

Planning Report

Section 75W Application

330 Church Street, Parramatta

Changes to podium and towers

9 April 2014



PREPARED BY

MERITON PROPERTY SERVICES PTY LTD
ABN 69 115 511 281

KARIMBLA CONSTRUCTIONS SERVICES (NSW) PTY LTD
ABN 67 152 212 809

Level 11, Meriton Tower
528 Kent Street, Sydney NSW 2000
Tel: (02) 9287 2888
Fax: (02) 9287 2777
Web: meriton.com.au



Contents

1	Introduction	1
2	Site and Surroundings.....	2
2.1	Site Description	2
2.2	Surrounding Development.....	3
3	Proposed Modifications	7
3.1	Existing Consent	7
3.2	Proposed Amendments	7
3.2.1	Summary	7
3.2.2	Basement.....	8
3.2.3	Podium.....	8
3.2.4	East Tower (Serviced Apartments).....	10
3.2.5	West Tower (Residential Apartments)	10
3.2.6	Building Name Signs.....	10
3.2.7	Statement of Commitments	12
3.2.8	Conditions of Consent	12
3.2.9	Staging.....	12
4	Planning Assessment	13
4.1	Environmental Planning Instruments	13
4.1.1	Parramatta City Centre Local Environmental Plan 2007	13
4.1.2	State Environmental Planning Policy No 65 – Quality of Residential Flat Buildings	19
4.1.3	State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	19
4.1.4	State Environmental Planning Policy No. 55 – Remediation of Land	20
4.2	Draft Environmental Planning Instruments.....	20
4.3	Development Control Plans.....	20
4.3.1	Parramatta City Centre Development Control Plan 2007	20
4.4	Other Policies and Plans	20
4.4.1	NSW 2012: A Plan to Make NSW Number One	20
4.4.2	Draft Metropolitan Strategy for Sydney to 2031	21
4.4.3	Parramatta Riverbank Urban Design Strategy, April 2009	22
4.4.4	Parramatta City Council Preliminary Draft Riverbank Design Guidelines, 2010	22
4.4.5	Space Syntax Study for the River Bank.....	27
4.5	Likely Impacts.....	27
4.5.1	Streetscape and Scale	27
4.5.2	Traffic.....	27
4.5.3	Amenity.....	27
4.5.4	Operation	28
4.5.5	Flooding	28
4.5.6	Visual Assessment	28
4.5.7	Heritage	29
4.5.8	Safety and Building Standards	29
5	Conclusion.....	30

Annexure

Annexure 1: Approved Plans

Annexure 2: Proposed Amended Plans

Annexure 3: Amended Statement of Commitments and Conditions of Consent

Annexure 4: DCP and LEP Assessment Tables

Annexure 5: Waste Management Report

Annexure 6: Traffic Report

Annexure 7: Accessibility Report

Annexure 8: SEPP 65 Documentation

Annexure 9: BASIX Certificate

Annexure 10: QS Report

Annexure 11: BCA Compliance Report

Annexure 12: Photomontages

1 Introduction

This Planning Report relates to a Section 75W Application seeking consent from Department of Planning and Infrastructure to amend Major Project Application MP 10_0171.

The subject Section 75W Application seeks to make changes to the podium and towers. Specifically, the following is proposed:

- Internal reconfiguration at Ground and Mezzanine Levels to change the retail configuration and floor area with an amended retail gross floor area of 2,103 sqm, and rationalisation of the loading and vehicle manoeuvring areas and back of house storage, garbage and plant areas;
- Internal reconfiguration of units in the podium levels and both towers resulting in a total of 375 residential apartments and 291 serviced apartments and an amended gross floor area of 59,526 sqm;
- Internal changes to the basement and above ground parking areas to provide for 663 car parking spaces and some changes to plant and service areas;
- External changes to the Podium Level involving a reconfigured western pool and gym area and a new external swimming pool and associated landscaping along the northern edge of the podium, and change of the Church Street awning from glass to steel;
- External changes to the elevations arising from the internal reconfiguration of units in the podium and towers and the changes to the retail spaces at ground floor level;
- Approval of building name signage at the top of each elevation of the serviced apartments (east) tower.

This Report:

- describes the site and its surrounding area,
- details the nature of the proposed development, and
- undertakes an assessment of any likely impacts arising from the proposal.

The conclusion is reached that the proposal is acceptable with regard to all relevant planning issues.

2 Site and Surroundings

2.1 Site Description

The site is located at 330 Church Street, Parramatta. The land area of the subject site has been increased since MP10_0171 was originally approved. The original site was 6,759 sqm in area and comprised Lot 2 & 3 in DP 788637 and Lot 101 in DP 1031459. The new site area is 7,483 sqm, which incorporates an additional 720 sqm parcel of land.

Parramatta Council is currently preparing a proposed plan of subdivision to create the new allotment. The new additional parcel of land is detailed in the Voluntary Planning Agreement for the site – refer section 3.2.9 of this report. In the interim, Parramatta Council has granted its consent to the transfer of the land – refer **Annexure 22**. The consent letter also diagrammatically shows the location of the additional parcel of land.

Figure 1 shows the general location of the subject site and **Figure 2** shows the approximate extent of the amended subject site area described above.

All former buildings have been demolished and the site is currently being excavated in accordance with MP10_0171.

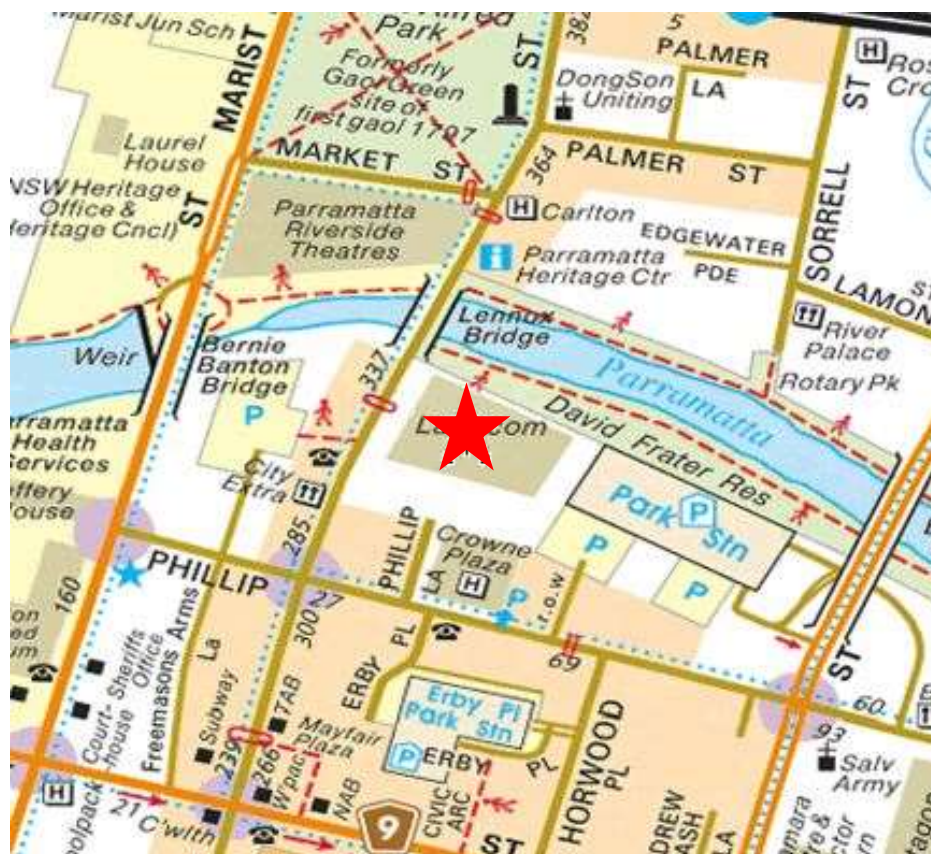


Figure 1: Location of subject site (marked with star)



Figure 2: Aerial views of site showing approximate boundary location

2.2 Surrounding Development

The site is located within the Parramatta Central Business District. It is within close proximity to the Riverside Theatre and within a reasonable walking distance to the Ferry Wharf and Parramatta Transport Interchange.

To the north of the site are the Parramatta River and the historic Lennox Bridge. Across the river are predominantly residential apartments set back from the water's edge. While there are grassed banks on both sides of the river, street furniture and public domain works are at a minimum.

To the immediate south of the site is the Crown Plaza Hotel which takes access off Philip Street. To the immediate east of the site is the Council owned car park, referred to as the David Fraser car park.

To the west of the site is Church Street which has a number of shop fronts and outdoor dining areas, providing a unique strip of active frontages. Uses typically include restaurants, cafes, repair shops and professional service providers.

Pedestrian access to the site is via public stairs from Church Street/Lennox Bridge or via Philip Street between the Parkroyal Hotel and the AGC House. Vehicular access to the site is from Philip Street via the laneway. Refer to images overleaf for details of the surrounding land uses.

Figures 6 to 10 show the existing built form that surrounds the subject site.



Figure 3: Parkroyal Hotel, which occupies the site to the south



Figure 4: Parramatta River along the northern frontage of the site



Figure 5: Stairs from Parramatta River frontage to Church Street



Figure 6: Existing buildings fronting the western side of Church Street – to the west of the site



Figure 7: Existing buildings fronting the eastern side of Church Street - to the south of the site

3 Proposed Modifications

3.1 Existing Consent

On 19 October 2012, the Department of Planning issued its consent (MP10_0171) for “*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.*”

The approval has been subsequently amended under MOD3. **Annexure 1** contains a copy of approved plans.

3.2 Proposed Amendments

3.2.1 Summary

The table below provides a summary comparison of the approved development and the proposed amendments.

	APPROVED (MP10_0171)	PROPOSED (S75W)
Residential Apartments	66 x 1-bed 292 x 2-bed 20 x 3-bed 378 Total	69 x 1-bed 286 x 2-bed 20 x 3-bed 375 Total
Serviced Apartments	3 x studio 170 x 1-bed 66 x 2-bed 27 x 3 bed 266 Total	243 x 1-bed 20 x 2-bed 28 x 3-bed 291 Total
Total Apartments	644	666
Gross Floor Area	61,711 sqm	59,526 sqm
Retail	3,201 sqm. Supermarket deleted.	2,103 sqm.
Car Parking	709 spaces	663 spaces

The subject Section 75W Application seeks to make changes to the podium and towers. Specifically, the following is proposed:

- Internal reconfiguration at Ground and Mezzanine Levels to change the retail configuration and floor area with an amended retail gross floor area of 2,103 sqm, and rationalisation of the loading and vehicle manoeuvring areas and back of house storage, garbage and plant areas;
- Internal reconfiguration of units in the podium levels and both towers resulting in a total of 375 residential apartments and 291 serviced apartments and an amended gross floor area of 59,526 sqm;
- Internal changes to the basement and above ground parking areas to provide for 663 car parking spaces and some changes to plant and service areas;
- External changes to the Podium Level involving a reconfigured western pool and gym area and a new external swimming pool and associated landscaping along the northern edge of the podium, and change of the Church Street awning from glass to steel;

- External changes to the elevations arising from the internal reconfiguration of units in the podium and towers and the changes to the retail spaces at ground floor level;
- Approval of building name signage at the top of each elevation of the serviced apartments (east) tower.

The proposed amended development is shown on the architectural drawings at **Annexure 2**, and amended photomontages at **Annexure 12**.

The following paragraphs provide a detailed description of the proposed amendments.

3.2.2 Basement

The basement parking levels are proposed to be internally reconfigured to rationalise parking spaces and required building plant and service areas. These changes – along with the changes to parking in the podium – will result in an amended total parking figure of 663 parking spaces.

3.2.3 Podium

The podium is to be changed internally and externally. Internally, the apartments are to be reconfigured and, externally, the podium will have a new swimming pool and a slightly modified architectural language.

West Podium Facade

The structure and expression is proposed to be reconfigured to coordinate with new balcony locations. A strong vertical expression is to be maintained. Splayed window reveals will extend further beyond the window line.

It is also proposed to change the approved glass topped awning along Church Street to steel with metal roof. This is proposed to provide better shading to the retail spaces and a safer environment to pedestrians.

North Podium Facade

The structure and expression is to be reconfigured to coordinate with new balcony locations. Additional proposed changes to the facade expression are as follows:

- Shading devices changed from sliding screens parallel to the facade to horizontal and vertical fixed screens perpendicular to the façade;
- Projection of the three storey box elements over the sandstone colonnade; and
- Reduction in the number of columns in the colonnade.

East Podium Facade

The previous fine steel expression of the East Podium Facade has been replaced with an expression similar to that of the Western Podium Facade. Three storey high boxes with splayed reveals sit atop a new sandstone base.

Ground Floor Level

At ground floor level, the retail spaces along Church Street are to be divided into 5 separate retail areas. The new dividing walls are proposed to align with the existing approved building structure to minimise external changes.

The vehicular access arrangements at the rear are to change to address the requirement for vehicle manoeuvring on-site. This involves the relocation of the ramp leading to the basement parking levels. The changes include a new share way at the rear to provide a safe pedestrian and vehicular space.

The loading areas are proposed to change to ensure that all vehicle manoeuvring can occur inside the building.

Back of house storage and garbage storage is also proposed to change to address the increase in residential and serviced apartment numbers. These spatial planning requirements reduce the amount of retail floor space at this level. This change – along with the amended mezzanine retail floor area – will result in an amended retail floor area of 2,103 sqm.

The lobby areas of both towers are proposed to change internally on account of the internal changes to the back of house and garbage storage areas and general access facilities.

Other minor changes are proposed including amended access arrangements to address the Building Code of Australia.

Mezzanine

The proposed mezzanine level of the building is to be internally changed. Additional floor space is proposed to be allocated to some of the retail shops to compensate for the loss at ground level.

New amenities are proposed at mezzanine level to service the retail spaces and their potential use as food and beverage outlets. Stairs are proposed from the retail spaces into corridors that provide access to these amenities.

Podium Levels 1, 2 and 3

The parking area in the podium levels is to be internally reconfigured to rationalise parking spaces and required building plant and service areas.

The apartments facing Church Street and the Parramatta River are to be reconfigured slightly to provide a more rationalised layout. This will result in some change to the location of balconies along these frontages, which will result in a minor change to the external appearance of the podium.

The serviced apartments clustered around the core of the eastern tower have been reconfigured. These changes will result in some change to the location of balconies along the eastern side of the building. A new air-conditioning condenser room is also proposed along the eastern side of the building at each level of the podium.

Podium Terrace Area

It is proposed to reconfigure the western pool and gym. The facilities are generally in the same location as approved, but their design has been refined and modified slightly. It is also proposed to add a new outdoor swimming pool alongside the northern edge of the podium. The swimming pool is to be surrounded by paving and will also incorporate spa and BBQ area.

The podium terrace area also accommodates the lowest level of the apartments in the towers. The apartments are to be reconfigured as outlined in sections 3.2.4 and 3.2.5, below.

3.2.4 East Tower (Serviced Apartments)

Each level of the eastern tower is to be internally reconfigured to provide for additional apartments. The number of 1 bedroom apartments has been increased in the tower, as the table below shows.

EAST TOWER	MOD 3 Approval	Proposal
1 Bedroom	168	219
2 Bedroom	47	28
3 Bedroom	27	14
Total Units	242	261

No change is proposed to the building envelope. The proposed reconfiguration involves some external changes in the form of additional balconies. A relocated and reconfigured air-conditioning condenser room is proposed on the eastern side of the building.

3.2.5 West Tower (Residential Apartments)

Units in the western tower are to be internally reconfigured around a slightly amended building core. The proposal will not result in any change to the mix or number of units within the tower.

The proposed reconfiguration will result in a minor external change to balconies on the southern part of the building's western elevation.

3.2.6 Building Name Signs

The proposed amendments include seeking approval for the erection of four (4) building name signs at the top of the serviced apartment (east) tower. The signage will enable guests to clearly identify and locate the building.

The proposed signage is part of Meriton's corporate identity for its serviced apartments operation – like the branding of all major hotel chains such as Hilton and the like. The signage has been successfully erected on all Meriton serviced apartment buildings in Sydney and Brisbane.

To provide good visibility of the signage, it is proposed to locate the northern sign on the glazed parapet; and the eastern, southern and western signs on a proposed parapet wall extension at the top of the building. **Figure 8** shows the proposed location of the signage and the proposed location of the new parapet wall extension.

Each sign is to consist of black 'powder coated' aluminium individual letters with 'high impact opal face' and is to comprise the word 'MERITON' and the Merion logo. Each MERITON sign will be 1.9 metres in height and 14.5 in overall length and 150mm deep; and each logo will be 2.4 metres in height and 1.9 in overall length and 150mm deep. Each letter and logo is to be internally illuminated using LED and bolt-mounted onto the glazed wall (on the northern elevation) and the parapet wall (on the eastern, western and southern elevations). The proposed signage is shown on the submitted plans (included at **Annexure 2**) and the photomontages (**Annexure 12**).

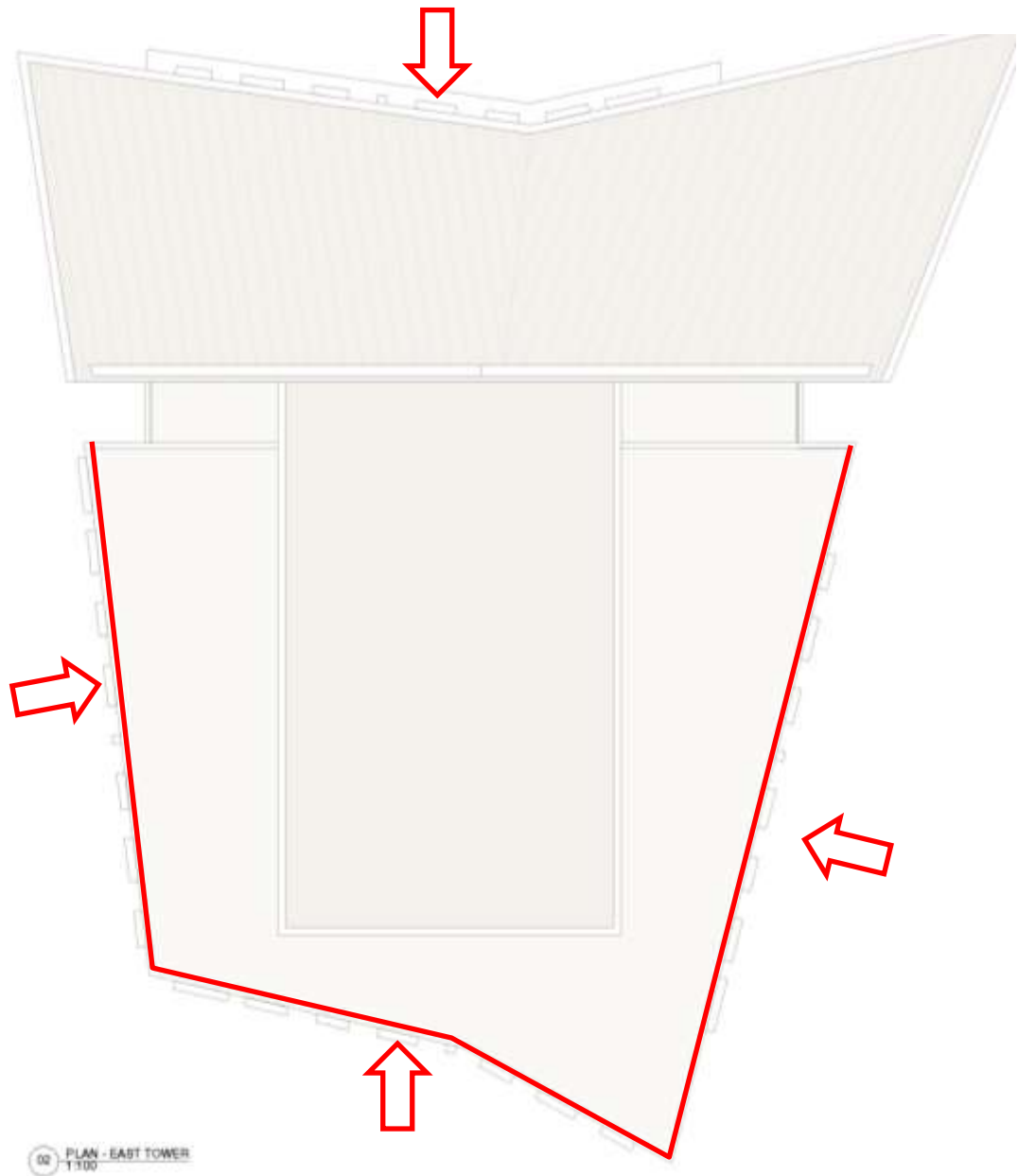


Figure 8: Roof plan showing location of building name signage and new parapet wall location (shown in red)

3.2.7 Statement of Commitments

The proposed amendments and amended submitted documentation has necessitated changes to the Statement of Commitments. The proposed amended Statement of Commitments is at **Annexure 3**.

3.2.8 Conditions of Consent

The proposal requires amendment to various conditions of consent. These are detailed in **Annexure 3**.

3.2.9 Staging

Construction will commence and continue as a single process. This remains unchanged from the original approved development. Occupation of the premises will be subject to issue of interim occupation certificates issued at the authority of the relevant building certifier.

4 Planning Assessment

This section undertakes an assessment of the proposal under relevant issues of consideration.

4.1 Environmental Planning Instruments

4.1.1 Parramatta City Centre Local Environmental Plan 2007

Zoning and Objectives

Part 2 of the Parramatta City Centre Local Environmental Plan 2007 (LEP) identifies that the subject site is zoned B4 Mixed Use. The proposal is permitted in the zone subject to consent from the Council.

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.*

The proposal is consistent with the above objectives, in that:

- It provides for a mixture of different landuses that are well designed to ensure they are compatible on the site;
- It contains a retail component in a central location of the Parramatta CBD;
- The development will result in a substantial improvement to the public domain, particularly the relationship with Parramatta River;
- The proposed retail spaces will provide for ideal dining opportunities along the riverfront and the section of Church Street, which is known as 'Eat Street';
- The serviced apartments will promote the tourist industry in the region of Parramatta; and
- The addition of residential apartments will contribute to high density living in the area.

Height of Buildings

Clause 21 of the LEP contains provisions relating to building height. Pursuant to LEP height map, the subject site has a height limit of 80 metres.

The proposal has been through a competitive design process and, therefore, an additional 10% height can be allocated to the site. The additional 10% raises the maximum permitted height to 88 metres.

The proposal includes the erection of a new parapet wall to a height of RL 110.3. The wall is proposed to three elevations of the eastern tower as shown in the diagram at **Figure 9**. The erection of the parapet wall will provide a suitable façade extension for the erection of building name signage. The extent of parapet wall is indicated in **Figure 10**.

The proposed height of RL 110.3 equates to 103.3 metres above ground. The proposal seeks a 15.3 metre variation to the maximum 88 metre height limit, but only 2.5 metres above the existing approved parapet wall under MOD3.

Clause 24 of the LEP contains provisions on exceptions to development standards. The proposed variation to height is considered under those provisions later in this report.

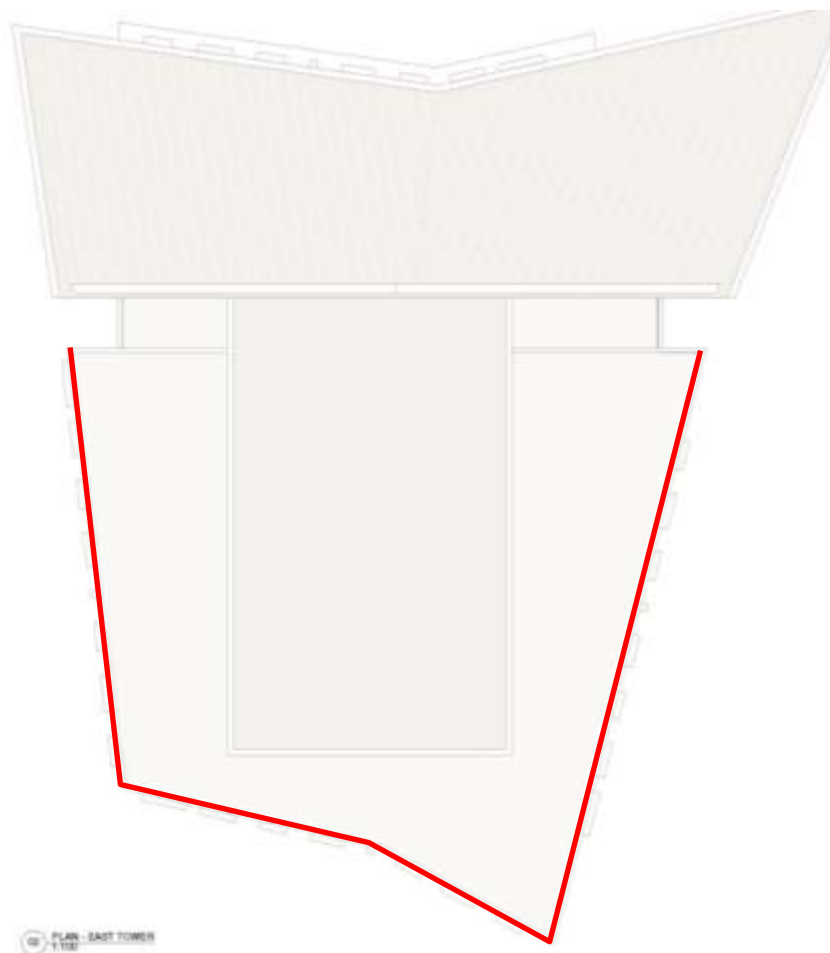


Figure 9: Roof plan showing location of new parapet wall



Figure 10: Proposed parapet wall height increase of 2.5 metres, as shown on the southern elevation. Extent of parapet height increase indicated in red outline. The height increase is the same for the western and western elevations.

Architectural Roof Features

Clause 21A of the LEP contains provisions relating to architectural roof features. The clause states as follows:

- (1) *Development that includes an architectural roof feature that exceeds, or causes a building to exceed, the height limits set by clause 21 may be carried out, but only with consent.*
- (2) *Development consent must not be granted to any such development unless the consent authority is satisfied that:*
 - (a) *the architectural roof feature:*
 - (i) *comprises a decorative element on the uppermost portion of a building, and*
 - (ii) *is not an advertising structure, and*
 - (iii) *does not include floor space area and is not reasonably capable of modification to include floor space area, and*
 - (iv) *will cause minimal overshadowing, and*
 - (b) *any building identification signage or equipment for servicing the building (such as plant, lift motor rooms, fire stairs and the like) contained in or supported by the roof feature is fully integrated into the design of the roof feature.*

The proposed west tower contains an architectural roof feature above the plant level. The wing shaped roof feature has a total height of 3.1 metres.

Floor Space Ratio

Clause 21 of the LEP contains provisions relating to floor space ratio. Pursuant to the LEP floor space ratio map, the subject site has a maximum floor space ratio of 6:1.

The proposal does not involve any increase in the approved gross floor area or floor space ratio.

Minimum Building Street Frontage

Clause 22A(2) requires that development consent must not be granted to the erection of a building that does not have at least one street frontage of 20m or more on land zoned B3 Commercial Core, B4 Mixed Use or B5 Business Development.

The subject site frontage remains unchanged with a 70 metre frontage to Church Street. The proposal therefore complies with clause 22A.

Car Parking

Clause 22C of the LEP contains the car parking requirements relating to the subject site and proposed development. It does not, however, specify parking rates for serviced apartments.

Under the recent approval of MOD3, the accompanying traffic report nominated a more appropriate parking rate of 0.82 spaces for each unit in the development.

The traffic and parking report prepared by TTPA, at **Annexure 6**, reconfirms the rate of 0.82 spaces per units as being appropriate for the development.

On this basis, the table below provides an overview of the maximum LEP parking rates for the proposal, and the using the rate of 0.82 spaces per unit. The table demonstrates that the proposal complies in that it does not exceed the maximum parking rates under the LEP.

The traffic and parking report concludes that the proposal is acceptable with regard to parking on the site.

	Proposed	LEP Rate / TTPA Rate	LEP Req / TTPA Req	Proposed
Studio	0	1 per unit / 0.82 per unit		
1 Bedroom	69	1 per unit / 0.82 per unit		
2 Bedroom	286	1 per unit / 0.82 per unit		
3 Bedroom	20	1 per unit / 0.82 per unit		
Total Residential Units	375		375 / 308	
Studio	0	1 per unit / 0.82 per unit		
1 Bedroom	243	1 per unit / 0.82 per unit		
2 Bedroom	20	1 per unit / 0.82 per unit		
3 Bedroom	28	1 per unit / 0.82 per unit		
Total Serviced Apartments	291		291 / 239	
Residential Visitor	375	1 per 5 units	75	
Retail	2,103 sqm	1 per 30 sqm	71	
Total Parking			812 / 693	663

Building Separation

Clause 22D requires that Buildings on land to which this Plan applies must be erected so that the separation distance from neighbouring buildings, and between separate towers or other separate raised parts of the same building, is not less than that provided for in the City Centre Development Control Plan.

The proposed building footprints are to remain unchanged. The proposal therefore remains compliant with Clause 22D.

Ecologically Sustainable Development

Clause 22E requires consideration of matters relation to ecologically sustainable development.

The proposed development meets the NSW legislative requirements under BASIX. An amended BASIX Certificate is at **Annexure 9** and contains details on all the energy efficiency measures proposed for the buildings.

In respect of internal amenity of units, the proposed residential apartments comply with the requirements of SEPP 65 and the Residential Flat Design Code. Specifically, the apartments achieve the solar access and adequate cross ventilation to address the requirements of the RFDC.

Accordingly, the proposal satisfies the requirements of clause 22E of the LEP.

Serviced Apartments

Clause 22F of the LEP contains provisions relating restricting strata subdivision of serviced apartments unless compliance with SEPP 65 can be achieved.

The proposal does not involve any strata subdivision of the serviced apartments. Therefore clause 22F is not applicable to the proposal.

Objectives for Development within Parramatta City Centre Special Areas

Clause 22G of the LEP contains provisions relating to Special Areas. The clause states as follows:

The consent authority, in considering a development application for land in or adjoining a Special Area identified in the City Centre Development Control Plan, must have regard to the objectives for the Special Area set out in that Plan.

The subject site is covered by two Special Areas, being Church Street and River Foreshore. A full assessment of the proposal under the relevant provisions of those Special Areas is contained in the assessment table at **Annexure 4**. The assessment concludes that the proposal will be consistent with the vision and planning intent of these Special Areas.

Accordingly, the proposal satisfies the requirements of clause 22G(2) of the LEP.

Exceptions to Development Standards

Clause 24 of the LEP contains provisions relating to exceptions to development standards.

The subject development proposes height above the limit set by the LEP. Accordingly, that aspect of the proposal requires consideration under the provisions of clause 24.

Clause 24 contains a series of 'tests' for consideration of a proposal that seeks a variation to a development standard. An assessment of the proposed variations is contained in a table at **Annexure 6**. The assessment concludes that the proposed height variation is justified under the circumstances.

Heritage Conservation

Clause 35 of the LEP contains provisions relating to heritage items.

Schedule 5 of the LEP identifies the subject site as heritage item No.86 – former David Jones department store.

The approved development gives consent for the full demolition of the existing building. Complete demolition of the former buildings on the site has been undertaken.

Outdoor Advertising and Signage

Clause 29A contains provisions relating to outdoor signage. The clause states as follows:

- (1) A person must not, without development consent, carry out development for the purpose of an advertisement (other than development that is exempt development).*
- (2) Despite subclause (1), development for the purpose of any one or more of the following is prohibited:*
 - (a) an advertisement on land that is within a heritage conservation area or on which there is a heritage item,*
 - (b) an advertisement on land zoned RE1 Public Recreation or RE2 Private Recreation,*
 - (c) (Repealed)*
 - (d) pole or pylon advertising signs (being an advertisement erected on a pole or pylon and independent of any building or other structure),*
 - (e) moveable and freestanding "A" frame signs on public land.*
- (3) Before granting development consent for development that involves the erection or display of signage, the consent authority must be satisfied that the signage:*
 - (a) is compatible with the desired amenity and visual character of the area, and*
 - (b) provides effective communication in suitable locations, and*
 - (c) is of high quality design and finish.*

In respect of (2), above, the proposed amended building name signage does not comprise any of the identified prohibited signs.

In respect of (3), above, a complete assessment of the proposed amended signage is undertaken in section 3.9 of the DCP assessment table at **Annexure 4**. The assessment concludes that the proposed signage:

- is compatible with the desired amenity and visual character of the area,
- provides effective communication in suitable locations, and
- is of high quality design and finish.

The proposal therefore complies with Clause 29A of the LEP.

Development on Flood Prone Land

Clause 33A contains provisions relating to development on flood prone land.

The proposed amendments do not involve any change to the flood planning levels of the approved development. The proposed amended development will comply with the relevant conditions of the existing Major Project approval.

On this basis, compliance with clause 33A of the LEP is achieved.

Historic View Corridors

Clause 35A states that the consent authority must not grant consent to development on land identified in the City Centre Development Control Plan as being within a historic view corridor unless it has taken into account the impact that the development may have on any such historic view corridor.

The proposed building footprints remain unchanged. The proposal will not result in any impacts on the historic view corridors. Accordingly the proposal complies with Clause 35A.

4.1.2 State Environmental Planning Policy No 65 – Quality of Residential Flat Buildings

State Environmental Planning Policy No 65 – Quality of Residential Flat Buildings applies to residential flat building developments of three or more storeys comprising four or more self-contained dwellings.

Annexure 8 contains a table that outlines the compliance of the proposal against the relevant guidelines contained in the SEPP 65 Residential Flat Design code. The assessment in that table demonstrates that the amended proposal generally complies with the policy and is consistent with its aims and objectives.

Tony Caro Architecture has also prepared an amended SEPP 65 Design Principles Statement, which is included at **Annexure 8**.

4.1.3 State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 applies to the subject site and requires the submission of a BASIX Certificate with the application. An amended BASIX Certificate is at **Annexure 9**.

4.1.4 State Environmental Planning Policy No. 55 – Remediation of Land

Clause 7 of State Environmental Planning Policy No 55 (Remediation of Land) requires the consent authority to consider whether land is contaminated, prior to granting of consent to the carrying out of any development on that land.

The site contamination report included in the Environmental Assessment Report lodged with the original Major Project application concluded that the proposed use will be suitable for the site.

Accordingly the amended proposal is deemed to satisfy the requirements of SEPP 55.

4.2 Draft Environmental Planning Instruments

There are no draft environmental planning instruments that apply to the subject site.

4.3 Development Control Plans

4.3.1 Parramatta City Centre Development Control Plan 2007

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

Annexure 4 contains a table that undertakes an assessment of the amended proposal under only those DCP provisions where the amended design requires calls for such assessment. The assessment demonstrates that the proposal generally complies with the DCP.

4.4 Other Policies and Plans

4.4.1 NSW 2021: A Plan to Make NSW Number One

NSW 2021 is a 10 year plan to rebuild the economy, provide quality services, renovate infrastructure, restore government accountability, and strengthen our local environment and communities. It replaces the State Plan as the NSW Government's strategic business plan, setting priorities for action and guiding resource allocation.

The Plan contains 5 key strategies:

1. Rebuild the economy;
2. Return quality services;
3. Renovate infrastructure;
4. Strengthen our local environment and communities; and
5. Restore accountability to government

Following is an assessment of the proposal against the relevant strategies of the Plan.

In respect of the strategy to rebuild the economy, the proposed amended development is consistent in that:

- It will create construction and ongoing employment and help to achieve the employment growth rate of 1.2% per year; and
- It will assist in improving housing affordability by increasing housing supply.

In respect of the strategy to return quality services, the proposed amended development is consistent in that:

- It will assist in increasing the number of commuter trips made by public transport, given that the site is to provide housing in close proximity to public transport;
- It will provide housing and retail facilities in an environment with minimised crime risk.

In respect of the strategy to renovate infrastructure, the proposed amended development is consistent in that:

- It contains BASIX commitments (refer **Annexure 9**) that will assist in reducing demand on water.

4.4.2 Draft Metropolitan Strategy for Sydney to 2031

The draft Metropolitan Strategy for Sydney anticipates that Sydney will grow by 1.3 million people by 2031. The Strategy divides the Sydney Metropolitan area into 6 sub regions. The subject site is located in the West Central & North West sub-region.

The sub regional strategies act as a broad framework for the long term development of the area, guiding government investment and linking local and state planning issues.

The plan identifies the Parramatta City Centre as a Premier Regional City and Second CBD. The table below makes an assessment of the proposed amended development against the relevant identified priorities for Parramatta.

Balanced Growth

The Plan seeks to create an additional 21,000 new jobs in Parramatta CBD and support opportunities for economic clustering by extending the commercial core.

The proposal will involve additional construction activities on the site and will involve ongoing employment on the site for the retail and serviced apartments.

The construction activities of the development will also assist in economic growth.

Liveable City

The Plan seeks to achieve a target of 148,000 additional homes within the West Central Subregion.

The proposal will involve the construction of 375 new residential dwellings, which will assist in achieving the housing target.

Productivity

The Plan seeks to achieve a target of 21,000 new jobs within the West Central Subregion.

As stated above, the proposal will involve additional construction activities on the site and will involve ongoing employment on the site for the retail and serviced apartments.

Healthy Environment

The Plan seeks to use energy, water and resources efficiently.

The amended proposal includes an updated BASIX package that details the energy savings that will result from the commitments it contains for the buildings.

Accessibility

The Plan seeks reduce car usage and increase walking, cycling and public transport use.

The proposed development is situated on a CBD site that is situated in close proximity to public transport and will be within walking or cycling distance to employment opportunities in the CBD and beyond.

4.4.3 Parramatta Riverbank Urban Design Strategy, April 2009

The Parramatta Riverbank Urban Design Strategy, April 2009 applies to the subject site and the proposed development. The Strategy identifies urban design considerations for the subject site.

An assessment of the amended proposal under the relevant provisions of the Strategy is provided in the table at **Annexure 4**. The assessment demonstrates that the amended proposal generally complies with the Strategy.

4.4.4 Parramatta City Council Preliminary Draft Riverbank Design Guidelines, 2010

Parramatta City Council Preliminary Draft Riverbank Design Guidelines, 2010, contains a series of site specific controls that relate to the subject site and the broader area called 'Riverbank'.

The following provides an assessment of the amended proposed development against the main controls that are contained in the Guidelines.

Public Domain

Figure 8 shows the broad public domain plan for the Riverbank area. Insofar as the subject site is concerned, the proposed development complies with the Public Domain plan in that:

- The ground floor level of the proposed development is at RL 7.80 and RL 8.56;
- The proposal contains a 5-metre wide colonnade along the northern side of the buildings, which continues as a pedestrian link through the eastern end of the building;
- The proposal has been designed to facilitate a future foreshore area with possible terraced areas and steps that will provide connection to the river bank; and
- The development is set back at least 25 metres from the bank of the Parramatta River.

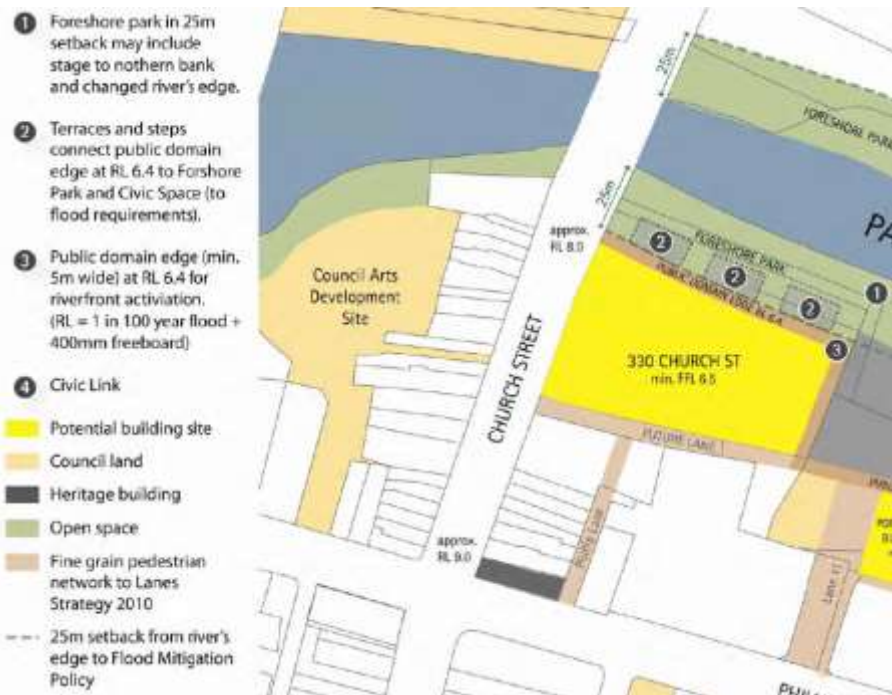


Figure 11: Riverbank - Pedestrian Amenity; Public Domain Plan

Active Frontage

Figure 9 shows the active frontage plan for the Riverbank area. Insofar as the subject site is concerned, the proposed development complies with the active frontage plan in that:

- The proposal contains retail spaces fronting the river and Church Street, which will contribute to the active frontage requirements for the site.



Figure 12: Riverbank - Pedestrian Amenity; Active Frontage Plan

Shelter and Car Access

Figure 10 shows the shelter and car access plan for the Riverbank area. Insofar as the subject site is concerned, the proposed development complies with the shelter and car access plan in that:

- The riverfront side of the building is to contain a colonnade, which will provide continuous weather protection;
- The Church Street frontage of the proposal contains awnings that extend the full frontage; and
- No car access is proposed from the Church Street frontage.



Figure 13: Riverbank - Pedestrian Amenity; Shelter and Car Access

Building Heights

Figures 11 and 12 show the building heights plan and section information for the Riverbank area.

The proposal does not involve any change to the height of the podium or western tower. A minor alterations to the height of the eastern tower is proposed. A discussion on the proposed variation is contained at section 4.1 of this report.



Figure 14: Riverbank - Building Heights Plan

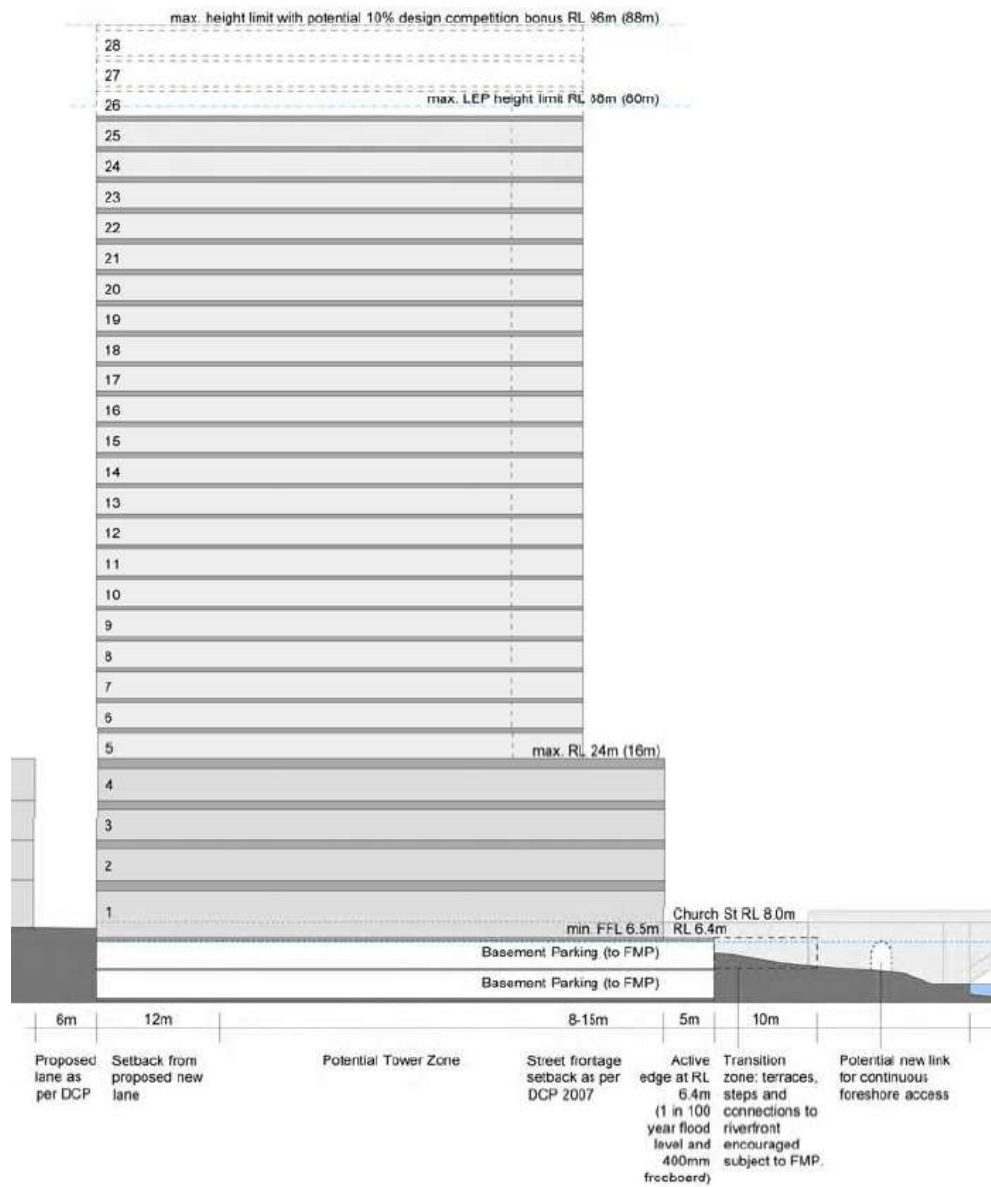


Figure 15: Riverbank - Section AA

4.4.5 Space Syntax Study for the River Bank

The space syntax study was part of the process involved in the preparation of the site controls for the Parramatta Riverbank. The resulting document is the Parramatta City Council Preliminary Draft Riverbank Design Guidelines – an assessment of which is at section 4.4.4. The syntax study informed the process and assisted in the preparation of the Riverbank Design Guidelines. The proposal is consistent with the Parramatta City Council Preliminary Draft Riverbank Design Guidelines, except for the proposed building heights. However, consideration of the proposed building heights demonstrates that the proposed variation to the indicated heights is acceptable under the circumstances.

On the basis of the above, it is considered that the vision contained in the Space Syntax study has been generally satisfied by the proposed development.

4.5 Likely Impacts

4.5.1 Streetscape and Scale

The proposed amendments will have minimal change on the overall presentation of the buildings. The addition and rearrangement of balconies

The proposal will not change the scale of the development. The proposed amendments do not involve any increase in height of the podium. The minor increase in height of the parapet wall on the eastern tower will be undiscernible and will have no adverse impact in relation to scale.

4.5.2 Traffic

The subject application is accompanied by an amended traffic and parking assessment report (**Annexure 6**). The report concludes that the proposed parking provision will be adequate for the needs of the development and appropriate to the desired constraint on undue traffic generation particularly in a CBD environment where there are excellent public transport services. The report also finds that the traffic generated by the proposed development will not have any adverse impact on the surrounding road network, and the internal access, parking and servicing provisions have been designed in accordance with all relevant planning controls and standards.

4.5.3 Amenity

The proposed development will retain a high level of amenity. The proposal will comply with the requirements of SEPP 65 and the Residential Flat Design Code and the amenity provisions of the Council's DCP.

Amenity to residents and guests will be improved with the addition of an outdoor swimming pool and associated landscaping.

The proposed increase in height of the parapet wall on the eastern tower will have a very minor additional overshadowing effect. The shadow diagrams included at Annexure 2 show the extent of proposed additional shadow, which will not cause any adverse impact.

4.5.4 Operation

The proposed waste management operations of the completed proposed development are detailed in the waste report that is included at **Annexure 5**.

The serviced apartments will be operated in accordance with the practices established and employed at Meriton's other serviced apartments operations across the Sydney Metropolitan area.

4.5.5 Flooding

The proposed amendments do not involve any change to the flood planning levels of the approved development. The proposed amended development will comply with the relevant conditions of the existing Major Project approval.

4.5.6 Visual Assessment

Podium

A number of changes have been made to the configuration and articulation of the podium facades. While each facade responds differently to its respective aspect and adjacencies, there is now a suite of common architectural elements which are present on each of the podium facades. This creates a sense of continuity of the street interface of this development and a more unified base.

The proposed changes to the western podium facade achieve the effect of a greater delineation between the sandstone base and the floors above, and create a facade with a greater reading of depth and slight improvement in visual privacy and passive solar shading to apartments facing Church St.

Reduction in the number of columns in the colonnade will improve the penetration of light into the alfresco areas whilst maintaining a comfortable proportional relationship.

Projection of the three storey box elements over the sandstone colonnade will better distinguish each box from one another and strengthen the delineation between the sandstone base and the floors above.

The change in shading devices will improve the interoperability of the sunshades and windows, improve effective passive solar shading and improve views from the internal spaces.

The proposed amended awning will not have any adverse impacts. Rather, it will provide a safer environment to pedestrians from any potential falling object from above, and it will provide solar shading to the retail spaces that are likely to include outdoor dining areas.

Notwithstanding the above changes to the podium, amended photomontages have been included at **Annexure 12**. The proposed montages are presented as a comparison with the montages approved under MOD3. It shows that the building present with similarity, retaining the original overall design intent.

Towers

The towers have only very slightly been modified in appearance. On both towers, the structure and expression has been reconfigured to coordinate with new balcony locations. These changes are minor and will retain the overall original architectural language of the buildings.

Signage

Considerable thought has been given to the design and siting of the proposed signage to provide effective communication, an attractive skyline and minimal impact on the neighbouring properties.

The Parramatta skyline is well recognised. The proposed Meriton signage will add further identity to the Parramatta CBD and advertise the commercial use of the serviced apartments building.

The signage is to be located toward the top of the building and is not directed towards any residential properties. There will be no impact on traffic or pedestrian safety due to the elevated nature of the signage.

No adverse impacts will result from the proposed signage. Rather, they will provide a positive contribution to the skyline of the Parramatta CBD.

4.5.7 Heritage

The approved development gives consent for the full demolition of the existing heritage building on the subject site. The demolition of the building has since been completed and the site is currently being excavated in accordance with the MP approval.

In respect of impact on surrounding heritage properties, the proposed minor amendments will not have any adverse impacts in respect of surrounding heritage items. The heritage report approved as part of the MOD3 documentation confirmed that the proposal would not have any adverse heritage impacts.

4.5.8 Safety and Building Standards

The proposed amendments will ensure that the development continues to provide a safe environment. The building will have secure entrances to the lobbies and the rear parking area. The development will not have any hiding places for anti-social behaviour.

A BCA compliance report has been prepared by City Plan Services (refer **Annexure 11**). The report confirms that the proposed design is capable of compliance with the performance requirements of the BCA.

5 Conclusion

The subject Section 75W Application seeks to make changes to the podium and towers.

It is considered that the proposal provides an appropriate response to the planned development of the site and will assist in the orderly and economic development of the land.

The proposal satisfies assessment of all relevant issues and all relevant provisions of the applicable planning controls.

It is therefore submitted that the Minister grant approval to the Section 75W Application and amend the Major Project approval in the manner requested.

Annexure 1: Approved Plans

Annexure 2: Proposed Amended Plans

Annexure 3: Amended Statement of Commitments and Conditions of Consent

Annexure 4: DCP and LEP Assessment Tables

Annexure 5: Waste Management Report

Annexure 6: Traffic Report

Annexure 7: Accessibility Report

Annexure 8: SEPP 65 Documentation

Annexure 9: BASIX Certificate

Annexure 10: QS Report

Annexure 11: BCA Compliance Report

Annexure 12: Photomontages