Submissions Report

MIXED-USE DEVELOPMENT WITH IN-FILL AFFORDABLE HOUSING AT 241-245 PENNANT HILLS ROAD, CARLINGFORD

Submitted to the Department of Planning, Housing and Infrastructure on behalf of The Trustee for The Carlingford Unit Trust

(SSD-84699461)

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Executive Summary

This Submissions Report has been prepared by Planning Direction P/L (applicant) on behalf of The Trustee for The Carlingford Unit Trust (owner) to address the matters raised during the Public Exhibition of the MIXED-USE DEVELOPMENT WITH IN-FILL AFFORDABLE HOUSING AT 241-245 PENNANT HILLS ROAD, CARLINGFORD – SSD-84699461.

The State Significant Development Application (SSDA) was placed on public re-exhibition ending on the 4th February 2026. The Department requires a written response to issues raised in submissions arising from the notification period from the applicant as required under section 59(2) of the Environmental Planning and Assessment Regulation 2021 by Thursday the 2nd April 2026.

The SSDA (as originally submitted) relates to the demolition of a building; tree removal; erection of 2 building containing a total of 136 apartments (including 25 infill affordable apartments) constructed over a childcare centre, 6 commercial tenancies and 3 levels of basement car parking. Also proposed is a 3 level gym.

Overview of Submissions

In relation to the public exhibition of the SSDA, a total of 6 submissions were received. These included submissions made by relevant government agencies, organisations and the public.

Specifically, submissions were received from the following:

- Parramatta City Council;
- Transport for NSW (TfNSW);
- NSW Department of Climate Change, Energy, the Environment and Water;
- Endeavour Energy;
- Members of the public; and
- Department of Planning, Housing and Infrastructure.

The submissions related to a range of issues that included:

- Traffic, parking and loading arrangements;
- Environmental Amenity and inadequate setbacks;
- Noise;
- Construction Impacts;
- Insufficient landscaping and deep soil planting;
- Built Form;
- Childcare centre design and floor space implications;
- The Public Interest.

Actions taken since Exhibition

In response to DPHI's RFI and agency comments, amendments have been undertaken to the proposed design. A plan sheet has been prepared illustrating the proposed changes undertaken to the design including a written summary.

1.0 Introduction

This Submissions Report has been prepared by Planning Direction P/L (applicant) on behalf of The Trustee for The Carlingford Unit Trust (owner) to address the matters raised during the Public Exhibition of the MIXED-USE DEVELOPMENT WITH IN-FILL AFFORDABLE HOUSING AT 241-245 PENNANT HILLS ROAD, CARLINGFORD – SSD-84699461.

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An amended design has been prepared in response to matters raised by Government agencies reducing the number of bedrooms in 8 apartments and increasing the residential component from the provision of 136 apartments to 139 apartments. A slight reduction in the non-residential floor space and the number of on-site car parking spaces has been reduced from 266 – 233 car spaces.

This Submissions Report provides an analysis of submissions, actions taken since Public Exhibition, the Applicant's response to submissions and provides an updated justification of the proposed development. It is accompanied by supporting information and technical reports (refer to the Table of Contents). This report should be read in conjunction with amended plans and reports.

This Submissions Report, as required under section 59(2) of the *Environmental Planning and Assessment Regulation 2021* (EP&A Regulation), has been prepared in accordance with the DPHI's *State Significant Development Guidelines,* including *Appendix C – Preparing a Submissions Report*.

1.1 Site Overview

The subject site is known as 241-245 Pennant Hills Road Carlingford and is located on the western edge of Carlingford town centre near the intersection of Pennant Hills Road and Jenkins Road. The subject site has an area of 6,331m^2 and is triangular in configuration, with frontages to both Pennant Hills Road to the south-east and Felton Road to the north of approximately 140m and 80m respectively. Felton Road terminates at a large cul-de-sac before meeting Pennant Hills Road/Jenkins Road. The western boundary of the site is approximately 135m in length.

Figure 1 Aerial Context Map

- *Source Google Maps*

1.2 Exhibited Development

The SSDA, as exhibited, related to a development for:

- Demolition of the existing commercial building and the removal of periphery non-significant trees;
- Bulk excavation to facilitate 3 levels of basement car parking, inclusive of 263 on-site car parking spaces;
- The construction of an 18 storey mixed use tower building, comprising of the following:
  - 3 commercial tenancies and centre-based childcare facility accommodating 98 children on the ground and first floor
  - 118 dwellings, including 25 apartments used for affordable rental housing to be managed by a
  - social housing provider for a period of 15 years on floors 2 to 17
- The construction of a part 3 part 4 storey mixed use western row building, comprising of the following:
  - 3 ground floor commercial tenancies and indoor recreation facility – gym, over 3 floors
  - 18 dwellings on the first to fourth floor

The amended design responding to matters raised by Government as following:

- Site preparation works, including demolition of existing structures, vegetation removal as necessary, and bulk excavation.
- Construction and operation of a mixed-use development comprising commercial premises, gymnasium, childcare centre and shop top housing as follows:
  - One 18-storey building (Building A) in the Northeast corner of the site; and two 4-5 storey buildings (Building B & C) along the western edge of the site.
  - A publicly accessible through site link between Pennant Hills Road and Felton Road.
  - 6 commercial tenancies at ground floor
  - A three-storey gymnasium within the southern portion of Building C
  - A 90 placement childcare centre located on level 01 of Building A
  - 2,472m2 of communal open space in the following locations:
    - the roof of Building A, B and C,
    - the two-storey podium of Building A
    - the publicly accessible through site link
  - A total of 139 residential apartments across the three buildings, including 26 infill affordable apartments,
- Provision of three levels of basement parking with a total of 233 car parking spaces comprising:
  - 136 residential car parking spaces (including 22 accessible spaces);
  - 28 commercial car parking spaces (including 4 accessible spaces);
  - 23 childcare parking spaces (including 4 accessible spaces);
  - 15 gymnasium parking spaces (including 4 accessible spaces);
  - 28 visitor car parking spaces (including 6 accessible spaces); and
  - 3 car share spaces.
- Street tree planting and landscaping, extension and augmentation of services and infrastructure as required. For a detailed project description, refer to the Environmental Impact Statement prepared by Planning Direction.
- Revision to the loading and waste collection area and improved access throughout the site.
- Provision of additional deep soil planting opportunities and an increase in landscape content.

2.0 Analysis of Submissions

This section analyses the submissions received by providing a breakdown of the type of submissions received and identifies the issues raised.

2.1 Breakdown of Submissions

In relation to the Public Exhibition of the SSDA, a total of 6 submissions were received which included submissions made by relevant government agencies, organisations and members from the public. A breakdown of the government agencies and organisations submissions received is provided in **Table 1** below.

Summary of submissions received

Submissions Received	Position
Department of Planning, Housing and Infrastructure	
DPHI RFI	Comments for consideration
Government Agencies & Organisations	
Department of Climate Change, Energy, the Environment & Water	Requires more information regarding groundwater conditions.
Transport for NSW	Encroachment into Pennant Hills Road setbacks and remove redundant crossing.
Parramatta City Council	Raises Objection and recommends design changes.
Endeavour Energy	Potential impacts from substations and confirmation of available electricity services.
Residents	Min J P Kim – overlooking and excessive building height
	Excessive residential component relative to commercial uses
	Daniel Mendes supports the project
	Andrew Murray objects based on strain on infrastructure, traffic and view impacts.
	Name withheld objects on traffic and waste grounds.
	Name withheld objects on traffic grounds

Below provides a numerical breakdown of the submissions received including the number of stakeholders who indicated objections, provided neutral comments or supports in relation to the project.

Submissions received – numerical overview

Submissions	Support	Oppose	Neutral Comments
DPHI RFI	-	-	1
Government Agencies	-	1	2
Organisations	-		1
Public Submissions	1	4	
Total	**1**	**4**	**4**

3.0 Actions taken since Exhibition

This section summarises the review of the proposal undertaken by the Applicant, describes any refinements or amendments to the Proposal and further impact assessment undertaken.

The design has been amended as follows:

- Site preparation works, including demolition of existing structures, vegetation removal as necessary, and bulk excavation.
- Construction and operation of a mixed-use development comprising commercial premises, gymnasium, childcare centre and shop top housing as follows:
  - One 18-storey building (Building A) in the Northeast corner of the site; and two 4-5 storey buildings (Building B & C) along the western edge of the site.
  - A publicly accessible through site link between Pennant Hills Road and Felton Road.
  - 6 commercial tenancies at ground floor
  - A three-storey gymnasium within the southern portion of Building C
  - A 90 place childcare centre located on level 01 of Building A
  - 2472m2 of communal open space in the following locations:
    - the roof of Building A, B and C,
    - the two-storey podium of Building A
    - the publicly accessible through site link
  - A total of 139 residential apartments across the three buildings, including 26 infill affordable apartments,
- Provision of three levels of basement parking with a total of 233 car parking spaces comprising:
  - 136 residential car parking spaces (including 22 accessible spaces);
  - 28 commercial car parking spaces (including 4 accessible spaces);
  - 23 childcare parking spaces (including 4 accessible spaces);
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  - 28 visitor car parking spaces (including 6 accessible spaces); and
  - 3 car share spaces.
- Street tree planting and landscaping, extension and augmentation of services and infrastructure as required. For a detailed project description, refer to the Environmental Impact Statement prepared by Planning Direction.
- Revision to the loading and waste collection area and improved access throughout the site.
- Provision of additional deep soil planting opportunities and an increase in landscape content.

3.1 Further Engagement Undertaken

Following the Public Exhibition of the SSDA, the Applicant has undertaken further engagement with the key relevant authorities, as described in **Table 4** below.

The Applicant is committed to ongoing consultation throughout the project lifecycle. The approach to community engagement is informed by the DPHI's *Undertaking Engagement for State Significant Projects* (2024). The project team recognises the need to genuinely consider feedback received as part of the planning and design process.

Summary of Further Engagement Undertaken

Stakeholder	Engagement Undertaken
Department of Planning, Housing and Infrastructure	• Teams meeting with the Department staff to review matters arising post notification of the application on the 18th March 2026. • Advised the Department of design amendments being undertaken to address issues raised by Parramatta Council and the Department. • Advised of further works being commissioned to address Government agency matters.
Transport for NSW (TfNSW)	• Discussions were had with Shoba Sivasubramaniam of TfNSW. On the 3/2/2026 Shoba confirmed that *Transport for NSW (TfNSW) acknowledges your advice that the proposed setbacks are wholly contained within the subject site and that no overhang into the road reserve is proposed. We also note that adjustments are being made to the design*.
Department of Climate Change, Energy, the Environment and Water	• Email correspondence with the Department was had. The Department was made aware of works proposed to address groundwater matters. The Department confirmed via email dated the 3/4/2026 that *We do not have any comments at this stage. We look forward to receiving your revised assessment once it is complete*.
Endeavour Energy	• An application has been made to Endeavour Energy to determine method of supply. An assessment of electricity load has been undertaken in support of the application. A letter of supply offer has now been obtained from Endeavour Energy.

3.2 Summary of Design Amendments Undertaken

- Setbacks have been increased along Pennant Hills Road to achieve 6m clear deep soil zone.
- The gym building has a greater setback further from Pennant Hills Road by reducing the space between buildings in the western row building.
- Additional tree planting is included in the landscape plan and revision of the site through link has been made to address site gradient, landscaping and general access. Landscape treatment has been added within the footpath of Felton Road.
- The loading dock and childcare centre lobby has been revised to provide an additional lift to the basement level and to improve access between the commercial tenancies and the loading area.
- The number of apartments and bedroom mix has been revised given the building design changes undertaken.
- A study of traffic and car parking has been commissioned.
- An analysis of electricity load has been undertaken and an application made to Endeavour Energy.
- The childcare centre has been reduced in size and more detail provided in relation to the acoustic treatment proposed to the external playgrounds. In addition a plan of management has been prepared to assist with the operation of the childcare centre.

4.0 Response to Submissions

This section provides a detailed summary of the Applicant's response to the matters raised in submissions
received. The Applicant's responses are provided in the following sections and have been structured as follows:

- Department of Planning, Housing and Infrastructure (**Table** 1);
- Parramatta City Council (**Table 2**);
- Government Agencies and Public Authorities and Organistations (**Table 3**); and
- Public submissions (**Table** 4).

4.1 Department of Planning, Housing and Infrastructure

The Applicant's response to the DPHI's 'Additional Matters for Response to Submissions Report' are outlined in **Table** 1 below.

Table 1 Department of Planning, Housing and Infrastructure Matters

Matters Raised	Responses
1. Site area a) The site area detailed on the Survey Plan (6,331 m^2), minus the future road acquisition SP2-zoned land (indicated as 282 m^2 and 201 m^2 as shown on the Architectural Plan DA0050 as extracted from the Parramatta Local Environmental Plan 2023 (PLEP) land acquisition map – identified as Method A), being 5,848 m^2 must be consistently applied to all plans and calculations as the 'developable site area' and reflected in all documentation. b) The updates to calculations will require corresponding changes to the proposal to ensure compliance is achieved. Update all plans and documentation to reflect the amendments.	The 'developable site area' has been adjusted. A revision of site calculations has been made in all plans and supporting reports to reflect a developable site area of 5,848sqm.

2. Side setbacks and landscaping a) The setbacks to the building and basement must be measured from the 'developable site area' boundaries, which exclude the future road widening SP2 zone. b) Review the proposed building and basement setbacks from the 'developable site area' boundaries to Pennant Hills Road and the corner which extends around to Felton Road, noting that there is limited opportunity for landscaping in these prominent areas after any future road widening occurs. Increased setbacks should be provided from the future boundary, including deep soil and tree planting, to contribute to the landscaped character of the area and mitigate the visual impacts of the proposal from the public domain.	The setback of the 2 buildings has increased along the Pennant Hills Road frontage. The basement parking levels have been further setback along the Pennant Hills Road frontage to accommodate additional tree planting opportunities. Full compliance is achieved with the deep soil planting provision of the ADG.
c) The landscaping proposed within the area identified for future road widening must be excluded from landscaping calculations. Landscaping of the road widening area is beneficial from a visual perspective until such time as the widening occurs, however is not part of the developable site area and cannot be relied upon long-term. Additional plans are required detailing the landscaping from the 'developable site area' boundary after road widening with no landscaping shown external to the site to clearly see the landscaping within the site.	The landscape plan has been revised. A simpler treatment of the road reservations has been achieved.
d) Further, within the SP2 zone, any works including proposed landscaping, services and footpaths are only permitted with consent under the PLEP if ordinarily incidental or ancillary to development for that purpose of a Classified Road. Therefore, any landscaping within the SP2 zone must be limited to ancillary to the purpose as Classified Road.	A simpler treatment of the 2 road widening parcels is now proposed.
e) The basement hard on the western boundary is unlikely to allow for deep soil landscaping above which is important for tree growth which provides shade for residents to address urban heat and screening of the proposal from the adjoining properties. The setback should	A section plan is provided over the driveway accessing the basement level demonstrating planting opportunities above the driveway.

be increased to allow for deep soil and avoid any works extending across the boundary (e.g., shoring). f) The Design Statement indicates that deep soil areas are a minimum of 3 m wide as per State Environmental Planning Policy (Housing) 2021 (Housing SEPP), however Section 19(3) of the Housing SEPP states that the deep soil requirement is not applicable and therefore the Apartment Design Guide (ADG) will apply. Recalculate and reconsider deep soil areas to ensure only areas 6 m wide are included in the calculations, consistent with the definition of what can constitute a deep soil area of the ADG. The deep soil calculations must be based on the 'developable site area'. g) Provide a cross-section which demonstrates suitable depth for deep soil in any limited areas where trees are proposed but the full 6 m deep soil is not achieved, or where there is a conflict with infrastructure (e.g., on-site stormwater detention tank or basement below proposed trees). h) The width of the revised landscaped area within all three setbacks to boundaries is to be increased to accommodate large canopy trees, noting that the Landscape Plan currently indicates proposed areas of no trees, trees with a mature height of between 2-3 m and 6-15 m, with only one 25 m tree proposed on the site within the south-west corner. The three setbacks are to accommodate additional trees with a mature height of 20-25 m or greater given that all vegetation is being removed from the site and having regard to the building height of the proposal.	The Design statement has been amended to reflect the ADG minimum width requirements for deep soil planting and revised compliant calculations have been achieved. Cross sections are provided. Noted. Deep soil pockets are proposed to all boundaries suitable to accommodate canopy trees.

3. Traffic and car parking a) The traffic and pedestrian data within the Traffic Impact Assessment (TIA) is from 2020, with an increase by 10% to reflect the five years since its collection. Given the length of time since the data collection, provide an addendum letter from the transport planner confirming that the data accurately reflects current traffic and pedestrian data or undertake new data collection, and have the TIA updated. b) The proposal includes 166 residential car parking spaces, which is 29 spaces greater than the minimum parking rates for market and affordable housing provided in the Housing SEPP. The Department recommends you reduce the number of residential (market and affordable) car parking spaces to be no more than the Housing SEPP car parking rates noting the site's location within the Carlingford Centre, within walking distance of various modes of high-frequency public transport. In addition, the Parramatta Development Control Plan 2023 (PDCP) includes restrained parking rates to decrease reliance on private car use, minimise traffic congestion and increase public transport use in this area. c) Confirm car parking, bicycle and motorcycle numbers, as inconsistencies within the EIS, accompanying documentation and on plans. Update all plans and documentation to be consistent. d) Provide end of trip facilities for the commercial and retail users. e) Provide EV charging for the commercial and retail users. f) Detail how the proposed three EV spaces for the residential spaces are sufficient in quantum and managed appropriately for use by all residents.	A new Traffic Impact Assessment has been commissioned providing current traffic and pedestrian data. The number of on-site car parking spaces has been reduced. A total of 233 on-site car spaces has now been provided inclusive of non-residential parking. The car parking, bicycle and motorcycle numbers have been revised. End of trip facilities have been included. EV charging opportunities have also provided.
4. Loading and Waste management a) Explore options to locate loading, waste storage and collection within the basement. The above ground level has led to paths of travel through the public domain (see point b below) which may be alleviated by relocation to the basement.	The loading dock has been redesigned together with the lobby for the childcare centre.

b) The proposed waste management arrangements indicate that building manager/caretaker is responsible for moving the waste bins from Buildings B and C on the western side of the site to the collection area in Building A. Appendix B of the WMP indicates the path of travel for commercial via the pedestrian site link/ central forecourt, however the WMP does not indicate: ○ residential movements from Buildings B and C on the western side of the site to the collection area in Building A. ○ what time of day these movements from Buildings B and C on the western side of the site to the collection area in Building A will occur, nor the frequency. The number of movements of bins through the central forecourt should be limited, as well as the time of day, to ensure that it occurs at a suitable time where there will be minimal pedestrian conflict whilst adhering the noise management measures. c) Clarify the location of the vehicle loading areas for all land uses. It is unclear if the loading area within the waste collection area is being used for delivery of goods to commercial premises, and if so, details need to be provided regarding how this area functions and any conflict between deliveries and waste. d) Provide details of how removalists will service the proposal.	The connectivity between the commercial tenancies and the loading area and waste holding pens has been revised and improved. The loading dock and turn table will be used for waste collection and furniture trucks. Arrangements for use of the loading facility will need to be made with management of the building to avoid conflicts between users.
5. Apartment Design Guide a) Demonstrate that all affordable housing apartments will achieve a good level of amenity with reference to the key ADG criteria and the 'Residential amenity of affordable housing' section b) Provide an updated assessment of the amended proposal against the ADG criteria in a table format that clearly addresses consistency against ADG design criteria. The table must also include a column at the end that clearly indicates consistency or inconsistency. Additional information is available on the ADG website available at Apartment Design Guide | Planning. c) Provide amended plans which resolve any areas of inconsistency with the ADG.	A revised design statement has been prepared to accompany the amended plans.

6. Childcare centre and recreation facility (indoor) a) Please note that, should consent be granted, the operation and fit out of the recreation facility (indoor) and centre based childcare centre would require a separate development application(s) submitted to and assessed by City of Parramatta Council (Council). b) Amend the relevant architectural plans by adding notations which indicate the childcare centre and recreation facility (indoor) is subject to a separate development application and is indicative only.	The childcare centre and gym are an integral part of the application and design. Should approval be issued for the application expects that an approval for the gym and childcare centre is included for the following reasons: • The application has been framed, submitted and notified with the inclusion of a gym and childcare centre. • The application was the same through the planning proposal process for the uplift to the FSR and building height. • The application has been costed including the childcare centre and gym and the SSD application fee reflects this. • Should the applicant have to lodge separate applications for the childcare centre and gym use with Parramatta Council, there is the potential for significant delays with the delivery of the development contrary to the purpose of the SEPP and that of the planning minister TO FAST TRACK APPLICATIONS. The applicant has submitted the application in good faith with the Department to avoid further obstruction of the development process by Council. • The staff in the Department are equally skilled if not more so than staff at Council to make the assessment. All relevant information has been submitted including a plan of management for the childcare centre to assist. • The childcare centre has been reduced in child placements. • A gym presently exists on site and operates on a 24 hour basis every day. The gym is simply moving across into a new building.

7. Design Report a) The FSR in the Design Report p80 is shown as 3:1 not 2.73:1 and the wintergarden shown as 465 m^2 not 456 m^2. The errors in the table are to be corrected and recalculated. b) Based on the content of this letter and corresponding changes to the proposal, update the Design Report.	The design report has been amended to reflect the correct FSR and site area.
8. Mitigation measures a) Provide a mitigation measures or pre-conditions table in accordance with Appendix D of the *State significant development guidelines – preparing an environmental impact statement – Appendix B*. This should not include measures relating specifically to a childcare centre or indoor recreation facility which will be subject to separate development applications.	A table of mitigating measures has been included in the EIS.
9. Other matters a) Provide a response to the issues raised by Council via letter dated 3 February 2026. Whilst some issues are also raised by the Department in this letter, of particular note is clarification of gross floor area inclusions and recalculation. b) Provide a response to the information requested by Endeavour Energy via letter dated 23 January 2026 regarding the assessment of the impacts upon the Carlingford Transmission	Refer to Table 2 of this report. Refer to Table 3 of this report.

Substation and Dundas Zone Substation and whether electricity services are available and adequate for the proposal.	Refer to Table 3 of this report.
c) Provide a response to the information requested by NSW Department of Climate Change, Energy, the Environment and Water via letter dated 30 January 2026.	Refer to Table 3 of this report.
d) Provide a response to the information requested by Transport for NSW via letter dated 26 January 2026 to contain the proposal wholly within the property boundary, being the 'developable site area'.	Refer to Table 3 of this report.
e) The Detailed Site Investigation Report has an error on p11. The Lot/ DP description needs to consistently reflect all four lots.	Noted. The change to the report has been implemented.

4.2 Parramatta City Council

The Applicant's response to Parramatta City Council's submission is outlined in **Table** 2 below.

Table 2 Parramatta City Council Submission

Summary of Matters Raised	Responses
Summary Grounds for Objection	
1 **Voluntary Planning Agreement** In addition to the contribution required under the City of Parramatta (Outside CBD) Development Contributions Plan 2021, the scale of growth generated by the proposed development creates a need for additional infrastructure improvements that are above and beyond the level of growth anticipated in the Plan. These additional requirements should be addressed through a Voluntary Planning Agreement (VPA). Any development above what is anticipated by the plan is considered unplanned uplift and is therefore not catered for under the Contributions Plan. As a result, the funds collected under the Plan would be insufficient to deliver the infrastructure upgrades necessary to support a development of this scale. The Plan is based on servicing a forecast population of 166,839 residents to 2041, with its works program and contribution rates established on this basis. Unplanned uplift requires new residents to rely on infrastructure that has not been designed or funded to support them, resulting in capacity shortfalls and service pressures. This is further compounded by the additional population who will reside in affordable housing unit who are not catered for in any way. Whilst the provision of temporary affordable housing within the development is acknowledged, Council does not acknowledge this as providing a local infrastructure benefit. Only affordable housing offered in perpetuity can be considered a public benefit in accordance with Council's Planning Agreements Policy and Affordable Housing Policy. Given this, the application should be supported by an infrastructure needs analysis that identifies the additional demand generated by the proposed development and outlines required upgrades. The analysis should be accompanied by a letter of offer, detailing proposed VPA contributions towards the necessary infrastructure.	A VPA is not required in respect of a development designed to accord with local and State planning controls. A VPA is not relevant or part of this application. A planning proposal for the site was endorsed and the building height and FSR have been incorporated into PLEP 2023. This SSD application simply adopts the planning controls of SEPP (Housing) 2021 and generates a complying development. This development proposal is no different to other DAs for multi-unit housing and residential flat buildings pursuant to SEPP (Housing) 2021 provisions within 800m of a nominated town centre. The applicant will be subject to contributions levied pursuant to Council's contributions plan and a State Government levy will also apply. In addition, the proposed development provides a public benefit in the design with the inclusion of a site through link, benefiting future users of the development and residents of the local area. Landscaping and maintenance of 2 road widening parcels will also be undertaken whilst the parcels remain in private ownership. Public domain works include the removal of the driveway crossing to Pennant Hills Road, tree planting along Felton Road frontage and improvements to the footpath at the south-eastern entry corner of the site. The provision of 26 apartments secured as affordable rental accommodation for 15 years post construction is an added benefit of the proposal. The proposed development is also serving future residents of the development and the local community by providing a childcare centre, an improved gym and possible food and drink premises on-site. A generous provision of communal open space on-site also ensures that the development is effectively self-served. The proposed development fully accords with the State Government initiatives for affordable housing provision and urban consolidation. Council should be grateful for the applicant's commitment to the community in this instance.

The Social Impact Assessment prepared by EMM, identifies that the local area within 1km of the site is well serviced by schools, shops, open space and public transport.

Urban Design & Public Domain

Please refer to the Urban Design response provided under separate cover. A planning commentary is provided below:

Basement Footprint

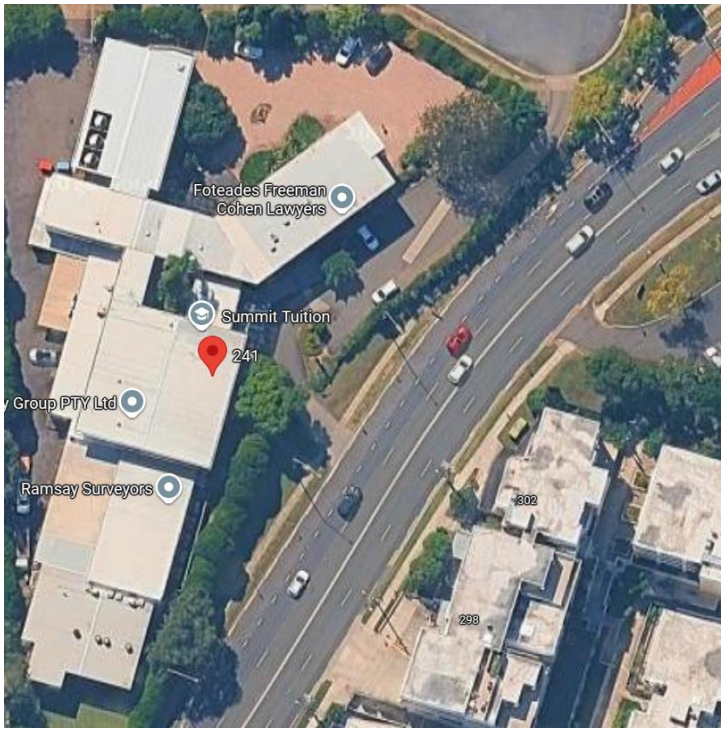
The basement extends beyond the building footprint on all sides (Pennant Hills Road, Felton Road) with a 0m lot setback on the western boundary. This removes all opportunity for structural soil volumes, infiltration, and continuous planting beds. Council requires the footprint be reduced to align with building setbacks as described below along the key edges of Pennant Hills Road and the western boundary to enable deep soil and properly anchored trees.

The design has been amended to achieve reasonable and compliant deep soil planting across the site. The basement footprint has been reduced and additional deep soli planting opportunities have been created.

Pennant Hills Road Setback

A 10-metre front setback is required along Pennant Hills Road, which is being applied consistently to recent development proposals on this corridor including large mixed-use schemes such as the site further to the north (263-281 Pennant Hills Road, Carlingford). This setback must be measured from the future property boundary, accounting for the land that will be acquired as part of the TfNSW road widening program. When the ultimate boundary is considered, the current scheme positions the building too close to the street, and the footprint will need to be adjusted to achieve the required setback.

The subject site is unique in that it benefits from having a large verge between the property boundary and the curb to Pennant Hills Road.



Retaining only 6 m at the primary frontage limits the ability to establish a robust landscape buffer, constrains opportunities for large canopy trees, and results in an excessive built interface with the major arterial road. In addition, the reduced setback reduces the amenity and usability of balconies facing Pennant Hills Road due to excessive noise emissions and pollutants.

A setback of 10 m would provide space for taller tree species, improve pedestrian amenity, and help moderate the scale and visual impact of the podium and tower when viewed from Pennant Hills Road. Large street trees, able to grow to a height of more than 15m, should be Page 4 of 17 planted at 10-12m centres within the front setback to provide a green edge. Council's public domain guidelines recommend Eucalyptus Scoparia, Brachychiton acerifolius, Jacaranda mimosifolia and Angophora floribunda as the large tree species for tree planting within setbacks along this road.

In addition, parcels of land identified for road widening remain as part of the site until such time as the TfNSW resumes the land (if at all). There is no timeline for, or certainty of land acquisition. It may not occur as mapped particularly for the eastern portion.

The proposed front setbacks to the curb in Pennant Hills Road are therefore generous and desirable.

Such is significant given that the land is also higher than the road surface. The proposed setback to Pennant Hills Road achieves appropriate landscape provision for a commercial zone, where exposure of commercial uses is an important aspect for viability.

The balconies to Pennant Hills Road are designed as winter gardens with potential to close windows during inclement weather and to protect residents from road noise. There are no adverse amenity issues arising from the setback as contended by Council.

It is noted that Council references the Meriton approved site at 263-281 Pennant Hills Road.

A 10m setback may have been provided for 3 of the 4 buildings facing Pennant Hills Road but the setback for building D is significantly less. Of greater importance is the narrow footpath which exists in front of this development of only 3.5m between the curb and the property boundary. Refer to the photo and 3D view over the page.

The setback to Pennant Hills Road relates to a development up to 29 storeys + rooftop with what appears to be exposed balconies to the road. No tree planting can assist in screening, or protecting residential amenity based on Council's criticism of the subject application.

The proposed development maintains a more acceptable balance between the scale of building, distance from the curb and landscape provision than the Meriton site. The higher ground level on the subject site relative to the roadway also assists in generating an appropriate development.

Photos looking south of the narrow 3.5m footpath within the Pennant Hills Road reservation in front of the Meriton site and a reduced front setback for building D.

A new 1.8 m wide concrete footpath should be provided at the new property boundary along the Pennant Hills Road frontage considering the final arrangement of the street. A turfed verge should be installed to cover the balance area to the existing (and eventually proposed) road kerb. In addition, equitable access should be provided to all the commercial spaces within the site, from this footpath.

The recommended construction of a new 1.8m footpath taking a different route to that of the existing footpath along Pennant hills Road makes no sense at this point in time. The applicant has been liaising with TfNSW for over 15 years now and no conclusive response has been gained in respect of road widening or the timing for acquisition. The applicant is not aware of any road design for the widening of Pennant Hills Road. Given that road widening may never proceed, the provision of a footpath inside the subject site (in part) will not happen. The current footpath in Pennant Hills Road properly services its function and there is no need to change this arrangement now. Pedestrian movements along Pennant Hills Road in front of the subject site are relatively low. The current footpath has served its purpose and can continue to do so without issue.

Felton Road Setback

The proposed building line to Felton Road varies across the frontage, but key portions reduce to approximately 4 m, which is insufficient to support deep soil planting, limit visual bulk, or provide appropriate separation to the adjoining Ausgrid Transmission Substation site. A minimum 6 metre setback is recommended along Felton Road to accommodate large canopy trees and meaningful buffer planting, improve the spatial transition to the school frontage opposite, and strengthen the relationship between the built form and the adjacent infrastructure corridor. Street trees should be planted at 8-10m along this street frontage. Species should match the existing Ficus species down the street in front of the school. A new 1.5m wide concrete footpath at the property boundary with a turfed verge should also be

The Felton Road setback with the proposed development will contain driveway crossings, substations and a pedestrian thoroughfare. Planting where possible is included in the amended design inclusive of deep soil pockets. Council has also requested street tree planting at intervals within Felton Road footpath reservation. Such can be accommodated with an amendment to the landscape plan.

provided.

Increasing the setback to 6 m reflects long established Council position and Urban Design principles, where landscape width, canopy potential and clarity of edge conditions are key determinants of amenity and character, particularly in high density environments.

Western Boundary Setback

A 6 m western setback is shown in the design, which in principle provides a reasonable transition to the neighbouring residential properties. However, this setback is undermined by the basement extending to the boundary, preventing deep soil and limiting the ability to plant larger species. To achieve a functional buffer zone and a more appropriate interface, the setback should remain clear of basement and driveway structures, allowing for a continuous deep soil zone, native tree planting to provide privacy screening, and a softer, compatible edge condition.

Establishing this landscape buffer emphasises the importance of vegetated perimeter setbacks as a means of mediating transitions between higher density forms and existing suburban housing.

Council has recently constructed a wider pavement within the footpath on the eastern side of Felton Road to assist with school children access the bus service along Pennant hills Road and the light rail station. This is a good initiative encouraging school children to use the eastern side footpath and avoid the multiple driveways on the western side of Felton Road serving residential development.

As the applicant is willing to plant trees in the footpath, it is considered a wider planting area is more appropriate considering works already undertaken on the eastern side of the road. Damage to the footpath could also be lessened by tree growth in time with the narrower footpath. In addition, existing services and pits would be disrupted.

The western row building has also been well setback to achieve landscaping and a transition of built form along Felton Road.

The basement is setback from the western boundary by 6m. Only the driveway leading to the basement falls within this setback, however, presents landscaping opportunities over the driveway for the most part.

The 6m setback from the western boundary is appropriate for selective planting.

Built Form and Massing (Building A)

The overall composition of the building is highly complex, with multiple projecting elements, deep recesses, undercroft spaces and competing geometries that result in a visually busy and convoluted built form. The lack of a clear massing hierarchy makes the building appear heavier and more fragmented than necessary.

The tower does not exhibit the qualities associated with good high-rise proportioning, where the built form is typically arranged as a tall, slender element with a compact floorplate and a coherent vertical expression. Instead, the proposed tower reads as a wide, solid volume with an expansive floorplate that gives it a broad and heavy profile, intensifying its perceived bulk from both Pennant Hills Road and Felton Road.

A more refined architectural approach would consolidate the tower into a leaner, more vertically oriented form with reduced horizontal spread, allowing for improved skyline proportion and reduced perception from distant views. Greater setbacks and landscape integration for the podium would also provide a more human scale pedestrian interface and an improved microclimate.

The tower width dimension is significantly greater than what would be expected for a well-proportioned tower in this location (60m width along Pennant Hills Road is proposed). A more appropriate length, based on established urban design principles for tall building proportion and the earlier iterations and plans for this precinct, would be in the order of 45 metres.

Reducing the tower's horizontal extent, or introducing substantial recesses and vertical breaks, would help achieve a more balanced massing outcome and soften its presence in the broader landscape.

Tower Setbacks and Undercroft Conditions (Building A)

Upper-level setbacks are limited and, in several locations, insufficient to meaningfully reduce bulk or improve the tower's silhouette. At podium levels, large undercroft areas—including those associated with the proposed childcare centre—are poorly resolved and do not meet the expectations for functional, well lit, or landscape integrated ground plane design. The reliance on overhangs and recessed spaces contributes to the perceived heaviness of the podium and reduces the clarity of the building's base, middle and top.

To reduce apparent bulk and achieve finer skyline modulation, a 3-5m upper-level recess from Level 10 and above on the Pennant Hills Road frontage should be incorporated. In addition, a 3m upper-level setback on the western façade should also be investigated to improve the transition to existing dwellings, along with vertical articulation breaks or a two-part tower expression consistent with best practice urban design principles for long tower facades.

Deep Soil Zones

The ADG requires at least 15% of the site area to be deep soil with 6m as a minimum dimension for a site this size. The deep soil zone should ideally be a consolidated space to allow meaningful growth of vegetation and located within setbacks and communal areas to allow movement of fauna and groundwater.

	Through-Site Link Council does not support the design and configuration of the through-site link. The principal pathway from Felton Road to Pennant Hills Road is convoluted and should be simplified. The pedestrian link should be easily identifiable by pedestrians and perceived as an extension of the public domain. In addition, the pathway narrows to 2.6m at certain points and should be widened to ensure it is at least 3m wide throughout its entire extent. Graded equitable access should also be provided with ramps set at <1:20 (1:14 ramps are not supported). Council recommends the siting of the principal pedestrian footpath through the centre of the through-site link, which would also ensure the pedestrian footpath is entirely open to sky (currently it is partially located underneath an undercroft). Pedestrian lighting (designed to relevant Australian Standards) should be provided within the link to ensure safe access at all times. In addition, public seating and rest areas should be incorporated at regular intervals adjacent to the main pedestrian link. Planting of trees within the through-site link is supported. However, Council requests that sufficient soil volume is provided to support trees, in accordance with planting on structure guidelines in the Apartment Design Guide. In addition, clarification is required over how the internal landscape areas (and other publicly accessible elements) will be serviced and maintained. The through site link connection to the 1.8m wide footpath along Pennant Hills Road, should provide a more clear and direct connection between this footpath & the link while maintaining consistent visual connection / view corridor to Felton Street Other Pedestrian Areas Council requests clarification on the purpose and intent of the wide concrete expanse at the eastern corner of the site. If this area is meant to be a pedestrian connection, it should match the other footpath widths within the public domain, namely either the 1.8m wide footpath along Pennant Hills Road or the 1.5m wide footpath along Felton Road.	The site through link has been amended to address path gradients, landscape provision and amenity.
3	**Traffic Impacts** City of Parramatta has previously not supported Planning Proposals for this site noting they would put unacceptable levels of traffic on local roads which are already over capacity during peak periods and would delay and conflict with movements on Pennant Hills Road. Council's view on this matter is unchanged. Further, the following concerns are raised with the TIA and the traffic impacts of the proposed development: • The intersection of Baker Street and Felton Road are at times gridlocked due to queuing from the schools. This has resulted in emergency services previously raising concerns highlighting that it significantly impacts their ability to access the school in the event of an emergency. Accordingly, the conclusion within the TIA that this intersection has an acceptable Level of Service (LoS) is not at all reflective of the actual traffic conditions. It is important for the modelling to be calibrated with on-site conditions and any queuing that	A revised traffic report has been commissioned and prepared by McLarens. The peak traffic conditions experienced along Baker Street are for a short duration of a weekday morning between 8.48AM and 9.03AM and of a weekday afternoon between 3.15PM – 3.20PM. No traffic congestion occurs outside this period and particularly during a weekend. The recent inclusion of traffic lights at the intersection of Baker Street and Pennant Hills Road has vastly improved traffic flow in the locality. The above should not be an issue to residents, workers or visitors to the subject site, given that traffic movements would typically adapt and operate around the

reduces the capacity of the intersection needs to be factored into the model. Further, the TIA should provide commentary on how the model was calibrated.

- The traffic surveys and modelling should be updated to ensure relevance. It is noted that the Traffic Counts were conducted on the first week back from school and also during the COVID-19 pandemic and therefore, would not be an accurate representation of normal traffic conditions.

- The SIDRA model layout for the intersection of Felton Road and Baker Street needs to be updated to consider the existing pedestrian crossings and the volume of pedestrians crossing the road. Note that a further pedestrian crossing will be constructed at the southern leg of the intersection as part of the school redevelopment.

- It is noted that the TIA does not specify what peak hour was used for the modelling purpose. This needs to be clarified. Further, the modelling should be undertaken for both school peak hour and also the wider network peak hour to better understand the impact of the development. The claim within the TIA stating that residents will learn not to leave during the school peak hours has no basis.

- The modelling has been done on SIDRA Intersection 6 which is significantly out of date. It is recommended a later version of the software be used to ensure better output.

- Traffic modelling needs to be conducted at the intersection of Pennant Hills Road and Baker Street as this intersection will be the main outlet for the development site. While it is noted that Traffic Signals have been constructed at the intersection recently, the modelling needs to confirm that the additional traffic generated by the development will not have an adverse impact on the performance of the intersection. It is to be noted that these signals were generally installed to address existing congestion issues in the area and this this does not necessarily mean that there will now be spare capacity to support further development.

- The TIA performs a limited assessment of the Traffic Generation figures used and how these are relevant to the site. Greater consideration should be given to this including consideration of the existing mode share of the various uses within the proposed development site. In this regard, it is noted the 2021 Census data reveals a car mode share of 63% for Carlingford and a public transport mode share of only 3%. While it is noted that the Parramatta Light Rail was not operating at that time, a dedicated bus service was operating along the light rail route that had similar travel times to Parramatta.

  While it is noted that the Planning Proposal for the site has been approved, this should not exempt the applicant in ensuring that an adequate traffic assessment takes place. Likewise, even if the development was consistent with the controls that existed prior to the PP, a traffic assessment would still be required to confirm that the development would not result in adverse impacts. Should any adverse impacts be identified, the TIA should investigate and propose mitigation measures that should be delivered with the peak school travel periods.

Updated with the new traffic assessment.

	proposed development.	
4	**Gross Floor Area Calculations** Upon review of the gross floor area calculations provided by the proponent, it is evident that the total gross floor area of the proposed development has been incorrectly calculated. In summary, the applicant has calculated a total floorspace of 15,738sqm (16,203sqm including 465sqm winter garden allowance) whilst Council calculates a total of floorspace of 16,722.7sqm (17,187.7sqm including 465sqm winter garden allowance). The *Parramatta Local Environmental Plan 2023* defines ***gross floor area*** as follows. ***gross floor area*** *means the sum of the floor area of each floor of a building measured from the internal face of external walls, or from the internal face of walls separating the building from any other building, measured at a height of 1.4 metres above the floor, and includes—* *(a) the area of a mezzanine, and* *(b) habitable rooms in a basement or an attic, and* *(c) any shop, auditorium, cinema, and the like, in a basement or attic,* *but excludes—* *(d) any area for common vertical circulation, such as lifts and stairs, and* *(e) any basement—* *(i) storage, and* *(ii) vehicular access, loading areas, garbage and services, and* *(f) plant rooms, lift towers and other areas used exclusively for mechanical services or ducting, and* *(g) car parking to meet any requirements of the consent authority (including access to that car parking), and* *(h) any space used for the loading or unloading of goods (including access to it), and* *(i) terraces and balconies with outer walls less than 1.4 metres high, and* *(j) voids above a floor at the level of a storey or storey above.* There are numerous areas within the gross floor area calculations provided by the proponent that have been incorrectly excluded. A summary of these areas is provided in the following table.	The gross floor area has been adjusted and remains compliant.

	As identified above, a total of 1,007.7sqm of additional floor space may be counted toward gross floor area under the statutory definition of the *Parramatta Local Environmental Plan 2023.* The proposal therefore likely exceeds the maximum floor space ratio permitted under the *Parramatta Local Environmental Plan 2023* and *State Environmental Planning Policy (Housing) 2021*. As no clause 4.6 variation request accompanies the application, the application can only be determined by way of refusal.	
5	**Designation as State Significant Development** Council queries the classification of the proposal as State Significant Development. Schedule 1 of the *State Environmental Planning Policy (Planning Systems) 2021* prescribes the following eligibility criteria for in-fill affordable housing to be classified as State Significant Development. *26A In-fill Affordable Housing* *(1) Development to which State Environmental Planning Policy (Housing) 2021, Chapter 2, Part 2, Division 1 applies if—* *(a) The part of the development that is residential development has an estimated development cost of –* *(i) for development on land in the Eastern Harbour City, Central River City or Western Parkland City in the Six Cities Region—**more than $75 million**, or*	
	The application is accompanied by a Quantity Surveyors Report (QPC&C, 25 November 2025) which identifies the estimated development cost for the 'residential component' as $80,347,662. However, the report does not provide a clear breakdown of the components of the proposed development that form part of the 'residential component'. Concern is raised that the cost of construction for the three basement levels of the proposed development have potentially been included as forming part of the 'residential component' of the building, despite at least one basement level (basement level 1) comprising entirely non-residential storage and parking spaces. Given that the estimated development cost for the 'retail/commercial component' is quoted at $10,233,963, this is considered to be likely. It is also unclear if the cost of earthworks has been solely attributed to the estimated cost of the 'residential component' of the development. Council requests clarification on this matter and confirmation from the proponent as to the items that have been included in calculating the cost of the 'residential component' of the development.	The quantity surveyor has confirmed the accuracy of the calculations. A revised cost estimate report has also been prepared based on the revised design.

Summary of Matters Raised	Responses
• providing equitable access to recreation facilities for affordable housing.	
6 Matters to be resolved **Catchment Engineering** MUSIC Modelling The MUSIC model demonstrates pollutant reduction in accordance with Council's requirements; however, it does not demonstrate the required 10% reduction in post-development stormwater volume when compared with pre-development conditions. Therefore, appropriate measures must be incorporated to achieve the 10% reduction in post-construction stormwater volume, and this outcome must be clearly demonstrated within the updated model. DRAINS Model Council requires confirmation of the downstream stormwater pipe capacity—from the connection point to the final discharge point—through a DRAINS model. The model must verify hydraulic compliance and confirm the capacity to connect a 375 mm pipe from the site to the existing gully pit. If the downstream stormwater pipe is determined to be under-capacity, the proposal must include upgrading the downstream pipe in accordance with the model's findings. Council requires the submission of calculations and a design statement prepared by Ocean Protect for the proposed StormFilter system and OceanGuard pit. Groundwater Groundwater may only be discharged to Council's stormwater system during the construction phase and only following appropriate treatment. Post-construction groundwater discharge to the Council's stormwater system is not permitted. The stormwater design must clearly differentiate and manage surface and roof runoff separately from groundwater (including seepage). Post-construction groundwater must be reused on site. If groundwater cannot be reused on site (in landscaping irrigation, plant, or toilet	Councils DCP 2023 stipulates that the 10% reduction in Annual outflow is to be provided "where practicable" and as such is not a strict requirement that must be adhered to. In this regard the proposed development will be providing a 25KL rainwater tank that will serve to capture stormwater run-off from non-trafficable roof areas for reuse in irrigation of the proposed landscaping on the site. This tank alone will reduce the outflow from the existing site run-off conditions which does not have any form of rainwater capture or retention. To attempt to reduce the outflow to the required 10% as requested by Council would mean to provide an extensively larger rainwater tank that would far exceed the water reuse demand which would not be practical. The discharge from the existing site is currently uncontrolled and draining to an existing drainage network within the site that connects to the street drainage system. The existing 1:100yr ARI storm run-off is determined to be approximately 317 l/s. The proposed development will be provided with 2 on site detention (OSD) tanks in compliance with the Parramatta Council requirements. The combined discharge from the two proposed OSD tanks in a 1:100yr ARI storm will be 111 l/s, a reduction of 205 l/s. Therefore, any burden to the capacity of the existing drainage network within the street, will be an improvement as the quantity of discharge from the site will be greatly reduced from the existing conditions. The proposed drainage outlet connection will be to an existing Gully pit within Pennant Hills Road which is under the jurisdiction of TfNSW. Therefore, any connection requirements will be undertaken to requirements that may be imposed by TfNSW. Any seepage collection from the perimeter drainage network that will be provided within the basement will be captured within the proposed basement pump out tank. The outlet rising pressure main from this pump out tank will be connected to the proposed rainwater tank such that it may be re-used on site for irrigation of landscaped areas. As such it is suggested that an appropriate condition be provided for this requirement.

flushing) the basement must be entirely tanked (waterproofed).

Construction and Environmental Management Plan

Council recommends the preparation and submission of a Construction and Environmental Management Plan either as part of this application or prior to issue of the first construction certificate and commencement of any work.

Traffic and Parking – Other Matters

Residential Parking

Based on the non-discretionary standards of the SEPP (Housing), the following parking rates are applicable for the residential component of the development:

In accordance with the table above, the development is required to provide a total of 166 residential parking spaces in order to meet the SEPP requirements. However, the development only provides 151 spaces resulting in a shortfall of 15 spaces. Furthermore, it is noted that for the non-affordable component, the shortfall is higher at 22 spaces.

Consideration can be given the TfNSW reference rates for this site noting that it is within 800m of a Light Rail stop. Application of this reduced rate for the whole development site would still result in a shortfall of 14 residential spaces.

Concern is raised over the significant shortfall in residential parking and its (likely) impacts on on-street parking in the surrounding area.

Childcare Centre Parking

Council notes that the application's accompanying Transport Impact Assessment does not perform an assessment on the split between staff and visitor parking spaces and the documents do not state how many staff will be on-site to operate the childcare facility. Clarification on this matter is required to ensure that an adequate assessment of the facility (and its associated parking requirements) is undertaken. It is recommended that at least 12 spaces be allocated for visitor parking for this facility.

In the event of approval, Council recommends a condition of consent be included to ensure that parents will be able to access the basement car park during centre operating times.

Gym Parking

In accordance with the TfNSW reference rates, a 475m2 gym should provide parking at a rate of 3 spaces per 100m2 GFA resulting in 15 spaces. As 26 parking spaces are proposed for this use, there is a surplus of 11 parking spaces. Council recommends that this surplus parking be reallocated to other uses at the site (such as residential).

Commercial Parking

Council notes that, whilst no specific uses have been nominated for the various commercial

The on-site car parking provision has been adjusted to Council with SEPP and DCP provisions.

The gym currently operates on-site on a 24 hour basis everyday. The gym will simply shift across to the new building and continue a 24 hour daily operation.

The 6 commercial tenancies will be subject separate development applications to Council.

tenancies, some are accompanied by outdoor dining areas indicating that the use of these tenancies will likely be food and drink. On this basis, the TIA should be revised to perform a detailed parking assessment on the proposed uses and clarify the type of commercial activity that will be performed in the spaces. Rates from the Guide to Transport Impact Assessment should be used for this assessment.	
Car Park Design	
It is noted that the ramps to the basement car park are curved meaning that the shorter radius curve may be exceeding the maximum grades permitted as per AS 2890.1:2004. Accordingly, long sections of both edges of the ramps should be submitted and the TIA should confirm that Page 13 of 17 they meet the requirements of the standards. Further, it is noted that a control point and median is located at the bottom of the ramp just after a bend. The TIA should perform a swept path analysis to confirm that the vehicles will be able to safely navigate this point in the car park.	A long section is provided confirming compliance with the driveway.
The Gym parking spaces 6 and 7 cannot be accessed without excessive reversing movements which will compromise the safety of the car park. Accordingly, these spaces are not to be used, and bollards are to be installed to prevent unintended access. The same issue exists for residential parking spaces 4 and 70 and, visitor parking spaces 1 and 14.	The gym parking spaces have been shifted.
Bicycle Parking	
Council queries the location of the employee bicycle parking space within Basement Level 1, noting that the bicycle parking facilities are located some distance from commercial tenancies located within Building B and C. It is recommended that end-of-trip facilities for the commercial uses be located within proximity to entry points to these uses, in order to promote active transit options to the site.	Bicycle parking has been provided in compliance.
Loading and Servicing	
The TIA does not perform any assessment of the loading and servicing needs to the proposed development to confirm whether the proposed facility will be sufficient. It is recommended that the TfNSW Last Mile Toolkit be used to perform an assessment of the loading and servicing needs of the proposed development. The assessment should confirm that the vertical clearance within the loading dock meets the minimum requirements of AS 2890.2.	The loading facility is reliant on a turntable and the most efficient method to conserve space and enable vehicles to exit the site in a forward direction. A high span ceiling is provided in the loading dock.
Council notes the provision of a loading dock within the ground level of Building A, to be used for the collection and removal of waste as well as deliveries for the site. The provision of multiple waste storage rooms within close proximity to the loading dock would facilitate efficient waste removal. However, the separation of this loading dock from commercial storage areas located within Basement Level 1 is considered to be impractical. Any goods delivered to the site would need to be transported through waste rooms (with narrow doorways) and to the commercial premises located within Buildings A-C or transported via Lift 4 to Basement Level 1 which is understood to be a passenger (and not goods) lift.	Improved access has been provided between the commercial tenancies and the loading lock.

The absence of dedicated storage space for the delivery of goods and easy access to commercial storage areas from this loading dock is considered to be poor design. In addition, the need to transport goods (including food deliveries) through waste storage areas may give rise to adverse public health outcomes.	
Council recommends that the ground floor loading dock be redesigned to include appropriate facilities to receive the delivery of commercial goods. In addition, it is recommended that a Page 14 of 17 dedicated goods lift be incorporated into the loading dock, to enable transportation of goods from the loading dock to the basement commercial storage areas.	The loading dock design has been revised.
Preliminary CTMP	
A condition should be included in any approval that would require Council to review and approve any final Construction Traffic Management Plan (CTMP). For the preliminary CTMP provided, the following comments are made:	Noted.
• Baker Street and Felton Road experience heavy congestion during school zone hours and there are many pedestrians during these times. Any truck access during these times in these streets will create significant safety issues, particularly at locations where children would be crossing the road and they will add to the congestion. Accordingly, there is to be no truck movements to and from the construction site using these streets during school zone times and alternative access from Pennant Hills Road should be explored as supplementary construction vehicle access points.	Refer to the traffic assessment report.
• Swept path plans should be submitted with the final CTMP which should be reviewed and approved by Council prior to construction commencing on-site. It is noted that the left turns from Felton Road onto Baker Street may not be suitable for vehicles larger than 12.5m.	Swept paths within the site are compliant.
• A separate condition should be included for a dilapidation report to be submitted to Council prior to any works commencing on-site. The Dilapidation Report should cover all Council Assets within the road reserve along the construction vehicle route.	Noted.
Centre-Based Child Care Facilities - Parking	
Council notes that the dedicated parking spaces for the childcare centre are shared with other parking spaces for commercial uses within the development. It is recommended that the dedicated parking spaces be separated from other spaces wherever possible, with a demarcated walkway running the extent of the childcare parking area provided.	Parking provision within the basement levels has been reviewed and is appropriate.
Centre-Based Child Care Facilities – Access	
The ground floor childcare entry foyer does not provide a ground floor access to the childcare lift. The current design shows the lift separated from the foyer. This is not supported. As the childcare is wholly located on the first floor, the lift should be collocated with the foyer to enable users walking in from the ground floor to take prams up to the centre	A revised foyer design has been generated.

Centre-Based Child Care Facilities – Outdoor Play Areas	
It is unclear whether the largely enclosed outdoor spaces meet the definition of “outdoor play area”. Information provided by Australian Children's Education and Care Quality Authority (ACECQA) on appropriate outdoor space states that "Enclosed, covered outdoor spaces that are not open to the air will not be considered part of the outdoor space without approval by the regulatory authority" (p. 3). Given that the outdoor spaces are enclosed on all sides by the outer walls of the building, with only small openings provided, it is considered unlikely that these spaces count toward unencumbered outdoor space requirements under the regulation.	The 3 outdoor spaces include roof ‘cut-outs’ to achieve better natural light and ventilation. Such has been considered to be an acceptable design response by the Land and Environment Court.
In the event that these spaces do not meet the relevant definition/requirements, the absence of suitable outdoor play space is considered to be a poor design outcome. Council would not support a facility of this scale that solely relies on simulated outdoor play.	Nonsense.
In addition, concern is raised over the fragmentation of the outdoor play areas. The fragmented spaces, combined with the provision of multiple columns within those spaces, will likely inhibit effective supervision of children.	Not the case.
The outdoor play areas also present privacy conflicts with the nearby proposed terrace dwellings. Additional separation between the outdoor play areas and nearby dwellings is required, through the form of landscaping (or the like).	Unlikely given children will not be taller than the balcony wall.
Based on the above, Council recommends a significant redesign of the proposed Centre-Based Child Care Facility.	A redesign of the childcare centre has been undertaken to improve efficiency of spaces.
Centre-Based Child Care Facilities – Fire Safety	
For fire safety, the design of the centre must include a smoke lobby as per D1.7 of the National Construction Code. The applicant should also consider implementing additional fire safety measures in line with Fire and Rescue NSW’s recommendations for childcare centres to decrease potential safety risks (e.g., fire sprinkler system).	Noted
Centre-Based Child Care Facilities – Plan of Management	
Council notes that no plan of management has been prepared to accompany the application. It is unclear how the centre will operate and whether it will do so in accordance with relevant guidelines and legislation.	A plan of management has been prepared and is submitted as part of the amended submission.
Centre-Based Child Care Facilities – Pollution & Air Quality	
Council notes that under controls C26 and C27 of the *NSW Child Care Planning Guideline,* childcare facilities should avoid or minimise the impact of air pollution from major roads and prepare an air quality assessment to demonstrate that appropriate air quality standards can be met. No such assessment has been prepared by the proponent. Council requests that this assessment be prepared and submitted as part of the application, to ensure that emissions from Pennant Hills Road will not have adverse effects on the health and wellbeing of children and staff within the centre.	The proposed design achieves a reasonable balance between mitigating road noise and pollution and noise emanating from the centre. In addition improvements have been made by introducing ceiling ‘cut-outs’ to achieve direct sunlight and ventilation.

Universal Access

Equipment and furniture within the communal areas including the communal open spaces, commercial, childcare, and gym areas will require accessible and inclusive features suitable for a person with a mobility and other impairments. Note: AS1428.2 provides guidance on accessible furniture including reach ranges and varying heights of tables and seats with back and arm rests.

Noted and achieved.

Any discrepancies between the footpath and entries into the development are to be taken up within the site. The distortion of the footpath will not be tolerated.

Building lines and clear paths of travel are to be maintained.

Noted and achieved.

The active leaf of doors must provide a clear opening no less than 850mm. Low level thresholds are required at all doors accessing outdoor and differing areas.

The Abutment of differing surfaces shall have a smooth transition. Design transition shall be 0 mm. Construction tolerances shall be as follows:

(a) 0 ±3 mm vertical.

(b) 0 ±5 mm, provided the edges have a bevelled or rounded edge to reduce the likelihood of tripping. AS1428.1.7.2.

Landscaping

An amended landscape plan is required. The following information is to be addressed and indicated in the revised Landscape Plans:

A revised landscape plan has been prepared.

The landscape plan specifically addresses the childcare guidelines in terms of unencumbered space and the provision of age appropriate interactive play.

- The landscape plan must address the specific childcare landscaping objectives and principles of the Childcare Planning Guideline 2021. Ensure the unencumbered outdoor play spaces are designed to allow children to explore and experience the natural environment and ensure the provision of outdoor play areas cater for a variety of experiences that facilitate the development of cognitive and physical skills and provide opportunities for social interaction for the different aged children including; learning, active and quiet time and other development experiences. Play elements, including different flooring types, water play, vegetable gardens, fixed play equipment and furniture, for
- example, is to be clearly nominated on the plans to ensure they meet these varied experiences.

Noted and achieved.

- Planting / garden areas to have an appropriate width to sustain plantings proposed (minimum 1m).

It shall be demonstrated that soil volume and depth within the planters / on the podium levels meet the prescribed soil volumes to support the mature growth of trees and shrubs. Planting

details, including on-structure tree planting, shrub planting, turf planting to show indicative soil depths, widths and soil volumes to support the mature growth of the plants proposed as per the following; Typical tree planting on structure to show overall 800-1200mm soil depth. (Soil Volume to be reflective of proposed tree species size)

Typical shrub planting on structure 500-600mm soil depth;

Typical turf planting on structure 200-300mm soil depth.

Planting structures to be clearly defined on the plans and details provided indicating soil depths and volumes (including wall heights) to ensure they meet the planting requirements for the proposed trees and shrubs.

Noted and achieved.

Careful consideration should be given to ensure a variety of plant species are proposed which are vibrant, colourful and appeal to the senses so they can be incorporated into the age-appropriate learning experience. Species and locations are to reflect the solar orientation and be safe and suitable for use in a childcare. All of the proposed plant species are not to be considered poisonous, toxic and harmful or cause allergic reactions if any part of the plants are touched or ingested.

Noted and achieved.

Proposed Eucalyptus molucanna shall be replaced with Angophora costata, Eucalyptus acmenoides, Eucalyptus pilularis or Eucalyptus sideroxylon.

4.3 Government Agencies and Organisations

The Applicant's response to the received government agency submissions are outlined in **Table** 3 below.

Table 3 Government Agency Submissions

Summary of Matters Raised	Responses
Transport for NSW (TfNSW)	• Discussions were had with Shoba Sivasubramaniam of TfNSW. On the 3/2/2026 Shoba confirmed that *Transport for NSW (TfNSW) acknowledges your advice that the proposed setbacks are wholly contained within the subject site and that no overhang into the road reserve is proposed. We also note that adjustments are being made to the design*.
Department of Climate Change, Energy, the Environment and Water	• Email correspondence with the Department was had. The Department was made aware of works proposed to address groundwater matters. The Department confirmed via email dated the 3/4/2026 that *We do not have any comments at this stage. We look forward to receiving your revised assessment once it is complete*. • A detailed ground water report has been prepared addressing the request for additional information.
Endeavour Energy	• An application has been made to Endeavour Energy to determine method of supply. • A load assessment has been undertaken. • A offer of supply connection has been received by Endeavour Energy.

4.3 Public

The Applicant's response to the public submissions received

Table 3 Public Submissions

Issue	Summary of Matters Raised	Responses
Traffic	Residents are of the view that multiple developments within Carlingford are contributing to traffic congestion along Pennant Hills Road particularly with the soon to be completed Meriton development to the east of the subject site. Also raised is a concern that the metro service is needed to alleviate traffic congestion.	The objects make reference to the Meriton development and the impact of 1,000 + apartments in the precinct. The Meriton development is located in the eastern part of the precinct and well distant from the subject site. Notwithstanding an assessment has been undertaken of traffic generation from the subject site relative to surrounding streets and has been deemed to be reasonable.
Overlooking into the balcony	The resident resides in an apartment in the 3-4 storey development to the south of the subject site on Pennant Hills Road. Concern is raised that apartments in the tower building will look directly into the balcony and give rise to a loss of privacy.	The proposed development benefits from the provision of winter gardens along the Pennant Hills Road frontage. Outlook from the winter gardens in the main will be over this opposing development rather than presenting a downward view. It is noted that the opposing development includes shutters to their balconies and many apartments have shutters which remain closed most of the day.
Excessive height	It is claimed that the building is too tall relative to development around the site.	The building height proposed is compliant.
Inadequate commercial relative to the residential component	The resident believes that a higher proportion of commercial in the development would reduce overlooking opportunities.	Not a planning consideration given the generous compliant separation between buildings.
Strain on infrastructure	The resident is of the view that infrastructure including public transport is already stretched and	The proposed development is far less intense than the developments to the east and possibly fall within a

	will get worse with the inclusion of the development.	different utility service catchment..
View impacts to Parramatta CBD	This resident appears to reside in an apartment block fronting Jenkins Road and believes that the subject building will obstruct views of the Parramatta CBD.	The subject site is some 300-400m away from this resident. There are no iconic views to be obtained. Notwithstanding the resident will retain substantial viewing opprtunities.

5.0 Updated Project Justification

This section provides an updated justification and evaluation of the project, addressing all relevant issues raised in submissions. The Applicant's response to these issues is detailed and concise. There are no increased impacts arising from the development. Accordingly, the justification for the project as previously outlined in the EIS is reiterated and strengthened through the presentation of meaningful changes to the Proposal.

An improved development outcome has been achieved through the design amendments supported by technical specialist reporting.

5.1 Likely Impacts of the Development

Having regard to the natural environment, built environment, economic and social impacts of the proposed development, the likely impacts of the development are considered acceptable as outline in the following sections. In balance an appropriate built form and social outcome have been achieved. No adverse environmental issues arise.

5.1.1 Natural and Built Environment

The subject site is zoned commercial to generate a higher order development form. Being a commercial zoning, the subject site has no natural characteristics and the design response is appropriate within its context.

5.1.2 Social and Economic

- Introducing additional housing supply to Sydney, which includes both affordable and market housing choice.
- Improving the public domain and local character of the site and area by introducing high-quality new built form and the provision of a site through link.

The Carlingford precinct is well served by community provision, schools, open space and public transport nodes. The introduction of a mixed use development on the subject site is highly desirable and achieves connectivity with surrounding schools and residential uses. The test remains whether there is sufficient viability in the project given the economic circumstances currently being experienced.

The proposed development is well placed in terms of design and quality of spaces and finishes to confront the economic climate.

There is opportunity for social housing and job creation. What we don't want to see is further bureaucracy stifling opportunity to proceed. The Department is therefore called upon to approve the development in its entirety and include approval of the childcare centre and the gym, which integral to the success of the development.

5.2 Suitability of the Site

Having regard to the characteristics of the Site and its location, the proposed development (as refined and amended) remains suitable for the site in that:

- The site is located within the E1 Local Centre Zone.
- The proposed development will allow for the development of a dilapidated and currently underutilised site.
- The site is located on the western periphery of the Carlingford town centre, which has a prevailing high-rise built form that will continue to evolve overtime as redevelopment occurs across the town centre. The proposal is consistent with that typology and responds to the lower density character to the west of the site through the careful placement of built form across the site and design of the podiums.
- All necessary utility services are readily accessible to the proposal and are capable of accommodating any additional demand that may be associated with the residential uplift proposed for the site.
- The size and dimensions of the site are suitable for the scale of the proposed development.
- The site is proximate to a range of high-frequency public transport options, including the Carlingford light rail station.
- The proposal is sympathetic to nearby K13 Memorial Park local heritage site. No impact arises given the suitable separation between sites.

5.3 Public Interest

The proposed development remains in the public interest as it:

- It will increase the supply and choice of housing in a highly accessible location. The proposal presents an important opportunity to revitalise the site in accordance with the strategic vision for Carlingford town centre.
- An appropriate built form will be generated which pronounces the western approach to the Carlingford commercial precinct.
- It will achieve significant residential supply at the site (including affordable housing dwellings), which is proximate to a range of employment opportunities in Carlingford. This directly contributes to the achievement of the housing target of 5,900 completed homes in the Parramatta LGA by 2029.
- Direct employment opportunities will be created during the construction phase of the proposal.
- The development is consistent with its permissible planning controls under the Parramatta LEP and Housing SEPP and implements the objectives of the ADG.
- The proposed development will provide a diverse range of dwellings that include market apartments and affordable housing to increase the supply and choice of housing in Parramatta in accordance with the recent NSW State Planning interventions to incentive that land use and co-locate that land use with market housing to create diverse and vibrant communities.
- The proposed development provides improved amenity by revitalising a currently underutilised property and remediating it for significant housing supply.
- The delivery of affordable housing will ensure that residents can access housing that is affordable and in close proximity to jobs, services, public traqnsport and education.

6.0 Conclusion

As set out in the Submissions Report, the Applicant has reviewed each of the submissions made by members of the general public, organisations, and State and Local Government Agencies. In response to issues raised in these submissions, as well as matters identified by the Department, the Applicant has undertaken further environmental assessment where required. This Submissions Report has set out these matters as required under section 59(2) of the *Environmental Planning and Assessment Regulation 2021* and in accordance with the DPHI's *State Significant Development Guidelines*, including *Appendix C – Preparing a Submissions Report*.