

Attachment 1

Table 1: Agency submissions

MATTERS RAISED	COUNCIL OFFICER RESPONSE
Heritage NSW	
<ul style="list-style-type: none"> The subject site is located directly to the south west of the State Heritage Register listed “Lennox House” located at 39 Campbell Street which is associated with notable bridge builder, David Lennox. They are unable to determine the impacts of the proposed development on the visual setting of Lennox House without a Heritage Impact Statement (HIS). They note that the draft site-specific DCP requires a HIS to be submitted with any development application for the site and would be happy to provide further advice once this is prepared. The subject site is less than 15 metres from the “Masonic Centre” at 47 Campbell Street. While it is listed in the PLEP 2011 as an item of State heritage significance, it is not listed on the State Heritage Register so is a matter for Council’s consideration. 	<p>Council is in a position to request a Heritage Impact Statement (HIS) with the lodgement of a development application for the site under the existing provisions of the PLEP 2011 (Clause 5.10(5)(c)) as the site is within the vicinity of a heritage item. The draft Heritage Control C.15 within the site-specific DCP requires the inclusion of a HIS with the development application. Council’s City Significant Development team has advised that while there is no legislative requirement for Council to send the development application to Heritage NSW for applications on sites within the vicinity of heritage items of State significance, , consideration will be given to forwarding any application to Heritage NSW for comment.</p> <p>The amendments to Part 4.3.3 of the Parramatta DCP 2011 – Strategic Precincts Parramatta City Centre endorsed by Council on 11 October 2021 for public exhibition include heritage controls tailored to the Parramatta CBD. Any development application for the site would also be assessed in accordance with these controls including Section 6 Heritage however where there is an inconsistency the controls in the site-specific DCP for 8-14 Great Western Highway would prevail.</p>
<ul style="list-style-type: none"> The other objectives and controls relating to heritage in the draft site-specific DCP are encouraging and should have a positive heritage outcome 	Noted
<ul style="list-style-type: none"> There is potential for archaeological relics to be present at this site and the applicant should undertake an investigation of the likelihood of relics and identify any management required 	Clause 5.10(7) of the PLEP 2011 requires Council to notify Heritage NSW (as delegate of the Heritage Council) of any application on an archaeological site and take any comments into consideration. Further to this, under Section 3.5.2 Archaeology of the PDCP 2011, archaeology is required to be

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<p>under the Heritage Act 1977 to inform any future development application for the site.</p>	<p>addressed with the application and draft Heritage Control C. 16 requires the applicant to provide evidence that they have the support of Heritage NSW prior to Council's determination.</p>
Transport for NSW	
<ul style="list-style-type: none"> The proposed site-specific provision applying a maximum car parking rate as per the endorsed Parramatta CBD Planning Proposal is supported. 	<p>Noted.</p>
<ul style="list-style-type: none"> TfNSW will ultimately determine the driveway requirements as the vehicular access is proposed to a classified road. It is requested that Access Control C.10 on page 7 of the draft DCP as follows: <i>"The driveway from the Great Western Highway must be a minimum width of 12m wide and comply with Council's engineering standards"</i>, be replaced with: <i>"The driveway from the Great Western Highway must comply with AS2890.1 2004 and AS2890.2 – 2018"</i>. 	<p>Noted. This change is supported by Council's Traffic and Transport Team and is included in the recommendation to Council.</p>
<ul style="list-style-type: none"> Potential future road widening requirements along the Great Western Highway remain unresolved. However, the proposed 6 metre wide setback to the front boundary on the Great Western Highway is supported as it will make possible allowance for future road widening if required. 	<p>Noted. Draft site-specific DCP controls C3., C4 and C6 under the heading 'Building alignment and setbacks controls' support the requirement for a 6 metre of the building from the front boundary on the Great Western Highway. It is also noted that during the preparation of the Parramatta CBD Planning Proposal, TfNSW requested that no new road widening proposals be added where they are the acquisition authority pending further discussion and consultation. When the Parramatta CBD Planning Proposal was publicly exhibited, TfNSW did not seek inclusion of any road widening in their submission. Consequently, no reservation has been applied to the land for finalisation of the Parramatta CBD Planning Proposal.</p>
<ul style="list-style-type: none"> An appropriate funding mechanism/agreement should be in place prior to the finalisation of the 	<p>The NSW State Government has yet to implement the State Infrastructure Contribution (SIC) requirement that it has been flagging over the last 5 years. Some State Government Agencies</p>

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<p>amendment to the LEP to help ensure that developer contributions are obtained on an equitable basis for the provision of state and regional transport infrastructure required to support development uplift and future growth in the Parramatta CBD precinct.</p>	<p>have been requesting that Council apply a satisfactory arrangements clause which would require the applicant to make a contribution towards State Government Infrastructure even if the SIC is never implemented. Where State Agencies have requested during the exhibition process that this clause be applied to Council Planning Proposals, Officers have raised concern that the application of these clauses is inconsistent and does not treat all developers in the Parramatta CBD equitably. It is also noted that the Gateway determination for the site does not require Council to include a satisfactory arrangements clause within the Planning Proposal. Council Officers consider that this is an issue for DPIE to resolve, as the agency advice being provided here does not appear to be consistent with DPIE's position on this matter.</p>
Endeavour Energy	
<ul style="list-style-type: none"> • Provided details of existing electricity infrastructure on the site and provided their guidelines and technical specifications for future development. 	<p>Noted. Advice was forwarded to the applicant.</p>
Department of Planning, Industry and Environment – Environment, Energy and Sciences	
<ul style="list-style-type: none"> • Noted the proposal and raised no comments or concerns. 	<p>Noted.</p>

Table 2: Community Submissions

MATTERS RAISED	COUNCIL OFFICER RESPONSE
<p>Objects to any increase in density on this site and the draft Planning Agreement appears to be a bribe to permit the FSR bonuses.</p> <p>Plans on writing to the ICAC in relation to the inducement the council is receiving for endorsing the density proposed.</p>	<p><u>One (1) submission raised this issue.</u> Advice was provided to the author of this submission on 6 August 2021 via email as follows:</p> <p><i>Since 2013, Council has been undertaking a process of preparing amended planning controls for the broader Parramatta CBD in recognition of the identification of Parramatta by the State Government as a centre for substantial growth in jobs and housing. This process has resulted in the Parramatta CBD Planning Proposal which provides a new framework for increased density</i></p>

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<p>Object to any concessions of this magnitude being given to any developer. They should be treated the way the author was treated with his DA just down the road.</p>	<p><i>controls across the Parramatta CBD. Included with the CBD Planning Proposal is an Infrastructure framework which originally aimed to levy developers through Planning Agreements to secure contributions to fund community infrastructure within the CBD.</i></p> <p><i>Council's endorsed approach to the infrastructure framework for the Parramatta CBD has recently changed in light of changes by the State Government to its "Planning Agreements – Practice Note" which no longer supports the use of Planning Agreements for the purpose of value capture. Therefore, Council as part of its consideration of a report on the Parramatta CBD Planning Proposal at the Council Meeting on 23 June 2021 has resolved to no longer proceed with this approach. Instead, Council will seek to fund infrastructure through an increase in the percentage rate of the developer contributions plan. A report to Council on the increase in the percentage rate of the developer contributions plan endorsed a modified Contributions Plan for the Parramatta CBD for the purpose of public exhibition at the Council Meeting on 26 July 2021.</i></p> <p>Since the public exhibition of the draft Agreement, Council has endorsed the Parramatta CBD Local Infrastructure Contributions Plan (endorsed by Council at its meeting of 25 October 2021). Under this Plan, Council is no longer seeking funding for local infrastructure within the CBD by securing monetary contributions through Planning Agreements. Rather, the Plan seeks to increase the percentage rate applicable to developments in the CBD under Section 7.12 (formerly known as Section 94A contributions). It should be noted that Council cannot apply the increased percentage levy until the Minister endorses the Contributions Plan. At the time of the preparation of this report, the Parramatta CBD Local Infrastructure Contributions Plan had been forwarded to the Minister and has yet to be approved.</p> <p>The site-specific Planning Proposal for 8-14 Great Western Highway was lodged by the applicant in 2019 and has been one of several site-specific planning proposals lodged by property owners within the Parramatta CBD seeking to increase the height and floor space ratio controls on their site to achieve the same density proposed by the Parramatta CBD Planning Proposal.</p> <p>These site-specific Planning Proposals have been assessed by Council against the strategic framework of the Parramatta CBD Planning Proposal and associated infrastructure framework. The subject Planning Proposal for 8-14 Great Western Highway is consistent with the</p>

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	<p>controls proposed to be introduced by the CBD Planning Proposal. The CBD Planning Proposal is expected to be notified and come into effect later in 2021 (subject to the DPIE), at which time, the subject site-specific Planning Proposal will most likely not proceed further as the changes sought to the controls will have been already introduced by the CBD-wide Planning Proposal.</p> <p>At the time that the subject Planning Proposal was assessed, Council's endorsed position was to enter into Planning Agreements with applicants in order to secure the contribution towards community infrastructure in the CBD. As Council's position has recently changed for the reasons described above, it will be recommended to Council that it not proceed with the Planning Agreement exhibited with the site-specific Planning Proposal for 8-14 Great Western Highway and instead be subject to the amended developer contributions rate consistent with in the Draft Parramatta CBD Local Infrastructure Contributions Plan 2021.</p> <p>It is noted that the official ICAC email addresses was copied into the Council email response sent to the author of this submission. No reply to Council's email to the author has been received to date.</p>
<p>High density housing should not be pursued in a pandemic world as one infection in the building can force the whole building into lockdown. Further, without the return to pre-Covid immigration levels, we may end up with half empty apartment buildings. Council should defer the project to first assess design guidelines for a future pandemic world.</p>	<p><u>One (1) submission raised this issue.</u></p> <p>The response to Covid-19 has been co-ordinated by the Federal and State Government. Current public health measures do not include the deferral of development projects but rather they are seen by the NSW Government as an important initiative in the road to economic recovery.</p>
<p>Even the energy-efficient versions of high density housing will increase demand for energy for things like lift cores and air conditioning. The NSW power grid will not be able to accommodate the growth in demand for electricity.</p>	<p><u>One (1) submission raised this issue</u></p> <p>The subject Planning Proposal includes the introduction of a site-specific clause which provides for a 5% FSR bonus for High Performing Buildings consistent with Council's endorsed position on the Parramatta CBD Planning Proposal. This relates to the meeting of targets for water and electricity usage. The relevant targets for commercial buildings and the commercial component of mixed use buildings is based on a NABERS rating of between 3.5 and 5.5 depending on the proposed type of commercial/retail use. The relevant targets for residential development are over and above those normally required by the current BASIX requirements. These controls will be regularly reviewed by Council to ensure high performing building measures improve over time to reflect new technologies and commercial viability.</p>

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	Further the site-specific Planning Proposal was referred to Endeavour Energy who did not raise any issues in relation to this matter.
Planning for Sydney's growth by the Greater Sydney Commission does not take into account energy-related analysis. Council should pro-actively engage in the maximum electricity demand monitoring exercise.	<p><u>One (1) submission raised this issue</u></p> <p>This is a matter for the State Government and is beyond the cope of the subject Planning Proposal. Refer to comment above regarding the endorsed approach to energy efficiency standards for development of the site.</p>
As a resident of Parramatta, objects to the Planning Proposal and the proliferation of high rise buildings as there are no associated services being provided eg. new train lines, new hospitals, child care centres, schools and shopping centres.	<p><u>One(1) submission raised this issue</u></p> <p>The planning for the development of the Parramatta CBD under the CBD Planning Proposal is accompanied by the Draft Parramatta CBD Local Infrastructure Contributions Plan 2021. This aims to levy developers to secure monetary contributions towards the provision of community infrastructure within the CBD. This ensures that community infrastructure can keep pace with the expected increase in population. The Draft Parramatta CBD Local Infrastructure Contributions Plan 2021 has been publicly exhibited and the results of public exhibition are expected to be reported to Council at its Meeting on 25 October 2021.</p> <p>In terms of State Government infrastructure, Parramatta is set to benefit from significant Government investment in new facilities and infrastructure including the Parramatta Light Rail, the Sydney West Metro and the Museum of Applied Arts and Sciences. The Greater Sydney Commission (GSC) is also working with council and relevant agencies to ensure infrastructure delivery is matched with growth in the Greater Parramatta to Olympic Park (GPOP) corridor which includes the Parramatta CBD. At the time of writing this report, the GSC is preparing a strategic planning framework for GPOP which is exhibited to be publicly exhibited to encourage community input into the future vision for GPOP.</p>
The area is characterised by low rise residential units and they will be affected by the proposal in terms of sunlight access, sewerage, traffic, shopping and public transport.	<p><u>One (1) submission raised this issue</u></p> <p>It is acknowledged that the surrounding area will be affected by overshadowing from the future development of the site under the controls endorsed in the Planning Proposal. However, the development controls within the proposal will provide for tall, slender building forms. This way, while a large number of properties will be overshadowed, the shadows will be fast moving and will minimise the impacts on any one property. Further, shadow diagrams are required to be submitted with any development application for the site allowing this issue to assessed in detail.</p>

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	<p>Parramatta CBD is well-serviced by existing public transport and retail facilities and as noted above the Parramatta CBD is expected to benefit from new public infrastructure. In relation to traffic and future public transport provision, Council has prepared an Integrated Transport Plan (ITP) that considers the transport needs arising from the growth anticipated under the Parramatta CBD Planning Proposal. Following public exhibition, the ITP was endorsed by Council on 26 July 2021 and submitted to DPIE to support the finalisation of the CBD Planning Proposal.</p> <p>To reduce the load on the existing sewerage system from new development, the CBD Planning Proposal introduces a new requirement for provision of dual water supply to require potable water pipes and recycled water pipes for the purposes of all available internal and external water uses.</p>
<p>Tall buildings should also be permitted on the southern side of the Great Western Highway to provide a greater sense of arrival into Parramatta from the future Badgery's Creek Airport.</p>	<p><u>Two (2) submissions raised this issue</u></p> <p>As part of Council's consideration on the CBD Planning Proposal on 25 November 2019, Council resolved to further investigate several areas on the periphery of the CBD for potential increases in density. This includes what is referred to as the Southern Planning Investigation Area (PIA) which encompasses an area south of the Great Western Highway opposite the subject site and west Auto Alley.</p>

Table 3: Heritage Advisory Committee Submission

MATTERS RAISED	COUNCIL OFFICER RESPONSE
<p>At its Meeting on 26 November 2020, the Heritage Advisory Committee were made aware of the impending public exhibition of the Planning Proposal, draft DCP and draft Planning Agreement. The Committee asked that its previous comments on the Parramatta CBD Planning Proposal be considered in this regard. These comments include:</p> <p>a. <i>The importance of Parramatta's rich and diverse heritage (Aboriginal, non-Aboriginal</i></p>	<p>In regard to the Committee's comments, no comments were made specific to the site but rather, contained general heritage comments. It is considered that the concerns raised regarding setbacks to historic landmarks have been addressed by the draft DCP which propose heritage provisions, setbacks and deep soil zones to manage the impacts of development on nearby heritage items.</p>

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<p><i>and shared) and architectural development over time. The Committee considers that Parramatta is the sum of all its parts and it should not be reduced by a part-by-part nibbling of its identity;</i></p> <p><i>b. A built heritage that reflects this rich and diverse history and architectural styles, not just concerns with the current trends in commercial and residential high-rise architecture;</i></p> <p><i>c. A major stepping down provision for areas surrounding individual heritage items as well as conservation areas to give the heritage items room for space, setting, context and connection to/with other heritage items (e.g. 10 m Perth House, blocks on western side of Sorrell Street);</i></p> <p><i>d. Opening up vistas/sightlines to and from Civic Place and nearby landmarks by increasing setbacks closest to Civic Place e.g. corners of Church, Macquarie, Hunter Streets e.g. 15 metres;</i></p> <p><i>e. Providing sufficient setbacks to all major historic landmarks, not only in Church Street; and</i></p> <p><i>f. Heritage considerations should be a key principle, incorporating design excellence, the heritage of Parramatta and its architectural history, and its city landscape as key values.</i></p>	

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The Committee were further notified of the public exhibition on 21 July 2021 and no further comments were made.	