



Western Sydney University Innovation Hub

State Significant
Development
Assessment
(SSD 9670)
November 2019



November 2019

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Glossary

Abbreviation	Definition
AHD	Australian Height Datum
BCA	Building Code of Australia
CIV	Capital Investment Value
Consent	Development Consent
Council	Parramatta City Council
CNVMP	Construction Noise and Vibration Management Plan
CTMP	Construction Traffic Management Plan
Department	Department of Planning, Industry and Environment
EESG	The Department's Environment, Energy and Science Group (as the former OEH)
EIS	Environmental Impact Statement
EPA	Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	Environmental Planning and Assessment Regulation 2000
EPI	Environmental Planning Instrument
ESD	Ecologically Sustainable Development
GANSW	Government Architect NSW
LEP	Local Environmental Plan
Minister	Minister for Planning and Public Spaces
Planning Secretary	Secretary of the Department of Planning, Industry and Environment
PDCP	Parramatta Development Control Plan 2011
PLEP	Parramatta Local Environmental Plan 2011
PP	Planning Proposal
RtS	Response to Submissions
SEARs	Secretary's Environmental Assessment Requirements
SEPP	State Environmental Planning Policy
SRD SEPP	State Environmental Planning Policy (State and Regional Development) 2011
SSD	State Significant Development
TfNSW	Transport for NSW



Executive Summary

This report provides an assessment of a State significant development (SSD) application for the Western Sydney University Innovation Hub (SSD 9670). The site is located at 2-6 Hassall Street, Parramatta. The Applicant is Western Sydney University (WSU) and the proposal is located within the City of Parramatta local government area (LGA). The proposal will provide a new tertiary education facility for engineering innovation as part of WSU's expansion of its existing campus network in the Parramatta CBD and additional commercial floorspace in the Parramatta CBD.

The Department considered the merits of the proposal in accordance with the relevant matters under section 4.15(1) and the objects of the *Environmental Planning and Assessment Act 1979*, the principles of Ecologically Sustainable Development (ESD) and the issues raised in all submissions.

The impacts of the proposal have been addressed in the Environmental Impact Statement (EIS), the Response to Submissions (RtS) and supplementary information. Conditions of consent are recommended to ensure that the impacts are managed appropriately.

The proposed built form and massing ensure adequate setbacks to neighbouring properties and an appropriate transition to heritage items and will provide an inviting public domain and pedestrian environment surrounding the site. The Department recommends the proposal be approved.

Project Summary

The proposal seeks approval for:

- construction of a 19 storey mixed use building comprising tertiary education uses for WSU, commercial uses and ancillary retail uses.
- construction of a single level basement comprising car parking, servicing and waste management facilities.
- public domain works including a public plaza and associated landscaping.
- augmentation of services infrastructure.

Demolition of the existing structures and excavation works have been approved separately by Council under an early works development application.

The proposal has a Capital Investment Value (CIV) of \$120,500,000 and would generate 942 jobs during the construction phase and up to 1,330 full-time equivalent jobs on an on-going basis during the operational phase.

The proposal is SSD under clause 15 of Schedule 1 of the State Environmental Planning Policy (State and Regional Development) 2011, as it is development for the purpose of a tertiary institution,

including associated research facilities, that has a capital investment value of more than \$30 million. Therefore, the Minister for Planning and Public Spaces is the consent authority.

Engagement

The EIS was publicly exhibited between 22 May 2019 until 19 June 2019 (28 days). The Department received a total of eight submissions, all from public authorities. No submissions were made from the public. An additional three submissions were received from public authorities in response to the Applicant's RtS.

The key issues raised in the submissions include: building setbacks and heritage impacts; urban design (public domain); vehicular access and servicing; ESD requirements; pedestrian impacts; stormwater infrastructure; construction impacts; and noise impacts.

The RtS provided responses to the key issues raised in the submissions and made minor amendments to the design, including refinement of the future pedestrian connection to the Lancer Barracks immediately to the north, adjustments to the detailed design and materials at the ground level of the building, reconfiguration of cooling tower enclosure and an overall height increase of 150mm.

Assessment

The Department's assessment of the project concludes that:

- the development provides an appropriate and contextual response in height, bulk and scale to the existing and future development on the adjoining properties and will not adversely affect the heritage significance of the adjacent heritage items.
- the development will deliver an architecturally distinct building that has been subject to a competitive design process and will achieve design excellence and recommended conditions will ensure the design integrity is maintained during the detailed design phase.
- the urban design and landscaping arrangements will make a strong contribution to the public domain by providing activation along the street and an accessible public plaza within the site incorporating flexibility for a future pedestrian connection to the Lancer Barracks.
- the proposal will improve the pedestrian environment in and around the site for students and the general public.
- to ensure that the building is ecologically sustainable, conditions are recommended to require the proposed building achieve a 5 Star Green Star rating.
- recommended conditions will mitigate and manage potential impacts in relation to construction impacts and operational noise.
- the proposal will have acceptable amenity impacts to the surrounding land uses in terms of overshadowing and privacy.



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1. Introduction

This report provides an assessment of a State significant development (SSD) application for the Western Sydney University (WSU) Innovation Hub (SSD 9670). The proposal seeks approval for:

- construction of a 19 storey mixed use building comprising tertiary education uses for WSU, commercial and ancillary retail uses.
- construction of a single level basement comprising car parking, servicing and waste management facilities.
- public domain works including a public plaza and associated landscaping.
- augmentation of services infrastructure.

The application has been lodged by the WSU. The site is located within the City of Parramatta local government area (LGA).

1.1 Site description

The subject site is located at 2-6 Hassall Street, Parramatta at the south-eastern portion of the Parramatta CBD (**Figure 1**).

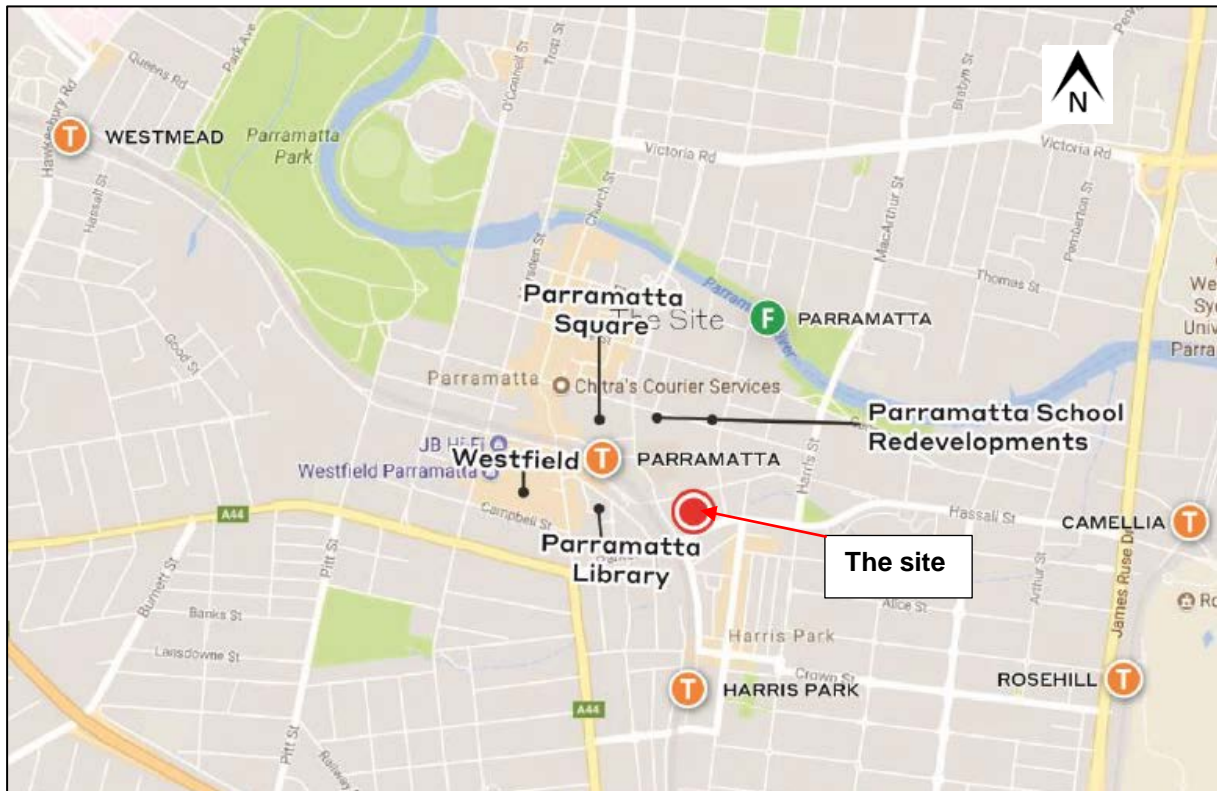


Figure 1 | Site Location Map (Source: EIS)

The site is an amalgamation of three allotments legally described as Lot 22 in DP 608861, Lot 62 in DP 1006215 and Lot 7 in DP128820 with a combined area of 2,647sqm and a frontage of 62m along Hassall Street.

Hassall Street is one way in a westbound direction at its intersection with Station Street East and two way in an eastbound direction.

Council granted consent for the demolition of structures, tree removal and archaeological investigations on the site under DA714/2018. All buildings have subsequently been removed and the site is vacant, and construction hoarding has been erected along the boundaries (see **Section 2.4**).

The site does not contain a heritage item, nor is it located within a heritage conservation area. However, the site is in the vicinity of several heritage items (see **Section 1.2**).

The site is also identified in Council's Parramatta Historical Archaeology Landscape Mapping System in an area having potential for locally significant relics.

1.2 Surrounding development

The site is located within the Parramatta CBD close to the Parramatta Westfield Shopping Centre (300m to the west) and the Parramatta Square Urban Renewal precinct (250m to the northwest) currently under development, comprising a range of civic, residential, entertainment, employment and education uses, including the recently completed WSU School of Business Campus at 1 Parramatta Square.

The site is located approximately 100m to the northwest of the Parramatta Railway Station and Bus Interchange and will also benefit from future public transport infrastructure, including the Parramatta Light Rail (with a planned stop to be located to the northeast on Harris Street), and the Sydney Metro West station likely to be located in the vicinity of the site.

The surrounding area is also undergoing substantial change with underutilised sites in Hassall Street transitioning to higher density CBD scale developments.

The land uses in the immediate vicinity of the site are as follows:

- adjoining the site to the east is a vehicular access driveway to the rear of the Curtis Cheng Centre, which is a 13-16 storey public administration building occupied by the NSW Police at 1 Charles Street.
- further east at 10 Hassall Street is single storey dwelling house currently used as a building site office and the former Parramatta Police Citizens Youth Club (PCYC) at 12 Hassall Street, which are subject to a Planning Proposal (PP) for a mixed-use development with a maximum floor space ratio of 15:1 and a maximum height of 192 metres (61 storeys). The PP is currently with the Department for Gateway determination.
- the eastern end of the street block, at the corner of Hassall Street and Charles Street, contains a mixed-use residential tower known as Elma Apartments, which includes ground floor retail and approximately 15 storeys of residential above.

- adjoining the site to the north is the Lancer Barracks which is an active military training facility within a heritage setting dating from the early Colonial period. The site is listed on the Commonwealth Heritage List, State Heritage Register (Lancer Barracks Memorial Collection) and is identified as a local heritage item under the Parramatta Local Environmental Plan 2011 (PLEP 2011). Further north is the Parramatta Public School and the Arthur Phillip High School.
- adjoining the site to the west, on the corner of Hassall Street and the Station, contains the Commercial Hotel, which is identified as a local heritage item under Schedule 5 Part 1 PLEP 2011.
- to the south on the opposite side of Hassall Street is a 22 storey commercial building known as the Eclipse Tower at 60 Station Street, a three storey residential flat building at 5 Hassall Street and a part two and part four storey commercial building at 7 Hassall Street.
- further east is the Imperial Apartments comprising two mixed residential towers up to 21 storeys under construction at 9 Hassall Street, the Skyrise residential development comprising 43 storeys and at 11 Hassall Street and the Fiori Apartments at 13-15 Hassall Street comprising two 21 storey residential towers.

The site location and context is illustrated in **Figures 2 to 5**.

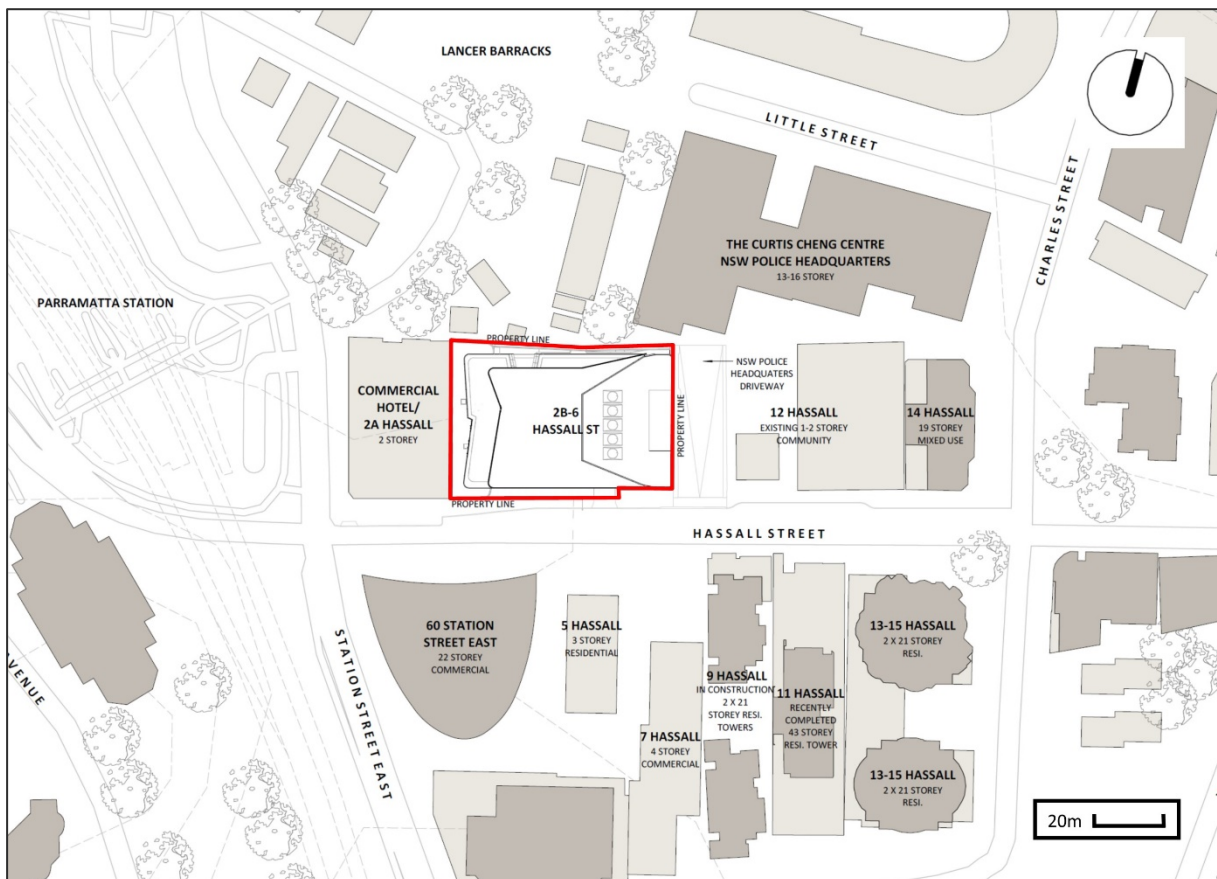


Figure 2 | Site Plan (Source: RtS Supplementary Information)

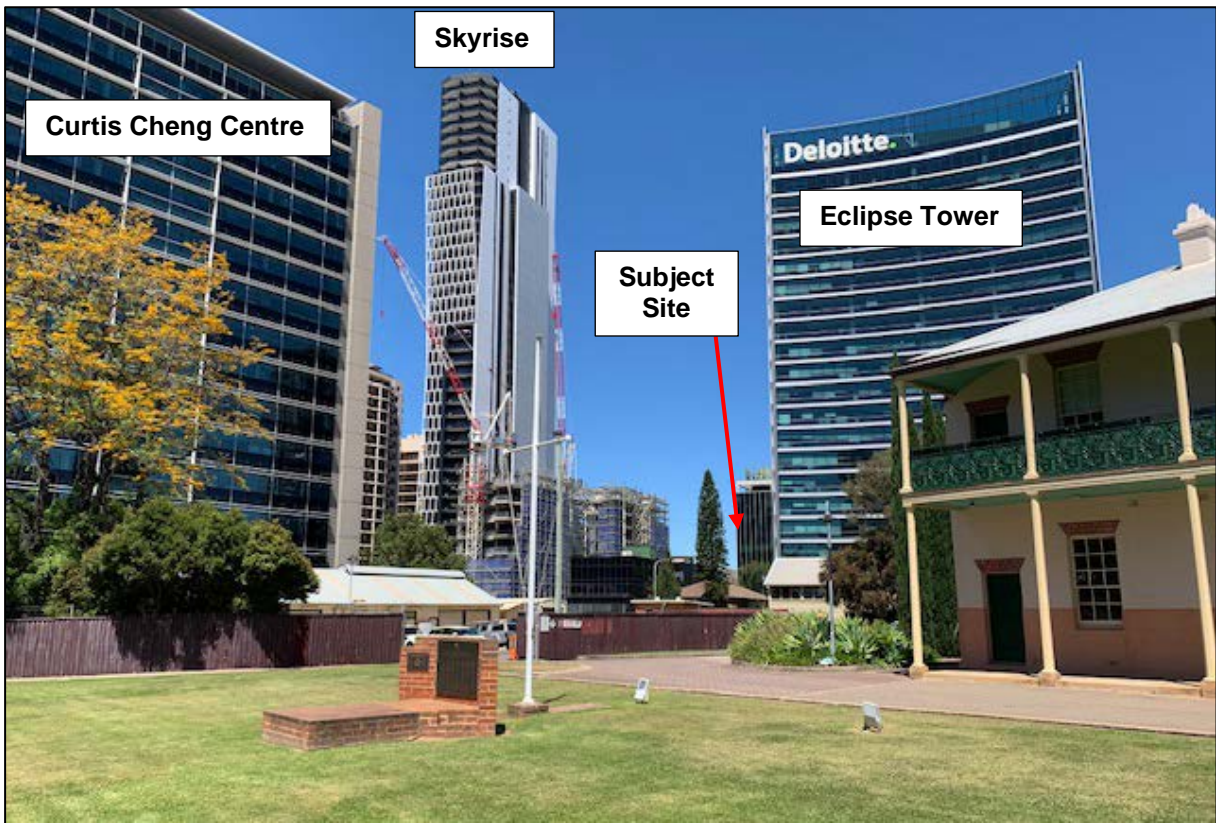


Figure 3 | View south from the Lancer Barracks (Source: Department)



Figure 4 | View northeast from Hassall Street (Source: Department)

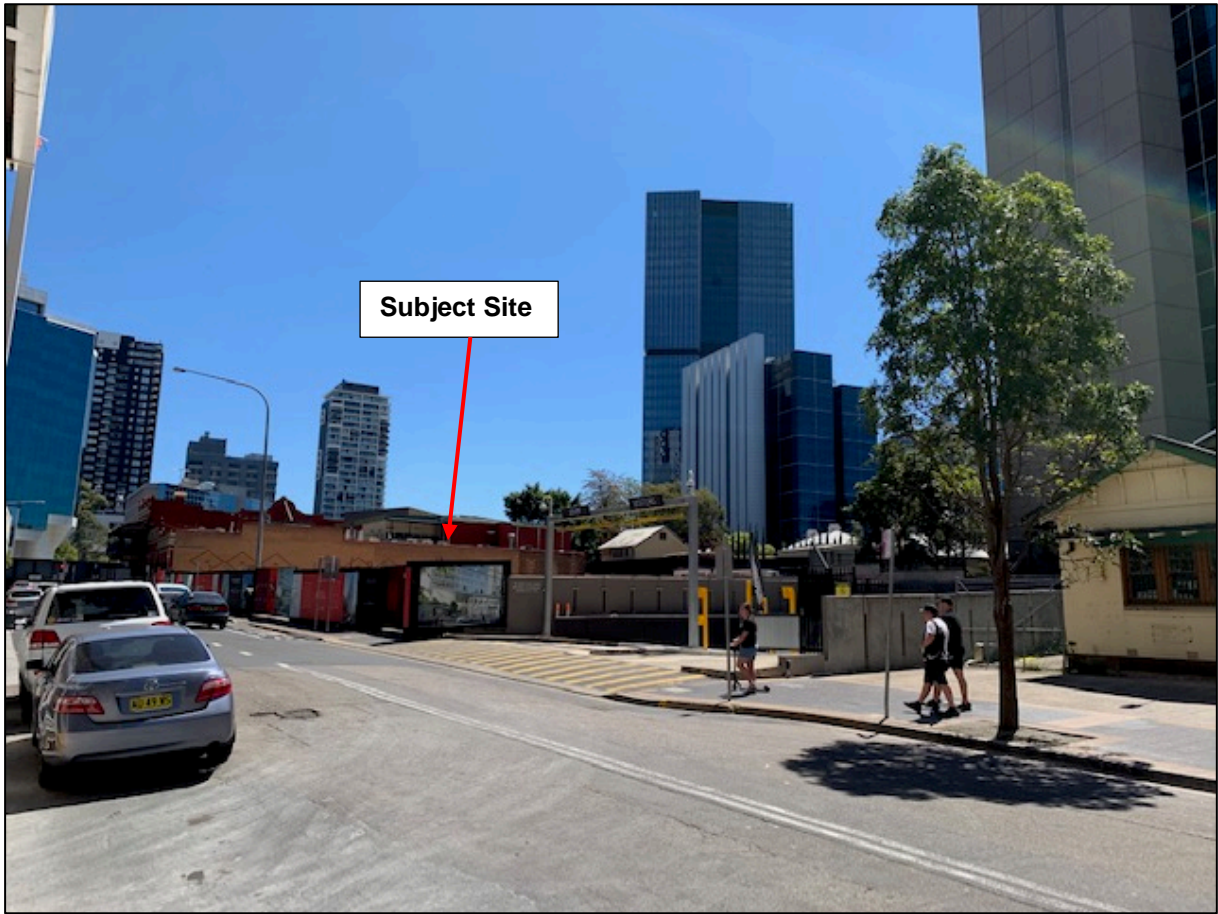


Figure 5 | View west from Hassall Street (Source: Department)



2. Project

The key components and features of the proposal (as refined in the Response to Submissions) are provided in **Table 1** and are shown in **Figures 6** to **12**.

Table 1 | Main components of the project

Aspect	Description
Project Summary	Construction of a mixed-use development comprising tertiary education uses for WSU, commercial and ancillary retail uses and associated public domain and landscaping works and augmentation of services infrastructure.
Built form	<ul style="list-style-type: none">• A 19 storey stepped tower comprising:<ul style="list-style-type: none">- a 12 storey midrise section.- a 3 storey open podium at the base defined by large structural elements including columns and bracing that come to the ground.- a building core offset to the east.- a glazed curtain wall system and a perforated plant room screen on top of the building.- standalone retail building (single storey) at western boundary.
Gross floor area (GFA)	<ul style="list-style-type: none">• Total GFA of 30,440sqm comprising:<ul style="list-style-type: none">- 210sqm (retail) GFA.- 15,945sqm (educational) GFA.- 12,980sqm (commercial) GFA.- 1,305sqm (other) GFA.
Uses	<ul style="list-style-type: none">• Car and bicycle parking, vehicular servicing areas, waste storage areas and plant rooms in a single level basement.• WSU amphitheatre/exhibition space at the lower ground level.• Tertiary education lobby, robotics laboratory, commercial office lobby, plant and equipment, end-of-trip facilities and vehicular driveway ramp at ground level.• Tertiary education uses at Levels 1 to 9.• Commercial uses at Levels 10 to 17.• Plant and equipment at Levels 18 and 19.
Public domain and landscaping	<ul style="list-style-type: none">• A north-south public plaza at the ground plane with flexibility to provide a future pedestrian connection to the Lancer Barracks.• Landscaping treatments to be integrated into the Hassall Street frontage, the public plaza and retail building rooftop and Level 10 and 12 terraces.

Aspect	Description
Access	<ul style="list-style-type: none"> • Vehicular access to the building will be provided by a driveway located adjacent to the commercial lobby entry towards the eastern end of the Hassall Street frontage. • Pedestrian access will be provided by the existing Hassall Street footpath in front of the site.
Car parking	<ul style="list-style-type: none"> • 16 car spaces in basement.
Bicycle parking	<ul style="list-style-type: none"> • 196 bicycle spaces in the basement.
Signage	<ul style="list-style-type: none"> • 9 signage zones applied to building plant, parapets, corners and entrances.
Expected tertiary capacity	<ul style="list-style-type: none"> • 1,610 (students). • 426 (staff).
Jobs	<ul style="list-style-type: none"> • 942 jobs during the construction phase. • Potential to generate 1,330 ongoing full-time equivalent jobs.
CIV	<ul style="list-style-type: none"> • \$120,500,000.

2.1 Physical layout and design

The proposed building design incorporates a stepped built form with the larger 19 storey tower to the east and a smaller 12 storey low rise component to the west. A three-storey open ground floor plane acts as a 'reverse podium' which is characterised by an expressed structural system and public domain plaza within the site. A single storey standalone building containing retail tenancies and end-of-trip facilities will be located within the open ground floor podium at the western boundary of the site. The building core containing lift access is offset to the eastern boundary.

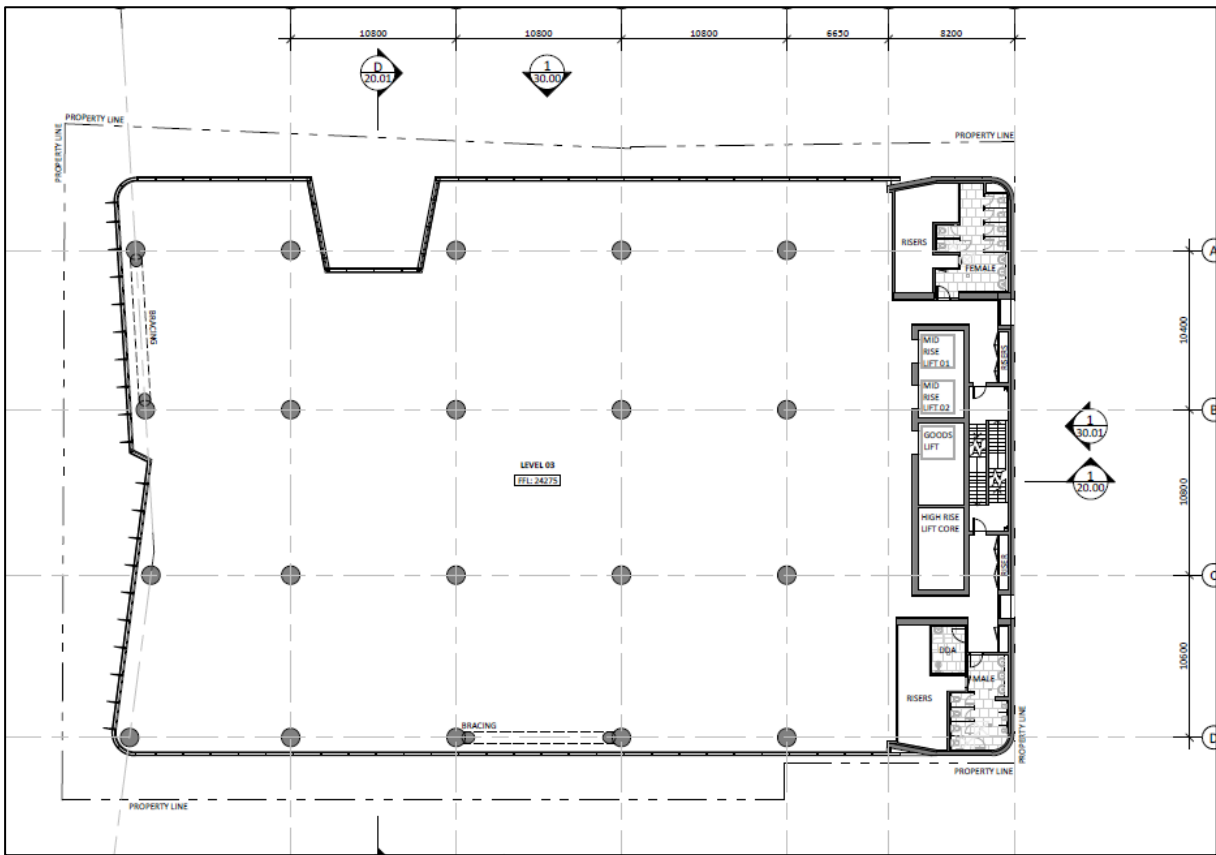


Figure 8 | Level 03 – Midrise section (Source: RtS)

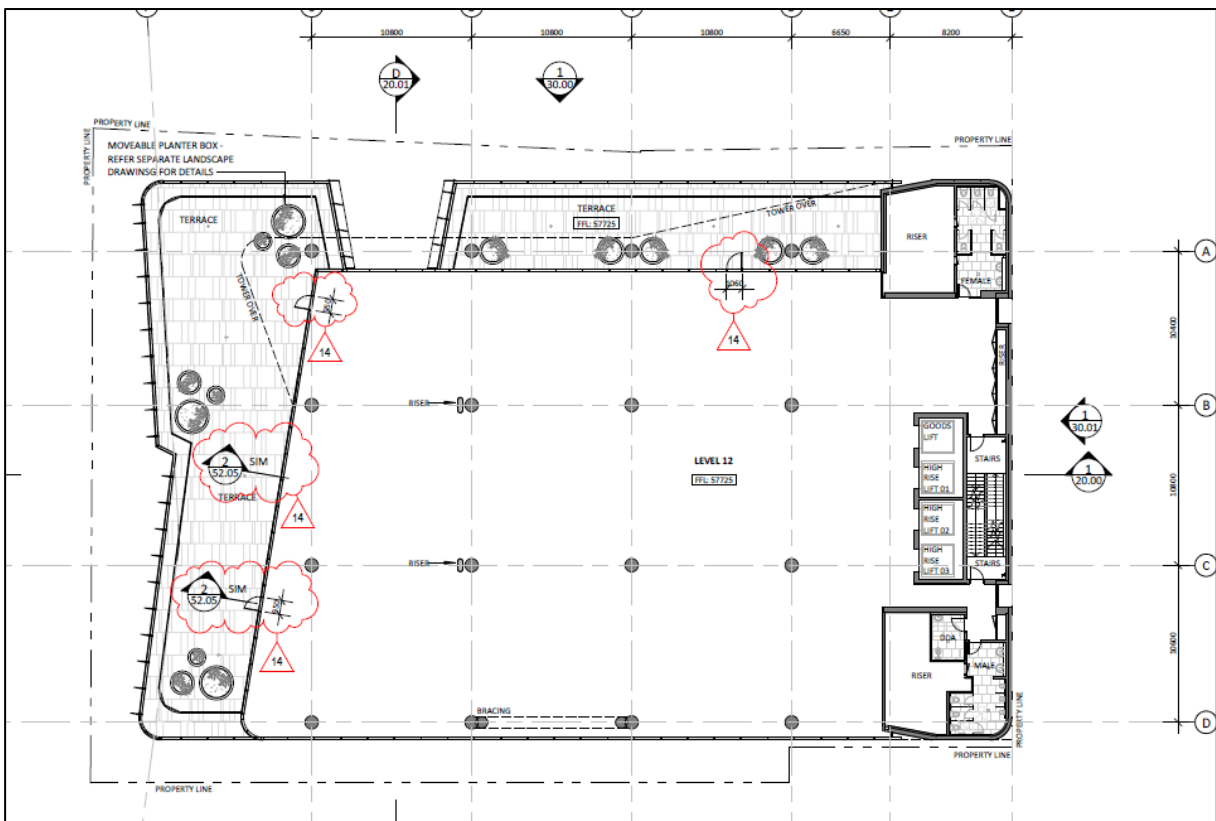


Figure 9 | Level 12 – Tower section (Source: RtS)

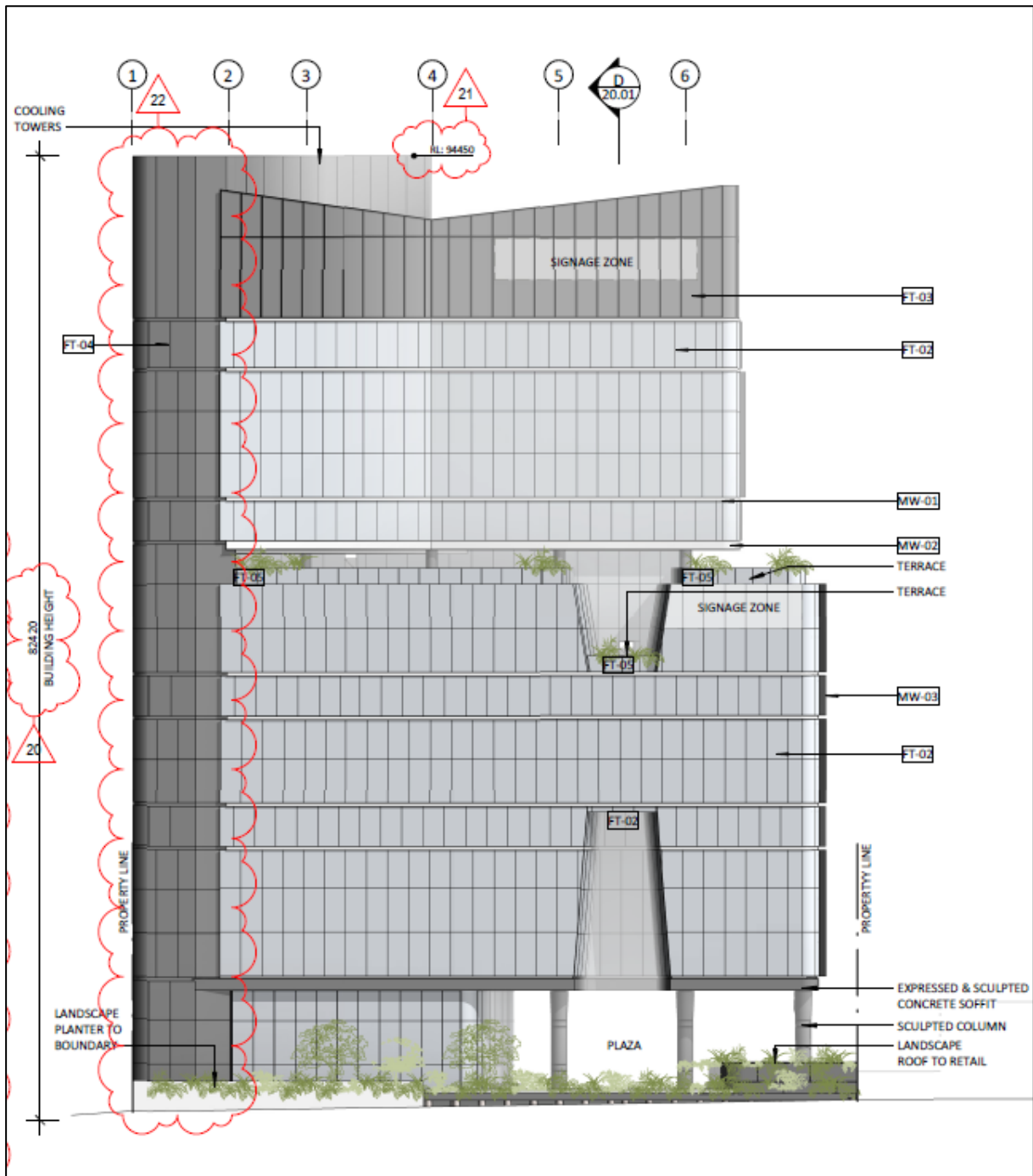


Figure 10 | North Elevation (viewed from Lancer Barracks) (Source: Rts)

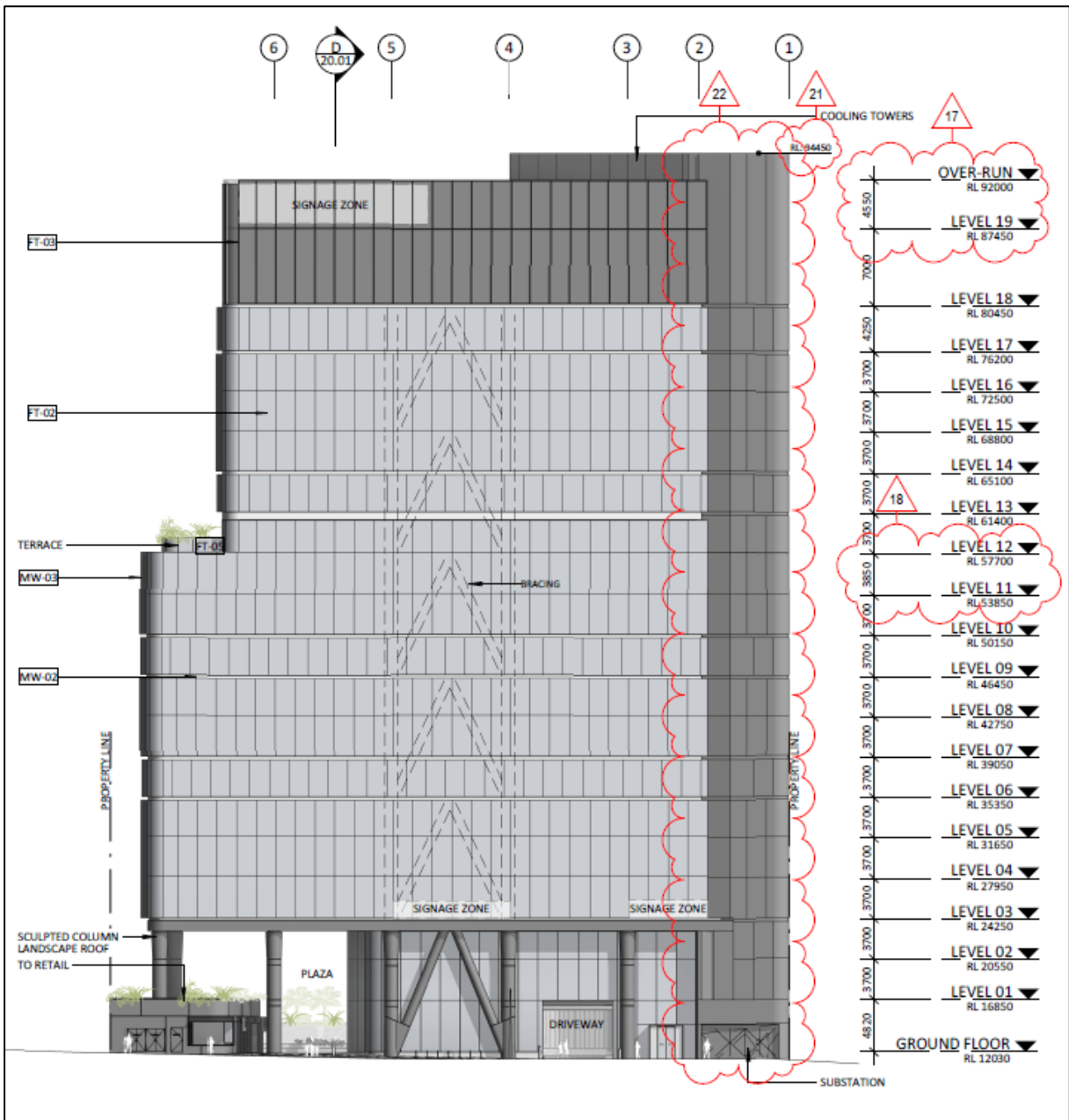


Figure 11 | South Elevation (viewed from Hassall Street) (Source: RtS)



Figure 12 | Perspective view from the Lancer Barracks to the north (Source: RtS)

2.2 Uses and Activities

WSU's new vertical campus will deliver tertiary education facilities offering programs across engineering, architecture and entrepreneurship at undergraduate and postgraduate levels. It will also accommodate 'Launchpad', the WSU business and innovation support program established to foster collaboration between students, start-up companies and the commercial sector. To this end, the commercial floorspace that forms part of the development would provide opportunities for co-location and collaboration with complementary commercial and business partners. The development also incorporates four retail tenancies within the public domain area at ground level available to students and office workers.

2.3 Construction and Timing

The building is scheduled to commence operation in the first university semester in 2021. The development is proposed to be delivered in four construction stages:

- demolition and archaeological investigations (commenced under separate approval – see **Section 2.4**).
- excavation including shoring walls and pilings for a single level basement (approved by Council – see **Section 2.4**).
- construction of the building.
- internal fit-out for all uses (subject to separate applications).

2.4 Related Applications

Planning Proposal

On 22 December 2017, the Applicant submitted a PP to Council requesting amendments to PLEP 2011 seeking an uplift in the height and floorspace controls to align with the Parramatta CBD PP (Gateway Determination received in December 2018).

Due to the timeframe associated with the gazettal of the Parramatta CBD PP, the Applicant sought to expedite the process and amend the planning controls for the subject site to align with the strategic priorities for the Parramatta CBD.

PLEP 2011 was amended on 2 August 2019 (Amendment 37) to include the following changes to the planning controls for the site:

- FSR increased from 6:1 to 10:1.
- maximum building height increased from 72m to 86m (22 storeys).
- reduced car parking rates to align with the Parramatta CBD Strategic Transport Study.
- requirements for high performing buildings and dual water systems in line with the Parramatta CBD PP.

Development Applications

The Applicant has obtained separate development application (DA) approval from Council for the early site works ahead of this SSD application in order to meet the project timeframe described above.

Table 2 outlines the early works DAs approved by Council.

Table 2 | DAs recently approved on the site

DA Number	Approved Works	Date Approved
DA714/2018	Demolition of existing structures on the site including a two storey commercial building and a three storey residential flat building, removal of two significant trees fronting Hassall Street and archaeological investigations. Conditions in the consent protect potential Aboriginal cultural heritage in the event of unexpected finds during the excavation works.	20 December 2018
DA66/2019	Bulk excavation works, including the installation of shoring walls and pilings to create one basement level beneath a future commercial development to accommodate parking, services, storage and plant facilities.	5 July 2019



3. Strategic Context

The proposed development is consistent with NSW State Priorities to create jobs, improve economic competitiveness and educational results. This will be achieved through the provision of a learning and research facility for engineering innovation that will enable WSU to expand and leverage its research expertise and expose students to learning and career opportunities. The co-location of commercial uses in the same building is being delivered through WSU's joint venture with Charter Hall.

In combination with the existing WSU School of Business Campus at 1 Parramatta Square and the new vertical primary and high schools along Macquarie and Smith Streets, the proposed development will form part of an education cluster in the heart of the Parramatta CBD. This seeks to contribute to the achievement of an internationally competitive education precinct and create employment opportunities within the tertiary education and commercial sectors.

The site is ideally located close to regionally significant existing and proposed transport infrastructure, including the Parramatta Railway Station and Bus Interchange, as well as the future Parramatta Light Rail and Sydney Metro West projects.

The Department considers the proposal is justified given it is consistent with:

- the vision outlined in the Greater Sydney Commission's Central City District Plan, as it aligns with the directions and planning priorities outlined in the plan, having particular regard to the growth of the Parramatta CBD and the expansion of employment-generating uses on the site.
- Transport for NSW's Future Transport Strategy 2056, as it would provide a high density mixed-use development which is well served by public transport.
- Infrastructure NSW's State Infrastructure Strategy 2018 – 2038 Building the Momentum, as it would deliver a new educational facility to meet the needs of the growing population and economy.
- the Parramatta CBD Planning Strategy that aims to grow Parramatta and facilitate additional jobs.

The proposed development would provide direct investment in the region of approximately \$120,500,000, which would support 942 construction jobs and 1,330 operational jobs.



4. Statutory Context

4.1 State significant development

The proposal is SSD under section 4.36 (development declared SSD) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) as the development has a CIV in excess of \$30 million (\$120,500,000) and is for the purpose of a tertiary institution under clause 15 of Schedule 1 of the State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP).

The Minister is the consent authority under section 4.5 of the EP&A Act.

In accordance with the then Minister for Planning's delegation to determine SSD applications, signed on 11 October 2017, the Executive Director, Infrastructure Assessments, may determine this application as:

- the relevant Council has not made an objection.
- there are less than 25 public submissions in the nature of objection.
- a political disclosure statement has not been made.

4.2 Permissibility

The site is identified as being located within the B3 Commercial Core zone under PLEP 2011. The proposed development comprising tertiary education, commercial and retail uses is permissible with consent within the B3 zone. Therefore, the Minister for Planning and Public Spaces or a delegate may determine the carrying out of the development.

4.3 Other approvals

Under section 4.41 of the EP&A Act, a number of other approvals are integrated into the State significant development approval process, and consequently are not required to be separately obtained for the proposal.

Under section 4.42 of the EP&A Act, a number of further approvals are required, but must be substantially consistent with any development consent for the proposal (e.g. approvals for any works under the *Roads Act 1993*).

The Department has consulted with the relevant public authorities responsible for integrated and other approvals, considered their advice in its assessment of the project, and included suitable conditions in the recommended conditions of consent (see **Appendix D**).

4.4 Mandatory matters for consideration

4.4.1 Environmental planning instruments

Under section 4.15 of the EP&A Act, the consent authority is required to take into consideration any relevant environmental planning instrument (EPI) to the development the subject of the development application. Therefore, the assessment report must include a copy of, or reference to, the provisions of any EPIs that substantially govern the project and that have been taken into account in the assessment of the project.

The Department has undertaken a detailed assessment of these EPIs in **Appendix B** and is satisfied the application is consistent with the requirements of the EPIs.

4.4.2 Objects of the EP&A Act

The objects of the EP&A Act are the underpinning principles upon which the assessment is conducted. The statutory powers in the EP&A Act (such as the power to grant consent/ approval) are to be understood as powers to advance the objects of the legislation, and limits on those powers are set by reference to those objects. Therefore, in making an assessment, the objects should be considered to the extent they are relevant. A response to the objects of the EP&A Act is provided at **Table 3**.

Table 3 | Response to the objects of section 1.3 of the EP&A Act

Objects of the EP&A Act	Consideration
(a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources.	The proposed development will create employment opportunities within tertiary education, commercial and retail sectors and contribute to the achievement of an internationally competitive education precinct that will benefit the social and economic welfare of the community.
(b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment.	The proposal incorporates satisfactory measures to achieve ecologically sustainable development, as detailed in Section 4.4.3 .
(c) to promote the orderly and economic use and development of land.	The proposal will promote the orderly development of the land as it will provide a high density mixed use development well serviced by public transport services and amenities within the Parramatta CBD.
(d) to promote the delivery and maintenance of affordable housing.	Not Applicable

Objects of the EP&A Act	Consideration
(e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats.	The proposal will not result in the loss of any threatened or vulnerable species, plants, ecological communities or their habitats.
(f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage).	The proposed development does not propose any further excavation and is not anticipated to result in any impacts upon the built and cultural heritage, including Aboriginal Cultural Heritage. Aboriginal and European archaeology has been dealt with in the early works DAs approved by Council (see Section 2.4).
(g) to promote good design and amenity of the built environment.	The proposal has been subject to a design competition process to achieve design excellence and develop the optimal built form and urban design outcome for the site. The proposal is supported by the Design Competition Jury and responds to the context of the site through appropriate setbacks and building articulation. See Section 6.1 for more detail.
(h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants.	The Department recommends conditions of consent to ensure the construction and maintenance of the proposed building is undertaken in accordance with the relevant legislation, guidelines, policies and procedures (see Appendix C).
(i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State.	The Department publicly exhibited the proposal (Section 5.1), which included consultation with Council and other public authorities and consideration of their responses (Sections 5.3 and 6).
(j) to provide increased opportunity for community participation in environmental planning and assessment.	The Department publicly exhibited the proposal as outlined in Section 5.1 , which included notifying adjoining landowners, placing a notice in newspapers and displaying the proposal on the Department's website and at Council during the exhibition period.

4.4.3 Ecologically sustainable development

The EP&A Act adopts the definition of ESD found in the *Protection of the Environment Administration Act 1991*. Section 6(2) of that Act states that ESD requires the effective integration of economic and

environmental considerations in decision-making processes and that ESD can be achieved through the implementation of:

- the precautionary principle.
- inter-generational equity.
- conservation of biological diversity and ecological integrity.
- improved valuation, pricing and incentive mechanisms.

The Applicant is targeting a Green Star Design & As Built v1.2 Rating of 5 stars by the Green Building Council of Australia and identified initiatives that would minimise the consumption of resources, water and energy. Proposed ESD initiatives and sustainability measures include:

- an operable atrium to facilitate natural ventilation.
- high performance glazing.
- insulation in the walls, floor and roof to reduce heat flow and consequent heat loss in winter and heat gain in summer.
- use of LED lighting.
- efficient artificial lighting systems.
- heating water system utilising gas-fired hot water heaters.
- energy efficient high-performance air conditioning systems.
- landscape planting measures.

The Department has recommended a condition that the final design achieves the 5 star Green star rating and certification be submitted to the Certifying Authority.

The Department has considered the proposed development in relation to the ESD principles. The precautionary and inter-generational equity principles have been applied in the decision making process via a thorough and rigorous assessment of the environmental impacts of the proposed development. The proposed development is consistent with ESD principles as described in section 3.9 and Appendix Q of the Applicant's EIS, which has been prepared in accordance with the requirements of Schedule 2 of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation).

Overall, the proposal is consistent with ESD principles and the Department is satisfied the proposed sustainability initiatives will encourage ESD, in accordance with the objects of the EP&A Act.

4.4.4 Environmental Planning and Assessment Regulation 2000

Subject to any other references to compliance with the EP&A Regulation cited in this report, the requirements for Notification (Part 6, Division 6) and Fees (Part 15, Division 1AA) have been complied with.

4.4.5 Planning Secretary's Environmental Assessment Requirements

The EIS is compliant with the Planning Secretary's Environmental Assessment Requirements (SEARs) and is sufficient to enable an adequate consideration and assessment of the proposal for determination purposes.

4.4.6 Section 4.15(1) matters for consideration

Table 4 identifies the matters for consideration under section 4.15 of the EP&A Act that apply to SSD in accordance with section 4.40 of the EP&A Act. The table represents a summary for which additional information and consideration is provided for in **Section 6** (Assessment) and relevant appendices or other sections of this report and EIS, referenced in the table.

Table 4 | Section 4.15(1) matters for consideration

Section 4.15(1) Evaluation	Consideration
(a)(i) any environmental planning instrument	Satisfactorily complies. The Department's consideration of the relevant EPIs is provided in Appendix B of this report.
(a)(ii) any proposed instrument	Consideration has been given to draft EPIs at Appendix B .
(a)(iii) any development control plan (DCP)	Under clause 11 of the SRD SEPP, DCPs do not apply to SSD. Notwithstanding, consideration has been given to relevant DCPs at Appendix B .
(a)(iiia) any planning agreement	Not applicable.
(a)(iv) the regulations <i>Refer Division 8 of the EP&A Regulation</i>	The application satisfactorily meets the relevant requirements of the EP&A Regulation, including the procedures relating to applications (Part 6 of the EP&A Regulation), public participation procedures for SSD and Schedule 2 of the EP&A Regulation relating to EIS.
(b) the likely impacts of that development including environmental impacts on both the natural and built environments, and social and economic impacts in the locality	Appropriately mitigated, managed or conditioned - see Section 6 of this report.
(c) the suitability of the site for the development	The site is suitable for the development as discussed in Sections 3 and 6 of this report.
(d) any submissions	Consideration has been given to the submissions received during the exhibition period. See Sections 5 and 6 of this report.
(e) the public interest	Refer to Sections 6 and 7 of this report.

4.4.7 Biodiversity Conservation Act 2016

Under section 7.9(2) of the *Biodiversity Conservation Act 2016* (BC Act), SSD applications are “to be accompanied by a biodiversity development assessment report (BDAR) unless the Planning Agency Head and the Environment Agency Head determine that the proposed development is not likely to have any significant impact on biodiversity values”.

The proposed works are not likely to have a significant impact on biodiversity values. Delegates of the Environment Agency Head and the Planning Agency Head have determined that the application is not required to be accompanied by a BDAR and a waiver has been granted accordingly.



5. Engagement

5.1 Department's engagement

In accordance with Schedule 1 of the EP&A Act, the Department publicly exhibited the application from 23 May 2019 until 19 June 2019 (28 days). The application was exhibited at the Department and on its website, at the NSW Service Centre and at Parramatta City Council's office.

The Department placed a public exhibition notice in the Parramatta Advertiser 22 May 2019, and notified adjoining landholders and relevant State and local government authorities in writing. A representative of the Department visited the site to provide an informed assessment of the development.

The Department has considered the comments raised in the submissions during the assessment of the application (**Section 6**) and by way of recommended conditions in the instrument of consent at **Appendix C**.

5.2 Summary of submissions

The Department received a total of eight submissions all from public authorities. No submissions were received from the public. A summary of the issues raised in the public authority submissions is provided at **Section 5.3**.

5.3 Public Authority submissions

A summary of the issues raised in the submissions is provided at **Table 4** below and copies of the submissions may be viewed at **Appendix A**

Table 4 | Summary of public authority submissions to the EIS exhibition

Parramatta City Council (Council)

Council did not object to the proposal but provided the following comments for further consideration:

Building Setbacks

- the built form does not comply with the site-specific boundary setbacks controls under Parramatta Development Control Plan 2011 (PDCP 2011), resulting in adverse impacts on the surrounding area in terms of heritage and scale.

Urban Design/Public Domain

- the activation along the Hassall Street frontage of the site should be improved by relocating the substation and bicycle stands and providing a more defined and clear accessible pathway, in terms of materiality and property demarcation.

-
- the driveway bollards should be replaced with warning Tactile Ground Surface Indicators.
 - additional design options and levels should be provided to demonstrate how the future through-site pedestrian connection will work.
 - detailed plans should be provided in accordance with Council's public domain requirements showing the general layout of elements and details, including street trees and lighting, water levels/drainage, doorway design at retail interface, accessible seating, paving, services and finishes and landscaping.

Ecologically Sustainable Development

- the ESD report should be updated or conditions of consent imposed to ensure the design reflects national best practice sustainable building principles, a commitment agreement with the NSW Office of Environment and Heritage for a NABERS energy rating target of 5 stars and water rating of 4 stars for the office component, a dual reticulation (dual pipe) system, use of LED lighting, limitation on the use of PVC, certification of all timber, gearless lifts with regenerative drives and destination control, maximized efficiency of PV panels and details of a naturally ventilated atrium.

Wind

- the wind mitigation measures to protect the amenity of users of the plaza including the canopies and other interventions recommended in the Wind Study should be resolved prior to determination.

Stormwater

- the stormwater disposal system including On-site Detention and Water Sensitive Urban Design should be designed in accordance with PDCP 2011, including the OSD tank location, overflow discharge and any flows from the upstream property, sizing of the drainage infrastructure in terms of wind driven rain being intercepted by the vertical faces of the building, localised sumps and treatment of seepage discharged to meet water quality standards with engineering details submitted prior to the commencement of works.

Roads and Maritime Services (RMS)

RMS did not object to the proposal but requested a condition requiring a Construction Pedestrian Traffic Management Plan (CPTMP).

Department's Environment, Energy and Science Group (the former OEH) (EESG)

EESG did not object to the proposal but requested the recommendations in the Aboriginal Cultural Heritage Assessment Report (ACHAR) to be included as conditions of the consent.

Sydney Water (SW)

SW confirmed the site can be serviced subject to recommended conditions on the consent.

Transport for New South Wales (TfNSW)

TfNSW did not object to the proposal, but requested further assessment in relation to freight and servicing movements and pedestrian facilities including pedestrian pinch points along desire lines to public transport nodes and measures to improve any constraints or pedestrian safety concerns. Conditions were also recommended including a Travel Plan and Construction Pedestrian and Traffic Management Plan.

NSW Environment Protection Authority (EPA)

- EPA did not object to the proposal but raised concerns with noise and vibration impacts to noise sensitive receivers such as surrounding residences, and requested confirmation of construction and operational noise criteria with additional noise monitoring including recommended standard construction hours and intra-day respite periods for highly intrusive noise generating work.
- EPA provided additional recommendations in relation to construction dust control and management, erosion and sediment control and management, water sensitive urban design including stormwater re-use, waste control and management and the implementation of effective energy efficiency measures.
- A condition was also recommended requiring a Site Audit Statement from an EPA Accredited Site Auditor to confirm that the site is or has been made suitable for the intended use pursuant to the *Contaminated Land Management Act 1997* and State Environmental Planning Policy No. 55 – Remediation of Land.

Heritage Council of NSW (HC)

HC did not object to the proposal noting the development responds to its immediate heritage context. A condition is recommended in relation to an unexpected finds protocol to manage any additional archaeological discoveries during the construction period.

Endeavour Energy (EE)

EE did not object to the proposal and confirmed the site can be serviced subject to an energy load assessment being undertaken.

5.4 Response to Submissions

Following the exhibition of the application, the Department placed copies of all submissions received on its website and requested the Applicant provide a response to the issues raised in the submissions.

On 22 August 2019, the Applicant provided a Response to Submissions (RtS) (**Appendix A**) on the issues raised during the exhibition of the proposal.

The RtS made minor amendments to the design, including refinement of the future pedestrian connection to the Lancer Barracks, adjustments to the detailed design and materiality at the ground plane, reconfiguration of cooling tower enclosure and an overall height increase of 150mm.

A detailed description of the amendments to the design is provided in **Table 5**.

Table 5 | Description of the amendments to the design in the RtS

Level	Amendment
Basement	<ul style="list-style-type: none">• minor changes to internal layout configuration.• provision of a shuttle lift.• provision of two additional car spaces, four motorcycle and four end-of-trip bicycle facilities.
Ground	<ul style="list-style-type: none">• an amended shoreline strategy for pedestrian travel with changes in materiality.• relocation of bicycle racks.• reconfiguration of retail tenancies.• deletion of the university lobby café.• amendments to landscaping and public domain arrangements.• reconfiguration of stairs to amphitheatre/exhibition space (lower ground level).• provision of additional 28 end-of-trip lockers and one additional shower.
Level 1	<ul style="list-style-type: none">• revised planter landscape on the roof of the retail tenancies.
Levels 11 and 12	<ul style="list-style-type: none">• floor to floor height adjusted to allow flush threshold access to the Level 12 terrace.
Level 19	<ul style="list-style-type: none">• reconfiguration of the cooling tower enclosure.
Roof	<ul style="list-style-type: none">• lift over-run raised from RL91.5 to RL92.• overall building height increase by 150mm.• addition of horizontal louvre to the general exhaust.

The following additional information was also provided with the RtS:

- amended architectural plans to reflect the design changes.
- updated overshadowing diagrams.
- amended Landscape Drawings and Public Domain Plans.
- supplementary Transport Assessment report.
- amended ESD Report.
- additional information in relation to site contamination.
- supplementary acoustic report.

The RtS was made publicly available on the Department website and referred to the relevant public authorities. An additional three submissions were received from Council, TfNSW and HC. A summary of the issues raised in the submissions is provided at **Table 5** and copies of the submissions are at **Appendix A**.

Table 5 | Summary of public authority submissions to the RtS

Council

Council raised concerns with the installation of bollards either side of the vehicular driveway in Hassall Street, inadequate latch side clearances for the amenities and the use of a platform lift to address the change in level in the commercial lobby. Conditions were also recommended requesting:

- Public Domain Alignment Drawings in accordance with Council's Public Domain Guidelines.
- details of the proposed stormwater infrastructure, to be approved by Council.

HC

HC advises the proposed changes in the RtS do not result in any additional heritage impact and raises no objection.

TfNSW

TfNSW advised it has no further comment.

5.5 Supplementary Information

On 9 October 2019, the Applicant provided Supplementary Information on the overshadowing impacts to the neighbouring residential properties.



6. Assessment

The Department has considered the EIS, the issues raised in submissions and the Applicant's RtS in its assessment of the proposal. The Department considers the key issues associated with the proposal are:

- built form and heritage.
- urban design.
- traffic, access and parking.
- noise.

Each of these issues is discussed in the following sections. Other issues were taken into consideration during the assessment of the application and are discussed at **Section 6.5**.

6.1 Built Form and Heritage

6.1.1 Building Height, Scale and Setbacks

The site is subject to building height and floor space ratio (FSR) controls under PLEP 2011 with the ability for a further 15% FSR bonus available for developments that exhibit design excellence. The proposed building complies with the relevant height and FSR controls (including the design excellence bonus) and demonstrates a built form consistent with that which is envisaged under PLEP 2011 (see **Table 6**).

Table 6: PLEP 2011 Development Standards

Floor Space Ratio			Building Height	
Development Standard	15% bonus	Proposed	Development Standard	Proposed
10:1 (max.)	1.5:1	11.5:1	86m (max.)	82.42m

PDCP 2011 contains site-specific envelope controls which envisage a conventional tower set back from a podium base to ensure development is sensitive to the adjoining heritage context whilst responding to the future envisaged scale of the CBD.

The building height controls include a maximum street wall of 3 storeys to align with the parapet of the adjoining Commercial Hotel to the west and a 19 storey tower above the podium, resulting in a maximum 22 storey building on the site.

The building setback controls require a 3m podium setback from Lancer Barracks to the north, and a 2m podium setback to the southern boundary (Hassall Street) to match the predominant street

boundary alignment to the east and aligning with the ground level façade, and no setbacks to the podium at the east and western boundaries.

Above the podium, the setbacks are 3m from the edge of the podium to the north (6m to the northern boundary), 3m from the eastern boundary (and podium edge), 6m to Hassall Street (4m from the edge of the podium to the south) and 6m from the western boundary (and podium edge). The maximum building envelope prescribed by the envelope controls is illustrated in **Figure 13**.

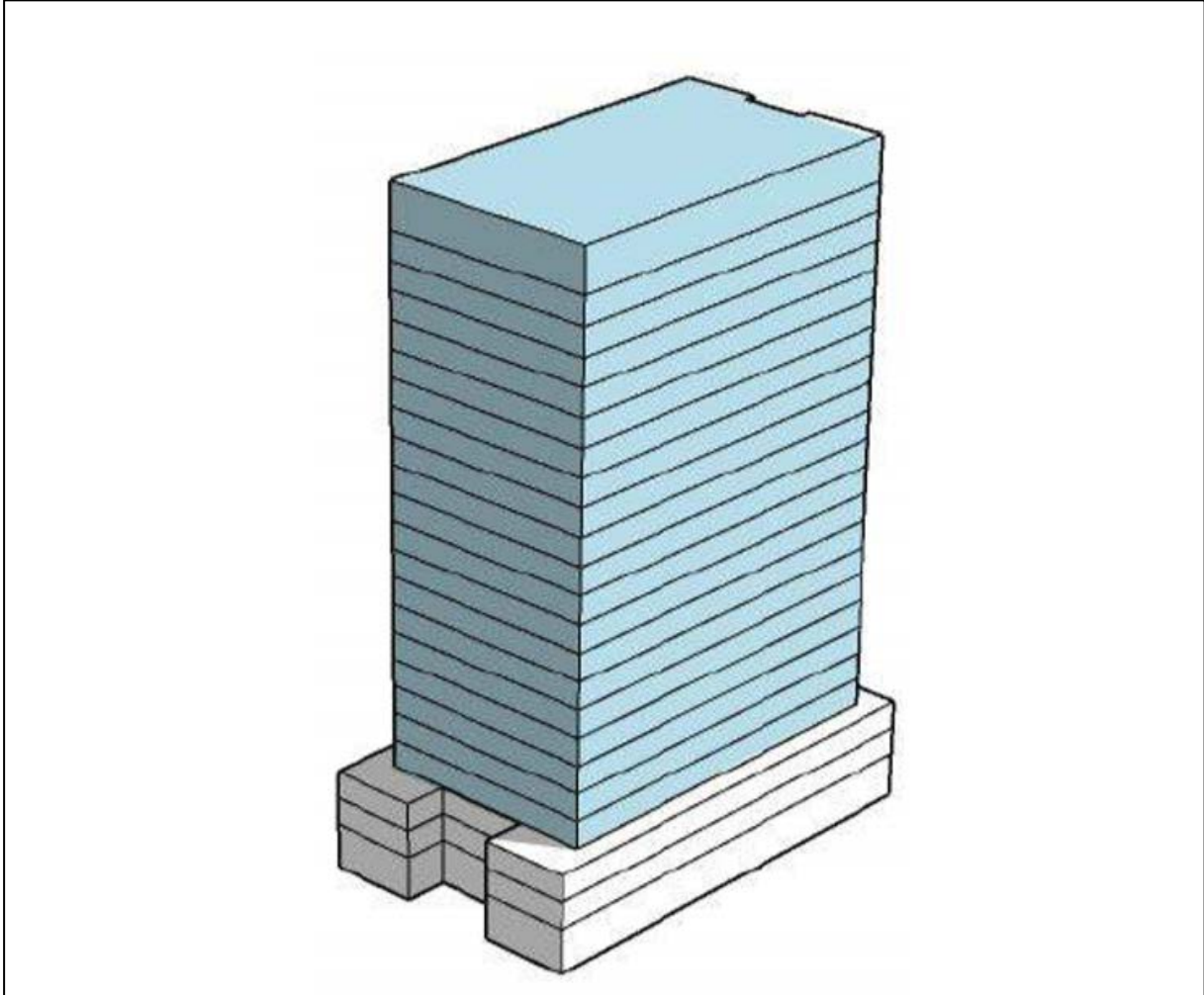


Figure 13 | Isometric view of the maximum building envelope prescribed by the site-specific DCP controls
(Source: PDCP 2011)

The proposed building envelope incorporates a stepped form with a larger 19 storey tower to the east and a smaller 12 storey section to the west. A three-storey open ground floor plane acts as a ‘reverse podium’ which is characterised by an expressed structural system and public domain plaza.

The mid-rise section is setback 1.89m-3.3m to the north (Lancer Barracks) and 2.9m to the south (Hassall Street) and no setback to the east and 3.3m-5.5m setback to the west (Commercial Hotel).

The tower above will be setback 2.3m-6.9m to the north and 2.9m to the south and no setback to the east and 10m-13.5m setback to the west. A comparison of the building setback controls and the proposed built form is provided in **Table 7** and illustrated in **Figures 14** and **15**.

Table 7: PDCP 2011 Building Setback Controls

Building Setback Controls under PDCP 2011 (m)		Proposed Development (m)
<i>Podium</i>		
North	3	1.89-3.3
South	2	2.9
East	0	0
West	0	3.3-5.5
North	3	1.89-3.3
<i>Above Podium</i>		
North	6	2.3-6.9
South	6	2.9
East	3	0
West	6	3.3 (podium) 10-13.5 (tower)

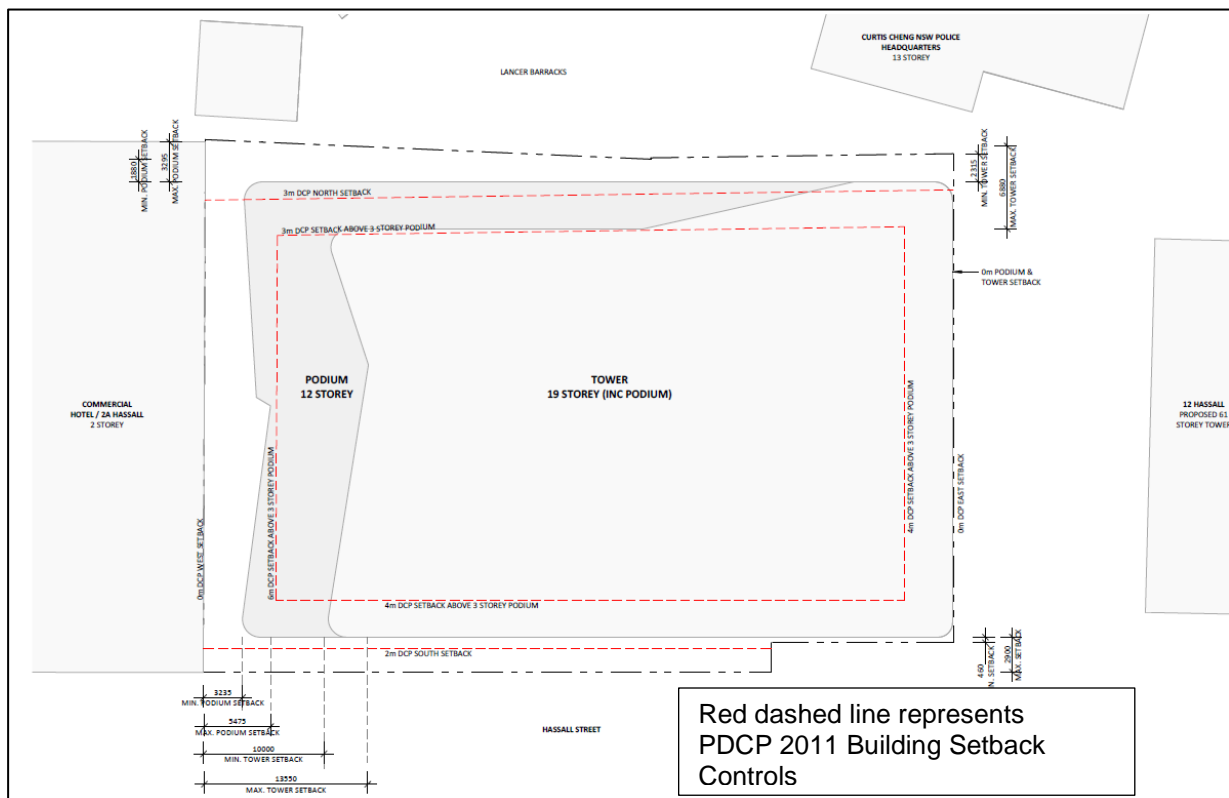


Figure 14 | Setback Diagram (Source: RtS)

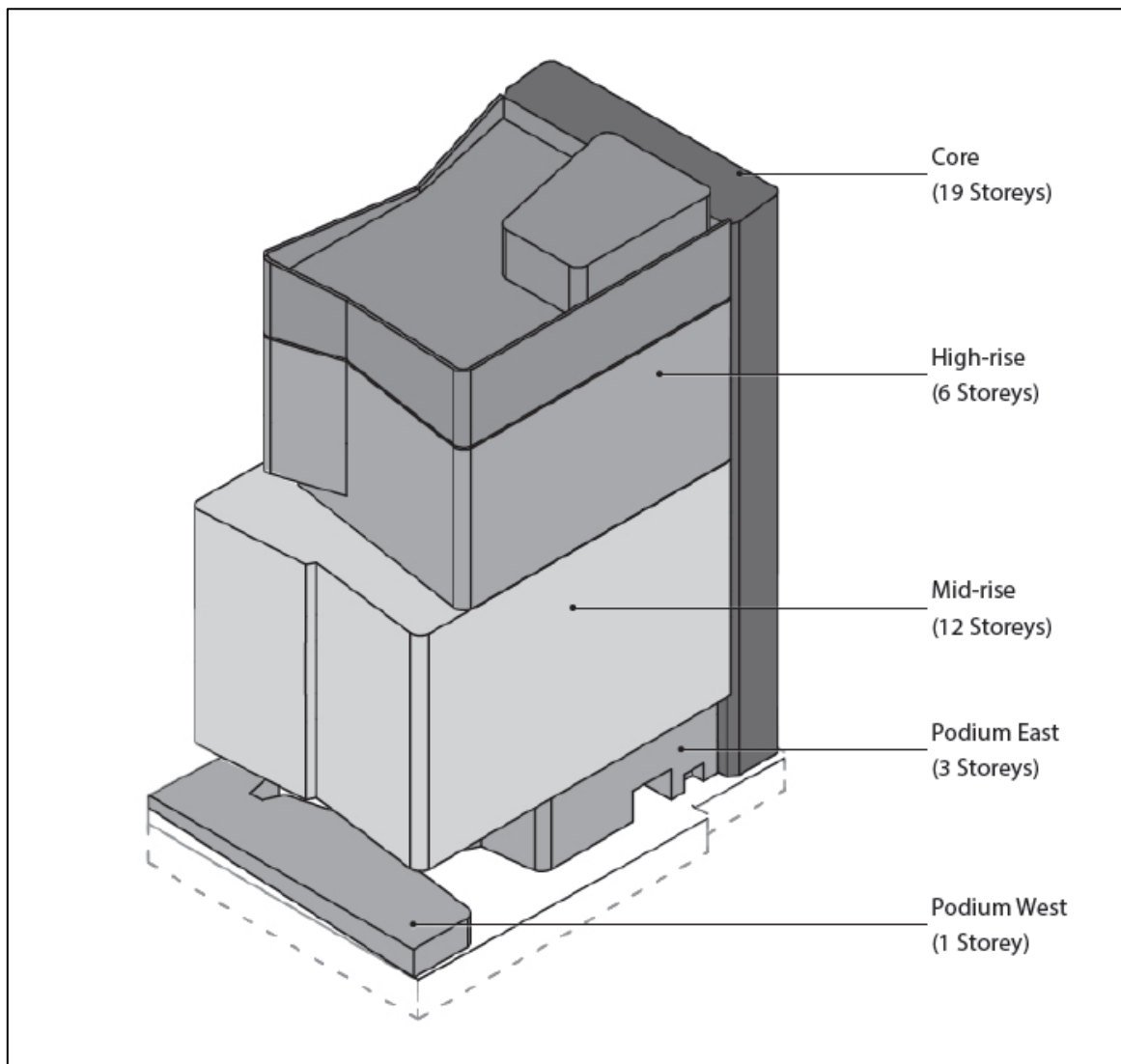


Figure 15 | Proposed Building Envelope (Source: EIS)

Council’s submission to the EIS considered the enlarged podium will have an adverse impact on the surrounding area in terms of heritage and scale.

The Applicant contends the built form is appropriate for the site because:

- it modulates the tower form, creating a sympathetic transition from the two storey Commercial Hotel to the west through to the proposed 61 storey residential development at 10-12 Hassall to the east.
- the stepped form opens views to daylight from the Lancer Barracks.
- it meets the functional and spatial requirements of the WSU and allows for large and contiguous floorplates to attract and maintain commercial tenants.
- it provides a large midrise landscaped terrace to soften the vertical built form.
- it does not inhibit future re-development potential of the adjoining sites.
- provides flexibility at the ground plane for a future pedestrian connection to the Lancer Barracks.
- allows suitable areas at ground level for pedestrian circulation and landscape treatment.

The Department notes the proposal does not represent a typical podium/tower form, and the envelope departs from the site-specific envelope controls with lesser setbacks to some boundaries and greater setbacks to other boundaries. The main difference between the site-specific building envelope and the proposed building envelope is that the proposed building envelope has been divided into a part 12 storey and part 19 storey component.

The Department considers the stepped form maintains an appropriate scale transition from the Commercial Hotel to the west to the proposed 61 storey tower to the east and a well-considered built form relationship to the Lancer Barracks to the north (**Section 6.1.2**). Furthermore, the proposal has been developed through a competitive design process to achieve design excellence. The Design Integrity Panel (DIP) supported the design of the proposal and did not raise any concern about the height or scale of the building (**Section 6.1.3**).

The Department notes the design excellence brief allowed for departures from the site-specific envelope controls under PDCP 2011 where it can be demonstrated a better design outcome would be achieved. The Department is of the view that the proposed development warrants departures from the site-specific building envelope controls as it will provide a better design outcome and contextual fit than a conventional tower form envisaged in PDCP 2011 (noting that, in accordance with clause 11 of the SRD SEPP, Development Control Plans do not apply to State significant development.)

The Department's assessment concludes the development provides an appropriate and contextual response in height, bulk and scale to the existing and future development on the adjoining properties and reflects the surrounding changing urban context.

6.1.2 Heritage

The Lancer Barracks adjoining to the north contains multiple Commonwealth, State and locally heritage-listed low-rise Colonial period buildings with the highly significant buildings located in the north-eastern part of the site.

The adjoining building to the west on the corner of Hassall Street and Station Street East is the two-storey locally heritage-listed Commercial Hotel. Parramatta Railway Station to the northwest is also a locally heritage-listed item and listed on the State Heritage Register (see **Figure 16**).

The site is also located within the designated Sensitive Area for visual impact for Old Government House and the Government Domain, listed on the National Heritage List and World Heritage List.

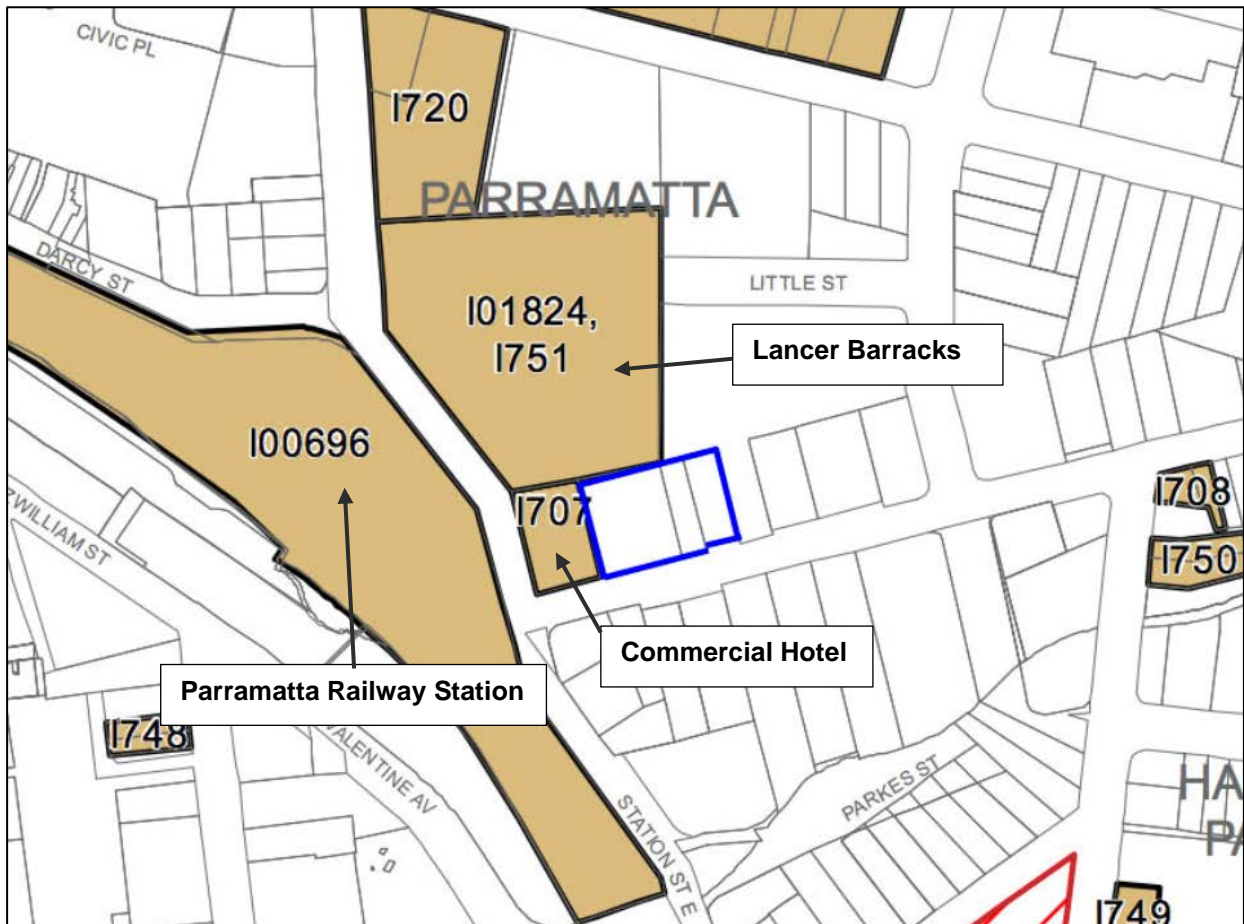


Figure 16 | Heritage items in the vicinity of the site (Source: HIS)

Council’s submission to the EIS raised concern with impacts on the heritage significance of the adjoining heritage items, including the Lancer Barracks and the Commercial Hotel.

The Applicant’s Heritage Impact Statement (HIS) submitted with the EIS considered the proposal would have an acceptable heritage impact because:

- the stepped form of the tower (lower scale mid-rise to the west and taller eastern high rise) reduces the overall massing of the tower and creates respectful relationships to the adjoining heritage items.
- the three storey open podium creates a relatable scale to the Commercial Hotel.
- the single storey scale of the retail building on the western boundary is proportionate to the Commercial Hotel.
- the voids in the northern façade are proportioned to relate to the smaller scale elements of the Lancer Barracks.
- there is adequate visual separation and physical separation between the proposed building and the highly significant heritage buildings of the Lancer Barracks.
- the active facades and sculptured elements of the built form are orientated to the adjoining heritage items to soften the impact of the built form.
- the future pedestrian connection to the Lancer Barracks will encourage heritage interpretation of the site.

- the use of lightweight modern materials will ensure the adjoining heritage items remain readily identifiable and significant in their own right.

The HC supports the findings in the Applicant’s HIS, noting the positive aspects that respond to its immediate heritage context, including the public view lines from the public spaces through to Lancer Barracks, potential future connection with the Lancer Barracks and the alignment of the tower soffit datum with the rooftop of the Commercial Hotel.

The Department considers that the design and built form adopts a considered approach in response to its immediate heritage context by elevating the tower three levels above ground. The high scale of this public space respects the Commercial Hotel in a converse way, by creating a soffit datum aligned with the rooftop of the Commercial Hotel. The overall lower height and stepped form of the tower combined with setback to the western boundary reduces the impact to the Commercial Hotel when viewed from Hassall St, Parramatta Railway Station and Bus Interchange and the Lancer Barracks. The single storey retail building along the western boundary also provides a relatable scale (see **Figure 17**).

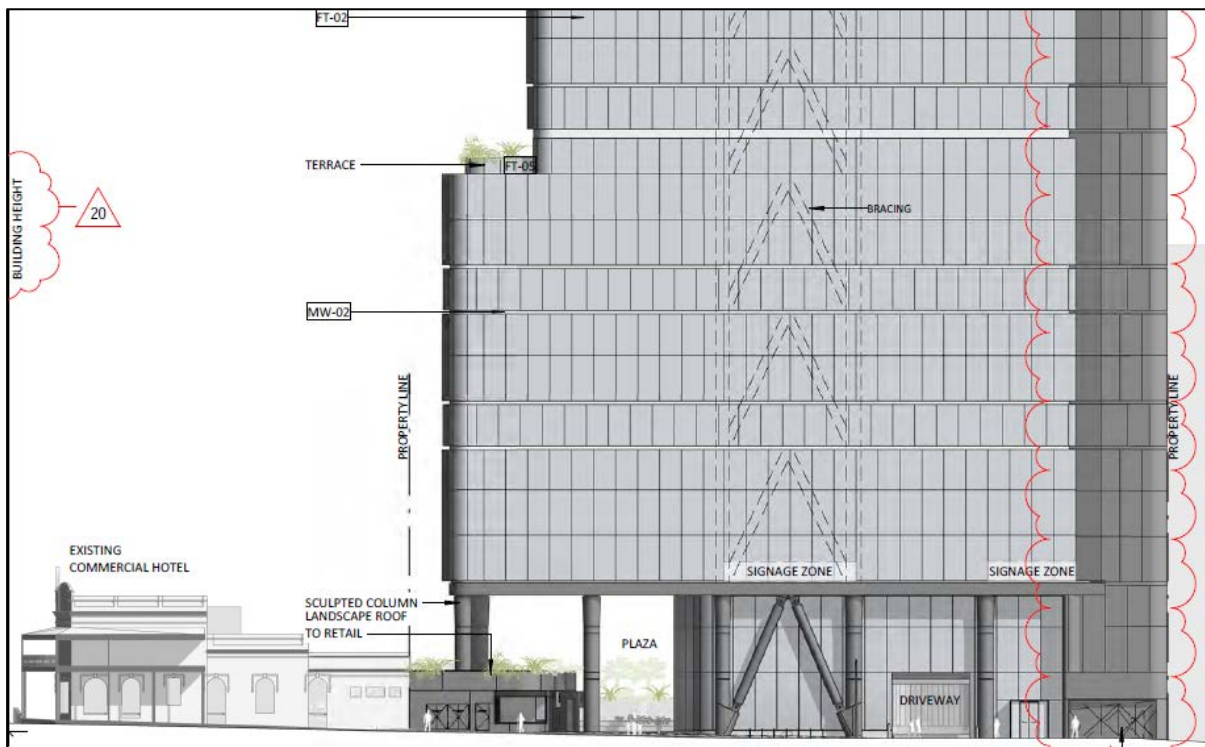


Figure 17 | Built Form Relationship to the Commercial Hotel (Source: EIS)

The Department also considers the open podium will create view lines through to the Lancer Barracks from Hassall Street and the opportunity for a future pedestrian connection to substantially improve the interpretation and appreciation of this heritage site.

The proposed building setbacks to the northern boundary are similar to the setbacks required under PDCP 2011 and will maintain adequate visual and physical separation to the significant heritage buildings in the north-eastern part of the Lancer Barracks.

The void spaces in the northern elevation relate to the smaller scale of buildings within the Lancer Barracks, and the large landscaped terraces created by the stepped tower form softens the vertical built form when viewed from the adjoining heritage items.

The Applicant's Visual Impact Assessment (VIA) submitted with the EIS identifies the potential view impacts on the surrounding built environment and adjoining heritage items. The views have been selected to show the development in the immediate context of the precinct as well as the proposal in the context of distant views within the CBD skyline. The view corridors are illustrated in **Figure 18** and a visual comparison of the key existing and proposed views are illustrated in **Figures 19 to 23**.

- 1. Parramatta Park
- 2. corner of Smith and Macquarie Streets
- 3. corner Smith and Darcy Streets
- 4. Station Street East
- 5. Lancer Barracks
- 6. Parramatta Railway Station and Bus Interchange
- 7. corner of Hassall and Station Streets
- 8. corner Hassall and Charles Streets



Figure 18 | View Corridors in the VIA (Source: EIS)



Figure 19 | View from the corner of Smith and Macquarie Street (existing left and proposed right) (Source: EIS)



Figure 20 | View from the corner of Smith and Darcy Street (existing left and proposed right) (Source: EIS)



Figure 21 | View from the Lancer Barracks (existing left and proposed right) (Source: EIS)



Figure 22 | View from Parramatta Railway and Bus Interchange (existing left and proposed right) (Source: EIS)



Figure 23 | View from Corner of Hassell and Station Streets (existing left and proposed right) (Source: EIS)

The Department considers the scale of the proposed development is smaller than the predominant built form surrounding the site and it mediates the height difference of the existing towers in the background when viewed from key vantage points to the north and east. The articulated folding glass façade and the modulated roof form also create visual interest when viewed within the CBD skyline.

The articulation and stepped form of the building reduces the bulk and scale of the tower and provides shadow and depth to the northern façade to soften the vertical built form when viewed from the Lancer Barracks. It will also act as a transitional element to the higher built form proposed on the adjoining property to the east.

The Department is satisfied the proposal will not have an adverse impact on the heritage significance of Old Government House due to distance separation (1.1 km) and intervening development and will not be tall enough to be visible from the elevated areas in Parramatta Park.

The Department's assessment concludes the proposed development provides an appropriate and contextual response and will not adversely affect the heritage significance of the adjacent contributory heritage items.

6.1.3 Design Excellence

The building design has evolved through a comprehensive urban design study undertaken by the Applicant as part of the approved site-specific PP to align with the strategic context and controls for the site in the wider Parramatta CBD PP (see **Section 2.4**). A competitive design process to further resolve the detailed design and test the building envelope to ensure the best contextual fit for the site has also been undertaken.

In accordance with PLEP, consent must not be granted unless the consent authority is satisfied the proposal exhibits design excellence and an architectural design competition is held for development that will be higher than 55 metres above the existing ground level or has a CIV greater than \$100 million. Further, development within the Parramatta City Centre that is the winner of a competitive design process, and that satisfactorily demonstrates design excellence, may be eligible for a building height and FSR bonus that exceeds the respective maximums by up to 15 per cent.

A competitive design process was undertaken in accordance with the requirements of the Director General's Design Excellence Guidelines and the Draft Government Architect's Design Excellence Competition Guidelines. Tzannes + Blight Rayner were awarded as the competition winners, with an amended design that addressed the design competition jury's detailed design recommendations.

Following the conclusion of the design competition, a Design Integrity Panel (DIP) was established by the Government Architect NSW (GANSW) to oversee the design of the development and the submission of the SSD application to the Department. The following detailed design matters were considered by the DIP:

- further articulation of the expressive structural system.
- building massing diagrams and justification against the adopted site-specific DCP controls.
- façade/sun shading performance.
- resolution of the building signage strategy.
- location of the end-of-trip facilities.
- fire stair egress at ground level along the eastern boundary.
- through-site link and activation of the retail and plaza.

The Design Integrity Report confirms the DIP's position that the design integrity of the winning competition scheme has been maintained and the proposal is capable of being considered as a SSD application to the Department.

The Department considers the Applicant established an appropriate design excellence process and concludes the application exhibits design excellence as:

- a design excellence integrity process confirms the design integrity of the winning competition scheme has been maintained.
- the building's overall height, scale and setback and form and use of materials will provide an architecturally distinct building and will make a positive contribution to the Parramatta CBD.

- the proposal provides appropriate activation and landscaping at ground floor level and a high quality public domain with flexibility for a future connection to the Lancer Barracks.
- the design implements a variety of environmentally sustainable measures to achieve ESD, as discussed at **Section 4.4.3**, and the Department has recommended a condition requiring the Applicant to achieve minimum 5 star Green Star rating.

The Department considers the DIP should continue to be involved in the detailed design development of the proposal to ensure design integrity and provide independent oversight. The Department recommends conditions accordingly and concludes that the proposal exhibits design excellence.

6.1.4 Building Design and Materiality

The building design is articulated into several parts to respond to existing and future site context. The building core is offset to the east and forms a spine to the built form responding to the existing and future tower developments in the vicinity of the site. The tower form is lifted three storeys to create an open podium and a public plaza at ground level. The building mass is sculptured to the north and west of the site. The southern elevation is unified to strengthen the street wall along Hassall Street and its varying scale responds to the east and west context.

The open three storey podium adopts a solid and textured character with large structural elements including columns and bracing in raw off-form concrete that come to the ground into direct contact with the public domain and trafficable stone surfaces (**Figure 24**).

The base columns are designed to accentuate the open podium, reinforced by a deep beam soffit that exposes its long spanning structure. These columns will be constructed of steel-encased concrete. The structural expression is continued up the full height of the western and southern façades in the form of diagonal cross-bracing to stabilise the tower. It will be illuminated at night behind the glass façade.

The tower form is a glazed curtain wall system incorporating horizontal and vertical elements to create distinction and break up the façade and metallic façade elements such as the shading fin. The perforated plant room screen on top of the building expresses a modern character for the building and provides ventilation and screening to plant and equipment for the building services (**Figure 25**).

The Department considers the proposed building design and materiality is appropriate for the site because:

- the modern design approach will make a positive contribution to the built form character of the locality and delineate from the adjacent heritage items.
- the design highlights its use as an educational facility principally for engineering by way of an exposed structure and splayed columns at the base and visible bracing behind the curtain wall, which displays the structural engineering of the building.
- the DIP supports the design of the proposal and considers the development reflects the surrounding changing urban context.



Figure 24 | View from Hassall Street showing expressed columns (Source: EIS)

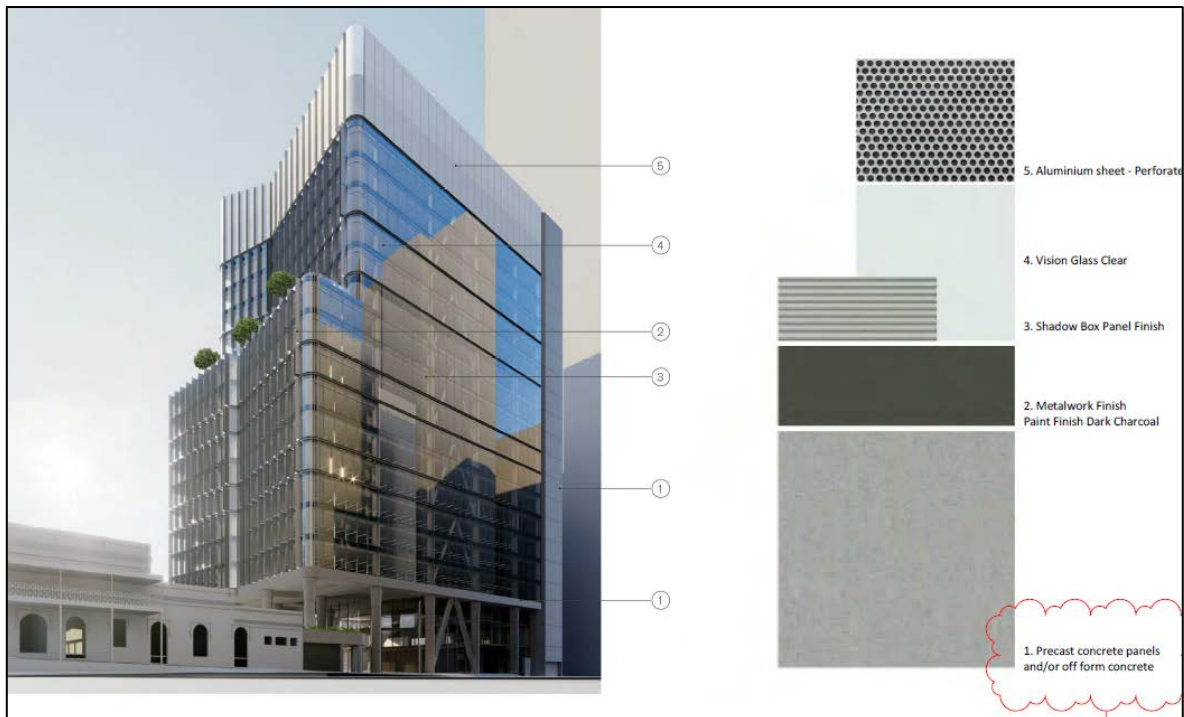


Figure 25 | External Building Materiality/Finishes (Source: EIS)

6.2 Urban Design

The public domain improvements include the upgrade of the footpath/verge along Hassall Street, a public plaza within the site and associated landscape treatments on the elevated terraces and the rooftop of the single storey retail building. The key aspects of the public domain include:

- a continuous active retail frontage along the public plaza with planters and integrated seating edges
- new paving and trees within the streetscape to ensure consistency with the surrounding urban environment
- rooftop garden above the retail building to provide a focal point for pedestrians walking through the plaza and soften the built form
- landscaped terraces with circular planters and integrated seating to serve as a break-out space for future tenants.

The public domain improvements at ground level are illustrated in **Figure 26**.

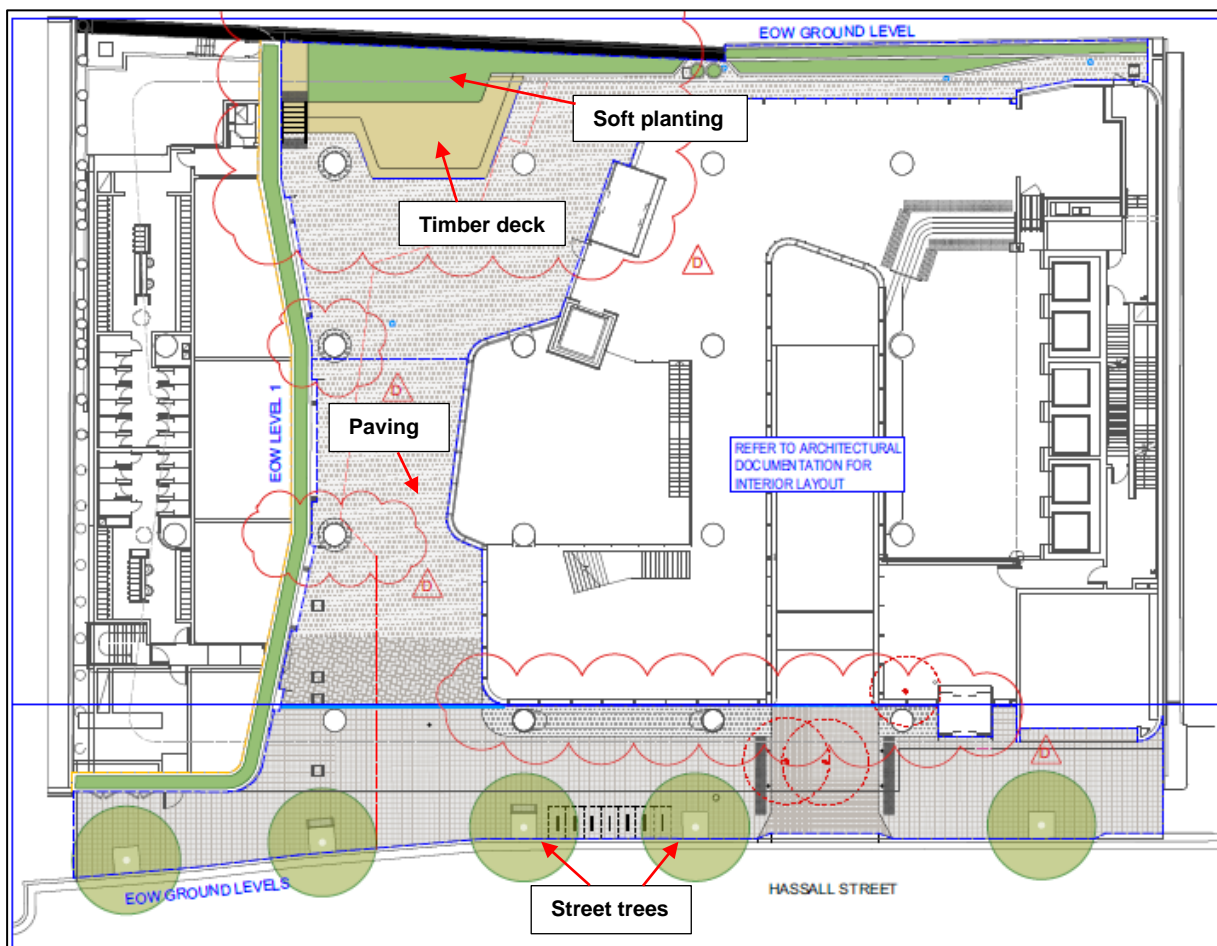


Figure 26 | Ground level public domain (Source: RtS)

PDCP 2011 contains site-specific requirements to ensure a high level of permeability including a future pedestrian connection to the Lancer Barracks and activation along Hassall Street. The key issues raised by Council in relation to the public domain are addressed below.

6.2.1 Future pedestrian connection to the Lancer Barracks

The original proposal incorporated a landscaped area with a set of angled stairs at the northern boundary of the public plaza to serve as a breakout space for students and office workers that could be adapted for a pedestrian connection in the event that the Lancer Barracks is repurposed as public open space in the future.

Council in its response to the EIS requested further information including design options and levels to demonstrate how the future pedestrian connection will work.

The Applicant refined the design in the RtS by integrating the proposed stairs with an access ramp and timber decking with planting areas and feature trees between the ramps (**Figure 27**).

The Department notes the DIP considers the landscaping and breakout space at the northern end of the public plaza adequately allows for a future pedestrian connection to the Lancer Barracks and provides a good solution for further activation to the northern portion of the plaza.

The Department is satisfied that the timber decking and associated landscape arrangement will provide a suitable transition at the boundary with the Lancer Barracks.

The Department's assessment concludes the public domain is designed to enhance the pedestrian experience and provide a clear path of travel through the site with adequate flexibility for a future pedestrian connection to the Lancer Barracks.

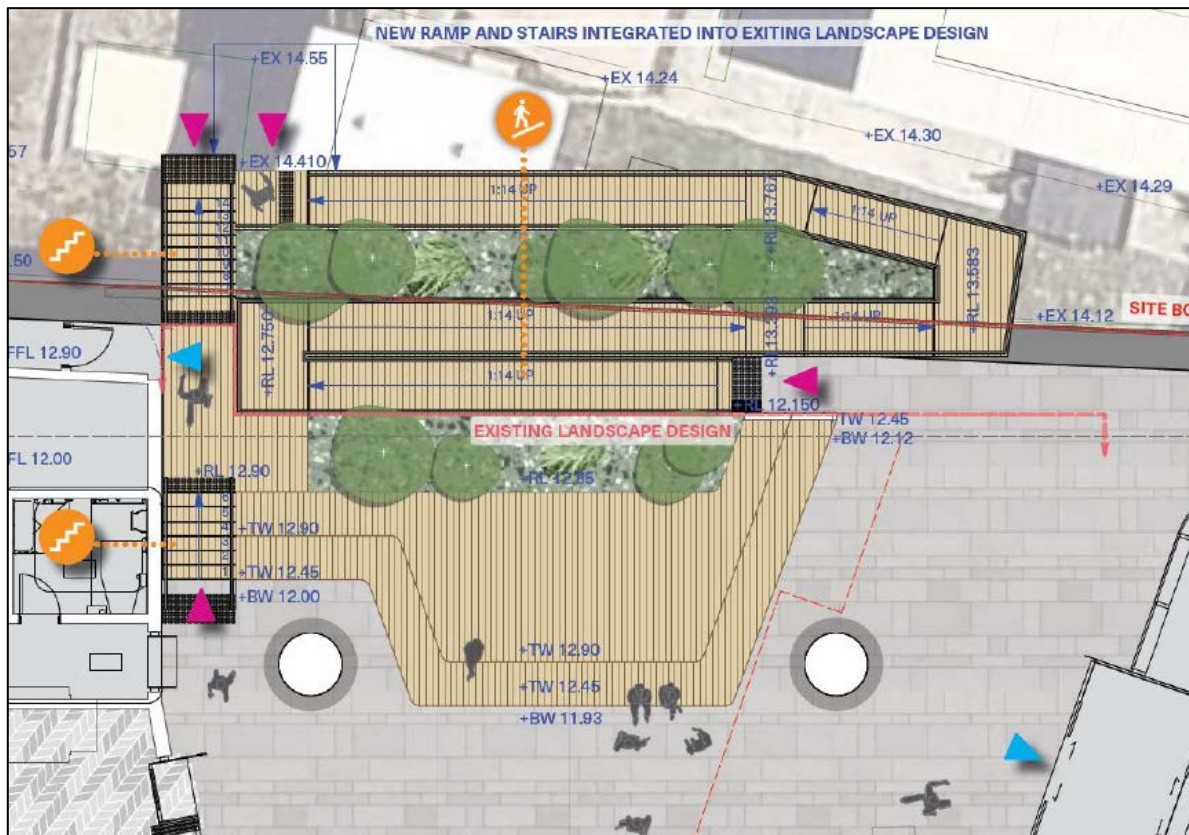


Figure 27 | Future connection to Lancer Barracks (Source: RtS)

6.2.2 Street Activation

Council in its response to the EIS cited a lack of activation along the Hassall Street frontage due to the vehicular driveway and electricity substation and the presence of the WSU robotics laboratory. Council also raised concern with the expressed building columns along the streetfront and the lack of a legible shoreline at the interface with the public domain.

The Applicant considers the design provides a high level of street activation due to the north-south plaza and a 3-storey open podium enhancing site permeability and a highly legible and defining site entry.

The Department notes the DIP considers the presentation and the activation along Hassall Street to be a key feature of the proposal, contributing to design excellence by effectively extending the public domain and pedestrian activity through the site.

The Department considers that the design incorporates an acceptable level of street activation because:

- the majority of the street front (i.e. 68 per cent) will be devoted to active uses, including shops, a public plaza entry, engineering activities and a commercial entry lobby (**Figure 28**).
- the use of glazing at street level will encourage sight lines and showcase engineering activities, including robotics and exhibition spaces.
- the large expressed columns and structural bracing will showcase the complex engineering of the building and provide visual interest at street level.
- the public domain shoreline includes a variety of materiality and textures including pavers, stone and cobblestone.
- the ground floor retail uses will increase permeability into the site.



Figure 28 | Public plaza entry at Hassall Street (Source: RtS)

6.3 Traffic, Access and Parking

6.3.1 Pedestrian Impacts

Pedestrian access is provided by footpaths along Hassall Street, Station Street, Charles Street, Parkes Street, Argyle Street in the vicinity of the site (**Figure 29**).

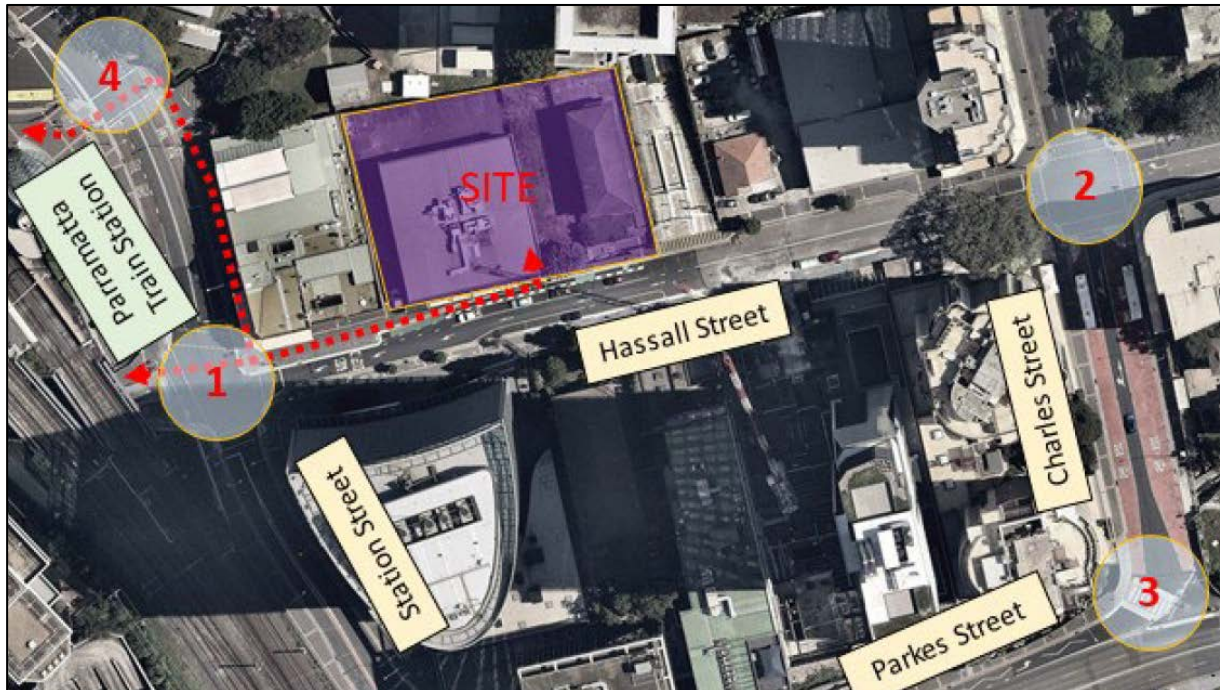


Figure 29 | Key pedestrian road crossings and desired pedestrian route to transport (Source: EIS)

The Transport Assessment Report (TAR) submitted with the EIS includes pedestrian modelling based on an expected 1,610 students and 426 staff and 12,981sqm of commercial GFA. The proposal is estimated to generate (for the combined tertiary and commercial uses) 899 morning peak hour person-based trips and 566 evening peak hour person-based trips. The survey data of pedestrians travelling from the Parramatta Railway Station and Bus interchange to the site indicates there would be no unacceptable overcrowding or queuing of pedestrians at the Station Street East / Hassall Street intersection 30m west of the site.

TfNSW in its response to the EIS requested further assessment of the adequacy of pedestrian facilities, including footpaths widths and pedestrian desire lines to the Parramatta Railway Station and Bus Interchange. The supplementary TAR submitted with the RtS indicates that all four waiting zones at the intersection of Station Street East / Hassall Street and the footpath desire lines to and from the Parramatta Railway Station and Bus Interchange will operate at an acceptable level.

The Department notes that as part of the recently completed works to make Hassall Street one-way (westbound), the footpath was widened on the northern side of Hassall Street from the intersection to the western side of the site and there is more waiting area and the pedestrian amenity along Hassall Street has improved to facilitate pedestrian flows.

The Department is satisfied that the proposal will not result in overcrowding at the Hassall Street / Station Street East intersection during peak periods, and concludes the development is acceptable from a pedestrian access perspective.

6.3.2 Vehicular Access and Servicing

The basement of the building will contain two loading bays which have been designed to accommodate a 6.4m Small Rigid Vehicle (SRV) for servicing and waste collection requirements. The loading bay design is based on the known operational requirements of the WSU campus at 1 Parramatta Square.

TfNSW consider the number of loading bays to be insufficient to service the demands generated by the retail/commercial floorspace (nearly 50 per cent of the total GFA).

The supplementary TAR submitted with the RtS provided additional analysis in relation to servicing requirements, including the commercial component, and estimates a total of nine servicing vehicles in the busiest servicing peak hour, which equates to one vehicle every 15 minutes for each of the bays.

The supplementary TAR included a draft Loading Dock Management Plan detailing the freight and servicing demands of the development, including a booking system to manage the access of servicing vehicles. Further, to reduce vehicle congestion at the access point and vehicle waiting times it is intended that commercial deliveries will have an established time allocation to restrict the use of the loading bay.

The Department is satisfied that the proposed booking system would ensure that the arrivals and departures are managed to minimise conflicts and ensure servicing needs do not overlap.

The Department's assessment concludes the servicing arrangements can be adequately managed to accommodate the servicing demands, subject to a Loading Dock Management Plan being implemented prior to the commencement of the operation.

6.3.3 Traffic Generation

The key intersections within the surrounding road network comprise Station Street East/Hassall Street/Argyle Street and Hassall Street/Charles Street (**Figure 30**).

The proposal's traffic generation has been reviewed having regard to RMS Guide to Traffic Generating Developments Updated Traffic Surveys (2013).

The tertiary educational component of the development is not expected to generate any significant number of vehicle trips as no parking would be provided on the site for the WSU students given it is located in a highly accessible location to public transport.

The application of the trip rates to the commercial component results in a forecast peak hour traffic generation of 90 morning peak hour trips, 79 evening peak hour trips and 787 daily trips. However, trips would be restrained by the number of car spaces on the site. When applying the trip rates to the proposed parking provision of 16 car spaces it would result in 10 morning peak hour trips and 9 evening peak hour trips and 91 daily trips. This represents an additional one vehicle every 6-7 minutes during

peak periods and is a minor traffic volume that would have a minimal impact on the current road network.

A cumulative impact assessment of nearby development proposals has also been taken into consideration as part of the traffic modelling analysis and includes future development at 10-12 Hassall Street and development under construction at 9 Hassall Street and recently completed at 11 Hassall Street. The total trips generated by these developments equates to 143 vehicles/hour in morning peak period and 139 vehicles/hour in the evening peak period. The cumulative impact of these trips combined with the traffic generated by the proposal will not have a significant adverse impact on the key intersections which are expected to continue to operate, with a good level of service with spare capacity in both the morning and afternoon peaks apart from the Hassell Street/Charles Street which is expected to continue to operate at a satisfactory level of service in the morning peak period.

The Department's assessment concludes the traffic generated by the proposal will not have any adverse impact on the surrounding road network.

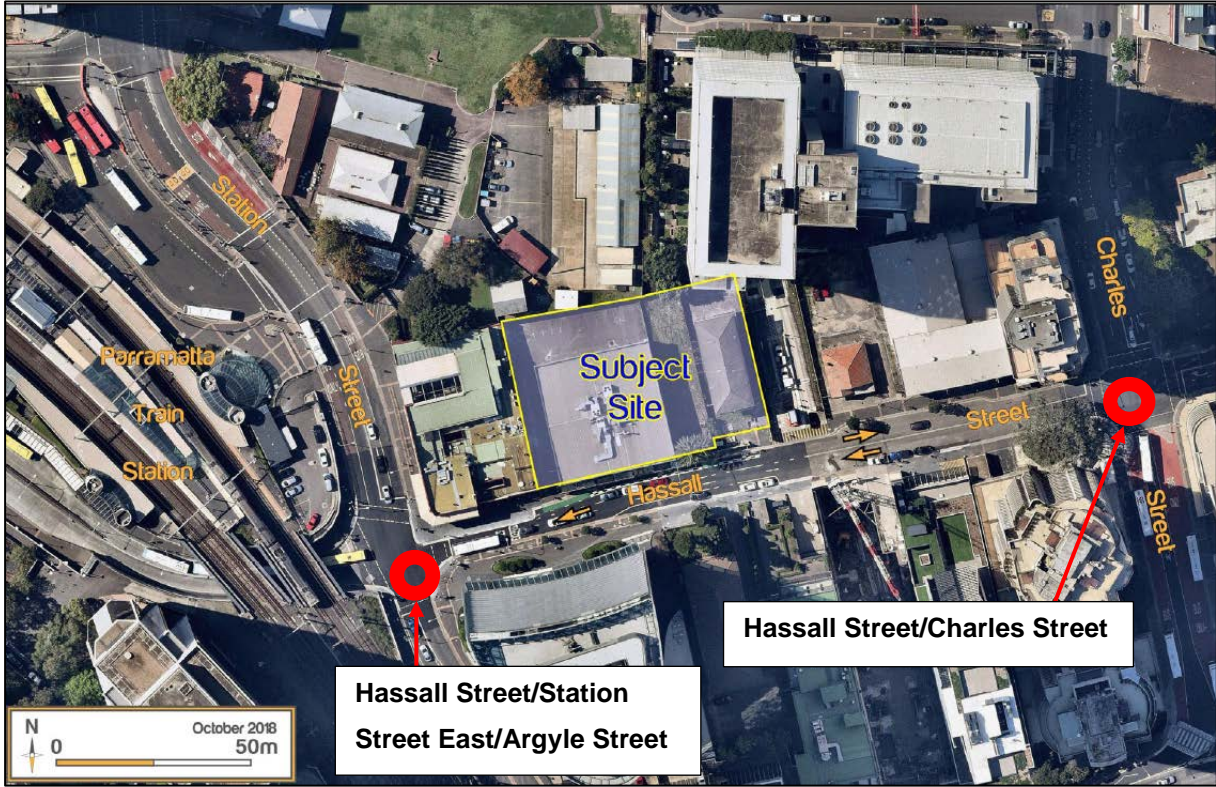


Figure 30 | Surrounding Road Network (Source: EIS)

6.3.4 Construction Traffic

The EIS is accompanied by a Construction Traffic and Pedestrian Management Plan (CTPMP) associated with the approved demolition works and excavation works for the site. However, the Department considers a detailed CTPMP should be developed to consider the extensive construction phase of the development.

The Department also notes the cumulative increase in construction vehicle movements from other projects in the Parramatta CBD could have the potential to impact on general traffic and bus operations

on Hassall Street, as well as the safety of pedestrians and cyclists, particularly during commuter peak periods.

TfNSW advised that a CTPMP should be developed in consultation with TfNSW and RMS, to ensure that construction traffic impacts are minimised and appropriately managed, including cumulative construction impacts and access arrangements.

The Department has recommended a condition of consent requiring the Applicant to prepare CTPMP in consultation with TfNSW and Council and to be approved by TfNSW prior to the commencement of any work.

Subject to approval and implementation of the CTPMP, the Department is satisfied that construction traffic impacts will be appropriately managed during the construction phase.

6.3.5 Car parking

PLEP 2011 establishes a maximum parking rate for the commercial and educational uses on the site, where the development has an FSR of more than 3.5:1. The maximum parking rates recognise the available public and active transport connections within the Parramatta CBD. The application of the restrictive parking rate under PLEP 2011 to the indicative development yield would result in a maximum permissible provision of 23 spaces on the site. The proposed development will provide 16 car spaces in the basement allocated to the commercial component of the development. The proposed development therefore complies with the site-specific carparking controls under PLEP 2011.

6.3.6 Bicycle Parking

PDCP 2011 requires one bicycle space per 200sqm of office and business premises and adequate change and shower facilities for cyclists.

Based on 12,981sqm of commercial GFA, the proposal would generate a bicycle parking demand of 65 bicycle parking spaces, noting that PDCP 2011 does not provide a bicycle parking rate for educational establishments.

The proposal includes 196 bicycle spaces, with 182 provided within the basement and 14 visitor spaces provided at the ground floor. To complement the bicycle parking the proposal includes end-of-trip facilities at the ground floor.

6.4 Noise Impacts

The EIS is accompanied by a Noise Impact Assessment (NIA) which identifies existing noise levels at the site, identifies sensitive residential receivers in the vicinity, assesses the noise intrusion to the development, and assesses construction and operational noise and vibration impacts generated by development.

6.4.1 Noise Impacts to the development

The main source of noise intrusion to the development will be generated by road traffic on Hassall Street and Station Street East. The potential noise generated by trains is expected to be within acceptable limits due to a distance separation of 70m to the nearest rail track, which is greater than

the setback distance required for residential premises, and the noise shielding afforded by the Commercial Hotel on the western boundary.

The NIA includes glazing recommendations to achieve satisfactory internal noise levels specified in *AS/NZS 2107:2016 Acoustics – Recommended Design Sound Levels and Reverberation Times for Building Interiors*.

Subject to recommended conditions, the Department considers the noise impacts to the development can be sufficiently mitigated.

6.4.2 Noise Impacts from the development

The key noise emission sources from the proposed development include:

- mechanical plant and equipment.
- potential patronage noise from outdoor areas adjacent to the retail uses (alfresco dining).
- additional road traffic.

Figure 2 shows the location of the sensitive residential and commercial receivers identified in the NIA:

- Curtis Cheng Centre adjoining to the north.
- Commercial Hotel adjoining to the west.
- Eclipse commercial tower opposite the site at 60 Station Street East.
- Fiori Apartments 45 m to the southeast at 13-15 Hassall Street.
- Skyrise Apartments 56 m to the southeast at 11 Hassall Street.
- Imperial Apartments (under construction) 40m to the southeast at 9 Hassall Street.

The existing ambient noise levels at the site were measured between 23 and 30 November 2018 and the noise logger was positioned adjacent to the Commercial Hotel at the western boundary. The residential receivers on the southern side of Hassall Street were not considered appropriate for a noise logger due to the existing construction activities at 11 Hassall Street that would result in extraneous background noise levels.

The EPA, in its submission to the EIS, recommended additional noise monitoring as the location of the noise logger is affected by the operation of mechanical plant at the Commercial Hotel.

The Applicant's supplementary acoustic assessment submitted with the RtS found the background noise levels were within 2 decibels (dB) of the background noise levels identified in the noise assessment undertaken as part of the DA at 11 Hassall Street in 2015 currently under construction.

The Department is therefore satisfied the background noise levels are representative of the noise levels experienced at the nearest residential receivers and no further noise monitoring is required.

The noise predictions show that the mechanical plant noise emissions can be controlled to acceptable levels at the nearest noise sensitive receivers with attenuation to the Level 18 plant room intake and discharge paths. Detailed noise predictions should be conducted during the detailed design phases of the project to ensure that the mechanical plant noise emissions satisfy the noise limits at the nearest

residential receivers. The Department is satisfied the noise impacts from mechanical plant can be adequately managed, subject to the detailed noise attenuation measures at the detailed design stage.

The noise emission from potential alfresco dining areas associated with the ground level retail tenancies was found to comply with the daytime limits between 7am to midnight as defined by the NSW Office of Liquor, Gaming and Racing. However, the noise criteria during the night period from midnight to 7am was predicted to be exceeded. As such, it is recommended that any outdoor alfresco dining be limited to 7am to midnight. The Department notes the hours of operation of any alfresco areas will be subject to a separate application for the future use and fit-out of individual retail tenancies.

The *NSW DECCW Road Noise Policy (RNP)* states that an increase in traffic noise on roads to sensitive land uses should be limited to 2 decibels (dB) above a 'no build' option. The NIA predicted noise increase from additional road traffic associated with the proposed development is 1.3 dB, which is acceptable and in accordance with the RNP.

The Department is satisfied the noise impacts generated by the development can be adequately managed and mitigated, subject to the imposition of a noise conditions prior to the commencement of the operation.

6.4.3 Construction Noise and Vibration

The excavation of the basement including the piling and shoring activities will be undertaken in accordance with the existing development consent approved by Council, which includes conditions to protect the amenity of the surrounding area from noise and vibration.

The NIA submitted with the EIS identified the following construction noise sources (associated with the SSD) which may affect the amenity of surrounding receivers:

- concrete mixers.
- concrete pumps.
- trades noise (carpenters, façade installation).
- craneage.
- trucks.

The proposed construction hours are Monday to Friday: 7am to 6pm and Saturday: 8am to 1pm. The proposed construction hours comply with the standard hours set out in the *NSW DECCW Interim Construction Noise Guideline*.

The NIA found that the noise criteria will be exceeded at 9 Hassall Street, which is currently under construction and not expected to be occupied by the time the main construction works on the site have been undertaken. The noise criteria will also be exceeded at the adjoining Commercial Hotel and Curtis Cheng Centre, which may experience some periods of high noise during the construction phase.

The NIA recommends noise mitigation measures in the Construction Management Plan (CMP) prepared by the Building Contractor including:

- community notification.
- operation of plant in a quiet and efficient manner.
- educating workers in minimising noise and quiet work practices.
- implementation of a complaint handling procedure.

Vibration generated from the construction activities has the potential to affect surrounding sensitive receivers and buildings by exceeding human comfort criteria affecting occupants of the building and structural vibration that may lead to damage of building structures. The construction vibration assessment included in the NIA found the vibration limits for Cosmetic Damage and Human Response/Perceptibility are expected to be satisfied at all surrounding sensitive receivers.

The Department is satisfied that with mitigation processes in place, the construction of the proposed development will not result in unreasonable impacts upon neighbouring receivers. To ensure that this mitigation is achieved, the following conditions are recommended:

- a Construction Environmental Management Plan is to be prepared prior to the commencement of works.
- a Construction Noise and Vibration Management Sub-Plan must be prepared by a suitably qualified expert and include:
 - procedures in accordance with the EPA *Interim Construction Noise Guideline*.
 - consultation with the affected community to manage high noise generating impacts.
 - adherence to the recommendations of the NIA, as modified by the conditions of consent.

Subject to the recommended condition, the Department considers the noise and vibration impacts of the construction phase can be sufficiently managed and mitigated.

6.5 Other Issues

The Department’s consideration of other issues is provided at **Table 8**.

Table 8 | Department’s assessment of other issues

Issue	Findings	Department’s consideration and recommended conditions
Overshadowing	<ul style="list-style-type: none"> • The proposed development will result in additional overshadowing to the residential properties located on the southern side of Hassall Street. • The detailed shadow analysis submitted with the RtS indicates: <ul style="list-style-type: none"> - the existing solar performance of the residential building at 9 Hassall Street (under construction) is modelled at 	The extent of additional overshadowing is not significant and is less than would occur with a 22 storey development permitted by the site-specific envelope controls under PDCP 2011.

- 54.8 per cent of apartment living rooms/private open spaces achieving a minimum two hours of direct sunlight between 9am and 3pm in mid-winter. The shadow cast by the proposed development will result in a marginal decrease to 53.8 per cent.
- the existing solar performance of the residential building at 11 Hassall Street is modelled at 66.9 per cent and will not change as a result of the proposal.
 - The shadow analysis also indicates the proposed development:
 - will not cast a shadow over the protected areas of Lancer Barracks or Jubilee Park to the north.
 - will cast a shadow over the lower part of the southern Eclipse Tower (commercial) throughout the day at the winter solstice.
 - will not result in any additional overshadowing of the Commercial Hotel as it is already overshadowed by the Curtis Cheng Centre.
- The proposal is acceptable in terms of overshadowing considering the site's CBD context and the absence of additional overshadowing to significant public places.

Visual Privacy

- The Curtis Cheng Centre driveway along the eastern boundary of the site provides a 15m separation to 10-12 Hassall Street, which is subject to a Planning Proposal for a 61 storey residential tower.
 - The proposed lift core is located on the eastern boundary and there will be no opportunity for overlooking between the properties to the east.
 - Hassall Street provides adequate separation to the nearest residential developments at 5, 9 (under construction) and 11 Hassall Street.
- The Department is satisfied there will be no unreasonable privacy impacts to the existing and planned residential development in the immediate locality.

Site Contamination

- A Detailed Site Contamination Investigation (DSCI) submitted with the EIS found that all potential contaminants on the site were within the threshold of relevant site assessment criteria and the site can be made suitable for its intended use.
- The Department recommends conditions to engage an EPA accredited Site Auditor to prepare a Site Audit Report and a Section A Site Audit Statement. The report and statement must verify the site is suitable for the

- The Department notes the DSCI also informs the early works DA for excavation approved by Council.
- In its submission to the EIS, the EPA recommends further analysis in relation to PFAS contamination (chemicals used in fire-fighting foam) given its proximity to the Lancer Barracks.
- The additional information submitted with the RtS indicates the potential for PFAS is low based on the site not being used as a barracks since 1820 and not for activities likely to result in PFAS contamination.

proposed use and be provided to the satisfaction of the certifying authority before commencement of works.

Flooding and Stormwater

- The EIS includes an Overland Flow Assessment and Stormwater Management Report.
- The majority of the stormwater runoff from the development is to be captured and detained by an on-site detention (OSD) system using gravity flow.
- A closed water treatment system below ground is proposed to ensure the development improves the quality of water leaving the site.
- The Applicant has undertaken modelling to confirm the stormwater discharge quality will exceed the Green Star Target reduction requirements.
- Council has requested the system connect with the underground stormwater network.
- The subject site is not located in a flood zone based on the Council flood maps and is not affected by any significant overland flow paths

The Department recommends a condition which requires the detailed stormwater management plans to be approved by the Council prior to the commencement of works approved by the SSD.

Sediment and Erosion Control

- The sediment and erosion control measures during demolition and excavation will be undertaken in accordance with the conditions detailed in the early works development consents.
- The EIS includes a Sediment and Erosion Control Plan to manage and mitigate sedimentation and erosion

The Department is satisfied that erosion and sediment control can be managed appropriately through a Construction Soil and Water Management Sub-Plan to be prepared prior to the commencement of works approved by the SSD.

during the construction phase of the development.

- It includes additional erosion and sediment controls measures for the development throughout the duration of the project including sediment fences around stockpiles and construction zones of exposed soils, sediment basin, protection devices and truck wash.

Ecologically Sustainable Development

- As outlined in **Section 4.4.3**, the project includes a range of ESD measures to ensure resource consumption is minimised.
- The energy and water consumption targets are set to be equivalent of NABERS Office energy (5 Star) and water (4 Star) base building rating and a number of other matters in relation to the ESD measures to be addressed in a revised report or dealt with by condition.

The Department notes the Green Building Council of Australia Commercial Building Disclosure Scheme excludes buildings with greater than 25 per cent non-office use from requiring a NABERS rating and therefore the requirement for a commitment agreement requested by Council is not warranted.

The Department is satisfied the revised ESD Report submitted with the RtS adequately addresses the ESD issues raised by Council.

The Department has recommended a condition that the development achieves a 5 star Green star rating with the Green Building Council of Australia.

Aboriginal Cultural Heritage

- The SSDA includes the Aboriginal Cultural Heritage Assessment (ACHA) Report submitted with the development application for the demolition of existing structures, tree removal and archaeological investigations approved by Council.
- The Applicant has received an Aboriginal Heritage Impact Permit (AHIP) to manage any impacts upon items of Aboriginal cultural significance in accordance with the recommendations in the ACHA.

The Department has recommended a condition requiring the unexpected finds protocol in the event the construction work identifies any Aboriginal objects.

- The EESG raised no issues in relation to aboriginal heritage and recommended compliance with any conditions in the ACHA.



7. Evaluation

The Department has reviewed the EIS, RtS and assessed the merits of the proposal, taking into consideration advice from the public authorities, including Council. Issues raised in submissions have been considered and all environmental issues associated with the proposal have been addressed.

The proposal is in the public interest because it will:

- provide a new learning and research tertiary education facility for engineering innovation to create an internationally competitive education precinct and employment opportunities within the tertiary education and commercial sectors in the Parramatta CBD which will lead to significant social and economic benefits for Western Sydney
- the potential impacts of the development can be managed and mitigated appropriately
- approximately 942 construction jobs and 1,330 operational jobs will result from the development.

In conclusion, the Department considers the site is suitable for the proposed development, the submissions have been adequately addressed and the proposal is in the public interest. The Department recommends the application be approved subject to conditions.

The proposal will provide a new tertiary education facility for engineering innovation as part of WSU's expansion of its existing campus network in the Parramatta CBD. This will support the achievement of an internationally competitive education precinct and create employment opportunities within the tertiary education and commercial sectors in Western Sydney.

The proposal is consistent with key government strategic plans and policies, including the NSW State Priorities to create jobs and improve economic competitiveness and educational results. It will also help to strengthen Parramatta as Sydney's Central CBD, in line with A Metropolis of Three Cities – The Greater Sydney Regional Plan and Central City District Plan and align with the Parramatta CBD Planning Strategy that aims to grow Parramatta and facilitate additional jobs.

The key issues raised in the submissions include building setbacks and heritage impacts, urban design (public domain), vehicular access and servicing, ESD requirements, pedestrian impacts, stormwater infrastructure, construction impacts and noise impacts.

The Department has considered the merits of the proposal in accordance with the relevant matters under section 4.15(1) and the objects of the EP&A Act, the principles of Ecologically Sustainable Development (ESD) and the issues raised in all submissions.

The Department considered the key issues for assessment include built form and heritage, urban design, traffic, access and parking and noise.

The proposal is considered acceptable with regard to these key issues because:

- the development provides an appropriate and contextual response in height, bulk and scale to the existing and future development on the adjoining properties and will not adversely affect the heritage significance of the adjacent heritage items.
- the development will deliver an architecturally distinct building that will achieve design excellence and a recommended condition will ensure the design integrity is maintained during the detailed design phase.
- the urban design and landscaping arrangements will make a strong contribution to the public domain by providing activation along the street and an accessible public plaza within the site incorporating flexibility for a future pedestrian connection to the Lancer Barracks.
- it will improve the pedestrian environment in and around the site.

The impacts of the proposal have been addressed in the EIS, the RtS and supplementary information. Conditions of consent are recommended to ensure that these impacts are managed appropriately.



8. Recommendation

It is recommended that the Executive Director, Infrastructure Assessments, as delegate of the Minister for Planning and Public Spaces:

- **considers** the findings and recommendations of this report.
- **accepts and adopts** all of the findings and recommendations in this report as the reasons for making the decision to grant consent to the application.
- **agrees** with the key reasons for approval listed in the notice of decision.
- **grants consent** for the application in respect of Western Sydney University Innovation Hub (SSD 9670).
- **signs** the attached development consent and recommended conditions of consent (see attachment).

Recommended by:

David Gibson
Team Leader
Social Infrastructure

Recommended by:

Karen Harragon
Director
Social and Other Infrastructure



9. Determination

The recommendation is: **Adopted by:**

David Gainsford 21/11/19

Executive Director

Infrastructure Assessments



Appendices

Appendix A - List of Documents

The following supporting documents and supporting information to this assessment report can be found on the Department of Planning, Industry and Environment's website as follows.

1. Environmental Impact Statement
<https://www.planningportal.nsw.gov.au/major-projects/project/10676>
2. Submissions
<https://www.planningportal.nsw.gov.au/major-projects/project/10676>
3. Applicant's Response to Submissions
<https://www.planningportal.nsw.gov.au/major-projects/project/10676>
4. Applicant's Response to Submissions Supplementary information
<https://www.planningportal.nsw.gov.au/major-projects/project/10676>

Appendix B - Statutory Considerations

ENVIRONMENTAL PLANNING INSTRUMENTS (EPIS)

To satisfy the requirements of section 4.15(a)(i) of the EP&A Act, this report includes references to the provisions of the EPIS that govern the carrying out of the project and have been taken into consideration in the Department's environmental assessment.

Controls considered as part of the assessment of the proposal are:

- State Environmental Planning Policy (State & Regional Development) 2011 (SRD SEPP)
- State Environmental Planning Policy (Infrastructure) 2007 (Infrastructure SEPP)
- State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 (Education SEPP)
- State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55)
- State Environmental Planning Policy No. 64 – Advertising Structures and Signage (SEPP 64)
- Draft State Environmental Planning Policy (Remediation of Land) (Draft Remediation SEPP)
- Draft State Environmental Planning Policy (Environment) (Draft Environment SEPP)
- Parramatta Local Environmental Plan (PLEP) 2011
- Parramatta Development Control Plan 2011.

COMPLIANCE WITH CONTROLS

State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP)

Table 1 | SRD SEPP compliance table

Relevant sections	Consideration	Complies
3 Aims of Policy The aims of this Policy are as follows: (a) to identify development that is State significant development	The proposed development is identified as SSD.	Yes
8 Declaration of State significant development: section 4.36 (1) Development is declared to be State significant development for the purposes of the Act if: (a) the development on the land concerned is, by the operation of an environmental planning instrument, not permissible without development consent under Part 4 of the Act, and (b) the development is specified in Schedule 1 or 2.	The proposed development is permissible with development consent. The proposal is for the purpose of a tertiary institution with a capital investment value (CIV) in excess of \$30 million, under clause 15(3) of Schedule 1.	Yes

State Environmental Planning Policy (Infrastructure) 2007

The Infrastructure SEPP aims to facilitate the effective delivery of infrastructure across the State by improving regulatory certainty and efficiency, identifying matters to be considered in the assessment of

development adjacent to particular types of infrastructure development, and providing for consultation with relevant public authorities about certain development during the assessment process.

The development constitutes traffic generating development in accordance with clause 104 of the Infrastructure SEPP as it seeks approval for a commercial development greater than 10,000sqm in area. The Infrastructure SEPP requires traffic generating development to be referred to RMS for comment.

The application was referred to RMS in accordance with the Infrastructure SEPP. RMS did not raise any objection to the proposal and recommended the Applicant provide a Construction Pedestrian Traffic Management Plan prior to certification of construction drawings.

The proposal is therefore consistent with the Infrastructure SEPP given the consultation and consideration of the comments from the relevant public authorities. The Department has included suitable conditions in the recommended conditions of consent (see **Appendix C**).

State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017

The Education SEPP commenced on 1 September 2017 and aims to simplify and standardise the approval process for child care centres, schools, TAFEs and universities while minimising impacts on surrounding areas and improving the quality of the facilities. The Education SEPP includes planning rules for where these developments can be built, which development standards can apply and constructions requirements. The application has been assessed against the relevant provisions of the Education SEPP.

Clause 45(1) of the Education SEPP provides that development for the purpose of a university may be carried out by any person with development consent on land in a prescribed zone. The site is within the B3 commercial core zone under PLEP, which is identified as a prescribed zone in clause 43 of the Education SEPP. The proposal is therefore permissible with consent under the SEPP.

Clause 57 of the Education SEPP requires traffic generating development that involves addition of 50 or more students to be referred to the RMS. The Application was referred to RMS in accordance with this clause.

State Environmental Planning Policy No. 55 - Remediation of Land (SEPP 55)

SEPP 55 aims to ensure that potential contamination issues are considered in the determination of a development application. A Detailed Site Contamination Investigation (DSCI) was submitted as part of the EIS.

The results of the DSCI did not find any significant levels of contamination on the site. It concluded the site can be made suitable for the proposed development, subject to additional testing and clearance post demolition and excavation approved under the early works DAs.

EPA noted the DSCI provided cursory analysis for the potential for per- and poly-fluoroalkyl substances (PFAS) contamination as the site adjoins a defence facility. The Applicant provided further

comment with the RtS in relation to potential contamination as the site adjoins a defence facility and concludes that such contamination is unlikely as the site has been used as a barracks.

The Department is satisfied that the proposal satisfies the requirements under SEP 55 have been addressed. and the site would be suitable for the intended uses. The Department has recommended conditions of consent requiring a Site Audit Statement prior to commencement of works on the site.

State Environmental Planning Policy No. 64 – Advertising and Signage (SEPP 64)

SEPP 64 applies to all signage that under an EPI can be displayed with or without development consent and is visible from any public place or public reserve.

The development includes 9 signage zones. Under clause 8 of SEPP 64, consent must not be granted for any signage application unless the proposal is consistent with the objectives of the SEPP and with the assessment criteria which are contained in Schedule 1. **Table 2** below demonstrates the consistency of the proposed signage with these assessment criteria.

Table 2 | SEPP 64 compliance table

Assessment Criteria	Comments	Compliance
1 Character of the area		
Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?	The proposed signage zones are compatible with the commercial character of the Parramatta CBD.	Yes
Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	There is no particular theme for outdoor advertising in the locality.	Yes
2 Special areas		
Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?	The proposed signage is integrated into the overall design of the building and will not detract from the visual quality of surrounding heritage items.	Yes
3 Views and vistas		
Does the proposal obscure or compromise important views?	The proposed signage zones are located within the profile of the building and will not affect any views.	Yes
Does the proposal dominate the skyline and reduce the quality of vistas?	The proposed signage zones are appropriately located and scaled to not dominate the skyline.	Yes
Does the proposal respect the viewing rights of other advertisers?	The proposal will not have an adverse impact on the viewing rights of other advertisers and is similar to other commercial signage in the Parramatta CBD.	Yes

Assessment Criteria	Comments	Compliance
4 Streetscape, setting or landscape		
Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?	The signage zones are integrated into the design and appropriate for the commercial context.	Yes
Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	The proposed signage zones whilst visually prominent will also be integrated into the design of the building facades to minimize visual impact when viewed from the adjoining properties.	Yes
Does the proposal reduce clutter by rationalising and simplifying existing advertising?		N/A
Does the proposal screen unsightliness?		N/A
Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	The proposed signage zones do not protrude above the parapet.	Yes
Does the proposal require ongoing vegetation management?		N/A
5 Site and building		
Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?	The location and size of the signage zones are suitable for the scale of the building and appropriate for the context of the site.	Yes
Does the proposal respect important features of the site or building, or both?	The proposed signage reinforces the commercial use of the building in the heart of the Parramatta CBD.	Yes
Does the proposal show innovation and imagination in its relationship to the site or building, or both?	The signage zones are located to be visually prominent without detracting from the visual quality of the site and its relationship to the surrounding heritage items.	Yes
6 Associated devices and logos with advertisements and advertising structures		
Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?	All future signage will be fully integrated with the structures on which they are displayed.	Yes
7 Illumination		
Would illumination result in unacceptable glare? Would illumination affect safety for pedestrians, vehicles or aircraft?	The proposal is for signage zones and the detailed design of individual signs including illumination will be subject to a separate DA.	N/A
Would illumination detract from the amenity of any residence or other form of accommodation?		N/A
Can the intensity of the illumination be adjusted, if necessary? Is the illumination subject to a curfew?		N/A

Assessment Criteria	Comments	Compliance
8 Safety		
Would the proposal reduce safety for pedestrians, particularly children, by obscuring sightlines from public areas?	The signage zones are appropriately located within the building profile and would not have an adverse impact on road safety.	Yes
Would the proposal reduce safety for any public road?	The signage zones are located at the parapet and would not result in any adverse safety impact from the surrounding road network.	Yes

Draft State Environmental Planning Policy (Remediation of Land)

The Draft Remediation SEPP will retain the overarching objective of SEPP 55 promoting the remediation of contaminated land to reduce the risk of potential harm to human health or the environment.

Additionally, the provisions of the Draft Remediation SEPP will require all remediation work that is to be carried out without development consent, to be reviewed and certified by a certified contaminated land consultant, categorise remediation work based on the scale, risk and complexity of the work and require environmental management plans relating to post-remediation management of sites or ongoing operation, maintenance and management of on-site remediation measures (such as a containment cell) to be provided to Council.

The Department is satisfied that the proposal will be consistent with the objectives of the Draft Remediation SEPP.

Draft State Environmental Planning Policy (Environment)

The Draft Environment SEPP is a consolidated SEPP which proposes to simplify the planning rules for a number of water catchments, waterways, urban bushland, and Willandra Lakes World Heritage Property. Once adopted, the Draft Environment SEPP will replace seven existing SEPPs. The proposed SEPP will provide a consistent level of environmental protection to that which is currently delivered under the existing SEPPs. Where existing provisions are outdated, no longer relevant or duplicated by other parts of the planning system, they will be repealed.

Given that the proposal is consistent with the provisions of the existing SEPPs that are applicable, the Department concludes that the proposed development will generally be consistent with the provisions of the Draft Environment SEPP.

Parramatta Local Environmental Plan (PLEP) 2011

The PLEP 2011 encourages the development of housing, employment, infrastructure and community services to meet the needs of the existing and future residents of the Parramatta LGA. The PLEP 2011 also aims to conserve and protect natural resources and foster economic, environmental and social well-being.

The Department has consulted with Council throughout the assessment process and has considered all relevant provisions of the PLEP 2011 and those matters raised by Council in its assessment of the development (see **Section 5**). The Department concludes the development is consistent with the relevant provisions of the PLEP 2011. Consideration of the relevant clauses of the PLEP 2011 is provided in **Table 3**.

Table 3 | Consideration of the PLEP 2011

PLEP 2011	Department Comment/Assessment
Clause 4.3 Building height	A maximum building height of 86m applies to the site. The proposal will have a maximum building height of 82.42m, which complies with the maximum building height development standard.
Clause 4.4 Floor Space Ratio	A maximum floor space ratio (FSR) of 10:1 applies to the site with an additional 1.5:1 (15%) for development achieving design excellence in accordance with clause 7.10 of the PLEP. The proposal will have a maximum FSR of 11.5:1 inclusive of design excellence, which complies with the maximum FSR development standard.
Clause 5.10 Heritage conservation	The Department has considered the potential heritage impacts in Section 6.1.2 of the report
Clause 6.1 Acid Sulfate Soils	The DSCI submitted with the EIS notes there is a very low probability of ASS occurrence on the site.
Clause 6.3 Flood Planning	The subject site is not located in a flood zone based on the Council flood maps and is not affected by any significant overland flow paths.
Clause 6.12 and 6.13 Design excellence	A design competition was conducted in accordance with the Design Excellence Guidelines. See Section 6.1.3 of the report.
Clause 7.3 Car parking	The proposal includes the provision of 16 car spaces within the basement for the commercial component, which complies with the maximum car parking rate. See Section 6.3.5 of the report.
Clause 7.4 Sun Access	The objective of this clause is to protect public open space in Parramatta Square, the Lancer Barracks site and Jubilee Park from overshadowing. The proposal is acceptable in terms of overshadowing considering the site's CBD context and the absence of additional overshadowing to significant public places including Lancer Barracks to the north. See Section 6.5 of the report
Clause 7.10 Design Excellence – Parramatta City Centre	A design competition was conducted in accordance with the Design Excellence Guidelines. See the design excellence matters below and Section 6.1.3 of the report.
Clause 7.10(4) Design Excellence Matters for Consideration	
(a) whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved.	The design expresses its use as an educational facility principally for engineering by way of an exposed structure and splayed columns at the base and visible bracing behind the glazed curtain wall. The perforated plant room screen on top of the building expresses a modern character for the building. The Department also notes that the project was the successful tender that was subject to a competitive design process, and that no objections or significant concerns have been raised.
(b) whether the form and external appearance of the proposed development will	The open three storey podium adopts a solid and textured character with large structural elements including columns and bracing in raw off-form concrete that come to the ground into direct contact with

PLEP 2011	Department Comment/Assessment
improve the quality and amenity of the public domain.	the public domain and trafficable stone surfaces. The Department considers the open podium will create view lines through to the Lancer Barracks from Hassall Street and the opportunity for a future pedestrian connection to substantially improve the interpretation and appreciation of this heritage site.
(c) whether the proposed development detrimentally impacts on view corridors.	The Applicant's Visual Impact Assessment (VIA) satisfactorily demonstrates that the proposal will not detrimentally impact on any view corridors noting the building is not tall enough to be viewed from Old Government House or Parramatta Park.
(d) how the proposed development addresses the following matters:	
(i) the suitability of the land for development.	The site is proximate to the existing WSU School of Business Campus at 1 Parramatta Square and the Parramatta Railway Station and Bus Interchange, as well as the future Parramatta Light Rail and Sydney Metro West projects.
(ii) the existing and proposed uses and use mix.	The combination of tertiary education uses in engineering innovation and commercial floorspace within the same building will provide the opportunity for co-location and collaboration with complementary commercial business and industry partners. The retail uses will activate the ground plane and be utilized by students and office workers.
(iii) any heritage and archaeological issues and streetscape constraints or opportunities.	The proposed development provides an appropriate and contextual response and will not adversely affect the heritage significance of the adjacent contributory heritage items. See Section 6.1.2 of the report.
(iv) the location of any tower proposed, having regard to the need to achieve an acceptable relationship with other towers (existing or proposed) on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form.	The stepped form of the tower (lower scale mid-rise to the west and taller eastern high rise) reduces the overall massing of the tower and creates respectful relationships to the adjoining heritage items and a transition to the higher 61 storey development proposed on the adjoining property to the east.
(v) the bulk, massing and modulation of buildings.	The development provides an appropriate and contextual response in height, bulk and scale to the existing and future development on the adjoining properties and reflects the surrounding changing urban context. The Design Integrity Panel (DIP) supports the design of the proposal and considers the development reflects the surrounding changing urban context.
(vi) street frontage heights.	The tower form is lifted three storeys to create an open podium and a public plaza at ground level. The southern elevation is unified to strengthen the street wall along Hassall Street and its varying scale responds to the east and west context.
(vii) environmental impacts, such as sustainable design, overshadowing and solar access, visual and acoustic privacy, noise, wind and reflectivity.	<p>The development incorporates appropriate sustainable design initiatives, noting it proposes a range of ESD measures to achieve achieves the equivalent of the 5 star Green star rating.</p> <p>The overshadowing impacts are generally acceptable within the CBD context.</p> <p>The Noise Impact Assessment (NIA) concludes that noise impacts generated during both the construction and operation of WSU can</p>

PLEP 2011	Department Comment/Assessment
	<p>be appropriately mitigated and managed to acceptable levels through the implementation of management plans.</p> <p>The Department acknowledges the design of WSU is also unlikely to result in adverse wind and reflectivity impacts and would not impact on the visual privacy of surrounding sensitive receivers.</p>
(viii) the achievement of the principles of ecologically sustainable development.	<p>As outlined in Section 4.3.3, the Department considers that the development satisfactorily achieves the principles of ESD.</p>
(ix) pedestrian, cycle, vehicular and service access and circulation requirements, including the permeability of any pedestrian network.	<p>The Applicant has considered pedestrian, cyclist and vehicular access in the design of the project and satisfactory service vehicle access and parking.</p> <p>The development provides an acceptable level of street activation due to the north-south public plaza and a 3-storey open podium enhancing site permeability and a highly legible and defining site entry with retail shops and flexibility for a future pedestrian connection to the Lancer Barracks.</p>
(x) the impact on, and any proposed improvements to, the public domain.	<p>The key aspects of the public domain include a continuous active retail frontage along the public plaza, new paving and trees within the streetscape, rooftop garden above the retail building and landscaped terraces with circular planters and integrated seating to serve as a break-out space for future tenants. The public domain improvements will ensure a high level of permeability including a future pedestrian connection to the Lancer Barracks and activation along Hassall Street.</p>
(xi) the impact on any special character area.	<p>The proposed development will not have any adverse impact on the heritage significance of Old Government House due to distance separation (1.1 km) and intervening development and will not be tall enough to be visible from the elevated areas in Parramatta Park.</p> <p>The Department's assessment concludes the proposed development provides an appropriate and contextual response and will not adversely affect the heritage significance of the adjacent contributory heritage items. See Section 6.1.2 of the report.</p>
(xii) achieving appropriate interfaces at ground level between the building and the public domain.	<p>The street front will include active uses and glazing at street level will encourage sight lines and the large expressed columns and structural bracing will showcase the complex engineering of the building and provide visual interest at street level. The public domain shoreline includes a variety of materiality and textures including pavers, stone and cobblestone.</p>
(xiii) excellence and integration of landscape design.	<p>The ground floor public domain is designed to enhance the pedestrian experience and sense of place around the public plaza. The plaza provides a clear path of travel connecting Hassall St and the potential Lancer Barracks open space. The continuous active retail frontage, together with planters and integrated seating edges provides users with opportunities to linger, study and gather. The overall landscape design features elements that complements the architectural language to ensure an integrated and consistent design solution across the site.</p> <p>The roof garden above the retail building at the western boundary includes cascading plants along the edge of the rooftop. This green frame provides a focal point for pedestrians walking through the plaza and softens the building façade and has additional benefits of reducing surface stormwater runoff.</p>

Other policies

In accordance with clause 11 of the SRD SEPP, Development Control Plans do not apply to State significant development.

Notwithstanding, the objectives of relevant plans and policies that govern the carrying out of the project are appropriate for consideration in this assessment in accordance with the SEARs and are considered below.

PDCP 2011	Department Comment/Assessment
<p>2.4.1 Views and Vistas</p> <ul style="list-style-type: none"> • Preserve and encourage view sharing. 	<p>The Department's assessment has concluded that the scale and design of the proposal does not impact on any significant view corridors. See Section 6.1.2 of this report.</p>
<p>2.4.3.1 Sedimentation</p> <ul style="list-style-type: none"> • Effective sediment site controls to ensure no environmental damage of waterways. 	<p>The sediment and erosion control measures during demolition and excavation will be undertaken in accordance with the conditions detailed in the early works development consents issued by Council (see Section 2.3 of the report).</p> <p>The Department is satisfied with the applicant's proposed soil and sediment erosion control measures and has recommended a condition of consent to ensure best practice measures are implemented throughout the construction of the proposal.</p>
<p>2.4.4 Land Contamination</p> <ul style="list-style-type: none"> • Considers the potential contamination of the land and minimize risk to human health. 	<p>A Detailed Site Contamination Investigation submitted with the EIS found that all potential contaminants on the site were within the threshold of relevant site assessment criteria and the site can be made suitable for its intended use.</p> <p>The Department recommends conditions to engage an EPA accredited Site Auditor to prepare a Site Audit Report and a Section A Site Audit Statement. The report and statement must verify the site is suitable for the proposed use and be provided to the satisfaction of the certifying authority before commencement of works.</p>
<p>2.4.5 Air Quality</p> <ul style="list-style-type: none"> • To protect air quality and enhance environmental amenity. 	<p>The applicant's construction management plan outlines measures proposed to protect surrounding sensitive receivers from air and dust impacts during construction. The Department's assessment has concluded that the measures proposed will ensure the effective management of any potential air quality impacts.</p> <p>The Department notes that the operation of the proposal is not anticipated to give rise to any adverse air quality impacts</p>
<p>2.4.8 Public Domain</p> <ul style="list-style-type: none"> • To enhance the quality of the public domain. 	<p>The urban design and landscaping arrangements will make a strong contribution to the public domain and improve the pedestrian environment in and around the site.</p>
<p>3.3.6.1 Stormwater Drainage</p> <ul style="list-style-type: none"> • Design to meet WELS Scheme targets and prepare a Site Stormwater Management Plan. 	<p>The majority of the stormwater runoff from the development is to be captured and detained by an on-site detention using a gravity flow system. A closed water treatment system below ground will improve the quality of water leaving the site. The Applicant has undertaken</p>

PDCP 2011	Department Comment/Assessment
	<p>modelling to confirm the stormwater discharge quality will exceed the Green Star Target reduction requirements.</p> <p>The Department recommends a condition which requires the detailed stormwater management plans to be approved by the Council prior to the commencement of relevant works approved by the SSD.</p>
<p>3.3.6.2 Water Efficiency</p> <ul style="list-style-type: none"> Minimise water use. 	<p>The proposed development includes water efficiency measures including high efficient water fixtures and rainwater harvesting to minimize the use of water on the site.</p>
<p>3.3.7 Waste Management</p> <ul style="list-style-type: none"> Appropriate management and storage of waste during construction and operations. 	<p>The application was accompanied by a Construction Management Plan and Waste Management Plan that provides details of proposed measures to manage waste generated during the construction and operation of the development.</p> <p>Construction waste is proposed to be temporarily stored on-site in bins or stockpiles and subsequently disposed of by the developer.</p> <p>Operational waste will be stored on-site in designated waste storage in the basement with access via Hassall Street.</p>
<p>3.5.2 Archaeology</p> <ul style="list-style-type: none"> Obtain necessary permits, if required. 	<p>A Section 140 application to excavate and record the archaeology at the subject site was approved by the Heritage Council of NSW in 2018 as part of the early works excavation DA (Section 2.4 of the report). The Department includes a condition requiring an unexpected finds protocol to manage any additional archaeological discoveries during construction.</p>
<p>3.6.1 Sustainable Transport</p> <ul style="list-style-type: none"> To support the reduction of car trips and encourage the use of sustainable transport and provide off-street parking is provided to serve the development. 	<p>The application of the restrictive parking rate under PLEP 2011 to the indicative development yield would result in a maximum permissible provision of 23 spaces on the site. The proposed development will provide 16 car spaces in the basement allocated to the commercial component of the development therefore complies with the site-specific carparking controls under PLEP 2011.</p> <p>No parking is provided for the tertiary education component given the site is in a highly accessible location. The proposed development therefore complies with the site-specific carparking controls under PLEP 2011.</p> <p>The Department includes a condition requiring a Green Travel Plan to promote the use of active and sustainable transport modes by staff and students.</p>
<p>4.3.3.3 Public Domain and Pedestrian Amenity</p> <ul style="list-style-type: none"> Provide a through site link and active street frontages. 	<p>The development provides an acceptable level of street activation due to the north-south plaza and a 3-storey open podium enhancing site permeability and a highly legible and defining site entry with retail shops and flexibility for a future pedestrian connection to the Lancer Barracks.</p>
<p>5.3 Places of Public Worship and Educational Establishments</p> <ul style="list-style-type: none"> Ensure a scale and intensity suitable to the site and context. 	<p>The development provides an appropriate and contextual response in height, bulk and scale to the existing and future development on the adjoining properties and reflects the surrounding changing urban context.</p>

4.3.3 Parramatta City Centre (i) 2-6 Hassall Street Parramatta

Desired Future Character

- premium-grade commercial building will contribute to the revitalisation of Hassall Street
- reinforce the character of the Parramatta City Centre as a centre for employment, business and education
- support the Parramatta CBD in its role as a Sydney's
- design response which is sensitive to the adjoining heritage context whilst responding to the future envisaged scale of the CBD.
- active street frontage to Hassall Street, and encourage a high level of connectivity through the site.
- Future redevelopment is to make provision for a through site link from Hassall Street to the Lancer Barracks, allowing potential future connectivity.

The proposed development is consistent with the desired future character of the area as it will:

- contribute to the revitalisation of Hassall Street by providing a diverse mixed-use development emphasising innovation, business and education.
- provide significant employment opportunities in proximity to existing a future transport infrastructure.
- be sympathetic to the surrounding heritage context but achieves a superior built form outcome consistent with the CBD scale context.
- provides a development scale commensurate with the site's strategic and locational attributes.
- provide ground floor retail, a public plaza and a glazed lobby entry to achieve a highly activated and permeable street front and ground plane with flexibility for future pedestrian connection to the Lancer Barracks.

Control C.1 - Street wall and building height

- A maximum street wall height of 3 storeys, to align with the parapet of the Commercial Hotel to the east
- Above the podium, a 19 storey tower

The tower form is lifted three storeys to create an open podium and a public plaza at ground level. The southern elevation is unified to strengthen the street wall along Hassall Street and its varying scale responds to the east and west context.

Control C.2 - Building setbacks and envelope

- Provide a 3m podium setback from Lancer Barracks to the north, and a 2m podium setback to the southern boundary (Hassall Street) to match the predominant street boundary alignment to the east and aligning with the ground level façade
- Provide zero setbacks to the east and west boundary for the podium.
- Above the podium, the minimum tower setbacks are to be:
 - 3m from the edge of the podium to the north (6m to the northern boundary)
 - 3m from the east boundary (and podium edge)
 - 6m to Hassall Street (4m from the edge of the podium to the south)
 - 6m from the west boundary (and podium edge)

The development does not represent a typical podium/tower form, and the envelope departs from the site-specific envelope controls with lesser setbacks to some boundaries and greater setbacks to other boundaries.

However, the built form provides an appropriate and contextual response in height, bulk and scale to the existing and future development on the adjoining properties and will not adversely affect the heritage significance of the adjacent contributory heritage items. The proposed design was also the subject of a competitive design process, which effectively endorsed the setbacks proposed.

Control C.3 - Street Activation and Through Site Link

- A high level of permeability through and around the site is to be achieved
- Ground level uses should activate the street frontage to Hassall Street
- A through site link should be created providing a connection between Hassall Street and the Lancer Barracks

The development provides an acceptable level of street activation due to the north-south plaza and a 3-storey open podium enhancing site permeability and a highly legible and defining site entry with retail shops with flexibility for a future pedestrian connection to the Lancer Barracks.

Control C.4 - Vehicular Access and Parking

- Vehicular access may be from the eastern portion of the Hassall Street frontage
- Development on the site is not permitted to exceed the car parking rate outlined below:
- Commercial: If the FSR > 3.5:1, $M = (G \times A) / (50 \times T)$ where: M = maximum number of parking spaces; G = GFA of all office/business premises in the building (m²); A = Site Area (m²); T = Total GFA of all buildings on the site (m²).

Vehicular access point is located at the eastern end of the Hassall Street frontage of the site.

The proposal will comply with the maximum parking rates under PLEP 2011.

Control C.5 - Roof Design

- The roof design may consider a staggered profile and a varying skyline in order to better articulate and modulate the built form.

The modulated roof line expresses a modern character for the building and creates visual interest when viewed within the CBD skyline.

Control C.6 - Landscaping

- The setback on the northern boundary is to be used as a deep soil zone for new planting and tree roots protection zone for the existing tree on the adjacent site.
- The 2 large palm trees on Hassall Street are relocated to the deep soil zone at the northern boundary.

The through site public plaza at the ground plane incorporates appropriate landscape treatments and softens the transition to the Lancer Barracks.

Appendix C - Recommended Instrument of Consent

