

## APPENDIX E – PUBLIC AUTHORITY AND SERVICE PROVIDERS SUBMISSIONS

This document summarises the submissions received from **Public Authorities and Service Providers** during the exhibition of the CBD PP, in order to satisfy Condition 4 of the Gateway Determination and the list of agencies to be consulted was vetted by DPIE. A total of **12 submissions** were received in this category and they are summarised below with each having a corresponding Council Officer response. Table 1 summarises the submissions from Public Authorities and Service Providers (Submission No.s P-1 to P-10) and Table 2 summarises the submissions from Condition 4 Organisations (Submission No.s O-1 to O-2).

On 15 June 2021, Council endorsed the Planning Proposal with changes affecting the outcomes for the Roxy Theatre site and the Phillip Street Block including the site at 60 Phillip Street. An explanatory note is provided in the submission summaries below affected by Council's resolution. Submitters should rely on the endorsed position that retains the exhibited draft controls for both the Roxy Theatre and the Phillip Street Block. For a copy of the relevant parts of the Council Resolution, please refer to section 4.6 of the Community Engagement Report.

**Table 1 – Condition 4 Public Authorities and Service Providers**

Respondent & Submission no.	Summary of submission	Council Officers' response
<b>Commonwealth Department of Agriculture, Water and the Environment (Submission No. P-1)</b>	Considers that the proposed controls have taken into account the key areas of interest to the Department such that the Conservation Agreement will not be impacted. This includes the World Heritage listed Old Government House and Domain and the 'Conservation Agreement for the protection and conservation of the World and National Heritage values of the Australian Convict Sites, Old Government House and Domain, Parramatta'.	Noted.
<b>Heritage NSW (Heritage Council)</b>  <b>(Submission No. P-2)</b>  <b>30/10/2020</b> <b>[original submission dated 15/06/2020]</b>	Heritage NSW, as delegate of the Heritage Council of NSW, requests Council consider the issues raised in the submission dated 15 June 2020 from Heritage NSW on the amendments to the Planning Proposal.	<p>The submission from Heritage NSW dated 15 June 2020 was received in response to the pre-exhibition consultation with public authorities consistent with Condition 2 of the Gateway determination issued by DPIE in December 2018. Council Officers invited comments from public authorities including Heritage NSW between 19 December 2019 and 10 February 2020 on the version of the CBD PP endorsed by Council on 25 November 2019. Following this, Council notified DPIE of amendments to the CBD PP in response to issues raised by the public authorities that had responded during the Condition 2 pre-exhibition consultation phase.</p> <p>As the submission from Heritage NSW dated 15 June 2020 was received outside the required timeframe, Council was not able to consider the submission as part of its revision of the planning proposal at the time because the Planning Proposal was already with the Department for review. Heritage NSW were advised at this time that the matters raised in their submission would be addressed by Council as a part of the formal public exhibition period (Condition 4 of the Gateway determination).</p>

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	<p>Recognises that one of the stated objectives of the CBD PP is to protect and manage the values of Parramatta's Local, State, National and World Significant European and Aboriginal heritage items, HCAs, places and views.</p> <p>Council should ensure the requirements of the Conservation Agreement are met and if necessary make changes to the Planning Proposal to address these.</p> <p>Recognises that the CBD PP does not propose changes to the planning controls for the World Heritage listed Parramatta Park, Old Government House and the Government Domain; however, raises concern that this area is within the boundary of the CBD PP and considers it misleading. Recommends the maps are amended to excise the stated area from the CBD PP.</p>	<p>Notification that the Planning Proposal could proceed to public exhibition was outlined in the Department's letter to Council dated 27 July 2020 and included a requirement that, "Council will consider this submission (from Heritage NSW) following public exhibition of the proposal."</p> <p>Therefore, as required by the Department and requested by Heritage NSW and consistent with Condition 4 of the Gateway determination, the issues raised in their submission dated 15 June 2020 are addressed in this table as follows.</p> <p>Objective 9 of the CBD PP is to protect and manage the values of Parramatta's Local, State, National and World Significant European and Aboriginal heritage items, HCAs, places and views. Council officers confirm that there are no proposed changes to the World Heritage listed items described in this submission and including land protected by the existing Conversation Agreement.</p> <p>The CBD Planning Proposal maintains consistency with the existing Conservation Agreement by explicitly identifying the Park Edge Highly Sensitive Area (designated as "Area A" on the Special Provisions Map) and ensuring the current controls under Parramatta LEP 2011 will continue to apply to the land.</p> <p>Council officers disagree with Heritage NSW's position that 'Parramatta Park and the Park Edge Highly Sensitive Area and certain land on the fringes of the Parramatta City Centre' shown as "Area A" on the Special Provisions Area Map should be removed from the CBD PP boundary. The inclusion of this land in the CBD PP is technically necessary to preserve the existing planning controls.</p> <p>The land within Parramatta Park and the Park Edge Highly Sensitive Area cannot be excised from the CBD Planning Proposal as Part 7 of Parramatta LEP 2011, some clauses of which will be amended by the CBD Planning Proposal, already applies to the land. In order to preserve – or "grandfather" – the existing controls, the land is identified as "Area A" on the Special Provisions Map and the new clause 7.6M replicates the existing clauses that would otherwise be amended. The clauses that are proposed to be amended by the CBD Planning Proposal also explicitly exclude their application from land designated "Area A" on the Special Provisions Map, thereby ensuring the terms of the Conservation Agreement are upheld.</p>

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		<p>Based on the above, the recommendation of the Agency to remove Parramatta Park and the Park Edge Highly Sensitive Area and certain land on the fringes of the Parramatta City Centre is not supported and no changes to the Planning Proposal are required.</p> <p><b>Note: DPIE may consider this issue to be an unresolved Public Authority objection requiring closer consideration once Council has forwarded the Plan to DPIE for finalisation.</b></p>
	<p>Raises concern about the proposed incentive FSR and height controls and potential adverse impacts from the intensification of development in the vicinity of State and National Heritage items/places and Council's Local heritage items and HCAs.</p> <p>Recommends Council develop guidelines as to what constitutes an appropriate transition and require new development to demonstrate an appropriate transition to heritage items and HCAs. Heritage NSW provides examples of transition including setbacks at higher levels of buildings, modulation of form and heights to prevent the creation of a continuous wall of development, and buffer areas to National, State and Local heritage items and HCAs.</p> <p>No objection to the uplift of B4 Mixed Use sites; however, raises concern about the potential impacts of increased Heights and FSR on state and national heritage items/places, Local heritage items and HCAs, which could become overwhelmed or isolated by large scale development. As such, the use of incentive Height and FSR is not supported in these areas.</p>	<p>The CBD PP has been the subject of a series of Council commissioned heritage studies and subsequent draft LEP controls since 2015, including the Parramatta CBD Heritage Study (2015), Heritage study of interface areas (2017). In addition, separate heritage studies have been required by the Gateway Determination and Council resolution of 25 March 2019 including: Marion Street Precinct Urban Design and Heritage Study (2019); Church Street Precinct Urban Design, Heritage and Feasibility Analysis Study (2019); Review of Opportunity Sites Urban Design and Heritage Study (2019); and Overshadowing Technical Paper (2019, updated in 2020 and 2021).</p> <p>The findings of these studies have led to revised planning controls within the updated CBD PP, which have been required to demonstrate consistency with Division 9.1, Direction 2.3 (Heritage) of the Environmental Planning and Assessment Act 1979. This includes a new clause to require contextual analysis to inform transition. Clause 7.6k Managing Heritage Impacts requires development to demonstrate an appropriate relationship to heritage items and heritage conservation areas that responds positively to heritage fabric, the street and the wider area. This operates in addition to the standard heritage clause at Clause 5.10 and will be further supported through an additional level of detail in the forthcoming heritage section of the Draft CBD DCP.</p> <p>Based on the above, the recommendation of the Agency for land zoned B4 in areas where there are state and national heritage items/places, local heritage items and HCAs is not supported and no changes to the Planning Proposal are required.</p> <p><b>Note: DPIE may consider this issue to be an unresolved Public Authority objection requiring closer consideration once Council has forwarded the Plan to DPIE for finalisation.</b></p>
	Suggests height and FSR controls remain consistent with the existing controls in the Council's LEP for significant SHR items,	The exhibited maximum FSR and height of building controls have been informed by multiple heritage studies prepared to support the CBD

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	<p>such as St John's Anglican Cathedral, the Catholic Institutional Area in North Parramatta, sites adjoining Lancer Barracks and sites to the north and west of St John's Cemetery.</p>	<p>Planning Proposal. In general terms, planning controls applying to land adjoining State Heritage Register-listed items has had regard to the significance of the heritage items – such as maintaining the existing Sun Access Protection surface and lower heights on sites to the north and east of Lancer Barracks.</p> <p>Council officers disagree however with Heritage NSW's position that proposed planning controls for the land to the north and west of St Johns Cemetery be consistent with the existing planning controls.</p> <p>It is Council Officer's position, supported by the Urbis Heritage Study (2015), that the proposed increase to the height of building control from 10m to 20m for this land while retaining the existing Floor Space Ratio of 1.5:1 is appropriate to facilitate narrower buildings and increase the separation and views to 'blue sky' space between buildings when viewed from within the cemetery.</p> <p>The Urbis Heritage Study (2015) recommended low building heights to reduce the impact on the cemetery and the CBD PP has consistently reflected these recommendations with the proposed 20m height control. Therefore, the request to maintain the existing height control for the land to the north and west of St Johns Cemetery is not supported.</p> <p>Based on the above, the recommendation that height controls remain consistent with the existing controls in the Council's LEP for sites to the north and west of St John's Cemetery is not supported and no changes to the Planning Proposal are required.</p> <p><b>Note: DPIE may consider this issue to be an unresolved Public Authority objection requiring closer consideration once Council has forwarded the Plan to DPIE for finalisation.</b></p>
	<p>Concern raised about potential increased overshadowing on Centenary Square and the State Heritage listed, St John's Anglican Cathedral. Heritage NSW recommend Council consider how to mitigate this to avoid any increase in overshadowing of this square.</p>	<p>Part of the land known as 'Centenary Square' contains two locally significant heritage items listed in Paramatta LEP 2011 (I651 and I654), and the whole of Centenary Square is located under the Sun Access Protection (SAP) surface for Parramatta Square. While the primary objective of the SAP is to ensure sunlight access to Parramatta Square is maintained, Centenary Square will also benefit from lower building heights because of the SAP's application. The application of the SAP surface, theoretically, would reduce the impact of overshadowing to the Square by limiting building heights to prevent additional overshadowing to the Parramatta Square Protected Area.</p>

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		<p>St John's Anglican Cathedral (I01805) is located outside the Parramatta Square Sun Access Protection Surface (SAP). However, the application of height limitations under the SAP for buildings located directly to the north, northeast and northwest of the cathedral will mitigate the opportunities for significant overshadowing. In addition, Council's policy position to retain existing controls in the Parramatta Park Edge Highly Sensitive Area – designated 'Area A' on the Special Provisions Map – limits building heights to the west of Marsden Street. This Special Provisions Map consequentially, prevents tall buildings above 54m being constructed in the area, thereby mitigating the impact of overshadowing to the cathedral. Having noted that this is the impact from the Draft CBD PP it must be noted that a Site Specific PP for the St Johns Church Site endorsed by Council but yet to be publicly exhibited does have the potential to increase overshadowing of St Johns Square but that issue will be assessed and considered as part of the Site Specific Planning Proposal.</p> <p>Council officers consider that the SAP for Paramatta Square and height limitation for buildings under the SAP and within 'Area A' on the Special Provisions Map will avoid any increase in overshadowing of Centenary Square. Further, the location of the Square on the north-south spine of the Church Street corridor also aids in providing solar access to the Square.</p> <p>Based on the above, the recommendation that Council consider how to mitigate overshadowing of Centenary Square and St Johns Cathedral is not supported because it has been undertaken already and no changes to the Planning Proposal are required.</p> <p><b>Note: DPIE may consider this issue to be an unresolved Public Authority objection requiring closer consideration.</b></p>
	<p>Supports the removal of incentives and retention of existing Height and FSR controls at the corner of Villiers Street and Church Street because it avoids overshadowing of Prince Alfred Square and St Patrick's Cathedral, and retains the prominence of the Church Street precinct.</p> <p>Supports the proposed controls for the Church Street Precinct to managing new development in the Church Street Precinct.</p>	Supporting comments noted.
	Considers the amalgamation of sites may have positive impacts as a means of transferring unrealised heritage floor space. Where	Council officers support this position and consider that the new planning provision recommended in the HAA Heritage Study of

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	<p>Local heritage items are amalgamated, the item should be retained and conserved as an independent streetscape element. This includes the retention of historic curtilage, setting and subdivision patterns; while the amalgamation of lots should not result in the isolation of heritage items.</p>	<p>Interface Areas Study in 2017 (Cl. 7.6K Managing heritage impacts) that requires development in the Parramatta City Centre to demonstrate an appropriate relationship to heritage items and heritage conservation areas that responds positively to heritage fabric, the street and the wider area, addresses the issue of heritage items being retained and conserved as independent streetscape elements.</p>
	<p>Recommends solar access be maintained to State and National Heritage items/places, including Prince Alfred Square, Centenary Square and St John's Church, Hambledon Cottage, Elizabeth Farm and Experiment Farm Cottage.</p> <p>Part of the Harris Park HCA which is bounded by Station Street East and Wigram Street been identified as vulnerable to overshadowing. Recommends appropriate maximum building heights and setbacks to protect solar access to Harris Park HCA and the individual heritage items within it.</p> <p>Recommends further solar modelling for future development applications to minimise overshadowing as a result of tower development in the Parramatta CBD.</p>	<p>The CBD PP protects solar access to nominated protected areas and Sun Access Protection (SAP) surfaces and have been applied to key areas for nominated times as determined on 21 June (mid-winter) (cl. 7.4 Sun Access Protection) being:</p> <ul style="list-style-type: none"> <li>- Part of Prince Alfred Square – between 12 noon and 2pm;</li> <li>- Parramatta River Foreshore (southern bank) – between 12 noon and 2pm;</li> <li>- Parramatta Square – between 12 noon and 2pm;</li> <li>- Lancer Barracks – between 12 noon and 2pm;</li> <li>- Jubilee Park – between 12 noon and 2pm; and</li> <li>- Experiment Farm – between 10am and 2pm.</li> </ul> <p>Overshadowing testing revealed that overshadowing impacts to Hambledon Cottage and Elizabeth Farm would only occur in the late afternoon – from 3pm onwards on 21 June. The introduction of the SAP for Experiment Farm limits building heights on the eastern part of the CBD, thereby reducing the potential impact to Hambledon Cottage and Elizabeth Farm.</p> <p>Testing to the Harris Park West Heritage Conservation Area (HCA) was undertaken in response to the Gateway Determination condition 1. (k) ii – Heritage Conservation Areas. One of the measurement criteria was to ensure properties in the HCA were able to achieve at least 2 hours of sunlight access between 9am and 3pm (non-contiguous) on 21 June. The controls, as exhibited, resulted in about 75% of the parcels in the HCA achieving this benchmark. This was deemed to be an acceptable degree of overshadowing bearing in mind those properties that could not achieve the targets were located to the north of the HCA, often opposite mid-rise developments and closer to the existing high-rise developments located along Hassall Street.</p> <p>Council's current Development Application requirements include the need for solar modelling (overshadowing testing) where an increase in building height is proposed.</p>



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		<p>Council officers consider that the proposed solar access provisions and surfaces as exhibited in the CBD PP (Cl. 7.4 and SAP Map) will reasonably protect solar access to the land and spaces identified by Heritage NSW.</p> <p>Based on the above, the recommendations of the Agency to retain undefined solar access to National and State items and place and also the Harris Park HCA are not supported and no changes to the Planning Proposal are required.</p> <p><b>Note: DPIE may consider this issue to be an unresolved Public Authority objection requiring closer consideration once Council has forwarded the Plan to DPIE for finalisation.</b></p>
	<p>Supports the amendments to the design excellence clause however, notes that a design excellence competition does not necessarily ensure there will be no heritage impacts. Heritage NSW recommend that Council ensure that design competitions respect, enhance and celebrate the heritage of Parramatta.</p>	<p>Council's design excellence competition process contains objectives and processes that address heritage matters.</p> <p>The objectives for Council's Architectural Design Competitions are sourced from PLEP 2011 and in relation to heritage require: that development in the Parramatta City Centre demonstrates an appropriate relationship to heritage items and heritage conservation areas that responds positively to heritage fabric, the street and the wider area.</p> <p>Specific heritage objectives as relevant to the proposal are also detailed in the Design Excellence Competition brief, while technical advisors (including heritage experts) are appointed to the provide technical assistance / advice to the Jury members.</p> <p>Council officers consider that these existing objectives and processes are reasonable to ensure Parramatta's heritage is respected, enhanced and celebrated when part of an Architectural Design Competition.</p>
	<p>Raises concern that the interface areas between the planning proposal and National, State and Local items/places and HCAs are vulnerable to new, large-scale development, which have the potential to adversely impact on heritage items, including overshadowing, deactivation of streets and smaller shopfronts and abrupt transitions in height and scale.</p> <p>Recommends Council introduce measures to reduce the listed impacts and ensure effective management through development application and detailed design processes. This includes the following mitigation measures: modulation of building envelope</p>	<p>Council officers consider that the interface areas have been appropriately considered in the HAA Heritage Interface Area Study (2017) and are supported by a new heritage clause (Clause 7.6K) to reduce heritage impacts. This includes requirements of any new development to provide a heritage impact statement or a conservation management plan, where applicable.</p> <p>The CBD PP will be supported by new DCP controls, including heritage controls and the mitigation measures identified by Heritage NSW will be considered in the drafting of the heritage section of the CBD DCP.</p>

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	form to prevent a 'hard wall' effect, as well as human scale design, such as low-scale podiums and setbacks to upper tower levels of new development and expression of historic subdivision patterns in new development.	Heritage NSW will also be invited to provide feedback on the new DCP controls when they are on public exhibition.
	<p>Recommends identification and protection of significant view corridors within the Parramatta CBD through the planning proposal including significant views to and from individual heritage items, as well as HCAs.</p> <p>Recommends photomontages demonstrating the relationship between new development and nearby heritage items be provided during the DA process, and proponents identify mitigation strategies to reduce visual impact on heritage items.</p>	<p>The technical studies that informed the CBD PP reviewed identified view corridors and vistas across the CBD. These include Macquarie, Church, George and Hunter Streets, as well as views from within Parramatta Park and from Old Government House to significant elements, and views to significant buildings within the park edge.</p> <p>The Urbis Heritage Study (2015) provides recommendations to mitigate potential impacts to significant view corridors associated with the original town plan and road layout through DCP controls, and height limits in certain areas to preserve blue sky views.</p> <p>The HAA Heritage Interface Area Study (2017) also included a recommendation to compile a Parramatta CBD register of views that must be preserved and views to and from any adjacent heritage must be considered as part of any development.</p> <p>The Church Street Precinct Urban Design, Heritage and Feasibility Analysis Study (2019) and Review of Opportunity Sites Urban Design and Heritage Study (2019) also included recommendations to preserve blue sky views which are reflected in maximum height limits.</p> <p>Council officers support investigation of significant view corridors within the PDCP 2011, including consideration of DA requirements that include photomontages and mitigation strategies to reduce visual impacts on heritage items.</p>
<b>Property and Development NSW and the Department of Education (prepared by Ethos Urban)</b> <b>(Submission No. P-3)</b>	<p>The submission describes that the Minister of Education and Early Childhood Learning is the landowner of the site at 34 Hassall Street, Parramatta, being the former Rowland Hassall School site.</p> <p>Supportive of the proposed planning uplift for the site.</p> <p>Supports robust solar access protection controls to key locations such as parks and civic spaces.</p>	<p>Supporting comments noted.</p> <p>Land ownership noted.</p>
	Requests the CBD PP make clear that overshadowing is (to at least some extent) expected in a high density area such as the Parramatta CBD.	Draft Clause 7.4 Sun Access Protection makes clear the parameters and land to be protected from overshadowing and maps the protected spaces on the Sun Access Protection Map consistent with Condition



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	<p>Requests the CBD PP make clear that the maintenance of solar amenity to existing and future residential development in the CBD may be challenging to achieve in some circumstances.</p>	<p>1(j)(ii), (j)(iii), (j)(iv), 1(k)(ii) and Condition 1(o) of the Gateway determination for the CBD PP.</p> <p>Gateway condition 1(j)(ii) and 1(k)(ii) also required overshadowing impacts on heritage conservation areas and open spaces outside the CBD PP boundary to be tested and where required, maximum building heights (which includes the Incentive Height of Buildings control and any Design Excellence and/or High Performing Building) to be reduced.</p> <p>The Planning Proposal document describes the urban design research and technical studies undertaken to inform this CBD PP to address a range of issues including overshadowing and includes a comment about the need for urban intensification and integration of new development to be of an appropriate scale for the site, adjoining development and the wider city. Further, the PP describes that the need for compliance with SEPP 65 and the associated Apartment Design Guide, which includes specific solar access controls for apartments.</p> <p>To support the CBD PP, a DCP will be prepared for the Parramatta City Centre which will include controls for site width and built form to achieve standards of amenity in relation to solar access. The suggestions will be considered during the preparation of the DCP. Council officers will notify Property and Development NSW and the Department of Education when the draft DCP is on exhibition and invite their feedback at that time.</p> <p>The matters raised by the submitter are noted. One key outcome of the CBD PP is to facilitate the transformation of the Parramatta CBD into a CBD of metropolitan significance. Except for nominated areas that have been explicitly identified for solar access protection – such as Parramatta Square, Lancer Barracks, Parramatta River Foreshore, Jubilee Park, Prince Alfred Square, and Experiment Farm – the remainder of the CBD is not afforded specific protection from overshadowing. Consequently, the CBD PP implicitly accepts that overshadowing from existing and future development will likely have impacts on other development across the CBD and this is part-and-parcel of a growing and transforming CBD.</p> <p>The CBD PP recognises that future development must, as best as practicable, comply with SEPP 65 and the associated Apartment</p>

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		Design Guide; and adverse impacts on adjoining development are avoided or mitigated. This will be further supported by more detailed controls in a Development Control Plan to address impacts such as wind, solar access, building separation, amongst other matters.
<b>NSW Environment Protection Authority (Submission No. P-4)</b>	Generally supportive of the CBD PP.	Supporting comments noted.
	<p>The EPA acknowledge that the PP has positive features for promoting and delivering sustainable high performing buildings, however it appears design elements have not considered the effects of wind or issues associated with canyoning.</p> <p>The EPA states that the PP would benefit recognising the air quality protection principles for residential and other sensitive developments near busy roads that are outlined in <i>Development near rail corridors and busy roads – interim guideline</i>.</p>	<p>The effects of wind or issues associated with canyoning are matters considered appropriate for a DCP. These issues are often addressed via design excellence objectives for Architectural Design Competitions. Objectives in the competitions make reference to the existing DCP which require development to appropriately and positively respond to a range of environment impacts including wind. The suggestion to include controls to address the effects of wind or issues of canyoning will be considered during the preparation of the new CBD DCP. Council officers will notify the EPA when the draft DCP is on exhibition and invite their feedback at that time.</p> <p>Air and noise quality protection principles are beyond the scope of the CBD PP. It is noted that Parramatta DCP 2011 Section 3.3.4 Acoustic Amenity includes controls requiring the 'Development near Rail Corridors and Busy Roads Interim Guideline' to be taken into consideration, to minimise impacts of busy roads and railway corridors on residential and other sensitive development and this will be retained in the future version of the Draft DCP.</p>
	<p>The EPA describe that the management of noise is a key consideration in the planning of key sites across the CBD to deliver amenity outcomes sought in the Planning Proposal. The submission highlights the importance of adequate planning controls to identify and manage noise-based land use conflict issues.</p> <p>The EPA identify that noise control can be managed by applying a hierarchical approach to noise control. Further, careful planning for noise is also needed where night-time economies are being established or activated and mixed-use is being proposed.</p>	<p>Acknowledge the need for appropriate noise mitigation controls across the CBD that balance desired nightlife and activity with the needs and amenity expectations of co-located sensitive development and the community. These controls however are best placed in a DCP.</p> <p>The planning team is providing input into a project being undertaken by Council's City Strategy team to prepare a Night-Time Framework DCP. This team is currently working on controls relating to noise levels across the City of Parramatta LGA, including the Parramatta CBD. Council officers will notify the EPA when the draft DCP is on exhibition and invite their feedback at that time.</p>
	The EPA highlight the importance of the Parramatta CBD to support sustainability outcomes in the Central City District Plan and the "Our Living River" initiative for the Parramatta River.	Protection of waterways is a matter appropriate for the DCP. Parramatta DCP 2011 Section 3.3.6.1 Stormwater Drainage contains controls to require developments to address Water Sensitive Urban Design; while Section 4.3.3.7 City Centre Special Areas, part (m) Civic

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	<p>The EPA indicate that the Planning Proposal does not include information on how the design of key sites in the CBD will support actions to protect and improve the health and enjoyment of the District's waterways.</p> <p>The EPA encourage integrated water cycle management as this can provide a least cost approach. In this regard, the EPA support the provision of dual water pipes.</p> <p>Recommends consultation with NSW Health about dual water pipes and consultation with Sydney Water to better understand how the Planning Proposal fits with Sydney Water's Master Plans for wastewater servicing across Greater Sydney.</p> <p>It is the EPA's understanding that measures to support ongoing maintenance and monitoring of effective water management have not been considered in the supporting Infrastructure Funding Model Study.</p> <p>Proposed incentive schemes to encourage higher sustainability performance of buildings and places are supported.</p>	<p>Link Precinct includes a specific control for this key area in the CBD to ensure development has positive and innovative impacts on environmental outcomes including water quality of the Parramatta River.</p> <p>The recommendation to consult with NSW Health and Sydney Water in relation to dual water pipes is noted. Sydney Water provided a submission to the PP which supports the inclusion of the dual piping requirements.</p> <p>NSW Health were invited to provide comment on the CBD PP however, no formal submission was received during the exhibition period.</p> <p>Supporting comments in relation to higher sustainability performance of buildings and places are noted.</p> <p>The EPA's comments regarding water management measures as part of the Infrastructure Funding Model Study will be considered as part of Council's review work currently underway for the CBD Infrastructure Funding Framework. This work is expected to be reported to Council and then publicly exhibited in the next few months. Council officers will notify the EPA when the draft Infrastructure Funding Framework is on exhibition and invite their feedback at that time.</p>
	<p>The Planning Proposal would benefit recognising the <i>NSW Government's 20 Year Waste Strategy</i>, which is currently being developed. The <i>Strategy</i> will be a roadmap for NSW to transition to a circular economy.</p> <p>To support the <i>Strategy</i>, the PP would also benefit introducing the concept of a circular economy into the LEP and supporting controls to strengthen sustainability directions and includes a suggested definition:</p> <p><b><i>Circular Economy Infrastructure</i></b> focuses on facilities that collect used resources, reuse, repurpose or remanufacture materials and goods, to retain their productive value and prevent their disposal to landfill. Examples of circular economy infrastructure includes; reuse and repair facilities, sharing and leasing facilities, reverse vending machines, community recycling centres, collection points for producer responsibility schemes, material reprocessing and</p>	<p>Support the request to recognise the <i>NSW Government's 20 Year Waste Strategy</i> in the CBD PP by updating 3.4 Section D – State and Commonwealth Interest – waste management.</p> <p>Council officers will investigate the inclusion of the circular economy concept in the DCP together with the principles relating to waste management. Council officers will notify the EPA when the draft DCP is on exhibition and invite their feedback at that time.</p> <p>The additional definitions proposed by the EPA are not included within the <i>Standard Instrument (Local Environmental Plans) Order 2006</i>. Council cannot include additional definitions within the Dictionary to the LEP, in accordance with the requirements of Practice Note 11-003; but recommends the EPA consult with the Department to request inclusion of these definitions within the Standard Instrument, thereby making them applicable to all local planning instruments across the State.</p>

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	<p><i>remanufacturing, anaerobic digestion, washing or pelletising facilities, reverse logistics facilities.</i></p> <p>To help guide the design of building and urban typologies in relation to delivering a circular economy, the EPA propose the following definition:</p> <p><b><i>Circular Economy Design</i></b> <i>is a set of design principles applied to buildings, infrastructure and public domain precincts that maximise the circularity of the materials used in construction. This includes designing in a way where the materials can be easily identified for future recovery; designing buildings and infrastructure, so they can be disassembled or demolished in a way that will maximise the value of the recovered materials; designing public spaces and precincts to allow for the separation of waste materials in a way that will maximise their value; designing to maximise the inclusion of recovered materials.</i></p> <p>The EPA also proposed the inclusion of the following key principles:</p> <ul style="list-style-type: none"> <li>- <i>Development is designed for effective waste and resource recovery by allowing for waste services to occur in a safe, seamless and timely manner: and</i></li> <li>- <i>Systems are designed to maximise waste separation and resource recovery and innovative and best practice waste management collection systems and technologies are supported where appropriate.</i></li> </ul>	
	<p>Suggests the need to ensure an appropriate assessment of contamination is undertaken, including preparation of a DCP for key sites such as the Auto Alley precinct before the site is occupied/used.</p>	<p>Contamination assessment by Council for the entire CBD included a review of zoning changes and identification of certain development types that could potentially have contamination issues. Based on this analysis, Auto Alley was identified as a potential issue and consequentially Council commissioned the 2016 Preliminary Site Investigation Study. This Study demonstrated it was appropriate to rezone these properties given the change in zoning to permit residential and more intensive employment uses. SEPP 55 Contaminated Land will still require the contamination issue to be considered before any development consent is granted.</p> <p>The recommendations of this study have been incorporated into the CBD PP framework and in essence it requires consideration of this</p>

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		<p>issue as part of the development application process for a site in Auto Alley. Further, Section 10.7(5) certificates issued by Council now contain a notation that describes both JBS&amp;Gs' reports (dated February 2016 and May 2019) as a relevant matter for relevant properties.</p> <p>Council's Development Control Plan and Contaminated Land Policy / Procedure establish the process for managing land contamination within the development assessment framework and it will apply to the entire area covered by the CBD PP not just Auto Alley. Strict adherence to the contaminated land policy and procedure is crucial during the assessment and approval of any development application within the study area to ensure land is suitable for the proposed use.</p> <p>The inclusion of DCP controls regarding a Site Audit for the Auto Alley Precinct will be investigated, and Council officers will notify the EPA when the draft DCP is on exhibition and invite their feedback at that time.</p>
<b>Endeavour Energy (Submission No. P-5)</b>	<p>States that Endeavour Energy urges applicants/customers to contact an electrical consultant prior to submitting DAs.</p> <p>Identifies sites owned by Endeavour Energy (7 Substations) and states that Endeavour Energy intends to ensure its network meets future challenges through integrating traditional network supply arrangements with distributed renewable generation and enabling the provision of energy storage capability to assure supply security.</p> <p>Recognises that Council's planning controls achieve a reduction in CBD peak electricity demand consistent with the strategy described in the point above.</p>	<p>All comments noted, no action required.</p>
<b>Sydney Water (Submission No. P-6)</b>	<p>Generally, supports Council's proposed measures for high performing buildings and dual piping for alternative water sources.</p> <p>Requests early and ongoing engagement with Council on precincts and sub-precincts for intensification of dwellings and jobs.</p>	<p>Noted.</p> <p>Supportive of ongoing engagement with Sydney Water to address appropriate mechanisms to support the increased population.</p>
<b>School Infrastructure NSW as part of the</b>	<p>Generally supportive of the overall direction and draft controls, including Clause 7.6G Arrangements for contributions to designated State public infrastructure.</p>	<p>Supporting comments are noted.</p> <p>Noted.</p>

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<b>Department of Education</b> <b>(Submission No. P-7)</b>	<p>Requests SINSW be consulted on future development to which Clause 7.6G of the draft CBD PP will apply.</p>	
	<p>Identifies that a combination of asset and non-assets improvements across multiple schools may be required to accommodate projected enrolment demand.</p>	<p>Improvements to schools to meet increased enrolment demand are noted, however, are outside of Council's authority or responsibility and certainly beyond the scope of the CBD PP.</p>
	<p>Requests DAs not be approved if they adversely overshadow government schools.</p> <p>Recommends compliance with sun access and overshadowing controls contained in the DoE School Site Selection and Development Guide and Educational Facilities Standards and Guidelines. This includes compliance with sun access and overshadowing controls contained to the School Guide and EFSG, which aim to ensure that:</p> <p>At least 70% of school spaces, including outdoor school play spaces, receive direct sunlight between 9am and 3pm in mid-winter; and</p> <p>Existing PV cells are protected; and</p> <p>Rooftop solar panels should not be overshadowed by surrounding development so they can successfully capture sufficient light to feasibly power the school.</p>	<p>Council officers sought clarification from SI regarding the solar access requirements, with a response provided on 9 December 2020 advising of the 2-hour metric to at least 70% of the school space for 2 hours or more between 9am and 3pm on 21 June.</p> <p>Overshadowing testing by Council officers indicates that:</p> <p>Parramatta High School and Bayanami Public School can achieve the Department's target of 70% sunlight access for at least 2 hours between 9am and 3pm on 21 June based on the controls proposed within the Parramatta CBD Planning Proposal.</p> <p>Arthur Phillip High School and Parramatta Public School cannot achieve this 2-hour target under existing controls in the current LEP (120m) or the new proposed controls up to 211m(RL) (or 243m(RL) including design excellence) located to the north, northeast and northwest of these schools. The increase in height and density proposed in the Draft CBD PP will not change the solar access outcomes for these schools given they would be overshadowed by buildings constructed under existing controls.</p> <p>To reduce the impact to the Arthur Philip and Parramatta Public schools, reductions in height controls of up to 60% of the exhibited heights will be necessary, which will result in a sizeable loss of employment-generating yield in the core of the Parramatta CBD. This, consequently, is inconsistent with the long-standing policy position of the Parramatta CBD Planning Proposal to facilitate employment-generating development and is not supported.</p> <p>Council officers will investigate this issue and notify the School Infrastructure NSW as part of the Department of Education when the draft DCP is on exhibition and invite their feedback at that time. Council officers believe this is an acceptable outcome given the dense urban environment and Central River City status of the Parramatta CBD.</p>



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		<p>Based on the above, the recommendations of the Agency as described below are not supported, and no changes to the Planning Proposal are required:</p> <ul style="list-style-type: none"> <li>- DAs not be approved if they adversely overshadow government schools</li> <li>- Compliance with sun access and overshadowing controls contained in the DoE School Site Selection and Development Guide and Educational Facilities Standards and Guidelines.</li> <li>- Rooftop solar panels not be overshadowed by surrounding development so they can successfully capture sufficient light to feasibly power the school.</li> </ul> <p><b>Note: DPIE may consider this issue to be an unresolved Public Authority objection requiring closer consideration once Council has forwarded the Plan to DPIE for finalisation.</b></p>
	<p>Generally supportive of Clause 7.6H on the basis that future developments that utilise incentivised controls, will not adversely overshadow government schools.</p> <p>To maximise the benefits of the Clause 7.6H, SINSW seeks to work with Council to utilise government schools for future community uses outside of school hours, subject to a Memorandum of Understanding between the parties.</p>	<p>As discussed above in the section relating to overshadowing, the proposed incentive controls cannot avoid overshadowing to Arthur Phillip and Parramatta Public schools without a significant loss to employment-generating capacity within the core of the Parramatta CBD arising from reductions of up to 60% from the Incentive HOB controls.</p> <p>The proposal to facilitate community use of government schools outside school hours is supported in principle as it provides an efficient use of existing resources to the community. This, in turn, will assist in provision of community infrastructure where the capability, design and capacity of the school facilities are compatible with the demands for providing local infrastructure.</p> <p>Based on the above and also the comments in the immediate row above, the recommendation of the Agency for developments to not adversely overshadow government schools is not supported and no changes to the Planning Proposal are required.</p> <p><b>Note: DPIE may consider this issue to be an unresolved Public Authority objection requiring closer consideration once Council has forwarded the Plan to DPIE for finalisation.</b></p>

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	Requests Council consider updating heritage listings and mapping to only reflect the elements of heritage significance, rather than the entire site.	<p>A consistent policy position of the CBD PP has been to not make changes to the heritage listing of items.</p> <p>Based on the above, the recommendation of the Agency for heritage listings be updated and mapping to only reflect the elements of heritage significance, rather than the entire site are not supported and no changes to the Planning Proposal are required.</p> <p><b>Note: DPIE may consider this issue to be an unresolved Public Authority objection requiring closer consideration once Council has forwarded the Plan to DPIE for finalisation.</b></p>
	<p>Infrastructure and initiatives within Parramatta CBD, to support the proposed growth that should be provided by Council includes the following:</p> <ul style="list-style-type: none"> <li>• Provide a permeable, walkable network with safe crossing points, sufficient footpath width and pedestrian signal phasing to meet travel demand. Pedestrian signal phasing should: be automatic for pedestrian signals surrounding schools in the 1 hour before AM and 1 hour after PM bell times; and not have double phasing for pedestrian signals during an operational day.</li> <li>• Provide an updated bus servicing strategy to service projected growth (particularly in relation to large high school catchments).</li> <li>• Provide new and upgraded widened footpaths and through-paths supported with lighting, way-finding and mature trees, particularly around schools.</li> <li>• Provide additional pram ramps, bus shelters, kerb outstands and refuges crossings, particularly around schools.</li> <li>• Provide new and upgraded Shared User Paths and scooter/bicycle parking, particularly around schools.</li> <li>• Provide separated cycleways for George Street and Macquarie Street.</li> <li>• Implement lower vehicle speeds around sensitive land-uses, including schools.</li> <li>• Implement local area traffic calming, particularly around schools.</li> </ul>	<p>Public spaces are the enduring structuring spaces of a city and Objective 3 of the proposed amendments to PLEP 2011 set out in the PP document (Part 1 – Objectives or Intended Outcomes) is: <i>To encourage a high quality and activated public domain with good solar access.</i></p> <p>To achieve this objective, the CBD PP proposes built form controls (height and FSR) to control the building envelope and also requires active street frontage and solar access provisions to be met in specific locations. The DCP amendments being prepared to support the CBD PP will include additional detail to support the LEP controls and will address the interaction of buildings and public spaces.</p> <p>Some of these initiatives identified by School Infrastructure NSW will be addressed in the proposed DCP amendments, with the others addressed in separate policies such as the Integrated Transport plan (ITP), Council's Public Domain Guidelines and Cycling Strategy; or will be implemented via separate processes such as a DA, VPA or local infrastructure projects. There are also many matters that are outside Council's capability to directly provide – e.g. bus servicing strategies – other than as an advocacy role to relevant State Government agencies.</p> <p>Notwithstanding this, the list of infrastructure and initiatives in the submission are beyond the scope of the CBD PP but can be dealt with by other design and public domain management processes. Council officers will provide SINSW's submission to other relevant sections of Council for their consideration and consultation directly with SINSW. A number of these matters will also be addressed in a new Development</p>

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	<ul style="list-style-type: none"> <li>• Improve pedestrian access to bus stops and provide higher bus priority on roads to decrease bus journey times. This includes for school buses.</li> <li>• Provide bus shelters for bus stops, including those adjacent to schools</li> <li>• To assist Council, SINSW can provide Council with depersonalised residential and enrolment boundary data.</li> <li>• SINSW can collaborate with Council to resolve travel demand through the pilot Parramatta Transport Walking Group.</li> </ul>	Contributions Plan for the CBD, which will be subject to a separate exhibition process.
	<p>Recommends that any future development contribution plan (under Section 7.11 or Section 7.12) considers the following:</p> <ul style="list-style-type: none"> <li>• An exemption for government schools. This request is sought on the basis DoE, in conjunction with SINSW, provides essential social infrastructure for the direct benefit of the local Parramatta CBD community.</li> <li>• Requirements for public domain, transport and other infrastructure works required to support government schools in Parramatta CBD.</li> <li>• The collection of specific contributions from new residential developments surrounding government schools and key residential sites in the Parramatta CBD. This could be used to support, amongst other things, the provision of new public services including social education programs around active transport within the Parramatta CBD.</li> </ul>	Noted. These matters will be considered in the forthcoming review of the Infrastructure Funding Framework for the Parramatta CBD, which includes a new development contributions plan to facilitate delivery of transformative infrastructure to support the growth within the Parramatta CBD.
<b>The Hills Shire Council (Submission No. P-8)</b>	Supports the objectives of the CBD PP and role of Parramatta as the focal points for jobs in the Central River City.	Supporting comments noted.
	<p>Concern raised about the reduced car parking rates and public transport options between the Hills and Parramatta.</p> <p>Invites Council to discuss the potential for corridor and station options for mass transit from Parramatta to Norwest.</p>	<p>This planning proposal replaces the majority of the existing car parking provision in clause 7.3 in the Parramatta LEP 2011 with a new car parking provision based on similar provisions in Sydney LEP 2012. This was based on sustainable transport policies to minimise car parking in the Parramatta CBD due to adverse transport impacts associated with increased development.</p> <p>Council officers believe the reduced car parking rates are an acceptable outcome given the urban environment and Central River City status of the Parramatta CBD, and agree that opportunities to</p>

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		<p>improve public transport capability and connect residents within 30 minutes to jobs, education etc is critical.</p> <p>Council officers worked with TfNSW and the RMS to deliver the Strategic Transport Study and this partnership continues through the delivery of the mesoscopic model and ITP, and is expected to be placed on public exhibition soon following endorsement by Council on 26 April 2021 for public exhibition.</p> <p>The Parramatta CBD Integrated Transport Plan is a strategic plan to address the transport challenges through the development of a clear framework for the future planning and development of the transport system to better connect Parramatta CBD as the metropolitan centre of the Central River City to all parts of Sydney including The Hills Shire.</p> <p>Council officers welcome the opportunity to discuss corridor and station options for mass transit from Parramatta to Norwest with The Hills Council and will invite The Hills Council to make comments on the ITP when it goes on public exhibition.</p>
<p><b>Environment, Energy and Science Group (State Government Agency)</b> <b>(Submission No. P-9)</b></p>	<p>The inclusion of the proposed Floodplain Risk Management Map for the CBD area is noted. This includes the new clause 7.6L – Floodplain risk management.</p> <p>EES considers the amendments and analyses in these reports are reasonable. However, EES highlights that all matters regarding flood evacuation, community education and awareness and sheltering in place are the primary responsibility of the NSW SES and its endorsement is considered essential.</p> <p>EES would welcome an invitation to any meeting between Council and SES.</p> <p>The Flood Planning Clause 6.3 in the PLEP is reasonable and consistent with the typical clause currently used by councils in NSW when no flood maps are included in the LEP. However, this clause may need revision following finalisation of the draft Flood Prone Land Package.</p> <p>EES recommends Council ensures its relevant Flood Studies and Floodplain Risk Management Studies and Plans incorporate the likely impact of climate change due to sea level rise and rainfall intensity.</p>	<p>The State Emergency Services (SES) have not made any formal submissions to date despite contact being made via the statutory requirements of the Gateway determination Conditions 2 and 4 to invite a submission.</p> <p>Should the SES provide a submission after the CBD PP is endorsed by Council, Council will rely on the DPIE to address any matters arising from a late submission.</p> <p>Council has provided to DPIE a copy of all submissions received from Public Authorities to the exhibition of the CBD PP and has specifically mentioned to DPIE the willingness of the EES to be part of any meeting between DPIE, SES and Council.</p> <p>Council officers note the comment in relation to the draft Flood Prone Land Package, and also the comments with regard to Council's Flood Studies and Floodplain Risk Management Studies and Plans. Council is currently undertaking additional flood modelling of Parramatta LGA including the Parramatta CBD that considers the likely impact of climate change due to sea level rises. The outcomes of this modelling will further refine development guidelines and Flood Planning.</p>

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	<p>EES recommends using the 0.5% and 0.2% AEP events as a proxy to the impacts due to increase in rainfall intensities. Future development should be designed to include any climate change increase. The 0.5m freeboard should not be eroded to account for climate change impacts.</p> <p>EES highlights that, if a change in roughness due to re-vegetation occurs the impacts on the flood behaviour should be considered.</p>	<p>In relation to the draft Flood Prone Land Package, this is an initiative of the State Government that was exhibited in June 2020. This policy is currently under consideration by DPIE. Council awaits any advice from the Department about this issue in relation to the CBD PP. The CBD PP does not amend Clause 6.3 but includes the additional Clause 7.6L to address the intrinsic characteristics of flash flooding in the Parramatta CBD.</p> <p>The recommendation of the Agency that the SES endorse the proposed flood provisions in the CBD has not happened because a submission to Council from the SES has not been received and therefore Council will rely on the DPIE to address any matters arising from a late submission.</p> <p><b>Note: DPIE may consider this issue to be an unresolved Public Authority objection requiring closer consideration once Council has forwarded the Plan to DPIE for finalisation.</b></p>
	<p>EES notes that a nationally important Grey-headed Flying-fox camp occurs along the Parramatta River over several tenures, part of which occurs in the area affected by the proposed amendments. Any proposed amendments should not allow an intensification of use in the vicinity of the flying-fox camp or lead to either direct or indirect impacts on flying-fox habitat.</p>	<p>The Grey Headed Fox camp identified by EES is concentrated in 'Area A' on the Special Provisions Map.</p> <p>As the CBD PP notes, consistent with the Implementation Plan in the Parramatta CBD Planning Strategy 2015, the CBD PP does not propose changes to the planning controls applying to the area known as the 'Park Edge (Highly Sensitive)' area, identified as Area A on the Special Provisions Area Map - and supported by Clause 7.6M 'Parramatta Park and Park Edge Highly Sensitive Area and other fringe areas' because of an existing Conservation Agreement with the Commonwealth and State Governments regarding development in this area.</p> <p>As no intensification of the planning controls above that already permitted in PLEP 2011 is permitted via the CBD PP, further review of the controls is not warranted in relation to direct or indirect impacts on the flying-fox habitat.</p>
	<p>Any revitalisation of the Parramatta River foreshore should ensure the river and its riparian corridor are protected and enhanced for its biodiversity value.</p> <p>While the Parramatta River foreshore is currently largely devoid of vegetation, the foreshore area should be protected from</p>	<p>The entire southern bank of the Parramatta River extending from Marsden Street to the west and Harris Street (Gasworks Bridge) to the east is identified as a Protected Area with respect to solar access. This will limit building heights from development north of the river to prevent overshadowing of the southern bank.</p>

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	<p>additional overshadowing to mitigate impacts on the riparian corridor and future revegetation of it.</p>	<p>The recommendation of the Agency that the entire foreshore area should be protected from additional overshadowing to mitigate impacts on the riparian corridor and future revegetation of it beyond that already protected in the CBD PP is not supported and no changes to the Planning Proposal are required.</p> <p><b>Note: DPIE may consider this issue to be an unresolved Public Authority objection requiring closer consideration once Council has forwarded the Plan to DPIE for finalisation.</b></p>
	<p>EES does not consider hard pavement surfaces in the future to be an appropriate treatment of the riparian corridor as it does not provide for a cool green area to mitigate the urban heat island effect. Such an approach would be inconsistent with the Actions of the District Plan and the Environmental Sustainability Strategy 2017.</p> <p>The Planning Proposal should be amended to also provide opportunities described in the Central City District Plan including; opportunities to improve the necessary health and quality of the District's waterways; conserving cultural heritage; protecting and enhancing flora, fauna and urban bushland; promoting pervious surfaces and recovering and reinstating more natural conditions in highly modified waterways.</p>	<p>This is outside the scope of the CBD PP as foreshore upgrade works are guided by the River City Strategy and are permitted without consent under the Infrastructure SEPP.</p> <p>With regard to opportunities to improve the necessary health and quality of the District's waterways etc, these can be considered as part of the environmental and sustainability controls in the DCP e.g. Protection of Waterways.</p>
	<p>EES in its recent submission of 20 October 2020 on the new Local Environmental Plan for the City of Parramatta Local Government Area (ie the Harmonisation Planning Proposal) advised its preference is for riparian land in the Parramatta LGA to be zoned E2. The E2 zoning should also apply to the section of riparian corridor along the river within the CBD area.</p>	<p>See comment below.</p>
	<p>EES highlight that the Planning Proposal provides a great opportunity to include environmental protection measures for the Parramatta River and riparian corridor, including:</p> <ul style="list-style-type: none"> <li>• rezone the riparian corridor along the Parramatta River from RE1 (Public Recreation) zone to E2 (Environmental Conservation) zone</li> <li>• increase the width of the riparian corridor along the river as the proposed higher density development along the river will significantly increase the usage of the corridor and place additional pressure on it in the CBD area</li> </ul>	<p>Council acknowledges the environmental intentions of the EES for the Parramatta River. That said, the current CBD riparian corridor is devoid of native vegetation or other significant habitat and the predominant function is for recreation and events consistent with the current RE1 zoning. The concrete channel currently has minimal ecological value and its predominant function is for recreation and events consistent with the current W2 (Recreational Waterways) zoning.</p>



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	<ul style="list-style-type: none"> <li>amend the Natural Resources Biodiversity map in Parramatta LEP 2011 to map riparian land as 'Biodiversity' and/or amend the Natural Resources Riparian Land and Waterways map to include riparian land in the CBD area.</li> </ul> <p>EES recommends the planning proposal includes environmental protection measures to protect and enhance the river and riparian corridor as:</p> <ul style="list-style-type: none"> <li>the Parramatta River is identified as having biodiversity values and this includes within the CBD area</li> <li>the upper Parramatta River including within the CBD area is assigned the ranking of 'High' fauna value in the study Rapid Fauna Habitat Assessment of the Sydney Metropolitan Catchment Management Authority Area (DECC 2008) and there is significant scope to improve the habitat state and connectivity of this area.</li> <li>a nationally important Grey-headed Flying-fox camp occurs along the Parramatta River at Parramatta.</li> </ul>	<p>Council considers that the E2 (Environmental Conservation) zone is inappropriate for a high use public open space devoid of native vegetation as it is highly restrictive and prohibits development other than for environmental or flood mitigation purposes. Therefore, the request to rezone the riparian corridor along Parramatta River to E2 is not supported.</p> <p>Natural Resources Biodiversity &amp;/or Riparian Land and Waterways Mapping only applies to privately owned land as higher protection already provided under RE1 / W2 zoning applied to CBD river foreshore corridor.</p> <p>Infrastructure SEPP overrides the LEP and permits Council as a public authority to undertake development for various recreational purposes, e.g. playgrounds and amenities, without consent regardless of the zoning or Natural Resources mapping.</p> <p>To address the issue raised by the EEC with respect to objectives, Council officers suggest that additional RE1 zone objectives related to protection and enhancement of ecological values e.g. To preserve and enhance tree canopy, wildlife corridors and natural habitat, including waterways and riparian vegetation, and facilitate public enjoyment of these areas be investigated as part of a future further planning Proposal.</p> <p>The recommendations of the Agency as described below are not supported and no changes to the Planning Proposal are required:</p> <ul style="list-style-type: none"> <li>rezone the riparian corridor along the Parramatta River from RE1 (Public Recreation) zone to E2 (Environmental Conservation) zone</li> <li>increase the width of the riparian corridor along the river</li> <li>amend the Natural Resources Biodiversity map in Parramatta LEP 2011 to map riparian land as 'Biodiversity' and/or amend the Natural Resources Riparian Land and Waterways map to include riparian land in the CBD area.</li> </ul> <p><b>Note: DPIE may consider this issue to be an unresolved Public Authority objection requiring closer consideration once Council has forwarded the Plan to DPIE for finalisation.</b></p>

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	EES supports the proposed increase in greenery in the CBD to improve local biodiversity and mitigate the urban heat island effect but recommends the plant species used consist of a mix of local native provenance trees, shrubs and groundcover species from the relevant native vegetation community or communities that occurred in this area.	This issue is beyond the scope of the CBD PP. Council officers will forward the EES's comment to the relevant areas of Council that deal with plant selection.
	EES recommends specific amendments shown in italics to clause 7.6J Opportunity Sites part (8)(c)(xv) as follows,  “(xv) the excellence and integration of landscape design. <i>All landscaping shall use a diversity of local native provenance species from the vegetation community that once occurred in the locality of the site</i> ”.	This detail in relation to landscaping requirements would be best dealt with as part of the preparation of a Draft CBD DCP.
<b>Transport for NSW (Submission No. P-10)</b>	Acknowledges the importance of the CBD PP including the Integrated Transport Plan (ITP); and supports the amendments to the planning controls including incentivised commercial FSR, and the transport related objectives and intended outcomes.	Noted.
	Identifies that there are number of critical items to resolve prior to finalisation of the Planning Proposal, specifically the ITP and the Special Infrastructure Contribution (SIC).	Noted. See comments below.
	Acknowledges the ITP is an integral component of the CBD PP and requires that it is completed to the satisfaction of TfNSW prior to the finalisation of the CBD PP. Modifications to the transport system necessary to deliver the vision outlined in the Planning Proposal area must be agreed with TfNSW.	Council will continue to work with TfNSW to ensure the post-exhibition version of the ITP is signed-off by TfNSW to progress the finalisation of the CBD PP. This is consistent with the Gateway Determination.
	In relation to the SIC, states the Greater Sydney Region Plan (GSRP, 2018) identifies that a SIC is required to deliver supporting regional transport infrastructure; and Council should not finalise the CBD PP until such time that a SIC applies to the rezoning area.  In the absence of a SIC, TfNSW is concerned that satisfactory arrangements would require contributions be made on a case-by-case basis as subsequent Development Applications are assessed. In practice, this results in transport impacts of development being considered in isolation without consideration	The SIC is a State Government matter. As required by the Gateway Determination this planning proposal includes a new clause which requires satisfactory arrangements to be made for the provision of 'designated State public infrastructure' before the development of land for residential or commercial purposes.  Council awaits further advice from the State Government about the SIC.  <b>Note:</b> DPIE may consider this issue to be an unresolved Public Authority objection requiring closer consideration once Council has forwarded the Plan to DPIE for finalisation.

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	<p>of the cumulative impacts of all growth potential across the Parramatta CBD.</p> <p>Prefers consideration of a holistic contributions framework across the Parramatta CBD, to equitably distribute development contributions.</p>	
	<p>States that TfNSW is not in a position to comment on the proposed road widenings identified on the Land Reservation Acquisition Map and encourages Council to work with them on future amendments to the Parramatta DCP 2011.</p>	<p>Council notes that any additional analysis that may be required by TfNSW will not be completed prior to finalisation of the Planning Proposal. In the absence of the additional studies being finalised, Council will continue to liaise with TfNSW to ensure there are no delays with the finalisation of the PP.</p> <p>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).</p> <p>Any Reservations required to support future transport aspirations that have not already been identified should follow a separate planning process.</p> <p>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.</p> <p>Note: In response to a submission from Mirvac, owners of 75 George Street and on account of further negotiations with the owner and TfNSW since the lodgement of their submission, the LRA Map has been amended to reflect an agreed footpath width on the eastern side of this property. This is detailed in Appendix D to the Community Engagement Report as well as in Table 3a in Appendix 4 to the CBD PP.</p>
	<p>Notes support for the proposed new maximum parking rates within Clause 7.3 (5) of the CBD PP and recognises that the ITP will help to refine these parking rates in the post exhibition phase.</p>	<p>Noted. Aside from the investigation of potential 'Category B' car parking rates to allow more on-site car parking at the northern and southern edges of the CBD, no further investigations are planned. Potential Category B car parking rates will be further evaluated as part of a secondary alternative planning proposal process. Consequently, there are no changes to the Planning Proposal at this time in relation to this recommendation.</p>
	<p>Requests the following amendments to the CBD PP car parking rates which they consider will have environmental and place making benefits:</p>	<p>The CBD PP will be supported by new DCP controls and new parking rates for coach, freight and servicing will be considered in the drafting</p>

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	<ul style="list-style-type: none"> <li>○ a requirement for the inclusion of passenger pick up and set down areas onsite, including "minimum" parking rates for coaches and point to point transport vehicles for hotels, serviced apartment and community facilities and similar types of development; and</li> <li>○ inclusion of "minimum" parking rates for off street loading and servicing.</li> </ul>	<p>of the CBD DCP. TfNSW will also be invited to provide feedback on the new DCP controls when they are on public exhibition.</p>
	<p>Recommends proposed vehicle access points be located away the Parramatta Light Rail track, such as on a side street, rear street/lane or shared basement arrangement. Where there is no alternative recommends Council adopt minimal car parking rates (lower than the proposed "maximum" parking rates) and further incentives to ensure the safety and reliability of the Parramatta Light Rail operations is not compromised through vehicles crossing the tracks.</p>	<p>The location of vehicle access points for developments adjacent to the light rail route is a matter for consideration at the DA stage.</p>
	<p>Raises no objections to the proposed height and floor space ratios outlined in the CBD PP and identifies TfNSW owned assets in and around the Parramatta Railway Station.</p> <p>Supports the controls proposed for the Parramatta Station Precinct within the CBD PP, including the rezoning of Site A (located on vacant land between Argyle and Fitzwilliam Streets) to B3 Commercial Core, as it will allow for the economic and orderly development of an underutilised site in a highly accessible location within the Parramatta commercial core.</p> <p>In relation to Sites B and C being land between the Parramatta Railway Station and Station Street and the rail corridor (including Parramatta Station Precinct more broadly), TfNSW will be seeking to engage with Council about the future of these sites to explore how they can better contribute to Council's vision for the CBD whilst continuing to provide important transport services functions.</p>	<p>Noted. Council awaits further advice from TfNSW about Sites B and C and notes that any amendments will not be part of the CBD PP, rather a separate process.</p>
	<p>Supports the objective of the Active Street Frontages clause to attract pedestrian traffic; however, notes that consideration of the Australian Standards for bus interchange areas is required. This includes the bus bay requirements for Smith Street between George Street and Macquarie Street (on both the western and eastern sides), and requests that CBD PP incorporate a 3.5 metre bus bay and minimum 6-metre wide footpath to achieve the</p>	<p>The objective of Clause 7.6F Active Frontages is to promote 'uses' within buildings that attract pedestrian traffic along certain frontages in B3 and B4 zones such as retail and business premises. The clause does not relate to the footpath width, including near bus interchanges and bus stop.</p>

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	<p>relevant bus stop standards for both customers and buses as well as allow sufficient footpath width for pedestrians to pass the bus stop.</p>	<p>The request for bus bay and specific footpath widths in the CBD for Smith Street between George Street and Macquarie Street is unrelated to the Active Frontages Clause and a separate matter. Amendments to the footpath widths are considered at the DA stage when a site redevelops and considers any road reservations identified on the Land Reservation Acquisitions map or are negotiated with the applicant.</p> <p>The TfNSW requested reservation on the eastern side of Smith Street between Marsden Street and George Street is greater than what was exhibited with the Planning Proposal. Therefore, it is recommended that TfNSW conduct a separate process to identify an LRA in this location.</p> <p>Council is part of the discussions between TfNSW and the landowners of the sites on Smith Street between George Street and Macquarie Street in relation to TfNSW preference for space a bus bay.</p> <p>As noted above, Note: In response to a submission from the owners of 75 George Street and on account of further negotiations with the owner and TfNSW, the LRA Map will be amended to reflect an agreed footpath width on the eastern side of this property. This is detailed in Appendix D to the Community Engagement Report as well as in Table 3a in Appendix 4 to the CBD PP.</p>
	<p>Identifies future bus infrastructure is required along key strategic bus routes, including indented bus bays, when adjacent to bus lanes; and advises TfNSW will work with Council to identify bus bay infrastructure needs on a case-by-case basis; however, the CBD PP should also include provisions that would enable a vision for the Smith Street bus interchange as a place of high quality passenger facilities.</p>	<p>The identified bus infrastructure requirements are noted, and Council welcomes the opportunity to collaborate with TfNSW in relation this issue.</p> <p>Council understand TfNSW are currently preparing a study into bus infrastructure requirements for Smith Street and that any amendments to the planning controls as a result this work will be the subject of a separate planning process, and not part of the CBD PP.</p>
	<p>Suggests that the relevant LEP or DCP include design provisions for Macquarie Lane to enable a footpath width of at least four metres to accommodate the expected large volumes of pedestrians entering and exiting the Sydney Metro Precinct using this connection.</p>	<p>Council notes that the footpath requirements for Macquarie Lane are being considered in the Civic Link Block 2 study currently underway and is a matter considered appropriate for a DCP. Council officers will notify TfNSW when the draft DCP is on exhibition and invite their feedback at that time.</p>
	<p>Supports in principle the proposed allowable FSR and Building Height on sites located in close proximity to the Sydney Trains rail corridor, Parramatta Railway Station, and Harris Park Railway Station. TFNSW recommends that future potential applicants and</p>	<p>Noted. Matters raised are relevant at the DA stage and no changes are required to the Planning Proposal.</p>

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	<p>developers approach Sydney Trains early in the design process (as part of pre-DA discussion) to ensure that all relevant Sydney Trains matters of consideration are taken into account and are incorporated in the future design of the development.</p> <p>Notes that TAHE (Transport Asset Holding Entity) of NSW is a State owned Corporation and major landowner within Parramatta CBD, and requests where relevant, Council and developers liaise early with Sydney Trains, and throughout each stage of any development proposal adjacent to the rail corridor.</p>	
	<p>Identifies that O'Connell Street is mapped and zoned as SP2 – 'Classified Road' on the 'Proposed Land Zone Map and requests this is amended to reflect that O'Connell Street is a 'Classified Regional Road'. Similarly, identifies Parkes Street as a Classified Regional Road, however, notes this is not zoned or mapped SP2 – Classified Road.</p> <p>Advises Council that in accordance with Clause 10 of the Environmental Planning and Assessment Regulation 2000, the indicated SP2 – Classified Road zone along O'Connell Street requires TfNSW concurrence for the reservation of the land within an LEP. Further, advises that TfNSW has no records of providing concurrence to the indicated SP2 – Classified Road reservation along O'Connell Street and believe that the Land Zoning Map image is in error and needs to be corrected.</p> <p>Requests that the Authority of the State needs to be changed from "Roads and Maritime Services" to "Transport for NSW", and amendments will be required to Section 5.1 – Relevant Acquisition Authority within Parramatta LEP 2011.</p>	<p>Respectfully, Council officers believe that TfNSW is confusing the 'legal classification' and 'administrative classification' of roads. A 'Regional Road' is a type of 'Administrative Class'.</p> <p>Further information on this can be found by following the link below.  <a href="https://www.rms.nsw.gov.au/business-industry/partners-suppliers/lgr/arrangements-councils/road-classification.html">https://www.rms.nsw.gov.au/business-industry/partners-suppliers/lgr/arrangements-councils/road-classification.html</a></p> <p>O'Connell Street is currently zoned 'SP2 Classified Road' and there is no proposal to change that zoning in the CBD PP and therefore a review of the zoning is not warranted.</p> <p>In relation to the requested amendments to Section 5.1 Relevant Acquisition Authority within Parramatta LEP 2011, Council officers note that these changes have already been made to Clause 5.1 of PLEP 2011. Therefore, no further changes are required to the PP documentation to address the request by TfNSW.</p>
	<p>Recommends an additional provision be included in the CBD PP instrument to require provision of a Travel Plan to further encourage mode shift away from private car usage and facilitate sustainable travel to commercial premises. Suggests that the new clause apply to:</p> <ul style="list-style-type: none"> <li>- the Parramatta City Centre area, but not including "Area A" on the Special Provisions Area Map,</li> </ul>	<p>It is recommended the requirement for a travel plan be further evaluated as part of a DCP control.</p>



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	commercial premises, and mixed-use development but only where more than 600sqm of commercial premises is provided.	
	Considers that the land identified as Area A within Clause 7.6M that is not "parkland", is synonymous with the characteristics of the Parramatta CBD, and therefore requests that any new development on this land should have the same "maximum" parking rates as those identified in Clause 7.3 (5) and not those identified in Clause 7.6M (7).	Consistent with the Implementation Plan in the Parramatta CBD Planning Strategy 2015, this Planning Proposal does not make any changes to the planning controls that apply to the 'Park Edge (Highly Sensitive)' area on the western edge of the CBD adjacent to the World Heritage listed Old Government House and Domain. Council has an existing Conservation Agreement with the Commonwealth and State Governments regarding development in this area which includes both the 'parkland' and 'built' areas and for this reason, further review of the planning controls for this precinct is not warranted.

Table 2 – Condition 4 Organisations

Respondent & Submission No.	Summary of submission	Council Officers' response
<b>National Trust of Australia (Parramatta Branch) (Submission No. O-1)</b>	<p>Supportive of the approach to the Roxy Theatre that requires a maximum height of 18m.</p> <p>It is the understanding of the Parramatta Branch that the site has limited development potential due to heritage listings, recent decision of the Land and Environment Court and the theatre occupying the whole site. Based on this, the Parramatta Branch are seeking support from Council to rezone the site to SP1 Community Facility.</p> <p>The Parramatta Branch understand that rezoning the site to SP1 will place an obligation on the Council or State to 'ultimately purchase' the site. This will also place an obligation on the owner to negotiate within the framework of the Land Acquisition (Just Terms Compensation) Act 1991 rather than negotiate in a way that does not reflect the proper value.</p>	<p>The exhibited planning controls for the Roxy Theatre (69 George Street) were B3 Commercial Core zone, Base building height of 18 metres with no incentive building height (because of B3 zone), Base FSR of 10:1 with no Incentive FSR, Heritage notation reflecting the Roxy Theatre State Heritage Item No.I00711.</p> <p>The proposed base building height control of 18 metres with no incentive height was developed on the premise of ensuring the retention of the building's form and fabric and that any redevelopment would not compromise the heritage setting of the item. It was determined by relying on the site line in the OEH's Officer's report from the Land Environment Court (LEC) judgement (NSWLEC 1292). In particular, where the site line intersects with the bottom of the tower parapet on the front façade which equates to the pitch of the roof over the main building/auditorium.</p> <p>Notwithstanding this, Council Officers are of the view that the proposed changes (as exhibited) will not be progressed for the purposes of finalising the CBD PP. Instead, the existing PLEP 2011 height control will be applied in the planning proposal to be recommended for finalisation. Council Officers reiterate that this is not to be interpreted as a signal that a proposal with a tower form which would require part demotion of the theatre building is an acceptable proposal. Rather, this</p>

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		<p>is a temporary arrangement because of the review being undertaken by way of the Civic Link DCP work and also master planning for the block being undertaken by Sydney Metro for the new metro station in this block.</p> <p>Stage 2 of Council's Civic Link Precinct controls are progressing. Block 2 City Stage Smart Hub which is bounded by Smith, Church, Macquarie and George Streets comprises the Roxy Theatre site and is inclusive of the adjoining sites to the east at 71, 73 and 75 George Street. This block includes areas for social and creative gathering places to support cultural events and attractors in adjacent buildings. A future amendment to these controls is anticipated in late 2021 will provide detailed controls for this block and will address the public domain immediately adjoining the west and south of the site.</p> <p>The matter of the LEP building height control being deferred, will be applied to the site until the Civic Link DCP work and Sydney Metro master planning process has been resolved. To that end, the existing PLEP 2011 building height control, which relies on the SAP, will apply. It is the intention of Council Officers to return a building height consistent with the LEC judgment and therefore, Council Officers recommend amending the CBD PP documentation as follows:</p> <ul style="list-style-type: none"> <li>- Draft planning proposal - Amend the PP explaining the reasons for the deferral but noting that this does not mean that Council supports a tower element over the site which is contrary to the LEC ruling.</li> <li>- Draft LEP Maps - Replace the 18-metre height notation with the existing PLEP 2011 SAP notation on the HOB Map.</li> </ul> <p>In relation to the rezoning of the site to SP1, acquisition of the site by Council has not been considered previously. The rezoning requested by the submitter would place a significant financial impost on Council and the community to acquire the site arising from the application of the SP1 zone and consequential reservation of the land on the Land Reservation Acquisition Map pursuant to Sections 3.14(1)(c) and 3.15 of the Act.</p> <p>Any proposal to acquire the site would require separate Resolution of the Council and comprehensive due diligence consideration (including financial analysis) before progressing. Such a change is considered</p>

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		<p>substantial and this type of request is beyond the scope of the CBD Planning Proposal.</p> <p>Based on the above, the recommendations of the Agency to retain an 18m maximum height limit and rezone the site to SP1 are not supported at this time and no changes to the Planning Proposal are required.</p> <p><b>Explanatory Note</b>  As a result of the Council Resolution on 15 June 2021, the Council response to the feedback on the Roxy Theatre pertaining to the building height has been amended to reflect the Council Resolution. In doing so, Council officers have reinstated the exhibited 18 metre building height control for the Roxy Theatre site (69 George Street) for the purposes of the PP being sent to DPIE for finalisation. The consequential amendments affect the Height of Buildings Map as well as the Planning Proposal including Appendices 2B (Revised Mapping) and 4 (which describes the changes to the planning proposal documentation); specifically, the Roxy Theatre site line item has been removed from Table 3a.  Council Officers will undertake further investigations at a later stage that will confirm an appropriate building height for the site. Further investigations include <i>heritage investigations, to determine if this height could potentially be increased to respond to strategic planning work for Civic Link and Sydney Metro, and also to allow possible transition of the building to a larger, modern theatre venue.</i></p>
	<p>Concerned about the proposed planning controls and extension of the CBD along Church Street, North Parramatta from Parramatta River to Pennant Hills Road, particularly the impact on existing heritage items and HCAs.</p> <p>Oppose the extension of the CBD and "incentive maximum building heights" along Church Street, North Parramatta from the Parramatta River to Pennant Hills Road.</p>	<p>While it is acknowledged that the planning controls have changed to allow greater density under the CBD PP, the land north of Parramatta River either side of Church Street up to Pennant Hills Road has been part of the 'Parramatta City Centre' at least since Parramatta LEP 2007 came into force.</p> <p>The exhibited planning controls generally reflect the recommendations from the HAA Heritage Study of Interface Areas study commissioned in 2017. The proposed density in this area will also support the Government's investment in light rail, which is currently under construction.</p>

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		Based on the above, the recommendation of the National Trust to exclude incentive height and FSR controls for along Church Street north of the River is not supported and no changes to the Planning Proposal are required.
	Concerns raised about the absence of a detailed DCP that corresponds with CBD PP and includes controls to protect the visual presence, curtilage and setting of heritage items and HCAs.	Noted. The significance of a corresponding DCP with the proposed LEP is not being understated by the CBD PP process. Council is currently working on the draft CBD DCP to ensure that the DCP is exhibited prior to the finalisation of the CBD PP. This will include detailed heritage considerations to guide future development.
	<p>Concerned about mapping heritage items on a separate map, and that height and FSR maps do not distinguish between heritage items and other properties. The Parramatta Branch are of the view that this suggests sites containing heritage items may achieve the height and FSR set out in these maps.</p> <p>Based on the above concern, the Parramatta Branch recommends clear development requirements be prepared for heritage items and nearby properties that adjoin heritage items or conservation areas.</p>	<p>All LEP maps are prepared in accordance with the Standard Technical Requirement for Spatial Datasets and Maps published by the Department of Planning, Industry and Environment. Inclusion of Heritage Items on the Height of Buildings or Floor Space Ratio Maps is inconsistent with these requirements. The only method available to distinguish sites of heritage significance is to deliberately reduce the height and floor space ratio controls, thereby constraining such sites and reducing the capability of those sites to realise future development potential by, for example, amalgamation with adjoining sites and transfer of yield while conserving or preserving the heritage item in situ. The contextual appreciation of heritage within the CBD is already addressed through the proposed Clause 7.6K.</p> <p>Council is currently preparing supporting DCP amendments that will include heritage controls and outline development requirements for heritage items and nearby properties that adjoin heritage items or conservation areas.</p>
	The Parramatta Branch question the expected urban form, given the 'conflicting' height and FSR that result from base to incentive controls and are unclear about the application of the height standards and the difference between the base and incentive controls.	<p>Council acknowledges that base and incentive height and FSR planning controls are a relatively new concept; however, are being applied to the Parramatta CBD via the CBD PP to support delivery of community infrastructure.</p> <p>Land zoned B4 Mixed Use and identified on the 'Incentive FSR Map' have a second FSR (known as the 'Incentive FSR'). Land zoned B3 Commercial Core and sites that have been the subject of a gazetted site-specific planning proposal and made a VPA contribution (in the case of residential development) will have one FSR as identified on the 'Floor Space Ratio Map'. The base and incentive height is applied in the same way.</p>

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		<p>The changing demographic profile and significant anticipated growth in jobs and dwellings will place further demands on Council to provide new or augmented existing infrastructure. To encourage the provision of community infrastructure, this planning proposal allows for increased heights and FSRs for certain sites where development addresses key community infrastructure principles in accordance with the updated clause 7.6H. Sites that do not want to take-up the mapped increase in height or FSR on the incentive maps, and rather develop in accordance with the mapped base FSR or height do not have to address these key community infrastructure principles.</p>
	<p>The Parramatta Branch do not accept the ad-hoc approach to approvals across the CBD and argue that applications should be rejected until the endorsement of the Planning Proposal.</p> <p>Despite maximum building heights, Heritage areas have been comprised, overshadowed and heritage listed buildings have been targeted for demolition.</p> <p>Resolutions that enable demolition of heritage items to "delist" an item is short-sighted and demeans the process that led to the listing.</p> <p>The Parramatta Branch identify that 6 SSPP ("spot rezoning" DAs) endorsed by Council in the past 12 months are inconsistent with the CBD PP. The SSPP include 470 Church Street, St Johns Cathedral, 8-14 Great Western Highway, 2 O'Connell Street, 33-43 Marion Street and 189 Macquarie Street.</p>	<p>Division 3.4 of the Environmental Planning and Assessment Act 1979 facilitates a process for planning controls to be amended through a site-specific planning proposal process, including by landowners or a third party on behalf of a landowner. Council officers acknowledge the concerns raised by the Branch; however, it is important to highlight that site-specific planning proposals, while assessed against the broader strategic framework for an area, are subject to a separate process outside of the CBD Planning Proposal process.</p> <p>The CBD PP does not propose any changes to the listing of heritage items, and DA processes that allow approval to be sought to demolish a heritage item are imbedded in the planning system, and are beyond the scope of the CBD PP.</p> <p>The status of the planning proposal's in question are described below and their consistency with the FSR and Height of Building (HOB) controls in CBD PP also noted:</p> <ul style="list-style-type: none"> <li>- 470 Church Street – Mapped FSR and HOB controls notified on 19 Feb 2021 (PLEP Amendment 47) are consistent with the exhibited CBD PP.</li> <li>- 189 Macquarie Street - Mapped FSR and HOB notified on 4 Sept 2020 (PLEP 2011 Amendment 51) are consistent with the exhibited CBD PP.</li> <li>- 33-43 Marion Street – Mapped FSR and HOB notified on 26 Feb 2021 (PLEP 2011 Amendment 57) are consistent with the CBD PP. Note: Delisting of 37 Marion Street from Heritage schedule as part of the SSPP was not consistent with the exhibited CBD PP.</li> </ul>

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		<ul style="list-style-type: none"> <li>- 2 O'Connell Street (aka 5 Aird Street) – Mapped FSR and HOB controls notified on 1 April 2021 (PLEP Amendment 54) are consistent with the exhibited CBD PP.</li> <li>- 8-14 Great Western Highway – Draft FSR and HOB controls endorsed for public exhibition on 7 December 2020 are consistent with the exhibited CBD PP.</li> <li>- St Johns Cathedral site – Draft FSR and HOB controls endorsed in the DPIE's Gateway Determination issued on 8 September 2020 are generally not consistent with the exhibited CBD PP. The SSPP seeks to change the underlying zoning of this site which will reduce the amount of SP1 Special Activities zoned land and replace with a B3 Commercial Core zoning for the part of the site that doesn't contain the cathedral building.</li> </ul> <p>With the exception of the SSPP for the St Johns Cathedral site, the other SSPPs identified by the Trust in their submission are consistent with the exhibited FSR and HOB controls in the CBD PP.</p>
<b>National Trust of Australia (NSW Branch)</b> <b>(Submission No. O-2)</b>	<p>The NSW Branch of the National Trust recognise that the CBD PP will deliver more jobs and dwellings than required by the LSPS. The Branch notes that this is accounted for as the LSPS targets are a 20-year vision of the Greater Sydney Commission, and the PP is Council's own 40-year vision.</p>	<p>The estimated jobs and dwellings anticipated to be delivered by the CBD Planning Proposal are derived from estimated floor space yields based on the planning controls within the planning proposal boundary after taking into account constraints and recent development.</p> <p>When assuming take-up rates of approximately 25,000sqm of commercial floor space (equating to the commercial building at 60 Station St) and 30,000sqm (or approximately 300 dwellings) per year, the additional capacity from the controls in the CBD Planning Proposal yields approximately 40 years of theoretical supply.</p> <p>Importantly, the CBD Planning Proposal predates the requirement to prepare the LSPS, therefore the estimated yields for a 20-year period from the CBD Planning Proposal informed the numbers in the LSPS for Parramatta CBD.</p>
	<p>Raises concern about the conservation of places across the CBD and recommends amendments to the Planning Proposal to better protect heritage items/areas. These areas are: Parramatta River, Church Street, Prince Alfred Square, Roxy Theatre, Centenary Square and Experiment Farm.</p>	<p>The intent of the new heritage clause (Clause 7.6K) is to manage heritage impacts and positively address heritage matters. The CBD PP will be supported by new DCP controls and Council officers will notify the National Trust when the draft DCP is on exhibition and invite their feedback at that time.</p>



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	<p>In relation to Parramatta River, it is considered that the heights of buildings and their setbacks adjacent the river need to acknowledge the cultural significance of this landscape and respect the historic landscape. The NSW Branch also recommends the removal of 68-96 Phillip Street as an Opportunity Site be reinstated.</p>	<p>The need for further urban design analysis for the land parcels on the northern side of Phillip Street fronting the River between Smith Street and the Charles Street Ferry is supported and recommended to be considered as part of the 'Phillip Street Block Study'. This will include the site at 68-96 Phillip Street. Any recommended amendments to the planning controls as a result of further analysis would be part of an alternative planning proposal pathway to the CBD PP in 2021/2022.</p> <p>This further analysis will also consider the appropriateness of identifying sites within the area as Opportunity Sites as well as whether a Minimal Commercial Provision notation so these notations will be removed in the meantime. Until the further analysis is completed the existing planning controls under PLEP 2011 would continue to apply to the land within the Phillip Street Block.</p> <p><b>Explanatory Note</b></p> <p>As a result of the Council Resolution on 15 June 2021, the Council response to feedback on the Phillip Street Block (including 60 Phillip Street) has been amended to reflect the Council Resolution. The consequential amendments affect the Incentive HOB Map, the Incentive FSR Map, the Additional Local Provisions Map and the Opportunity Sites Map for the Phillip Street block, inclusive of the site at 60 Phillip Street returning the controls as exhibited. The consequential amendments also affect the Planning Proposal including Appendices 2B (Revised Mapping) and 4 (which describes the changes to the planning proposal documentation); specifically, the 60 Phillip Street and Phillip Street block line items have been removed from Table 3a.</p> <p>Consistent with the Resolution, Council Officers will <i>Not progress with the proposed "Phillip Street Block Street Study" and instead reinstate the draft controls for this block as per the exhibition version of the CBD PP</i>. Council officers will undertake further investigations at a later stage for 60 Phillip Street. The urban design investigations will <i>determine if additional bonus FSR (under the high performing buildings, unlimited commercial floor space and Opportunity Sites clauses) can potentially be achieved within the height established under the exhibition version of the CBD PP, despite its size of approximately 1,580sqm (i.e. less than the 1,800sqm normally required to meet these FSR bonuses), given this site's unique circumstances as an isolated site bound by three public roads and the river foreshore.</i></p>

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	<p>The height and FSR of buildings on Church Street north of the river should be limited to 24m.</p> <p>FSRs and Height of Buildings adjacent to heritage conservation areas should reflect heights and densities that conserve the heritage values and settings of the conservation areas.</p>	<p>The interface areas have been appropriately considered in the HAA Heritage Interface Area Study (2017). Appropriate management of heritage values and conservation areas will be managed through the LEP Clause 7.6K and further supported by detailed DCP controls. A solar access plane applies to land north of the river to provide solar access to the south bank of the river.</p> <p>Based on the above, the recommendation of the NSW Branch that building heights on Church Street north of the River be 24 metres are not supported and no changes to the Planning Proposal are required.</p>
	<p>The NSW Branch raises concern with the redevelopment of the McDonalds site (255-375 Church Street, Parramatta) and overshadowing of Prince Alfred Square.</p> <p>The NSW Branch describe that whilst the planning standards require 'no overshadowing of the southern half of the Park between 12pm and 2pm', the towers cast shadows across the northern portion and into the southern portion of the Park.</p> <p>Applying a protected period fails to respect and acknowledge the cultural significance of Prince Alfred Square. The protected period should not be limited to between 12pm and 2pm.</p> <p>All of Prince Alfred Square, as a place on the State Heritage Register and important public open space, should not be overshadowed.</p> <p>Allowing sunlight is critical to health and through the COVID-19 pandemic we have found that sometimes we need more space than expected.</p>	<p>Council officers consider that the significance of Prince Alfred Square has not been understated, the area is identified on the Sun Access Protection Map and is not to be overshadowed between 12:00pm and 2:00pm on 21 June. This is consistent with the Gateway Condition issued by the Department of Planning, Industry and Environment.</p> <p>Prince Alfred Square presently is not afforded any protection from overshadowing under Parramatta LEP 2011. The introduction of a Protected Area and associated Sun Access Protection (SAP) surface recognises the significance of the Square. Application of the Protected Area to include the northern portion of the Square would require building heights to be limited to lower than existing controls under PLEP 2011 – a retrograde step is not supported by Council officers. In addition, existing development to the north and northeast of the Square will already overshadow the northern part of the Square during the day – particularly the mid-morning and late afternoon. The Protected Area on the southern half recognises this and intends to provide protection to the remainder of the Square.</p> <p>Identifying the key period of 12 noon to 2pm recognises the role of Prince Alfred Square as a place for residents and workers in the area to enjoy, particularly during the middle of the day. This is consistent with other parks and civic areas throughout the CBD (i.e. Parramatta River Foreshore, Parramatta Square, Jubilee Park) and heritage items (i.e. Lancer Barracks and Experiment Farm). It is also noted that building heights north of Victoria Road are generally lower than other parts of the CBD and, therefore, also mitigate the impact of overshadowing to the Square.</p>

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		Based on the above, the recommendations of the NSW Branch that solar access to the whole of Prince Alfred Square be maintained are not supported and no changes to the Planning Proposal are required.
	The NSW Branch support the retention of the Roxy Theatre as a heritage item and the 18m height limit. The decision recognises that the Roxy is a valued place on the State Heritage Register. It should be conserved in its entirety and presents an opportunity for a valuable cultural community asset in the future.	<p>Supporting comments are noted and the Council officer response in relation to the existing height control under PLEP 2011 being maintained at this time for the Roxy site until the Civic Link DCP work and master planning for the new Sydney Metro Stop is completed, is the same as that outlined in the submission from the National Trust Parramatta Branch above.</p> <p>As such, the recommendations of the NSW Branch to retain an 18m maximum height limit is not supported at this time and no changes to the Planning Proposal are required.</p> <p><b>Explanatory Note</b>  As a result of the Council Resolution on 15 June 2021, the Council response to the feedback on the Roxy Theatre pertaining to the building height has been amended to reflect the Council Resolution. In doing so, Council officers have reinstated the exhibited 18 metre building height control for the Roxy Theatre site (69 George Street) for the purposes of the PP being sent to DPIE for finalisation. The consequential amendments affect the Height of Buildings Map as well as the Planning Proposal including Appendices 2B (Revised Mapping) and 4 (which describes the changes to the planning proposal documentation); specifically, the Roxy Theatre site line item has been removed from Table 3a.  Council Officers will undertake further investigations at a later stage that will confirm an appropriate building height for the site. Further investigations include <i>heritage investigations, to determine if this height could potentially be increased to respond to strategic planning work for Civic Link and Sydney Metro, and also to allow possible transition of the building to a larger, modern theatre venue.</i></p>
	<p>Centenary Square is a significant place in Parramatta and is a vibrant place for passive recreation.</p> <p>The loss of heritage setting by allowing high towers so close to St John's Cathedral is concerning and will be further exacerbated if the</p>	Council acknowledges that Centenary Square is a significant place in Parramatta and a vibrant place for passive recreation. The Square is surrounded by important spatial relationships between St John's Cathedral and grounds, Parramatta Square, the Church Street alignment, and Church Street view corridor. Past studies presented to

Respondent & Submission No.	Summary of submission	Council Officers' response
	<p>planning proposal for 195 Church Street, 65-79 Macquarie Street and 38 &amp; 41-45 Hunter Street Parramatta is approved.</p> <p>FSRs and height of building limits around Centenary Square and its associated heritage items should reflect and protect the cultural value and sense of place that the square currently possesses and minimise and ameliorate any impacts on amenity such as loss of solar access and the creation of downdrafts.</p>	<p>Council, as well as protection orders on views to St John's Cathedral, have informed this position on the Church Street view corridor and organisation of height around civic space.</p> <p>The purpose of the Church Street view corridor created by the controls in the CBD PP and DCP is to elevate the spatial significance of Church St as the north/south spine of the city as well as to preserve Church Street views to St John's Cathedral and beyond. It follows that a consistent maximum building height along the entire axis up to the Cathedral is necessary. Council officers consider that it is important the Cathedral spires are not seen with building directly behind them, but with views to the sky. Therefore, it is important to retain the FSR of 3:1 and HOB of 28 metres at 179 and 181 Church Street with all future development along Church Street and surrounding Centenary Square and the grounds of St John's present as a street wall with tower setback. Council officers also recommend the Branch review officer comments in relation to Submission Nos. 73, 243 and 267 at Appendix D.</p> <p>Centenary Square is afforded sunlight access by being located under the Sun Access Protection (SAP) surface for Parramatta Square. Centenary Square, however, has never been identified as a Protected Area for sun access protection – compared to, for example, Parramatta Square or Lancer Barracks. Consequently, the controls for the CBD Planning Proposal cannot prevent additional overshadowing to Centenary Square. However the SAP surface for Parramatta Square will limit building heights to the north, northeast and northwest of Centenary Square, thereby reducing the potential imposing impact of very tall buildings immediately surrounding and near the Square.</p> <p>The heritage setting of St John's Cathedral is noted, and it is also noted that the Diocese itself is the proponent of an active site-specific planning proposal applying to 65-79 Macquarie Street, 38 and 45 Hunter Street, seeking the increases in height and density surrounding the cathedral. The CBD Planning Proposal will not modify the height or floor space ratio controls beyond those exhibited while the site-specific planning proposal is being separately considered. In the event that the site-specific planning proposal proceeds to finalisation and separately amends Parramatta LEP 2011, the CBD Planning Proposal, if not</p>

Respondent & Submission No.	Summary of submission	Council Officers' response
		<p>finalised itself, will have to ensure its controls are updated to ensure consistency with any completed site-specific planning proposals.</p> <p>Wind impacts from tall buildings are an important issue and are being considered as part of the DCP amendments to support the CBD PP.</p>
	<p>HAA recommended extending the solar access protections to all day, not just 10am-2pm on 21 June.</p> <p>The Technical Paper found that extending the protected period to 'all day' would impact 205 parcels and require reduced heights.</p> <p>The NSW Branch have considered the Sun Access Protection Surface for Experiment Farm and have identified that there is an opportunity to expand the period of solar access between 2pm and 4pm. Therefore, the NSW Branch recommends further building shadow analysis be undertaken for Experiment Farm.</p>	<p>The overshadowing analysis undertaken by Council extensively tested solar access to Experiment Farm as required by the Gateway Condition 1. (j) iii.</p> <p>Section 4.3 of the Overshadowing Technical Paper considers extensions of the protection to Experiment Farm beyond 2pm. It noted that a 4pm envelope would extend approximately 1.5km across the entire CBD, finishing in Parramatta Park. It also notes that existing completed development penetrates the 4pm surface – including Sydney Water Headquarters in Smith Street, NSW Police Headquarters in Charles Street, 11 Hassall Street, 14 Hassall Street, 13-15 Hassall Street, 24 Parkes Street, 113-117A Wigram Street, 4 Parramatta Square. In addition, 6-8 Parramatta Square, currently under construction, would penetrate the 4pm surface. Any benefits of extending protection to 4pm are, consequently, already compromised by existing development and development under construction.</p> <p>Based on the above, the recommendation of the NSW Branch to protect solar access to Experiment Farm from 2pm to 4pm is not supported and no changes to the Planning Proposal are required.</p>
	<p>Supports the following:</p> <ul style="list-style-type: none"> <li>• Recommendation by HAA that heritage controls must be <i>included as part of any Design Excellence assessment involving or directly adjoin a heritage item....</i></li> <li>• Provisions to provide for the protection of historic streetscapes on Church and George Street.</li> <li>• The removal of 182 George Street (State Heritage listed Harrisford) as an Opportunity Site.</li> <li>• LEP amendments to Clause 7.6J Opportunity Sites to include additional heritage considerations.</li> </ul>	<p>Supporting comments noted.</p>
	<p>Recommends Council adopt Lucas Stapleton Johnson recommendations to amend the Design Excellence clause to include heritage considerations.</p>	<p>The recommendations are better placed in the DCP and therefore, no changes required to the Planning Proposal.</p>