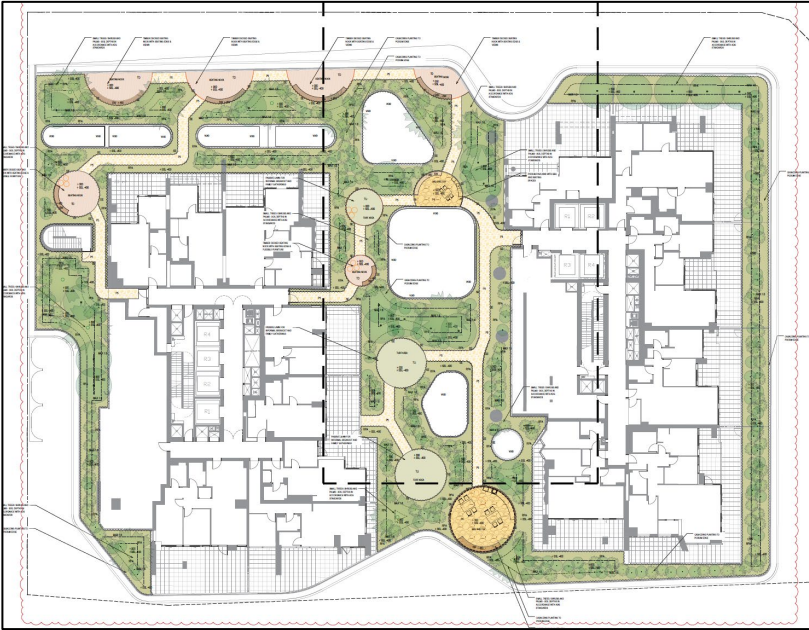


ATTACHMENT 4: COUNCIL RESPONSE TO APPLICANT'S LETTER TO LPP (17/2/2026)

Condition #	Applicant request (in red)	Council Officer response
93.	Prior to the issue of any the relevant Construction Certificate, the following must be demonstrated to the satisfaction of the Certifying Authority: - The residential component of the building and its end uses are to be delivered as an all-electric building and are not to be connected to the natural gas network. - A dual reticulation (dual pipe) system is to be installed throughout the non-residential component of the development to support the immediate or future connection to a recycled water network. If a recycled water network is not currently available, the design of the dual reticulation system is to be such that a future change-over to an alternative water supply can be achieved without significant civil or building work, disruption or cost. To facilitate this, the dual reticulation system is to have: - One reticulation system servicing drinking water uses, connected to the drinking supply, and - One reticulation system servicing all non-drinking water uses. - The non-drinking water system is to be supplied with harvested rainwater, with drinking water backup, until such time as an alternative water supply connection is available. - Rainwater collection and reuse is to be installed, with a minimum 280kL 200kL storage capacity to serve all nondrinking water uses through the dual reticulation system.	Not support - 93(a) All electric building - Section 9.8.3 of the Parramatta DCP 2023 requires that the building is all electric. It is acknowledged that 9.8.3(2) anticipates exceptions with submission of evidence as follows: <i>“Where it is demonstrated that the intended use of the building requires a process or equipment that is not able to be served by electricity, fossil fuels may be provided to service that service only. Evidence shall be provided with the application of market testing and equipment supplier advice to confirm that an electricity powered alternative is not technically possible.”</i> - It is noted that no kitchens are indicated on the plans for either the hotel or the retail. This would be subject to a modification application or separate DA for retail fit out/ food premises use. Any exception to the DCP controls can be contemplated at that time (accompanied by further justification). - Notwithstanding Council Officers note that no evidence has been supplied which shows that alternatives are not technically possible (in accordance with DCP control). It is noted that there are suitable alternatives for cooking as follows: - induction is much more efficient than gas. - there are technologies for wok cooking that are induction; and - many leading restaurant owners are going with gas. Not support - Condition 93 (b). Dual reticulation only to non-residential component of building -

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	d) The building has been designed to achieve a 5 star Green Buildings demonstrated through a design review certification from the Green Building Council of Australia. e) The hotel portion of the building will be designed and constructed to operate at a minimum NABERS Hotel Energy rating of 5 stars and minimum NABERS Hotel Water rating of 4.5-Stars without accounting for any Green Power used in the building and a corresponding NABERS Agreement to Rate entered into. f) A minimum Level 2 40A fast charger and supporting electric vehicle charging infrastructure is to be installed for every 10 commercial car spaces distributed throughout the car park to provide equitable access. Reason: To deliver the sustainability objectives of the DCP.	- Clause 7.24 of the PLEP 2023 requires the provision of dual reticulation to all buildings within the Parramatta CBD. - Given the lifespan of new buildings, dual reticulation (to accommodate both potable and recycled water pipes) for all future developments to allow for district wide water recycling in Parramatta. The original DA was supported by Sydney Water (refer attached), in particular the provision of recycled water piping. Furthermore the proposal includes a large rainwater tank which can be utilised readily within the development. - Council does not agree that the matter is unlawful for the following: - o The non-compete clause in SEPP (Sustainability) 2022 states where a control has no effect where it aims to “to reduce consumption of mains-supplied potable water”. The <u>dual piping clause does not seek to reduce usage of potable water</u>, rather it seeks to allow an alternative water supply to be provided to the building and <u>therefore a reduction in wastewater</u>. Technically this not in competition with Sydney Water supply, it is ensuring that water can be recycled to be reused, rather of disposed of. As stated above, Sydney Water are supportive of this control. - o Clause 7.26 was introduced as part of the Parramatta CBD Planning Proposal and NSW Department of Planning and the Minister for Planning were supportive of this control – i.e. the LEP was gazetted.
121	Amendment to Condition 121 - Landscaping Plan The final Landscape Plans must be consistent with rev 03 plans dated 07.09.2023 listed in Condition 1 and prepared by LANDFORM Studios together with any additional criteria required by the Development Consent to the satisfaction of the Certifying Authority addressing the following requirements:	Not support - Design excellence was predicated on provision of a high standard of landscape on the podium in format that was integrated into the design of the building (refer approved Landscaping Plan - Level 3 below).

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	Before the issue of the relevant Construction Certificate, the revised landscape plans are to be submitted to the written satisfaction of Council's Group Manager Development and Traffic Services Unit. Ground Level (Macquarie Street setback) a) Increase the extent of the tree pits at ground level, the soil volume is inadequate. The planters and soil volumes are to be contiguous and connected using modular cells under the paving and ramps. b) The second planter from the west side is to increase in size / width up to the site boundary (the southern alignment to remain as shown). c) The fourth planter from the west side is to decrease in width to be in line with the third planter i.e. setback the northern planter edge 4m from the Light Rail Stop to allow for pedestrian movement (the southern alignment to remain as shown). d) In addition, the fourth planter is to increase in length towards the east by relocating the ramp eastwards slightly and deleting the small set of steps between the 5th and 6th planter. e) 5th and 6th planters to become a single, larger planter. f) Planting areas and quantities to be modified accordingly. g) Planters are to be flush with the paving finish levels on the building side and to continue at the same height to become raised planters on the northern edge to take up the level changes. h) Sections through the façade, paving, trees and planters to be provided. i) Relocate the pits and drainage pipes to the site boundary (away from the trees). j) Trees within the planters to be <i>Fraxinus pennsylvanica</i> 'Urbanite'.	- The approved landscaping is proposed to be significantly reduced, and the Landscape Plans are marked all planters are GRC. Level 3 is the remaining opportunity within the building to retain design integrity in relation to landscaping. - If constructed adequately in accordance with Australian Standard, there is no issue with waterproofing in situ planters. - The GRC are not permanent solutions and are more easily removed and moved around. Traditionally they provide for isolated planters (pushed together to look like one) with not extensive deep soil and contiguous soil. - GRC are 'off the shelf' product. The applicant has not fully demonstrated that there is bespoke solution to landscaping. Council Officers are not aware of any examples of GRC planters which provide the permanent, grouped and contiguous landscaping effect.

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	k) Trees are to be relocated northwards slightly, to ensure there is adequate canopy clearance (no clash) with the building over-hang above. l) A tree pit detail is required for the trees within the planters. To ensure the soil volume is contiguous and continues under the paving and within the adjacent landscape areas, a structural pavement system is required such as a suspended concrete slab or structural / modular cells within the paved area to mitigate against soil compaction and to maximise aeration and porosity in the tree root zone. The base of the tree pit shall incorporate a drainage layer and pipe that connects to nearest stormwater pit. Podium a) Demonstrate that the design meets the Apartment Design Guidelines (ADG) minimum soil requirements for the trees for all podium levels. Soil volume, depth and soil area must meet the following prescribed standards in the Apartment Design Guide (ADG) – Part 4, 4P <i>Planting on Structures - Tools for improving the design of residential apartment development</i> (NSW Department of Planning and Environment, 2015). b) Provide a soil plan for each level showing the m3 soil volume and soil depth to show that the ADG soil requirements have been met on all podium levels and shows soil continues below the paving areas. c) Details are to be coordinated with the updated architectural sections to show that the landscape aspect of the design works with the proposed architectural elements. d) The relationship of the planting /soil profile, podium edge and the balustrade is unclear. Provide a series of specific detailed sections through the different	 Approved Landscape Plan – Level 3 (DA/93/2023)

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	podium landscapes showing the following minimum coordinated information: i. Private balcony paving detail fixed seating as proposed planting bed with adequate planting width (min. 1000mm) a tree detail with a 400L tree rootball (size shown as per the nursery standard sizes) with underground guying (not stakes) the correct soil depth as per the ADG requirements edge detail (cascade planting) void edge treatment(s) and the balustrade and balcony paving with contiguous soil located below (modular cells) the building interface and podium / undercroft above for example. ii. The location of the balustrades is required to be shown on the landscape plans iii. The detailed sections updated to show the relationship between the landscape aspect of the design and the architectural / structural aspect of the design to ensure they are coordinated and the cascading plants, planters along the podium edge, any low retaining walls/plinth or parapet wall, soil profile and planting are fully-coordinated (the sections shown on the architectural show a different soil profile to that of the landscape sections for example). e) Level 3 landscaping shall be amended to reflect the following requirements: - i: —The GRC planters to be replaced to provide permanent, in-situ concrete planters that are integrated into the design and provide ample contiguous planting. Compliance with ADG requirements for planting on structure shall	 The image is a detailed landscape plan for Level 3 of a building complex. It shows the building's footprint, internal courtyards, and surrounding landscape. Key features include: - Planting beds and individual tree symbols with rootball sizes (e.g., 400L, 600L, 800L). - Walkways and paved areas. - Structural elements like balustrades and podium edges. - Site boundaries and setbacks (e.g., 8m DOP TOWER SETBACK). - Orientation and scale indicators. Proposed Level 3 Landscape Plan (DA/93/2023/E)

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	be demonstrated through revised documentation: ii. Further activation of the northern and western boundary shall be provided. iii. Improve trafficability around the proposed communal gathering / BBQ are to ensure efficient use of space and sufficient thoroughfare.	