dwelling Mix <i>(green depicts compliance, red depicts noncompliance)</i>	Number of units per bedroom number required to comply with PDCP dwelling mix																					
1 bedroom	10-20%	39% (1,265)	648 (20%)																					
2 Bedroom	60-75%	57% (1,873%)	2,592 (70%)																					
3 Bedroom	10-20%	4% (120)	300 (10%)																					
Total	3,704	3,704																						

Council Submission - Recommendation (November 2021)	Response to Submissions Report (April 2022)	Council Comment	Response to Request for Further Information (December 2022)	Council Comments (February 2023)
		<ul style="list-style-type: none"> at least 9% of households had 5 or more persons in Telopea, with 24.5% of households comprised of four or more persons. Household sizes have increased since 2016, with the proportion of households with one lone person decreasing 16%. Private dwellings in Telopea demonstrates that currently 80% of lone households, 93% of couples with no children, 88% of group households and 100% of one parent family, couples with children, and other families live in two or more-bedroom dwellings. <p>Council's original recommendations, that Stage 1A dwelling mix be revised adjust bedroom mix and inclusion of adaptable units in line with the Parramatta DCP 2011 have not been addressed and remain outstanding.</p>		City of Parramatta)
Staging of the Concept Plan shall not disrupt continuous service of the existing Dundas Library and Neighbourhood Centre until such time a new Library and Community facility is operational.	This is noted and accepted and forms part of current VPA negotiations.	Noted and Council's position remains.		It is noted that this is accepted by FPA and forms part of current VPA Letter of Offer.

10. Sustainability

Council Submission - Recommendation (November 2021)	Response to Submissions Report (April 2022)	Council Comment	Response to Request for Further Information (December 2022)	Council Comments (February 2023)
<p>10.1 Council requests the application commits to or demonstrates compliance with Council's requirements on the following sustainability matters:</p> <ul style="list-style-type: none"> • Ensure future buildings are Electric Vehicle (EV) ready • Ensure future development will have dual piping facilities installed in accordance with Council's requirements • Urban heat (development satisfy Council's DCP requirements for urban heat island effect mitigation strategies) • Commit to Council's recommended BASIX (Building Sustainability Index) targets 	<p>Wording of the draft DCP in relation to sustainability requirements is fundamentally disagreed with, however:</p> <ul style="list-style-type: none"> • buildings including Stage 1A will be future proofed and have allowances for EV charging capabilities. • all buildings including Stage 1A will be future proofed and have allowances for EV charging capabilities <p>Have advised that ongoing discussion are occurring with Sydney Water to confirm if dual piping is feasible on site and can be serviced.</p>	<p>Not addressed, recommended conditions of consent</p> <p>The following conditions are recommended for installation of dual reticulation systems: Stage 1A conditions:</p> <ol style="list-style-type: none"> In relation to Stage 1A development that prior to CC stage, a dual reticulation (dual pipe) system is to be installed of sufficient size and capacity to supply all potable and non-potable water uses for the building, including cooling towers, and a single connection point at the boundary of the site for connection to a future recycled water scheme. In relation to Stage 1A development that prior to CC stage, it must be demonstrated that the building is to capture rainwater and provide sufficient storage for reuse of no less than 92% of the typical annual rainfall falling on the building's roof for non-drinking water uses through the dual reticulation system. In relation to Stage 1A development that prior to CC stage, the development shall confirm that all cooktops are induction type. <p>For the Concept Plan Area:</p> <ol style="list-style-type: none"> In relation to the Concept Plan Area, that future development applications demonstrate that dual piping is provided for each apartment and mixed use building in accordance with the requirements of the Parramatta Development Control Plan 2011. In relation to the Concept Plan Area, that future development application address the urban heat controls contained in the Parramatta Development Control Plan 2011. In relation to the Concept Plan Area, that future development demonstrates that all cooktops are induction type. <p>The following conditions are recommended for Stage 1A and Concept Plan Area for EV ready development:</p> <p>Prior to the issue of the relevant construction certificate, the following must be demonstrated to the satisfaction of the certifying authority:</p> <ol style="list-style-type: none"> All multi-unit residential car parking must provide an EV Ready Connection to each and every space allocated to residents. An EV Ready Connection is the provision of a cable tray and a dedicated spare 30A circuit provided in an EV Distribution Board to enable easy future installation of cabling from an EV charger to the EV Distribution Board and a circuit breaker to feed the circuit. Provide EV Distribution Board(s) in of sufficient size to allow connection of all EV Ready Connections. Locate EV Distribution board(s) so that no future EV Ready Connection will require a cable of more than 50m from the parking bay to connect. Each EV Ready Connection is served from a cable tray and a dedicated spare 30A circuit provided in an EV Distribution Board to enable easy future installation of cabling from an EV charger to the EV Distribution Board 	<p>As noted in the Submissions Report, dual reticulation is not agreed to by FPA for Stage 1A or the Telopea CPA. Ongoing discussions are occurring between FPA and Sydney Water regarding dual piping for the site. The Sydney Water Growth Servicing Plan does not incorporate any servicing or infrastructure delivery updates in the area up to 2027.</p> <p>As noted in the previous Submissions Report, the requirement for induction cooktops is accepted by FPA and is invited as a condition of consent.</p> <p>As noted in the previous Submissions Report, all buildings will be future proofed and have allowances for EV charging capabilities. This commitment can be reinforced through a suitably worded condition of consent.</p>	<p>Dual Piping - Not addressed, recommended conditions of consent (as per Council response June 2022). Whilst FPA advises no commitment from Sydney Water for infrastructure up to 2027, the reason for the dual piping is future-proofing to support the full utilisation of alternative water infrastructure when available in the future.</p> <p>Electric Vehicle infrastructure – agreed, recommended conditions of consent (as per Council response June 2022)</p> <p>Induction cooktops - agreed upon, recommended conditions of consent (as per Council response June 2022)</p> <p>Urban Heat - Not addressed</p> <p>A sustainability report should be provided that demonstrates the DCP's relevant DCP requirements have been addressed.</p>

Council Submission - Recommendation (November 2021)	Response to Submissions Report (April 2022)	Council Comment	Response to Request for Further Information (December 2022)	Council Comments (February 2023)
		<p>and a circuit breaker to feed the circuit.</p> <p>e) EV Distribution Boards are to be dedicated to EV charging that is capable of supplying not less than 50% of EV connections at full power at any one time during off-peak periods, to ensure impacts of maximum demand are minimised. To deliver this, the distribution board will be complete with an EV Load Management System and an active suitably sized connection to the main switchboard.</p> <p>f) EV Load Management System is to be capable of:</p> <ul style="list-style-type: none"> • Reading real time current and energy from the electric vehicle chargers under management; • Determining, based on known installation parameters and real time data, the appropriate behaviour of each EV charger to minimise building peak power demand whilst ensuring electric vehicles connected are full recharged; <p>Scale to include additional chargers as they are added to the site over time.</p>		
10.2 (new) BASIX Certificate – Stage 1A				<p>Council's Sustainability technician has reviewed the information to support compliance with the SEPP (BASIX). They conclude that the BASIX Certificates should be amended and resubmitted to ensure they comply with the BASIX regulation and correctly reflect the nature of the proposed development. Items to be addressed include:</p> <ul style="list-style-type: none"> • A BASIX stamped plan set is required that contains all necessary information required by the BASIX certificates and the BASIX thermal comfort protocol. • The basement car park is described in the BASIX certificate with only mechanical exhaust, which is not permissible under the NCC. • One apartment (D.LG.04) does not comply with the regulated BASIX cooling cap. This and several other apartments have incorrect thermal loads within the BASIX certificate. • The urban nature of the development and the wind sheltering that will be caused by the development (self-shielding), and neighbouring developments should be considered for each apartment to ensure cooling loads are correctly estimated. • Insufficient information is provided on the plans to confirm proposed window opening sizes. However, several rooms requiring fall-protected openings have not been modelled per the requirements of BASIX and NatHERS. • All skylights shown on the plans have not been included in the NatHERS certificates. • The NatHERS certificates for several apartments (E03.06, E04.06, etc.) describe a westerly orientated apartment, whereas the apartments are shown with easterly aspects on the plans. <p>The NatHERS certificates state they are based on plans prepared by a different company than the plans submitted with the application.</p>

11. Biodiversity

Council Submission - Recommendation (November 2021)	Response to Submissions Report (April 2022)	Council Comment (June 2022)	Response to Request for Further Information (December 2022)	Council Comments (February 2023)
11.1 Further justification is required as to why a Biodiversity Offsets Scheme is not triggered and a Biodiversity Development Assessment Report is not required	Further details are incorporated into the BDAR waiver prepared by ACS Environmental and Urbis	Not addressed The application is accompanied by a Biodiversity Development Assessment Report waiver request (Appendix Y). Council notes this request needs to be approved by the Planning Agency Head and the Environment Agency Head. Given that the current DA proposes to remove a significant amount of vegetation that is native to NSW, a Biodiversity Development Assessment Report appears to be warranted as per Council's original submission.	This is acknowledged. BDARs have been prepared for both the Telopea CPA and Stage 1 by ACS Environmental. For the proposed Telopea CPA development, no credits are assessed as having been generated with the loss of a potential area of 1.5ha of elements of highly modified floristically, structurally and functionally landscaped areas of Sydney Turpentine Ironbark Forest in the Sydney Basin Bioregion, occurring as street and garden amenity plantings, with potentially only three remnant individuals retained within the subject area. Section 9.2 of the BAM (2020) qualifies that low scores for vegetation integrity (lower than 15) do not generate the requirement for biodiversity offset costs. As the vegetation integrity score for the entire Telopea CPA is 13, it falls below the threshold of a vegetation integrity score of 15 for plant community types (PCTs) that represent a threatened ecological communities (TEC) and are not associated with habitat for threatened species.	Not addressed It is unclear whether the BDAR seeks to apply Appendix D: Streamlined assessment module – Planted native vegetation of the BAM (2020). If it does, it should clearly step through the decision-making key. Once done, the BDAR should be updated to contain the relevant information required as per the BAM 2020. At present, it is difficult to assess the BDAR as it is not clear what pathway within the BAM 2020 it seeks to follow. Bat surveys were undertaken to inform the BDAR. The survey effort for microbats is poor and not in line with OEH (2018) "Species credit" threatened bats and their habitats" – NSW survey guide for the Biodiversity Assessment Method. Figure 16 shows a record of an Eastern Coastal Free-tailed Bat – a threatened species. The BDAR has not further considered this species and any revised BDAR must address this omission. BDAR should demonstrate the efforts undertaken to avoid and minimise impacts on biodiversity values associated with the proposal in accordance with Chapter 7 of the BAM 2020.
11.2 A Biodiversity Management Plan be prepared and accompany future development applications for the Concept Area.	Assessment Report (BDAR) waiver has been prepared and accompanies this report as Appendix Y which expands on the outcomes of the Biodiversity Assessment. This is not agreed to. A Biodiversity Development provided as Appendix U of the EIS.	Recommended Condition - Tree removal A number of trees proposed for removal have also been identified to contain hollows or are otherwise occupied by native fauna e.g. nests and is a key threatening process. The following is recommended to be included as a condition of development consent: a) The removal of trees containing hollows must be offset through the installation of nestboxes with pre-clearance surveys required to minimise the potential for injury to wildlife. These mitigation measures should be guided by a Biodiversity Management Plan (or similar) e.g. number / type / location of nestboxes.	FPA invite a suitable condition that is consistent with the CoP recommended condition of consent.	Not addressed The BDAR must provide greater details on mitigation and management of impacts as per section 8.4 and 8.5 of the BAM 2020. This should include a requirement for a Biodiversity Management Plan to be prepared and accompany future development applications for the Concept Area, including details on offsetting lost tree hollows. Recommended Condition - Tree removal, as per June 2022 submission.

12. Contamination

Council Submission - Recommendation (November 2021)	Response to Submissions Report (April 2022)	Council Comment	Response to Request for Further Information (December 2022)	Council Comments (February 2023)
<p>12.1 It is recommended that City of Parramatta Council (CoPC) Contaminated Land Policy and Procedure is considered and referenced for each stage of development.</p> <p>12.2 The applicant prepare detailed site investigation (DSI) covering soil, groundwater and subsurface gas is prepared prior to the release and approval of each stage of the development to inform potential risks to human health and the environment in the context of overall redevelopment of the site. A copy of all contamination reports, remediation action plans and validation reports be provided to Council for stakeholder review and comment.</p> <p>12.3 The applicant prepare a detailed site investigation for all land proposed for dedication as parks and open space to identify any potential areas of concern with respect to contamination and inform a conceptual site model (CSM). The DSI must inform potential risks to human health and the environment in the context of open space and recreational landuse.</p> <p>12.4 It is recommended that the applicant appoint an NSW EPA accredited site auditor to independently review all detailed site investigation reports, remediation action plans and validation actions prepared for each stage of the Development.</p> <p>12.5 A Site Audit Statement must verify that each stage of the land release is suitable for any specified use or range of uses, what management is required before the land is suitable for any specified use or range of uses and identify the person or authority responsible for current and any ongoing and future management of land contamination and remediation within each stage the project precinct.</p>	Various responses	<p>Recommended conditions of consent</p> <p>It is recommended that DPE condition any approval to ensure consistency with Council's technical recommendations made in its submission refer Section 12.</p>	<p>Future development applications for each stage of the development are to be assessed against the provisions of the Hazards and Resilience SEPP, to ensure that the land is suitable for the proposed land uses and development. This is consistent with the assessment framework for potentially contaminated land applying to all of NSW.</p>	<p>Recommended conditions of consent</p> <p>It is recommended that DPE condition any approval to ensure consistency with Council's technical recommendations made in its June 2022 submission.</p>

13. Drainage and Catchment Management

13. Drainage and Catchment Management				
Council Submission - Recommendation (November 2021)	Response to Submissions Report (April 2022)	Council Comment	Response to Request for Further Information (December 2022)	Council Comments (February 2023)
<p>13.1 The application shall demonstrate how the development complies with Council's Local Floodplain Risk Management Policy, Parramatta LEP 2011 and DCP 2011 and NSW Floodplain Development Manual dated April 2005.</p> <p>The Flood Assessment Report shall be updated in accordance with Attachment B.</p>	<p>The Flood Assessment prepared by BG&E as part of the SSDA Package made reference to the controls within the Parramatta LEP, Parramatta City Council Floodplain Risk Management Policy and Parramatta DCP. The addendum flood report provides additional information in response to Council's submission.</p>	<p>Not addressed</p> <p>For the private domain and for the core and precincts, a water management strategy must be prepared demonstrating application of Water Sensitive Urban Design (WSUD) to achieve the water quality and environmental targets described in DCP 2011. This should be based primarily on integration with the landscape and not rely on proprietary 'end of pipe' treatment devices. Private and public domain water management and WSUD strategy must be combined and must be modelled for the precinct as a whole using MUSIC software or equivalent. This should form part of the Masterplan. Water Management for individual lots and sub precincts will then be able to be designed as a subset of this Masterplan.</p> <p>Please refer to Council's submission, Attachment B, Section 13.1 (a) – (m). These matters have not been addressed.</p>	<p>The stormwater management strategy provides an appropriate treatment solution which does achieve the outcomes and requirements of DCP 2011. The individual strategies for each of the development sites within the Telopea CPA area will be documented and provided as part of those future individual applications and will meet the requirements of DCP 2011.</p> <p>In response to the matters raised:</p> <p>a) Detailed Hydraulic pipe design and overland flow assessment will be prepared at construction certificate stage. The parameters will be based on CoP design guidelines and AR&R.</p> <p>b) The Technical Addenda prepared as part of the previous Submissions Report provides a comparison of ARR87 and ARR2019 adopted parameters and justification as to why the current ARR2019 study is most accurate.</p> <p>c) Please refer to the Technical Addenda prepared as part of the previous Submissions Report.</p> <p>d) Detailed Hydraulic pipe design and overland flow assessment will be done at construction certificate stage. The parameters will be based on CoP design guidelines and AR&R.</p> <p>e) Please refer to the Technical Addenda.</p> <p>f) Flood planning levels for the creek are summarised in Section 4.3 of the Concept Proposal Flood Assessment (S20156-REP- HYD-0001 Rev C 10/11/2020) and includes 500 mm freeboard above the 1% AEP flood level.</p> <p>Tailwater conditions are described in Table 2 of the Concept Proposal Flood Assessment (S20156-REP-HYD-0001 Rev C 10/11/2020).</p>	<p>Not addressed</p> <p>a) Due to the location, the extent of the proposed development, and proximity to The Ponds Creek, detailed Hydraulic pipe design and overland flow assessment should be prepared at this stage.</p> <p>b)Comment on Technical Addenda (Appendix R, 14 Feb 2022)</p> <p>i. Difference in results between ARR2019 & ARR87 - It is noted that differences are due to the rainfall differences, temporal pattern, losses and methodology between ARR2019 and ARR87. However, having a significant lower result (compared with currently approved flood information) in current assessment, ARR87 should also be investigated, and conservative result should be adopted if necessary. This is also as per CoPC approach at present and advice provided in "Draft Flood Risk Management Manual 2022" prepared by DPE. In addition, overland flow should also be integrated with riverine flooding.</p> <p>ii. Difference in results between ARR2019 & ARR87 - It is noted that differences are due to the rainfall differences, temporal pattern, losses and methodology between ARR2019 and ARR87. However, having a significant lower result (compared with currently approved flood information) in current assessment, ARR87 should also be investigated, and a conservative result should be adopted if necessary. This is also consistent with the current Council approach and advice provided in "Draft Flood Risk Management Manual 2022" prepared by DPE. In addition, overland flow should also be integrated with riverine flooding.</p> <p>iii. Climate Change – It is noted that Climate change analysis has been undertaken and included as sensitivity concluding changes could be accommodated within free board. Notwithstanding, the following should be considered;</p> <ul style="list-style-type: none"> The adopted 19.7% increase due to climate change is referred from ARR2019 which is for 2090 reference year. Reference year should be based on design life/service life of the development. Advice from DPE should also be recommended in this regard. The climate change increase should not be included in free board and should be adopted as a Design Case. Flood Planning Level should be as per item "f" below <p>iv. Blockage – It is noted that blockage analysis has been undertaken as per ARR2019. Design blockage should be included in Design Case with a minimum of 25% (<i>Ref Table 3.16, ARR Project 11</i>). 50% and 100% blockage may be included as sensitivity analysis. This should be based on a worst case scenario for the subject site as there may be a case where "zero blockage" of one or all culverts may produce worst case results.</p>

13. Drainage and Catchment Management				
Council Submission - Recommendation (November 2021)	Response to Submissions Report (April 2022)	Council Comment	Response to Request for Further Information (December 2022)	Council Comments (February 2023)
			<p>The boundary is more than 400 mm downstream of Kissing Point Road. Sensitivity reducing the boundary slope from 0.9% to 0.5% shows there is no difference in the reported water levels at the site.</p> <p>h) Detailed Hydraulic pipe design and overland flow assessment will be done at construction certificate stage. The parameters will be based on the CoP design guidelines and AR&R.</p> <p>i) There are no flood impacts for creek flooding as a result of the development as the Telopea Estate lots are located outside of the 1% AEP flood extent as described in Section 3.1 of the Concept Proposal Flood Assessment (S20156-REP-HYD-0001 Rev C 10/11/2020).</p> <p>j) Refer response to i) above.</p> <p>Refer to supporting documents within Concept Proposal Flood Assessment (S20156-REP- HYD-0001 Rev C 10/11/2020).</p>	<p>c) Refer comment in item 'b(ii)' above</p> <p>d) Refer comment in item 'a' above</p> <p>e) Details within the Technical Addenda must be specifically provided</p> <p>f) Flood Planning Level should be 1% AEP Flood level (maximum of riverine flood level and overland flood level) with climate change inclusion and design blockage giving worst case for the subject site (refer item b(iii)) plus 500 mm free board</p> <p>g) Noted</p> <p>h) Refer comment in item 'a' above</p> <p>i) Climate Change – It is noted that Climate change analysis has been undertaken and included as sensitivity concluding changes could be accommodated within free board. Notwithstanding, the following should be considered;</p> <ul style="list-style-type: none"> The adopted 19.7% increase due to climate change is referred from ARR2019 which is for 2090 reference year. Reference year should be based on design life/service life of the development. Advice from DPE should also be recommended in this regard. The climate change increase should not be included in free board and should be adopted as a Design Case. Flood Planning Level should be as per item "f" below <p>j) Blockage – It is noted that blockage analysis has been undertaken as per ARR2019. Design blockage should be included in Design Case with a minimum of 25% (Ref Table 3.16, ARR Project 11). 50% and 100% blockage may be included as sensitivity analysis. This should be based on a worst case scenario for the subject site as there may be a case where "zero blockage" of one or all culverts may produce worst case results.</p> <p>k) Refer comment in item 'b(ii)' above</p> <p>l) Refer comment in item 'a' above</p> <p>m) Details within the Technical Addenda must be specifically provided</p> <p>n) Flood Planning Level should be 1% AEP Flood level (maximum of riverine flood level and overland flood level) with climate change inclusion and design blockage giving worst case for the subject site (refer item b(iii)) plus 500 mm free board</p> <p>o) Noted</p> <p>p) Refer comment in item 'a' above</p> <p>q) Flood Impact Assessment required</p> <p>r) It is noted that there is no riverine flood impact to the proposed site based on current flood report provided. This needs to be as per comment above in b(i). Further, it also</p>

13. Drainage and Catchment Management				
Council Submission - Recommendation (November 2021)	Response to Submissions Report (April 2022)	Council Comment	Response to Request for Further Information (December 2022)	Council Comments (February 2023)
				<p>needs to be included with climate change for appropriate reference year.</p> <p>s) It should also include overland flooding which is not incorporated in the current study</p> <p>t) As mentioned above overland flow has not been included in the flood model study. This needs to be included</p> <p>Response for item 'k' to 'm' not provided.</p>
13.2 The Integrated Water Management Plan should be updated in accordance with to Attachment B .	No response	<p>Not addressed</p> <p>Please refer to Council's submission, Attachment B, Section 13.2 (a) – (e). These matters have not been addressed.</p>	<p>In response to the matters raised:</p> <p>a) Correct. The IWMP supports the "core" and Stage 1A developments only. Separate IWMP's will be prepared to support future stages of the Telopea CPA.</p> <p>An integrated DRAINS model will be prepared at the detail design stage to assess the proposed Stage 1A and "core" Concept Proposal water cycle elements in the context of the surrounding public stormwater infrastructure. This will consist of the area surrounding the Stage 1A and "core" Concept Proposal and not the entire Telopea CPA.</p> <p>c) We note that only three (3) of the proposed basins are located within public roads with the other three (3) being located within the private Stage 1A development and the future park area to the north of the New Link Road. The basins proposed in the public roads treat/detain only the stormwater captured in the public road itself and is, therefore, the most practical location for these devices. It would be an unnecessary development burden and unreasonable to require public stormwater to be detained in private land.</p> <p>We note that underground tanks can be accessed and maintained safely with the appropriate traffic control that would be required for works in a public road.</p> <p>d) Noted.</p> <p>e) Noted.</p>	<p>Not addressed</p> <p>a) A precinct wide IWMP should be prepared at this stage to demonstrate that core and stage 1A developments are consistent.</p> <p>It should be integrated with riverine flooding, overland flooding, stormwater drainage and water quality management covering the whole precinct. Discussions, results and conclusions should be included regarding all elements i.e., riverine flooding, overland flooding, stormwater drainage and water quality managements.</p> <p>b) Due to the location, the extent of the proposed development, and proximity to The Ponds Creek, detailed hydraulic pipe design and overland flow assessment should be prepared at this stage.</p> <p>c) Basins with public roads are not supported. In addition, proprietary products for all public storm water quality treatment elements except GPTs are not supported. Standard stormwater quality treatment elements such as Bio-gardens, wetlands need to be incorporated as far as possible.</p>

13. Drainage and Catchment Management				
Council Submission - Recommendation (November 2021)	Response to Submissions Report (April 2022)	Council Comment	Response to Request for Further Information (December 2022)	Council Comments (February 2023)
13.3 A full DRAINS model will be prepared.	Not provided	<p>Not addressed DRAINS model must be provided for stormwater design along with sub-catchment plan. Please refer to Council's submission, Attachment B, Section 13.3 (a) – (f). These matters have not been addressed.</p>	<p>In response to the matters raised:</p> <ul style="list-style-type: none"> a) An integrated DRAINS model will be prepared at the detail design stage to assess the proposed Stage 1A and "core" Concept Proposal water cycle elements in the context of the surrounding public stormwater infrastructure. This will consist of the area surrounding the Stage 1A and "core" Concept Proposal and not the entire Telopea CPA. b) Appropriate tailwater conditions will be applied at the detail design stage. Sea Level Rise and climate change assessments are not necessary for the DRAINS model. We would suggest that these can be assessed in the flood assessment. c) Noted and completed at the detail design stage. d) Noted and completed at the detail design stage. e) Noted and completed at the detail design stage. <p>No DRAINS available and a hydraulic pipe assessment will be completed at the detail design stage</p>	<p>Not addressed Due to the location, the extent of the proposed development, and proximity to The Ponds Creek, detailed Hydraulic pipe design and overland flow assessment should be prepared at this stage and an electronic copy of DRAINS model with a brief report should be submitted to the Council for review. This should include climate change with appropriate reference year.</p> <p>This should also consider proposed WSUD elements.</p>
13.4 The development shall comply with the water quality treatment measurements and targets contained in the Telopea DCP section on Water Sensitive Urban Design (WSUD). An electronic copy of MUSIC Model is required.	No response	<p>Not addressed Please refer to Council's submission, Attachment B, Section 13.3 (a) – (f). These matters have not been addressed.</p> <p>MUSIC Model needs to be provided for stormwater design along with a sub-catchment plan.</p>	<p>In response to the matters raised:</p> <p>The MUSIC model prepared in the IWMP supports Stage 1A and the "core" areas only. Separate models will be prepared to support the future development stages of the Telopea CPA.</p> <p>We note that the Telopea Draft DCP is inconsistent with the Parramatta DCP in terms of pollutant reduction targets. The Telopea Draft DCP requires reductions which far exceed the industry standard. We also note that the Telopea DCP targets far exceed the targets adopted in the 'Telopea Master Plan Flooding & Watercycle Management Report' (Mott</p>	<p>Not addressed</p> <ul style="list-style-type: none"> a) The precinct wide water quality model should be developed with proposed water quality treatment measures up to the target. This should be consistent with the Telopea DCP Section on Water Sensitive Urban Design (WSUD). b) Except GPTs to the outlet, use of proprietary products as public WSUD elements are not supported. Council does not agree that standard water quality treatment elements (Non Proprietary devices) are unnecessary burdens for the development. The design should incorporate these to provide more sustainable outcomes. c) Updated Electronic copy of MUSIC Model along with a brief report and sub-catchment plans for WSUD elements should be included. This should be included for both the ultimate development and the current proposal.

13. Drainage and Catchment Management				
Council Submission - Recommendation (November 2021)	Response to Submissions Report (April 2022)	Council Comment	Response to Request for Further Information (December 2022)	Council Comments (February 2023)
			<p>MacDonald 2017).</p> <p>b) The StormFilter chambers are co-located with the underground OSD tanks as they treat only the public road itself, and not private development stormwater. This is with the exception of the two (2) devices located within the Stage 1A site which will remain privately owned. The use of StormFilters as water quality treatment controls are common place in most LGA's across NSW. Above ground, non proprietary devices are an unnecessary burden for the development.</p> <p>We note that StormFilter devices only require inspection once every 6 months and a minor service once every 12 months.</p> <p>Noted. Electronic MUSIC model has been issued to CoP.</p>	
13.5 Matters relating to the assessment and design of Stage 1A shall comply with Council's requirements in Attachment B .	No response	<p>Not addressed</p> <p>Please refer to Council's submission, Attachment B, Section 13.5 (a) – (d). These matters have not been addressed.</p>	<p>In response to the matters raised:</p> <p>a) Noted</p> <p>b) Noted. See previous responses provided in previous Submissions Report</p> <p>c) Noted. See previous responses provided in previous Submissions Report</p> <p>Underground tanks can be accessed and maintained safely with the appropriate traffic control that would be required for works in a public road.</p>	Not addressed. Council's comments from June 2022 remain.
13.6 Matters relating to hand over of future Council owned assets shall comply with Council's requirements outline in Attachment B .	No response	<p>Not addressed</p> <p>Please refer to Council's submission, Attachment B, Section 13.7 (d) – (j). These matters are required at completion of project and prior to handover to Council.</p>	This is noted by FPA and forms part of ongoing VPA negotiations.	<p>Not addressed</p> <p>Applicant should submit a map clearly showing private road and infrastructures (WSUD elements, basins and so on). This is separate from the public road and other infrastructure which may be part of the VPA.</p>

14. Waste management

Council Submission - Recommendation (November 2021)	Response to Submissions Report (April 2022)	Council Comment	Response to Request for Further Information (December 2022)	Council Comments (February 2023)
14.1 Stage 1A development is required to increase the footprint of the waste holding area to accommodate a 60L/dwelling per week generation rate for recycling.	According to Section 4.0 Residential Flat Buildings of the City of Parramatta Council Waste Management Guidelines for new Development Application 2016 waste generation rates are as follows: <ul style="list-style-type: none"> 80L/dwelling/week generation rate for Garbage 40L/dwelling/week generation rate for Recycling These waste generation rates have been adopted and are therefore compliant.	Not addressed Council is in the process of amending its waste guidelines to reflect a 60L/dwelling/week generation rate for recycling (this will be operational prior to this development being realised). A 60L waste generation rate is required to ensure consistency with our waste guidelines and will ensure best practise and adequate recycling capacity for the occupants in the future.	Given the uncertainty on future rates, the proposal for Stage 1A has addressed the current CoP waste guidelines. Future stages will address the current waste management guidelines at the time of lodgement. A suitably worded condition of consent can reinforce this commitment.	Not addressed Council requires the applicant to utilise a 60L/dwelling/week generation rate for recycling. This is the requirement under the draft Parramatta DCP (adopted by Council on 28 November 2022) and will ensure the development is future proofed and consistency across the entire development is maintained. Although it is Council's preference to identify the waste capacity on revised plans, this matter can also be considered by DPE as a condition of consent.
14.2 The application is to provide further details in relation to waste truck access to Stage 1A as detailed in Technical Assessment at Attachment B .	Access for waste vehicles (up to 12.5m HRV) can enter Stage 1A via the basement entrance and can enter and exit in a forward motion via the use of a turntable. Turntables are permitted under relevant Australian Standards and is used within Greater Sydney and elsewhere in CoP. Conversely, to design for a 12.5m HRV truck to enter in a forward direction, manoeuvre on-site for loading and then exit in a forward direction would result in a significant impact/poor design outcomes for development for a vehicle that only occasionally requires access to the site. Further information is enclosed in the Traffic and Parking Addendum Report.	Not addressed Council requires trucks to be able to enter and exit in a forward motion within a 3 point turn. From the provided plans, it is not clear whether the waste holding area is located sub-street level. Further detail is required to understand the access, as access into areas below street level is generally not supported. Council also requires 4.5M clearance height throughout the truck's entire travel path. All paths travelled by a waste truck will need to be rated to support a 25t vehicle. The use of turn tables is not supported in Parramatta for the function of waste collection, irrespective of where turntables are used in other locations, noting councils have different waste requirements and controls. It is incorrectly assumed the waste collection vehicles would only be occasionally visiting the site. The vehicles are required to access the site up to 6 times a week to perform the waste collection function. The location of the bulky waste room is not acceptable. The proposed location presents an operational challenge where bulky waste will need to be navigated passed bins in the garbage holding area as bulky waste is collected on the same day as the garbage and recycling bins. The bulky waste room requires a separate access and not through the garbage holding room.	Bulky waste is provided on the lower ground floor and is accessible via Sturt Street at ground level (refer to PLA-AR-DA0099). In response to the CoP comments, a separate entrance has been provided to the bulky waste room. Use of a turntable is considered by ASON as a safer option given the circumstances of the site and allows for heavy vehicles to reverse and manoeuvre in areas with limited space. The use of a loading dock reduces the need to provide additional basement which would impact on deep soil across Stage 1A. The CoP requirements specify 4.5m clearance for HRV access into residential developments of 6 storeys or greater. This is achieved by the current design.	Not addressed Council's comments from June 2022 still stand. Council does not support the use of turntables, and the applicant must comply with Council's requirements in this regard.