

PREFERRED PROJECT REPORT
MP 10_0171

330 CHURCH STREET, PARRAMATTA

JULY 2012

CONTENTS

1.0	INTRODUCTION.....	1
2.0	CHANGES TO THE DESIGN OF THE PROPOSAL	2
3.0	RESPONSE TO SUBMISSIONS RECEIVED	3
3.1	STATE AGENCIES AND COUNCIL.....	3
3.1.1	<i>NSW Roads and Traffic Authority</i>	3
3.1.2	<i>Endevour Energy</i>	3
3.1.3	<i>National Trust.....</i>	4
3.1.4	<i>Australia ICOMOS.....</i>	4
3.1.5	<i>NSW Heritage Council</i>	4
3.1.6	<i>Parramatta Park Trust.....</i>	4
3.1.7	<i>Australian Convict Sites Steering Committee.....</i>	4
3.1.8	<i>NSW Office of Environment and Heritage.....</i>	4
3.1.9	<i>NSW State Transit.....</i>	4
3.1.10	<i>NSW Transport</i>	5
3.1.11	<i>Parramatta Council.....</i>	6
3.2	INDIVIDUAL SUBMISSIONS	10
3.2.1	<i>Building Height.....</i>	10
3.2.2	<i>Church Street Façade</i>	10
3.2.3	<i>Building Colours</i>	10
3.2.4	<i>Visual Impacts.....</i>	11
3.2.5	<i>Heritage Impacts</i>	11
3.2.6	<i>Community Infrastructure</i>	11
3.2.7	<i>Car Parking</i>	11
3.2.8	<i>Lockrey Planning & Development Solutions</i>	11
3.2.9	<i>Planning Ingenuity.....</i>	12
4.0	RESPONSE TO DEPARTMENT OF PLANNING COMMENTS.....	13
4.1	KEY ISSUES	13
4.1.1	<i>Heritage.....</i>	13
4.1.2	<i>Developer Contributions/VPA.....</i>	13
4.1.3	<i>Flooding and Stormwater Management</i>	14
4.1.4	<i>Architectural Plans</i>	14
4.1.5	<i>Urban Design</i>	15
4.1.6	<i>Residential Amenity.....</i>	15
4.1.7	<i>Servicing</i>	15
4.1.8	<i>Statement of Commitments.....</i>	16
5.0	CONCLUSION	17



ANNEXURE

1. Copies of submissions received
2. Department of Planning comments
3. Amended architectural drawings
4. TTPA response (traffic)
5. Letter from Endeavour Energy
6. NBRS response (heritage)
7. Windtech report (wind environment)
8. TALC letter (arborist)
9. SEPP 65 Residential Flat Design Code assessment table
10. Mott MacDonald report
11. View Analysis
12. EPBC Referral Decision

1.0 INTRODUCTION

A Project Application under Part 3A of the Environmental Planning and Assessment Act was lodged with the Department of Planning on 30 June 2011 for a mixed use development including residential apartments, serviced apartments, a supermarket, retail spaces, a childcare centre, basement car parking, communal open space and a resident gymnasium. The Project Application (MP 10_0171) was publicly exhibited from 17 August 2011 to 7 September 2011.

Following exhibition of the Application, the Department website hosted submissions received during the exhibition period, a copy of which is attached to *Annexure 1*.

On 20 September 2011, the Department of Planning forwarded a letter detailing the issues raised in its preliminary assessment of the Project Application. A copy of the Department's letter is at *Annexure 2*.

This Preferred Project Report has been prepared in accordance with Section 75 of the Environmental Planning and Assessment Act, 1979. The report addresses all relevant issues raised during the notification period and those raised by the Department in its preliminary assessment of the proposal.

This report:

- Summarises the changes to the design of the proposal;
- Outlines the issues raised in the submissions received during the notification period;
- Details the issues raised by the Department of Planning in its letter dated 20 September 2011;
- Identifies and describes the response to the submissions received and issues raised and details the proposed improvements to the project; and
- Provides a conclusion to the report.

2.0 CHANGES TO THE DESIGN OF THE PROPOSAL

This Preferred Project Report involves making changes to the documentation to directly respond to the issues raised by residents, the Department of Planning and Council. The amended architectural plans are at Annexure 3. The changes to the documentation are summarised below and are detailed elsewhere in this report:

- Amend interim landscape design for land between the colonnade and the river reserve that is to be dedicated to Council;
- Add Kitchen to Apt Type A17;
- Include Bicycle parking in Basement Plans and Schedules;
- Provide additional Shadow Diagrams as required;
- Provide Materials and Finishes Schedule on elevations;
- Add BASIX Commitment Schedules to Plans;
- Provide detailed existing and proposed RLs for ground around the site;
- Provide additional key dimensions;
- Provide diagrams explaining how possible future southern laneway would be activated;
- Details of Church Street awning in terms of sun protection and maintenance;
- Dimensioned/compliant disabled parking spaces in Basements 2 – 4; and
- Mark stacked carpark spaces for either retail or residential.

3.0 RESPONSE TO SUBMISSIONS RECEIVED

The Project Application (MP 10_0171) was publicly exhibited from 17 August 2011 to 7 September 2011. Submissions were received by State agencies, Parramatta Council and surrounding property owners. The following sections outline a response to the submissions received.

3.1 State Agencies and Council

Submissions were received from the following organisations:

- NSW Roads and Traffic Authority (RTA);
- Endeavour Energy;
- National Trust;
- Australia ICOMOS;
- NSW Heritage Council;
- Parramatta Park Trust;
- Australian Convict Sites Steering Committee;
- NSW Office of Environment and Heritage;
- NSW State Transit;
- NSW Transport; and
- Parramatta Council.

A copy of the submissions is at *Annexure 1*. The issues raised in the submissions are addressed under each organisation below.

3.1.1 NSW Roads and Traffic Authority

Meriton's traffic consultants, TTPA, have prepared a response to the issues raised in the RTA submission. TTPA's letter is at *Annexure 4*.

3.1.2 Endeavour Energy

Endeavour Energy has stated that consultation needs to be undertaken to determine electrical supply requirements for the proposed development.

Meriton has commenced consultation with Endeavour Energy to determine the electrical loading requirements for the proposed development. To confirm the consultations, Endeavour Energy has issued Meriton with a 'Notice for Constituent Council', which is at *Annexure 5*. The Notice identifies the electrical supply requirements for the site and authorises the Department of Planning and Infrastructure to progress the development to Construction Certificate stage.

3.1.3 National Trust

Meriton's heritage consultants, NBRS, have prepared a comprehensive response in relation to the issues raised by the National Trust. The response is at Annexure 6.

3.1.4 Australia ICOMOS

Meriton's heritage consultants, NBRS, have prepared a comprehensive response in relation to the issues raised by Australia ICOMOS. The response is at Annexure 6.

3.1.5 NSW Heritage Council

Meriton's heritage consultants, NBRS, have prepared a comprehensive response in relation to the issues raised by the National Trust. The response is at Annexure 6.

3.1.6 Parramatta Park Trust

Meriton's heritage consultants, NBRS, have prepared a comprehensive response in relation to the issues raised by the NSW Heritage Council. The response is at Annexure 6.

3.1.7 Australian Convict Sites Steering Committee

Meriton's heritage consultants, NBRS, have prepared a comprehensive response in relation to the issues raised by the Australian Convict Sites Steering Committee. The response is at Annexure 6.

3.1.8 NSW Office of Environment and Heritage

NSW Office of Environment and Heritage has recommended that tests excavations occur on the site.

Meriton has experience in redeveloping sites with potential archaeological issues. The excavation process of Meriton's site at the corner of George and Charles Streets in Parramatta was undertaken under the supervision of an archaeologist. Whenever a potential archaeological was encountered appropriate action was taken to ensure the item was preserved.

3.1.9 NSW State Transit

NSW State Transit is concerned about the number of parking spaces to be provided on the site; the potential for illegal parking on Church Street; and suggests the incorporation of a taxi zone and/or loading facilities.

The proposal provides for parking that is adequate to meets the needs of the development. The Council has accepted the number of parking spaces and the Department of Transport has encouraged reduced parking.

Meriton would support the inclusion of a taxi zone on Church Street and/or a loading zone to meets the needs of small delivery vehicles and taxis. This could be imposed as a condition on any approval.

3.1.10 NSW Transport

NSW Transport has questioned the bicycle parking on the site and connection to the bicycle network; has recommended that a TAG guide be prepared as a condition of consent; has raised the potential for a car share scheme; and supports reduced parking on the site.

Meriton has made a commitment to provide for a total of 24 bicycle parking facilities in the basement of the building. This is detailed in the traffic report prepared by TTPA lodged with the Major Project Application, and also confirmed in the letter from TTPA at Annexure 4.

Parramatta Council has commenced preparation of a cycling plan for the area. The Council's website states the following as routes in the Parramatta area:

- *The Parramatta Valley Cycleway starts at Morris Bay Park in Ryde and heads west along dedicated bike paths, quiet streets and the river foreshore. Cyclists can proceed to Parramatta CBD or explore the connection to Sydney Olympic Park via the Silverwater Bridge.*
- *The two Transit-ways (or T-ways) to the North-West and Liverpool both include shared pedestrian and cycle paths offering a good route to Liverpool via Wetherall Park and to Rouse Hill adjacent to Old Windsor Road.*
- *The M4 Motorway Viaduct Route links Auburn, Granville, Holroyd and the Parramatta CBD via Good Street or Mays Hill.*
- *The Parramatta to Liverpool Rail Trail is nearly 17km long and runs parallel to the railway line through Merrylands, Yennora and Fairfield to Liverpool.*
- *Parramatta Park, roughly half the size of Centennial Park, is the favourite training ground of local riders.*

The subject site is located on the riverfront and in a central CBD location. Cyclist access to the nominated routes will be possible from the existing street network and riverfront promenade. As the cycle network in the area is improved, cyclist access to and from the site will also improve.

Requirement for a TAG guide is not considered necessary for the proposal. The development will have the benefit of a concierge desk at ground floor level of the east tower. The concierge will be more effective in dispensing information about transport options to and from the site.

Meriton will give consideration to implementation of a car share scheme once the development completed to test the level of demand for such a scheme.

No changes are proposed to the number of car parking spaces that are outlined in the submitted Environmental Assessment report.

3.1.11 Parramatta Council

A copy of the submission received from Council is included at Annexure 1. The following provides a response to each of the Key Issues raised in the Parramatta Council's correspondence.

Urban Design Comments

Clarity of Information on Plans

Council's submission identifies some deficiencies in the information provided. The following has been undertaken to address those deficiencies:

- The amended architectural plans now show additional RL's on drawing A100;
- Additional dimensions have been added to drawing A100 to reflect the requirements of the Riverside controls;
- The architectural plans have been amended to incorporate proposed materials and finishes. The amended architectural plans are at Annexure 3.

The Council submission raises the possibility of additional sun shading devices. The proposal has been submitted with a BASIX Certificate which ensures that the development performs to the relevant environmental standard. No additional external sun shading is to be provided to the external elevations. Individual tenants will install internally operated blinds and/or sunshades to control their individual internal environments.

The Council submission questions the provision of deep soil. The subject site currently provides for no deep soil. The proposed development will not create deep soil areas. However, the planters proposed on the podium will provide for planting of trees, turf and gardens.

Consistency with Design Competition

The Council submission states that the submitted design is consistent with the winning competition design, but raises question with regards to height. The issue of height is addressed below.

Height

The Council submission states that the proposed eastern tower is 29.6 metres higher than the LEP height controls and the winning design competition entry.

The LEP definition for height is as follows:

the vertical distance between ground level (existing) at any point to highest point of the building, including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.

The proposed tower heights against the LEP height control are summarised in the table below.

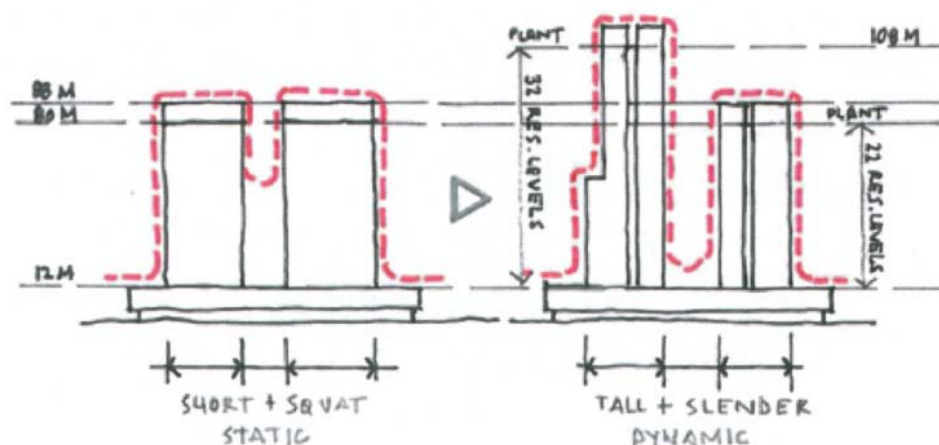
Tower	LEP Height Limit	Proposed Height	Compliance
East	88 metres (including 10% design competition bonus)	84.5 metres	Yes
West	88 metres (including 10% design competition bonus)	117.6 metres	No

Given the findings of the above table, it is assumed that Council meant to refer to the proposed western tower – not the eastern tower.

The eastern tower complies with the height limit. The western tower seeks a 29.6-metre variation to the maximum height limit.

To seek variation to the height of the western tower, a comprehensive assessment under clause 24 (Exceptions to development standards) of the LEP is included in the submitted Environmental Assessment report.

The proposed height of the western tower was always made clear in the winning design competition documentation. The diagram below is an extract from the design competition documentation. The diagram clearly indicates that the western tower was shown as having a proposed height of 108 metres from the podium level to the plant levels. Giving allowance to 6 metres of plant (as shown in the submitted architectural plans) and 6 metres for the podium, a proposed tower height of 120 metres above existing ground level is the result. The existing ground level is at RL 8.0. Therefore, the top of the western tower in the design competition documentation is at RL 128.0.



The top of the western tower in the submitted Major Project Application is at RL 125.6. Therefore, the proposed tower height is 2.4 metres lower in height than was shown in the design competition documentation.

The Department of Planning and Infrastructure, Parramatta Council and Meriton each played key roles in assessing and selecting the winning design for the site. The Tony Caro scheme was selected as the winning design on the basis of the submitted design competition documentation, which included the above information. Therefore, it was always made clear that the proposed height of the tower would be up to a maximum height of RL 128.0.

Further, in relation to the visual context of the subject proposed development as viewed from the foreground of Old Government House, the proposal will be barely visible once other sites in the foreground are redeveloped. Land between Marsden Street and Church Street (one block closer to the Domain from Meriton's site) allows for buildings of 88 metres – including the 10% height bonus under the LEP. The amended visual height analysis at Annexure 11 shows that once the sites on that land are redeveloped, the subject proposed development will be almost entirely obscured from view.

Materials

The Council submission suggests the use of penetrating paint on concrete surfaces. Meriton is willing to accept a condition on any consent to ensure the use of penetrating paint on any such surfaces.

Streetscape

The Council has raised concern about how successfully the proposed building interfaces with the existing adjoining development to the south along Church Street.

The architectural plans have been amended by lowering the entire Church street facade by 0.8m (see Annexure 3). This is readily achieved as the façade is effectively a free-standing 6m high screen to the Childcare Centre outdoor play space.

The height of the existing adjoining building to the south is substantially lower than the allowable 12 metre limit, and it is not appropriate for the subject development to match that height. The proposed awning height is generally consistent with the streetscape of Church Street.

The adjoining building to the south is proposed to eventually be demolished once acquired by Parramatta Council. The demolition of the building is to provide for a future laneway. The ability of the proposed development to provide activation of that laneway is shown in drawing A100 (see Annexure 3) - provide an infill glazed façade between framed concrete columns.

Once the adjoining building to the south is demolished, the subject proposed development will provide a natural break in the street wall continuity and an appropriate location for a change in height.

SEPP 65 Design Verification Statements

The following drawing changes / response are provided to address the SEPP 65 compliance issues raised in Council's submission:

- The total depth of Apartment A-17 is 8.9m at the entry only and is not considered to be detrimental to the amenity of those apartments. The dimension from the glass to the nearest edge of the entry door is 7.9m, which complies;
- The kitchen is now shown for all apartments on plans A148-A150 (see Annexure 3);

- Some balconies on the eastern tower have been provided with varying depths and areas. This is largely a result of the architecture of the building. The apartments in the eastern tower are to be serviced apartments. Serviced apartments do not need to comply with SEPP 65;
- An additional windows has been added to apartments A04 + A23, in drawings A150, A152, A153, A154, A155, A158 (see Annexure 3).

Public Domain Interface

The Council submission raises questions about the proposal and its consistency with the levels identified in Council's riverside controls.

The proposed levels around the subject site are necessary in order to address local flooding issues. A meeting was held with Parramatta Council since the conclusion of the exhibition of the Major Project application. The meeting resulted in Council agreement with Meriton's proposed design solutions to the flooding issues relevant to the site, which are detailed in the report prepared by Mott MacDonald Hughes Trueman that was included with the Environmental Assessment report, dated June 2011.

To address Council's question about lighting in the colonnade area, Meriton will ensure that appropriate lighting will be provided within the colonnade to provide a safe environment at night. Details will be provided with the construction certificate application.

For the river foreshore frontage:

- The proposed development has been designed to provide unobstructed frontage and presentation towards the river. Meriton will dedicate the land to Council for future landscaping works. Future landscaping works will be undertaken by Council to ensure integration and connection for pedestrians and cyclists.

For the shared basement vehicle access / Lane 11 entrance:

- The only appropriate vehicle entry point is at the proposed location. The location is consistent with the winning design competition.
- Other than the driveway entrance, all building elevations will have a high level of street activation. In addition, drawing A100 identifies how the future southern elevation adjoining the existing building can be activated in future by the use of an infill glazed façade between framed concrete columns.

For the Church Street frontage:

Meriton acknowledges that any construction damage that occurs to the existing public domain improvements will be made good. This can be ensured by imposition of a condition of an approval.

Traffic and Parking Comments

The Council comments in relation to traffic and parking conclude that the proposal can be supported subject to the changes suggested. The changes comprise reference to appropriate standards for car parking layouts and design. It is appropriate to impose a condition on an approval to ensure compliance with the relevant design standards.

Catchment Management Comments

A meeting was held with Parramatta Council since the conclusion of the exhibition of the Major Project application. The meeting resulted in Council agreement with Meriton's proposed design solutions to the flooding issues relevant to the site, which are detailed in the report prepared by Mott MacDonald Hughes Trueman that was included with the Environmental Assessment report, dated June 2011.

Engineering

Mott MacDonald Hughes Trueman has prepared a report that addresses the concerns raised by Council in relation to management of stormwater in relation to the site. The report is at Annexure 10.

Heritage

Parramatta Council questions whether or not the proposal can incorporate some of the existing building into the new development on the site.

The winning design competition entry by Tony Caro involved the complete removal of the existing building on the site. The retention of the existing building was not seen as practical or appropriate.

Meriton's heritage consultants, NBRS, have undertaken further consideration of the retention of the existing building on the site – refer Annexure 6. It is concluded that the retention of the building, or some of its parts, is not warranted in this instance.

3.2 Individual Submissions

A total of 14 individual submissions were received in relation to the proposal (including 2 prepared by planning consultants). The issues raised are addressed under the categories below.

3.2.1 Building Height

Various concerns have been raised about the proposed building height. The issue of building height is discussed in detail in section 3.1.11 of this report.

3.2.2 Church Street Façade

The proposed Church Street façade is consistent with the winning design competition entry. The design will be bold but appropriate in its context. Further consideration has been given to how successfully the development integrates with the Church Street streetscape – refer section 3.1.11 of this report.

3.2.3 Building Colours

Some issue has been raised over the proposed colours of the development. The proposed colours are not muted and it is not intended for them to be. The colours are consistent with those shown in the winning design competition entry and will contribute to the vibrancy of Church Street.

3.2.4 Visual Impacts

Some submissions raised concern over the visual impact / bulkiness of the buildings. The design of the buildings is generally consistent with the winning design competition entry. The buildings appear different from various angles. From some angles, the buildings appear very slender. The architecture of the building provides an appropriate balance of vertical and horizontal emphasis, which is the most effective way to minimise visual bulk of buildings.

3.2.5 Heritage Impacts

Meriton's heritage consultants, NBRS, have undertaken further consideration of the retention of the existing building on the site – refer Annexure 6. It is concluded that the retention of the building, or some of its parts, is not warranted in this instance. The report also concludes that the proposal will not have adverse impacts on the heritage significance of the surrounding heritage items.

3.2.6 Community Infrastructure

One submission raises issue that the proposal does not provide for a cycling tunnel beneath Lennox Bridge. The provision of such infrastructure is the responsibility of Council.

3.2.7 Car Parking

The Council does not raise issue with the number of parking spaces proposed for the development. Any shortfall of parking spaces provided for in the development will be adequately provided for in the adjacent multi-storey parking station that fronts the river.

3.2.8 Lockrey Planning & Development Solutions

The submission prepared by Lockrey raises numerous issues, each of which are addressed under the headings below.

Overdevelopment

The submission raises concern that the proposal is an overdevelopment of the site.

The proposal has a compliant floor space ratio and cannot be regarded as an overdevelopment in terms of building bulk.

The proposal seeks a variation in height. The proposed height is the result of an approved design competition for the site. This issue is discussed in detail in section 3.1.11 of this report.

Shadow Diagrams

The Department of Planning and Infrastructure has requested additional shadow diagrams to be submitted. This issue is discussed at section 4.1.4 of this report.

Traffic and Parking

The traffic report prepared by TTPA and lodged with the Environmental Assessment report concludes that the completed development will not have adverse traffic issues. The affected intersections will perform to a satisfactory level.

Issues related to car parking are addressed elsewhere in this report.

Wind Assessment

The submission raises question about the proposed wind mitigation measures in the development. The issue of wind mitigation is addressed in section 4.1.4 of this report.

Construction Management and Dilapidation

The submission recommends to the Department of Planning and Infrastructure that conditions be imposed relating to construction traffic management and dilapidation of buildings.

Economic Demand

The demand exists for the proposed development. Meriton is a well-established company and understands the market risk and its demands.

Adequacy of Information

Additional information has been requested by the Department of Planning and Infrastructure and Parramatta Council. The additional requested information has been provided in this Preferred Project Report.

3.2.9 Planning Ingenuity

Planning Ingenuity propose that the Council should be encouraged to purchase the immediately adjoining property to the south to enable a mid-block connection. This is not a matter for consideration by Meriton and the design of the proposal cannot be based or influenced by possible future land transactions.

Nonetheless, it is noted that drawing A100 (see Annexure 3) identifies how the future southern elevation adjoining the existing building can be activated in future by the use of an infill glazed façade between framed concrete columns.

4.0 RESPONSE TO DEPARTMENT OF PLANNING COMMENTS

On 20 September 2011, the Department of Planning forwarded a letter detailing the issues raised in its preliminary assessment of the Project Application. A copy of the Department's letter is at *Annexure 2*.

The following provides a response to each of the issues raised in the Department's correspondence.

4.1 Key issues

4.1.1 Heritage

World Heritage

On 20 April 2012, Meriton made application to the Department of Sustainability, Environment, Water, Population and Communities (DSEWPC) for consideration under Part 3 of the Environment Protection and Biodiversity Conservation Act, 1999 (EPBC Act).

On 21 May 2012, the DSEWPC notified Meriton that the proposal was not a Controlled Action (see *Annexure 12*). No further action is required in this respect.

Local Heritage

The Department required an amended heritage assessment be provided that explores options for retaining/adaptively reusing existing heritage fabric; and gives consideration to the impact of the development on the 38 heritage items within the vicinity of the site.

Meriton's heritage consultants, NBRS, have undertaken further consideration of the retention of the existing building on the site – refer *Annexure 6*. It is concluded that the retention of the building, or some of its parts, is not warranted in this instance. The report also concludes that the proposal will not have adverse impacts on the heritage significance of the surrounding heritage items.

The design competition was decided by a Jury that included the Department of Planning and Infrastructure. The winning design was not required to retain any features of the existing building on the site.

4.1.2 Developer Contributions/VPA

Meriton acknowledges that the applicable contribution rate for development on the site is 3% of the cost of works in accordance with the Parramatta City Council Section 94A Contributions plan. The Quantity Surveyors report that was submitted with the Major Project Application states that the proposed total cost of works is \$149,852,992, which would generate total cash contributions of \$4,495,589.76.

Meriton has been in consultation with Parramatta Council regarding the dedication of the land to the riverfront, as shown on the plans at *Annexure 3*. It has been agreed that a Voluntary Planning Agreement is not necessary to enable the transfer of land to Council. Instead, Council has agreed to the imposition of an appropriate condition on any consent issued for the proposed development.

4.1.3 Flooding and Stormwater Management

A meeting was held with Parramatta Council at the conclusion of the exhibition of the Major Project application. The meeting resulted in Council agreement with Meriton's proposed design solutions to the flooding issues relevant to the site, which are detailed in the report prepared by Mott MacDonald Hughes Trueman that was included with the Environmental Assessment report, dated June 2011.

Mott MacDonald Hughes Trueman has prepared a report that addresses the concerns relayed by the Department in relation to management of stormwater on the site. The report is at Annexure 10.

4.1.4 Architectural Plans

Apartment Type A-17

The architectural plans have been amended to include a kitchen for Apartment Type A-17. This is now shown on plan A149. The amended architectural plans are at Annexure 3.

Basement Car Park Plans

The architectural plans have been amended to include bicycle parking in basement plans and schedules. This is now shown on plans A096-A099. The amended architectural plans are at Annexure 3.

Landscaping

The proposed landscape plan submitted with the Environmental Assessment report was referred to Meriton's wind environment consultants, Windtech. The proposed landscape was regarded as acceptable to achieve wind mitigation measures at podium level. Accordingly, the amended Windtech report at Annexure 7, incorporates the landscape plan as a suitable treatment option at podium level.

A report has been prepared by TALC consultants confirming that the proposed trees on the podium level will be able to tolerate the wind conditions. The report is at Annexure 8 and confirms that the proposed trees are suitable in 900mm depth podium planters.

Shadow Diagrams

The architectural plans have been amended to include shadow diagrams providing a comparison between the existing building, a compliant development (built to the current height maximum and incorporating the setbacks specified in the Riverbank Site Controls) and the proposed development. This is now shown on plan A500 and A501. The amended architectural plans are at Annexure 3.

Materials and Finishes

The architectural plans have been amended to incorporate proposed materials and finishes. The amended architectural plans are at Annexure 3.

BASIX

The architectural plans, at Annexure 3, have been amended to incorporate the commitments contained in the BASIX Certificate submitted with the Environmental Assessment report. A table provided by Efficient Living has been added to apartment plans A148 - A161.

4.1.5 Urban Design

The Department's letter states as follows:

The RTS/PPR should outline the design measures proposed to ensure compliance with the public domain vision articulated in the Riverbank Site Controls. Any departures from the Riverbank Site Controls should be clearly identified and justified within the RTS/PPR.

A full assessment of the proposed development under the Riverbank Site Controls is contained in sections 6.1.9, 6.1.10 and 6.1.11 of the submitted Environmental Assessment report. The proposal generally complies with the requirements of the Riverbank Site Controls. Some variation is sought to the public domain RLs contained in those controls due to the flooding issues that are relevant on the site. The issue of flooding is discussed elsewhere in this report.

4.1.6 Residential Amenity

The SEPP 65 Residential Flat Design Code assessment table has been updated to outline and justify any variations that are sought to the controls. The updated table is at Annexure 9.

4.1.7 Servicing

Electricity Supply

Meriton has commenced consultation with Endeavour Energy to determine the electrical loading requirements for the proposed development. To confirm the consultations, Endeavour Energy has issued Meriton with a 'Notice for Constituent Council', which is at Annexure 5. The Notice identifies the electrical supply requirements for the site and authorises the Department of Planning and Infrastructure to progress the development to Construction Certificate stage.

Water

Meriton engaged Mott MacDonald Hughes Trueman to prepare the required Section 73 feasibility, which addresses all relevant issues. The feasibility has been submitted to Sydney Water and has been issued with a Case Number.

4.1.8 Statement of Commitments

The Department's issues letter states as follows:

The Statement of Commitments should be revised to incorporate all mitigation measures identified in the appendices of the EA. In the event that these mitigation measures change due to design modifications, the Statement of Commitments should be revised to incorporate these changes.

It is not considered to be practical or appropriate to include all recommendations of all specialist reports in the Statement of Commitments. Complications will occur in the event of a necessary change to the design that will result in continuous changes to consultants' reports, which is costly and unrealistic.

The submitted Environmental Assessment report – including all Annexures – forms part of the approved documentation in the first condition on the determination / approval notice issued by the Department. This is considered adequate to ensure that the recommendations of all reports are bound into the approval.

5.0 CONCLUSION

Issues raised by the Department of Planning and arising from the notification period of the Project Application have been adequately addressed in this Preferred Project Report. Draft Statement of Commitments has been amended in this report to more closely reflect the construction of the site. The proposed development is considered to address all relevant matters listed in the Director General requirements and is worthy of approval.