



Your Reference: MP10_0171 MOD 6
Our Reference: NCA/23/2010
Contact: Ashleigh Matta
Telephone: 9806 5600
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Department of Planning and Environment
GPO Box 39
Sydney NSW 2001

Attention: Amy Watson

8 May 2015

Dear Ms Watson,

Section 75W Modification request to modify the Project Approval for the mixed use residential, retail and commercial development.

I refer to the public exhibition of the above Major Project seeking approval for the modification of MP10_0171 (MOD 6).

Council considered a report on the Section 75W Modification at the 27 April 2015 Council Meeting and resolved:

- (a) ***That Council endorse the planning report in Attachment 1.***
- (b) ***That Council write to the Department of Planning and Environment stating Council's support to the development subject to the following:***
 - *A drop off and pick-up area is to be provided for the childcare centre and is to form part of the current modification application.*
 - *Access between the childcare centre and residential units on Level 4 should be considered as part of this current modification application.*
- (c) ***That Council endorse the matters for inclusion in a draft Voluntary Planning Agreement (VPA) in relation to proposed amendments to the mixed use development at 330 Church Street, Parramatta.***
- (d) ***That the amendment to the draft VPA be publicly exhibited in accordance with Council's Planning Agreements Policy.***
- (e) ***That the outcomes of the public exhibition of the draft VPA be reported back to Council.***
- (f) ***That delegated authority be given to the CEO of Council to continue to finalise the legal terms of the amended draft VPA on behalf of Council.***
- (g) ***That modification of the proposal be required to comply with condition B41 of the Planning Assessment Commission approval for 330 Church Street which requires:-***

"Prior to the issue of a construction certificate for above ground works, an amended plan of the loading dock, vehicle car park entry and shared zone is to be submitted for the approval of Parramatta City Council. The plan is to ensure safe loading and vehicular and pedestrian access is provided to the building and the rear of the El Phoenician Restaurant."

- (h) **Further, that** any other properties impacted by this development be notified and be involved in all relevant processes.

PROPOSED MODIFICATIONS

Council officers have reviewed the modification request and provide the following comments:

1. ***Increase the height of the serviced apartment building (eastern tower) by six storeys (33 to 39 storeys).***

Council raises no objection to the proposed increase in height subject to the Voluntary Planning Agreement being updated to reflect the additional height.

2. ***Reduce the number of serviced apartments from 291 to 254 to accommodate a change to the mix of apartment sizes.***

Council raises no objection to the proposed changes to the apartment mix.

3. ***Increase the overall gross floor area from 59,526m² to 63,979m².***

Council raises no objection to the proposed increase in Floor Space Ratio subject to the Voluntary Planning Agreement being updated to reflect the additional gross floor area.

4. ***Other minor amendments including:***

- i. *Podium Facades*

Council raises no objection to the proposed modifications to the façade.

- ii. *Basement*

Council raises no objection to the proposed modifications to state the correct number of parking spaces.

5. ***Provision of additional retail floor space and a 62 space childcare centre.***

Council raises no objection subject to the following being considered:

- A drop off and pick-up area is to be provided for the childcare centre and this is to form part of the assessment of the current modification request.
- Access between the childcare centre and residential units on Level 4 should be considered as part of this current modification request.

As per Council's resolution (b) above Council is of a strong view that a drop off / pick up area for the childcare centre should be located within an appropriate location which minimises traffic and pedestrian conflict around the site entrance to the basement and nearby businesses.

i. Podium - Ground Floor Level (Western Tower)

Council raises no objection to the proposed modifications to the internal reconfiguration of the two retail tenancies fronting Church Street.

ii. Podium – Mezzanine (Western Tower)

Council raises no objection to the proposed modifications for a new mezzanine to retail 01.

CONDITION B41 OF EXISTING APPROVAL

In regards to Council's resolution (g) Council staff have reviewed Meriton's submission regarding compliance with condition B41 and have had discussions with both El-Phoenician and Meriton concerning the draft plan. I refer to Council's email to the Department dated 5 May 2015 sent by Steven Ellis.

Council's view is that due to the high intensity of the loading dock servicing 629 apartments and eight retail units and having regard to the location of the El-Phoenician restaurant and the right of way, that best industry practice would require a loading dock, management plan and a loading dock manager present on site during typical loading hours e.g. 7:00am - 10:00pm, 7 days.

Council believes this is the appropriate solution, in conjunction with the plan required by condition B41 to provide a safe environment for vehicles and pedestrians in this critical public domain area. Therefore in order to partially satisfy condition B41 Council requests that the department conditions MOD 6 accordingly to require a loading dock management plan and dock manager. We would appreciate your feedback in this regard.

Please note that Council officers have not carried out a full comparison between the approved plans and the modification plans, and provide no comment on any other changes that may be in the modification plans which were not discussed within the written modification request

Council appreciates the opportunity to comment on the above application.

Should you wish to discuss any of the above matters, please call me on 9806 5637.

Yours sincerely



Ashleigh Matta
Development Assessment Officer
Parramatta City Council