

# SUBMISSIONS SUMMARIES – EXHIBITION OF DRAFT CITY CENTRE DCP

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### ACRONYMS

DCP = Development control plan

DPE = Department of Planning and Environment

EIS = Environmental Impact Statement

PLEP 2011 = *Parramatta Local Environmental Plan 2011*

PPs = Planning proposals

RFB = Residential flat building

SSDCP = Site specific development control plan

SSI = State significant infrastructure

SSPP = Site specific planning proposal

## Introduction

This document summarises the submissions received during the statutory exhibition period for the Draft City Centre DCP. A total of **97 submissions** were received from the following groups:

- Residents and Individuals (**71 submissions** inclusive of 4 unique submissions and 67 pro formas relating to 7 sites). Refer to Table 1.
- Planning Consultants, Major Landowners and Developers (**12 submissions**). Refer to Table 2.
- Organisations (**1 submission**). Refer to Table 3.
- Public Authorities and Service Providers (**11 submissions**). Refer to Table 4.

**Note** – Where a submitter has referenced the exhibited section number (e.g. Section 5.4), Council Officers have replaced these references with the revised/updated section reference (e.g. to Section 6.5.4).

Red text denotes an amendment to the City Centre DCP controls on account of a submitter's comments.

**Table 1 – Submissions from Residents and Individuals**

Row	Address / Submission No.	Summary of Submission	Council Officer Response (Note: Further action noted only where required or recommended)
1.	No address provided Submission Nos. 1A & 1B	Calls for a high speed rail between Sydney and Melbourne to stop at Parramatta as well as Canberra and Albury.	This submission relates to State/Federal Government funded infrastructure and is beyond the scope of the Draft City Centre DCP.  Council's <a href="#">Local Strategic Planning Statement</a> identifies Council's preferred High Speed Rail Link corridor which passes through in the vicinity of the Parramatta LGA (refer to Figures 24 and 25).
2.	Unit owner at 11 Elizabeth Street, Parramatta Submission No. 3	<ul style="list-style-type: none"><li>• Submitter is grateful that Council has not rezoned Elizabeth Street for high density residential uses.</li><li>• States that the Trinity Church on Elizabeth Street is a heritage building that needs to be protected.</li></ul>	Elizabeth Street is located within the Eastern Planning Investigation Area (PIA) that was deferred from the City Centre LEP process on 25 November 2019.  The immediate priority policy areas for the City Centre are outlined in a <a href="#">Council report</a> on 25 July 2022 and the <a href="#">corresponding minutes</a> (refer to Item 13.4). In short, it will be some time before Council is able to progress any further investigation of this PIA.

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			The Church referred to by the submitter is officially referred to as 'All Saints Church' at 21 Victoria Road (corner Elizabeth Street) and is listed as a local heritage item in PLEP 2011 (I551). Two other associated buildings at 27 Elizabeth Street are also local heritage items being are 'All Saints Parochial School' (I469) and All Saints Hall (I552).
3.	128 Macquarie Street, Parramatta Pro forma submission Nos. 4, 6, 34, 44, 49, 54, 62, 70, 74, 78, 81, 88.	<ul style="list-style-type: none"> <li>Pro forma requests a 0-3 metre setback rather than the Draft DCP's 6 metre setback and relies on an example at 116 Macquarie &amp; 5 - 7 Charles Streets (DA/560/2017/D) that has "less stringent" setbacks.</li> <li>Pro forma says the building is aged and requires maintenance and therefore argues in the absence of this amendment the site will not be able to be redeveloped.</li> <li>One pro forma adds an alternative point - that the draft DCP controls are inconsistent with the prescribed FSR controls in the LEP and argue that they should align.</li> <li>Another pro forma with minor additions to it states that other properties have recently been given precedence on residential setbacks in Parramatta and therefore owners are disadvantaged if they are not afforded the same setback controls.</li> </ul>	<ul style="list-style-type: none"> <li>The subject site contains a 9 storey, 47 unit residential flat building built in the 1980s/early 90s. The site area is 1,500sqm and is zoned B4 Mixed Use.</li> <li>A total of 13 apartments are represented by the pro forma, equating to 27% cent of the total apartment ownership. (Note: in some cases, more than one pro forma was completed per apartment).</li> <li>The pro forma is not supported by any urban design or economic analysis that justify a change to the setback controls.</li> <li>The generic setback controls in Section 6.3.3 outlined for active street frontages will apply to this site, allowing the street wall to be built to boundary and towers setback a minimum of 6 metres above as this site will be subject to the new City Centre controls when they come into effect. Furthermore, this site currently has no Pre-lodgement nor DA with Council.</li> <li>A merit-based approach may always be considered under a DCP; however, it would be detrimental to reduce the setback controls as this would create a compromised position (ie. a lesser setback) and should not set the standard for all development.</li> </ul>
4.	313 Verona Drive, Wentworth Point	<ul style="list-style-type: none"> <li>Generally supports the Draft City Centre DCP.</li> </ul>	The principles informing the City Centre controls are derived from an ideology aimed at making the streets (and other public

Row	Address / Submission No.	Summary of Submission	Council Officer Response (Note: Further action noted only where required or recommended)
	Submission No. 5	<ul style="list-style-type: none"> <li>States that cultural experience, building quality and safety in the CBD are important and need to be improved.</li> <li>Requests that Council consider providing space for buildings that provide unique designs which can also attract new residents to Parramatta CBD.</li> </ul>	<p>spaces) well scaled, comfortable and safe places for pedestrians.</p> <p>Although not overly prescriptive, if applied consistently the principles and controls for built form will ensure the City Centre develops with a collective character in the public domain, with enough diversity and interest to attract new residents and visitors to Parramatta.</p> <p>There is ample scope and freedom for architects to interpret and work within the boundaries set in the DCP, which are based on sound city-making principles. The DCP does not provide any rigid detail on the design of towers, allowing the space above the street wall to deliver a variety of design responses.</p>
5.	19 Campbell Street, Parramatta  Pro forma submission No.s 7, 12, 14, 21, 24, 28, 32, 43, 46, 50.	<ul style="list-style-type: none"> <li>Pro forma objects to part of control <b>C.03 j)</b> (p.102) requiring the tower element be setback 6 metres from the street wall: <i>...On the southern side of Campbell Street, the street wall must be set back 6 metres from the street boundary and the tower must be set back a minimum of 6 metres from the street wall.</i> Requests instead that the tower setback be reduced to 3 metres so that the tower setback from the boundary equates to 9 metres, not 12 metres.</li> <li>Pro forma states that the proposed 6 metre setback is not consistent with the setback controls that apply to the site at 8-14 Great Western Highway. Thus requests the same setback controls.</li> <li>Pro forma says the building is aged and requires maintenance and therefore argues in the absence of this amendment the site will not be able to be redeveloped; and further, will lead to the poor outcome of existing building stock being retained and would provide no incentive to landowners to invest.</li> <li>Pro forma states the draft setback controls do not allow the subject site to achieve the FSR as prescribed in the</li> </ul>	<ul style="list-style-type: none"> <li>The subject site contains a 12 unit RFB built in the 1980s/90s. The site area is approximately 914sqm and is zone B4 Mixed Use.</li> <li>A total of 9 units are represented by the pro forma equating to approximately 75% of total units. (Note: in one case, two pro forma were received from one unit).</li> <li>The pro forma is not supported by any urban design or economic analysis that justify a change to the setback control.</li> <li>The setback controls in the City Centre DCP are aimed at making the streets (and other public spaces) well scaled and comfortable places. A minimum 6m setback to towers above the street wall is considered the minimum necessary to mitigate wind and urban heat impacts, allow views to sky and protect amenity in the streets.</li> <li>In relation to 8-14 Great Western Highway, Council determined through assessment of an applicant submitted site specific planning proposal and associated DCP, that a tower setback of 3 metres was acceptable in this instance given the site conditions and context, including the requirement for the dedication of land for road widening. As</li> </ul>

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		LEP and thus fails to meet its objective to facilitate the LEP.	<p>such the setback outcomes at 8-14 Great Western Highway should not be seen as a precedent to be repeated in the Parramatta City Centre. If the submitter feels a site-specific DCP is necessary for their site, Council officers are happy to discuss this matter further.</p> <ul style="list-style-type: none"> <li>• Council Officers have tested the assumed amalgamation of sites at 17 and 19 Campbell Street in response to the CBD Planning Proposal exhibition. This amalgamation pattern was tested because both sites have a site frontage of approximately 40m (20m each) and are less than 1000sqm and to achieve the maximum mapped FSR of 10:1 a minimum site area of 1800sqm is required. As per previous advice supplied by Council Officers: <ul style="list-style-type: none"> <li>- Any future development at 17-19 Campbell Street should engage with the Westfield site to the east to inform the most appropriate setback context.</li> <li>- On the assumption that the corner parcel owned by Westfield is not able to amalgamate with the subject site or develop to its maximum potential, a detailed urban design analysis that includes a study of adjoining sites must be submitted to consider any variation to setback controls.</li> <li>- The minimum street setback controls to Campbell Street must take precedence to achieve the vision for the City Centre that prioritises the quality of public spaces and the pedestrian experience.</li> </ul> </li> <li>• As part of the City Centre LEP process, this site is part of a block identified as having 'Merit for further investigation' in Group 4 of <u>Council's Summary of Council endorsed position document</u>. However, this work has been delayed due to the work that is now required to respond the changes the Department made to the CBD Planning proposal via</li> </ul>

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			Amendment 56. Council's response to the Departments changes are detailed in in a <a href="#">Council report</a> on 25 July 2022 and the <a href="#">corresponding minutes</a> (refer to Item 13.4). Therefore, the further investigations of the block containing this site will not be commenced until 2023.
6.	17 Campbell Street, Parramatta  Pro forma submission No.s 8, 13, 15, 17, 19, 20, 36, 42.	Comments raised are identical to those raised for 19 Campbell Street. Refer to row 5, above.	This feedback constitutes a pro forma received from owners representing 7 units in a 12 unit RFB (built in the 1980s/90s) representing approximately 58% of total units. (Note: in one case, two proformas were received from a unit).  The site is approximately 914sqm in area and is zoned B4 Mixed Use.  Refer to comments for 19 Campbell Street (row 5), above as the same issues are relevant to this submission.
7.	71 Marsden Street, Parramatta  Pro forma submission No.s 9, 10, 11, 16, 22, 23, 25, 26, 30, 31, 33, 39, 41 & 96.	<ul style="list-style-type: none"> <li>Pro forma objects to part of control <b>C.03 k)</b> (p.103) requiring the tower element to be setback 6 metres from the street wall: <i>Street setbacks and heights on Great Western Highway must comply with Figure 5.6.5 (Section C). The street wall must be set back a minimum of 6 metres from the street boundary and the tower must be set back a minimum of 6 metres from the street wall.</i> Requests instead that the tower setback be reduced to 3 metres.</li> <li>Pro forma states that the proposed 6m setback from the street boundary is not consistent with some setback controls applied to other sites (e.g. 8-14 Great Western Highway) therefore, requests the same setback controls on this site.</li> <li>Pro forma states that they are concerned that <i>when applying an effective 12m setback to Great Western Highway and then a 9m setback to the north, plus a road widening on Marsden St and bicycle pathway - the</i></li> </ul>	<ul style="list-style-type: none"> <li>This feedback constitutes a pro forma received from owners representing an 8 storey, 28 unit RFB (built in the 1980s/90s) representing approximately 57% of total units. (Note: in one case, two pro formas were received from one unit).</li> <li>The site is 14,000sqm in area and is zoned B4 Mixed Use.</li> <li>The pro forma is not supported by any urban design or economic analysis that justify a change to the setback control.</li> <li>The setback controls in the City Centre DCP are aimed at making the streets (and other public spaces) well scaled and comfortable places. A minimum 6m setback to towers above the street wall is considered the minimum necessary to mitigate wind and urban heat impacts, allow views to sky and protect amenity in the streets.</li> <li>In relation to the comment about 8-14 Great Western Highway see the above response at row 5.</li> </ul>

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		<p><i>land available for a tower footprint is dramatically squeezed.</i></p> <ul style="list-style-type: none"> <li>Pro forma states that the building is aged and requires maintenance and therefore argues in the absence of this amendment the site will not be able to be redeveloped; and further, will lead to the poor outcome of existing building stock being retained and would provide no incentive to landowners to invest.</li> <li>Proforma supports the allowance for the 6m deep soil and trees as prescribed in the exhibited City Centre DCP controls.</li> </ul>	
8.	No address provided Submission No. 18A and 18B	Submitter raises concerns with proposed zoning of Wilde Avenue, Parramatta, particularly between Parramatta River and Victoria Road as part of the Parramatta CBD.	<p>No zoning change was proposed to the western side of Wilde Ave between Victoria Road and Parramatta River (the existing B4 Mixed Use zone is retained).</p> <p>The eastern site of Wilde Avenue which is currently zoned R4 High Density Residential, is contained within the area covered by the Eastern Planning Investigation Area (PIA) which was deferred from the City Centre LEP process on 25 November 2019.</p> <p>The immediate priority policy areas for the City Centre are outlined in a <a href="#">Council report</a> on 25 July 2022 and the <a href="#">corresponding minutes</a> (refer to Item 13.4). That report discusses the need to pursue a further study of the area north of the Parramatta River (City Centre North) the Department deferred from the CBD Planning Proposal (Amendment 56).</p> <p>A further report will be provided to Council (scheduled for November 2022) on the scope of this study and this will allow Council to determine whether both sides of Wilde Street will be included in the study. No further changes will occur to the planning controls for site fronting Wilde Street ahead of this work.</p>

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		Submitter questions whether both sides of Wilde Avenue are permissible for R4 zoning or are subject to zoning consistent with Elizabeth Street and Sorrell Street because they <i>present to these streets</i> . Also questions whether some buildings with accessible exits could change their lot title/numbers to Wilde Avenue as a means of achieving increased density.	See above response (row 8).
		Submitter is of the view the Parramatta CBD is short of green space and suggests all major streets are dominated by high tower buildings.	Open spaces and additional public domain to be managed through intensification of the Parramatta City Centre can be observed in Section Part 6.4 Public Domain. Additional pedestrianised spaces and urban parks are detailed in Section 6.5 Special Areas, including major initiatives such as Civic Link and the extension to Jubilee Park.  The built form envelopes are derived from principles of collective city form and character that are aimed at making the streets (and other public spaces) as well scaled and comfortable places for pedestrians.  Measures to ensure solar access to the city's existing open spaces are protected have also been included in the draft CCDCP in Section 6.4.1 Solar Access to Significant Parks and Spaces.
		Submitter is of the view that St John's Cemetery on O'Connell Street <i>will become a barrier for Parramatta CBD</i> .	St John's Cemetery is an identified State Heritage Item as per the heritage framework under the <a href="#">Heritage Act 1977</a> denoting its critical historic and heritage importance for the State and as such, is listed in Schedule 5 of <i>PLEP 2011</i> (Item No. I00049). Council's role is to protect this site into the long term for future generations, consistent with NSW heritage law and government strategic policy such as the <a href="#">Central City District Plan</a> and Council's <a href="#">Local Strategic Planning Statement</a> .
9.	73 Marsden Street, Parramatta	Comments are identical to those raised for 71 Marsden Street above (see row 7).	Subject site contains a 4 storey, 12 unit residential flat building built in approximately in the 1970s. The site is 965sqm in area and is zoned B4 Mixed Use.



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	Pro forma submission No.s 27, 29, 38.		3 apartments of the 12 apartment site are represented by a pro forma equating to 25% representation. Refer to comments above for 71 Marsden Street (row 7).
10.	7/37 Binalong Road, Pendle Hill Submission No. 35	<p>Submitter states that the DCP controls have a focus on high density living and working. Submitter does not support the DCP controls for the following reasons:</p> <ul style="list-style-type: none"> <li>• They will provide <i>double the growth</i> required under the strategic targets and provides justification for developers to squeeze people out of the housing market and accommodate investors.</li> <li>• The Parramatta CBD <i>will become like Chatswood</i> when instead people prefer community and green spaces.</li> <li>• Parramatta has become <i>over densified</i> and the proposed DCP controls will exacerbate issues like traffic congestion and housing prices.</li> </ul>	<p>The Draft City Centre DCP controls support the Draft City Centre LEP which was finalised via <a href="#">Parramatta LEP 2011 (Amendment No 56)</a> on 6 May 2022 and comes into effect on 14 October 2022.</p> <p>The City Centre LEP provides building height and density controls that deliver a higher density/tower development potential. It is beyond the scope of the City Centre DCP to address the principle of whether high density development is appropriate for the Parramatta City Centre as the issue was investigated as part of the 8 year long LEP process.</p>
11.	James Coleman on behalf of resident in Bevan Street, Northmead Submission No. 37	<p>Raises concerns with specific sections of the new provisions and its application to North Parramatta and 'its heritage'.</p>	<p>The area north of the Parramatta River has been deferred from the City Centre LEP via <a href="#">Parramatta LEP 2011 (Amendment No 56)</a>. This means that the existing LEP controls in Part 7 of <i>PLEP 2011</i> as well as the existing DCP controls in Section 4.3.3 of <i>PDCP 2011</i> will continue to apply to this area.</p> <p>The immediate priority policy areas for Council in the City Centre are outlined in a <a href="#">Council report</a> on 25 July 2022 and the <a href="#">corresponding minutes</a> (refer to Item 13.4) which prioritises policy work which focuses on land south of the Parramatta River.</p> <p>A further report will be provided to Council (scheduled for November 2022) on the scope of this study that will then guide formulation of future controls that will be applied to the land North of the Parramatta River.</p>
		<b>Section 6.3.3.3 Tower Slenderness</b> – Submitter agrees that the draft 'tower slenderness' controls seeks a desirable architectural outcome but argues high-rise developments	Tower slenderness has been addressed in the City Centre DCP controls and will be delivered through a combination of specific numeric controls including maximum floorplate size, envelope

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		<p>south of the river are not 'slender' when viewed from the streets north of the River.</p> <p>Submitter says tower slenderness only becomes evident if the building has significant setbacks from adjoining sites. Without this, it will result in an <i>incoherent mass of built form between the river, Harris Street, the Great Western Highway, Marion Street and Pitt Street – O'Connell Street</i>.</p> <p>Recommends this section be amended to delete all references to 'slenderness' and that controls C.01 to C.06 be reviewed to prioritise sustainability instead of 'slenderness'.</p>	<p>proportions, tower separation and setbacks. By introducing these benchmarks, tower slenderness will be a more measurable objective.</p>
		<p><b>Section 6.3.5.2 Flood Affected Sites</b> - As part of flood-water management in riparian areas between Lennox Bridge and North Rocks Road, this section could be amended to include provisions requiring the responsible authority to work with local First Nation people in undertaking survey work to identify Aboriginal cultural sites and relics; and to recommend appropriate conversation actions.</p> <p><b>Section 6.10 Site specific controls</b> of the DCP be amended to include appropriately worded provisions designed to protect Aboriginal cultural sites between the Lennox Bridge and Toongabbie Creek, such provisions to be drafted in consultation with local First Nation representatives.</p>	<p>The area described extends outside the CBD PP boundary.</p> <p>Part 3 of PDCP 2011 and the statutory framework under the <a href="#">Heritage Act 1977</a> has requirements for other public authorities to ensure they meet their obligations under this Act with regards to Archaeology protection. It is considered there are already appropriate mechanisms to address this issue without the need to add further detail to the CBD DCP.</p>
		<p><b>Section 6.4. Solar Access to Significant Parks and Spaces</b> - Submitter states that Prince Alfred Square is shown partly hatched (with solar access protection) at Figure 6.4.1.1 – Parks and Places with Solar Access Protection, but it is not listed as a nominated 'significant park or space' in Table 6.4.1.1 – Nominated Significant Parks and Spaces and times for solar access protection. Sees the Park requires permanent protection from</p>	<p>The area north of the River, including Prince Alfred Square was one of the parks subject to LEP solar access protection controls. Regardless, the area north of the River has been deferred from the City Centre LEP via <a href="#">Parramatta LEP 2011 (Amendment No 56)</a> and therefore from the application of the new planning controls and consequently Figure 6.4.1.1 has been amended to reflect this.</p>

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		overshadowing for at least 6 hours during daylight in mid-winter to enable visitors a choice in timing of their visit.	<p>The immediate priority policy areas for Council in the City Centre are outlined in a <a href="#">Council report</a> on 25 July 2022 and the <a href="#">corresponding minutes</a> (refer to Item 13.4) which prioritises policy work which focuses on land south of the Parramatta River.</p> <p>A further report will be provided to Council (scheduled for November 2022) on the scope of this study that will then guide formulation of future controls that will be applied to the land North of the Parramatta River including solar access controls for this park.</p>
		<p><b>Section 6.4.2.2 Street Trees Have Priority</b> – Submitter expresses support for this section however raises concerns that existing trees will suffer and new trees will find it difficult to mature in densely developed and heavily overshadowed environment from 30+ storey tower blocks which are proposed under the Draft Planning Strategy for the North East Planning Investigation Area (PIA).</p>	<p>Applicants are required to submit their public domain schemes as part of their development applications in accordance with Council's <a href="#">Public Domain Guidelines</a> which identifies appropriate public domain tree species for a high density / CBD context. Regardless, the area north of the River has been deferred from the City Centre LEP via <a href="#">Parramatta LEP 2011 (Amendment No 56)</a> and therefore from the application of the new planning controls. Figure 6.4.2.2.1 has been amended to reflect this.</p> <p>The immediate priority policy areas for Council in the City Centre are outlined in a <a href="#">Council report</a> on 25 July 2022 and the <a href="#">corresponding minutes</a> (refer to Item 13.4) which prioritises policy work which focuses on land south of the Parramatta River.</p> <p>A further report will be provided to Council (scheduled for November 2022) on the scope of this study that will then guide formulation of future controls that will be applied to the land North of the Parramatta River including controls for the North East Planning Investigation Area.</p>

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		<p><b>Section 6.4.7 Views</b> - Supports Section 6.4.7 Views however is of the view that the visual impact of 30-storey towers along Church Street (north of the River) has not been taken into consideration in the definition of Views 1, 6, 8, 9 and 10.</p> <p>Submitter is of the opinion that the impact of views to the east from the ground of Old Government House may be unacceptable on heritage grounds. Further, that studies that informed the DCP were undertaken prior to endorsement of the CBD Planning Proposal and the Draft Planning Strategy for the NE PIA and therefore cannot be relied upon particularly for 'view management' purposes.</p>	<p>The area north of the Parramatta River has been deferred from the City Centre LEP via <a href="#">Parramatta LEP 2011 (Amendment No 56)</a>. This means that the existing LEP controls in Part 7 of <i>PLEP 2011</i> as well as the existing DCP controls in Section 4.3.3 of <i>PDCP 2011</i> will continue to apply to this area.</p>
		<p><b>Section 6.5 Special Areas</b> - Supports the list of special areas in Section 6.5 Special Areas, subject to the map on p.65 Figure 6.5.1.1 being amended to include the Church property across Villiers Street immediately to the west of Prince Alfred Square and any future urban design study of the Square and cultural block (as shown in Figure 6.5.1.1) should include the above-mentioned areas.</p>	<p>Refer to comments above in relation to the exclusion of the area north of Parramatta River from the CBD PP and the process for pursuing a further review of these controls via a further study. This issue can be considered as part of that future study.</p>
		<p><b>Section 6.5.10 Park Edge Highly Sensitive Area</b> – suggests this section be amended to include the following:</p> <p><i>“This Section of the DCP is subject to review and amendment pending an up-date of the 2012 Planisphere Study of Impact on OGH World and National Heritage Listed Values. This review will have special regard to the built form implications (for North Parramatta) of the 2021 CBD Planning Proposal and the NEPIA Report”.</i></p> <p>Also is of the view that the calculation of ‘at least 80% of the building height’ as prescribed in control <b>C.01</b> of Area A1 – Parramatta Leagues Club Site, is a vague standard</p>	<p>The controls in Section 6.5.10 are subject to the <a href="#">Conservation Agreement for the protection and conservation of the World Heritage Values and National heritage Values of the Australian Convict Sites, Old Government House and Domain (2015)</a> which addresses the World Heritage Committee’s recommendation and Australia’s obligations under the World Heritage Convention by providing standards for development in the immediate vicinity of these sites.</p> <p>Any changes to Section 6.5.10 (other than cosmetic ones) would constitute a policy change and therefore, trigger the need to re-negotiate a new Conservation Agreement to replace the above, existing agreement. The preparation of a new Conservation</p>

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		open to interpretation and should be replaced with the following: <i>The height of any building to be erected in Area A1 (Fig.5.10.1) must not exceed RL (insert figure, based on the level of the surrounding established tree canopy of Parramatta Park when viewed from key OGHD viewing locations).</i>	Agreement would take some years and involve three levels of government. The proposed changes are not supported for these reasons.
		<b>Section 6 Heritage</b> - Supports the intent of this section however, raises concerns that there is repetition in Sections 6.2 and 6.3 that could lead to different interpretations and its application.  Recommends a reference to the Council's Heritage Advisory Committee and its role be included within the DCP controls.	Section 6.6.2 deals with Understanding the Place whilst Section 6.6.3 deals Heritage Relationships and the heritage impact of proposed development. The contextual purpose of these Sections is considered to be adequately explained in the introductory statements to the Sections.  Council has formal governance and policy processes that ensure the Heritage Committee is consulted when required.
		<b>Section 6 Heritage</b> - Recommends this section reference the Burra Charter, which has been adopted as the standard for best practice in the conservation of heritage places in Australia.	Section 6.6 contains reference to the Burra Charter where it states that the Section must be read in conjunction with a number of other documents including the Burra Charter. The charter is further referred to in the introduction to Section 6.6.1 where the last paragraph includes the following statement:  <i>The Australia ICOMOS Burra Charter, 2013 provides guidance for the conservation and management of places of cultural significance (cultural heritage places) and is useful tool in helping to make decisions about planning for development affecting heritage places.</i>  This statement is appropriate and there is no need to add any further references to the Charter.
		Generally, supports <b>Section 6.8 Environmental Sustainability</b> including <b>Section 6.8.5 Urban Cooling</b> ; and <b>Section 6.8.9 Wind Mitigation</b> .	Noted.
		<b>Section 6.10.3 8-12 Victoria Road and 2a Villers Street</b> - Submitter is of the view this site is the most <i>historically</i>	Refer to comments above in relation to the exclusion of the area north of Parramatta River from the CBD PP and the process for

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		<i>significant space in North Parramatta and therefore should be included in a future urban design study to determine an appropriate set of design guidelines for Prince Alfred Square and its immediate neighbouring properties.</i>	pursuing a further review of these controls via a further study. This issue can be considered as part of that future study.
12.	30/10 Amicitia Circuit, Northmead Submission No. 45	Submitter sees that Parramatta has many places of historical interest and that the DCP must encourage social, and cultural developments and activities. The submitter is of the view that an opportunity exists to re-purpose the old Roxy Theatre as a cultural space.	The Roxy Theatre site is subject to the new forthcoming controls from <a href="#">Parramatta LEP 2011 (Amendment No 56)</a> when it comes into effect on 14 October 2022. The repurposing of the Roxy Theatre site is beyond the scope of the City Centre DCP controls.
		Submitter sees that Parramatta Square offers a unique attraction and experience to visitors that could be further embellished by extending paved areas beyond St John's Cathedral.	This is not a matter for the DCP and therefore is not relevant to the recommendations of this report. However, the St John's Cathedral site is the subject of a site specific planning proposal, DCP and VPA that may see the area surrounding the cathedral re-landscaped.
		Submitter states that Phillip Street and Macquarie Street present good opportunities to create meeting spaces as <i>Phillip St which could naturally lead from Eat Street down to the ferry wharf. Footpaths could be widened on the south side (these streets run east-west, so the south side will get the winter sun) and set up Wi-Fi link stations and provide meeting spaces to foster opportunities for people to get together. With features like this, Parramatta could become an innovation start-up centre</i>	The Civic Link controls in Section 6.5.2 seek to deliver a green pedestrianised space. See comment immediately below.
		<b>Section 6.5.2 Civic Link</b> – Submitter sees it <i>could link Parramatta Square, the light rail, the new West Metro, Roxy Theatre, and the River. A broad tree-lined people-friendly walkway. But how does it get through the new Powerhouse construction to the river? In addition, the River is Parramatta's answer to Sydney Harbour, but it badly needs more landscaping!</i>	The principle underpinning the Civic Link controls is to establish <i>a major new green, pedestrianised public space and cultural spine that connects Parramatta Square to the Parramatta River.</i>  In an acknowledgement of the complexities and significance of the Parramatta River, Section 6.5.1 City River Special Area is currently subject to a future DCP amendment as further work is to be carried out to address the cultural sensitivity of this space. Furthermore, Council's submission on the Powerhouse scheme recommended maintaining <i>a clear vista from Horwood Place</i>



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			<i>through the [Powerhouse] building and achieve a minimum 20m-wide Civic Link. However, the winning scheme does not seek to do this.</i>
		<b>Section 6.5.4 Church Street</b> – Submitter advises that the 2-3 storey low rise along Eat Street should be maintained with tall towers further set back as it is important that the ‘tall slender towers’ are setback and provide spaces to allow for sun and light. Submitter is of the view that Hassell Street is an example of what not to do as it is a ‘windy sunless canyon’.	<b>Objective O.01</b> in this section is to <i>Preserve the Church Street view corridor...to elevate the spatial significance of Church Street and views to St John’s Cathedral.</i> To meet this objective Control C.01 in the DCP establishes a 12m street wall height. Protection of the corridor is further supported by the high order control in the LEP requiring towers along Church Street between Macquarie Street and the River to be setback 12 metres from the street wall.
		Submitter sees Parramatta should become part of the Macquarie / North Sydney Knowledge Area. Also sees a gap in the transport link between Parramatta and Epping, particularly because the Light Rail terminates at Carlingford. Recommends future consideration of a link from Carlingford to Epping via Carlingford Court.	Noted. The provision of sub-regional transport infrastructure is beyond the scope of the City Centre DCP framework and falls within TfNSW’s jurisdiction.
13.	15-17 Grandview Street, Parramatta  Submission No. 47  1 unit owner, only	Pro forma objects to the 6 metre and relies on an example at 116 Macquarie & 5 - 7 Charles Streets (DA/560/2017/D) as it has “less stringent” setbacks.  Pro forma says the building is aged and requires maintenance and therefore argues in the absence of this amendment, the site will not be able to be redeveloped.	This site comprises a high quality 6 townhouse development which is located approximately 1.5km outside the Parramatta City Centre boundary. Submitter appears to have taken the pro forma from the Macquarie Street site and redrafted it to apply to their own site in Grandview Street.  This site is located outside of the Parramatta City Centre. It is beyond the scope of the City Centre DCP controls to address planning matters outside the City Centre boundary.
14.	5 Union Street, Parramatta  Proforma Submission No.s 48, 52, 53, 55, 65, 75, 79, 82, 84,	Pro forma requests a 3 metre setback rather than the Draft DCP’s 6 metre setback and relies on an example at 116 Macquarie & 5 - 7 Charles Streets (DA/560/2017/D) has “less stringent” setbacks.  Pro forma says the building is aged and requires maintenance and therefore argues in the absence of this amendment the site will not be able to be redeveloped.	Subject site contains a 53 unit residential flat building built in 1980s. The site area is approximately 2,150sqm in area and is zoned B4 Mixed Use.  A total of 12 apartments are represented by the pro forma, equating to 23% representation of the total number of units. (Note: in two cases, more than one pro forma was completed for an apartment).

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	85, 86, 87, 90, 95.	<p>One pro forma states the draft DCP controls are inconsistent with the prescribed FSR controls in the LEP and argue that they should align.</p> <p>One pro forma states that other properties have recently been given concessions on residential setbacks in Parramatta and therefore owners are disadvantaged if they are not afforded the same setback controls.</p>	<p>The pro forma is not supported by any urban design or economic analysis that justify a change to the setback controls.</p> <p>The generic setback controls in Section 6.3.3 outlined for active street frontages will apply to this site, allowing the street wall to be built to boundary and towers setback a minimum of 6 metres above. A merit-based approach may always be considered under a DCP; however, it would be detrimental to reduce the setback controls as this would create a compromised position (ie. a lesser setback) and should not set the standard for all development.</p>
15.	Westmead resident Submission No. 51	<p>Submitter states that a cooler city is desirable rather than a hot city and therefore is of the view that the DCP is to set a framework for design for Climate change.</p> <p>Raises a concern that the 5-year review of the DCP will be too long to make the necessary design changes to address this and other issues.</p>	<p>Considerations for a cooler city have been embedded into the formulation of the DCP objectives and controls. At the proposed densities, prioritising setbacks above the street wall that maximise views to sky is a significant factor in mitigating urban heat. These built form controls are coupled with a new section of the City Centre DCP dedicated to Environmental Sustainability (Section 8).</p>
		<p>Submitter is of the view the proposed DCP controls are insufficient to encourage liveability within the City Centre.</p>	<p>The way people experience the city is a core consideration for all objectives and controls in the draft Part 6 Parramatta City Centre. The built form and public domain controls specifically are derived from principles of collective city form and character aimed at making the streets (and other public spaces) well scaled and comfortable places for pedestrians.</p>
		<p>States that proposed 6m setback at ground level should apply to zones B1 to B6 to support greening the city.</p>	<p>This is beyond the scope of the DCP process which only applies to the City Centre (land zoned B3 Commercial Core and B4 Mixed Use).</p>



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		<p>Submitter does not support the design excellence bonus provisions and is of the view that design excellence should be reinstated as a core value in the DCP instead of a bonus for developers.</p>	<p>Design excellence is a policy that has been in place for some time and is enabled by the CBD Planning Proposal. Making the changes requested are a matter for the LEP not the DCP but regardless of this is considered an important part of Council's policy framework which seeks to get optimal design outcomes.</p> <p>Section 6.2 Design Quality of the Draft DCP controls support proposed design excellence clauses 7.10, 7.11 and 7.12 for the Parramatta City Centre and aims to ensure that the DCP controls are used as a basis for all Design Excellence competitions in the City Centre (excluding Area A) so that they may embody the underlying people orientated principles of the DCP.</p>
		<p>Submitter suggests that Council should consider removing any site-specific controls in the DCP and not continue such practices.</p>	<p>The proliferation of site specific DCP controls in recent years is on account of there being no modern controls based on a City Centre wide comprehensive urban design analysis approach and the review of LEP controls for the Parramatta CBD. This has meant some applicants have sought variations to section 4.3.3 Parramatta City Centre site specific controls, typically, while pursuing a corresponding Planning Proposal (LEP amendment) and, at times, a Design Competition process.</p> <p>Once the City Centre DCP controls take effect – ideally on 14 October 2022 when the <a href="#">Parramatta LEP 2011 (Amendment No 56)</a> takes effect, the number of applications for site specific DCPs (SSDCPs) is expected to substantially fall. Applicants will be actively discouraged from lodging SSDCPs.</p> <p>Furthermore, the Department are preparing a self-repealing SEPP that will return unlimited floorspace for <b>office premises</b> within the B3 Commercial Core zone, with a new associated DCP controls proposed to Section 6.2 Design Quality to require a Stage 1 Concept DA where a variation to the building separation control from 18m to not less than 12m is sought. This matter is discussed in detail in the council report. Whilst a SSDCP avenue is also proposed, the Stage 1 Concept DA process is the more likely process to be used by developers.</p>

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16.	Harris Park resident (and former Parramatta Heritage Advisory Committee member) Submission No. 57	<p>Submitter notes with regards to the consequential Amendments required to <b>Section 4.4.3.3 Harris Park West</b>, the Parramatta Heritage Advisory Committee had previously made comments that the amendments to the northern boundary would be suitable if the height controls for Kendall Street were not changed.</p> <p>Submitter also notes the controls for the northern side of Ada Street, Harris Park should be the same as the controls noted in <b>Section 4.4.4.1.1b</b> to ensure the remaining heritage residences (that are a poor state of repair), and the neighbouring lot are re-established for residential use. If consequential amendments are not made these properties should be removed from the draft CBD DCP maps.</p>	<p>The <a href="#">Parramatta LEP 2011 (Amendment No 56)</a> has rezoned land at the northern end of the Harris Park West Heritage Conservation Area and extending to Ada Street from the B1 Local Centre zone to the B4 Mixed Use zone and increased the height and FSR controls. The consequential amendments proposed to section 4.4.3.3 (detailed in an attachment to the Council report) will ensure that the provisions of Part 6 of City Centre DCP once in effect will apply to land on the northern side of Ada Street so that the DCP controls are consistent with the new LEP and DCP controls.</p> <p>Some land at the northern end of this HCA fronting Kendall Street have been removed from the Harris Park HCA on account of the above zoning change.</p> <p>The Heritage Advisory Committee considered the draft CBD Planning Proposal on 1 October 2020 whereby it noted it supported a reduction of the Harris Park West HCA providing there was a reduction in the FSR and height of buildings for Parkes and Harris Streets which were creating significant overshadowing of the northern end of the conservation area. The meeting's minutes – along with the minutes to a follow up Committee meeting - were reported to Council on <a href="#">30 November 2020 (Item 17.2)</a>. At this meeting Council noted the Committee's support for a reduction of height as recommended in the Council commissioned Heritage Study of Interface Areas by Hector Abraham Architects for areas north of the Harris Park West HCA including Parkes and Harris Streets.</p> <p>In conclusion, controls from Part 6 Parramatta City Centre, including Section 6.6 Heritage, will apply to land north of Ada Street. This should ensure that the heritage properties are protected as sought by the submitter.</p>
		Submitter proposes a full spellcheck to ensure correct use of metres and meters (as observed in Section 6.3.2).	In reviewing the draft City Centre DCP controls (some 360 pages) and amending it for finalisation purposes, a spellcheck

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			has been undertaken to correct any spelling errors within the document.
		<b>Section 6.3.1 Guiding Principles (Built Form)</b> - Submitter suggests Principles P.04 and P.08 should place more emphasis on the retention of heritage, trees and archaeology.	<p>The principles informing the City Centre controls are derived from an ideology aimed at making the streets (and other public spaces) well scaled, comfortable and safe places for pedestrians.</p> <p>Although not overly prescriptive, if applied consistently the principles and controls for built form will ensure the City Centre develops with a collective character in the public domain, with enough diversity and interest to attract new residents and visitors to Parramatta.</p> <p>Other sections of the Draft DCP controls contain principles addressing heritage (Section 6.6 Heritage) and trees (Section 6.4.2 Awnings and Trees on Streets). Archaeology is addressed in Section 6.6 with additional applicable controls in Part 2 Site Planning and Section 3.5.2 Archaeology (in Part 3).</p>
		<b>Section 6.3.4 The Street Wall</b> – Submitter queries <b>control C.02</b> which does not permit undercrofts. The submitter believes undercrofts can be useful to show archaeology	<p>Control C.02 states:</p> <p><i>Undercrofts or other interruptions of the street wall which expose the underside of the tower and amplify its presence on the street are not permitted.</i></p> <p>The principles for discouraging undercrofts are spelled out in the introduction of this section:</p> <p><i>Together with the public domain, the attached street wall with active ground floor frontage is the built element that shapes the way most of the city is experienced. As the primary means of providing definition and spatial enclosure to the streets and other public spaces, it is the principal architectural component of collective civic intent Erosions or interruptions of the street wall generally work to undermine the vitality and definition of the street and are not favoured.</i></p>

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			Where a site contains archaeology (significant or otherwise), as with any redevelopment proposal, designers will need to provide an appropriate response that balances the need for consistency in the street wall with archaeological protection.
		<p><b>Section 6.4.1 Solar Access to Significant Parks and Spaces</b> – References Objectives O.01-05 and control C.01-04 – Submitter is of the view that overshadowing is permitted over the majority of State heritage listed Robin Thomas Reserve, James Ruse Reserve and Experiment Farm Reserve.</p>	<p>The objective of this section of the City Centre DCP controls is to maintain and maximise solar access to significant parks and spaces in and around the Parramatta City Centre at the times when they are most used which is between 10am and 2pm and on winter solstice.</p> <p>To that end, Figure 6.4.1.6 for Robin Thomas and James Ruse Reserves provides for no overshadowing of the majority of this reserve between 10am and 12pm in mid winter 21<sup>st</sup> June, whilst Figure 6.4.1.7 provides for no overshadowing of approximately 45% of the area of these two reserves between 12pm and 2pm mid winter 21<sup>st</sup> June.</p> <p>Table 6.4.1.1 which supports these figures had said “all year round” in the exhibited draft controls. However, in response to submission on the site at 27-31 Argyle Street (refer to submission No.97 listed as item 6 in Table 2, below; specifically, the sixth item) the controls were reviewed and having found to be onerous, were amended <b>to read ‘mid-winter’ 21<sup>st</sup> June’</b>, agreeing that this would offer the best solar protection to these spaces overall and meet the objectives for this control.</p> <p>Furthermore, height controls limit overshadowing. Council’s <a href="#">Overshadowing in the Parramatta CBD (April 2021)</a> report prepared to support the City Centre LEP tested nominated open space areas including Robin Thomas Reserve, James Ruse Reserve and Experiment Farm Reserve, and underpins council’s solar access controls to significant parks including Clause 7.5 Sun access which protects solar access to Elizabeth Farm.</p>

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		<p><b>Figure 6.4.2.1.1, Section 6.4.2 Awnings and Trees on Streets</b> – Submitter queries why continuous awnings are not required on the corner of Macquarie and Church streets in Figure 6.4.2.1.1 – Awnings Have Priority.</p>	<p>At the time the DCP was drafted, TfNSW - Parramatta Light Rail advised these sites at the corner of Church and Macquarie could not accommodate awnings due to the Light Rail turning circle. However, through the Light Rail construction, this awning has now been kept.</p> <p>This awning priority will be reinstated in this location to encourage retention of existing awnings and continuous weather protection.</p> <p><b>Figure 6.4.2.1.1 has been amended.</b></p>
		<ul style="list-style-type: none"> <li>• <b>Objectives O.01 to O.05, Section 6.4.7 Views</b> – Submitter references objectives O.01 to O.05 and asks <i>What is the DCP trying to achieve here...?</i> Submitter recommends that the controls <i>should define these views are from ground/street level.</i></li> <li>• <b>Section 6.4.7 Views</b> – Submitter sees that the site lines in <b>Figure 6.4.7.1 Historic Views to be protected</b> are <i>extremely narrow</i> and assume the viewer is not relying on their peripheral vision. The submitter notes that View No.9 is already blocked by the Parramatta Stadium.</li> </ul>	<p>The objectives in Section 6.4.7 Views seek to maintain and enhance views from the City Centre to significant heritage, natural features and significant trees as well as to protect views from Parramatta City Centre to Parramatta River and Parramatta Park.</p> <p>The controls along with the supporting figure 'Historic views to be protected' and table 'Identified historic views to be protected' have been relocated from Section 4.3.3.4 Views and View Corridors to Section 6.4.7 Views (albeit with some minor cosmetic changes). The cosmetic level of changes prevents any conflict with the <a href="#">Conservation Agreement</a>.</p> <p>The policy changes proposed by the Submitter would require first, that Council seek to undertake a new Conservation Agreement with the Federal Department of Agriculture, Water and the Environment (DAWE) and State Government which would take some years to complete. Since DAWE has not raised any issues with the current controls, this clarification is not considered necessary.</p>
		<p><b>Objectives O.01 to O.06, Section 6.5.1 City River &amp; Section 6.5.2 Civic Link</b> – Submitter is of the view there is <i>no respectful acknowledgement, celebration or connection</i> of Parramatta River to the CBD.</p>	<p>The introductory paragraph to Section 6.5.1 City River of the City Centre DCP controls explains the importance of the Parramatta River to the Dharug people throughout history and its relationship with the City's European history and heritage. A fundamental principle of the DCP is to create an appropriate connection</p>

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		<p>Submitter also notes that the <i>cultural importance of the river to the Dharug and Aboriginal peoples has been dug up and destroyed by development.</i></p>	<p>between Parramatta River and the CBD. Specifically, some examples or relevant content include:</p> <ul style="list-style-type: none"> <li>the controls <i>are designed to refocus activities along the river and to ensure that future development addresses and defines the river space. Existing view corridors will be reinforced by the buildings and new view corridors and connections introduced.</i></li> <li>Objective 0.04 includes the statement to <i>Strengthen the visual and physical north-south connections between the city and the river.</i></li> <li>the introduction to the City East Block, bound by Wilde Avenue and the Charles Street Square, provides that the most significant opportunity in this block is to enhance existing views and establish new views towards the River. Figure 6.5.1.1.1 being the City East Block framework plan indicates that a number of view corridors are to be provided to the river.</li> </ul> <p>Furthermore, the principle underpinning Section 6.5.2 Civic Link of the City Centre DCP controls is to establish <i>a major new green, pedestrianised public space and cultural spine that connects Parramatta Square to the Parramatta River.</i></p> <p>In an acknowledgement of the complexities and significance of the Parramatta River, Section 6.5.1 City River Special Area is currently subject to a future DCP amendment as further work is carried out to address the cultural sensitivity of this space.</p> <p>With regards to the submitter's contention that archaeology has been <i>dug up and destroyed by development</i>, planning controls in Parramatta LEP 2011 require Council to consider the impact of development on known or potential Aboriginal archaeological sites or sites of cultural or historical significance. Section 3.5.3 of the current DCP 2011 indicates that for properties identified with High Aboriginal Heritage Sensitivity, a due diligent assessment and or an Aboriginal heritage assessment will be required particularly where a development site is within the area of the</p>

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			Parramatta Sand Body. Appendix 11 of PDCP 2011 shows that much of the CBD to the south of the river is identified as High Aboriginal Heritage Sensitivity, being within the Parramatta Sand Body.
		<b>Objectives O.13 (a), (b) and (c), Section 6.5.1 City River</b> – Submitter states <i>the past identity has been obliterated. Some honesty is required in writing these Objectives. Future development controls must be about rectification and preserving what little remains. The new Parramatta has physically turned its back to the river.</i>	Objective O.13 of Section 6.5.1 River City seeks to: <i>Recognise the historical and contemporary importance of the precinct to the City's identity through: a) preservation of appropriate curtilage, surrounding scale and view corridors to heritage items b) contextually responsive design and adaptive reuse of heritage buildings, c) a curated collection of high quality, contemporary heritage interpretation and public art which enlivens the public domain.</i>  This objective helps to strengthen the relationship between the river and the CBD through appropriate preservation and adaptive reuse of heritage buildings and heritage interpretation and public art which enlivens the public domain. Along with Section 6.5.2, there are appropriate controls proposed to ensure new development improves its relationship with the River and delivers a future foreshore promenade with clear public access.
		<b>Control C.14, Section 6.5.1.1 City East block</b> – Submitter states <i>3 metres is...insufficient space to establish a setting for a heritage place (6 metres is also insufficient!) and contradicts 6.3 Heritage Relationships all Objectives and Controls.</i> The Submitter does not provide any specific site as an example.	Control C.14 of Section 6.5.1.1 City East Block requires setbacks of 6m and 3m to heritage buildings at respectively 66 Phillip Street and 74 – 74 Phillip Street. These setbacks are considered adequate to provide sufficient separation and curtilage between the single storey heritage buildings and any proposed development to the rear.  The intention behind this setback is to create an aligned edge that may act as a backdrop setting to these heritage cottages, to ensure that their heritage values are recognised and protected alongside the scale of future development.
		<b>General comment / Section 6.5.1.1 City East block</b> – Submitter is of the view there are several contradictory principles, objectives and controls in this section and recommends some crosschecking of all principles,	Principles, objectives and controls generally address each other in a holistic and complimentary manner.  The example referred to is not considered to denote an inconsistency and arises from Figure 6.5.1.1.2 of Section 6.5.1.1



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		objectives and controls to ensure they are cohesive. Specifically, Submitter provides Section 6.5.1.1 City East Block as example. Again, the Submitter does not provide any specific site as an example.	City East Block that provides for an aligned front building setback for 66 and 70 – 74 Phillip Street. Because the heritage cottages at 70 – 74 Phillip Street are of a greater depth than the heritage cottage at 66 Phillip Street this means that the setback for 70 – 74 Phillip Street is 3m whilst the setback for 66 Phillip Street is 6m.
		<b>Objectives O.01 to O.15, Section 6.5.2 Civic Link</b> – Submitter queries why there is no objective or control requiring the display of substantial archaeology revealed during redevelopment.	Section 6.5.2 Civic Link (Special Area) specifically seeks to create a link for a major new green, pedestrianised public space and cultural spine that connects Parramatta Square to the Parramatta River.  Section 6.6.7 Interpretation of the draft City Centre DCP controls deal with heritage interpretation. Specifically, control C.06 provides that important archaeological features of the site must be interpreted. The intent of the control is to ensure that consideration is given to the display of any substantial archaeology revealed through the development assessment process for sites within the City Centre, including but not limited to, the Civic Link Special Area.
		<b>Control C.06 and supporting Figure 6.5.2.6 – Street Wall Heights next to the Roxy, Section 6.5.2 Civic Link</b> Submitter is of the view the 6 storey street wall is too high, <i>too constrictive and overbearing</i> for the space surrounding the theatre. The submitter recommends a lower podium height to <i>increase the space surrounding the heritage item</i> .	Council's position remains as per the City Centre DCP controls. The 6-storey street wall is based on heritage advice and the aim is to create a cohesive backdrop at podium level for the Roxy Theatre site.  Council's Heritage consultant advice states:  <i>In order for the design of the Roxy to be best appreciated in contrast to the emerging commercial towers, it is recommended that the podium height of surrounding buildings are sufficient to form a single vertical backdrop to the Roxy, and that a new laneway to the east of the Roxy is provided to create space between the Roxy and the much larger scale adjoining development.</i>  <i>The approach is consistent with the space on the southern and eastern sides of the Roxy. The façades of the podiums must have a quiet design to ensure that the decorative Roxy</i>



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			<p><i>Theatre stands out, has a historical landmark and focal point of Parramatta. The six-storey podium heights for buildings around the Roxy to the east, south and west are supported, as is the proposed 6.5 laneway to the east of the Roxy.</i></p> <p>Therefore, the six-storey podium heights for buildings around the Roxy Theatre are considered appropriate. By forming a single vertical backdrop to the Roxy, the six-storey podiums will allow the Roxy design to be appreciated in contrast to the emerging commercial towers.</p> <p><b>Note</b> – the advice by Council's Heritage Consultant quoted above is contained within Attachment 4 to <a href="#">Item 17.4 in the business paper for 11 October 2021 Council Meeting</a> on the Parramatta CBD DCP.</p>
		<p><b>Context introduction, Section 6.5.4 Church Street</b> – Submitter reiterates some content that requires a full list of surviving views and vistas to and from St John's Cathedral should be included, not just a selection.</p>	<p>Significant and important views of St John's Cathedral are identified in the introduction to Section 6.5.4 Church Street that deals with the Church Street Special Area. Important views include:</p> <ul style="list-style-type: none"> <li>• East along Hunter Street to the Cathedral towers</li> <li>• East from Hunter Street across the northern Cathedral grounds towards the Town Hall</li> <li>• Views from Church Street towards St John's Cathedral</li> <li>• Views from St John's Cathedral up Church Street</li> </ul> <p>These views are also generally reflected in Section 6.4.7 Views that includes views along Hunter Street (view 2) and views along Church Street (view 5). However, Section 6.4.7 also includes an additional view (view 4) from the eastern side of Parramatta Square to St John's Church and spires.</p> <p>The City Centre DCP controls provides for appropriate recognition of significant views to and from St John's Cathedral within the urban structure of the Parramatta City Centre.</p>
		<p><b>Objective O.01 Section 6.5.4, Church Street</b> – Submitter asks if this objective includes <i>heritage views to the sky and protecting its public space amenity (i.e. views from Church</i></p>	<p>Figure 6.5.4.1 which supports Objective O.01 visually shows the Church Street View Corridor, a north-south corridor between the Parramatta River in the north and the Great Western Highway</p>

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		<p><i>St west, north-west and south-west across the cathedral spires?) and if this objective does not, then it should cover these two matters.</i></p>	<p>vicinity to the south, which is to be preserved to <i>elevate the spatial significance of Church Street and views to the St John's Cathedral</i>. The preservation of views to sky beyond the spires of St John's Cathedral is reinforced by the height of building map in the Parramatta LEP which references the spatial dimension of Centenary Square.</p>
		<p><b>Section 6.5.5 Marion Street (Special Area)</b> – Submitter makes a general comment about the controls; that they <i>do not protect the distinctive attributes and qualities of this HCA</i> and therefore, need to be re-drafted.</p>	<p>The Marion Street Special Area consists primarily of lower scale built form, which includes several heritage cottages. The controls provide a localised heritage led response. The desired character of the street and heritage items are given longevity and a chance for integrated adaptive reuse as urban renewal of the area takes place over time.</p> <p>Heritage analysis undertaken as part of the Parramatta LEP process did not recommend this area be identified as a new HCA. Therefore, the special area provisions are considered to provide for appropriate protection of this area.</p>
		<p><b>Control C.03, Section 6.5.5 Marion Street</b> – Submitter is of the opinion that a 6 storey wall on the northern side of this HCA weakens heritage amenity and will cause the overshadowing of heritage items to the north and south of the street.</p>	<p>Council determined through site specific consideration as part of the <i>Marion Street Framework Plan</i> that the site west of Jubilee Lane on the northern side of Marion Street may provide a street wall building up to full height of the Height of Buildings Map in <a href="#">Parramatta LEP 2011 (Amendment No 56)</a>. This reflects the encouraged amalgamation pattern with the site to the north, and relationship to adjoining sites.</p> <p>Given the street reservation of Marion Street is approximately 20m, the distance between this 9-storey development and heritages cottages at 9-11 Marion Street is considered sufficient.</p> <p>Note: The development lot directly north of 'Site 04', outside of the Marion Street Special Area, permits an incentive FSR of up to 10:1 which will contribute to overshadowing of the two heritage cottages at 9-11 Marion Street. The impact of overshadowing from Site 04 itself is considered appropriate for urban areas. Notwithstanding this a degree of overshadowing is to be</p>

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			<p>expected when developing to densities observed in the Parramatta City Centre.</p> <p>The north side of Marion Street is also subject to controls and setbacks as provided for at Figures 6.5.5.1, 6.5.5.2, and 6.5.5.3. These controls generally require site amalgamation and places massing away from the street and behind heritage items. This particularly applies for the section of Marion Street between Jubilee Lane and Cowper Street.</p>
		<b>Control C.03 g), Section 6.5.6 Campbell Street &amp; Great Western Highway</b> – Submitter has identified a reference error. Recommends the Figure reference in this control be corrected.	The reference to Figure 6.5.9.2 in control C.03 (g) of Section 6.5.6 Campbell Street and Great Western Highway was in fact incorrect and should say Figure 6.5.6.2. After a full peer review check of the entire document, <b>the figure reference has been corrected.</b>
		<b>Figure 6.5.7.1, Section 6.5.7 Auto Alley</b> – Submitter queries why the ‘Publicly accessible space and dedications’ notation in Figure 6.5.7.2 which appears along the north end of Church St (on east and west sides), does not appear in Figure 6.5.7.1.	<p>It is acknowledged that Figure 6.5.7.2 in Section 6.5.7 Auto Alley shows publicly accessible space and dedications notation at the north end of Church Street whereas Figure 6.5.7.1 does not. Figure 6.5.7.1 needs to be corrected to also show this notation.</p> <p><b>Figure 6.5.7.1 has been corrected.</b></p>
		<b>Controls C.05 &amp; Figure 6.5.8.1, Section 6.5.8 Station Street West</b> – Submitter queries why tower development is possible between three residential heritage items. Submitter states that this <i>would destroy the distinctive attributes and qualities of the area.</i>	<p>It is presumed that the submitter is referring to Controls C.01 to C.03 which reference Figure 6.5.8.1 given there is no Control C.05.</p> <p>Tower development is constrained by the building heights and FSR in <a href="#">Parramatta LEP 2011 (Amendment No 56)</a>. On the western side of this block, the street wall height is 12m with a 20m tower height. On the eastern side, there is an 80m height. The FSRs are 2:1 (western side of block) 6:1 (eastern side). The LEP controls, combined with the DCP street wall and setback requirements limit the size and bulk of any new buildings consistent with its transition. Section 6.6 Heritage in the City Centre DCP introduces more stringent heritage controls that development situated on a site adjoining a heritage item must address. Whilst stand alone, they also work in partnership with</p>

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			clause 7.20 Managing heritage impacts in <a href="#">Parramatta LEP 2011 (Amendment No 56)</a> .
		<b>Figure 6.5.10.9 OGH Viewing Locations, Section 6.5.10 Park Edge Highly Sensitive Area</b> – Submitter recommends the view arrows should be redrawn to show that the views extend across the city	Reference is made for the protection of sightlines between Old Government House and the Old Kings School site and the spire of St Patrick's Cathedral within the Park Edge Special Area (Section 6.5.10) as contained in Figure 6.5.10.9 OGH Viewing Locations.  As had been noted, the controls in this section are tied to a Commonwealth, State and Local Government <a href="#">Conservation Agreement</a> . The only changes able to be made are cosmetic ones to prevent any conflict with the Agreement. To that end, the arrows cannot be amended as requested by the Submitter.
		<b>Section 6.6 Heritage –</b> Submitter is disappointed at the lack of reference to European and Aboriginal cultural archaeology in the draft City Centre DCP controls. Submitter notes <i>As a meeting place for first nation groups from across New South Wales and the second colonial settlement of NSW the entire Parramatta CBD can reveal an enormous information about past lines of a city. There should be strict archaeological controls put in place in this document and references included in the DCP to Council's archaeological controls contained in other documents.</i>  Submitter also notes there is little reference to Aboriginal cultural heritage within Section 6.6 Heritage.  Submitter also states there should be <i>an entire section on archaeology in this DCP with its own Objectives, Controls and Principles</i> and sees the need within the Guiding Principles for <i>a paragraph on archaeology and a paragraph on Aboriginal cultural heritage and how they are to be conserved and managed. As well, there should be an acknowledgment that loss of heritage is a loss of identity;</i>	It is acknowledged that there is significant European and Aboriginal cultural archaeology in the Parramatta City Centre. Section 6.6 Heritage in Part 6 does address some aspects of archaeological protection: <ul style="list-style-type: none"><li>the introduction to Section 6.6 Heritage states that this section should be read in conjunction with Part 3.5 Heritage, including Part 3.5.3 which addresses Aboriginal cultural heritage.</li><li>A paragraph within Section 6.6.1 Guiding Principles, states that Heritage places includes places such as archaeological sites and Aboriginal cultural heritage sites.</li><li>Section 6.6.1 Guiding Principles also contains the following principle: <i>P.02 To conserve Aboriginal cultural heritage</i></li></ul> However, archaeology is specifically dealt with in Section 3.5.2 of the PDCP 2011 which applies to all development across the LGA including the Parramatta City Centre. Section 3.5.2 states that special circumstances apply in the areas covered by the detail of the Parramatta Historical Archaeological Landscape Management Study (PHALMS). Development applications in the

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		<i>that Parramatta cannot know what it will be in the future if it loses its past.</i>	<p>PHALMS area, which involve excavation are required to make reference in their statement of environmental effects to the site management recommendations included in PHALMS.</p> <p>The draft City Centre controls include appropriate reference to the other relevant Parts and Sections of PDCP 2011, including provisions for management and protection of archaeological resources in the Parramatta City Centre.</p>
		<b>Section 6.6 Heritage</b> - Submitter says the term <i>enhancing</i> heritage is meaningless unless defined and also include examples.	The commonly accepted meaning of the word enhance is clear, that is to “intensify, increase, or further improve the quality, value, or extent of”. Therefore, the word enhance does not need to be further defined in the draft City Centre DCP controls.
		<b>Section 6.6 Heritage</b> - Submitter <i>says so much of Parramatta’s heritage has been destroyed, altered unsympathetically, neglected, and isolated from all historical contexts. There is no reference to recent rapaciousness of developers to emphasise the necessity to retain remaining heritage items. Such an explanation should be added to 6.1 Guiding Principles.</i>	<p>The content of Section 6.6.1 is appropriate and includes suitable statements on the challenges of protecting Parramatta’s heritage in response to modern development. As an example, the introductory section says:</p> <p><i>A challenge for Parramatta is to retain the authenticity and setting of its heritage amidst new large scale, high-rise development, particularly as its heritage buildings are generally small in scale.</i></p> <p>A further paragraph says:</p> <p><i>Heritage in Parramatta must not be sidelined, isolated, swamped or ignored, but rather integrated with the new fabric of a thriving city environment. . . . . There is the opportunity for the new wave of development to support the conservation of heritage places.</i></p> <p>It would be inappropriate for a Council’s City Centre controls to refer to a “rapaciousness” (meaning progressively greedy or grasping) of developers. Developers typically exercise the opportunity to build within the limits of planning controls and processes that are generally supported by State government and Council’s land use policy. The Development Application process is where an assessment of any development approved is undertaken to determine if the impact of any development on the</p>

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			heritage significance of any items or any HCA is within appropriate parameters.
		<b>Section 6.6 Heritage</b> - There needs to be a holistic view of development in Parramatta and heritage protection measure should be woven to all elements of the City Centre DCP.	<p>Section 6.6 Heritage takes a holistic view in providing for the protection of heritage in the City Centre. It comprehensively deals with heritage by providing/covering: (1) Guiding principles; (2) Understanding the place; (3) Heritage relationships; (4) Demolition; (5) Amalgamation of lots; (6) Development to benefit a heritage item; and (7) Interpretation.</p> <p>Other sub-sections cover heritage protection as follows:</p> <ul style="list-style-type: none"> <li>• General objective O.08 aims to: <i>Protect and celebrate heritage and provide for its conservation and interpretation.</i></li> <li>• Section 6.4.1 deals with solar access to significant parks and spaces, some of which are heritage listed</li> <li>• Section 6.4.7 deals with historic view protection, and</li> <li>• Section 6.5 Special Areas deals with the protection of specific heritage areas and items.</li> </ul>
		<b>Principles P.01 to P.06, Section 6.6.1 Heritage, Guiding Principles</b> – Submitter states that these principles should be strengthened and <i>made resolute</i> .	<p>The submitter does not qualify their comment by providing examples of the gaps.</p> <p>The heritage controls in Section 6.6 were drafted by qualified Heritage consultants and informed by multiple heritage studies undertaken for both the <a href="#">Parramatta LEP 2011 (Amendment No 56)</a> and Draft City Centre DCP controls.</p> <p>It is considered that generally the principles in Section 6.6.1 Guiding Principles cover all relevant heritage issues for the Parramatta City Centre and are sufficient to ensure heritage issues are properly considered at the Development Application Stage.</p>
		<b>Principle P.04, Section 6.6.1 Heritage, Guiding Principles</b> – Submitter is of the view that with regards to	<p>Principle P04 of Section 6.6.1 Guiding Principles is as follows:</p> <p><i>P.04 New development situated alongside existing heritage places is accommodated in a way that is respectful and</i></p>

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		Principle P.04, <i>new developments cannot improve heritage values but they can enhance...heritage.</i>	<p><i>appropriate, and in a way that will improve the heritage values of a place.</i></p> <p>The term 'heritage values' often refers to the meanings and values that individuals or groups bestow on heritage. In the case of the City Centre DCP, on buildings, landscapes and archaeological sites.</p> <p>It is agreed that it is doubtful that new developments will <i>improve</i> heritage values, but they should aim to enhance and not detract from heritage.</p> <p>The submitter's comment is considered helpful and thus it is recommended that the principle be amended by replacing "improved" with "enhanced". Thus, the recommended revised Principle would be amended as follows (see red font):</p> <p><i>P.04 New development situated alongside existing heritage places is accommodated in a way that is respectful and appropriate, and in a way that will <del>improve</del> enhance the heritage values of a place.</i></p> <p><b>This amendment has been made to Section 6.6.</b></p>
		<b>Principle P.06, Section 6.6 Heritage, Guiding Principles</b> – Submitter queries this principle in terms of whether tower development can strengthen the relationships between heritage places <i>by the simple nature of blocking historical context and inter relationships between heritage places</i>	<p>Principle P.06 of Section 6.6.1 Guiding Principles states as follows:</p> <p><i>P.06 New development is carefully designed to protect and enhance the setting of heritage places and to acknowledge and strengthen the relationships between heritage places in the City Centre.</i></p> <p>This principle along with five other principles are supported by numerous controls within the supporting sections that comprehensively address: Understanding the place; Heritage relationships; Demolition; Amalgamation of lots; Development to benefit a heritage item; and Interpretation. Combined, the principles and controls seek to ensure that new development affecting heritage sites can strengthen the relationships between heritage places.</p>



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		<p><b>Controls C.01 to C.07, Section 6.6.2 Understanding Place</b> – Submitter says there should be a Control or at least a Principle regarding the protection of National and State heritage items &amp; precincts, so to ensure neighbouring overdevelopment and overshadowing of these items/places does not occur. Cites the Harris Park Heritage Area.</p>	<p>Controls C.01 to C.07 seek to protect the outstanding universal values of Old Government House and the Government Domain as well as places listed on the NSW State Heritage register and places listed of local significance. The heritage significance of local Heritage places must also be conserved and enhanced.</p> <p>Furthermore, Section 4.3.2.1 Special Areas of PDCP 2011 lists several special areas within the Harris Park Precinct. One of these is the Area of National Significance that includes the greater part of Harris Park extending from Prospect Street to the Parramatta River. Before consenting to development within this area the consent authority must be satisfied that a number of criteria will be met. Finally, there are also legislative frameworks that protect State and National heritage items.</p> <p>The submitter's request also constitutes a policy change and would likely trigger re-exhibition of the City Centre DCP controls but regardless Council Officer do not consider that further amendments are necessary.</p>
		<p><b>Section 6.6.3 Heritage Relationships</b> – Submitter thoroughly endorses this section, excluding Control 05 (see next row for explanation) and wonders why the Objectives and Controls in this section are not carried through to all areas of the DCP such as Section 6.6.5 Special Areas and Section 4.4 Heritage Conservation Areas.</p>	<p>Submitter's endorsement is noted.</p> <p>With regards to brining across other PDCP controls into Section 6.6.3, this is not required. Their location outside of Part 6 and in other Parts of PDCP 2011 does not mean these controls are not applicable. DAs for development proposals within the City Centre must comply with any relevant control across the entire PDCP 2011, as per the statutory framework.</p>
		<p><b>Control C.05, Section 6.6.3 Heritage Relationships</b> – Submitter sates that this provision cannot be a blanket control as heritage items, their values and settings must be assessed individually. Stepping down to a heritage item will give a visual and physical setting that is more positive than a solid wall. The control must be rewritten to ensure development surrounding a heritage item is designed sympathetically, keeping the items visual setting.</p>	<p>Control C.05 of Section 6.3 Heritage Relationships states as follows:</p> <p><i>C.05 New buildings must not be designed to step away from heritage buildings like a ziggurat, but must have vertical walls – with the line of the wall located such that the space around a heritage item is clearly defined and there is a positive visual and physical curtilage around the heritage item.</i></p>



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			<p>This requirement is based on the principle that the street wall is vertical, as espoused in other sections of the City Centre DCP controls (i.e. Section 6.3.4 The Street Wall and specific controls in Section 6.5 Special Areas). This control is also based on a contextual understanding of the City Centre's heritage framework and principle for creating a spatial setting for heritage items. Regardless of this a more detailed assessment on a site specific basis is undertaken as part of the DA process and if necessary variations to this policy can be endorsed if they are deemed appropriate to the particular site in question.</p>

**Table 2 – Submissions from Planning Consultants, Major Landowners and Developers**

Row	Address / Submission No.	Submission author / Summary of Submission	Council Officer Response (Note: Further action noted only where required or recommended)
1.	75 George Street, Parramatta Submission No. 59	<p>Submission prepared by Ethos Urban for Mirvac (site owner).</p> <p>Submission includes a View Analysis (by FJMT) of the DCP's proposed setback and section diagram for the site showing land dedication and tower setback.</p> <ul style="list-style-type: none"> <li>• Supports the broad intent and objectives of the Draft City Centre DCP.</li> <li>• Submitter indicates that following exhibition of the Parramatta CBD PP and (then) Draft Civic Link DCP, a site-specific DCP was lodged by Mirvac to Council on 9 June 2021. The intent of the site-specific DCP (SS DCP) sought to commence the planning process for the site and set the planning parameters for a future design competitive design process and development application. Submitter notes that Mirvac engaged with Council and adjacent landowners at 73 George Street</li> </ul>	<p>An application for a SSDCP was submitted by Mirvac on behalf of the landowner for 75 George Street. A separate application for the adjoining site being 73 George Street was submitted by Think Planners on behalf of the landowner. The assessment of these two site-specific DCP applications were integrated with the Council-led work to review and update the DCP controls for the City Centre.</p> <p>During the assessment of the two SSDCPs applications, it was determined by council officers that a single commercial building over 73 and 75 and part of the adjoining site (No. 71 owned by Sydney Metro) was a superior outcome aligned with the vision for the City Centre, and would also enable the delivery of key infrastructure improvements including a new laneway adjacent to the Roxy and road widening and footpath on Smith Street to accommodate a new strategic bus corridor.</p> <p>This view remains unchanged.</p>

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		<p>throughout the preparation and lodgement of the SS DCP.</p> <p>Submitter is of the view that despite submissions made to Council prior to the endorsement of the Draft DCP for the purpose of public exhibition, the controls do not provide sufficient certainty for the site's redevelopment.</p>	<p>It is accepted by Council officers that the two adjacent landowners both made attempts with the other to amalgamate the two sites, however a mutual agreement could not be reached at the time.</p> <p>To address this outcome and provide certainty for redevelopment of 75 George, three potential redevelopment scenarios were assessed in Attachment 4 of the report to Council for the 11 October 2021 Council Meeting, and these were then translated into controls in the CC DCP in Section 6.5.2. The scenarios were: an independent outcome on 75, an amalgamated outcome with 73, and an amalgamated outcome with 73 and part of 71. As noted above the recommended outcome was a single commercial building over the three sites.</p> <p>Both the amalgamation scenarios provide for a commercial tower footprint and site access from the new laneway to reduce pedestrian conflicts and improve vehicle circulation within the CBD.</p>
		<p><b>Site consolidation in the Civic Link Special Area</b></p> <ul style="list-style-type: none"> <li>Submitter states that the draft controls reflect a preference that the subject site is amalgamated with the site to the west being 73 George Street and part 71 George Street (part of the existing Horwood Place Car Park) to the south.</li> </ul>	<p>Noted – see comment above.</p>
		<ul style="list-style-type: none"> <li>Submitter specifies that whilst <b>control C.02</b> of the Draft DCP provides a redevelopment opportunity via an alternate amalgamation option for 73 &amp; 75 George Street that is exclusive of 'Metro land' (part of 71 George Street), the requirement for the alternative scenarios to comply with the general setback controls in Part 3 of the Draft DCP is not supported.</li> </ul>	<p>Council has determined through site-specific consideration that an amalgamated option of 73 and 75 consistent with the general setback controls in Section 6.3 of the Draft DCP would deliver commercial development potential aligned with the vision for the City Centre.</p> <p>Tower setback concessions on the southern and western boundaries adjoining the land owned by Sydney Metro could however be part of a merit assessment at the DA stage or Concept DA (see note below). As discussed in the previous</p>

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			<p>Council Report (ibid.) any variation would require consultation with Council and Sydney Metro. If an amalgamated proposal involving 73 and 71 was proposed and was consistent with all other requirements and provided:</p> <ul style="list-style-type: none"> <li>the 6.5 metre new shared laneway adjacent to the Roxy</li> <li>road widening and footpath on Smith Street at nil cost to Council, and</li> <li>as satisfactorily addressed any impacts on the Sydney Metro land and the Roxy,</li> </ul> <p>then variation to the tower setbacks from Southern and Western boundary could be more favourably considered.</p> <p>A new control is proposed in Section 6.2 Design Quality in response to a suggestion from the Department. As discussed in the Council Report (for this meeting – 10 October 2022) the CBD PP as finalised by the Department on 6 May 2022 removed the clause enabling the unlimited floorspace benefit, which the SSDCP submitted by the owners for 75 George St relied upon. A new LEP replacement clause to reintroduce the unlimited commercial FSR is being drafted. The Department have also suggested a new DCP control to support the new LEP control. The intent of the new DCP control is to encourage employment opportunities and achieve a high-quality urban form and public domain.</p> <p>The new DCP control recommended by the Department and supported by Council Officers requires an 18 metre building separation between towers shared equally between sites. Council's City Centre DCP, as exhibited, requires a minimum 12 metre building separation between commercial towers, and the Department's rationale for 18 metres is to increase solar access to the street, increase views to the sky and ensure tower slenderness.</p> <p>Council Officers accept the Department's urban design justification for the amendment; however, in the Parramatta</p>

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			<p>context 18 metres may not always be achievable or necessary on some sites. To provide flexibility, Council officers suggested to the Department that the DCP include an additional control requiring any variation from 18 metres to a minimum 12 metres to be assessed via the submission of a site specific DCP or Stage 1 Concept DA by the applicant, and that the outcome form the primary basis of the Design Competition brief.</p> <p>Therefore, redevelopment of this site that includes additional FSR above the mapped FSR of 10:1, either as an independent or amalgamated scenario, must be consistent with the new control of 18m building separation unless modified by a Concept DA.</p> <p>Further detail and background to this new control is contained in the council report.</p>
		<ul style="list-style-type: none"> <li>• Submitter recommends that C.02 of Section 5.2 of the DCP should reference site-specific controls for the site under an independent scenario, and an amalgamated scenario with 73 George Street (only) to provide certainty and guidance on the operation of planning controls under such scenarios as amalgamation with 'Metro land' cannot be guaranteed.</li> <li>• Further, submitter recommends that Council consider specific controls and diagrams showing an independent development, or by the following minimum wording: <i>"Where amalgamation does not occur, on sites large enough to accommodate a tower form, tower development will be subject to the side setback controls of Section 4.3.3.1 of the DCP. A reduced tower side setback of 2m minimum will be considered where development achieves the side setback objectives of the DCP. Vehicular access would be provided from George Street or Macquarie Lane, and where practicable, adjoining buildings are to share or amalgamate vehicle access points".</i></li> </ul>	Council officers do not support this view for the reasons noted above.
		<b>Vehicle access to 75 George Street</b>	There are a number of factors impacting vehicle access to the subject site including a road widening on the Smith Street

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		<ul style="list-style-type: none"> <li>• Submitter is concerned <b>control C0.6(j)</b> which does not support vehicle access on street frontages along George and Smith Street which then only nominates site access to Mirvac's site at 75 George Street from land that is not owned by Mirvac.</li> <li>• Submitter makes the following points to support access from George Street to the subject site: <ul style="list-style-type: none"> <li>○ In accordance with Section 6 of the <i>Roads Act 1993</i>, the owner of land adjoining a public road is entitled, as of right to access (whether on foot, in a vehicle or otherwise) across the boundary between the land and the public road.</li> <li>○ It is essential that the City Centre DCP controls provide for vehicle access to 75 George Street which is not reliant on 73 George Street, as there is not guarantee Mirvac can successfully acquire 73 George Street.</li> <li>○ 71 George Street forms part of a larger lot of approximately 9,500 sqm, acquired by Sydney Metro for the purposes of constructing the future Parramatta Metro Station Critical State Significant Infrastructure project (CSSI 10038), which will be subject to a State planning process and excludes the application of DCPs.</li> </ul> </li> <li>• Submitter explains that Macquarie Lane is owned by Sydney Metro, it cannot be relied upon for access. Further that Smith Street is earmarked in both the Draft LEP and DCP as a bus interchange and is not a practical outcome therefore, George Street remains the only certain location vehicular and service access to the subject site.</li> <li>• Submitter recommends that the City Centre DCP expressly nominates that vehicular access can be</li> </ul>	<p>frontage for a strategic bus corridor, and a possible major pedestrian access route along Macquarie Lane from Smith Street to the metro station.</p> <p>An amalgamated building outcome on 73 and 75 that includes the provision of a 6.5 metre new shared laneway adjacent to the Roxy would solve the issues raised by the applicant.</p> <p>However, if vehicle access is not provided via the new laneway, suitable access and traffic management measures will need to be adopted that do not impact on pedestrian/traffic circulation in the area, and this would be required to be addressed at the DA stage through a merit assessment in consultation with Council, Sydney Metro and Transport for NSW.</p>

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		<p>provided directly to the site from George Street as a minimum, and may also nominate other locations as possible alternatives (such as Macquarie Lane) under both amalgamated and independent development scenarios for the site. The submission indicates that Mirvac have obtained traffic advice that a vehicular access point from George Street is viable on the basis that it is located at least 20 from the intersection with Smith Street, and operates in a left in and left out arrangement.</p>	
		<p><b>Exclusion of 71 George Street</b></p> <ul style="list-style-type: none"> <li>• Submitter explains that it is not reasonable to include planning controls which rely on the amalgamation of land owned by Sydney Metro, particularly where it has only recently been compulsorily acquired for the purpose of a State infrastructure process (CSSI 10038). Further that it should not be assumed by Council that 71 George Street will be readily amalgamated with 73 &amp; 75 George Street, given the horizon for the Sydney Metro project is for a 2030 completion.</li> <li>• Submitter is of the view that inclusion of 'Metro land' (part 71 George Street) in the DCP will only create uncertainty and set an unrealistic expectation for an amalgamation which is unlikely to occur, and lead to delays to develop in 'Block 2'.</li> <li>• Submitter therefore recommends that the controls exclude 71 George Street, and that the amalgamated scenario envisioned under <b>control C.02, Section 6.5.2</b> should reference only 73 and 75 George Street. This would include an amendment to Figure 6.5.2.3 to show only the site and 73 George Street as a consolidated lot.</li> </ul>	<p>Sydney Metro currently owns the former Horwood Place carpark site including the part of the site (No. 71) proposed be included in the amalgamated outcome involving the subject site, and Council officers asked that it be included as part of an amalgamated development scenario for the reasons noted above.</p> <p>Council acknowledges that Sydney Metro have not confirmed the long-term plan for the part of 71 within the amalgamated scenario but have indicated in discussions with Council they would be supportive of the Macquarie Lane extension. Ongoing discussions continue with Sydney Metro about their plans however if the applicant feels their client wishes to proceed without the final outcome known, the controls make adequate provisions for an amalgamated option with 73 that address vehicle access to the site and tower setbacks.</p>
		<p><b>Proposed DCP setback controls – (s.6.5.2 Civic Link)</b></p>	

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		<ul style="list-style-type: none"> <li>To incentivise the dedication of land along Smith Street to facilitate road widening and ensure the road widening can occur at nil cost to Council by avoiding an acquisition and compensation process, Mirvac request that tower setback reductions in both amalgamated and independent scenarios should be included in the DCP.</li> <li>Submission contains recommended setbacks for an amalgamated scenario of 73 &amp; 75 George Street and an independent development scenario to reflect site-specific response and incentivise the dedication requirements that apply to the subject site.</li> <li>Submitter requests that Council include tower setbacks for an independent redevelopment scenario of 75 George Street in the DCP as follows: <ul style="list-style-type: none"> <li>George Street: 12m</li> <li>Smith Street: 5m (1m from podium edge)</li> <li>Macquarie Lane: 1m</li> <li>West (71 / 73 George Street): 2m</li> </ul> </li> <li>Submitter requests amendments to the tower setbacks in the amalgamated scenario as follows: <ul style="list-style-type: none"> <li>Smith Street: 5m (1m from podium edge)</li> <li>Macquarie Lane: 1m</li> <li>71 George Street: 2m</li> </ul> </li> </ul> <p><b>Other Matters</b></p> <ul style="list-style-type: none"> <li><b>Control C.12, Section 6.5.2</b> prohibits underground car parking beneath listed spaces, Submitter explains that in the context of the subject site and if redeveloped independently, design testing (provided to Council) has demonstrated that any proposed basement would</li> </ul>	<p>As noted above, the tower setback concessions Council is willing to consider through a merit assessment as part of a DA process or Concept DA and in consultation with Council, Sydney Metro and the applicant pertain to the southern and western setbacks.</p> <p>It is also worth noting that in its submission on the Draft City Centre DCP controls, Sydney Metro West supports control C.06 h) <i>as it means the 75 George Street site (Site 05) must provide a 2m setback to increase the width of the pedestrian footpath to 6 metres.</i></p> <p>As noted above, a merit-based approach may always be considered under a DCP; however, it would be detrimental to reduce the setback controls as this would create a compromised position (ie. a lesser setback) and should not set the standard for all development.</p> <p>Council's Pre-Lodgement process enables applicants to obtain feedback on their initial design concepts. As Council's <a href="#">Pre-</a></p>



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		<p>extend beneath a future public footpath due to Mirvac's land contribution.</p> <ul style="list-style-type: none"> <li>• Submitter encourages that Council consider a degree of flexibility within <b>Control C.12</b> to support site-specific nuances to allow basement extension beneath a public space where it is supportable on merit and where it can be demonstrated that subterranean services and utilities are not adversely impacted and can still be accessed.</li> </ul>	<p><a href="#">Lodgement web page</a> states: <i>Experience shows that delays in the processing of development applications often occur as a result of...a lack of understanding about the relevant local development controls.</i> Applicants seeking to develop within the City Centre where the Part 6 Built Form controls apply, are encouraged to rely on a Pre-Lodgement application process so Council can provide formal feedback, guidance and identify key issues.</p> <p>Relying on the design competition process to define built form variations contrary to the intent of the City Centre controls would not be supported. Rather, Section 6.2 specifies that the DCP be used as a basis for all design excellence competition processes and any architectural reference design contained in a Design Competition brief must use the City Centre controls as a basis for building envelopes.</p> <p>A recent design competition resulted in all entries being non-compliant with the critical DCP controls. This has highlighted a problem that needs to be addressed. In this scenario there is the real risk the DA cannot be supported despite Design Excellence being granted. In response a new process that deals with circumstances where an applicant wants significant variations from the DCP controls has been established and changes have subsequently been made to the controls in Section 6.2 Design Quality and discussed in the Council report. The response is that a Site Specific DCP or Stage 1 DA is required to resolve any significant DCP variation issues before a Design Competition can proceed.</p> <p>A very similar approach has also been subsequently recommended by the Department of Planning in their comments on the DCP controls with regards to building separation (section 6.3.3.2). In their advice variations from standards they are recommending should also be subject to a site Specific DCP or Stage 1 DA. While offices are not recommending that Council</p>



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			endorse all the standards recommended by the Department the approach of using Stage 1 Development Applications to address DCP non-compliances is considered an appropriate response.
2.	71 & 73 Marsden Street, Parramatta Submission Nos. 60 & 63	<p>Two identical submissions prepared by Pulse Property Partners <i>on....behalf of the landowners</i> of sites at 71 and 73 Marsden Street.</p> <p>The submissions include urban design diagrams to support their proposed amendments to setback controls.</p> <p>Submitters support the Draft City Centre controls with the exception of controls that lead to <i>a shortfall in urban design outcomes</i> which is not qualified.</p> <p><b>Section 6.5.6 Campbell Street and Great Western Highway</b> – Submitters are of the view <b>control C.03 k)</b> in which requires a podium set back of 6m from the street boundary and a tower set back of 6m from the street wall will:</p> <ul style="list-style-type: none"> <li>• result in a building that will not enable achievement of the FSR and height controls in the City Centre LEP; and</li> <li>• lead to a reduced floor plate which could equate to 4-5 apartments and impacts the efficiency of each level.</li> </ul> <p>Submitters supports the podium set back of 6m from the street boundary but see a tower set back of 3m as more suitable as this will:</p> <ul style="list-style-type: none"> <li>• Facilitate the FSR as proposed in the City Centre LEP;</li> <li>• Enable efficient floor plates that provide flexible and improved design;</li> <li>• Enable commercially viable redevelopments; and</li> <li>• Enable an appropriate urban design outcome with a boulevard of trees and appropriately recessed podium and tower forms.</li> </ul>	<p>The views expressed in the submission are identical to the broad issues raised in the proformas received from a portion of landowners for each site. Refer to Item 7 in Table 1 above for a detailed response to submissions lodged by the landowners of this site.</p> <p>Council's built form testing at 71 – 73 Marsden Street demonstrate that an FSR of 10:1 (including 5-storey of commercial/non-residential in the podium) can be accommodated within 36-storeys using a DCP compliant envelope with a GBA of 785sqm (approx. 24m x 31m).</p> <p>In relation to 8-14 Great Western Highway, Council determined through assessment of an applicant submitted site specific planning proposal and associated DCP, that a tower setback of 3 metres was acceptable in this instance given the site conditions and context, including the requirement for the dedication of land for road widening. As such the setback outcomes at 8-14 Great Western Highway should not be seen as a precedent to be repeated in the Parramatta City Centre. If the submitter feels a site-specific DCP is necessary for their site, Council officers are happy to discuss this matter further.</p> <p>Further built form testing and character analysis determined that a 6m street wall setback and additional 6m tower setback provided the most appropriate response to context. The intention of these setbacks is to improve the quality of the streetscape in this location and mitigate the impact of tall towers at the periphery of the City Centre.</p>

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			The 6m setback to the street wall and associated deep soil responds to both the existing and future desired character of Campbell Street. A 6m setback aims to support the existing vegetation, as well as accommodate additional large canopy trees in an area of the City Centre that has been identified with the potential to support Parramatta's tree canopy targets.
3.	17 & 19 Campbell Street, Parramatta Submission No.s 61 & 64	Both submissions were prepared by Pulse Property Partners for the two sites.	Submitter does not provide evidence that all of the apartment owners across both sites are represented by their submission (i.e. does not support submission with landowner signatures across both sites). However, if you refer to Row 5 and 6 in Table 1 at the beginning of this document you will not that various landowners lodged their own proforma submissions that essentially raise the same issues.
		<p><b>Section 6.5.6 Campbell Street and Great Western Highway</b> – Submitter supports their submission with extracts of an of urban design analysis prepared by DKO Architects.</p> <p>The submitter largely supports the draft City Centre controls with the exception of the street wall and tower setbacks provided at <b>Council C.03 (c)</b> which requires 6m street wall set back as well as a 6m tower set back.</p> <p>The submitter argues that both sites are not able to <i>achieve the FSR prescribed in the LEP within the permitted height limits</i> and therefore, any development on the subject sites <i>would need to go beyond the maximum HOB controls by 11 floors to achieve the FSR controls</i>.</p> <p>Submitter requests that Council adopt setbacks of 6m to podium and 3m to tower along Campbell Street, similar to the approach endorsed on Great Western Highway.</p> <p>Submitter claims that the standard efficiency calculations adopted by Council for residential towers would need to be</p>	<p>In relation to 8-14 Great Western Highway, Council determined through assessment of an applicant submitted site specific planning proposal and associated DCP, that a tower setback of 3 metres was acceptable in this instance given the site conditions and context including the requirement for the dedication of land for a road widening. Therefore, the setback outcomes at 8-14 Great Western Highway should not be necessarily seen as a precedent to be repeated in the Parramatta City Centre.</p> <p>Built form testing and character analysis for the sites at 17 and 19 Campbell Street determined that a 6m street wall setback and additional 6m tower setback provided the most appropriate response to context. The intention of these setbacks is to improve the quality of the streetscape through additional deep soil landscaping in this location and mitigate the impact of tall towers at the periphery of the City Centre.</p> <p>While these special area controls set the desired future character for the area, it is acknowledged that there may always be site particularities that justify minor variation. Specifically, the site at</p>

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		<p>refined to 65-70% from 75% to reflect the 'actual efficiencies that the DCP directly influences'.</p> <p>Further, submitter supports the intent of a 6m deep soil zone however, <i>reducing the setback to 3m will provide a more appropriate urban design outcome and a building envelope that is consistent with the LEP controls.</i></p> <p>Submitter requests that the DCP be amended to ensure that these two sites can enjoy a 6m tower setback as opposed to a 3m tower setback.</p>	<p>17-19 Campbell Street is located adjacent to the Westfield carparking ramp. See additional comments at Row 5.</p> <p>In relation to efficiency calculations, Council has developed a standard which applies to all Planning Proposals with no exception, to ensure a consistent methodology for determining future planning controls. This rate was used for the City Centre LEP Amendment (<a href="#">Parramatta LEP 2011 (Amendment No 56)</a>). The 75% efficiency rate for residential floorplates is a well-accepted industry standard and has been tested against a number of Design Excellence winning schemes in the Parramatta City Centre to ensure its efficacy in context.</p> <p>The 6m setback to the street wall and associated deep soil responds to both the existing and future desired character of Campbell Street. A 6m setback aims to support the existing vegetation, as well as accommodate additional large canopy trees in an area of the City Centre that has been identified with the potential to support Parramatta's tree canopy targets.</p> <p>The submitter's recommendation is not supported.</p>
4.	<p>128 Macquarie Street and 5 Union Street*, Parramatta Submission No. 67</p> <p><b>Note</b> – Submitter references 5-15 Union Street however the property is formally known as 5 Union Street.</p>	<p>This submission was prepared by Momentum &amp; Cos for both sites.</p>	<p>Submitter does not provide evidence that all of the apartment owners across both sites are represented by their submission (i.e. does not support submission with landowner signatures across both sites). With regards to the pro forma from apartment owners from both sites, in the case of 5 Union Street, 23% of total apartments are represented by a pro forma (see row 14, above) and in the case of 128 Macquarie Street, 27% of total apartments are represented by a pro forma (see row 3).</p> <p>The site's combined total area is 4,200sqm and is zoned B4 Mixed Use.</p>
		<p>Submitter supports the majority of the proposed City Centre DCP controls. However is concerned about the 6m setback established in <b>Section 6.3.3.1 Street Setbacks</b> by <b>Control</b></p>	<p>In relation to efficiency calculations, Council's 75% efficiency rate is applied to all Planning Proposals to ensure a consistent methodology for determining future planning controls. This rate was used for the City Centre LEP Amendment (<a href="#">Parramatta LEP</a></p>

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		<p><b>C.01(c)</b> requiring the tower element be setback 6 metres from the street wall.</p> <p>Submitter is of the view the 75% efficiency rate for residential floorplates applied to these two sites cannot be achieved because of the sites' area and proposed setbacks in the draft DCP controls.</p> <p>Submitter requests that the tower setback control be amended to enable a 6m tower setback as opposed to a 3m tower setback so, they say, the FSR for the site can be achieved.</p>	<p><a href="#">2011 (Amendment No 56)</a>). This efficiency rate for residential floorplates is a well-accepted industry standard and has been tested against a number of Design Excellence winning schemes in the Parramatta City Centre to ensure its efficacy in context.</p> <p>The generic setback controls in Section 6.3.3 outlined for active street frontages will apply to this site, allowing the street wall to be built to boundary and towers setback a minimum of 6 metres above. A merit-based approach may always be considered under a DCP; however, it would be detrimental to reduce the setback controls as this would create a compromised position and should not set the standard for all development.</p> <p>The recommended amendment is not supported.</p>
5.	93 George Street & 20 Charles Street, Parramatta Submission No. 68	<p>Submission has been prepared by Urbis for the landowner of both sites. The Submitter:</p> <ul style="list-style-type: none"> <li>Notes each site comprises a commercial building.</li> <li>Notes the draft Design and Place SEPP proposes to remove maximum floorplates for residential apartments.</li> </ul>	<p>The submitter's site stated as 20 Charles Street is formally known as No 16 Charles Street. It has three frontages, to Charles, Union and Macquarie Streets. The site is 2,230sqm in area and is zoned B4 Mixed Use under <a href="#">Parramatta LEP 2011 (Amendment No 56)</a>.</p> <p>The site at 93 George Street is approximately 2,000sqm in area and is zoned B3 Commercial Core under <a href="#">Parramatta LEP 2011 (Amendment No 56)</a>. Both sites are identified on the Active Frontages Map.</p> <p>In April this year, the NSW Government announced that it had abandoned its plan to introduce the draft Design and Place SEPP.</p>
		<p><b>Built Form Guiding Principles, Section 6.3.1</b> – Submitter provides the following comments on the Built Form Guiding Principles:</p> <ul style="list-style-type: none"> <li><b>Principle P.01</b> – Submitter recognises importance of <i>creating legibility at a human scale</i>. Submitter says <i>General approaches to podiums heights does not support or encourage design diversity, namely when numerous larger sites within the Parramatta CBD will be</i></li> </ul>	<p>The applicant raises concern with the controls and argues they should be considered on a site by site approach but then suggests it is essential that the DCP maximise certainty. It is not possible for the CBD DCP to apply site specific controls because it is not possible to predict future applications and in particular land amalgamations. A DCP based on current lot ownership patterns would become irrelevant if amalgamation (which Council's controls encourage) occurs as envisaged by Council.</p>

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		<p><i>the subject of design competitions. Where other site constraints limit tower form, consideration should be given to allow proponents to design flexibility where controls are otherwise achieved.</i></p> <ul style="list-style-type: none"> <li>• <b>Principle P.03</b> – Submitter says <i>Orientation, adjacent land uses and proposed developments all factor into an appropriate tower setback. To appropriately incentivise redevelopment, principles should be considered on a site by site basis rather than a blanket approach.</i></li> <li>• <b>Principle P.05</b> – Submitter says <i>Built form characteristics need to be considered on a site by site basis. Controls cannot lead the reader to believe that by simply reducing elements such as depth, bulk and building separation will necessarily result in a good design outcome.</i></li> <li>• <b>Principle P.08</b> – Submitter says <i>Council needs to be cognisant that to realise the proposed revitalisation of the Parramatta CBD requires a degree of certainty for proponents. This is especially relevant in the context of the significant infrastructure contributions proposed in conjunction with the proposed LEP amendments. Without this certainty, redevelopment and renewal can be placed at significant risk. It is good planning practice for planning authorities to ensure controls (i.e envelope testing) are achievable as it assists setting expectations in the mind of industry, particularly when design excellence bonuses are contained in LEP controls. By law DCP's cannot derogate from LEP controls. Council should satisfy itself that the total package of controls i.e. both LEP and DCP can be practically achieved.</i></li> </ul> <p><b>Section 6.3.2 Site Frontage, Controls C.01 &amp; C.04</b> – Submitter says <i>While site amalgamation can result in benefits, controls such as this significantly inhibit</i></p>	<p>For this reason the approach in the Draft DCP is to establish principles for a 3 dimensional envelopes that can be applied to whatever site is included in the application and within which a coherent building must be designed to allow Architects to exercise their skill to achieve design excellence. This will also establish a consistent approach and character to the building form to give the city a more coherent urban form.</p> <p>It is acknowledged there will be some cases where a particular site given it location or constraints may need to vary these controls and the role of the development application is to properly assess whether a variation is warranted in those cases.</p> <p>It is the view of the officers that this sort of framework provides the greatest level of certainty for developers in an environment where amalgamation is encouraged and a site by site detailing of site specific controls is not practical.</p> <p>See above comments.</p> <p>It is the view of Council Officers that amalgamation of site in the CBD to form larger sites will result in a better built form and public</p>



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		<i>redevelopment potential for a large percentage of land holders. While the width of 35m may be preferred, it should not be required in every instance. Experience shows Councils are unwilling to vary DCP controls, particularly when newly implemented. This control should have additional alternate outcomes proposed to support redevelopment of sites with less than 35m street frontage where amalgamation is unreasonable or not possible.</i>	domain with more active frontages and less street lots to servicing and access. The strategy of encouraging amalgamation was embedded in controls in the current LEP and was retained in the controls endorsed by the Council as part of Amendment 56  Variations to DCP controls are properly considered as part of the DA process and supported where appropriate. The assertion that the City of Parramatta Council will not vary controls has not been justified by the submission author. The actions of other Councils is not a matter for consideration by this Council. Given this there is no reason to include the amendments suggested
		<b>Control C.01, Section 6.3.3 The Building Envelope –</b> <i>Submitter says Prescriptive controls such as this are likely to inhibit potential design excellence. Where sites or certain types of developments are required to undertake a design competition, controls such as this should be viewed flexibly.</i>	See above comments.  Relying on the design competition process to define built form variations contrary to the intent of the City Centre controls would not be supported. Rather, Section 6.2 specifies that the DCP be used as a basis for all design excellence competition processes and any architectural reference design contained in a Design Competition brief must use the City Centre controls as a basis for building envelopes.  A recent design competition resulted in all entries being non-compliant with the critical DCP controls. This has highlighted a problem that needs to be addressed. In this scenario there is the real risk the DA cannot be supported despite Design Excellence being granted. In response a new process that deals with circumstances where an applicant wants significant variations from a DCP controls has been established and changes made to the controls in Section 6.2 Design Quality in the report. The response is that a Site Specific DCP or Stage 1 DA is required to resolve any significant DCP variation issues before a Design Competition can proceed.  A very similar approach has also been subsequently recommended by the Department of Planning in their comments on the DCP controls. In their advice variations from standards, they are recommending should also be subject to a site Specific

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			DCP or Stage 1 DA. While offices are not recommending that Council endorse all the standards recommended by the Department the approach of using Stage 1 Development Applications to address DCP non-compliances is considered an appropriate response.
		<p><b>Control C.03, Section 6.3.3.2 Building Separation –</b> Submitter says <i>Building separation should be determined via site specific analysis to determine the most appropriate outcome, rather than blanket controls as suggested by point (a). The proposed land use both on the subject site and adjacent will be key drivers for determining the separation distances, along with other key environmental aspects such as solar access.</i></p>	<p>See above comments.</p> <p>It should also be noted that the Department of Planning has made recommendations regarding building separation controls which reinforce the importance of having clear guidance on tower separation rather than the approach proposed in this submission which would leave it all to a site specific analysis.</p>
		<p><b>6.3.3.3 Tower Slenderness –</b> Submitter says:</p> <p><b>Control C.02 –</b> Submitter says <i>Proposed clauses under the revised Parramatta LEP require, for ‘opportunity sites’, that sites have certain dimensions. This requirement may impact on sites realising the additional density enabled via the LEP, which will only go towards inhibiting redevelopment. It would only take a site of approximately 45m x 45m to exceed a 2,000sqm floor plate; a common site dimension on most ‘opportunity sites’.</i></p> <p><b>Control C.03 –</b> Submitter says <i>These prescriptive controls will place an unnecessary burden on redevelopment sites, particularly ‘opportunity sites’, achieving maximum density. It is notable that the draft Design and Place SEPP now on public exhibition has removed maximum floorplates for residential apartments</i></p> <p><b>Control C.06 –</b> Submitter says <i>Prescriptive controls regarding tenancy sizing and layouts placed additional uncertainty on developers looking to redevelop sites. Given the length of time required to facilitate any such</i></p>	<p>See above comments.</p> <p>Furthermore, the Opportunity Sties clause in the Draft LEP submitted to DPE for finalisation has been removed from the City Centre LEP as spelled out in Section 4.5.3 in DPE’s <a href="#">Plan Finalisation report – PP-2020-2616 (April 2022)</a>.</p>



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		<i>redevelopment, it is unreasonable to lock future tenants into a certain style of operation.</i>	
		<p><b>6.3.5.1.1 Active Ground Floor Frontage</b> – Submitter says:</p> <p><b>Controls C.01 c) &amp; Control C.01 e)</b> – Submitter says <i>Prescriptive controls regarding tenancy sizing and layouts placed additional uncertainty on developers looking to redevelop sites. Given the length of time required to facilitate any such redevelopment, it is unreasonable to lock future tenants into a certain style of operation.</i></p>	The controls proposed are not consider onerous. In the experience of Council Officers the market is already delivering development that is consistent with these controls and variations can be considered where site conditions and issues warrant a variation.
		<p><b>6.3.5.4 Servicing and Utilities, Control C.02</b> – Submitter says <i>Consideration of utility providers access requirements should form the basis for location, rather than controls contained seeking only design outcomes. For example, sub-stations are required to have direct access, and there will be instances where basements or first floors of buildings inhibit this arrangement.</i></p>	<p>Utility providers' preferred requirement is for direct access however there are circumstances where providers will accept locations without direct access. These requirements are spelled out in their respective guidelines or manuals for the location of sub-stations. As an example, refer to the submission from Endeavour Energy in Table 4, below.</p> <p>Service providers acknowledge that in dense urban environments such as the Parramatta CBD there must be a balance between having an economically viable and vibrant public domain and servicing impacts and that public benefits of an improved public domain may outweigh the costs of locating these service above or below the ground level of the building.</p>
		<p><b>6.5.3 George Street, Control C.01</b> – Submitter notes again <i>prescriptive controls shouldn't inhibit design excellence. Guidance on setbacks is acknowledged as important, however it should be a detailed site analysis considering the surrounding context which ultimately informs setbacks.</i></p>	Refer to above comments regarding the role of the DCP in informing a design competition and how variations to the DCP proposed as part of a design competition are proposed to be managed..
6.		Submission prepared by Urbis for HYG (site owner).	The owner of the site had been pursuing site specific DCP controls however given the publishing of <i>Parramatta LEP (Amendment No 56)</i> and DPE's subsequent self-repealing SEPP

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	27-31 Argyle Street, Parramatta		which is expected to return the unlimited floorspace for <b>office premises</b> in the B3 Commercial Core zone, the site specific DCP process is no longer necessary.
	Submission No. 71	Submitter requests Draft controls be amended to ensure <b>Section 6.2 Design Quality</b> makes reference to any endorsed site specific DCP's and/or any approved concept DAs. The submitter specifically lists <b>controls C.01, C.02 and C.03</b> which establish a basis for Design Competition briefs.	<p>This is not required because each sub-section in Section 6.10 Site Specific Controls contains a statement explaining that, where there is any inconsistency between the site specific controls and any other part of PDCP 2011, that the site specific controls prevail.</p> <p>Rather, Section 6.2 specifies that the DCP be used as a basis for all design excellence competition processes and any architectural reference design contained in a Design Competition brief must use the City Centre controls as a basis for building envelopes. If a site specific DCP is in place these are the controls that would be applied.</p> <p>A recent design competition resulted in all entries being non-compliant with the critical DCP controls. This has highlighted a problem that needs to be addressed. In this scenario there is the real risk the DA cannot be supported despite Design Excellence being granted. In response a new process that deals with circumstances where an applicant wants significant variations from a DCP controls has been established and changes made to the controls in Section 6.2 Design Quality in the report. The response is that a Site Specific DCP or Stage 1 DA is required to resolve any significant DCP variation issues before a Design Competition can proceed.</p> <p>A very similar approach has also been subsequently recommended by the Department of Planning in their comments on the DCP controls. In their advice variations from standards, they are recommending should also be subject to a site Specific DCP or Stage 1 DA. While offices are not recommending that Council endorse all the standards recommended by the Department the approach of using Stage 1 Development</p>

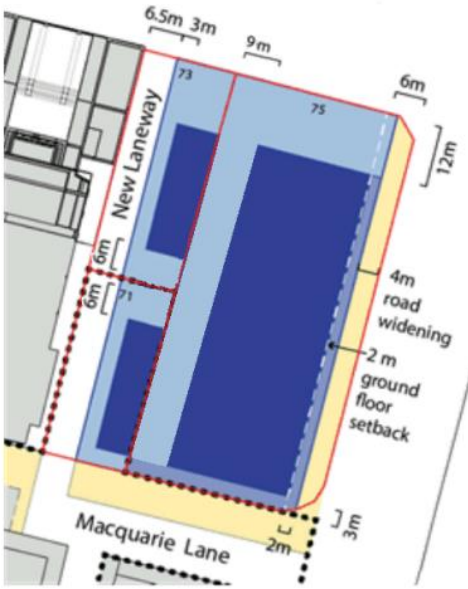
Row	Address / Submission No.	Submission author / Summary of Submission	Council Officer Response (Note: Further action noted only where required or recommended)
			Applications to address DCP non-compliances is considered an appropriate response.
		The submitter requests that the Draft City Centre DCP controls <i>the merit-based approach within the proposed controls to assessing corner sites with frontages less than 35m due to irregular boundary alignments.</i>	<p>The draft City Centre DCP imparts a merit-based approach to sites with frontages less than 35m whereby '<i>any development proposal for a site with less than 35 meters street frontage width must demonstrate how adjacent sites can be developed to their full potential</i>' (Minimum Site Frontage C.04). This assumes that development of a site less than 35m may be possible, however it must first demonstrate the objectives of this control can be met to be considered appropriate.</p> <p>This approach has already been demonstrated through negotiations with Council at 27-31 Argyle Street where a zero-lot side setback has been considered for part of the development due to a merit-based assessment.</p>
		The submitter requests that <i>Council consider retaining its current control in section 4.3.3.1 of the Parramatta DCP 2011 that permits corner sites to be built to the boundary for the first 45m on one frontage.</i>	<p>The current control in section 4.3.3 of the Parramatta DCP 2011 that allows for part of the building to be built to the boundary relates to a lesser development density and scale than the proposed controls under the CBD PP. The impact of a 210m tall development built to the boundary versus a 36m tall development built to the boundary creates a very different street edge condition.</p> <p>Under the proposed CBD PP controls, tower elements must be setback to enable the city to provide an appropriate human scale, with adequate daylight and comfortable public domain conditions for pedestrians.</p> <p>At these densities, setbacks above the street wall work to reduce the wind effects of tower buildings. Moreover, establishing setbacks that maximise views to sky is a significant factor in mitigating urban heat. A tower setback of 6m is considered the absolute minimum necessary to address these issues.</p>

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		The submitter requests <i>the building separation control must be amended to ensure that any lesser setback adopted within an endorsed site specific DCP is taken into consideration during the design excellence and development application assessment process</i>	It is specified that where any control is varied within the Special Area or Site Specific section of the City Centre DCP controls, the varied control will prevail. Controls in the site specific DCP section of the DCP document would be given precedence as the basis of the Design Competition over the generic controls in the other sections of the DCP where there is an inconsistency.
		The submitter requests <i>the application of the 'all year round' overshadowing control for St John's cemetery must be reviewed and appropriately tested to ensure that it does not prevent the uplift contemplated under the Parramatta CBD Planning Proposal from being achieved in areas zoned B3 Commercial Core.</i>	Solar access controls have been reviewed and further testing has indicated that an 'all year round' protection clause based on a solar access polygon calculated at mid-winter would have an unintended effect on the surrounding built form.  Consequently, this DCP Control Table 6.4.1.1 – Nominated Significant Parks and Spaces and time for solar access protection <b>is amended to read 'mid-winter' 21<sup>st</sup> June'</b> , agreeing that this would offer the best solar protection to these spaces overall and meet the objectives for this control.
		The submitter says <i>If Council still intends to seek protection beyond the typical mid winter shadow extent then it is recommended that this only be extended to cover the periods between 21 March and 21 September (i.e. each equinox). The protection of solar access outside this period is considered unreasonable and unnecessary.</i>	It is not necessary to consider protection beyond the typical mid-winter shadow extent. This already represents the 'worst case' scenario where solar access protection is most necessary. Utilising a mid-winter control will naturally provide the most protection throughout the rest of the year.  An extended period of protection would actually result in amended, and much reduced, areas of protection on the identified open spaces
		The submitter requests <i>That the DCP maintain[s] the current rates of provision for bicycle parking and end of trip facilities within Parramatta DCP 2011.</i> In other words, that they be increased from the rates that were exhibited in the City Centre DCP controls in Section 6.9.	The bicycle parking rates in the City Centre DCP controls (Section 6.9) are based on best practise. As well, TfNSW support the proposed rates. (Refer to their submission in Table 4). Therefore, this amendment is not supported.
		The submitter says <i>If the proposed bicycle parking rates within the draft DCP are adopted then the requirement to</i>	The requirements for end of trip facilities are based on best practise. As well, TfNSW support the proposed requirements

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		<i>provide lockers and end of trip facilities for visitors must be reduced.</i>	(refer to their submission in Table 4). Therefore, the amendment is not supported.						
7.	73 George Street, Parramatta Submission No. 72	<p>Submission prepared by Think Planners on behalf of the landowner of 71-73 George Street, Parramatta.</p> <p>Landowners fully support Council officers preferred amalgamated outcome of 73 and 75 George Street with a new laneway to the east of the Roxy detailed in the Council Report to the Meeting on 11 October 2021.</p>	<p>Support for amalgamation of 73 and 75 George Street is noted – see further clarifying comments below.</p> <p>Council's land title information describes the sites referred to in the submission as follows:</p> <table><tr><td>71 George Street (part) (Part) (Lot 100 DP607789) and owned by Sydney Metro</td><td>583 sqm</td></tr><tr><td>73 George Street (Lot A DP415142) “Roxy Arcade”</td><td>706 sqm</td></tr><tr><td>75 George Street (Lot 192 DP702747) “Mirvac site”</td><td>2,697sqm</td></tr></table> <p>Council officer's recommendation as described and illustrated in Attachment 4 to Item 17.4 in the business paper for 11 October 2021 Council Meeting on the Parramatta CBD DCP is for an amalgamated redevelopment outcome on 71(part), 73 and 75 George Street. Council officer's alternate amalgamation outcome involves 73 and 75 George Street, which recognises that the planning pathway and timeline for the Sydney Metro owned land is still being prepared and may be subject to change.</p>	71 George Street (part) (Part) (Lot 100 DP607789) and owned by Sydney Metro	583 sqm	73 George Street (Lot A DP415142) “Roxy Arcade”	706 sqm	75 George Street (Lot 192 DP702747) “Mirvac site”	2,697sqm
71 George Street (part) (Part) (Lot 100 DP607789) and owned by Sydney Metro	583 sqm								
73 George Street (Lot A DP415142) “Roxy Arcade”	706 sqm								
75 George Street (Lot 192 DP702747) “Mirvac site”	2,697sqm								
		<p>States that despite the landowner’s willingness to engage with Mirvac (the owner of 75 George Street) on an amalgamated outcome, Mirvac have not provided a formal offer.</p> <p>Further, the Council amalgamation intention illustrated in Figure 5.2.2 does not effectively encourage amalgamation because it does not illustrate an outcome in the</p>	<p>Council determined through assessment of various scenarios that a single building over the three sites (71(part), 73 and 75 George Street) would deliver a superior outcome aligned with the vision for the City Centre under the CBD PP. As noted above, this assessment is detailed in Attachment 4 to Item 17.4 in the business paper for the 11 October 2021 Council Meeting on the Parramatta CBD DCP, and accordingly, the preferred built form</p>						

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		<p>'unamalgamated scenario' so the implications of not amalgamating are clear.</p> <p>Seeks the following amendment to Control C.02 in the draft CBD DCP, Section 6.5.2 Civic Link as follows (with text to be deleted shown as <del>strike through</del> and new text shown as <b>bold</b>):</p> <p><i>Site consolidation must comply with Figure 5.2.3 to realise the objectives of the Civic Link Special Area. Where sites do not amalgamate as shown, buildings must comply with building separation, side and rear setback controls in Part 3 of the City Centre controls, including where an alternate amalgamation option for Site 05 is proposed that is exclusive of the Metro land. For Site 05, Figure 5.2.5(a) illustrates the alternate amalgamation option and indicative built form for 71-75 George Street, exclusive of Metro Land.</i></p> <p>Submitters new Figure 5.2.5(a) is as follows:</p>	<p>outcome was translated into DCP controls in Section 6.5.2 Civic Link through controls C.02 and C.06 parts b), c), h), i), j), k) and illustrated in a supporting figure.</p> <p>The assessment considered the LEP planning controls, site context (area, frontage, width), public benefits and development yield potential of independent and amalgamated scenarios (see Appendix 1b of Attachment 4. Ibid.).</p> <p>Control C.02 makes clear that where sites do not amalgamate as shown in the figure that buildings must comply with separation, side and rear setbacks controls in Part 3 of the City Centre controls. So all landowners are clear on what the development controls will be if amalgamation is not achieved.</p> <p>The submitters preferred amalgamation option of 73 and 75 George Street is not consistent with these controls, specifically the 12 metre shared interbuilding separation for commercial uses. In addition, Council officers considered that a tower on No 73 with a width of 7.5 metres is unviable on this small site (706 sqm).</p> <p>As noted above in response to the submission from Mirvac for the adjacent site at 75 George Street, a new control is proposed in Section 6.2 Design Quality in response to a suggestion from the Department.</p> <p>As discussed in the Council Report (for this meeting – 10 October 2022) the CBD PP as finalised by the Department on 6 May 2022 removed the clause enabling the unlimited floorspace benefit. A new LEP replacement clause to reintroduce the FSR is being drafted and the Department have suggested a new DCP control to support the new LEP control. The intent of the new DCP control is to encourage employment opportunities and achieve a high-quality urban form and public domain.</p> <p>The new DCP control requires an 18 metre building separation between towers shared equally between sites. Council's City Centre DCP, as exhibited, requires a minimum 12 metre building separation between commercial towers, and the Department's</p>



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		 <p>Submitter argues that <i>the current draft CBD DCP does not clearly articulate the incentive to all parties that arises from amalgamation, nor the implication of the lost opportunity to 75 George Street if it does not pursue amalgamation.</i> Submitter states that the proposed amended controls will encourage amalgamation with 75 and ensure the delivery of the new north-south laneway while respecting the need to setback from and respond to the Roxy Theatre.</p> <ul style="list-style-type: none"> <li>Requests the following amendment to <b>Control C.02, Section 6.5.2:</b>  <i>Site consolidation must comply with Figure 6.5.2.3 to realise the objectives of the Civic Link Special Area. Where sites do not amalgamate as shown, buildings</i> </li> </ul>	<p>rationale for 18 metres is to increase solar access to the street, increase views to the sky and ensure tower slenderness.</p> <p>Council officers accept the Department's urban design justification for the amendment; however, in the Parramatta context 18 metres may not always be achievable or necessary on some sites. To provide flexibility, Council officers suggested to the Department that the DCP include an additional control requiring any variation from 18 metres to a minimum 12 metres to be assessed via the submission of a site specific DCP or Stage 1 Concept DA by the applicant, and that the outcome form the primary basis of the Design Competition brief.</p> <p>Therefore, redevelopment of this site that includes additional FSR above the mapped FSR of 10:1, either as an independent or amalgamated scenario, must be consistent with the new control of 18 m building separation unless modified by a Concept DA.</p> <p>Further detail and background to this new control is contained in the council report.</p> <p>In the proposed amendments the applicant is seeking to amend the controls to provide more incentive for the owner of No 75 (Mirvac) to purchase their clients site to form an amalgamated development. The DCP should make it clear what Council's objective is. In this case it is to promote amalgamation. However,</p>



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		<p><i>must comply with building separation, side and rear setback controls in Part 6.3 of the City Centre controls, including where an alternate amalgamation option for Site 05 is proposed that is exclusive of the Metro land. For Site 05, Figure 5.2.5(a) illustrates the alternate amalgamation option and indicative built form for 71-75 George Street, exclusive of Metro Land.</i></p> <ul style="list-style-type: none"> <li>Requests addition of Figure amendment to <b>Control C.02, Section 6.5.2:</b></li> </ul>	<p>it must also be clear what controls will be applied in all amalgamation scenarios because Council cannot enforce amalgamation only incentivise it.</p> <p>In this context Council officers do not support the amendment as it would reduce certainty on what would occur in the scenario where No 71 is not included in the amalgamated lot.</p>
8.	195 Church Street, 65-79 Macquarie Street, 38 and 45 Hunter Street (St John's Cathedral Site) Submission No. 73	<p>Submission prepared by Urbis for the landowner of the sites. The submitter has prepared a planning proposal, site specific DCP and planning agreement which were recently exhibited (Reference number PP-2020-2179). Generally supportive of the proposed Draft City Centre DCP as <i>it forms part of a comprehensive strategic planning framework.</i></p>	<p>Noted. Council is anticipated to consider the St John's Planning Scheme (site specific LEP and DCP and Planning Agreement) in the coming months.</p> <p>This SSPP is seeking to rezone part of the site from B4 Mixed Use to B3 Commercial Core and increase the permitted FSR on the site to 10:1 and apply a control allowing unlimited commercial FSR on the proposed B3 Commercial Core land, consistent with the (then) CBD Planning Proposal.</p> <p>Since this submission was received from Urbis in response to the exhibition of the draft City Centre DCP controls in late 2021, the following has occurred:</p> <ul style="list-style-type: none"> <li>the site specific DCP that forms part of the St John's Planning Scheme was exhibited in April/May 2022.</li> <li>the Department finalised the Parramatta CBD Planning Proposal in May 2022 (PLEP 2011 Amendment 56) and did not include the draft clauses endorsed by Council in June 2021 enabling unlimited commercial floorspace benefit for sites zoned B3 Commercial Core and some sites zoned B4 Mixed Use.</li> <li>Council resolved on 25 July 2021 in relation to Item 13.4 to support the preparation of two SEPPs to reintroduce additional commercial floorspace, and noted in the body of</li> </ul>

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			<p>this report that '<i>An understanding of the analysis/outcome of the SEPPs is required prior to the progression of this SSPP</i>'.</p> <p>The subject site is not located within the areas subject to the two SEPP's however is adjacent to both and hence the undertaking that any additional commercial FSR above the mapped FSR of 10:1 be considered in the context of the study results for the second SEPP.</p> <p>This position has not been altered. Further the application of any new DCP controls, like the 18 metre building separation clause for the B3 Commercial Core sites, will be considered when this matter is reported to Council.</p>
		<p>With regards to <b>Section 6.2 Design Excellence</b> the submitter states that the CC DCP <i>does not clearly outline how site specific DCP's fit into the design excellence process and outlines that all Reference Designs must be consistent with the Draft City Centre DCP</i>. Submitter recommends an additional control be included <i>that refers to any site specific DCP and in the event of inconsistency the site specific DCP prevails</i>.</p>	<p>This suggested amendment is inconsistent with the strategic intent of Section 6.2 and could become problematic for future SSDCPs within the City Centre.</p> <p>Council's Design Excellence Process requires a successful Architectural Design Competition Process to be undertaken before a DA can be lodged with Council. The draft site specific DCP for the St John's Church site includes additional provisions with regards to a Design Competition associated with the amended planning controls for this site, namely that a staged DA process is undertaken. The purpose is to resolve the form of development that can occur on the site prior to a Design Competition process, thus enabling certainty for the delivery Design Excellence.</p> <p>The St John's Site Specific DCP controls include the statement:</p> <p><i>If there are any inconsistencies between this site-specific DCP, the Draft Parramatta City Centre DCP 2021, and the Parramatta DCP 2011, this part of the DCP will prevail.</i></p> <p>It is recommended that this statement be revised before the St John's Site Specific DCP controls are recommended for finalisation to align with the amended numbering format in the City Centre DCP amendments as follows:</p>

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			<i>If there are any inconsistencies between these site-specific DCP controls, and Part 6 Parramatta City Centre and any other section of the Parramatta DCP 2011, this section of the DCP prevails.</i>
		With regards to <b>Section 6.3.2 Minimum Site Frontage</b> the submitter notes that the sites at 38 and 45 Hunter Street have a combined frontage to Hunter Street of approximately 25 metres therefore would not comply with this control. The submitter requests that <i>the St John's site specific DCP should prevail given detailed built form analysis has been undertaken to demonstrate the appropriateness of the site for redevelopment.</i>	This matter is addressed above – refer to Council Officer response to Section 6.2 Design Excellence matter and to reiterate, if there is an inconsistency between the site-specific DCP controls and the other DCP controls for example, minimum site frontage, the controls in the SSDCP for St John's prevail.
		With regards to <b>Section 6.3.3.1 Street Setbacks</b> the submitter states: <i>Section 6.3.3.1 outlines street setbacks that may differ from the site-specific provisions.</i> <i>In this instance the site specific DCP should prevail, and reference to site specific provisions should be included in the section.</i>	This matter is addressed above – refer to Council Officer response to Section 6.2 Design Excellence matter and Section 6.3.2 Minimum Site Frontage.
		With regards to <b>Section 6.3.3.2 Building Separation</b> the submitter notes that the building separation controls in the section may differ from the site-specific provisions. The submitter is of the view that <i>the site specific DCP controls should prevail and that reference to site specific provisions should be included in the section.</i>  The submitter is also unclear on <i>whether separation distance is in addition to the step in the built form between the street wall and tower and therefore recommends that this matter be clarified.</i>	As discussed above the St Johns site is the subject of a Site Specific PP and Draft DCP process. A recommendation on whether Council should endorse the SSPP and Draft DCP is to be reported to Council later in 2022.  If/ when the St Johns Site Specific DCP (St Johns SSDCP) is endorsed by Council for this site it will clearly indicate the setbacks in that SSDCP and those setbacks will then form the basis for the Stage 1 DA and Design Competition that Council Officers are recommending be pursued as the next steps in the redevelopment of this site. In the event those setbacks are different to those in the general Setbacks section of the CBD

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			<p>DCP then the site-specific controls will prevail as the controls to be addressed in the Stage 1 DA and Design competition.</p> <p>Issues that will be taken into consideration in finalising the setback controls for this site will include:</p> <ul style="list-style-type: none"> <li>• Officers site specific assessment.</li> <li>• Advice that will be provided from the Department on their analysis of whether additional floorspace is appropriate in certain areas outside the B3 Commercial Core of the CBD. This work is being pursued as part of the second SEPP review of the DCP controls endorsed by council in July 2022.</li> </ul>
		<p>With regards to <b>Section 6.3.3.3 Tower Slenderness</b> the submitter states:</p> <p><i>The site specific DCP is generally consistent with these draft provisions. However, reference to site specific provisions should be included in the section.</i></p>	<p>This matter is addressed above – refer to Council Officer response to Section 6.2 Design Excellence matter.</p>
		<p>With regards to <b>Section 6.3.5.2 Flood Affected Sites and Section 7 Flood Risk Management</b> the submitter states:</p> <p><i>The site specific DCP outlines specific flooding requirements. In this instance the site specific DCP should prevail, and reference to site specific provisions should be included in the section.</i></p> <p><i>The proposed controls are generally consistent in terms of flood requirements, basement design (flood proofing), requirement for an overland flow study, water sensitive urban design requirements, no habitable floor space to be provided below the ground level.</i></p>	<p>This matter is addressed above – refer to Council Officer response to Section 6.2 Design Excellence and Section 6.3.2 Minimum Site Frontage.</p>
		<p>With regards to <b>Section 6.5.4 Church Street</b> the submitter notes that the St John's site forms part of the Church Street Special Area and therefore, Section 6.5.4 Church Street should reference the site specific DCP controls.</p>	<p>The St John's Site Specific DCP controls are yet to be considered and endorsed by Council for finalisation. Inclusion of this statement in the City Centre DCP is pre-empting the outcome of the St John's Planning Proposal, site specific DCP and planning</p>

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			agreement process. Furthermore, there are other Church Street sites located within the Church Street area that already have site specific DCP controls and which are not referenced in Section 6.5.4 Church Street Special Area (ie. Sections 6.10.1 and 6.10.17). Therefore, a reference to these site specific DCP controls in Section 6.5.4 is not considered necessary.
		<p>With regards to <b>Section 6.6 Heritage</b> the submitter states:  <i>Section 6 outlines heritage provisions for the City Centre. However, the prepared site specific DCP outlines specific heritage objectives and considerations.</i></p> <p><i>In this instance the site specific DCP should prevail, and reference to site specific provisions should be included in the section.</i></p> <p><i>Specifically of concern is the drafting of the demolition (6.4) provisions. It is noted the site specific DCP will make allowance for the partial retention or removal of the St John's Hall.</i></p> <p><i>In this instance the site specific DCP should prevail, and reference to site specific provisions should be included in the section.</i></p>	<p>The St John's site specific DCP as endorsed for public exhibition on 21 March 2022, provides two options for the heritage listed St John's Parish Hall: one for removal and replacement and the other for partial retention.</p> <p>It is noted that the draft site-specific DCP under the heading 'Relationship to other parts of this DCP' includes the statement:</p> <p><i>If there are any inconsistencies between this site-specific DCP, the Draft Parramatta City Centre DCP 2021, and the Parramatta DCP 2011, this part of the DCP will prevail. This DCP establishes site-specific objectives and controls to be interpreted during the preparation and assessment of Design Competitions and Development Applications (DAs) and supports the objectives of the LEP.</i></p> <p>As the draft site-specific DCP includes a statement that its provisions prevail in the event of any inconsistency with the subject draft CC DCP it is not necessary to add any further statement to the draft CBD DCP.</p>
		<p>With regards to <b>Section 6.8 Environmental Sustainability</b> the submitter states:</p> <p><i>Section 6.8 outlines sustainability provisions for the City Centre. However, the prepared site specific DCP outlines specific sustainability objectives and considerations.</i></p> <p><i>In this instance the site specific DCP should prevail, and reference to site specific provisions should be included in the section or the relationship should be clarified.</i></p>	<p>This matter is addressed above – refer to Council Officer response to Section 6.2 Design Excellence matter.</p>

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9.	66 Phillip Street, Parramatta Submission No. 77	This submission has been prepared by Think Planners for the landowner of the site.	<p>The site has an area of 908sqm and is zoned B4 Mixed Use under the forthcoming <a href="#">Parramatta LEP 2011 (Amendment No 56)</a>.</p> <p>The applicant has recently completed a Design Excellence Competition with the Jury recommending a winning scheme subject to design conditions which are required to be resolved for a subsequent Development Application scheme to exhibit "Design Excellence".</p>
		<p><b>Control C.03, Section 6.2 Design Quality</b> – The submitter states that the <i>winning submission is acknowledged and given weight during the DA assessment. Thereby ensuring that the integrity of the Design Excellence Competition process is upheld, despite any variation to the general DCP control.</i> The Submitter also seeks an amendment to Control C.03 as follows (see bold text):</p> <p><i>C.03 The City Centre must form the primary basis of assessment of all Design Excellence winning schemes within the City Centre <b>except as endorsed by a Design Excellence competition jury.</b></i></p>	<p>The amendment proposed is not supported.</p> <p>A recent design competition resulted in all entries being non-compliant with the critical DCP controls. This has highlighted a problem that needs to be addressed. In this scenario there is the real risk the DA cannot be supported even if Design Excellence has been granted. In response a new process that deals with circumstances where an applicant wants significant variations from a DCP controls has been established and changes made to the controls in Section 6.2 Design Quality in the report. The response is that a Site Specific DCP or Stage 1 DA is required to resolve any significant DCP variation issues before a Design Competition can proceed.</p> <p>A very similar approach has also been subsequently recommended by the Department of Planning in their comments on the DCP controls. In their advice variations from standards, they are recommending should also be subject to a site Specific DCP or Stage 1 DA. While offices are not recommending that Council endorse all the standards recommended by the Department the approach of using Stage 1 Development Applications to address DCP non-compliances is considered an appropriate response.</p>
		<b>Objective O.11, Section 6.5.1 City River</b> - The submitter seeks an amendment to Objective O.11 as follows (see bold text):	The amendment to Objective O.11 is not supported. A tower form abutting the 25m foreshore setback zone would be contrary to other setbacks in the City Centre DCP controls. Control C.04 in



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		<p><i>O.11 Frame the Parramatta River and its foreshore by providing consistent and defined building edge to the foreshore, with generous upper-level setbacks' ensuring the tower form maintains the 25 m foreshore setback zone and wind amelioration is provided.</i></p>	<p>Section 6.5.1.1 provides that street wall heights and setbacks along the river foreshore must comply with Figure 6.5.1.1.3 (Section A). The control also provides that development on the south bank must provide a street wall height of 4 storeys along the foreshore, and towers must be setback 6m from the street wall.</p> <p>Given the applicant has a winning scheme through Council's Design Competition process, the amendment sought can be explored via at both the Pre-Lodgement and DA processes which will resolve the final design.</p>
		<p><b>Section 6.5.1.1 City East Block</b> – Submitter seeks that the 6m setback for the heritage cottages be reduced to 3m as these cottages have been substantially modified to the rear and contains minimum existing fabric.</p>	<p>The submitter's suggested amendments are not supported as the setback provisions for the heritage cottages in Figure 6.5.1.1.2 and in C.14 are appropriate.</p> <p>It is noted that Figure 6.5.1.1.2 provides for an aligned front building setback for 66 and 70 – 74 Phillip Street. Because the heritage cottages at 70 – 74 Phillip Street are of a greater depth than the heritage cottage at 66 Phillip Street this means that the setback for 70 – 74 Phillip Street is 3m whilst the setback for 66 Phillip Street is 6m. The proposed setback is considered the absolute minimum to provide an appropriate curtilage for the heritage cottages and will ensure that their heritage values are recognised and protected.</p> <p>Furthermore, one of the conditions attached to the winning scheme in the Design Excellence Competition Jury Report (March 2022) requires further investigation and resolution during design development including further development of the relationship of the building form and the historic cottages.</p> <p>The proposed amendment sought can be explored via at both the Pre-Lodgement and DA processes which will resolve the final design.</p>
		<p><b>Control C.14 and Figures 6.5.1.1.2 and 6.5.1.1.5, Section 6.5.1.1 City East Block</b> – The Submitter is of the view that</p>	<p>The proposed amendment is not supported. The submitter does not support this comment with any economic analysis providing</p>



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		<p>the requirement for the heritage cottage setback to be provided as publicly accessible space has a substantial financial burden on the site's potential and is not appropriate as a control in a DCP (bold text):</p> <p><i>C.14 Development must provide a <del>6m</del><b>3m</b> setback to heritage cottages on the lots known as 66 Phillip Street and as per Figure 65.1.1.5 (Section C), and a <b>3m setback to heritage cottages on the lot known as 70-74 Phillip Street as per Figure 5.1.1.6 (Section D). An aligned building setback must be provided on the southern façade across the two properties as shown in Figure 6.5.1.1.2. Where a Design Excellence Competition is held, the built form shall be subject to specialist heritage advice.</b></i></p> <p>Submitter also recommends that Figures 6.5.1.1.2 and 6.5.1.1.5 be amended to ensure a consistent 3m setback is applied at the rear of the cottages.</p>	<p>evidence of financial loss. Furthermore, the proposed amendments to C.14 to remove requirements for setbacks of numeric dimensions and an aligned building setback are not supported.</p> <p>Relying on the design competition process to define built form variations contrary to the intent of the City Centre controls would not be supported. Rather, Section 6.2 specifies that the DCP be used as a basis for all design excellence competition processes and any architectural reference design contained in a Design Competition brief must use the City Centre controls as a basis for building envelopes.</p> <p>The applicant has obtained a winning scheme through Council's Design Competition process. The Jury report noted: <i>The outlined preference for the lower foyer option, presents some challenges in the response to the heritage cottage. Additional work is needed to ensure the curtilage of the heritage item is preserved. The jury retains a preference for the three-storey foyer approach.</i></p> <p>The proposed amendment sought can be explored at both the Pre-Lodgement and DA processes which will resolve the final design.</p>

	<p><b>Controls C.04 and C.07, Section 6.5.1.1 City East Block</b>  – The Submitter seeks an amendment to Control C.04 to allow a built form outside the 25 m foreshore setback zone; specifically, as follows (see bold text):</p> <p><i>C.04 Street wall heights and setbacks along the river foreshore must comply with Figure 6.5.1.1.3 (Section A). Development on the south bank must provide a street wall height of 4-storeys along the foreshore, and towers must be set back 6 metres from the street wall. <b>Where a site permits a built form entirely outside the 25m foreshore setback zone, a Design Excellence jury can resolve to support an alternative built form.</b></i></p> <p>The Submitter also seeks the following amendment to Control C.07 to allow a variation to the street wall controls facing the river where these variations are supported by a design excellence process (see bold text):</p> <p><i>C.07 Street walls facing the river must comply with the street wall controls in Part 3 of the City Centre controls <b>unless a variation is supported by an endorsed Design Excellence competition jury.</b></i></p> <p><b>New control, Section 6.6.3 Heritage relationships –</b>  Submitter seeks an amendment to the City Centre controls by adding the following new control in this Section. The proposed new control provides that should a site be subject to a design excellence process the proponent must engage a heritage consultant to ensure the objectives in this section are met (see bold text):</p> <p><i><b>C.24 Should a site be subject to a Design Excellence process; the proponent must engage a heritage consultant to develop a set of site specific controls to ensure the objectives of the DCP are met. A Council endorsed site specific Design Excellence Brief, is to be given weight over controls C.01 to C.23.</b></i></p>	<p>The proposed amendments are not supported. It is not appropriate for a Design Jury or the applicants Heritage advisor to be given a policy role in determining whether a Council policy should be varied. This should be a matter either for Council or the determining authority for the Development Application.</p> <p>An applicant can seek to vary setbacks or introduce heritage controls that are site specific, and where these are minor this can be addressed as part of the Design Competition with the Panel providing the Development Assessment advice on its suitability. However, where they are more significant variations it should be dealt with as part of a Stage 1 DA or Site specific DCP process via the process specified above in previous responses to this submission where similar amendments have been proposed.</p>
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Row	Address / Submission No.	Submission author / Summary of Submission	Council Officer Response (Note: Further action noted only where required or recommended)
10.	90 and 94 Phillip Street, Parramatta  Submission No. 80	The submission has been prepared by Anchor Estate for the landowners of both sites.	The Submitter refers to the property addresses as No.s 90-92 and 94-96 Phillip Street. However, the sites are formally known as 90 and 94 Phillip Street, respectively in Council's records.  The sites' zoning under <a href="#">Parramatta LEP 2011 (Amendment No 56)</a> is the B4 Mixed Use zone.
		<b>Figures 6.5.1.1.2 and 6.5.1.1.5, Section 6.5.1.1 City East Block</b> – The Submitter states that it supports 3m tower setback along Phillip, Charles and River Foreshore frontages as well as <i>the location of the publicly accessible through site links.</i>	Noted.  Whilst referencing Figure 6.5.1.1.2, the Submitter does not reference <b>Control C.11</b> which requires a minimum 3m setback on the site as follows:  <i>C.11 At 90-96 Phillip Street, noting the lot configuration and land commitments for public purposes, development must provide a minimum 3 metre tower setback along the Phillip Street, Charles Street and River foreshore frontage that addresses wind, solar access and design objectives.</i>  The 3m setback requirement is required via the control and the control diagram at Figure 6.5.1.1.2.
11.	39-41 & 43 Hassall Street, Parramatta  Submission No. 83	Submission prepared by Think Planners for the landowner of the site who propose a <i>build-to-rent</i> development.  The Submitter notes the site has an area of approximately 1,448sqm.	The sites are known as 39-41 Hassall Street and 43 Hassall Street, Parramatta. The sites' zoning under <a href="#">Parramatta LEP 2011 (Amendment No 56)</a> is the B4 Mixed Use zone.  The Submission summaries the proposed LEP controls that were anticipated to apply to the site as per Council's submission for LEP finalisation in July 2021. It is noted that the submission includes a reference to the unlimited FSR for <b>commercial premises</b> as proposed via clause 7.6C Commercial Premises in Zone B4. However, the site is less than 1,800sqm and would not be eligible for this control.
		<b>Section 6.3.3.2 Building Separation</b> – the Submission says: <i>The draft DCP contains only the single reference to Build-to-rent apartments. This reference sets out in 6.3.3.2 that building separation of towers is to be treated in the same way as a residential building and includes additional</i>	The build-to-rent use is permissible in the B4 Mixed Use zone by way of <a href="#">State Environmental Planning Policy (Housing) 2021</a> . Clause 75 of the SEPP provides specific requirements with

Row	Address / Submission No.	Submission author / Summary of Submission	Council Officer Response (Note: Further action noted only where required or recommended)
		<i>facilities and services on sites that increases resident amenities such as communal open space, amenities, passive and active spaces, landscaped areas, facilities and services such as bike share schemes. The build-to-rent model is also aimed at a particular demographic and so the apartment mix, apartment sizes, etc are nuanced and not the same as the generic ADG apartment mixes. The Submitter therefore proposes this section be amended to include additional commentary in a dedicated section that sets out that any application for a BTR proposal, is anticipated to propose variations to the DCP, however these must be supported by market research and data and / or relevant social and economic reports justifying these variations.</i>	regards to the design of <i>build-to-rent</i> development which calls on aspects of the Apartment Design Guide.  With many uses permissible within Parramatta City Centre and the uses changing at a constant rate via NSW Government planning reform (e.g. Employment Zones Reform, Housing SEPP, etc), the DCP controls cannot provide specific references to all uses permissible uses.  A merit-based approach may always be considered under a DCP  The proposed amendment is not supported.
		<b>Control C.04, Section 6.3.3.2 Building Separation</b> – the Submitter notes that this control requires only one step in the built form. However, the Submitter sees this as too restrictive. Therefore, the Submitter seeks an amendment <i>to acknowledge that variation and steps in towers will occur throughout the CBD to accommodate solar access provisions, as has and is occurring in applications and design competitions.</i>	The model recommended by Council officer does not support more than one step in towers. It is considered that allowing multiple steps will result in sub-optimal built form and solar access and public domain outcomes. Whilst less practical in commercial development context the objective of getting as many slender towers in the CBD underpins the CBD Planning Framework and introducing multiple stops undermines this objective. A merit-based approach may always be considered under a DCP; however, it would be detrimental to consider controls allowing such broad flexibility as compromised positions should not set the standard.
		<b>Section 6.3.9 Dwelling Mix</b> – Submitter requests <i>commentary be added into the Dwelling Mix section that references the expectation that a BTR proposal will vary the recommended mix, but that it must be supported by the appropriate social and economic analysis and justification.</i>	Refer to the above comments.
12.		Submission prepared by Ethos Urban for of G & J Drivas P/L Telado P/L (site owners).	The site's zoning under <a href="#">Parramatta LEP 2011 (Amendment No 56)</a> is the B4 Mixed Use zone and is listed in PLEP 2011 as a

Row	Address / Submission No.	Submission author / Summary of Submission	Council Officer Response (Note: Further action noted only where required or recommended)
	188 Church Street, Parramatta  Submission No. 94	<p>Submitter notes the site is 638sqm in area and has a 32 metre frontage to Church Street and a 20 metre frontage to Macquarie Street.</p>	<p>heritage item of local significance (I652) known as 'Murrays' Building (and potential archaeological site)'.</p> <p>The heritage listed site forms part of a collection of local heritage items in PLEP 2011 within and adjacent to Centenary Square including:</p> <ul style="list-style-type: none"> <li>• Parramatta Town Hall (and potential archaeological site) at 182 Church Street and of local significance (I650)</li> <li>• Bicentennial Square and adjoining buildings at 188, 188R (part of Church Street road reserve) and 195A Church Street, 38 Hunter Street and 83 Macquarie Street and of local significance (I651)</li> <li>• St John's Anglican Cathedral at 195 Church Street and of State significance (I01805)</li> <li>• St John's Parish Hall at 195 Church Street and of local significance (I713)</li> <li>• Warden's cottage (verge's cottage) at 195 Church Street (adjacent to 45 Hunter Street) and of local significance (I653)</li> <li>• Centennial Memorial Clock at Bicentennial Square (opposite 196 Church Street) and of local significance (I654)</li> <li>• Shop (and potential archaeological site) at 197 Church Street and of local significance (I655)</li> <li>• Horse parapet façade (and potential archaeological site) at 198–216 Church Street and 38–46 Macquarie Street and of local significance (I656)</li> </ul>
		<p>Submitter notes the site is identified within three special area sections within the exhibited DCP, these being: <b>Section 6.5.2 Civic Link</b>; <b>Section 6.5.4 Church Street</b>; and <b>Section 6.10.1</b> Parramatta Square. Submitter raises a concern at the three layers of controls and sees this a confusing.</p>	<p>The suite of draft controls that apply to this site are well understood by the relevant team within Council and a meeting has been held to discuss the objectives of the controls with the applicant and their consultants. In response to this submission and meeting some changes are proposed and are described below.</p>

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		<p>Submitter is concerned by the requirement for a 6m side setback to the site's eastern boundary (control introduced for commercial development in the B3 zone) as it would <i>significantly reduce the achievable floorplate of a redevelopment of the site to less than 445m<sup>2</sup>, which would render the site unfeasible for commercial redevelopment even as a low-rise addition (6-8 storeys planned as an addition)</i>. Therefore, Submitter seeks a site specific control which permits a nil set back to the eastern boundary, as follows:</p> <p><i>C.09 At 188 Church Street, additions are permitted a nil setback to the eastern boundary, subject to satisfying heritage considerations and sun access protection to Parramatta Square.</i></p>	<p><b>Control C.05 in Section 6.5.2</b> requires an upper level setback of 6 metres.</p> <p>The Submitter has not supported their submission with analysis that would look at a range of built form and land use options with supporting heritage assessment and economic feasibility. See discussion below.</p> <p>Council Officers are not supportive of a 6m setback to the east boundary for a tower on the subject site. The controls in the exhibited Draft DCP do not promote the construction of any tower above the existing heritage listing building on this site. In order to protect the amenity and significance of Bicentennial Square retention of the existing building form and height is being promoted for this site.</p>
		<p><b>Control C.01 in Section 6.5.4 Church Street Special Area</b> – Submitter requests the site be excluded from this control to ensure consistency with other parts of the draft DCP and avoid confusion regarding the provision of development within the Church Street view corridor. Submitter notes that if the view corridor is to remain, they request a proposed addition to the heritage item be permitted, <i>as it does not represent a tower form, which is the intended built form prohibited by the view corridor</i>. To that end, the Submitter specifically requests the following insertion in front of the existing control (bold text):</p> <p><b><i>C.01 This control applies to sites that are subject to a 12m building height control adjacent Church Street, as per Figure 6.5.4.3. Street wall heights and street setbacks must comply with Figure 6.5.4.3. The street wall must be built to the street boundary and are encouraged to be at or close to the 12 metres in height. Towers above the street wall must be set back in accordance with the Height of Buildings Map in the Parramatta LEP 2011.</i></b></p>	<p>Section 6.5.4 Church Street Special Area imposes controls on the subject site that relate to heritage and view protection.</p> <p>As well, future development will also be assessed against controls in PLEP 2011 including Height of Building and FSR, noting that the site is not subject to 12 metre building height and tower setback control; as well as heritage impacts with acceptable relationships with adjacent heritage items required. These provisions are not considered to be in conflict with those of the Church Street Special Area, nor with the controls in Section 6.5.2 Civic Link.</p> <p>However, it is accepted that the objectives and controls in Section 6.5.4 Church Street could be clearer.</p> <p>The introduction to Section 6.5.4 Church Street explains the design principles underpinning the controls in this section, including a consistent maximum building height along the entire axis of Church Street up the Cathedral to preserve views within the view corridor widening south of Macquarie Street to capture the spatial scale of Centenary Square and the grounds to St</p>



Row	Address / Submission No.	Submission author / Summary of Submission	Council Officer Response (Note: Further action noted only where required or recommended)
		<p>Given the proponent proposes a lower rise 6-8 storey addition to the existing development on the site, the Submitter sees this clarification as essential.</p>	<p>John's Cathedral. The built elements that provide curtilage to this space must provide a sense of enclosure that is appropriately scaled. It is this issue of appropriate scale and curtilage to the square that is justification for inclusion of this site in the Special Area rather than the view corridor issue.</p> <p>Therefore, it is important that the site be retained in the Church Street Special Area and be subject to the view and heritage protection provisions.</p> <p>To make this intent clearer, the following minor amendments by adding a new objective to are proposed to Objectives O.01 and O.02 (see blue font):</p> <p style="color: blue;">O.03 Preserve the low rise setting of Centenary Square created by the existing 2 to 3 storey heritage items that flank it as shown in Figure 6.5.4.2 to protect the heritage relationship between these buildings and their unique framing of Centenary Square.</p> <p>Corresponding minor changes to the figure titles of Figures 6.5.4.1 and 6.5.4.2 have also been made.</p> <p>In addition, the original heritage study Council commissioned to inform the CBD Planning Proposal prepared by consultants Urbis in 2015, concluded that 188 Church had no development potential on its own, with <i>'Development potential subject to retention and conservation of the heritage item and consideration of the sites relationship to Bicentennial Square and items in the vicinity. Additional FSR may also be realised as part of site amalgamation and subject to assessment'</i>.</p> <p>Any future development of 188 Church Street will need to be carefully assessed against heritage objectives and controls and will need to be of an appropriate scale for this important civic space.</p> <p>Notwithstanding this, concern is noted that given the significant collection of heritage items and places adjacent to and including</p>



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			<p>the site, supporting the Submitter's amendments, could be prejudicial to Council in appropriately protecting the heritage values of the site and adjoining Centenary Square in determination of any future development application.</p> <p>For the above reasons, the submitter's requested amendments are not supported; and in the event a DA is lodged requesting a reduced setback to the prescribed controls, this can be assessed on its merits.</p> <p><b>The above amendments have been made to the City Centre DCP controls being recommended for finalisation.</b></p>

**Table 3 – Submissions from Organisations**

Row	Public Authority / Service Provider & Submission No.	Summary of Submission	Council Officer Response (Note: Further action noted only where required or recommended)
1.	Parramatta Branch, National Trust of Australia Submission No. 57	Supports the comprehensive principles, objectives and controls for heritage items and conservation areas as stated in the Draft DCP.	The support for the principles, objectives and controls of the DCP is noted.
		<p>With regards to <b>Figure 6.5.2.3 – Civic Link Special Area Public Domain and Consolidation, Section 6.5.2 Civic Link</b>, opposes the Draft DCP controls for Site 05 and M4 surrounding the Roxy Theatre located at 69 George Street, Parramatta for reasons as follows:</p> <ul style="list-style-type: none"> <li>Likely buildings will diminish the heritage qualities of the theatre by overpowering and dominating its setting</li> <li>The six-storey street wall is a reasonable response, but the lack of a significant setback above this level when combined with the likely height of buildings on the sites</li> </ul>	<p>Of relevance to the submission, Council's Heritage consultant was engaged to prepare specific advice for the Roxy Theatre and commented as follows:</p> <p><i>In order for the design of the Roxy to be best appreciated in contrast to the emerging commercial towers, it is recommended that the podium height of surrounding buildings are sufficient to form a single vertical backdrop to the Roxy, and that a new laneway to the east of the Roxy is provided to create space</i></p>

Row	Public Authority / Service Provider & Submission No.	Summary of Submission	Council Officer Response (Note: Further action noted only where required or recommended)
		makes the Heritage Impact on the Roxy Theatre unacceptable.	<p><i>between the Roxy and the much larger scale adjoining development.</i></p> <p><i>The approach is consistent with the space on the southern and eastern sides of the Roxy. The façades of the podium's must have a quiet design to ensure that the decorative Roxy Theatre stands out, has a historical landmark and focal point of Parramatta. The six-storey podium heights for buildings around the Roxy to the east, south and west are supported, as is the proposed 6.5 laneway to the east of the Roxy.</i></p> <p>Note: the advice by Council's Heritage Consultant quoted above is contained within Attachment 4 to Item 17.4 in the business paper for 11 October 2021 Council Meeting on the Parramatta CBD DCP.</p> <p>The DCP provides for the following controls in relation to the Roxy Theatre:</p> <ul style="list-style-type: none"> <li>• street wall height of 6 metre for neighbouring buildings proposed at site 05 and M4.</li> <li>• a 3 metre upper-level setback for these buildings.</li> <li>• a laneway of 6.5 metre proposed on the eastern side of the Roxy Theatre.</li> <li>• a 16 metre laneway proposed at the rear.</li> </ul> <p>These controls, having regard to the comments of the heritage consultant, will ensure that the Roxy Theatre building is not diminished or dominated and that its heritage values are protected. The 3 m upper-level setback is considered appropriate in this context.</p>

**Table 4 – Submissions from Public Authorities and Service Providers**

Row	Public Authority / Service Provider & Submission No.	Summary of Submission	Council Officer Response (Note: Further action noted only where required or recommended)
2.	Ryde Council Submission No. 2	Acknowledged exhibition of Draft City Centre DCP and did not anticipate making a submission.	Noted.
3.	CASA Submission No. 40	CASA reviewed the information provided and has no comment on the Draft DCP.	Noted.
4.	Endeavour Energy Submission No. 58	<p><b>Section 6.3.5.4 Servicing and Utilities</b> – Endeavour Energy notes its comments focus on this section of the City Centre DCP controls.</p> <p>Endeavour support is submission by attaching the following Endeavour Energy technical specifications documentation:</p> <ul style="list-style-type: none"> <li>• MCI 0006 Underground distribution construction standards manual – Section 7 Substations and Switching Stations (2016).</li> <li>• MDI 0044 – Easements and Property Tenure.</li> </ul> <p>Standard Conditions for Development Applications and Planning Proposals - Version 1 (October 2021).</p>	Noted.
		<p><b>Control C.02, Section 6.3.5.4 Servicing and Utilities</b> – Endeavour Energy summarises its requirements for substation access:</p> <ul style="list-style-type: none"> <li>• Ground level access.</li> <li>• Direct ready access from a public street (unless provided with appropriate easements for the associated underground cables and right of access).</li> </ul>	<p>As Section 6.3.5 states, the ground floor <i>has the most impact on the pedestrian experience, and its design must respond to the need for a lively, interesting and comfortable environment. Much of the success of this frontage, also critical to the success of the city, relies on a considered level of detail design and realization.</i></p> <p>Also, Section 6.3.4.5 Servicing and Utilities explains that the location of utilities and services <i>can adversely affect the ground floor street frontage if not properly taken account of in the initial design stage. It is also essential that building</i></p>

Row	Public Authority / Service Provider & Submission No.	Summary of Submission	Council Officer Response (Note: Further action noted only where required or recommended)
		<ul style="list-style-type: none"> <li>Not to be located within 6 metres of road intersections or bends to reduce the risk of possible vehicle impact damage.</li> </ul> <p>Endeavour Energy also note that <i>whilst ‘Substations at levels other than ground’ indicates substations located at a level other than ground or street level are permitted under special conditions, it is not preferred and should only be utilised wherever necessary rather than as proposed by Council as wherever possible.</i></p> <p>Therefore, Endeavour Energy raises its opposition to Control C.02 which requires <i>Substations in particular should be located at the first floor, or in a basement, whenever possible.</i></p> <p><b>Substation design (general comment), Section 6.3.5.4 Servicing and Utilities</b> – Endeavour Energy’s notes its preference for the use of padmount substations as they provide ready access (there is no reliance on the building owners to provide / maintain the building required to house an indoor substation), they allow for easier reconfiguration and there is less involvement with a building owner to resolve any issues / conflicts.</p> <p>However, Endeavour Energy also recognises that for <i>developments...within central business districts (CBD) where zero and minimal building setbacks are allowed (and which given their size makes the provision of the easements and restrictions for a padmount substation difficult to achieve on site)</i>, it recommends an <i>indoor substation... or chamber substation</i> and specifically refers to its requirements contained in Mains Design Instruction MDI 0028 ‘Underground distribution network design’.</p>	<p><i>services are located and designed to be free from flooding impacts. This may require innovative solutions and consultation with utility and service providers, particularly for single frontage sites.</i></p> <p>Control C.07 also requires that <i>flood affected sites, electricity substations must be located above the Flood Planning Level</i>. This control safeguards substations from flood inundation.</p> <p>Furthermore, each DA can be assessed on merit so there may be grounds for relaxations on some of the controls depending on the site and design of the proposed development.</p> <p>For the above reasons, an amendment to the controls as proposed is not supported.</p> <p>Padmount substations are not an appropriate form of substation within the Parramatta City Centre.</p> <p>Refer also to the Council Officer response against the submitter’s comments on Control C.02, Section 6.3.5.4 Servicing and Utilities, immediately above.</p>

Row	Public Authority / Service Provider & Submission No.	Summary of Submission	Council Officer Response (Note: Further action noted only where required or recommended)
		<p><b>Section 6.3.5.4 Servicing and Utilities</b> – Section 5.3.5 ‘Indoor substations’ in Endeavour Energy’s MDI 0044 ‘Easements and Property Tenure Rights’ have certain requirements for substations to do with easements and right of access, as well as potential requirements for hub switching stations.</p> <p>Endeavour Energy notes that developers have <i>consistently opposed the imposition that such indoor substations place on their developments, but indoor substations have usually taken up development space equivalent to a few car parking spaces and in comparison to padmount substations.</i></p>	See above responses for Section 6.3.5.4, above.
		<p><b>Control C.07, Section 6.3.5.4 Servicing and Utilities</b> – Endeavour Energy supports control C.07 as it notes that distribution substations should not be subject to flood inundation or stormwater runoff and references the requirements in Section 7 ‘Substation and switching stations’ of <i>Endeavour Energy’s Mains Construction Instruction MCI 0006 ‘Underground distribution construction standards manual’</i>.</p>	<p>Support for Control C.07 noted.</p> <p>This control requires that <i>flood affected sites, electricity substations must be located above the Flood Planning Level</i>. The control references <i>Ausgrid NS185 Major Substations Building Design Standard</i> which requires substation sites be <i>at least 500mm above the 1 in 100 year flood level</i> whereas the Endeavour Energy requirements are to be <i>above the flood planning level</i>.</p> <p>Control C.07 safeguards substations from flood inundation.</p>
		<p>Endeavour Energy requires the electricity network needed to service an area / development to be <i>fit for purpose and meet the technical specifications, design, construction and commissioning standards based on Endeavour Energy’s risk assessment associated with the implementation and use of the network connection / infrastructure for a flood prone site.</i></p>	Noted.
		<p>Endeavour Energy provides a copy of its ‘Standard Conditions for Development Applications and Planning Proposals’ which is based on the agency’s <i>experience with significant development applications and planning proposals</i>. Specifically, the <i>issues affecting the electricity distribution</i></p>	These documents have been forwarded to the relevant team within Council.

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		<i>network that need to be considered by Councils in determining and conditioning consents.</i>	
5.	Transport for NSW Submission No. 66	<p>TfNSW states it is the lead agency of the NSW Transport cluster and therefore has collected comments across that sector.</p> <p>TfNSW raises a concern that <i>zero ground floor boundary setbacks are being proposed for commercial buildings within the B3 Commercial Core zone</i>. Raises the issue because the <a href="#">Parramatta CBD Integrated Transport Plan</a> (ITP) identifies highest pedestrian volumes are in the B3 zone; and a four-fold increase in walking and cycling demand is required to deliver a 40% car mode share by 2036. Requests measures to allow for future widening of footpaths within the B3 zone. <i>TfNSW are concerned that unless measures are included to allow future widening of footpaths within the B3 zone, footpaths in this area will have insufficient capacity for pedestrians given the proposed development uplift and active transport mode share goals.</i></p> <p>TfNSW further justify this by the following:</p> <p><i>A challenge will be the need [for] more buses in the future in and out of the CBD / Heavy Rail – Metro Stations as quickly and effectively as possible. This is likely to require dedicated bus lanes (either in the form of road space reallocation and/or additional widening for bus lanes). However, in order to provide the evidence behind such needs, TfNSW needs to do the detailed Traffic and Transport modelling to demonstrate what is needed and what will work. As TfNSW currently isn't in a position where we can commit to road widening reservation to support future bus servicing needs, the only alternative...we currently have right now is to try an[d] "future proof" through building setbacks.</i></p>	<p>Noted.</p> <p>In responding to TfNSW's submission on the City Centre LEP, Council Officers wrote:</p> <p><i>It is considered that the DCP may not be an appropriate control to incorporate LRAs within the CBD for any modes outside of pedestrians.</i></p> <p>Council is exploring the potential to increase pedestrian space within the City Centre, as well as new planned streets and laneways shown in the City Centre DCP controls to increase permeability.</p> <p>The request to require wholesale setbacks on numerous Streets/buildings in the CBD as an alternative response to TfNSW's failure to commit to a strategic Land Reservation and Acquisition process is not workable. Requiring buildings to be setback will result in unacceptable streetscape issues where heritage items define the street edge. With different sites developing at different times the result will be an undefined street edge which has significant amenity and economic implications.</p> <p>A City Centre Access Strategy prepared jointly by Council and TNSW could also inform pedestrian movement in the city centre. Flood planning levels also impact how buildings address the street and Council's Flood Study is being finalised.</p> <p>All three pieces of work are required to inform a pedestrian master plan to determine the appropriate built form and streetscape outcomes to facilitate effective pedestrian circulation space in the city centre. The proposed master</p>



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		TfNSW wants to work with Council to identify additional measures. It sees this as an unresolved ITP issue.	<p>plan cannot be completed in the timeframe for this version of the DCP and will require a future amendment (expected to be in 2023).</p> <p>The NSW Land Reservation (LRA) Acquisition framework contained in the NSW Government's LEP Standard Instrument via standard clauses 5.1 Relevant acquisition authority and 5.1A Development on land intended to be acquired for public purposes and supporting <b>LRA Maps</b> provides the formal framework for State Authorities to identify land for infrastructure to protect it for future demand; in TfNSW's case, wider footpaths or roads for public transport.</p> <p>Therefore, TfNSW should work with Council via the CBD Access Strategy to seek such reservations via the formal LRA process and ensure the subsequent impact on pedestrian space and building alignment is adequately funded.</p> <p>Recommend further liaison between Council and TfNSW via the CBD Access Strategy process.</p>
		<b>Section 6.1.2 General Objectives</b> – TfNSW suggests including an objective <i>around travel demand management and encouraging more sustainable travel choices</i> to promote the redistribution of <i>customer journeys to more sustainable modes, times, routes, or by removing the journey altogether</i> (e.g. Green Travel Plans, parking management approaches).	This additional objective is supported. However, the controls pertaining to sustainable transport that apply to the City Centre are housed in Part 3 of PDCP 2011, and it is unreasonable to have an overarching objective that is not supported elsewhere in Part 6 with more detailed objectives and controls. Since amending Part 3 is beyond the scope of the City Centre DCP controls process, this comment has been forwarded to the relevant team to consider as part of Future Review to the DCP, following endorsement of the Harmonisation DCP project.
		<b>Section 6.2 Design Quality</b> – TfNSW owns a number of strategic sites within the Parramatta City Centre which are affected by the Draft DCP controls. TfNSW notes that Section	The request is to have the DCP not apply to TfNSW project and instead allow it to be overridden by a design process pursued by TfNSW. This approach is not supported. Any

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		6.2 forms the basis for any Design Excellence competition process including design briefs, all Architectural Reference Designs and the assessment of all Design Excellence winning schemes. However, TfNSW proposes the inclusion of <i>objectives and controls...which clearly state and enable flexible design outcomes to be delivered through a competitive design process and in this regard, allow for departures to the controls where high quality design and public domain outcomes can be demonstrated or where site specific opportunities and/or constraints warrant an alternative design response. As currently drafted, Section 2 suggests rigid adherence to the Draft DCP.</i>	TfNSW development should fit into the city along with all other development following the same overarching principles and objectives. For this reason the Draft LEP and DCP controls should be a prime consideration in any design and development process pursued by TfNSW. Where variations to the DCP controls can be applied and the objectives of the DCP achieved then variations to the DCP are possible and can be considered at the approval stage of the process. The amendments to the DCP proposed are not supported for these reasons.
		<p><b>Control C.05, Section 6.3.3.1 Street Setbacks</b> – Control C.05 reads:</p> <p><i>For sites that are zoned B4 Mixed Use and are not required to have active ground floor street frontages in the LEP, an analysis of existing and likely future context must be submitted to determine the most appropriate ground floor uses, setbacks and built form at the street frontage.</i></p> <p>TfNSW requests this control be amended to ensure that <i>any such analysis also requires consultation with TfNSW regarding the potential for future bus route/bus lane/bus infrastructure needs/requirements.</i></p>	The onus is on TfNSW to inform Council of any strategic potential regarding road reservations. The proposed amendment is inconsistent with the LRA Framework espoused in the NSW Government's Standard Instrument and is not supported.
		<p><b>Section 6.4.4 Pedestrian Lanes, Shared Zones and Service Lanes</b> – TfNSW says this section <i>highlights accessing buildings from service lanes / minor streets</i> instead of from the primary frontage. These lanes need to be <i>preserved from residential encroachment to ensure servicing is maintained or even improved.</i></p>	It is agreed that service lanes need to be preserved. To that end, the second paragraph in the introduction to this section <b>has been amended by adding the following statement:</b>
		<p><b>Figure 6.4.4 – Existing and Required Lanes in the Parramatta City Centre, Section 6.4 Public Domain</b> –</p>	Figure 6.4.4 – Existing and Required Lanes in the Parramatta City Centre in Section 6.4 Public Domain of the

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		<p>TfNSW says, in relation to City Centre core footpath widening and new links recommendations, it suggests an amendment that would require <i>new development to include enhancements to the pedestrian environment within the CBD through infrastructure initiatives such as pedestrian through-site links, pedestrian boulevard/plazas and subterranean pedestrian connections.</i></p>	<p>Draft City Centre DCP (as exhibited) illustrates the laneways, through-site links, and publicly accessible arcades in the City Centre which support greater connectivity, permeability and variety to the public domain. The particularities of many of these links are detailed further in Section 6.5 Special Areas.</p> <ul style="list-style-type: none"> <li>• Major projects such as Civic Link, PLR and upgrades to the River Promenade will provide major pedestrian priority spaces in the City Centre.</li> <li>• TfNSW's comments stops short of recommending the precise locations or underpinning principles for such links.</li> </ul> <p>Proposing or stipulating requirements for further widenings or links at this point without the opportunity to prepare the right studies, plans or a strategy will delay the progression of the CCDCP. This issue is considered a strategic issue that would better be resolved via an Access Strategy for the City Centre as recommended in <a href="#">Parramatta CBD Integrated Transport Plan</a> (July 2021) prepared as part of the City Centre LEP. The Access Strategy may identify future public domain initiatives for inclusion in the DCP, over time with proper justification.</p> <p>See also response to issue 2 above.</p>
		<p><b>Control C.05, Section 6.4.6 Vehicle Footpath Crossings –</b> Control C.05 reads:</p> <p><i>Where practicable, adjoining buildings must share or amalgamate vehicular access points. Internal on-site signal equipment must be used to allow shared access. Wherever appropriate, new buildings must provide vehicle access points that can be shared at a later date.</i></p>	<p>Council Officers agree with the suggestion, therefore <b>propose the following amendment to Control C.05</b> as follows (changes shown in bold font):</p> <p><i>Where practicable, adjoining buildings must share or amalgamate vehicular access points, <b>basements and servicing facilities</b>. Internal on-site signal equipment must be used to allow shared access. Wherever appropriate, new buildings must provide vehicle access points that can be shared at a later date.</i></p>

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		TfNSW strongly supports controls that encourage shared driveways. Proposes these controls should be extended to <i>include shared basements and servicing facilities.</i>	
		<b>Control C.07, Section 6.4.6 Vehicle Footpath Crossings</b> – TfNSW queries if this control which requires vehicle landing to be flush with the public domain <i>refers to the footpath treatments? These should be considered to give pedestrians priority and make cars feel like they are entering a space designed foremost for pedestrians.</i> Suggests continuous footpath treatments be considered.	Council Officers are in agreement that driveway crossovers in the City Centre should give pedestrian priority. Requirements for continuous footpath treatments are contained within the Public Domain Guidelines and Council Standard Details. This control, however, refers to the landing within the building (driveway) threshold to ensure that cars waiting to cross the pedestrian footpath are level with the pavement to be able to see oncoming pedestrians. It is about sightlines from the car from within the property. A steep driveway coming up from basement at the threshold is dangerous because drivers cannot see properly.
		<b>Figure 6.5.2.1 Civic Link Special Area Blocks with Existing Context, Section 6.5.2 Civic Link (p. 75)</b> – TfNSW is of the view that Macquarie Street (between Marsden and Smith Streets) <i>has a high place function which involves prioritising the movement of high numbers of pedestrians and light rail vehicles</i> within the Parramatta City Centre.	The configuration of Macquarie Street is a result of recent light rail works and outside the extent of the Civic Link Special Area extent.
		<b>Objectives, Section 6.5.2 Civic Link (p. 76)</b> – TfNSW is having internal discussions on a shared zone in Macquarie Street (between Marsden and Smith Streets) to prioritise pedestrian movement. This <i>would increase safe and attractive north/south connections</i> in this vicinity. Therefore, proposes the DCP controls could be amended by inserting a new objective to convert Macquarie Street (between Marsden and Smith Streets) <i>to a shared zone to prioritise pedestrian movement.</i>	Internal traffic advice is that any shared zones proposed would need to comply with TfNSW requirements. To include this as an objective in the DCP, Council would need to be certain that this could be achieved. More detail is required to ensure it would be compliant as a shared zone. A jointly prepared CBD Access Strategy (of Council and TfNSW) is best placed to evaluate traffic volumes and shared zone recommendations.

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		<b>Objective O.02, Section 6.5.2 Civic Link</b> – TfNSW requests the DCP be amended to require that <i>future development basement parking ingress and egress is to be provided on streets which are not directly adjacent to the Parramatta Light Rail and Sydney West Metro Projects</i> .	This is a matter that can resolved at DA stage via consultation with these agencies. Thus, it does not need to be dealt with via the City Centre DCP controls.  Basement ingress and egress has been coordinated with Metro and is addressed in the State Significant Infrastructure EIS and is not located adjacent to the Parramatta Light Rail.  The amendment is not supported.
		<b>Objective O.14, Section 6.5.2 Civic Link</b> – TfNSW see that in order to facilitate legible and easy transport interchange for pedestrians and cyclists within the public domain between the Civic Link Metro Station and other key public transport, it suggests Council work with TfNSW Wayfinding Team <i>to ensure the journey is seamless</i> .	This is outside the scope of a DCP. However, the policy implications and need for coordination between TfNSW and Council wayfinding messaging, branding design and infrastructure placement is noted.
		<b>Objective O.13, Section 6.5.2 Civic</b> – TfNSW requests the reference to “light rail station” be replaced with “light rail stop”.	This proposed amendment is supported. <b>Objective O.13 has been amended accordingly. Similarly, the reference to “light rail stations” in Objective O.14 has been amended to “light rail stops”.</b>
		<b>Figure 6.5.2.3 Civic Link Special Area Public Domain &amp; Consolidation, Section 6.5.2 Civic Link</b> – TfNSW states <i>it understood that Horwood Place aligned with 85-97 Macquarie Street</i> which is not reflected in Figure 6.5.2.3. Suggests the provision of a scale diagram to illustrate the alignment between Horwood Place and 85-97 and 119 Macquarie Street, as per Council discussions with TfNSW.	The alignment of Horwood Place has been amended in consultation with Metro.  Council understands that Metro and TfNSW are in discussion on the future role and function of Macquarie Street between Marsden and Smith Street and by extension the design of Horwood Place. This is related to the operation of Parramatta Light Rail Stage 1 and planning for Parramatta Light Rail Stage 2. This is noted in Metro’s submission, below.
		<b>Figure 6.5.2.4 Civic Link Streets and Public Spaces, Section 6.5.2 Civic Link</b> – TfNSW proposes this figure <i>be</i>	West of Church Street is outside the Civic Link Special Area and the issue raised by the Submitter for the City Centre DCP controls to illustrate any potential turning bays is beyond the scope of this DCP process. Should the turning

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		<i>updated to include potential turn bays for Parramatta Light Rail along Macquarie Street and West of Church Street.</i>	bays be realised, then a future amendment to the DCP controls could be undertaken.
		<b>Section 6.5.3 George Street</b> – TfNSW is of the view that the figures in this section do not reflect the <i>curb build-outs at the intersection at Church/George Street intersection as constructed by PLR</i> . Instead, the figures reflect the latest geometries.	This level of detail/information is not required for the DCP figures.
		<b>Control C.04, Section 6.5.7 Auto Alley</b> – TfNSW recognises this proposed control at Auto Alley reduces an existing 6m setback to 5m (includes Figures 6.5.7.2 and 6.5.7.3). TfNSW would like to understand the reduction of the setback and whether the 6m setback can be retained.	<p>Development controls <b>C.04 a) and b)</b> are supported by <b>Figures 6.5.7.3 and 6.5.7.4</b> which show a 5m street setback for levels above the ground floor and a further ground floor setback up to 1.2m, which equates to a 6.2m total setback at the ground floor to improve pedestrian amenity.</p> <p>The special area controls for Auto Alley are derived from a Conybeare Morrison Study (2013), which recommended the 5 metre Church Street setback. This acknowledged some form of road widening, while aspiring to create a boulevard character / attractive approach into the City from the south along Church Street.</p> <p>The envelope controls within Auto Alley have been determined to support an FSR of up to 10:1 plus potential design excellence bonus in this location, while also mitigating the impact of tower developments on the public domain. The 5m street setback to Church Street, coupled with the 6m tower setback, have been balanced to provide amenity to the street. Increasing the 6m setback to the street would have a consequential effect on the ability to comply with other envelope controls.</p> <p>Council Officers are aware there may be road widening required for transport in the future along Church St corridor but no further land reservation details, transport studies or</p>



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			<p>master plans have been available or issued by TfNSW up to this time.</p> <p>The Draft CC DCP setback controls (as exhibited) propose a recessed ground level profile for the Church St interface as a way to potentially deal with future road widening (up to 1.2m – see <b>Figure 6.5.7.3</b>). Council Officers sought TfNSW's response on whether this would compensate for the 1m reduction in street wall setback from Church St.</p> <p>Council Officer's response to TfNSW regarding its submission on the exhibition of the Draft City Centre LEP, specifically, on the provision of setbacks outside the LRA Framework, was as follows:</p> <p><i>It is considered that the DCP may not be an appropriate control to incorporate LRAs within the CBD for any modes outside of pedestrians (that often only require a ground floor setback).</i></p> <p><i>Any Reservations required to support future transport aspirations that have not already been identified should follow a separate planning process.</i></p> <p><i>Council will continue to liaise with TfNSW to ensure the planning controls reflect the outcomes of the ITP and mesoscopic modelling and supports input from TfNSW on the future amendments of the CBD DCP.</i></p> <p>It is recommended Council proceeds with the draft controls as exhibited (i.e. with no change) and continue to liaise with TfNSW on this issue.</p>
		<p><b>Section 6.8.4 Electrical Vehicle Charging Infrastructure</b> – TfNSW recommends electrical vehicle parking spaces should be included within the total (maximum) number of parking spaces, not in addition to.</p>	<p>Council Officers supports TfNSW's position because it is the intent of these controls – to apply to all sites within the City Centre, otherwise the provisions conflict with clause 3.43 (5) of the EP&amp;A Act which clarifies that a DCP provision has no effect if it is inconsistent with an LEP provision. However, to clarify this issue in the draft DCP</p>

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			controls, <b>the following paragraph has been inserted at the end of the introduction of this section:</b>  The requirements for electric vehicle parking spaces in this section are to be included within the total maximum number of parking spaces required by clauses 7.15, 7.16 and 7.17 in <i>Parramatta LEP 2011</i> .
		<b>Controls C.01 to C.03, Section 6.8.4 Electrical Vehicle Charging Infrastructure – TfNSW:</b> <ul style="list-style-type: none"> <li>• Supports provision of charging stations for electric vehicles and cycles, however, this should not be a reason to increase car parking provision.</li> <li>• Recommends amending this control so that all new carparking spaces, including carparking spaces in existing development where it undergoes alterations, provide an electric vehicle charging station.</li> </ul>	<p>An increase in parking quantum was not the intent of these provisions. This has now been clarified (see above comment).</p> <p>Council Officers suggest 100% of spaces is onerous. The current policy in the City Centre DCP as exhibited which requires <i>an EV Ready Connection to at least one car space for each dwelling</i> in Control C.01 a) is considered appropriate. However, this policy can be reviewed at regular intervals to increase the number of parking spaces to be allocated with EV charging.</p> <p>The proposed amendment is not supported.</p>
		<b>Objective O.02 &amp; Control C.04, Section 6.9.1 Vehicular Driveways and Manoeuvring:</b> <ul style="list-style-type: none"> <li>• <b>Objective O.02:</b> TfNSW sees that <i>Driveway entries should not be approved on main streets, access should be limited to rear lanes or not provided at all</i>. Suggests a supporting diagram illustrating which streets should not allow access would assist.</li> <li>• <b>Control C.04:</b> TNSW suggests this control could take the minimum driveway width requirement (AS 2890) as the maximum driveway width.</li> </ul>	<p>Submitter incorrectly references <b>C.05 b)</b> in <b>Section 6.9.5</b>. <b>Section 6.9.1</b> of the DCP refers back to <b>Section 6.4.6 Vehicle Footpath Crossings</b> which is supported by <b>Figure 6.4.6.1 – No Additional Vehicle Entry Permitted</b> that illustrates those streets in the City Centre that will not permit any new vehicular entry points as they have been identified as significant pedestrian circulation routes. The applicability of this control has been carefully considered to ensure a balance between servicing requirements and pedestrian priority.</p> <p>Council will assess driveway widths during DA stage as the width required will differ depending on site constraints, the vehicles which the driveway services, etc.</p>

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			The proposed amendments are not supported as it also constitutes a policy change. However, this comment has been forwarded to the relevant team to consider as part of Future Review to the DCP, following endorsement of the Harmonisation DCP project.
		<b>Control C.01, Section 6.9.1 Vehicular Driveways and Manoeuvring</b> – TfNSW proposes the DCP should <i>prescribe which streets are the primary streets. Such as Macquarie Street, Civic Link, Church Street, etc .[and] include a Pedestrian Priority Map...which identifies roads [where] new vehicle access is restricted.</i> Submitter provides a City of Sydney example.	<b>Figure 6.4.6.1 – No Additional Vehicle Entry Permitted in Section 6.4.6 Public Domain</b> identifies those streets in the City Centre that restrict new vehicular entry points based on their pedestrian priority.  Council prepared its <a href="#">Parramatta CBD Integrated Transport Plan</a> (July 2021) as part of the Draft City Centre LEP. In it, short term Action G2 states: <i>Council and the State Government will collaborate to prepare an Access Strategy for the Parramatta CBD.</i> This street hierarchy would be better dealt with as part of an Access Strategy for the Parramatta CBD.
		<b>Control C.01, Section 6.9.1 Vehicular Driveways and Manoeuvring</b> – TfNSW the Draft DCP controls be amended so that new development of sites fronting the light rail corridor relocate their driveways <i>away from the light rail alignment by using rear or side streets.</i>	This has been represented in <b>Figure 6.4.6.1 – No Additional Vehicle Entry Permitted</b> (pg. 61) that does not permit any new vehicular entry points along the light rail alignment. See also response to <b>Control C.01, Section 6.9.1</b> , above.  Control C.01 states:  <i>Where practicable, driveways must be provided from lanes and secondary streets rather than primary street fronts or streets with major pedestrian activity.</i>  The existing draft control (as exhibited) is considered sufficient to address TfNSW's comment.
		<b>Travel Plans, Section 6.9.2 On Site Car Parking</b> – TfNSW suggests the wording should include <i>Travel plans in the City Centre must be prepared for all developments that are</i>	Existing controls in Part 3 of PDGP 2011 require a Travel Plan for development proposals that meet: (1) 5,000sqm of GFA or 50 employees; and (2) be within an 800m radial

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		<p>2,500sqm or more of GFA, or 25 or more employees to reduce the threshold for Travel Plans.</p> <p>Travel Plans should be prepared by <i>suitably qualified traffic engineers and include evidenced-based sustainable transport mode share targets, that identify and implement viable solutions to manage demand.</i></p>	<p>catchment of a railway station or 400m of a bus stop, etc. for development across the entire LGA including the CBD.</p> <p>Furthermore, DAs with a GFA smaller than 5,000sqm are considered unlikely within the City Centre. Therefore, reducing the threshold is not supported and is beyond the scope of the City Centre DCP process.</p>
		<p><b>Section 6.9.2 On Site Car Parking:</b> TfNSW proposes: Reducing the car parking rates <i>for all commercial and residential development in the City Centre</i> such as:</p> <ul style="list-style-type: none"> <li>a fixed maximum parking rate of 1 car space <i>where spaces are attached to the same single dwelling unit</i> for RFBs and the residential component of a mixed use development.</li> <li>A <i>maximum parking limits for all relevant development.</i></li> </ul> <p>Applicants should justify maximum car parking rates <i>which are well serviced by public transport</i> and that <i>the DCP should discourage car parking for all new developments</i> and says that <i>reference to Parramatta Light Rail and Metro West should be made.</i></p> <p>That new development <i>should be restricted from repurposing residential car parking as public, commercial or retail car parking.</i> Recommends the DCP controls require any spaces to be used as bicycle parking and end of trip facilities to encourage <i>greener travel.</i></p>	<p>The car parking rates for the City Centre are maximums and were aligned with those in the City of Sydney CBD. They are contained in clause 7.3 Car parking in the City Centre LEP which was submitted to DPE for finalisation on 1 July 2022.</p> <p>Amending the car parking rates in City Centre LEP is outside the scope of the Draft DCP.</p> <p>The car parking rates were informed by the mesoscopic traffic modelling to support the CBD Planning Proposal.</p> <p>Despite the above, any change in car parking purpose requires a DA and can be considered at that time, thus this amendment is not appropriate for DCP.</p>
		<p><b>Section 6.9.2 On Site Car Parking:</b> TfNSW proposes that the maximum car parking rates proposed in the Draft City Centre LEP should be reduced <i>based on access to public transport. Developments within 800m of a station should be revised to remove provision of parking entirely except for accessible parking spaces and deliveries.</i></p>	<p>The car parking rates for the City Centre did consider access to public transport and are contained in Clause 7.3 Car parking in the City Centre LEP which was submitted to DPE for finalisation on 1 July 2022. Amending the car parking rates is outside the scope of the Draft DCP.</p> <p>The proposed amendments are not supported.</p>

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		<b>Section 6.9.2 On Site Car Parking:</b> TfNSW proposes that the minimum parking rates for <b>hotel and motel accommodation, services apartments</b> and <b>community facilities</b> and similar land use should <i>accommodate passenger pick-up/drop off using coach and point-to-point transport (taxi and ride share)</i> .	Whilst parking rates for <b>hotel and motel accommodation, services apartments</b> are contained in the City Centre LEP, the proposed change is too detailed to be included in the LEP. It is also beyond the scope of the draft DCP to incorporate changes to the LEP.  The proposed amendment constitutes a policy change and may require analysis of the spatial impact this may have on building capacity. It also raised broader questions on desired city character (maintaining point-to-point transport at the street, rather than within carparking structures onsite). Therefore, this comment has been forwarded to the relevant team to consider as part of Future Review to the DCP, following endorsement of the Harmonisation DCP project.
		<b>Section 6.9.2 On Site Car Parking:</b> TfNSW proposes that the provision of car parking <i>should be reduced further and replaced with car share specific spots</i> .	A further reduction in car parking rates is not supported as the rates have already been reduced. Furthermore, Controls C.1 and C.2 in Section 3.6.1 (Part 3) of PDCP 2011 outline car share requirements for residential and business developments.
		<b>Objective O.01, Section 6.9.2 On Site Car Parking –</b> TfNSW suggests this objective be amended to reflect a key aim of the City Centre LEP which is to encourage sustainable transport; thus, recommends the existing objective:  <i>Facilitate an appropriate level of on-site parking for development within the Parramatta city centre to cater for a mix of development types.</i>  be amended to say:  <i>Provide minimal on-site car parking for development within the City Centre to cater for disabled parking, kiss and ride and deliveries.</i>	The two objectives which support clause 7.3 Car parking in City Centre LEP are:  a) <i>to identify the maximum number of car parking spaces that may be provided to service particular uses of land; and</i>  b) <i>to minimise the amount of vehicular traffic generated because of proposed development.</i>  The existing DCP Objective O.01 (as exhibited) is consistent with the objectives of the draft LEP clause.

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		<p><b>Objective O.03, Section 6.9.2 On Site Car Parking –</b> TfNSW notes that control C.07 reads: <i>On-site parking must meet the relevant Australian Standards</i> which means this control could be interpreted to include 2890.2 (off street commercial vehicle facilities) which does not provide any guidance on the quantity of spaces. Thus, TfNSW requests the quantity of spaces for servicing and loading <i>needs to be identified in the DCP for any new development</i>.</p> <p>TfNSW also say in their submission on the issue of freight and servicing:</p> <ul style="list-style-type: none"> <li>• <i>The DCP fails to address the non-discretionary transport needs of freight and servicing and activity coming to the city. Yet they provide rates for discretionary activity (Car and bike parking).</i></li> <li>• More guidance in the DCP is required with regards to on street loading zones (servicing) spaces in the CBD as <i>they are scarce and getting scarcer</i>. TfNSW adds that <i>developers are not providing sufficient space in off street developments</i>.</li> </ul>	<p>The Draft City Centre controls, as exhibited, contain the following objective (Objective O.03) which says:</p> <p><i>O.03 Provide adequate space for parking and manoeuvring of vehicles, including service vehicles.</i></p> <p>Servicing arrangements including parking for service vehicles is considered as part of the Development approval process and the quantity depends on the nature of the development proposed.</p> <p>Amendments to the controls to address this issue are not considered necessary.</p> <p>Refer to the above comments regarding Section 6.9.2 On Site Car Parking.</p>
		<p><b>Objective O.04, Section 6.9.2 On Site Car Parking –</b> TfNSW provides two comments on this objective. Objective O.04 is:</p> <p><i>O.04 Recognise the current and existing demand for parking for bicycles and electric vehicles.</i></p> <p>TfNSW proposes:</p> <ul style="list-style-type: none"> <li>• Firstly, that this objective be split into two separate objectives, one for electric vehicles and one for cycling.</li> <li>• Secondly, that it be framed as:</li> </ul>	<p>The objective is clear in that the <i>current and existing demand for parking</i> applies to both bicycles and electric vehicle and therefore, should be kept as a single objective.</p> <p>The amendments are not supported.</p>



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		<i>Recognise the existing and expective significant future increase in demand for parking for bicycles, electric vehicles and potential other forms of micromobility.</i>	
		<b>Section 6.9.2 On Site Car Parking</b> – TfNSW is of the view that <i>parking should be decoupled from residential and commercial strategy titles as a control not as a consideration, so as to increase affordability and provide choice to buyers.</i>	Council Officers are not aware of this type of controls being applied elsewhere in NSW. Officers are also of the view this would be a significant change to the way sites are developed and sold and so cannot be implemented without extensive consultation. Council ability to enforce this requirement also need to be properly assessed and understood, Any move to this policy setting should only be considered as part of a future DCP review following extensive consultation with relevant stakeholders.  This amendment is not supported.
		<b>Section 6.9.2 On Site Car Parking</b> – TfNSW states that <i>last mile freight should be accommodated in parking requirements.</i>	Refer to above comments in Section 6.9.2 On Site Car Parking.
		<b>Section 6.9.2 On Site Car Parking:</b> Identifies an error in a numerical reference – that the reference to <i>Section 6.9.3 Bicycle Parking and End of Trip Facilities</i> should, instead be <i>Section 6.9.3.</i>	<b>This section has been amended and is now numbered as Section 6.9.3.</b>
		<b>Section 6.9.2 On Site Car Parking</b> – TfNSW proposes Council should <i>move away from requiring provision of infrastructure for the private vehicle and instead include stronger controls to limit private vehicle parking provision.</i>	Car parking rates have been significantly reduced through the <a href="#">Parramatta LEP 2011 (Amendment No 56)</a> which comes into effect on 14 October 2022. No further reductions are currently being considered.
		<b>Control C.04, Section 6.9.2 On Site Car Parking (p. 180):</b> Control C.04 reads: <i>C.04 Design car parking which:</i> a) <i>Maximises the efficiency of car park design with predominantly orthogonal geometry and related to circulation and car space size.</i>	At grade car parking is not enabled by the City Centre DCP controls. Whilst the introduction to <b>Section 6.9.2</b> refers to <i>surface at grade car parking</i> , it is capturing all forms of parking. However, the only parking enabled at grade by the City Centre DCP controls is bicycle parking (refer to <b>Section 6.9.3</b> ).

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		<p>b) <i>Is well-lit and minimises reliance on artificial lighting and ventilation.</i></p> <p>c) <i>Is well-ventilated and uses natural rather than mechanical ventilation where possible.</i></p> <p>d) <i>Provides marked safe path so travel for pedestrians and cyclists with clear lines of sight and safe lighting.</i></p> <p>e) <i>Avoids hidden areas and enclosed areas. Where these are unavoidable use mirrors and similar devices to aid surveillance.</i></p> <p>TfNSW states that car parks <i>also play a role in urban heat island effect</i> and therefore that council should consider including controls <i>to encourage measures such as tree canopy, reflective paint and porous pavements</i> when parking is proposed at-grade.</p>	<p>This comment is more likely to be an issue where car parking is located on a roof top (which is partially addressed in <b>Section 6.3.6</b> of the draft City Centre DCP controls).</p>
		<p><b>Section 6.9.3.1 Bicycle parking</b> – TfNSW proposes relocating the bicycle parking rates into the Draft City Centre LEP.</p>	<p>The bicycle parking rates are contained in the Draft City Centre DCP because this is the typical location for such controls. DPE is unlikely to support such rates in a Council's LEP under standard instrument provisions.</p> <p>The relocation of the bicycle parking rates from the Draft City Centre DCP into the City Centre LEP would also constitute a policy change to the Draft DCP and therefore, require re-exhibition. It is also outside the scope of the Draft DCP to amend any part of the City Centre LEP.</p> <p>Furthermore, on the occasions TfNSW were formally consulted during the preparation of the Draft City Centre LEP, TfNSW did not request bicycle rates be brought into the table supporting clause 7.3 (5) Maximum parking rates.</p> <p>This proposed amendment is not supported.</p>
		<p><b>Section 6.9.3.1 Bicycle Parking</b> – TfNSW proposes this section make a reference to the <a href="#">Cycling Design Toolkit</a> because of its key principles around bike parking for public</p>	<p>The proposed amendment is noted. At present, some sections across the Draft City Centre DCP controls – as to other Parts of PDGP 2011 - make various references to Australian Standards and guidelines. For the time being, it</p>

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		interchanges which may translate well for private development.  Supports controls requiring active transport infrastructure and end of trip facilities.	is recommended that the existing references remain as it and that this method of reference be reviewed in the near future to determine its effectiveness.
		<b>General comment</b> – TfNSW states that Council's <a href="#">Parramatta CBD Integrated Transport Plan</a> (July 2021) removes the local road reservation notation (No.14) identifying a section of Smith Street, between George and Macquarie Streets (east) <i>needs to be retained to support increased waiting area for pedestrians accessing bus services which is expect to increase with customers interchanging within the Parramatta Metro Station</i> . TfNSW requests further discussions take place between Council before finalisation of the Draft DCP.	Recommend further liaison between CoP and TfNSW in this issue as TfNSW must be the acquisition authority.
		<b>General comments on land reservation acquisitions</b> – TfNSW seeks the status of the land reservation acquisition (LRA) notations on George and Macquarie Street (east) as shown on the LRA Maps which are part of the Draft City Centre LEP. TfNSW noted that the Parramatta ITP did not model this because of numerous constraints. Despite this, TfNSW suggest 2 lanes in each direction are needed to meet future demand.	Request that this issue seek to be resolved via the CBD Access Strategy process currently underway.
		<b>Mesoscopic modelling undertaken on George Street</b> – TfNSW note that the on-road bicycle lanes identified in <a href="#">Parramatta CBD Integrated Transport Plan</a> (July 2021) (pp.118-125) prepared to inform the Draft City Centre LEP have not been modelled. Requests that the operational impacts at certain signals <i>need to be resolved before any final decisions are made on what can/can't be removed from LRA No 18</i> in the <a href="#">Parramatta CBD Integrated Transport Plan</a> (July 2021).	This is not a matter to the DCP controls that were exhibited. Traffic modelling will be conducted for the bike lanes once they have progressed to detail design stage. No LRA notation is required at signalised intersections.  It has been determined that the LRA notation on George Street is only required to compensate for the loss of footpath space due to modal conflicts between the bicycle lane and bus stop locations. This is also to ensure that that the majority of development along George Street maintains a consistent street alignment in concert with its significant

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			heritage fabric. Council Officers recommend maintaining the street wall alignment along George Street.
6.	DPE Smart Places Submission No. 69	<p><b>Objectives O.02, O.03 and O.04, Section 6.1.2 General Objectives</b> – proposes that <i>Consideration be given to the inclusion of Smart Places Outcome (refer to Appendix 2 Smart Places Generic DCP) to improve amenity by reducing public domain clutter and adopting smart technologies to improve safety and environment management.</i></p>	<p>The proposed amendments if incorporated would result in significant policy changes triggering the need to re-exhibit the City Centre DCP.</p> <p>The proposed changes are not only applicable to the Parramatta City Centre; they could apply more widely to certain development within the LGA. Therefore, this comment has been forwarded to the relevant team to consider as part of Future Review to the DCP, following endorsement of the Harmonisation DCP project.</p> <p>Furthermore, some changes may also be more appropriate for integration into Council's <a href="#">Public Domain Guidelines</a> (July 2017). Therefore, a copy of DPE's submission has been forwarded to relevant Officers within Council although no review of the Public Domain Guidelines is anticipated in the short term.</p> <p>Also, Council is currently reviewing its Smart City Master Plan and a copy of DPE's submission was forwarded to the Strategy Manager.</p>
		<p><b>General Objectives, Section 6.1.2</b> – proposes the following additional objectives and corresponding context:</p> <p><i>Buildings utilise smart technologies to promote performance, sustainability, resilience, and resource management throughout their operational lives.</i></p> <ol style="list-style-type: none"> <li>1. <i>Where new connections to the water and recycled network are proposed, include smart water meters and fittings to minimise water consumption.</i></li> <li>2. <i>Use smart technologies to monitor and self-regulate building environment and operations (e.g. lighting, heat, ventilation, and air conditioning).</i></li> </ol>	See comment at first line item for this submission.

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		<p>3. <i>Install smart energy solutions to increase self-sustainability and reduce reliance on the main energy grid.</i></p> <p><i>Demonstrate alignment to relevant NSW policy, including but not limited to the NSW Internet of Things (IoT) policy, NSW Cyber Security Policy and NSW Smart Infrastructure Policy.</i></p>	
		<p><b>Objective O.04, Section 6.3.4 The Ground Floor</b> reads:</p> <p>O.04 Encourage innovative design and location solutions for services and utilities that minimise adverse visual, environmental and access impacts.</p> <p>DPE proposes consideration should be given to Multi-function poles to reduce <i>the total number of poles on the street, improving amenity and reducing street clutter</i>. The submission also proposes design requirements.</p>	See comment at first line item for this submission.
		<p><b>Section 6.4 The Public Domain</b> – proposes consideration be given to <i>Smart Places Outcomes 1, 2 and 4 as listed in Appendix 2 Smart Places Generic DCP. These relate to:</i></p> <ol style="list-style-type: none"> <li>1. <i>Installation of multi-function poles to support future public spaces</i></li> <li>2. <i>Pit and pipe to street lights to allow future connectivity to public spaces</i></li> <li>4. <i>Smart technologies to enhance the public domain.</i></li> </ol>	See comment at first line item for this submission.

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		<p><b>Objective O.02, Section 6.8.4 Electric Vehicle Charging Stations, which reads:</b></p> <p>O.02 Ensure new development in Parramatta provides the necessary infrastructure to support the charging of electric vehicles.</p> <p>DPE recommends <i>consideration be given to making future provisions for EV Charging when installing multi-function or street poles. Refer to Appendix 1 Digital infrastructure technical report for guidance.</i></p>	See comment at first line item for this submission.
7.	Sydney Water, Urban Growth Submission No. 76	<p><b>Control C.01, Section 6.8.2 Dual Water Systems</b> – Sydney Water supports Control C.01:</p> <p><i>C.02 All development involving the construction of a new building or significant alterations to an existing building must install a dual water or reticulated system to support the immediate or future connection to a recycled water network.</i></p> <p>Sees this as future-proofing as it enables customers to benefit from a sustainable supply of recycled water from any source. This policy will <i>be instrumental in helping market viability for both public or private water providers and to ensure recycled water usage can be fully optimised across the Parramatta CBD.</i></p>	Noted. The dual water system controls in Section 6.8.2 draw a direct line-of-site from the Central City District Plan and Council's land use planning policies.
		<p>Sydney Water raises a number of issues that sit outside the scope of the City Centre DCP controls:</p> <ul style="list-style-type: none"> <li>Notes its stakeholder role with regards to the Greater Parramatta and Olympic Park Peninsula (GPOP) growth corridor regarding the management of water.</li> <li>Note it is developing a Central City Regional Masterplan and an integrated water cycle strategy for the Greater Parramatta to Olympic Park (GPOP) growth area as part</li> </ul>	<p>Noted. See above comment.</p> <p>With regards to the first two points, these have also been forwarded to Council's Harmonisation DCP team to determine if it is appropriate to address the issues as part of that process or Council's Senior Catchment Engineer.</p> <p>Council's Assessment and Strategic Planning Officers are familiar with the requirement to utilise the DPE's Planning Portal for the purposes of seeking relevant authority concurrence or feedback as part of either the DA or PP</p>



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		<p>of the Greater Cities Commission's Growth Infrastructure Compact (GIC).</p> <ul style="list-style-type: none"> <li>Requests Council refer any future referral applications that may impact Sydney Water stormwater, water or wastewater assets via the NSW Planning Portal.</li> <li>Draws attention towards certain tree species placed in close proximity to Sydney Water's underground assets which have the potential to inflict damage. Sydney Water requires that all proposed or removed trees and vegetation included within the Parramatta City Centre adhere to the specifications and requirements within <i>Section 46 of the Sydney Water Act (1994) and Diagram 5 – Planting Trees within our Technical guidelines – Building over and adjacent to pipe assets.</i></li> <li>Requests Council continues provide any anticipated annual growth projection and staging for any redevelopments within the Parramatta City Centre via the NSW Planning Portal referral process, as this information is critical for Sydney Water to assess the total impact of any proposed development and subsequent changes to servicing and to enable Sydney Water to effectively plan for water infrastructure in a controlled and sequenced manner.</li> </ul>	<p>application processes. Council's internal process manuals outlines this requirement.</p> <p>With regards to the fourth point, this has been forwarded to relevant staff within Council who are referred DAs relating to Trees in the public domain for their information and consideration.</p> <p>With regards to the fifth point, given the <a href="#">Parramatta LEP 2011 (Amendment No 56)</a> has removed Area A – the area north of Parramatta River – from the City Centre LEP, the total dwelling delivery is reduced from 14,000 to 11,900 dwellings. DPE have subsequently amended their Planning Portal webpage for the <a href="#">Parramatta CBD PP</a>. It is assumed that DPE will made the necessary amendments to this figure it when the first SEPP to return the unlimited FSR for <b>commercial premises</b> in the B3 Commercial Core zone comes into effect.</p>
8.	State Emergency Services (SES) Submission No. 89	<p><b>Section 6.7.1 Flood Risk Management</b> – SES says development should not result in an intolerable increase in risk to life, health or property of people living on the floodplain, reflected in section 6.7.1.</p> <p><b>C.01, Section 6.7.1 Assessment and Minimisation of Flood Hazards, Risks and Potential for Harm</b> – SES states with regards to Making buildings as safe as possible to occupy during flood events, it wishes to ensure buildings are designed for the potential flood and debris loadings of the</p>	<p>Noted. This is one of the principles underpinning Section 6.7.1 Flood Risk Management.</p> <p>Council Officers support the idea of structural capability up to the PMF and that it should be codified and is now common practice. However, this proposed amendment would constitute a policy change and likely trigger the need for re-exhibition of the City Centre DCP controls.</p>

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		PMF so that structural failure is avoided during a flood. While the hydraulic hazard is considered in C.01, Section 6.7.1, SES suggests <i>Council has additional controls to ensure the integrity of buildings is adequate for the flood evacuation strategy.</i>	There may be an opportunity to consider this matter at a later time and this comment has been forwarded to the relevant team to consider as part of Future Review to the DCP, following endorsement of the Harmonisation DCP project.
		<b>Control C.02, Section 6.7.1 Flood Risk Management</b> – Risk assessment should consider the full range of flooding, including events up to the Probable Maximum Flood (PMF) and not focus only on the 1% AEP flood as identified in control C.02.	<p><b>Control C.02</b> does refer to the PMF as well as the 1% AEP flood but this can be clarified with the following final amendments (bright blue text indicates changes):</p> <p>b) <i>Includes information on the following aspects as necessary, to enable Council to assess risk and potential for harm.</i></p> <ul style="list-style-type: none"> <li>1% AEP and 5% AEP <i>and PMF</i> flood levels, flood extents, flow rates, depths and velocities <i>and hazard conditions</i> for mainstream and overland flow floods,</li> <li><i>PMF levels, hazard, extent and behaviour for mainstream floods (not overland flow floods);</i></li> </ul> <p><b>This amendment has been made to the City Centre DCP controls being recommended for finalisation.</b> this comment has been forwarded to the relevant team to consider as part of Future Review to the DCP, following endorsement of the Harmonisation DCP project.</p>
		<b>Control C.01, Section 6.7.2 Land Use and Building Levels</b> – SES says that with regards to Residential development, <i>the habitable floors of any residential development (including aged care) should be located above the PMF with the building structurally designed for the likely flood and debris impacts (as currently expressed in Control C.01, Section 6.7.2).</i>	<p>SES's proposed amendment which would affects controls <b>C.01 and C.02</b> are not supported as this is considered a policy change.</p> <p>Council Officers could look at this issue as part of the Harmonisation DCP process and monitor the pending finalisation of the NSW State government's Draft Flood Policy of March 2022.</p>

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		<p><b>Control C.03, Section 6.7.2 Land Use and Building Levels</b>  – SES says that with regards to Car parking, any additional parking should be above ground level and have pedestrian access to a podium level above the PMF. This should be reflected in Control C.03, Section 6.7.2.</p> <p><b>Section 6.7.2, Commercial development (including retail)</b>  – SES says to cater for the safety of potential occupants, clients and visitors in commercial development there should be the provision of sufficient readily accessible habitable areas above the PMF. The use of basements for commercial premises in the Parramatta CBD is not considered appropriate due to the potential depth of inundation and the potential population at risk (as included in s.6.7.2, C.06, but with exceptions allowed for in C.07). Whilst C.07 provides several risk assessments to be undertaken, the NSW SES would prefer to see limited use of this control. Flood barriers or flood gates in these circumstances is considered high risk due to the potential for rapid failure, inundation and loss of life.</p> <p><b>Section 6.7.3 Sensitive and Critical Uses</b> – SES says with regards to Sensitive development, <i>any new childcare facilities, schools, medical centres, day hospital within the buildings should be located on land above the PMF (as identified in Control C.02, s.6.7.2 and s.6.7.3 of the DCP). However, at minimum there should be the provision of access to adequate shared space above the PMF for patients, students, staff and visitors within the building.</i></p>	<p>Above ground car parking is not recommended for urban design reasons.</p> <p>Control C.03 permits specific ancillary uses <i>below the FPL, subject to a satisfactory flood and risk assessment and appropriate flood mitigation measures</i> and provides 7 examples. Such DAs are assessed by Council's Senior Catchment Engineer to ensure any risk is appropriately managed.</p> <p>The proposed amendments are not supported.</p> <p>Control C.02 in Section 6.7.2 is triggered only when Control C.01 – which does not permit sensitive uses on land subject to flooding in a PMF event - cannot be fulfilled. Control C.02 enables variation to control C.01 but only when strict parameters are met. Specifically, Control C.02 sets criteria for a relaxation particularly with the 'significant risk of harm' concept which is consistent with the risk and merit based approach required by the Floodplain Development Manual 1985, 2005 and the Floodplain Risk Management Manual 2022.</p> <p>The controls and objectives in Section 6.7.4 Assessment and Minimisation of Flood Hazards, Risks and Potential for Harm require the provision of shelter in place (refer to</p>

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			Objectives O.02, O.03 and Controls C.04 and C.05) so the issue has been addressed.
		<p><b>Objective O.03, Control C.03, Section 6.7.4</b> – SES sees that Objective O.03 conflicts with Control C.03 as it suggests development strategies relying on isolation or sheltering in buildings surrounded by flood water are not equivalent, in risk management terms, to evacuation. As such, SES recommends the objective be reworded to add the following text in front of the control (see bold text):</p> <p><i><b>“To minimise the risk to life and property for new and renewed developments in the CBD through Flood Emergency Response Plans that consider the feasibility of horizontal evacuation, appropriate vertical evacuation or shelter in place and recognise the difficulty of evacuation and accessing the Parramatta CBD as a whole during major floods</b></i></p> <p>SES also sees that Control C.03 <i>should be changed to recognise that horizontal evacuation is the preferred primary strategy where feasible. We suggest controls that set out considerations regarding bridges/walkways (references Control C.03, section 6.5.1.1.3). Where that is not feasible then where a vertical evacuation (shelter in place) strategy is proposed, it must be to an area above the PMF.</i></p>	<p>Council Officers agree the proposed change reasonable as it clarifies the relationship between an objective and supporting controls, and therefore does not constitute a policy change. The amendment is supported as per below (bight blue text denotes the amendment):</p> <p>O.03 <i>To minimise the risk to life and property for new and renewed developments in the CBD through Flood Emergency Response Plans that consider the feasibility of horizontal evacuation, appropriate vertical evacuation or shelter in place and</i> recognise the difficulty of evacuation and accessing the Parramatta CBD as a whole during major floods, and the extent of the PMF from Parramatta River means that Shelter In Place is likely to be the basis for most individual Flood Emergency Response Plans for new and renewed developments in the City Centre.</p> <p><b>This amendment has been made to the City Centre DCP being recommended for finalisation.</b></p>
		<p><b>Controls C.01, C.02 or C.03, Section 6.7.4 Flood Warning and Emergency Response Planning</b> – SES says:</p> <ul style="list-style-type: none"> <li><i>Risk assessment should have regard to flood warning and evacuation demand on existing and future access/egress routes. Consideration should also be given to the impacts of localised flooding on evacuation routes. Any overland flooding that may impact evacuation routes should be included in controls C.01, C.02 or C.03.</i></li> </ul>	<p>This matter is dealt with via Control C.03 a) which states <i>Pedestrians can evacuate safely from a building via a flood free pedestrian access on a ‘rising road’ to an area of refuge located above the PMF. The evacuation pathway must not require passage through deepening floodwaters.</i></p> <p>Furthermore, requirement C.03 d) requires an internal access or bridge: <i>If feasible and beneficial, provide a link to a neighbouring building by means of an internal access or a</i></p>

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		<p><i>In the context of future development, self-evacuation of the community should be achievable, as far as possible, in a manner which is consistent with the NSW SES's principles for evacuation. Future development must not conflict with the NSW SES's flood response and evacuation strategy for the existing community. Evacuation must not require people to drive or walk-through flood water. This is currently implied in Section 6.7.4 C.03 and that section should include a cross reference to s.6.5.1.1.3, C.03, where a sky walkway may also be considered.</i></p>	<p>bridge, connecting buildings and leading occupants to an exit above the PMF.</p> <p>However, Control C.03 a) could be clarified as follows (bright blue text denotes amendment):</p> <p>a) <i>Pedestrians can evacuate safely from a building via a flood free pedestrian access on a 'rising road' to an area of refuge located above the PMF. The evacuation pathway must not require passage through deepening or high hazard (H3 to H6) floodwaters.</i></p> <p>Furthermore, Control C.03 b) could also be clarified as follows (bright blue text denotes amendment):</p> <p>b) <i>A pedestrian exit from a building is provided above the PMF that is accessible internally to all occupants.</i></p> <p>These amendments are considered minor and do not constitute a policy changes.</p> <p><b>Controls C.03 a) and b) have been amended as per above in the City Centre DCP being recommended for finalisation.</b></p> <p>See also responses over the next three rows, below.</p>
		<p><b>Section 6.7.4 Flood Warning and Emergency Response Planning</b> – SES says normally opposes the <i>imposition of development consent conditions requiring private flood evacuation plans rather than the application of sound land use planning and flood risk management. However, given the level of redevelopment in the City Centre and the extent of flood considerations in the objectives and controls outlines in s.6.7.4...development applications should demonstrate sound flood evacuation risk assessment has been undertaken.</i></p>	<p>SES's submission has been forwarded to relevant staff within Council for this purpose.</p> <p>All assistance from SES in this regard is welcome.</p>

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		<i>NSW SES would consider working with Council to provide guidance to assist applicants in the risk assessment and the development of appropriate Flood Evacuation Response Plans for the site.</i>	
		<b>Section 6.7.4</b> – SES recommends that the flooding controls should address development strategies relying on an assumption that mass rescue may be possible where evacuation either fails or is not implemented are not acceptable to the NSW SES.	The proposed City Centre DCP controls identify Shelter In Place as the most likely evacuation option (for the first time in a DCP). By doing this, Council has removed assumed reliance on mass rescue and instead moves towards a situation where each building is a haven for some time e.g. 48 hours until ground level access returns.
		<b>Provision of publicly accessible space for the itinerant population in areas surrounding intensive development, Section 6.7.4</b> – Submitter requests the provision of publicly accessible space or access to space above the PMF (with adequate infrastructure to enable the physically impaired to access such space) that is easily accessible 24 hours a day for seven days a week which is clearly identified for this purpose with associated directional signage. This should include building security considerations to ensure the appropriate areas above the PMF remain accessible. This should be reflected in the controls in Section 6.7.4, in addition these arrangements should be incorporated into exercises to test the flood emergency response plan for the site.	These matters are beyond the scope of the City Centre DCP controls. However, this comment has been forwarded to the relevant teams within council for this issue to be properly considered as part of Evacuation strategies Council will review and develop for the CBD.
		<b>Reducing human behaviour risks:</b> Undertaking regular exercising of a building flood emergency response plan like a building fire evacuation drill. Council should have community awareness strategies that include requiring current and future building owners to participate in increasing this awareness. This may also include an emergency warning notification (or PA) system to provide evacuation and safety directions to the community as identified the recently adopted Floodplain Risk Management Plan. The NSW SES recommends that Council considers the establishment of outdoor CBD-wide PA system	This is beyond the scope of the City Centre DCP controls. However, this comment has been forwarded to the relevant team to consider as part of Future Review to the DCP, following endorsement of the Harmonisation DCP project.




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		(like that used in Sydney CBD). This would reduce the risks for the itinerant population as well as building occupants moving in and out of the building.	
		<b>Providing adequate services so people are less likely to enter floodwaters:</b> This includes access to ablutions, water, power and basic first aid equipment. Consideration must be given to the availability of on-site systems to provide for power, water and sewage services for the likely flood duration (up to 12 hours) plus a further period of 48-60 hours to provide allowance for sequential flooding and restoration of external services and infrastructure damage (as identified in DCP s.6.7.4 C.05).	See above response.
		<b>Addressing secondary risks of fire and medical emergencies during floods:</b> To minimise the increased risk of fire and to reduce both the potential for adverse outcomes in the case of a medical emergency and the risks to those who may aid the patient, Council, NSW SES, Ambulance NSW and the relevant Health Functional area and fire agency servicing the area, should be consulted to determine appropriate risk management strategies during flooding.	See above response.
		Proposes the following Guidelines, <i>originally developed for the Hawkesbury Nepean Valley</i> and available on the NSW SES website useful: 1. <a href="#">Reducing Vulnerability of Buildings to Flood Damage</a> 2. <a href="#">Designing Safer Subdivisions</a> 3. <a href="#">Managing Flood Risk Through Planning Opportunities</a>	These resources are in use by Council staff.
		<b>Section 6.7.1 Flood Risk Management</b> – SES says development should not result in an intolerable increase in risk to life, health or property of people living on the floodplain, reflected in section 6.7.1.	Noted. This is one of the principles underpinning Section 6.7.1 Flood Risk Management.

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9.	Heritage NSW (in EPA NSW) Submission No. 91	<p><b>Section 6.5.10 – Park Edge Highly Sensitive Area –</b></p> <ul style="list-style-type: none"> <li>Notes that Section 6.5.10 – Park Edge Highly Sensitive Area of the City Centre DCP controls do not make any changes to the clauses relating to Old Government House and Domain (OGH&amp;D) other than minor changes such as updating the name of the relevant local environmental plan and the diagram numbers.</li> </ul> <p>Heritage NSW would like to be consulted should there be any changes that may impact OGH&amp;D as a result of the exhibition period and/or Council resolutions.</p>	<p>The controls in Section 6.5.10 Park Edge Highly Sensitive Area are subject to the <a href="#"><i>Conservation Agreement for the protection and conservation of the World Heritage Values and National heritage Values of the Australian Convict Sites, Old Government House and Domain (2015)</i></a> which addresses the World Heritage Committee's recommendation and Australia's obligations under the World Heritage Convention by providing standards for development in the immediate vicinity of these sites.</p> <p>Any changes to Section 6.5.10 which would result in policy changes and therefore, inconsistency with the Conservation Agreement would require the preparation of a new Conservation Agreement and this would take some years and involve three levels of government. Aside from the cosmetic and reference changes, no other changes including those of a policy nature, are proposed as part of the City Centre DCP controls.</p>
		<p>EPA NSW</p> <p><b>Section 6.6.1 Guiding Principles – EPA NSW:</b></p> <ul style="list-style-type: none"> <li>Supports the guiding principles and the priority afforded to conserving Aboriginal cultural heritage and retaining, conserving and enhancing heritage items in the DCP.</li> </ul> <p>States that the broader objectives of new development having a relationship with heritage items can be supported by providing reference on Council's website to NSW Government publications that support good contextual heritage design such as <a href="#"><i>Design in Context</i></a> by the NSW Heritage Office and <a href="#"><i>Design Guide for Heritage</i></a> by Heritage NSW and Government Architect NSW.</p>	<p>Noted.</p> <p>Council Officers are of the view that the two heritage design guides can be referenced within the revised City Centre controls without it constituting a policy change given the documents are simply being referenced; specifically, in Section 6.6.3 Heritage Relationships as a new paragraph at the end of the introduction. To that end, the following insertion is recommended:</p> <p><i>For sources on contextual heritage design, architects and designers can consult <a href="#"><i>Design in Context</i></a> by the NSW Heritage Office and <a href="#"><i>Design Guide for Heritage</i></a> by Heritage NSW and Government Architect NSW.</i></p> <p><b>This amendment has been made to the City Centre DCP controls being recommended for finalisation.</b></p>

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			The publications will also be included with the heritage information on Council's <a href="#">Heritage Conservation</a> webpage.
		<p><b>Controls C.02 and C.05, Section 6.6.2 Understanding the place</b> – EPA NSW provides the following comments:</p> <ul style="list-style-type: none"> <li>Recommend minor amendments to C.02 to as per bold text below:  <i>C.02 The heritage significance of places listed on the NSW State Heritage Register must be conserved and enhanced. Work must be guided by the policies of a conservation management plan (or similar) which is preferably no more than 5 years old, and in accordance with <b>any management recommendations set out on the its</b> State Heritage Register heritage <b>listing inventory sheet for the place.</b></i></li> </ul> <p>With respect to Control C.05, recommends clarification that indicates that Aboriginal cultural heritage values should be determined in consultation with the local Aboriginal community and Aboriginal stakeholders.</p>	<p>With regards to the recommended amendment to Control C.02, Council Officers support the clarification since the State Heritage register listing includes comprehensive information for each item. Therefore, it is recommended that <b>Control C.02</b> be amended as per shown in the adjoining column.</p> <p><b>This amendment has been made to the City Centre DCP controls being recommended for finalisation.</b></p> <p>With regards to the recommended amendment to Control C.05, it is agreed that Aboriginal cultural heritage values should be determined in consultation with the local Aboriginal community and Aboriginal stakeholders. However, the proposed amendment constitutes a significant change to a DA process and could trigger the requirement to re-exhibit the City Centre DCP controls. Therefore, this comment has been forwarded to the relevant team to consider as part of Future Review to the DCP, following endorsement of the Harmonisation DCP project.</p>
		<p><b>C.05, Section 6.6.3 Heritage Relationships</b> – EPA NSW suggests this control which is as follows:  <i>C.05 New buildings must not be designed to step away from heritage buildings like a ziggurat but must have vertical walls – with the line of the wall located such that the space around a heritage item is clearly defined and there is a positive visual and physical curtilage around the heritage item.</i></p> <p>..could be supported by a diagram to visually show the intent of the control.</p>	<p>Like many of the controls that are not supported by a corresponding diagram, there is ample opportunity throughout the Design Competition, Pre-lodgement, Concept or Staged DA processes to explain to applicants the requirements of this control.</p>

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		<ul style="list-style-type: none"> <li><b>Section 6.6.5 Amalgamation of lots</b> - EPA NSW is of the view that this section should reference to 'Clause 7.6K Managing heritage impacts 4(a)(ii)' and the requirement for a CMP for amalgamation that includes a heritage site. Heritage NSW is of the view that such an amendment will make it clear the level of assessment and analysis is required to support an amalgamation.</li> </ul>	<p>It is agreed that the DCP can include a reference to the relevant provision within clause 7.20 Managing heritage impacts, specifically sub-clause (3)(c) (previously known as clause 7.6K(4)). Council Officers recommend the following amendments:</p> <ul style="list-style-type: none"> <li>Add the following text to the introduction to this section: <i>Development proposals involving lot amalgamation including or adjacent to a heritage item must address specific requirements for the preparation of a conservation management plan.</i></li> <li>Add a new control dd the following statement be added at the end of the introduction to Section 6.6.5, as follows: <i>Development proposals involving lot amalgamation including or adjacent to a heritage item must address the requirements of clause 7.20(3)(c) Managing heritage impacts in Parramatta LEP 2011 (Amendment No 56) requiring the preparation of a conservation management plan.</i></li> </ul> <p><b>This amendment has been made to the City Centre DCP controls being recommended for finalisation.</b></p>
		<p><b>Control C.01, Section 6.6.6 Development to benefit a heritage item</b> – Heritage NSW supports this control as it ensures a two-way benefit from a heritage incentive clause or bonus FSR to benefit the heritage is supported.</p>	<p>Noted.</p>

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		<p><b>Section 6.5.10 – Park Edge Highly Sensitive Area –</b></p> <ul style="list-style-type: none"> <li>Notes that Section 6.5.10 – Park Edge Highly Sensitive Area of the City Centre DCP controls do not make any changes to the clauses relating to Old Government House and Domain (OGH&amp;D) other than minor changes such as updating the name of the relevant local environmental plan and the diagram numbers.</li> </ul> <p>Heritage NSW would like to be consulted should there be any changes that may impact OGH&amp;D as a result of the exhibition period and/or Council resolutions.</p>	<p>The controls in Section 6.5.10 Park Edge Highly Sensitive Area are subject to the <a href="#">Conservation Agreement for the protection and conservation of the World Heritage Values and National heritage Values of the Australian Convict Sites, Old Government House and Domain (2015)</a> which addresses the World Heritage Committee's recommendation and Australia's obligations under the World Heritage Convention by providing standards for development in the immediate vicinity of these sites.</p> <p>Any changes to Section 6.5.10 which would result in policy changes and therefore, inconsistency with the Conservation Agreement would require the preparation of a new Conservation Agreement and this would take some years and involve three levels of government. Aside from the cosmetic and reference changes, no other changes including those of a policy nature, are proposed as part of the City Centre DCP controls.</p>
10.	EPA NSW Submission No. 92	<p>Submitter says State Environmental Planning Policy 65 – Design Quality of Residential Flat Development (SEPP 65) and its accompanying Apartment Design Guide and the Infrastructure SEPP should also be consulted in relation to best practice building design in relation to the management of noise.</p>	<p>The requirement for relying on SEPP 65 and the accompanying Apartment Design Guide is provided for in the <i>EP&amp;A Act</i> and SEPP 65.</p> <p>The built form controls in Section 6.3 Built Form are largely consistent with the requirements in the Apartment Design Guide.</p>
		<p>EPA NSW states the draft City Centre DCP controls should be updated with information on contaminated land that arose during the CBD planning proposal process to ensure the requirements of SEPP 55 are satisfied.</p>	<p>SEPP 55 was repealed and is now replaced by <a href="#">State Environmental Planning Policy (Resilience and Hazards) 2021</a>.</p> <p>With regard to the B5 zoned sites at Auto Alley, the <a href="#">CBD Planning Proposal</a> – by way of the <a href="#">Preliminary Site Investigation Study for the Auto Alley area (2016)</a> prepared by consultants JBS&amp;G – identified the need to amend PDCP 2011 to incorporate SEPP 55 provisions. Specifically, that a DCP control <i>require a preliminary and</i></p>

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			<p><i>detailed site investigation be undertaken upon submission of a DA for redevelopment of any land within the site.</i></p>  <p>The planning proposal also states that the JBS&amp;G report also recommended that <i>Hazardous Building Material Surveys (HBMS) be undertaken prior to any demolition and redevelopment works on individual land parcels within the site.</i> These changes would be likely be incorporated into Section 6.5.7 Auto Alley.</p> <p>Unfortunately, both of these issues were missed as part of the preparation of the Draft City Centre controls. However, this comment has been forwarded to the relevant team to consider as part of Future Review to the DCP, following endorsement of the Harmonisation DCP project.</p>
		<p><b>Waste Management – EPA NSW:</b></p> <ul style="list-style-type: none"> <li>Sees little discussion on the management of waste and <i>delivering circular economy approaches that would help support the recently released 'NSW Waste and Sustainable Materials Strategy 2041'.</i> Suggests the DCP controls <i>would benefit the inclusion of circular economy as a concept that could underpin infrastructure and design as an approach that needs to be planned for across the CBD as this could also help inform the design of buildings to ensure longevity and facilitate disassembly,</i></li> </ul>	<p>Council's controls for waste are contained in <b>Section 3.3.7 Waste Management</b> in PDCP 2011. Any changes to the waste controls as part of the City Centre DCP process was out of scope.</p> <p>It is also anticipated that such suggested controls would require some form of economic testing or modelling.</p> <p>Regardless, this comment has been forwarded to the relevant team to consider as part of Future Review to the</p>



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		<p><i>encourage the reuse of existing assets, and use of building materials with recycled content. Also sees an opportunity to enable circular economy approaches that help people to reuse, share, repair and recycle their materials close to where they live and work.</i></p> <ul style="list-style-type: none"> <li>Sees that the DCP controls would benefit by including design criteria that allows for <i>safe and efficient servicing of buildings, for example recognising the 'Better practice guide for resource recovery in residential developments' to help guide the design high density residential development and ensure these buildings incorporate innovative and well-designed waste management systems.</i> Suggests this could also form an element of <i>design excellence especially in high density residential and commercial settings. This includes the allocation of space for source separation of 3 waste streams (waste, recycling and organic material), defined spaces for unwanted household goods awaiting collection and spaces to source separate other materials such as e-waste, textiles, batteries, bulky cardboard and polystyrene.</i></li> </ul> <p>Also suggests the 'Better Practice Guide for Public Place Recycling' should be referenced in the draft DCP controls <i>to help with design of recycling needs for open spaces</i> as well as the 'Better Practice Guidelines for Waste Management and Recycling in Commercial and Industrial Facilities'.</p>	<p>DCP, following endorsement of the Harmonisation DCP project.</p>
		<p>EPA NSW notes that the Central City District Plan includes actions <i>to improve the health of catchments and waterways through a risk-based approach to manage the cumulative impacts of development and help support the delivery of the 'NSW Water Quality and River Flow Objectives' (WQOs).</i> The EPA notes that the Implementation of this action is supported through the application of the OEH/EPA <i>'Risk based</i></p>	<p>As per above comment, this was beyond the scope of the City Centre DCP process.</p> <p>Regardless, this comment has been forwarded to the relevant team to consider as part of Future Review to the DCP, following endorsement of the Harmonisation DCP project.</p>

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		<i>Framework for Considering Waterway Health Outcomes in Strategic Land-use Planning Decisions' (Risk-based Framework). EPA is of the view the City Centre DCP controls would benefit strengthening with directions that both support the delivery of the WQOs but also recognises the application of the Risk based framework as it will <i>help inform the design of water management and associated infrastructure and identify practical, cost-effective management actions for supporting waterway health outcomes that reflect community expectations for Paramatta River and its catchment.</i></i>	
		<b>Section 6.8.1 High Performing Buildings</b> – EPA NSW supports approaches that help support the delivery of water in the landscape, especially involving the delivery of green infrastructure and open. However, EPA is unclear how a proposal will demonstrate achievement of the sustainability requirements in Section 6.8.1, in particular <i>demonstration that non-residential development can perform within the top 15 percentile of similar existing building performance across Greater Metropolitan Sydney. This section would benefit further clarification or supporting guidance.</i>	<b>Control C.01 b)</b> requires a report to be prepared by a qualified consultant ensuring the development proposals can meet the water targets including <i>post occupancy verification against the targets</i> . These reports must be completed to Council's satisfaction.
		EPA NSW states that <i>While the DCP recognises the need for street setbacks and a built form that enables a healthy environment for street trees, the provisions would benefit the additional requirement for street tree pits. The successful establishment of a street tree will be dependent on water and if appropriately designed a street tree pit can also improve stormwater quality and help support the delivery of water quality improvements.</i>	Council Officers agree that the DCP controls would potentially benefit from additional requirements for street tree pits. However, this proposed amendment would constitute a policy change and require re-exhibition of the draft DCP controls. Therefore, this comment has been forwarded to the relevant team to consider as part of Future Review to the DCP, following endorsement of the Harmonisation DCP project.
11.	Sydney Metro West Submission No. 93	<b>Figure 6.5.2.3 Civic Link Special Area Public Domain &amp; Consolidation, Section 6.5.2 Civic Link (p. 78):</b> Sydney Metro: <ul style="list-style-type: none"> <li>Confirms support for the diagram.</li> </ul>	Support is noted.  The exhibited State Significant Infrastructure Metro EIS does not adequately address or dimension an alternative width to Council's DCP.

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		<ul style="list-style-type: none"> <li>Are in ongoing discussions with other Divisions within TfNSW <i>in relation to the future role and function of Macquarie Street between Marsden and Smith Street and by extension the design of Horwood Place. This is related to the operation of Parramatta Light Rail Stage 1 and planning for Parramatta Light Rail Stage 2.</i></li> </ul>	<p>The draft City Centre DCP controls include a 14m street reservation to enable flexibility to respond to different carriageway requirements (1 lane, 2 lanes) to enable truck/emergency access and to ensure a generous pedestrian footpath along the street.</p>
		<p><b>Control C.02 on site consolidation, Section 6.5.2 Civic Link</b> – Sydney Metro says this control identifies a proposed new laneway extending from George Street to Macquarie Lane incorporating Metro land and the consolidation of Metro land with Site 05 being the land at the corner of George and Smith Streets.</p> <p>Sydney Metro acknowledges the strategic merit and intent of the proposed lane, but does not support <i>the consolidation of our land at this stage</i> however, would be willing to discuss this with Council in the future as the design of the Metro precinct is further refined.</p>	<p>Noted.</p> <p>Traffic: Council acknowledges Metro's position. The DCP represents Council's preferred layout for streets, laneways and open spaces within the block. Council will continue to advocate through both the DCP – and also via its submission on the EIS – for the best outcome across the multiple land holdings to enable orderly property access within the urban block and to achieve the desired B3 zone objectives for the City Centre.</p> <p>Council's preference is for vehicle access from a new laneway to a consolidated development across the three landholdings. Metro's ownership and construction site may limit access to 73 and 75 George Street and the Roxy from Macquarie Lane. Refer to item 13 below.</p> <p>It is noted that Sydney Metro's recently exhibited draft EIS shows a portion of the new laneway between George Street and Macquarie Lane provided. Future access will have to be located within this portion of the laneway should the land not be consolidated.</p>
		<p><b>Control C.03 on the delivery of streets, lands and open spaces, Section 6.5.2 Civic Link (p. 78)</b> – This control requires streets, lanes and opens spaces to be delivered as shown in supporting Figure 5.2.4 via new development or <i>dedicated to Council for delivery in a coordinated manner as agreed between Council and Sydney Metro.</i> Also notes the</p>	<p>The City Centre DCP controls seek to facilitate both the realisation of Councils vision for Civic Link and the construction and operational requirements of Metro. The controls establish minimum dimensions for open spaces, streets and laneway.</p> <p>With regards to Sydney Metro's SSI EIS, there were differences between it and the exhibited City Centre DCP</p>

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		<p>design of the Metro precinct is continuing to develop therefore:</p> <ul style="list-style-type: none"> <li>the <i>resolution of designs may lead to refinements to the streets, lanes and open spaces and layouts</i>; and</li> <li>certain areas <i>may also need to be retained by Sydney Metro to allow the safe operation of the line.</i></li> </ul> <p>Says Sydney Metro <i>is committed to working with Council to define the ownership and asset management of streets, lanes and open spaces and seeks confirmation that any changes resulting from design development would be reflected through future DCP amendments.</i></p>	<p>controls with regards to the preferred layout, including minimum dimensions. Council's submission on the SSI EIS included a diagram to reconcile our preferred DCP.  <b>Council's position remains as per the exhibited controls.</b></p> <p>Council understands there are some operational constraints on land dedications and are negotiating ownership and asset management with Metro to ensure the longevity and quality of the public domain.</p>
		<p><b>Control C.03 on the clarifying through site links, Section 6.5.2 Civic Link (p. 79)</b> – States this control which is supported by control diagram 6.5.3.4 Civic Link Streets and Public Spaces identifies the east-west connection between Civic Link and Church Street as a '<i>Future Pedestrian Link to be Delivered</i>'. The current Metro Scheme provides for the connection. Therefore, requests that <i>Figure 6.5.2.5 (or elsewhere in the DCP) be annotated to clarify that as the planned pedestrian link runs between Site M1 and Site 04 that this link could be in the form of an enclosed/covered space.</i></p>	<p>Submitter incorrectly references the controls and supporting control diagrams and their intent in this section.</p> <p>Control C.03 is supported by Figure 6.5.2.4, However, it is Figure 6.5.2.5 that illustrates the Future pedestrian links to be provided with Section 6.4.4 Pedestrian Lanes, Shared Zones and Service Lanes defining what future pedestrian links are.</p>
		<p><b>Control C.05 b) regarding supporting consolidated entries for properties south of Macquarie Street, Section 6.5.2 Civic Link (p. 80)</b> – Says this controls requires that <i>along the south side of Macquarie Street west of the Leigh Memorial Church, buildings must follow the street alignment and be built to the boundary. At 97 and 99 Macquarie Street, development must provide a 2 storey high, 3.5m wide service accessway on each property along the common boundary to create a combined 7m shared service access way across both properties.</i></p>	<p>Support noted. A recent DA over 85-97 Macquarie Street (DA/638/2019) and follow up modification will deliver a driveway on this site's eastern side compliant with the DCP controls.</p>

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		States that this provision is supported as <i>it creates one point of access/egress for the properties 85-97 and 119A on the southern side of Macquarie Street and limits the number of points at which the light rail alignment will be crossed.</i>	
		<b>Figures 6.5.2.3, 6.5.2.4 and 6.5.2.5 regarding Metro Station labels, Section 6.5.2 Civic Link (pp. 78, 79, 80)</b> – with regards to Figures 6.5.2.3 to 6.5.2.5, submitter states the inclusion of the 'Metro Station' labels in these three figures is <i>not supported as the locations of the station entries has not been finalised and may create an inaccurate expectation in the community. It is requested that these labels be removed.</i>	The two entries shown in the Draft DCP are also shown in Metro's SSI EIS currently on exhibition. The entries are in the public realm and do not need to be amended.
		<b>Figures 6.5.2.3, 6.5.2.4 and 6.5.2.5 regarding built form / setbacks and references to Sites M3 and M6 – Section 6.5.2 Civic Link</b> – Submitter: <ul style="list-style-type: none"> <li>Supports <i>the proposed indicative built form and setbacks plan in Figure 6.5.2.5 – subject to the other comments identified in this submission.</i></li> <li>Supports the inclusion of the Site M3 and M6 in Figures 6.5.2.3, 6.5.2.4 and 6.5.2.5 as building development sites.</li> </ul>	Metro's SSI EIS shows Site M3 as open space and Site M6 as a "future area" with no clear designation as either open space or a building.  Amending the City Centre DCP to align with Metro's EIS would constitute a significant change and trigger re-exhibition of the DCP controls.  Council is able to utilise other mechanisms to coordinate / advocate for the design and functionality of this space.  Whilst Council does not have a mechanism for controlling M6 site in the event that it is sold, the LEP controls would apply.
		<b>Figure 6.5.2.4 Civic Link Setbacks and Indicative Built Form, Section 6.5.2 Civic Link</b> - Submitter states that this figure requires Civic Link to provide contiguous deep soil <i>along the length of its path across the Metro precinct.</i>  Submitter also states: <i>Contiguous deep soil planting cannot be provided to the southern section of the Civic Link (Macquarie Street to the Macquarie Lane) in Metro's precinct as the station box and building basements extend beneath Civic Link, however provision will be made for designated tree planting zones and appropriate species in the Civic Link</i>	It is noted that Figure 6.5.2.5 requires only the section between Macquarie and Phillip Streets to be provided with contiguous deep soil.  Deep soil cannot be achieved along the Civic Link where it intersects with the station box. Council is preparing a Design Brief for Civic Link which will include additional performance criteria to the DCP for Civic Link including confirming soil depth over structure to support the desired

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		<i>to achieve the agreed landscape outcome. Deep soil can be provided in the northern half through to George Street.</i>	tree planting. This will be managed through the interface agreement with Metro.
		<p><b>Control C.05 (c) regarding provision of a service lane south of Macquarie Street, Section 6.5.2 Civic Link –</b> Says this control requires that redevelopment of 119A Macquarie Street provides a <i>minimum 7.5m setback to Macquarie Street in alignment with the southern edge of the Leigh Memorial Church; a minimum 6.5m setback along Civic Link to achieve a minimum 20m public domain corridor; and a minimum 6m setback from the southern boundary of 119A to achieve a laneway for vehicle and service access.</i></p> <p>Submitter notes this control is supported as <i>it creates a service lane off the above common access driveway for the above developments as well as the Leigh Memorial Church and 119A Macquarie St.</i></p>	<p>Noted. This comment was referred to relevant staff within Council for their information.</p> <p>No further action required.</p>
		<p><b>Control C.06(c) regarding Street wall height of Site M4 and M6, Section 6.5.2 Civic Link –</b> This control identifies a 6-storey street wall requirement for sites M4 and M6. Metro West recommends that this control be amended <i>to change the 'requirement' for a 6-storey street to a 'maximum' street wall height of 6-storeys for both sites.</i></p> <p>Supports this position by noting that <i>the rear of the Roxy theatre is substantially lower than 6-storeys. An appropriate relationship between the Roxy theatre and a future development on Site M4 can be achieved through various means such as materials, proportion and detailing without arbitrarily establishing a fixed street wall height. Further design development is being undertaken and which will inform future development of the site.</i></p>	Council's position remains as per the City Centre DCP controls. The 6 storey street wall is based on heritage advice and the aim to create a cohesive backdrop at podium level for the Roxy.
		<b>Control C.06 (d) regarding the Kia Ora setback, Section 6.5.2 Civic Link –</b> Submitter:	The 30m dimension shown in Figures 6.5.2.4 and 6.5.2.5 are Council's is the correct setback.



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		<ul style="list-style-type: none"> <li>identifies a potential typographical error. Sees a 22m setback from Macquarie Street to Site M3 north of Kia Ora between Civic Link and New Horwood Place in the control's text. However, its supporting control diagram - Figure 6.5.2.7 - illustrates a 30m setback in this location. Submitter also notes that the preceding Figures 6.5.2.4 and 6.5.2.5 also identify a 30m setback. The 22m reference would appear to be a typographical error.</li> <li>notes that a 30m setback <i>for any substantive new buildings</i> is generally supported so as to provide a larger curtilage area for Kia Ora. Submitter says <i>Sydney Metro will be investigating adaptive reuse and the potential for a small sensitive addition or ancillary building/structure which would be within the 30 metre setback. The adaptive reuse / small additional building/structure will be designed to enhance the activation of Kia Ora and the metro plaza, to ensure this key public space can be effectively activated and programmed with uses and activities that attract usage throughout the week (including evenings, weekends) and across the year (as seasons change).</i></li> </ul> <p><b>Control C.06 (h) regarding setbacks for a wider Smith Street footpath, Section 6.5.2 Civic Link</b> which states:</p> <p><i>At Site 05 street setbacks and street wall heights on Smith Street between George Street and Macquarie Lane must comply with Figure 6.5.2.5 and Figure 6.5.2.11 (Section G). Development must provide a 4m dedication for road widening to enable a pedestrian footpath; a 2m ground floor setback for use as additional pedestrian footpath; a maximum 8 storey street wall and a minimum 2m upper-level setback to the tower.</i></p> <p>Submitter supports this provision as <i>it means the 75 George Street site (Site 05) must provide a 2m setback to increase the width of the pedestrian footpath to 6 metres.</i></p>	<p>Metro's SSI EIS shows the removal of Site M3 and its replacement with a new square. The larger space suggested by Metro is consistent with the DCP controls in that it provides the opportunity for tree planting to create the desired tree backdrop to the cottage. To that end, Control C.06 is proposed to be amended by replacing the 22m with "30 metres" as follows:</p> <p>C.06 Development within Block 2 must comply with the following specified envelope controls: ...</p> <p>d) Setback new development <b>22 30</b> metres from Macquarie Street to the north of Kia Ora between Civic Link and New Horwood Place as per Figure 6.5.2.7 (Section A).</p> <p><b>This amendment has been made to the City Centre DCP controls being recommended for finalisation.</b></p> <p>Noted. This comment was referred to relevant staff within Council for their information when considering any future Design Competition or Development Application.</p>

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		<b>Control C.06 (j) regarding basement car park, service and loading entry/exit points for Site 05, Section 6.5.2 Civic Link, Figure 6.5.2.3 Civic Link Special Area Public Domain &amp; Consolidation and Figure 6.5.2.4 Civic Link Special Area Public Domain and Consolidation –</b> Submitter states that basement car park, service and loading entry and exit portals <i>must be located on the New Laneway for Site 05 and are not supported on street frontages along George and Smith Street.</i> Sees that future development on this site <i>would need to include a driveway off Smith Street and would mean a bus stop could be provided proximate to Metro Precinct where it would be convenient with less walking for a significant number of passengers.</i>	Agree with submitter's comment. From a traffic perspective, providing a driveway off Smith Street will have an impact on Metro's proposed bus stops located adjacent to Site 05. Furthermore, from an urban design perspective, access is preferred off the new laneway. Therefore, access is still preferred off the new laneway.
		<b>Control C.06 k) regarding specific site access and traffic measures, Section 6.5.2 Civic Link –</b> Submitter supports this control.	Noted.
		<b>Support for control C.10 regarding basement car park, service and loading entry/exit portals and where not to locate them, Section 6.5.2 Civic Link -</b> Submitter states it supports this control, which is:  <i>Basement car park, service and loading entry and exit portals must be located on laneways or secondary streets and not on street frontages along Macquarie Street, George Street, Phillip Street and Smith Street, and along frontages to Civic Link. Sydney Metro supports exit portals on Marsden Street instead of Macquarie Street.</i>	Noted. This comment was referred to relevant staff within Council for their information.
12.	Department of Agriculture, Water and the Environment (DAWE)	Notes DAWE's review was undertaken in the context of the <a href="#"><u>Conservation Agreement for the protection and conservation of the World Heritage Values and National heritage Values of the Australian Convict Sites, Old Government House and Domain (2015)</u></a> (conservation agreement).	Noted.

Row	Public Authority / Service Provider & Submission No.	Summary of Submission	Council Officer Response (Note: Further action noted only where required or recommended)
	Submission No. 97	<p>Asks if the controls outlined within the 'Park Edge Precinct', <i>are consistent with 'Highly Sensitive Areas' defined in the conservation agreement.</i></p> <p>Seeks clarification that the 'Park Edge Precinct' controls take precedent over other controls in the DCP, <i>ensuring that it is consistent with the conservation agreement. This is specifically relevant to George Street which falls partly in and partly out of the 'Park Edge Precinct' and 'Highly Sensitive Areas'.</i></p> <p>DAWE stresses that the DCP should be clear that <i>the 'Park Edge Precinct' controls and the conservation agreement must be complied with first and foremost.</i></p> <p>DAWE concludes that because <i>the DCP is not inconsistent with the conservation agreement and as such the department has no further comments. If any changes to the draft DCP are made that would be inconsistent with the conservation agreement then further discussion and action would be required.</i></p>	<p>A section of the introduction to Section 6.5.10 has been updated to explain that while the Parramatta LEP 2011 is referenced, along with the PDCP 2011 control figures that applied at the time, references to their more modern iteration is also provided. To that end, the following amendments are recommended:</p> <p>The planning controls include the applicable maximum building height and floor space ratio controls in the <i>Parramatta City Centre LEP 2007 as Annexed to the Conservation Agreement (which are translated into current Parramatta LEP 2011) as well as the controls outlined in this section (which include are a more modernised version of the supporting figures in the DCP control figures also Annexed to the Conservation Agreement).</i> When development complies with these controls, applications will not need to be referred to the Commonwealth Government for approval under the <i>EPBC Act.</i></p> <p><b>The above amendment has been made to the City Centre DCP controls being recommended for finalisation.</b></p>

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