

Mr Anthony Witherdin, Director, Key Sites
Assessments
NSW Department of Planning and Environment
4 Parramatta Square, 12 Darcy Street
Parramatta NSW 2124

Your Reference SSD-14378717

Our Reference NCA/6/2021

Contact Bianca Lewis

Telephone 98065531

Email blewis@cityofparramatta.nsw.gov.au

30 October 2023

Dear Mr Witherdin

City of Parramatta Council submission to Response to Further Information (September 2023) for the Telopea Concept Plan and Stage 1A State Significant Development Application

I refer to the above application and the request from NSW Department of Planning and Environment (DPE) to provide advice on the proponent's Response to Request for Further Information (September 2023). Council Officers have reviewed the material and a detailed response is provided at **Attachment A**.

Design Competition Waiver

Council Officers maintain that a waiver to undertake a design competition for Stage 1A should not be granted until design matters are resolved to satisfy the Design Excellence provisions under Parramatta LEP 2011. In an effort to progress this matter, Council Officers request that the issues listed in Part 1 of Attachment A should be fully addressed by the applicant through amendments or via conditions of consent.

Voluntary Planning Agreement

Council notes the importance of a timely resolution of the matter and continues to work with Frasers and Land and Housing Corporation (LAHC) towards a draft VPA. Council requests that DPE not issue a consent for the SSD Application until such time Council endorses a draft Planning Agreement.

Conclusion

In conclusion, Council would like to ensure that critical matters raised in this letter and detailed in past submissions are adequately addressed by the applicant. Furthermore, Council requests that where Council has requested that matters can be included as Conditions of Consent these are also included by the DPE.

Contact us:

council@cityofparramatta.nsw.gov.au | 02 9806 5050
@cityofparramatta | PO Box 32, Parramatta, NSW 2124
ABN 49 907 174 773 | cityofparramatta.nsw.gov.au



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It is noted that although this submission has not been endorsed by City of Parramatta Councillors, it reflects Council's original endorsed submission on the matter.

Council appreciates the opportunity to comment on the above application and the continued collaboration on this project. Should you wish to discuss the above matters, please contact Bianca Lewis, Executive Planner, City Significant Development on 9806 5531 or at blewis@cityofparramatta.nsw.gov.au.

Regards,

Jennifer Concato

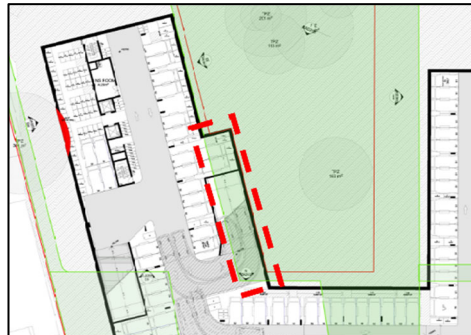
Executive Director City Planning and Design

ATTACHMENT A

1. Stage 1A – Built Form and Design Waiver

Council Officers request that the following issues should be addressed by the applicant through amendments or DPE confirm via conditions of consent in order to address these outstanding matters:

- a) **The Neighbourhood Park should be free of all basement structures.** A review of the Subdivision Plan, Landscape Plan and Basement Plan indicates a basement encroachment of the western side of the Neighbourhood Park (refer red hatched line at Figure below). Although the encroachment is excluded in the subdivision plan, this will complicate future liability and maintenance responsibility for Council.



- b) **Confirmation of the subdivision and size of the Neighbourhood Park.** The area of the Neighbourhood Park differs between the VPA Letter of Offer and the Subdivision Plan. Furthermore, the Subdivision Plans should be updated to show the Neighbourhood Park dedicated as a separate lot.
- c) **Neighbourhood Park and Arrival Plaza dedication** – Council has consistently requested amendment to the design of both the Arrival Plaza and Neighbourhood Park (refer Council's submissions June 2022 and February 2023), which will be dedicated to Council in the future. Council requests that DPE agree that any approval for Stage 1A contains conditions of consent which require that the applicant submit prior to Construction Certificate stage, park design and detailed construction plans for Council's review and approval. This will ensure that Council specifications can be adequately addressed to achieve a high quality and sustainable design outcome.
- d) **The ground level setback along Sturt Street should be a minimum of 4 metres and be free of basement structure** in order to establish thriving trees and landscaping.
- e) **Building A Communal Open Space** –the open space for residents does not meet minimum solar access requirements, has poor accessibility and inadequate size and dimensions. Furthermore new courtyards sit 1.5 metres above the existing ground level on the property boundary which creates privacy conflicts.
- f) **Building B** - Council does not support the Clause 4.6 variation (as amended) to create additional height on Building B from 14 and 9 storeys to 15 and 10 storeys. Council does not consider adequate justification has been provided to support the extent of additional

variation being sought. Furthermore, Building B should be reduced in length or introduce building breaks and greater articulation.

- g) **Demonstration that Trees 299 and 373 are retained.** Currently, the basement and Buildings D and E impact on the tree protection zones of these trees.
- h) **Public domain** – Council request that DPE agree that any approval issued for Stage 1A include conditions of consent that requires the public domain to be designed in accordance with the requirement of the Parramatta Public Domain Guidelines (PPDG) and Council standard construction detail. Any development consent must ensure that final design of future Council parks and footpaths (Council assets) are to be approved by Council prior to Construction Certificate being issued. Council must be assured that they are able to maintain a certain quality of finish within the public domain in perpetuity.

2. The Concept Area

- Council does not support the Design Guidelines to guide future development applications in the Concept Area, in particular tower setbacks, ground level setbacks, building length and provision of deep soil. The controls contained in the Parramatta DCP 2011 – Telopea Precinct, are the appropriate guiding design controls. The DCP provides consistent and reasonable design controls for the precinct and should be applied. Refer Council's submission February 2023.
- The Core
 - Council Officers do not derive the same conclusion for total maximum GFA for the site as compared to the submitted GFA Schedule (Appendix C6). Council Officers request further clarification through discussion with DPE on this matter.
 - The Clause 4.6 Concept Area nominates a total minimum and maximum GFA for each development block within The Core. As raised in Council's submission (refer Feb 2023), this is considered an unacceptable planning outcome and Council objects to this request by the applicant. Any final consent issued should be consistent with the maximum permissible GFA allowed under the PLEP 2011 and applicable SEPPs.
 - As detailed in previous submission, Council does not support the height variations in the Core. Council does not support the justification to the variations and considers the variations to height directly relate to FSR exceedances, not achieving improved design as intended by the recommendations of the State Design Review Panel. 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.
- The Precincts – Council notes that the submitted GFA Schedule (Appendix C6) has been reduced for N2, N3 and N10 and the Southern Precinct in order to meet compliant maximum FSR. However, the submitted Clause 4.6 for the Concept Area (refer Table 5) has not been adjusted for the Precincts and does not contain consistent GFA figures. Any final

consent issued should be consistent with the maximum permissible GFA allowed under the PLEP 2011 and applicable SEPPs.

3. Traffic

Council notes the amendments made to intersection treatments following discussions with Transport for NSW. As such Council requests the following:

a. Manson Street and Sturt Street:

Council does not support the current proposal, and requests further traffic improvements at the intersection of Manson, new link road and Sturt Street. Additional improvements are required due to the introduction of traffic via the new link road and the location of the school and the likelihood of pedestrian desire lines. Therefore, Council Officers request that the applicant provide:

- A roundabout with a raised pedestrian crossing in Sturt Street just east of Manson Street. The design of the roundabout should consider the volume of pedestrians crossing at the northern leg of the roundabout and provide an appropriate treatment.
- A combined raised pedestrian and cyclists crossing on Manson Street just south of Sturt Street for the proposed shared path.
- A raised device in Sturt Street west of the Manson Street intersection to ensure that vehicle speeds on the downhill approach are not excessive. This device can be a raised threshold or a raised pedestrian crossing subject to the forecasted pedestrian volumes that may be crossing at the location.
- The detailed design can also accommodate a midblock raised device in Sturt Street north of Manson Street. This could either be just a threshold or a raised pedestrian crossing depending on further information from the applicant regarding anticipated pedestrian volumes.
- Confirmation that these works will be delivered at the time that the new link road is delivered and that construction of the approved treatment is to be carried out by the applicant.
- Any condition of consent must require that the detailed engineering design plans are to be submitted to Council's Traffic and Transport Manager for consideration by the Parramatta Traffic Committee and approval by Council.

b. Adderton Road and Manson Street

Council is supportive of the proposed roundabout, due to sight lines and intersection performance. Confirmation that these works will be delivered at the time that the new link road is delivered and the construction of the approved treatment is to be carried out by the applicant. A condition of consent must be placed on any consent which requires the relevant approvals.

c. Shortland Street and Evans Road.

The applicant is now proposing a priority-controlled intersection at this location as the modelling is suggesting that it will operate at a satisfactory level of service. This approach is considered satisfactory for this location as it is a T-intersection and therefore, does not have the same safety concerns associated with cross-intersections and the see-through effect. A condition of consent must be placed on any consent which requires the relevant approvals.

d. Other traffic matters

Council references the matters raised by Council in its previous submission (refer February 2023) relating to i) insufficient visitor parking; ii) insufficient on street parking bays; iii) the Wade/Mews/Sturt intersection design and Mews Street swept paths for HRV; iv) the raised pedestrian crossings along the Eyles Street Pedestrian Spine; v) adjustment of the median island in Wade Street. These matters should either be resolved or conditioned as part of any determination.

4. Biodiversity

The submitted documentation addresses many of the comments raised by Council, with the expectation of two matters:

- Table 6 of the two BDARs is to include and assess the Eastern Coastal Free-tailed Bat given this species was recorded on site.
- BDARs to 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, including details on offsetting lost tree hollows.