

**SECTION 75W APPLICATION
PLANNING REPORT**

**330 CHURCH STREET, PARRAMATTA
MP 10_0171
AMEND CONDITION A8**

JANUARY 2013

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1.0 INTRODUCTION

This Statement of Environmental Effects accompanies a Section 75W application by Karimbla Constructions Services (NSW) Pty Ltd to amend Major Project Approval MP 10_0171.

It is proposed to amend condition A8 of the consent.

This application provides an assessment of the proposed changes against the relevant issues.

2.0 SUBJECT SITE

The site is located at 330 Church Street, Parramatta. Refer to **Figure 1** and **2** below.

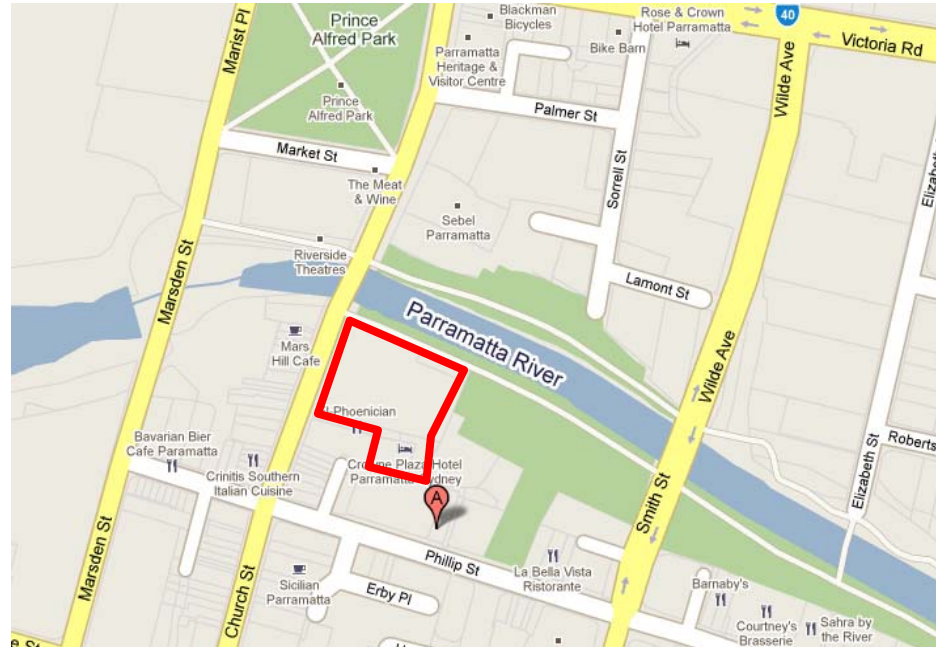


Figure 1: Location of subject site



Figure 2: Aerial views of site showing approximate boundary location

The site is comprised of Lot 3 DP 788637, Lot 2 DP 788637, Lot 101 DP 1031459 and "ease" 1043441 and is 6759m² in extent. The site is generally rectangular with a "handle" shape to the rear.

The site is occupied by a four and three level concrete slab building. The building is built to the boundaries of the site, and contains no vegetation. The building on the site presents as a blank façade with little articulation of architectural interest and the rear "handle" is currently used as an open air car park.

The building was previously occupied by David Jones and more recently by 'Brandsmart'. The commercial component of the building is currently vacant. Two professional services companies (including Landcom), and two restaurants operate from the building.

Figures 3 to 5 show the subject site and its existing improvements.



Figure 3: Existing building on site as it presents to the Parramatta River foreshore



Figure 4: Existing building viewed from the rear (adjacent to Council carpark)



Figure 5: Existing building (left) and interface with adjoining development on Church Street

3.0 PROPOSED MODIFICATION

3.1 EXISTING CONSENT

On 19 October 2012, the Planning Assessment Commission granted development consent (MP10_0171) subject to conditions, to the following development on the subject site:

Demolition of existing structures on site and construction of a mixed use building (residential/retail/serviced apartments), basement with 597 car parking spaces, public domain works and installation of utility services.

3.2 PROPOSED AMENDMENTS

It is proposed to amend condition A8 of the consent.

Condition A8 contains details of the execution of the Voluntary Planning Agreement (VPA) and the timing of its execution. Currently, the condition states that the Proponent shall enter into the VPA within 6 months from the date the MP consent was issued.

Meriton is making progress with Council in preparing the VPA. However, additional time is needed to finalise the VPA. Construction on site should not be stalled in order to finalise the VPA.

On this basis, it is proposed to amend the condition as follows:

A8 EXECUTION OF VOLUNTARY PLANNING AGREEMENT

Prior to an Occupation Certificate, the proponent shall enter into a Voluntary Planning Agreement (VPA) with Parramatta Council covering the following items within six months of the date of this project approval as per Meriton Apartments Pty Ltd's letter dated 25 September 2012:

- (1) The transfer of part lots 2 and 3 in Deposited Plan 788637 as depicted in Drawing No. A100 Revision 9 dated March 2011, and last updated on 20/09/12 to Parramatta Council free of cost (see plan at Attachment A). This land shall be transferred to the Council prior to the issue of the final Occupation Certificate.*
- (2) The embellishment of the river foreshore and retaining wall adjacent to the site boundary and the turfing of part lots 2 and 3 in Deposited Plan 788637 prior to the issue of the final Occupation Certificate.*

Note: The Planning Agreement is in addition to the section 94A developer contributions applicable to the project.

4.0 PLANNING ASSESSMENT

This section undertakes an assessment of the proposal under the relevant issues raised by the proposed modification.

4.1 ENVIRONMENTAL PLANNING INSTRUMENTS

4.1.1 Parramatta City Centre LEP 2007

Zoning and objectives

The subject site is zoned B4 Mixed Use. Pursuant to clause 12 of the LEP, the proposed amendment is permissible with consent.

The objectives of the Mixed Use zone are as follows:

- *To provide a mixture of compatible land uses.*
- *To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.*
- *To create opportunities to improve the public domain and pedestrian links within the Mixed Use Zone.*
- *To support the higher order Commercial Core Zone while providing for the daily commercial needs of the locality, including:*
 - *commercial and retail development,*
 - *cultural and entertainment facilities that cater for a range of arts and cultural activity, including events, festivals, markets and outdoor dining,*
 - *tourism, leisure and recreation facilities,*
 - *social, education and health services,*
 - *high density residential development.*
- *To protect and enhance the unique qualities and character of special areas within the Parramatta city centre.*

Given the scope of the proposed amendment, it is considered that the development will remain consistent with the objectives of the zone.

There are no other clauses of the LEP that are relevant in the assessment of the proposed amendment.

4.2 DRAFT ENVIRONMENTAL PLANNING INSTRUMENTS

There are no draft environmental planning instruments relating to the proposed modification.

4.3 DEVELOPMENT CONTROL PLANS

4.3.1 Parramatta City Centre DCP 2007

The Parramatta City Centre Development Control Plan applies to the subject site and the proposed development. The DCP complements the City Centre LEP.

The proposal does not require assessment under any of the provisions of the DCP.

4.4 LIKELY IMPACTS

The proposal to amend the condition will not have any adverse impacts. The amended condition is designed only to allow appropriate timing for satisfaction of the condition.

5.0 CONCLUSION

The proposal seeks to amend condition A8 of the consent.

The proposal satisfies assessment of all relevant issues including all relevant provisions contained in Parramatta City Centre LEP 2007 and Parramatta City Centre DCP 2007.

It is therefore submitted that the Minister grant approval to the Section 75W application and amend the development consent in the manner requested.

