Section 75W Modification

Environmental Assessment Report

45-47 Macquarie Street and 134-140 Marsden Street, Parramatta (MP09_0167) MOD 2

Submitted to Department of Planning
On Behalf of Crown International Holdings Group

November 2012 ■ 09389

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JBA Urban Planning Consultants Pty Ltd operates under a Quality Management System. This report has been prepared and reviewed in accordance with that system. If the report is not signed below, it is a preliminary draft.

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Signature  Date 8/11/12

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Statement of Validity

Prepared under Part 3A of the Environmental Planning and Assessment Act, 1979 (as amended)

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In respect of	Modification to Approved Project Application
Concept Plan	
Applicant name	Crown International Holdings Group
Applicant address	Level 11, 68 Alfred Street, Milsons Point NSW 2061
Land to be developed	15-47 Macquarie Street and 134-140 Marsden Street, Parramatta
Proposed development	Mixed Use Development
Environmental Assessment	A modification application report is attached
Certificate	I certify that I have prepared the content of this modification application report and to the best of my knowledge: ▪ It is in accordance with the Environmental Planning and Assessment Act and Regulation. ▪ It is true in all material particulars and does not, by its presentation or omission of information, materially mislead.
Signature	
Name	Kim Shmuel
Date	November 2012

Executive Summary

This Environmental Assessment Report has been prepared on behalf of Crown International Holdings and is submitted to the Department of Planning and Infrastructure in support of a modification to the approved mixed use project (MP09_0167) at 45-47 Macquarie Street and 134-140 Marsden Street, Parramatta. The modification is submitted under the now-repealed Section 75W of the *Environmental Planning and Assessment Act 1979* in accordance with the transitional arrangements for approved Part 3A projects.

On 28 October 2011, the Planning Assessment Commission approved MP09_0167 for the construction of a 28-storey mixed use development at 45-47 Macquarie Street and 134-140 Marsden Street, Parramatta.

This modification seeks to modify the approved development to amend the floor space use within the mixed use development and amend the design including adding additional levels of residential accommodation which will result in a minor increase in floor space on the site. Other key changes include:

- Modification of the archaeological display area to locate one of the archaeological relics in an accessible display area below the public plaza;
- Reduction in the building depth;
- Reduction in the height of the podium; and
- Replacement of commercial floor space with serviced apartments and conference centre.

This Environmental Assessment Report responds to the Director-General's Environmental Assessment Requirements (dated 22 June 2012) for the modification proposal. It assesses the modified proposal against the key environmental considerations relevant to the modified proposal and is supported by expert consultant reports.

The modifications result in an overall improvement to the design of the project and its relationship to the public domain. The modified archaeological display area will not only provide a more diverse experience of the important archaeological heritage items on the site, but will provide improved arrangements for securing and maintaining the relics on the site. Improvements to the public plaza will provide a larger open space ensuring an enhanced relationship to public domain and high quality finishes and materials will ensure that the modified proposal results in a good urban design outcome in the context of the Parramatta CBD.

The introduction of a through-site link and a redesigned ground floor lobby will result in improved permeability and accessibility through and around the site, and the design changes to the retail premises will provide increased activation of the street frontages. The modifications will also provide an improved level of accessibility for the public.

1.0 Introduction

This Environmental Assessment Report (EAR) is submitted to the Department of Planning and Infrastructure (Department) in support of an amendment to Project Approval MP09_0167 pursuant to Section 75W of the *Environmental Planning and Assessment Act 1979* (EP&A Act). MP09_0167 permits the construction of mixed use development on land at 45-47 Macquarie Street and 134-140 Marsden Street, Parramatta (the site). This modification seeks to retain the existing mixed use development on the site but make relatively minor changes to the design and floor space use.

MP09_0167 was approved under the now-repealed Part 3A of the EP&A Act. Modification of an approved Part 3A project is permitted under the now-repealed Section 75W of the EP&A Act in accordance with the transitional Part 3A provisions.

The EAR has been prepared by JBA for the proponent, Crown International Holdings Group (Crown). It describes the site, its environs, the approved development under MP09_0167, the proposed amendments to the design, and includes an assessment of the revised proposal in accordance with the Director-General's Environmental Assessment Requirements (DGRs) under Part 3A of the EP&A Act.

The EAR is based on Architectural Drawings prepared by AJ+C Architects (found at **Appendix A**), and other supporting technical information appended to the report (see Table of Contents).

1.1 Background

1.1.1 Previous Development Approvals

On 1 March 2005, Parramatta City Council (Council) granted consent to Development Application (DA) 1918/2003 for the demolition of an existing structure on the site and construction of a nine storey mixed use building containing 137 residential units, 5,370sqm of commercial office space and 1,295sqm of retail space above three levels of basement car parking and strata subdivision.

An excavation permit (2004/S140/068) and a modification of the original permit (2005/S144/014) were approved by the Heritage Council on 2 February 2005 and 5 August 2005 respectively. Archaeological investigations were carried out on the site between May and August 2005, which lead to two discoveries on the site:

- A convict hut with wheelwrights forger and workshop adjacent to the hut; and
- A sandstone cellar belonging to the Wheatsheaf Hotel of 1801 -1808 which is likely to be the earliest surviving evidence for a hotel in Parramatta.

Following this discovery, the former Heritage Office (now the Heritage Branch of the Department) requested that the owners consider an opportunity for in situ conservation of the significant finds. It was evident that the development approved by DA1918/2003 did not provide the opportunity for in situ conservation.

Investigations were undertaken to consider development options for the site that would accommodate in situ conservation.

An Interim Heritage Order (IHO) No 101 under Section 24 of the *Heritage Act 1977* (the Heritage Act) was gazetted on 22 March 2006. The IHO lapsed in March 2007 and a State Heritage Register listing has not been progressed for the site.

At the same time, an order under Section 129 of the Heritage Act was gazetted which stated as follows:

'for the purposes of assessing Development Applications which make provision for the in situ conservation of archaeological 'relics' within the subject land, that the following clauses in the Sydney Regional Environmental Plan No 28 – Parramatta, should not apply:

a. *Clause 26 and specifically*

b. *Clauses 26(2), height of buildings not to exceed the maximum height shown on the City Centre Map; and*

c. *Clause 27, and specifically*

d. *Clause 27(2), floor space ratio not to exceed the maximum FSR shown in the City Centre Map'.*

On the basis of these orders, DA470/2006 was approved by Council on 11 September 2006 for the construction of a mixed use retail and commercial development comprising four and a half levels of basement parking, ground level retail with public piazza, archaeological interpretation zone and through site link, six level commercial podium link, sixteen level commercial tower, heritage interpretation space and strata subdivision.

The approval limited the FSR of the development on the site to a FSR of 7.49:1 when calculated in accordance with the definition for GFA under *State Environmental Planning Policy 28 – Parramatta* (SREP 28) which was applicable to the site at that time. This was subsequently modified through Section 96 application on 15 October 2008, which amended the approval to permit a maximum FSR of 8.44:1 on the site.

1.1.2 Approved Mixed Use Development (MP09_0167)

In April 2010, JBA, on behalf of Crown, submitted a project application to the Department for a new mixed use development with a maximum building height of approximately 84.6 metres on the site.

On 28th October 2011 the Planning Assessment Commission (PAC) as delegate of the Minister for Planning and Infrastructure (Minister) granted Project Approval for the construction of a new 26 storey mixed use development on the site comprising:

- 367 residential apartments;
- 2,952sqm of commercial floor space;
- 1,240sqm of retail and restaurant floor space;
- 316sqm archaeological interpretation centre; and
- 6 levels of basement parking.

A copy of the notice of determination is included at **Appendix B**.

The approved project has a FSR of 8.44:1when calculated in accordance with the definition for GFA under SREP 28. This is consistent with the previous approval under DA470/2006 (as amended) in which a dispensation from strict compliance with the applicable FSR control was granted based on the public benefit offered by the in situ provision of the heritage items on the site. The approved project has a maximum FSR of 8.23:1 when calculated in accordance with the definition for GFA under the *Parramatta City Centre Local Environmental Plan 2007* (City Centre LEP).

1.1.3 Design Review Panel

Clause 22B of the *Parramatta City Centre Local Environmental Plan 2007* (City Centre LEP) requires a design competition to be held for development with a height of more than 55 metres. A waiver of the requirement for a design competition to be held was granted by the DG in lieu of a Design Review Panel process.

In total six meetings were held with the Design Review Panel including meetings prior to submission of the EAR for the project, following the exhibition of the EAR and prior to the projects final determination by the PAC.

In the Design Review Panel Report (Report Six dated 11 April 2011) which was made available prior to submission of the final Preferred Project Report for the approved project MP09_0167, the following issues were raised as the only outstanding concerns in relation to the project:

1. Building depth, apartment depth, day lighting and cross ventilation in accordance with the Rule-of-Thumb in the RFDC;
2. Compliance with the building height control under the City Centre LEP and street wall height under the City Centre DCP;
3. Built form in particular the deep floor plate of the building; and
4. Long term conservation of the archaeology on the site.

The recommendations of the Design Review Panel were taken into account during the detailed design process for the project and significant changes to the design of the project were made to address issues raised by the Panel.

The changes proposed to the design of the development provide additional improvements to the design which respond to previous issues raised by the panel including:

1. **Building depth, apartment depth, day lighting and cross ventilation**

A reduction in the building depth has resulted in improved compliance with the RFDC Rule-of-Thumb in this regard. The building depth in the middle Sections B and C of the building have been reduced by approximately 3 metres, which significantly improved internal amenity within these parts of the building. It is noted that Section D continues to comply with the maximum building depth Rule-of-Thumb, and building depth is not a relevant consideration for the northernmost part of the building (Section A). In addition, 74% of apartments will receive at least 2 hours of direct solar access to their living areas. 73% of apartments will receive at least 2 hours of direct solar access to their private open space area which is consistent with the RFDC Rile-of-Thumb for solar access. 61.3% of apartments will be naturally cross-ventilated. The Panel's concerns in this regard have been addressed.

2. **Building height**

The approved project has a maximum building height of 84.6 metres. Sections C and D of the building will be located **below the maximum height already approved for the mixed use development on the site**. Section B will exceed the maximum approved height for MP09_0167 by just 7.4 metres which is not considered significant in the context. The majority of the building height for the modified development has been concentrated over the northern part of the site in Section A. This part of site lies opposite to the Jesse Centre (on the northern side of Macquarie Street) which has a building height of some 80 metres. The concentration of the additional building height over the northern section of the site reduces any potential amenity impacts. In addition, the width of the building has been reduced creating a slender form

with reduced bulk. In this context the proposed height of the modified development is considered appropriate.

3. **Deep floor plate**

   As detailed above, the floor plate of the building has been reduced which results in improved internal amenity within the residential apartments, as well as a sleeker, less bulky built form

4. Long term conservation of archaeology

Modifications to the archaeology display area to provide a below-plaza viewing platform to part of the relics thereby improving security and conservation conditions, as well as providing increased access and viewing opportunities. Further detail is provided in Section 3.6 below.

1.1.4 Consultation

Prior to submission of the EAR for the approved project, extensive consultation was undertaken with the following authorities and agencies:

- The Department of Planning and Infrastructure (Department);
- The Heritage Branch of the Department (Heritage Branch);
- Parramatta City Council (Council);
- Sydney Metro Authority ;
- Utility providers; and
- The Road and Maritime Service (RMS).

All of the recommendations made by the relevant agencies and authorities were taken into account in preparation of the EAR documentation for the project. These agencies and authorities were also consulted as part of the notification process for EAR and any further recommendations were taken into account in preparation of the PPR for the approved project.

The modified proposal does not result in substantial changes to an extent which would warrant additional consultation prior to submission of the EAR for the modified proposal It is expected that all of the above agencies and authorities will be notified as part of the exhibition process for the modified proposal.

To ensure the revisions to the archaeological display area satisfied existing conditions placed on the approved project for protection of archaeological relics on site, Edward Higginbotham & Associates sent revised plans and additional information to the Heritage Branch on 5 and 23 April 2012.

The response from the Heritage Branch (dated 4 May 2012) is attached at **Appendix C** in which the heritage Branch notes it opinion that Conditions A14 and D27 of the determination for MP09_0167 are satisfied by the proposal. It is also noted that the NSW Heritage Council granted approval to the proposed Archaeological Excavation Methodology on 12 December 2011. This approval was required in relation to Condition of Consent A14 of the consent for MP09_0167.

1.1.5 Modification 1 MP09_0167

On 22 March 2012, the Director-General (DG) of the Department granted approval for a Section 7W modification of MP09_0167. The modification amended Condition B4 of the determination to allow the staged payment of Section 94 contributions.

1.1.6 Modification 2 MP09_0167

On 30 April 2012, JBA wrote to the Department requesting DGRs for proposed modification to the design and floor space use in the approved mixed use development under MP09_0167. These modifications are the subject of this Section 75W application. A copy of the DGRs (dated 22 June 2012) was subsequently forwarded to JBA and is included at **Appendix D**.

2.0 Site Analysis

2.1 Site Description

The subject site is located at 45-47 Macquarie Street and is also known as 134-140 Marsden Street. The site has three frontages - 54 metres to Macquarie Street to the north; 64 metres to Hunter Street to the south; and 84 metres to Marsden Street to the east. The site has staggered western boundary of 75 metres in total adjoining commercial buildings to the west. It has a total site area of 4,879sqm. The site is legally described as Lot 1 in DP 61073, Lots A, B and C in DP 82967, Lots 1 and 2 in DP 213184, Lot 1 in DP 539968, and Lots 101, 102 and 103 in DP785428. A survey plan is attached at **Appendix E**.

The Marsden Street frontage of the site is the subject of 3.6 metre-wide road widening reservation in accordance with Clause 29 of the City Centre LEP and the associated Land Reservation Acquisition Map.

The site has been identified as containing four important relics, all of which are located along the northern frontage of the site towards Macquarie Street, and include the following:

- Evidence of the footing of a convict hut;
- Evidence of occupation by a wheelwright
- Evidence of the cellar of the Wheatsheaf Hotel (c1801), one of the earliest remnant of a hotel yet revealed in Australia
- The footings of a larger colonial period cottage with a deep well.

2.2 Local Context

Parramatta Rail Station is located approximately 400 metres to the south-east of the site. The locality in which the site is located is predominantly commercial with Westfield Shopping centre located approximately 100 metres to the south of the site and a number of government offices located predominantly to the north of the site. Parramatta Park is located approximately 100 metres to the north-west of
the site.

A site locality plan is provided at **Figure 1** below.

Figure 4 – Locality Plan

2.3 Existing Traffic Arrangements

The site is located on the corner of Hunter Street, Marsden Street and Macquarie Street. Hunter Street (south) provides one traffic lane in each direction past the site and kerb side metered parking. Marsden Street (east of site) is a four lane undivided carriageway with no on street parking. Macquarie Street (north) is one way (westbound) with three traffic lanes and kerb side metered parking. O'Connell Street (west of the site) is a four lane one way street south of Macquarie Street with no parking and north of Macquarie Street is a two way street. The intersections of Macquarie and Marsden Streets, Marsden and Hunter Streets and Hunter and O'Connell Streets are traffic signal controlled.

2.4 Existing Development

A car park extends across most of the site, with the archaeological relics located in the northern portion of the site. The previous metal sheds that housed the relics have been removed and the archaeological area is now protected in line with approved archaeological protection methodology.

Photographs of the site and surrounds are provided at **Figures 2** to **7** below.

Figure 2 – View of the corner of Macquarie and Marsden Streets

Figure 3 – Part of the archaeological heritage items on the site

2.5 Surrounding Development

Immediately adjoining the site to the west (northern portion) is a commercial building above a multi-level car park with another commercial building adjoining the site's western boundary at its southern section.

Figure 4 – Commercial building (Jesse Centre) opposite the site on the northern side of Macquarie Street

Figure 5 – Commercial building to the west of the site

Figure 6 – View from Macquarie Street looking south-east over the site

The only listed heritage item in the vicinity of the site is the Edwardian house on the south-east corner of Marsden and Hunter Streets (41 Hunter Street). The site provides a backdrop (when viewed from St John's Park) to the State heritage-listed St John's Pro-Cathedral which is shown in **Figure 7** below.

Figure 7 – St John's Pro-Cathedral

3.0 Proposed Modifications

This Section 75W application seeks approval for a number of changes to the building which will facilitate the delivery of a superior design and development outcome for the site. In summary, the key modifications proposed include:

- Minor increase in the gross floor area (GFA) and corresponding floor space ratio (FSR) on the site;
- Increase in the overall building height from RL94.5 to RL112.4;
- Inclusion of additional levels of residential accommodation (and corresponding changes to level at which the rooftop gardens are located in Sections C and D) as follows:
  - Section A: three additional level of residential at levels 26 to 28 with private rooftop courtyards provided above topmost units.
  - Section B: four additional levels of residential at levels 25 to 28 (residential units limited to eastern portion of floor plate at level 28 to accommodate plant on western side)
  - Section C: four additional levels of residential at levels 22 to 25
  - Section D: one additional level of residential at level 11
- Changes to the apartment mix and overall number of apartments contained within the development;
- Reduction in the building depth to improve solar access to residential apartments;
- Reduction in the height of the podium from four to three storeys to reduce scale at street level;
- Replacement of previously approved C-grade commercial floor space with a serviced apartments operation located in the southern half of levels 3 to 11 of the building;
- Introduction of a new commercial conference and function facility fronting Hunter Street at Level 1 which includes an outdoor garden and replaces part of the approved commercial floor space;
- Changes to the archaeological display area to include a subterranean viewing area and pedestrian access to the former Wheatsheaf Hotel relics and the old convict hut;
- Reconfiguration of the ground floor level to include a through site pedestrian link to improve connection to Hunter Street and provide enhance pedestrian route to Parramatta train station, and provision of a broader footpath to Hunter Street;
- Changes to the proposed retail premises at ground floor to provide more activation of the Marsden and Macquarie Street frontages and potential for alfresco dining on Marsden Street and the northern plaza;
- Changes to the public plaza to provide improved connections to Macquarie and Marsden Street;
- Inclusion of a new void to the lobby below at level 1 to provide improved daylight access
- Introduction of a mezzanine level accommodating a gym and courtyard;
- Inclusion of new internal amenities for the residential apartments and serviced apartments at mezzanine level, adjoining the pool at level 1 and at level 2 (including a corporate business centre) ;

- Alterations to the materials, finishes and design of the building to provide a more modern, high quality appearance and more commercial expression suited to the Parramatta CBD;
- Minor alterations to the internal layout of residential apartments;
- Replacement of open balconies with wintergardens; and
- Increased basement car parking provision, mainly through the use of stacked parking spaces (there will be not increase in the size of the basement car park or the extent of excavation already approved).

3.1 Gross Floor Area

Table 1 provides a comparison of the approved and proposed development in terms of proportion of floor space taken up by residential and non-residential uses, as well as the overall GFAs (and corresponding FSRs) in the total development calculated in accordance with the definition for GFA under SREP 28 and the City Centre LEP.

For the purposes of this table, the proportion of floor space taken up by residential, retail, commercial and serviced apartment uses has been considered according to the useable space and is measured in net saleable area (NSA).

There will be an overall increase in GFA in the development largely due to additional corridors in the extra floors.

Table 1 – Land Use and Gross Floor Area

		Approved	Proposed	Difference
GFA Retail/Commercial[1]		Approx. 5,400m^2	Approx. 1,520m^2	-3880m^2
GFA Serviced apartments		-	Approx. 5,170m^2	+5,170m^2
GFA Residential		Approx. 32,960m^2	Approx. 31,430m^2	-1,530m^2
Total GFA	SREP 28	41,366.5m^2	43,067.3m^2	+1,700.8m^2
	City Centre LEP	40,522.4m^2	42,471.1m^2	+1,948.7m^2
FSR	SREP 28	8.44:1	8.79:1	+0.35:1
	City Centre LEP	8.23:1	8.67:1	+0.44:1

The increase in GFA on the site is largely due additional corridors in the extra floors, operation and back-of-house facilities related to both the conference centre and the serviced apartment operation and some inefficiency relating to four distinct uses – retail, conference centre, serviced apartment and residential. In addition the introduction of a through-site link at ground level and resulting changes at level 1 and 2 has resulted in the provision of more corridor space.

3.2 Apartment Numbers and Mix

The apartment mix in the development has been amended to create a more diverse offering of residential apartments including the introduction of studio, one bed +study, one bed +study, and two and three bed dual key apartments. The increase in apartment choice is a direct response to market trends and demand in the area and will ensure that additional affordable housing can be provided in the Parramatta local government area (LGA) that suits the needs of the community.
Although there is an overall increase in residential apartment numbers, the actual residential GFA in the development has not increased (see Table 1 above). The

[1] Includes conference centre and interpretation centre

increase in residential apartment numbers is a result of the increased diversity of apartments in the mixed use development and is considered a positive outcome.

Table 2 provides a comparison of the approved and proposed number and mix of apartments within the development.

Table 2 – Approved and Proposed Residential Unit Mix

Unit Mix	Approved	Proposed	Difference
Studio	-	32 (7.6%)	+32
1 bed	115 (31.3%)	78 (18.4%)	-37
1 bed + study	-	136 (32.2%)	+136
2 bed	204 (55.6%)	107 (25.3%)	- 97
2 bed +study	-	55 (13%)	+55
3 bed	48 (13.1%)	10 (2.4%)	+10
3 bed dual key	-	5 (1.2%)	+5
Total	367	423	+56

The modified proposal also includes a serviced apartment operation which will result in increased employment opportunities on the site and encourage economic development in the locality. It will also encourage increase activation of the Parramatta CBD as tourists and visitors using the serviced accommodation are likely to seek entertainment and dining options in the CBD. In total 81 serviced apartments will be provided in the modified development comprising of the following mix:

- 72 one bed +study apartments; and
- 9 two-bed apartments.

3.3 Access and Parking

No changes are proposed to the approved access to the development. A minor adjustment to the loading dock is proposed which will provide improved manoeuvrability for trucks accessing the loading dock.

There is an overall increase in the provision of parking on the site as a result of the changes to the land use and residential apartment mix. The additional parking has predominantly been accommodated through the provision of 20 stacked parking spaces. There is also an increase in the provision of accessible parking spaces on the site. **Table 2** below summarises the changes to parking provision proposed in the modified development.

Table 3 – Vehicle Parking

Type	Approved	Proposed	Difference
Car	506 (including 29 accessible spaces)	548 (including 45 accessible spaces & 20 stacked spaces)	+42
Bicycle	48	50	+2
Motorcycle	10	10	No change

3.4 Building Envelope

As detailed above, the height of the podium to Marsden Street is proposed to be reduced and additional levels of residential accommodation are proposed to be added to the modified development. The maximum building height of the development (at roof level) is proposed to increase by 17.9 metres to RL112.4 equivalent to an approximate maximum height of 102.5 metres. **Figure 8** below provides a comparison between the approved and proposed building envelope.

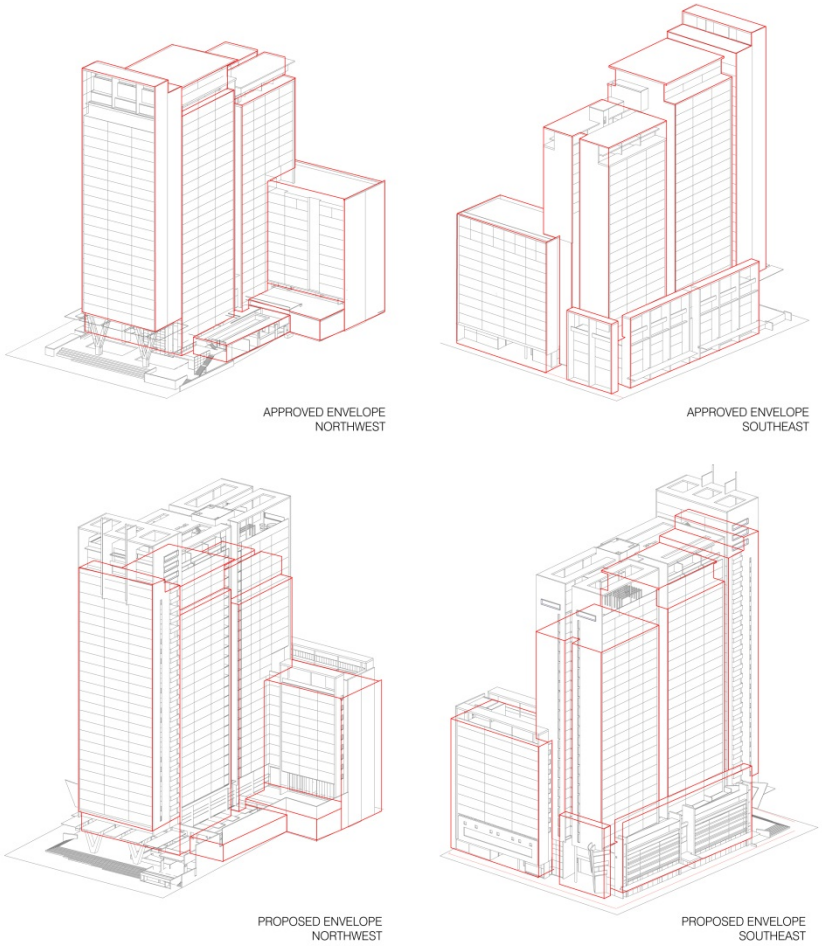

Figure 8 – Building envelope comparison between approved and modified development

The proposed changes include a reduction in the building depth from 27.5 metres to 24 metres (for Sections B and C) which will result in a sleeker, more streamlined building. Therefore, although the building will be taller, the actual building will be less bulky.

3.5 Street Wall Height

The modification proposed to reduce the height of the podium to Marsden Street. However, the proposed street wall height at other frontages generally remained unchanged. **Table 4** below compares the approved street wall heights against the proposed, as well as against the street wall height controls under the City Centre DCP.

Table 4 – Street wall heights

Frontage	Approved	Proposed	DCP Controls
Marsden	22.4m (includes architectural podium feature).	18m (includes architectural podium feature).	26m to 30m
Macquarie	No street frontage height to accentuate the public plaza.	No street frontage height to accentuate the public plaza.	18m to 22m
Hunter	No street frontage height in response to site context.	No street frontage height in response to site context.	18m to 22m

3.6 Ground Floor Plaza

The updated scheme seeks to make a number of changes to the approved ground floor level and lower levels. **Figure 2** below provides a comparison of the approved and proposed ground floor plaza and foyer layout. The following key modifications have been made to the design and layout of the ground floor level:

- Introductions of a through-site link between Macquarie and Hunter Streets to provide improved pedestrian access and permeability;
- Increase activation of the street frontages surrounding the site and enhanced retail exposure;
- Conversion of the approved three retail units into two larger and two smaller retail units (four in total);
- Removal and replacement of the commercial ground floor lobby with a new grand lobby and reception area that provides a more open and welcoming environment for all users;
- Consolidation and re-design of the 'back-of-house' area including the garbage storage area, plant rooms, loading dock, and other utility rooms to ensure that all four distinct uses are efficiently and effectively serviced;
- Minor reconfigurations to the archaeological interpretation centre to ensure it has maximum exposure to the northern plaza and to create a desirable, flexible space capable of supporting the interpretation and education function;
- Amendments to the archaeological display area to include a new subterranean archaeological viewing area at Basement 1(see **Figures 9 to 13** below) with stair and lift access provided from the ground level above. The revised display area will provide:
  - better environmental protection for the cellar remains from the Wheatsheaf Inn;
  - improved security;
  - substantially better access and inspection opportunities;
  - provision of handicapped access and equal opportunity to enjoy the heritage of the area.
- Improved pedestrian connections from the public plaza to Macquarie, Marsden and Hunter Streets; and
- Increase activation in the Parramatta CBD as a result of the addition of serviced apartment and conference/function centre uses on the site.

3.6.1 Public Benefits

The proposed changes to the heritage display will result in a number of public benefits including:

- **Improved preservation of some of the most significant archaeological finds on the site.** The provision of a below-plaza display area will protect these relics from elements such as sunlight and exposure to atmospheric contaminants.

This will ensure improved preservation of these important items over a longer period.

- **Improved accessibility.** The changes to the archaeological display include lift access to the below ground display area which will be fully compliant with disabled-access standards and will provide improved and equitable access on the site.
- **Unique and interactive display and interpretation area.** The changes provide for an improved relationship between the display area and archaeological display which will provide for a more cohesive and integrated heritage experience on the site. The design of the archaeology heritage display area has evolved from the originally approved to development to transform a passive archaeological feature into a truly unique, interactive facility which adds true value to the public domain and enhances heritage opportunities for the public and educational experiences. Members of the public will be able to walk through the heritage display as opposed to a more passive view from the approved platform area.
- **Cataloguing and meaningful displays of artefacts.** Crown has engaged a number of specialist heritage experts to catalogue over 6,000 rare artefacts and develop versatile and informative exhibitions to provide for the display of these artefacts for the public.

It is noted that the changes to the archaeological display area (including the provision of a dedicated lift access) have resulted in an increase in the cost of construction the heritage interpretation and display area in the order of $750,000 to an overall construction cost for the heritage display of $1.5 million. This is considered to be significant public benefit.

Further detail on the unique public benefits of the modified archaeology display are included in design reports from the expert heritage consultants and designers working on the project (**Appendix X**).

Table 5 below compares the benefits of the modified design for the archaeological display area when compared to the approved:

Table 5 – Benefits of modified archaeological display

Benefits	Approved	Proposed
Interactive display so that viewers can 'experience' the archaeological heritage by walking amongst the relics	No	Yes
Disabled access to all parts of the archaeological display including below-plaza level via lift	No	Yes
Longer-term protection of relics from environmental and atmospheric elements	No	Yes
Increased area at plaza level for community space	No	Yes
Increased costs to applicant	No	Yes

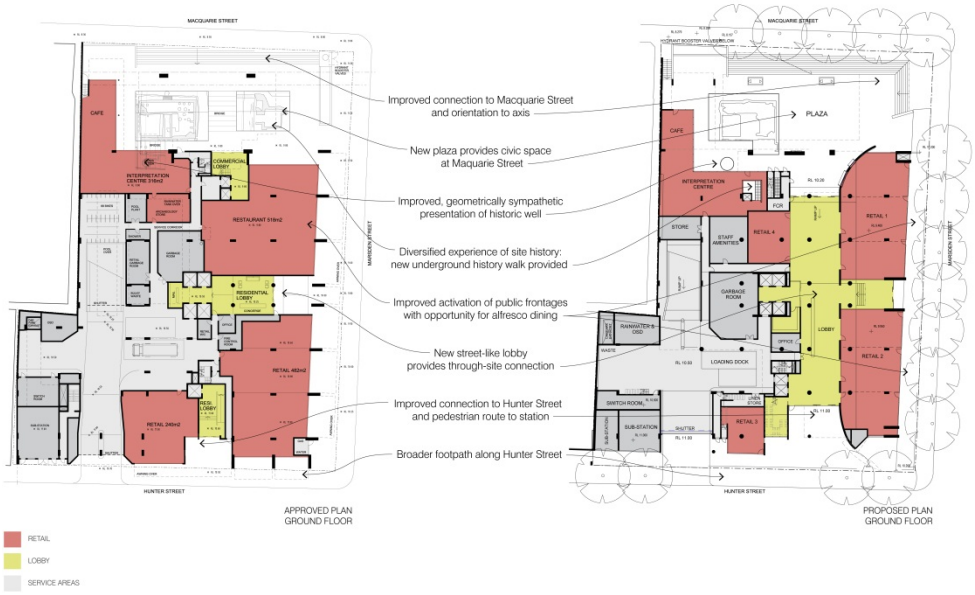

Figure 9 – Comparison of approved and modified ground floor level

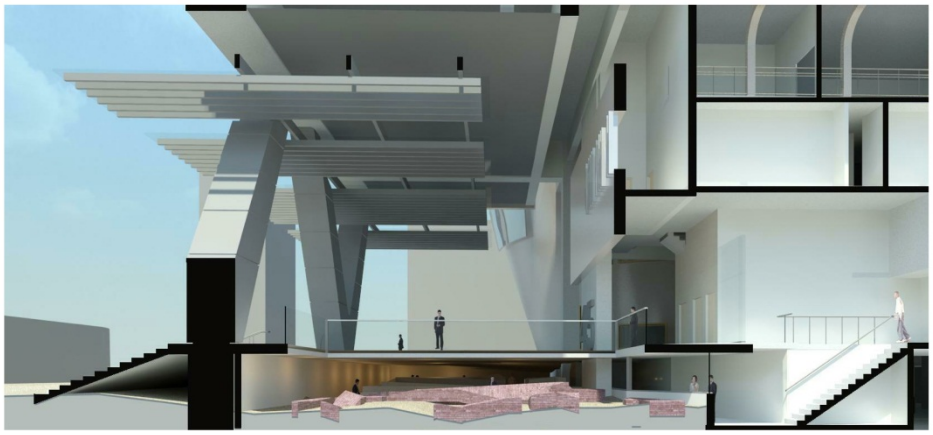

Figure 10 – Proposed archaeology display area (north-south section)

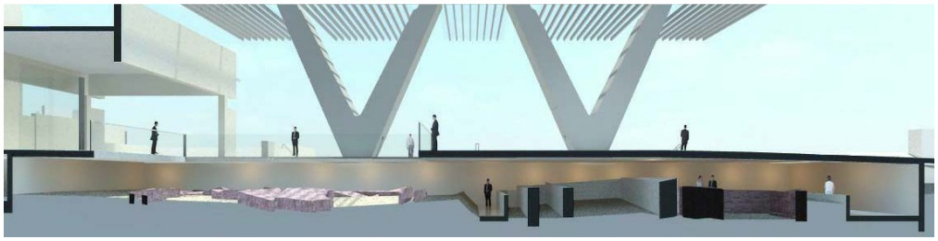

Figure 11 – Proposed archaeology display area (east-west section)

Figure 12 – Proposed archaeology display viewed from podium

Figure 13 – Proposed archaeology display area from below ground viewing platform

3.7 Lower Building Levels (1-4)

A number of changes and modifications are proposed to the layout and use of the approved building's lower levels. The following key modifications have been made to the design and layout of these levels:

- Reduction in the height of the podium from four to three storeys (level 4 now forms part of the residential tower above the podium);
- Replacement of the approved commercial floor space at levels 1 to 3 with a new proposed serviced apartment operation (level 3 includes a mix of residential units and serviced apartments and a garden area fronting Marsden Street);
- Replacement of part of the previous commercial floor space with a new conference and function facility at level 2 fronting Hunter Street with access from the ground floor lobby;
- Inclusion of a new mezzanine level comprising a gym and associated facilities for residents, and a new staff amenities room;
- Creation of a new triple height void/atrium above the central lobby area;
- Consolidation and reconfiguration of the central access core and utility area, including the relocation of the A/C Plant room to the western side of the site to ensure that all four distinct uses are efficiently and effectively serviced;
- Reconfiguration of the residential amenity areas including internal amenities at mezzanine level , level1 and level 2; and
- Minor amendments to the communal pool and garden area.

Figure 14 below provides a comparison of the approved and proposed arrangement for level 1.

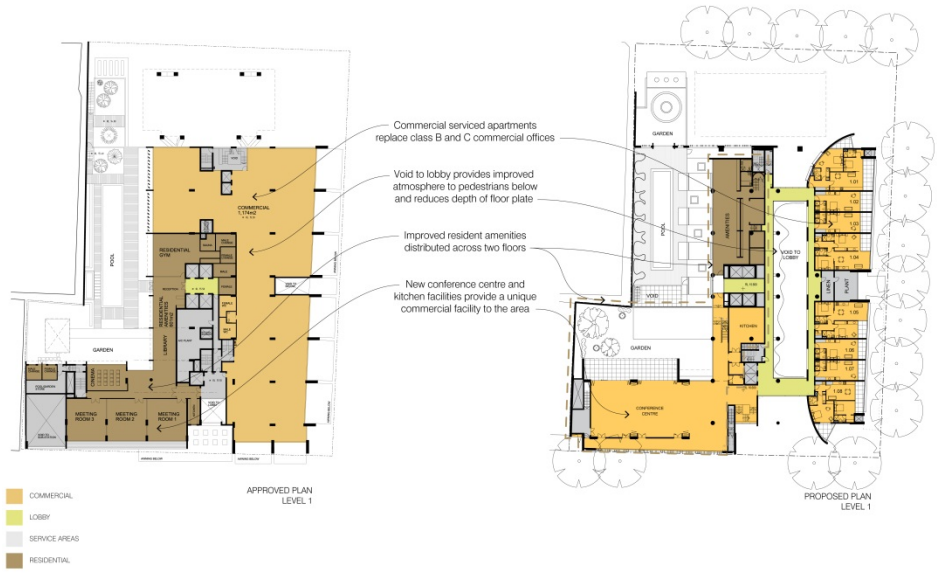

Figure 14 – Comparison of level 1 plan for approved and modified development

3.8 Residential Apartment Layout

In addition to the change in apartment mix, the revised scheme seeks to make a number of minor changes to the layout of apartments within the approved building. **Figure 15** provides a comparison of the level 14 floor plan (as an example of a typical floor layout) in the approved and proposed development. The following key modifications have been made to the design and layout of these levels:

- Inclusion of a curtain wall system which will provide floor to ceiling glass for all rooms at the western and eastern elevations and provide improved daylight access, airflow and view/outlook from residential apartments;
- Rearrangement of the of the shape and dimensions of balconies and replacement with wintergardens;
- Changes to the internal layout of apartments, including reconfiguration of internal living areas and bedrooms;
- Relocation of the bathroom and laundry area of the eastern facing apartments; and
- Minor adjustments to the unit configuration on each residential level.

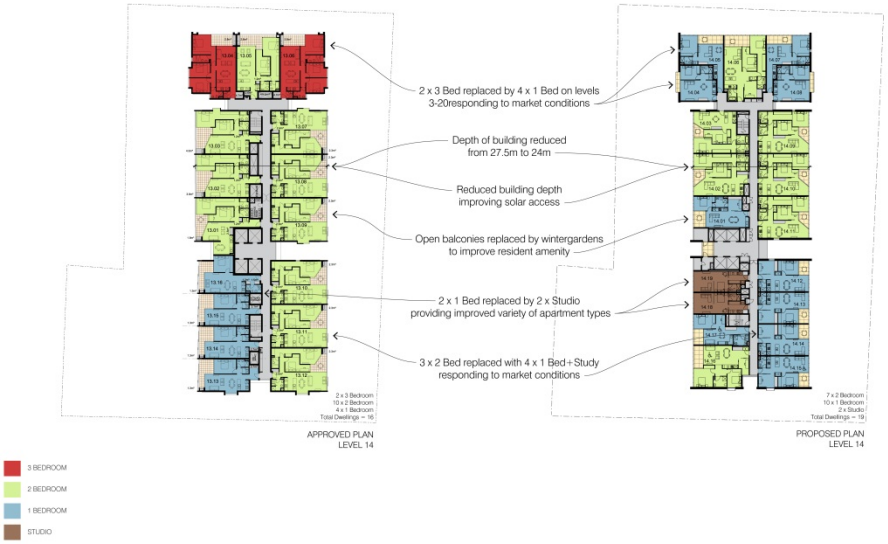

Figure 15 – Comparison of level 14 plan for approved and modified development

3.9 Architectural Design Treatment

This Section 75W application seeks approval for a number of alterations to the materials, finishes and external design of the building, the fundamental aim of which is to provide the building with a more modern high quality appearance and a more commercial expression better suited to the Parramatta CBD. Specifically, the proposed design changes to the building are as follows:

- Changes to the materials and finishes on the building's facade to include:
  - Aluminium horizontal louvres for the podium louvres and tower screens;
  - Composite cladding for the tower;
  - Dark tinted glass for the curtain walls and balustrades;
  - Metal cladding for the podium walls;
  - Stone cladding for the foyer entrances; and
  - Light textured render for the balconies and concrete slab edges.
- More expressive architectural treatment of the podium and lobby entries to provide a higher quality public domain;
- Better proportioned 'V' columns to enhance the building character;
- New ground floor lobby with through-site link to improve access to and from street frontages, provide better street activation and to enhance the design and access and entry points on all street frontages;
- Introduction of wintergardens to increase residential amenity and in keeping with the high quality appearance and commercial expression of the building;
- Simplifications of the architectural roof feature;
- Reduction in the height of the podium from four to three storeys to reduce scale at street level; and
- Improved interface between the public plaza and Marsden and Macquarie Streets.

Architectural Design Statement prepared by AJ+C (**Appendix F**) provides more details on the design principles of the modified development.

3.10 Capital Investment Value

The Capital Investment Value (CIV) for the modified project will continue to be $150 million consistent with the approved development. A Quantity Surveyors Statement is included at **Appendix K**.

Although the modification results in additional floor area, there are a number of innovations and efficiencies that have been introduced into the modified project to reduce costs and improve quality. These include:

- The use of pre-cast concrete slabs;
- Introduction of a glass curtain wall;
- Design development in relation to the basement car park;
- Refining the structure of the development; and
- Introductions of a conference facility at the rear of the site which reduces detailed structural work in this part of the building.

4.0 Environmental Assessment

This section of the report provides an assessment of the key environmental issues that relate to the proposed amendments. It addresses the matters for consideration set out in the revised and updated DGRs which are included at **Appendix D**.

The draft Revised Statement of Commitments (Section 5.0) complements the findings of this section.

4.1 Director General's Environmental Assessment Requirements

Table 6 provides a detailed summary of the individual matters listed in the DGRs and identifies where each of these requirements has been addressed in this report and the accompanying technical studies.

Table 6 – Director-General's Environmental Assessment Requirements

Director-Generals Environmental Assessment Requirements	Location in Report/Application
Key Issues (Core)	
1. Relevant EPI's policies and Guidelines to be Addressed	
The modification application must address the following key issues to the extent applicable to the modification application	
▪ SEPP (Building Sustainability Index: BASIX) 2004	Section 4.3
▪ SEPP 65 - Design Quality of Residential Flat Development	Section 4.3 and Design Statement at Appendix F
▪ Residential Flat Design Code (Planning NSW, 2002)	Sections 3.3 and 3.4, Design Statement at Appendix F and RFDC Table of Compliance at Appendix G
▪ SEPP (Infrastructure) 2007 with particular references to clauses 85, 86 and 88	Section 4.3
▪ Draft West Central Sub-regional Strategy	Section 4.2
▪ Nature and extent of any non-compliance with Parramatta City Council's environmental planning instruments (including Parramatta City Centre LEP 2007 and Parramatta City Centre DCP 2007).	Section 4.3
2. Built Form	
The modification application shall address the height, bulk and scale of the proposed development within the context of the locality and existing planning controls. The modification shall also provide the following:	
▪ Comparable height study to demonstrate how the proposed height relates to the height of the existing/approved developments surrounding the subject site and Council controls for the site (Council height limits are to be indicated by a broken line on all elevations and sections);	Architectural Plans at Appendix A
▪ A thorough and detailed justification of any height and FSR non-compliance; and	Section 4.3
▪ A description of the public benefits proposed to offset the impacts of the additional height proposed under the modification	Sections 4.3 and 4.24
▪ Advice / recommendations from the design review panel	Section 1.1
Urban Design	
▪ The modification shall address the design quality with specific consideration of the facade, massing, setbacks, building articulation, use of appropriate colours, materials/finishes, landscaping, by design and public domain. In addition the application shall address compliance with the design excellence requirements of clause 22B of the Parramatta City Centre LEP 2007.	Sections 4.3, 4.7, Architectural Plans (Appendix A) and Design Statement (Appendix F)
▪ The modification shall also address the methods proposed to activate the	Section 4.7

Director-Generals Environmental Assessment Requirements	Location in Report/Application
ground floor plaza. All car park/loading dock areas shall be minimised to ensure priority is given to an active street frontage at ground floor level.	
3. Environmental and Residential Amenity	
The modification application must address solar access, acoustic privacy, visual privacy, view loss and wind impacts and achieve a high level of environmental and residential amenity (including high level of environmental amenity for private and communal open space on the site).	Sections 4.5, 4.6, 4.11, 4.12, 4.13 and 4.14 and shadow diagrams (Appendix A), View Analysis (Appendix J) , Direct Solar Access Report (Appendix M), Natural Ventilation Statement (Appendix N), Solar Light Reflectivity Report (Appendix P), Pedestrian Wind Environment Statement (Appendix Q) and Noise Impact Assessment (Appendix U)
4. Car parking	
The modification application must demonstrate the provision of sufficient on-site car parking for the proposal having regard to local planning controls and RTA guidelines (Note: The Department supports reduced car parking rates in an area well-served by public transport).	Section 4.9 and Traffic Report at Appendix H
5. Transport and Accessibility (Construction and Operational)	
The modification application shall provide:	
▪ Justification of the proposed quantam of on-site car parking for the proposal having regard to the RTA guidelines and accessibility of the site to public transport.	Section 3.9 and Traffic Report at Appendix H
▪ Daily and park traffic movements likely to be generates by the proposed development, including modelling and assessment of the performance of key intersections providing access to the site, an any upgrades (road/intersections) required as a consequence of the proposal. The modelling of peak traffic movements should be undertaken with the LINSIG modelling package in order to properly consider co-ordinated intersection operation.	
▪ Preparation of a Travel Demand Management Plan that provides an analysis of public transport provision, walking and cycling connections within the vicinity of the proposed site, and measures that will optimise the opportunity provided by the project site's proximity to public transport, including the preparation of a Work Place Travel Plan.	
Ecologically Sustainable Development (ESD)	
The modification application shall detail how the development will incorporate ESD principles / initiatives in the design, construction and ongoing operation phases of the development. The modification application shall also demonstrate that the development is also capable of achieving a high level of energy efficiency.	Section 4.21
6. Heritage	
European Heritage	
The modification application shall provide a Heritage Impact Statement prepared by a qualified Heritage Consultant which assesses the proposal against the significance impact criteria contained in the Matters of National Environmental Significance Significant Impact Guidelines 1.1.	Section 4.8.1 and Statement of Heritage Impact at Appendix I
In addition, the Department requests that you refer the proposal to the Australian Minister for Sustainability, Environment, Water, Population and Communities to determine whether the project requires formal assessment and approval under the *Environmental Protection and Biodiversity Conservation Act 1999.*	Section 4.3, Statement of Heritage Impact at Appendix I and View Analysis at Appendix J
7. Servicing	
In consultation with relevant agencies, the modification application shall address the existing capacity and requirements of the development for the provision of utilities including staging of infrastructure works.	Section 4.20
8. Staging	

Director-Generals Environmental Assessment Requirements	Location in Report/Application
The modification application must include details regarding the staging of the proposed development (if proposed).	No staging is proposed as part of the project.
9. Section 94 Contributions	
The modification application must be accompanied by a report from a Registered Quantity Surveyor confirming the cost of the development in accordance with the definition of development costs outlined in Section 25J of the *Environmental Planning and Assessment Regulation 2000* for the purpose of recalculating the section 94 contribution applicable to the site.	Section 4.22 and Quantity Surveyor Report at Appendix K
10. Consultation	
Undertake and appropriate and justified level of consultation in accordance with the Departments' *Major Project Community Consultation Guidelines October 2007.*	Section 1.1
11. Other Impacts	
In the event that the extent of excavation approved under MP09_0167 increases, or other changes to the treatment of the archaeological relics occur as a result of the proposed modification, the following issues need to be addressed:	
Aboriginal Heritage The modification application shall provide an archaeological and an Aboriginal cultural heritage assessment conducted in line with the *Aboriginal cultural Heritage Impact Assessment and Community Consultation Guidelines*.	Section 4.8.2
European Heritage The modification application shall provide a Heritage Impact Statement prepared by a qualified heritage consultant which addresses the following matters: a) Intended opportunities for the display, preservation and interpretation of the relics. b) An assessment of the physical and materials conservation requirements for the extant structural remains and archaeological fabric of the site, including recommended actions to mitigate impacts. The report should also provide an indicative schedule of materials conservation needs of the archaeological remains. c) details of the height clearances required for the cellar component of the interpretive facility should be provided. d) Construction management and services reticulation (including waste and stormwater disposal) strategies to minimise impact on the site's archaeological remains.	Section 4.8.1 and Statement of Heritage Impact at Appendix I
Sydney CBD Metro The modification application is to address any issues associated with the proposed Sydney Metro alignment during the construction and operational phases of development. The modification application must also give due consideration to ensure that the proposed development will not significantly prevent/affect the future planning of this line.	Section 4.3
Plans and Documents to accompany the application	
General	
The modification application must include:	
1. A thorough site analysis, including site plans, area photographs and a description of the existing and surrounding environment;	Section 2.0 and Architectural Plans at Appendix A
2. A thorough description of the proposed development	Section 3.0
3. An assessment of the key issues specified above and a table outlining how these issues have been addressed.	Section 4.1
4. An assessment of the potential impacts and a draft Statement of Commitments, outlining environmental management, mitigation and monitoring measures to be implemented to minimise any potential impacts of the project.	Section 4.0
5. A signed statement from the author of the modification application certifying that the information contained in the report is neither false nor misleading;	See page before contents
6. Quantity surveyor's Certificate of Cost to verify the capital investment of the project (in accordance with the definition contained in the Major Projects	Appendix K

Director-Generals Environmental Assessment Requirements	Location in Report/Application
SEPP).	
7. A conclusion justifying the project, taking into consideration that environmental impacts of the proposal, the suitability of the site, and whether or not the project is in the public interest.	Section 6.0
Plans and Documents	
The following plans, architectural drawings, diagrams and relevant documentation shall be submitted:	
1. An existing site survey plan drawn at an appropriate scale illustrating; ▪ the location of the land, boundary measurements, area (sqm) and north point; ▪ the existing levels of the land in relation to buildings and roads; ▪ location and height of existing structures on the site; and ▪ location and height of adjacent buildings and private open space. ▪ All levels to be to Australian Height Datum.	Appendix E
2. A Site Analysis Plan must be provided which identifies existing natural elements of the site (including all hazards and constraints), existing vegetation, footpath crossing levels and alignments, existing pedestrian and vehicular access points and other facilities, slope and topography, utility services, boundaries, orientation, view corridors and all structures on neighbouring properties where relevant to the application (including windows, driveways, private open space etc).	Appendix A
3. A locality/context plan drawn at an appropriate scale should be submitted indicating: ▪ significant local features such as parks, community facilities and open space and heritage items; ▪ the location and uses of existing buildings, shopping and employment areas; ▪ traffic and road patterns, pedestrian routes and public transport nodes.	Appendix A
4. Architectural drawings at an appropriate scale illustrating: ▪ the location of any existing building envelopes or structures on the land in relation to the boundaries of the land and any development on adjoining land ▪ detailed floor plans, sections and elevations of the proposed buildings; ▪ elevation plans providing details of external building materials and colours proposed; ▪ fenestrations, balconies and other features; ▪ accessibility requirements of the Building Code of Australia and the Disability Discrimination Act; ▪ the height (AHD) of the proposed development in relation to the land; ▪ the level of the lowest floor, the level of any unbuilt area and the level of the ground; and ▪ any changes that will be made to the level of the land by excavation, filling or otherwise. ▪ Natural ground levels/ proposed ground levels and Council's height limit is to be superimposed by a broken line on all elevations and sections.	Appendix A
5. Other plans (to be required where relevant):	
▪ Stormwater Concept Plan – illustrating the concept for stormwater management	N/A – no change from approved
▪ Erosion and Sediment Control Plan - plan or drawing that shows the nature and location of all erosion and sedimentation control measures to be utilised on the site;	N/A – no change from approved
▪ Geotechnical Report- prepared by a recognized professional which assesses the risk of Geotechnical failure on the site and identifies design solutions and works to be .carried out to ensure the stability of the land and structures and safety of persons;	N/A – no change from approved
▪ View Analysis - Visual aids such as a photomontage must be used to demonstrate visual impacts of the proposed building envelopes having regard to the siting, bulk and scale relationships from key areas;	Appendix J

Director-Generals Environmental Assessment Requirements	Location in Report/Application
▪ Landscape plan - illustrating treatment of open space areas on the site, screen planting along common boundaries and tree protection measures both on and off the site.	Appendix L
▪ Shadow diagrams showing solar access to the site and adjacent properties at summer solstice (Dec 21), winter solstice (June 21) and the equinox (March 21 and September 21) at 9.00 am, 12.00 midday and 3.00pm.	Appendix A

4.2 West Central Subregion Draft Subregional Strategy

Parramatta is identified as a Regional City in the West Central Subregion Draft Subregional Strategy (Draft Strategy) which is described as:

> *The main focus for national and international business, professional services, specialised health and education precincts, specialised shops and tourism, it is also a recreation and entertainment destination for the Sydney region and has national and international significance.*

At 2001, Parramatta accommodated 41,500 jobs, which has been forecast to increase to 69,000 jobs by 2031. Its key assets/drivers include the Parramatta Transport Interchange, the Parramatta Justice Precinct and the Civic Place Redevelopment.

The Draft Strategy seeks to strengthen Parramatta's role as a Regional City by providing additional office, retail and public space, as well an increased in cultural facilities and residential accommodation.

The modified development will provide a mix of use including employment-generating serviced apartment, conference facility and retail uses, as well as high-quality residential apartments in close proximity to existing and planned public transport facilities. In addition the modified development will provide increased open space and cultural facilities by providing a publicly-accessible archaeological pavilion in the northern portion of the site.

4.3 Compliance with Relevant Environmental Planning Instruments

The following key planning instruments and policies are relevant to the modified proposal:

- *Environmental Protection and Biodiversity Conservation Act 1999* (EPBC Act);
- *State Environmental Planning Policy 65 - Design Quality of Residential Flat Development* (SEPP 65);
- Residential Flat Design Code (RFDC);
- *State Environmental Planning Policy (Building Sustainability Index) 2006* (SEPP BASIX);
- *State Environmental Planning Policy (Infrastructure) 2007* (SEPP Infrastructure);
- *Parramatta City Centre Local Environmental Plan 2007* (City Centre LEP); and
- *Parramatta City Centre Development Control Plan 2007* (City Centre DCP).

Table 7 below provides a summary of the key development controls that apply to the site under relevant environmental planning instruments and policies.

Table 7 – Compliance with existing controls and provisions

Instrument/DCP/Policy	Provision
EPBC Act	The application has been forwarded to the Minister for Sustainability, Environment, Water, Population and Communities (SEWPAC) to determine whether the application requires formal assessment and approval under the provisions of the EPBC Act. Evidence of this referral is provided at Appendix W.
SEPP 65 and RFDC	The modified residential component of the development has been carefully designed to ensure that compliance with the ten design principles of SEPP 65 and Rules of Thumb in the RFDC can be achieved. An Architectural Design Report which addresses the principles of SEPP 65 has been prepared by AJ+C Architects and is included at Appendix F. A table of compliance assessing the proposed residential component of the modified development against the Rules-of-Thumb in the RFDC is provided at Appendix G. Although not strictly required, the RFDC analysis, as well as the supporting Direct Solar Access Report (Appendix M) and Natural Ventilation Statement (Appendix N), take into account the level of internal amenity in the serviced apartments as well as the residential apartments. This ensures that an appropriate level of internal residential amenity is provided in the whole development. Further analysis regarding internal amenity for the proposed residential apartments is provided in Section 4.4 below.
SEPP BASIX	The proposed development incorporates a number of ESD initiatives to ensure that the water and energy saving targets under SEPP BASIX can be met. Revised BASIX certificates have been prepared for the modified design and are included at Attachment O.
SEPP Infrastructure	The development site is located 400 metres from the Parramatta Rail Station and is not adjacent to any existing rail corridor. Whilst the CBD Rail Link, CBD Metro and South West Rail Link are all identified as Interim Rail Corridors under SEPP Infrastructure, the Western Sydney Metro Corridor is not identified as an Interim Rail Corridor under the SEPP. Therefore referral to the relevant rail authority is not required. Despite this, extensive consultation was undertaken with the Sydney Metro Authority prior to finalisation of the excavation and structural design of the approved project. No change to the approved extent of excavation and structure of the basement car park is proposed. Therefore, no further consultation in this regard is considered necessary. The proposal will be referred to the RMS in accordance with the requirements of SEPP Infrastructure.
City Centre LEP	
Zoning	The proposed residential, retail and commercial uses on the site are permissible uses in the B4 Mixed Use zone, and the proposal will be consistent with the key zone objectives as it will: ▪ integrate a mix of office, residential and retail uses in a single development that is easily accessible by public transport; and ▪ will support the Commercial Core Zone by providing appropriate commercial, retail and residential uses.
Maximum FSR	The proposal will have a FSR of 8.67:1 when calculated in accordance with the currently-applicable definition for GFA under the City Centre LEP. The proposal will exceed the maximum permissible FSR on the site. A concession to allow for an exceedence of the maximum FSR is sought on the basis of the significant public good that will be achieved through the in situ conservation works. Some 17% of the site will be sterilised due to the priority to provide in situ conservation and interpretive display of the archaeological heritage items on the site. An increase in the FSR on the site is justified on the basis of the loss in developable area resulting from the in situ heritage conservation on the site. Further justification for the FSR exceedence is provided at Section 4.3.2 below.
Height	The modifications to the project will result in a height increase of 17.9m from that approved under MP09_0167. This will result in an exceedence of the

Instrument/DCP/Policy	Provision
	maximum height limit for the site by approximately 48.5m. The additional height is provided in a manner that will not cause adverse environmental impacts to surrounding development or CBD streets. The FSR and height exceedence will also provide an offset for the additional excavation and construction costs associated with the in situ retention of the heritage items on the site as well as loss of valuable ground floor retail space in this location. Further detail is provided in Section 4.3.3 below.
Design Excellence	The DG has granted a project-specific waiver from the design excellence requirements of the City Centre LEP based on the alternative Design Review Panel process for the project.
Minimum street frontage	The development meets the minimum street frontage requirements, with all street frontages greater than the minimum 20m required.
Maximum car parking	The City Centre LEP applies the following maximum car parking controls to development in Parramatta City Centre: ▪ Retail –1 space per 30sqm GFA ▪ Residential – 1 space per dwelling plus 1 visitor spaces per 5 dwelling The residential parking rate has been adopted for the serviced apartments component of the development. No specific rate is provided for the interpretation centre or conference facility uses under the City Centre LEP. The Traffic Report (Appendix H) recommends utilising the suggested parking rate for a function area under the RMS Guide to Traffic Generating Development which is 15 spaces per 100sqm of function area. In relation to the archaeological interpretation centre, the Traffic Report adopts Council's commercial parking rate (1 space per 100sqm), Based on the above rates, a maximum parking requirement of 678 spaces applies to the modified development. The modified development will provide a total of 548 car spaces which is well below the maximum required parking provision for the site.
ESD	A Sustainability Strategy prepared by Advanced Environmental was submitted with the EAR for the approved project. No change to the sustainability initiatives in this Sustainability Strategy are proposed as part of this modification application. Further detail on ESD mechanisms for the site is provided in Section 4.21 below.
Heritage	The archaeological relics on the site are listed as Archaeological Management Unit No 3190 and are managed under the Heritage Act and the provisions of the City Centre LEP. A Statement of Heritage Impact (SHI) is included at Appendix I which considers the impact of the modifications on the heritage items on the site and within its vicinity. The SHI concludes that the modifications will result in a number of positive outcomes for the display, protection and interpretation of the archaeological heritage items on the site, and the modified proposal will not result in any adverse impacts for heritage items in the vicinity of the site. The SHO also assesses the modified proposal in relation to potential impact of the world heritage items in Parramatta Park to the west and finds that the proposal will result in no significant impact on this world heritage site. Further detail is provided in Section 4.8.1 below.
Classified roads	Vehicle access to the site will be provided from Hunter Street, which is not a classified road.
Development on flood prone land	A Stormwater Report was prepared for the approved project. No change to the stormwater design for the development is proposed as part of this modification application.
City Centre DCP	
Building setbacks	The modified development will generally provide a continuous built edge to the street alignment along Hunter and Macquarie Streets (apart from the special treatment proposed for the heritage display). A setback to the building alignment along Marsden Street is proposed to accommodate the proposed road widening. The ground floor setbacks are generally consistent with the DCP requirements.
Street frontage height – Marsden Street	A street frontage height of approximately 13.6m is proposed at the Marsden Street frontage (the architectural frame above the podium will have a street frontage height of approximately 20m). This is below the required street

Instrument/DCP/Policy	Provision
	frontage height of between 26m and 30m. The residential tower will generally be set back by 10m to the building line above the podium. The DCP requires setback of 8m or greater above the street frontage height with which the proposal is consistent. Although the proposal does not meet the street frontage height control for Marsden Street, it is considered that the modified development meets the intent of the street frontage height controls. Further detail is provided in Section 4.3.4 below.
Street frontage height – Macquarie Street	A street frontage height of between 18m and 22m at the Macquarie Street frontage applies above which an average setback of 8m is required (minimum setback of 6m and maximum of 10m). The specific characteristics of the site, in particular, the presence of significant architectural relics in the northern section, demand a particular urban design response at this street frontage to highlight the proposed public plaza and the important archaeological display. As a result, the approved development proposed a double-volume public plaza set back off the street frontage with a residential tower above. The modified development does significantly change this approved design.
Street frontage height - Hunter Street	The same street frontage height and setback requirements that apply to Macquarie Street, apply to Hunter Street. The modified development has been designed to provide a setback to Hunter Street at the intersection with Marsden Street. This incorporates a public circulation space that mirrors the public plaza on Macquarie Street and connects into the through-site pedestrian link to Macquarie Street. In the western part of the Hunter Street frontage, no street frontage height is proposed. This is considered an appropriate response to the specific characteristics of the site; providing a podium with tower above for only a small portion of the Hunter Street frontage is not considered an appropriate design response. The modified design is generally consistent with the approved project.
Min ceiling heights in mixed use development	The ground floor retail and foyer area has a floor to ceiling height of just under 6m, and all floors above will have a minimum floor to ceiling height of just under 3m. This exceeds the minimum DCP requirements of 2.7m for residential floors and 3.6m for the ground floor.
Deep soil zones for mixed use development	The heritage display area represents 840sqm, approximately equivalent to 17% of the site, and will be maintained as undeveloped area in lieu of the deep soil landscaping requirement. This exceeds the DCP requirement for 15% of the site to be provided as a deep soil zone.
Actives street frontages	Consistent with the requirements of the DCP, active street frontages are provided with retail space in the modified development opening onto Macquarie and Marsden Streets.
Vehicle entries	The new vehicle entries will be provided off Hunter Street on Lot 101 in DP785428 (the westernmost allotment) on which new vehicle entries are permitted.
Design of vehicle entries	A single-lane vehicle crossing will be provided off Hunter Street which exceeds the recommended driveway width specified under the DCP. This is required to allow for truck access to meet servicing requirements for the modified development. As only one exit and entry point is provided off a side street this is considered appropriate.
Access, parking & servicing	Accessible parking 9% of car parking spaces will be provided as accessible parking which exceeds the minimum requirement of 2%. Bicycle parking 265 bicycle parking spaces are provided in the basement parking (some of which will be provided in residential storage which is permitted under the City Centre DCP). This exceeds the DCP requirement for the equivalent of one car space allocated to bicycle parking to be provided for every 100 car parking spaces. Residential development The provision of basement parking is consistent with the design requirements for residential development. Stack parking of up to 2 cars is permitted where spaces are attached to the same strata title comprising a single dwelling unit. All stacked parking spaces will be allocated to a single unit.

Instrument/DCP/Policy	Provision
Unit mix	The proposal is generally consistent with the unit mix requirements of the City Centre DCP (this takes into account residential apartments as well as serviced apartments): ▪ 25.4% of apartments are studio and 1-bed apartments which is only 0.4% greater than the 25% maximum requirement. ▪ 22.2% of apartments are 2-bed apartments. A further 36.9% will be made up of 1 bed + study apartments which are able to function as 2-bed apartments. Thus, the total number of 2-bed apartments (59.1%) will be below the maximum 75% requirement. ▪ 10.6% of the apartments are to be made up of 2-bed + study apartments which area capable of functioning as 3-bed apartments. A further 4.6% of apartments will be 3-bed and 3-bed dual key apartments. Thus, a total of 14.6% of apartments will be 3-bedapartments which is greater than the 10% minimum requirement. ▪ More than 10% of units will capable of adaption for elderly or disabled residents.
Controls for heritage area	A Heritage Impact Statement was submitted with the EAR for the approved project which assessed the modified development against the heritage provisions of the City Centre DCP. An updated SHI is included at Appendix I which concludes that the modified proposal will not have any adverse impacts.
Environmental management	Environmental management controls are addressed in the Sustainability Strategy submitted with the approved project. No changes to sustainability initiatives are proposed as part of this modification.

4.3.1 Environment Protection & Biodiversity Conservation Act 1999

Old Government House and the Government Domain in Parramatta Park have been identified as a world heritage site. Part 3 of the EPBC Act requires Commonwealth assessment and approval for actions that will, or are likely to, have a significant impact on a matter of National Environmental Significance including world heritage sites. Such activities are identified as controlled activities. The site is located approximately 1km east of Parramatta Park and can be seen from some parts of the Park.

On 21 May 2012, the Minister for SEWPAC determined that the proposed mixed use development at 330 Church Street, Parramatta (which is 34 storeys in height and located approximately 1.5km east of Parramatta Park) was not a controlled activity under the EPBC Act. This determination was based on a detailed view analysis submitted for 330 Church Street which showed that, when viewed from Parramatta Park, the tower at 330 Church Street would be either obscured by existing trees or would form part of the existing Parramatta CBD skyline.

A similar view analysis (**Appendix J**) has been prepared for the modified proposal which demonstrates that the same reasoning can be applied to the subject proposal. On this basis, the SHI (**Appendix I**) concludes that the modified mixed use development on the site (as modified) would not be considered a controlled activity under the EPBC Act. It is also noted that there is an existing approval in place for development a mixed use building with a maximum height of approximately 84.6 metres. This application only seeks to modify this existing approval.

In addition, the SHI at **Appendix I** considers the potential impacts of the modified proposal when viewed from the world heritage sites in Parramatta Park. The SHI notes that the world heritage values associated directly with Old Government House were primarily relates to the management of the Convict system and the exercise of civil and military power through the Colonial Administration. The description of the landscaped of the house focuses on the cultural landscape with the Governor's Domain. The SHI notes that in terms of cultural heritage

characteristics of external views, the High Street (now George Street) visual axis is perhaps the primary external viewing corridor looking outwards from the site.

The development site is located outside of the buffer zone for the world heritage-listed items in Parramatta Park. In addition, the site sits outside of the historical view axis down High Street. On this basis, the SHI concludes that the modified development will have no significant impact on the world heritage values attributed to the items in Parramatta Park.

Notably, it is only the view impact of the modified proposal which is under consideration. The view analysis at **Appendix J** demonstrates that the additional height of the modified proposal would have a negligible impact on views from the Park.

The application has been forwarded to the Minister for SEWPAC for assessment against the provisions of the EPBC Act (see **Appendix W**). It is expected that this assessment will confirm that the modified proposal is not a controlled activity.

The EAR can be exhibited prior to finalisation of the Minister's assessment.

4.3.2 Floor Space Ratio

Under the City Centre LEP a maximum FSR of 6:1 applies in B4 Mixed Use zone in which the site is located. A 10% variation is permitted if the Design Competition provisions of the City Centre LEP are met. Although a Design Competition
was not held for the project, a Design Review Panel process was undertaken for the approved project which was designed to achieve the same level of design excellence.

The previous DA470/2006 for commercial development on the site was approved with a maximum FSR of 8.44:1. At that time, SREP 28 applied to the site and permitted a maximum height of some 54 metres and a FSR of 6:1. SREP 28 has since been repealed and its provisions incorporated into the City Centre LEP. The FSR for DA470/2006 was calculated in accordance with the definition for GFA under SREP 28. To allow for a genuine comparison between the current proposal and the approved commercial DA for the site, the FSR for the modified proposal has been calculated in accordance with the definition for GFA under both the City Centre LEP and SREP 28.

There are significant archaeological issues associated with the 45 Macquarie Street site and the developer of the 2006 commercial DA470/2006 undertook major design amendments to retain the archaeological relics in situ. To accommodate the revised design and in recognition of the significant parts of the site that had to remain undisturbed by excavation, the provisions of SREP 28 were essentially 'turned –off' by way of an Interim Heritage Order under the provisions of Section 24 of the Heritage Act and an order under Section129 of the Heritage Act relating to the conservation of archaeological sites.

The approved project has a maximum FSR of 8.44:1 when calculated in accordance with the definition for GFA under SREP 28, and 8.23:1 when calculated in accordance with the definition under the City Centre LEP. The approved FSR for the mixed use development is consistent with the FSR approved for the previous commercial DA470/2006 for the site. The modified project will have a FSR of 8.79:1(SREP 28) and 8.67:1(City Centre LEP), which represents an increase of 1,700.8sqm and 1,948.7sqm (respectively) from the approved project.

The modified development proposes a reduction in the building depth and an increase in the overall height of the development. This creates a thinner, taller building with improved internal amenity. The resultant increase in floor area is largely due to the addition of corridor space within the additional levels, as well as the addition of more residential floor area thereby increasing the housing provision in the Parramatta CBD.

The modified proposal, not only provides for the preservation of these significant heritage items, but will provide a much-improved heritage interpretation display and centre which will be open to the public. On this basis, a concession from the FSR (and height) controls is sought based on the precedent set by the commercial DA for the site. The modified proposal improves on the approved archaeological display area by locating part of the viewing area below ground. This not only provides an enhanced and more holistic experience of the archaeological heritage on the site, but also provides a more secure and climate-controlled environment for part of the

In addition, the modified proposal includes a grand, combined lobby and a through-site link at ground floor which will improve pedestrian permeability in the Parramatta CBD. The through-site link adds an additional 428sqm of floor area to the building with the corridors above (at levels 1 and 2) adding a further 384sqm of floor area.

The modified development also provides an improved relationship to the street frontages surrounding the site which will increase activation along these streetscapes.

The modification also introduces new uses on the site including a serviced apartment operation and conference/function centre. These new uses will provide additional activation of the Parramatta CBD and economic benefits for local businesses.

Based on the significant public benefit offered by the heritage display and interpretation works proposed for the site, as well as the improvements to the public domain and character of the surrounding area, a concession on the maximum FSR is sought. It is noted that the proposed FSR is only slightly above the FSR that has already been approved for the site.

4.3.3 Height

A maximum building height of 54 metres applies to the site with a 10% concession permitted subject to compliance with the Design Competition requirements of the City Centre LEP. Although a Design Competition was not held for the approved project, a Design Review Panel process was undertaken which was designed to achieve the same level of design excellence.

The modified development will have a staggered building height. Section D will have a height of approximately 42 metres and will occupy approximately 30% of the building footprint. Section C will occupy approximately 30% of the building footprint and will have an approximate maximum height of 84 metres, and Section B which occupies approximately 30% of the total building footprint will have a maximum height of approximately 92 metres. The tallest part of the building (Section A) only occupies approximately 10% of the building footprint and has a maximum proposed height of 102.5 metres.

The approved project has a maximum building height of 84.6 metres. Thus, Sections C and D will be located below the maximum height already approved for the mixed use development on the site. Section B will exceed the maximum approved height for MP09_0167 by just 7.4 metres which is not considered significant in the context. In addition, the building depth in Section B has been reduced which improves the internal amenity in the building.

The majority of the building height for the modified development has been concentrated over the northern part of the site in Section A. This part of site lies opposite to the Jesse Centre (on the northern side of Macquarie Street) which has a building height of some 80 metres. In this context the proposed height at the northern edge of the site is considered appropriate.

Figures 16 and **17** below compares the height of modified proposal against the approved project and surrounding development, as well as the City Centre LEP controls.

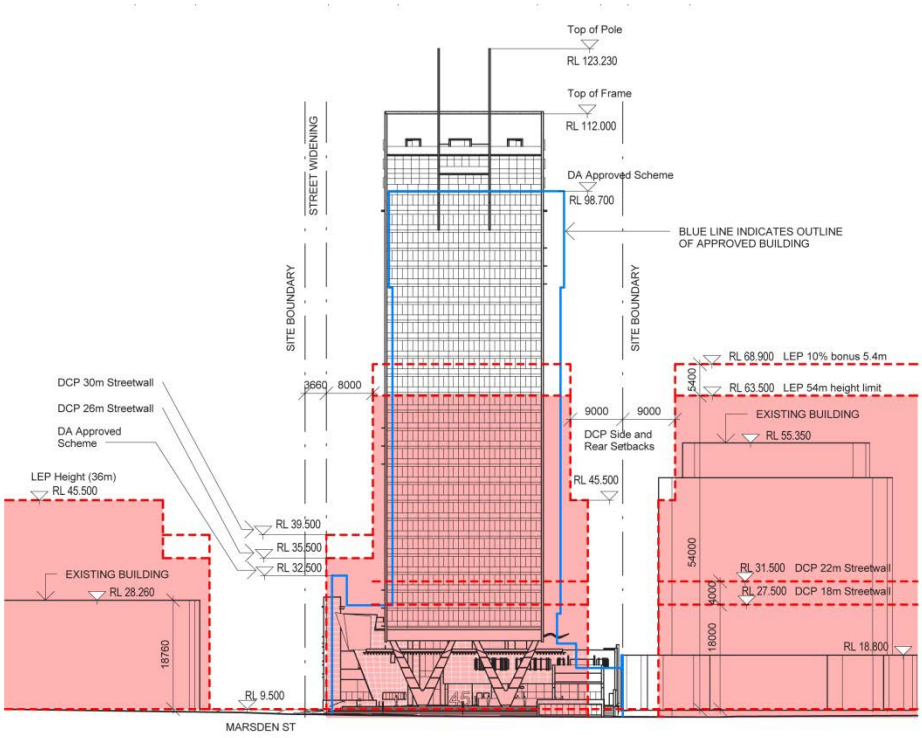

Figure 16 – Height comparison of approved and modified project against City Centre LEP controls (from north)

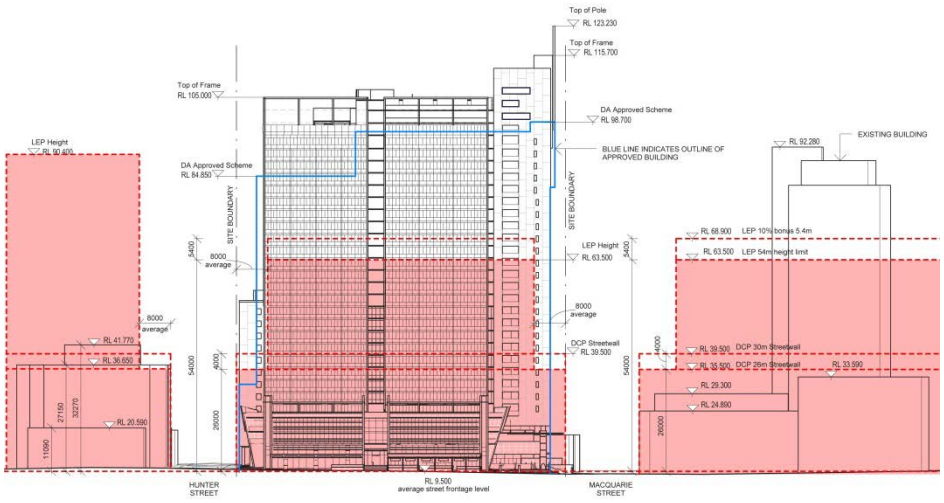

Figure 17 – Height comparison of approved and modified project against City Centre LEP controls (from east)

As detailed above, a concession from the maximum height controls was granted for the approved commercial DA470/2006 based on the significant public benefit provided by the preservation and display of archaeological heritage items. This same concession is sought for the modified project

4.3.4 Street frontage heights

The modified proposal is generally consistent with the approved street frontage heights for the Macquarie and Hunter Street frontages. A variation of the approved street frontage height for the Marsden Street frontage is proposed to allow the reduction in the height of the podium from four to three storeys to provide an improved relationship to the streetscape. The proposed architectural feature at the top of the podium will also increase the perceived height of the podium when viewed from the street.

The unique nature of the site, particularly the presence of significant archaeological relics in the northern section of the site, demand a specific urban design response which is not strictly in accordance with the recommended street frontage height controls in the DCP. Nevertheless, as demonstrated in **Figures 11** and **12** above, the modified development will be generally compatible with existing surrounding built form and the potential built form on surrounding sites if developed in accordance with the City Centre DCP.

4.4 Internal Amenity

The RFDC Rule-of-Thumb for building depth recommends a maximum building depth of 18 metres. Where this cannot be achieved, it is necessary to demonstrate that satisfactory daylight and natural ventilation are to be achieved.

The modified proposal generally complies with the Rules-of Thumb in the RFDC. Importantly, the building depth in Sections B and C has been reduced by approximately 3 metres which will result in improved internal residential amenity within the modified development. As a result of the modification, the building depth will only exceed the maximum RFDC recommendation of 18 metres by approximately 2 metres in Sections B and C.

This reduction responds to earlier comments made by the Design Review Panel in relation to the approved project.

As the building depth exceeds the recommended maximum (albeit only in a portion of the residential building) the development has been specifically designed to maximise internal daylight and natural ventilation access within the apartments. Further detail is provided below.

4.4.1 Natural Ventilation

The constraints of the site limit the ability to provide a large number of corner or cross-over apartments in the development. A Natural Ventilation Statement has been prepared by Windtech (**Appendix N**) which is based on Windtech's extensive experience in the field of wind-driven natural ventilation and assesses the natural ventilation performance of the proposed residential apartments against specific natural ventilation criterion. Due to the effective use of façade detailing including a stepped façade for the apartments, and notches on the eastern and western aspects of the development, it is expected that the modified development will satisfy the requirements for natural ventilation with a total of 61.3% of apartments (including serviced apartments) achieving natural ventilation. This meets the RFDC Rule-of-Thumb in relation to natural ventilation which requires a minimum of 60% of apartments within a residential development to be capable of being naturally ventilated.

4.4.2 Daylight Access

Windtech has undertaken a detailed assessment of the proposal in terms of daylight access to individual units (see **Appendix M**). The assessment is based on the RFDC recommendation for apartments in established urban areas to receive at least 2 hours of solar access between 9am and 3pm in midwinter. The majority of apartment (74%) will be capable of receiving at least 2 hours of solar access to internal living areas in midwinter. In addition, 73% of units will receive at least 2 hours of solar access to their private outdoor living areas between 9am and 3pm in midwinter. This exceeds the minimum daylight access requirement under the RFDC which requires a minimum of 70% of apartments in a residential development to be capable of receiving at least 2 hours of solar access to living areas and private open space between 9am and 3pm in midwinter. To ensure that an appropriate level of amenity is achieved, serviced apartments have also been taken into account in this assessment.

Thus, despite a slight exceedence of the maximum building depth Rule-of-Thumb in the RFDC, the proposal will comply with the daylight and natural ventilation requirements under the RFDC which are designed to ensure appropriate internal amenity within residential apartments. Although other minor non-compliances with the RFDC Rules-of-Thumb may result from the modified development (eg, slight exceedences of the apartment depth, internal circulation and ventilation to kitchens) in many cases the modified proposal improves over the approved project.

4.5 Visual Privacy

There are no residential apartment developments at any of the common boundaries to the development. Despite this, the modified proposal will satisfy the separation distance requirements in the RFDC for its common western boundary to the existing commercial building to the west, which will allow this site to be developed for residential purposes in the future without any adverse amenity impacts (see RFDC Table of Compliance at **Appendix G)**.

The modified development has also been designed to avoid any privacy impacts between residential apartments within the development.

4.6 View Impacts

4.6.1 Views from Parramatta Park

A View Analysis has been prepared by AJ+C Architects (**Appendix I**) which shows the view impacts of the modified proposal compared to the approved development when viewed from
Parramatta Park.

As demonstrated in the view analysis, existing commercial buildings obscure the view looking south east and east from Parramatta Park and Parramatta Golf Course. Furthermore, the modified development does not result in a significant change to view impacts when compared to the approved building envelope for the site. The development will be also obscured by existing trees in Parramatta Park.

Furthermore, the SHI (**Appendix I**) concludes that the modified development will not impact on historical views down the George Street axis from
Old Government House.

4.6.2 Views from residential areas to the south

A View Analysis has been prepared by AJ+C (**Appendix** I) which shows the view impacts of the modified proposal when compared to the approved development when viewed from residential areas to the south of the site behind the Westfield Shopping Centre and Parramatta rail line.

Locations from which view analysis has been taken

The locations for the view analysis were taken from Marsden Street as these are the only points from residential areas to the south of the site which provide any potential views to the site. Position 1 is located at the corner of Marsden Street and the Great Western Highway and therefore provides a view of the site at a point where the residential area to the south of the Great Western Highway transitions into a more commercial area on the northern side of the Highway. Position 2 is located within the southern residential area. It is noted that this residential area is located more than 1 kilometre south of the site.

The proposed development on the site will generally be obscured from the residential areas to the south due to the presence of Westfield Shopping Centre which is relatively tall and bulky. Marsden Street provides a continuous north-south axis and therefore offers some limited views of the site. However, it is noted that these views have generally been taken from the middle of the road and are unlikely to be as clear from residential dwellings. In addition, the topography of the land obscures the majority of the existing building.

The residential area from which the view impacts were considered is generally characterised by medium density residential development of approximately three to four storeys. The commercial area to the north of the Great Western Highway is generally comprised of commercial office buildings of six to eight storeys.

Visual objectives in the City Centre DCP

Amongst other things, the built form controls in the City Centre DCP seek to:

> *Ensure building depth and bulk is appropriate to the environmental setting and landform and allows for view sharing and good internal amenity*.

In this regard the City Centre DCP provides street frontage height and setback controls to ensure that elements of taller buildings are be set back to maintain view corridors. Along Marsden Street, the proposed street frontage height of the modified proposal is 13.6 metres, which is less than the City Centre DCP requirement of between 26 and 30 metres. This reduces the building bulk at the lower levels and reduces view impacts along the Marsden Street view corridor. Above the street frontage height, the modified proposal provides a 10 metre setback to the residential tower, which is 2 metres greater than the City Centre DCP minimum of 8 metres. This also increases the width of the view corridor along Marsden Street.

View sharing principles

In assessing the potential view impacts of the modified proposal, the view sharing principles of established by the NSW Land and Environment Court in *Tenacity Consulting v Warringah [2004] NSW LEC 140* (Tenacity). It is noted that the view impacts under consideration are those that may be created by the modified proposal and not by the development as approved. The Tenacity principles are examined in detail below.

Assess the views to be affected

Principle

- Water views are valued more highly than land views;
- Iconic views (eg the Opera House, Harbour Bridge or North Head) are valued more highly than views without icons; and
- Whole views are valued more highly than partial views (eg a water view in which the interface between land and water is visible is more valuable than one in which it is obscured).

Analysis

- There are no water views from the area to the south of the site to the north where the modified proposal is located.
- There are no iconic views from the area to the south of the site to the north where the modified proposal is located.
- Views to the north from identified view positions do not accommodate any whole views and are obscured by existing development.

Consider from what part of the property the views are obtained

Principle

- Protection of views across side boundaries is more difficult than from front or rear boundaries; and
- Sitting views are more difficult to protect than standing views.

Analysis

View analyses have been taken from Marsden Street and not from individual dwellings. Due to existing subdivision patterns views from residential dwellings along Marsden Street to the north would generally only be available from side boundaries. It is not expected that these residential dwellings would have significant views towards the site from either a standing or sitting position.

Assess the extent of the impact
Principle

- Impact on views from living areas is more significant than from bedrooms or service areas;
- Assess the view loss qualitatively as negligible, minor, moderate, severe or devastating; and
- This assessment should be done for the whole of the property, not just for the view that is affected.

Analysis

It is not expected that residential dwellings to the south would have any significant views from particular parts of their properties towards the site. Any potential view impacts resulting from the modified proposal are considered **negligible**.

Assess the reasonableness of the proposal that is causing the impact
Principle

- A development that complies with all planning controls would be considered more reasonable than one that breaches them;
- Where an impact on views arises as a result of non-compliance with one or more planning controls, even a moderate impact may be considered unreasonable; and
- With a complying proposal, the question is whether a more skilful design could provide the applicant with the same development potential and amenity and reduce the impact on the views of neighbours

Analysis
The additional height increase resulting from the modified proposal will not result in any significant, adverse view impacts for residential development to the south. In this context, the exceedence of the City Centre LEO height control is considered reasonable. It is also noted that the modified proposal provides a reduced street frontage height and increased setback to the residential tower which reduces any potential view impacts.

The modified development is not considered to have any unacceptable view impacts.

4.7 Streetscape and Public Domain

The proposal will provide a significant improvement to the streetscape in the immediate vicinity of the site. The site has been vacant for many years and the redevelopment of a mixed use development with ground floor retail and cafe space will activate the surrounding streets and have a positive impact on the surrounding public domain. Retail tenancies fronting Marsden Street will have direct access onto the street and will encourage a vibrant street environment. An increased ground floor setback is to be provided to Marsden Street which will accommodate the future road widening. It will also provide an increased footpath and the possibility for alfresco dining. All footpaths adjoining the site will be resurfaced as part of the make-good works for the modified development. A photomontage of the Marsden Street frontage is provided at **Figure 18** below.

Figure 18 – Marsden Street perspective

The modified proposal improves the relation of the public plaza to the Macquarie Street and Marsden Street frontages. An interactive and accessible public plaza is proposed which will exhibit the archaeological relics on the site. Cafe space and a heritage interpretation centre at the Macquarie Street frontage will support and enhance the public plaza. The proposal will make a significant contribution to the public domain in Parramatta. A photomontage of the Macquarie Street frontage is provided ay **Figure 19** below.

Figure 19 – Macquarie Street perspective

The modified proposal provides improved façade treatments to ensure an appropriate design quality and relationship to the streetscape for this iconic building. Improvements to the design of the public plaza also provide an improved presence to Macquarie Street. Details are provided in the Architectural Plans (**Appendix A**), Design Statement (**Appendix F**) and the Landscape Plans (**Appendix L**).

In addition to the above, the proposal will provide the following enhancements:

- Provision of four different uses on the site (retail, conference/function centre, serviced apartment and residential) which will provide increased diversity of uses in the Parramatta CBD and increased activation; in the city centre;

- Redesign of the public plaza and heritage display area which will provide improved access, security and enhanced viewing;
- Inclusion of a new grand lobby and through-site link which will improve accessibility; and
- Improved design of the Interpretation Centre to provide a flexible space for education and heritage interpretation.

4.8 Heritage

4.8.1 European Heritage

As detailed in Section 4.3.1 above, the proposed modifications will not have a significant impact on the world heritage values of Old Government House and the Government Domain in Parramatta Park. The SHI has also assessed the proposal in relation to potential impact on local heritage items within the vicinity of the site including:

- St John's Pro-Cathedral (and associated buildings) at 195 Church Street;
- Shop and potential archaeological site at 197 Church Street; and
- Two-storey residence at 41 Hunter Street.

The SHI concludes that the modified development will not have any adverse impacts on these heritage items.

The SHI also considers the proposed modifications to the archaeological display areas and notes that the proposed design changes will provide expanded and more direct opportunities for interpretation associated with the below-plaza visitor areas that are to be located around the Hotel cellar.

The modified proposal will continue to provide protection for the remains and will contribute to the preventive conservation of the archaeological site. The originally envisaged series of physical conservation and maintenance works will continue to be undertaken during the various stages of the project. In addition, preventive conservation strategies will still be further refined throughout the development process to better address the needs of the archaeological remains.

The provision of fresh air from the plaza openings will be supplemented by mechanical ventilation in the eastern portion of the display area around the former Hotel cellar. The exact design of the mechanical ventilation system will be undertaken at detailed design stage and, in a similar manner to the approved development, will include provision for monitoring the movement of underground moisture through and around the archaeological remains. The mechanical system can then be adjusted and fine-tuned over time, and/or be made responsive to seasonal changes in atmospheric moisture levels.

The SHI makes the following additional recommendations in relation to the archaeological display area and interpretation centre on the site:

- Detailed design of the "underground" walkways, balustrades and retaining walls around the retained archaeological display should be prepared in consultation with and to the satisfaction of the NSW Heritage Office.
- Detailed design of the environmental management, moisture movement monitoring and reactive conservation processes for the retained archaeological display should be prepared in consultation with and to the satisfaction of the NSW Heritage Office.
- The detailed design of the Archaeological and Heritage Interpretation of the actual archaeology and the Interpretation Centre, with its associated café, should be guided by the preparation of a detailed Interpretation Plan, and be subject to review by the NSW Heritage Council.

The above recommendations have been included in the Revised Draft Statement of Commitments.

4.8.2 Aboriginal Heritage

An Aboriginal Heritage Report was prepared by Dr Laila Haglund as part of the previously-approved commercial DA. This report was re-submitted as part of the EAR for the approved mixed use development.

The Aboriginal Heritage Report noted that the site has been significantly altered and had been affected by early and continuing development. Thus the systematic excavation for Aboriginal heritage was considered unwarranted as the potential for finding Aboriginal heritage material in its original context appeared minimal or absent. However, one small area was identified as possibly having some potential to provide information.

The Aboriginal Heritage Report concluded that the loss of original topsoils means that the earlier phases of historical occupation have been lost, together with the soil profile in which undisturbed Aboriginal artefacts may have been located. The Report therefore concludes that little further archaeological investigation for historical sites will therefore be necessary.

No change to the approved extent of excavation is proposed as part of the modified proposal. A commitment is included in the Revised Draft Statement of Commitments which details the procedures to be implemented should any additional Aboriginal relics be discovered during excavation or construction.

4.9 Traffic, Access and Parking

A Traffic Report is included at **Appendix H** which considers the modified proposal in terms of traffic, parking and pedestrian access and the requirements specified in the DGRs for the modified proposal.

Parking
The modified proposal provides an appropriate level of on-site parking consistent with Council controls. A total of 548 car parking spaces will be provided in the basement car park which is well below the maximum permitted under the City Centre LEP. This is consistent with the DGRs for the modified proposal in which the Department noted its support for reduced car parking rates in an area well – serviced by public transport.

The modified development will also provide 5 motorcycle spaces and some 265 bicycle park spaces (including bicycle storage space within residential storage cages) in the basement car park.

The proposed parking provision is considered appropriate and represents a balanced approach between providing appropriate parking while encourage travel demand by means other than private vehicle in an area well serviced by public transport.

Traffic
Traffic generated by the modified development has been estimated for the peak weekday morning and afternoon periods. The Traffic Report estimates that the modified development would generate some 170 to 190 vehicles per hour two-way during the morning and afternoon peak periods. By way of comparison, the approved mixed use development would generate some 140 to 160 vehicles per two-way during these peak periods. The proposed modification will therefore generate a modest increase of some 30 additional vehicles per hour two-way during peak periods compared to the approved development. The SIDRA analysis for this additional traffic demonstrates that the surrounding road network is capable of catering for this additional traffic whilst maintaining

intersection operation at a good to satisfactory level of service. Therefore, no upgrades to the surrounding road network will be required.

Travel Demand Management Plan
The Traffic Report sets out a number of principles for preparation of a Travel Demand Management Plan for the modified development. As the future tenants of the retail premises and the operator for the conference facility space have not yet been determined. It is considered pre-emptive to prepare a Travel Demand Management Plan for the proposal at this stage. A commitment has been included in the Revised Draft Statement of Commitments which requires the preparation of a Travel Demand Management Plan following the issue of the occupation certificate for the conference facility and retail premises.

4.10 Landscaping and Communal Open Space

Landscape plans are included at **Appendix L** which provide detail on the design treatment for communal open space on the site, particularly in relation to the private communal outdoor areas at Levels 1, 3, 12 and 26 of the modified development.

The modified development will provide over 2,398sqm of private communal open space for residential in addition to the space provided in the public plaza at ground level. The high design quality of these spaces will ensure that residents in the new development will benefit from a high level of amenity within these outdoor recreational areas. The design of the outdoor landscaped areas includes the following benefits:

- Provision of passive and active spaces;
- Viewing platforms; and
- Variety of options with regard to usage, facilities, amenity and outlook (areas can cater to medium to large groups if required).

4.11 Overshadowing

Updated shadow diagrams have been prepared by AJC Architects and are included at **Appendix A**. These shadow diagrams demonstrate that despite the increased height the modified development will not have an unacceptable adverse impact on the surrounding properties.

At 9am in midwinter, the modified development will overshadow a small portion of the commercial area (predominantly consisting of the Westfield Shopping Centre) on the southern side of the Parramatta rail line. However, by midday in midwinter the overshadowing impact will have shifted so that it predominantly overshadows the southern portion of Marsden Street and adjoining parts of the Westfield Shopping Centre (on the other side of the railway line).

By 3pm the overshadowing impact of the development will have shifted to the east and will be predominantly concentrated over the rail line and surrounding commercial area. Solar access will continue to be provided to St John's Church and surrounding open space until approximately 2pm in midwinter.

The midwinter shadow impacts represent the worst potential solar impacts. Those in summer and at equinox are significantly reduced. Even at midwinter the modified development will not overshadow any existing residential or open space areas. The main shadow impact will be on the Westfield Shopping Centre which does not rely on solar access to provide amenity or daylight access to internal areas.

4.12 Acoustic

A Noise Impact Assessment (**Appendix U**) has been prepared for the modified proposal which analyses acoustic impacts associated with the modified development including:

- Identification of external noise impacts (primarily traffic noise) and recommendations for acoustic treatments to ensure that a reasonable level of amenity is achieved for future occupants.
- Identification of potential noise sources generated by the site, and determination of noise emission goals for the development to meet Council and NSW Environmental Protection Authority (EPA) acoustic requirements to ensure that nearby properties are not adversely impacts.

Traffic noise has been measured and assessed in accordance with Council's acoustic requirements and the relevant Australian Standard. The environmental noise emission criteria have been assessed in accordance with the requirements of the NSW EPA's Industrial Noise Policy.

The Noise Impact Assessment recommends specific glazing thicknesses for the mixed use development to satisfy acoustic requirements and to ensure that an appropriate level of amenity is provided within the residential component of the development. The Noise Impact Assessment also includes recommended STC ratings for the glazing fitted into operable frames. These recommendations have been included in the Revised Draft Statement of Commitments at Section 5.0.

In relation to noise emissions from the development, the Noise Impact Assessment notes that mechanical plant items are not typically selected at project approval stage. It recommends that a review of all external mechanical plant should be undertaken at construction certificate stage, and concludes that all plant can be satisfactorily attenuated to levels complying with relevant noise emission criteria.

4.13 Reflectivity

Windtech have undertaken a detailed study of the effect of potential solar glare from the modified development (see Solar Light Reflectivity Analysis at **Appendix P**). The study addresses the requirements of the City Centre DCP in relation to reflectivity from new buildings. The City Centre DCP specifies the following controls in relation to reflectivity:

- New buildings and facades should not result in glare that causes discomfort or threatens safety of pedestrians or drivers;
- Visible light reflectivity from building materials used on the facades of new buildings should not exceed 20%.

A site survey was undertaken to obtain photographs of the critical sightlines of drivers on the surrounding streets. These photographs are calibrated and are able to be overlaid with a glare meter, which allows us to determine the extent, if any, of potential solar glare reflections from the subject development.

The results of the study indicate that, to avoid any adverse glare to drivers and pedestrians on the surrounding streets and occupants of neighbouring buildings, either of the following additional recommendations should be taken into consideration:

- The façade on the 015 degree aspect of the modified development between Levels 3 and 8 should have a normal spectral reflectivity of light no greater than 10%; or

- Install vertical mullions external to the glass-line that can block solar reflections up to 8 degrees from the centre of the glass. For example for a glass panel of 1000mm width, the mullions will need to have an external depth of at least 70mm.

These recommendations have been included in the Revised Draft Statement of Commitments.

4.14 Wind

A Pedestrian Wind Environment Statement (**Appendix Q**) has been prepared for the proposal by Windtech which assesses the likely impact of the modified proposal on the wind environment in the critical outdoor area within and around the subject development. The results of the study indicate that the accessible areas around the site are generally shielded from the prevailing winds by the surround buildings and the subject development. Furthermore, the inclusion of awnings as well as densely foliating trees and shrubs within and around the ground level plaza and dining areas, communal garden and roof terrace areas are expected to help ensure wind conditions for these areas are suitable for the intended uses.

The Statement recommends the following in-principal treatments that are required to improve the wind conditions in and around the modified development:

- The strategic layout of densely foliating evergreen trees, capable of growing to a height of 6m, with a 6m wide canopy, for the ground level areas around the development site.
- The extension of a 3m high impermeable screen and inclusion of strategic landscaping, consisting of densely foliating evergreen trees capable of growing to a height of 4m with a 4m wide canopy, at the southern end of the Level 3 communal garden terrace.
- The inclusion of a 3m high impermeable screen on the northern side of the Level 12 roof terrace in conjunction with a strategic layout of densely foliating trees capable of growing to height of 4m with a 4m wide canopy. It should be noted that it is recommended that the 3m high impermeable screen located on the southern side of the Level 12 roof terrace, will be retained in the final building design.
- A strategic layout of densely foliating evergreen trees capable of growing to a height of 4m with a 4m wide canopy, at the south eastern corner of the Level 26 roof terrace.

These have been included in the Revised Draft Statement of Commitments.

4.15 Building Code of Australia

BCA Logic have prepared a BCA Assessment Report (**Appendix R**) for the modified proposal which assesses the modified design against the Deemed-to-Satisfy (DTS) provisions of BCA2012, and to clearly outline those areas (if any) where compliance is not achieved, where areas may warrant redesign to achieve strict BCA compliance or where areas may be able to be assessed against the relevant performance criteria of BCA 2012.

The BCA Report notes that there are specific areas throughout the modified development where DTS compliance cannot be achieved due to site constraints. These matters will need to be addressed in a detailed Fire Safety Engineering Report. This has been included in the Revised Draft Statement of Commitments at Section 5.0. The BCA Report also recommends Essential Fire Safety Measures

and Fire Resistance Levels for the modified development. These have also been included as commitments.

An updated Access Report has been prepared for the modified proposal which makes recommendations in relation to compliance with the BCA provisions for accessibility (see Section 4.17 below). These recommendations have been included in the Revised Draft Statement of Commitments in place of the BCA Report recommendations on accessibility.

4.16 Security

A Security Design and Management Report has been prepared by Harris Crime Prevention Services (**Appendix S**) to examine current security issues in Parramatta and methods that could be applied for the development to discourage and/or prevent anti-social and criminal behaviour. The Report sets out four interrelated security objectives:

- Compliance with Planning Instruments (in relation to security and crime prevention);
- Impact and Minimisation of Crime Risks;
- Designing out Crime;
- Marketability, Reputation and Management

The Report concludes that the design of the development reflects opportunities for appropriate 'security design' based on Crime Prevention Through Environmental Design (CPTED) principles, and that the above security objectives can be met by the modified development.

The Report states that the mixed use development does not constitute an increased crime risk to the surrounding CBD locality – its operations accords with other CBD interactivity, with pedestrian and vehicle movements to and from the site and its immediate surrounds, generating purposeful presence.

The foundations and lower walls of convict-built structures accommodated on the site poses as a security challenge, but the project will reserve the area as public open space. This heritage space is expected to establish a unique meeting, learning, socialising and welcoming environment – its crime prevention is dependent upon the disciplines of lighting, signage, landscaping and technology - all of which have been considered in the design for the proposal and which will be refined during the detailed design stage.

The proposed mixed use will provide a diverse range and frequent amount of pedestrian and vehicle activity, which will be exaggerated during business hours. The presence of high levels of pedestrians is generally a natural deterrent of opportunities anti-social or criminal behaviour and the variety of uses offered by the modified development will help to attract heavy pedestrian activity.

The Report recommends that prior to post-construction commissioning, the applicant prepare a Security Awareness, Maintenance and Risk management Plan (referred to as a CPTEM) by consulting with local police, Council, the Chamber of Commerce and Heritage Council representatives, together with owner/operators of surrounding precincts to ensure that the plan converges with similar initiatives in place, or proposed, throughout Parramatta's City Centre. The Revised Draft Statement of Commitments has been updated to reflect this recommendation.

4.17 Accessibility

A revised Accessibility Report (**Appendix** T) has been prepared for the modified proposal which assesses the proposal against the provisions of the relevant Australian Standards, the Building Code of Australia (BCA) and the *Disability Discrimination Act 1992 (Cth)* (DDA).

The Access Report has assessed the compliance of the ingress and egress opportunities to the public plaza and recommends minor design amendments to the gate at the main ramp to the plaza and the provision of handrails on either side of the Marsden and Macquarie Street main entry stairways. The Report concludes that a continuous path of travel will be available from the entry plaza to the Archaeology Interpretation centre

In relation to the residential, retail and serviced apartment components of the development the Access Report makes a number of recommendations to ensure that an appropriate level of compliance can be provided to and within these components of the development to ensure that they meet the disabled access requirements of the relevant standards and guidelines.

The Access Report also provides recommendations in relation to an appropriate level of accessible units and accessible parking spaces to meet the requirements of relevant controls including the City Centre DCP.

All of the recommendations made in the Access Report have been included in the Revised Draft Statement of Commitments at Section 5.0.

4.18 Geology and Soils

A Preliminary Report on Geotechnical Investigation was submitted with the EAR for the approved project. The report recommended that further investigations and analysis be undertaken prior to construction works of the development (refer to Revised Draft Statement of Commitments at Section 5.0).

There are no changes to the approved extent of excavation on the site. Therefore no further assessment in this regard is required.

4.19 Flood Management and Water Quality Management

A small portion of the site is partly within the 1:100 year flood levels nominated on Parramatta City Council's records and information. The flood prone land includes part of Lot 1 in DP539968, Lot 1 in DP61073, Lot 1 in DP213184, Lot 1 in DP 953138, and Lots A and B in DP82967. A Stormwater Report and Stormwater Drainage and Concept Plans (including an Erosion and Sediment Control Plan) were provided as part of the EAR for the approved project which addressed flood levels for the modified development.

No change to the approved stormwater design is proposed as part of the modified proposal.

4.20 Servicing

Servicing arrangements for the site were prepared for the approved mixed use development in consultation with relevant utility providers. The relatively minor increase in the floor space to be provided on the site does not warrant an increase in service provision to the site. No changes in this regard are proposed.

4.21 Ecologically Sustainable Development

A Sustainability Strategy for the proposed mixed use development was prepared by Advanced Environmental for the approved project. The sustainability initiatives approved for the mixed use development are still to be applied. Minor changes to the capacity of the rainwater tanks and rainwater re-use in the development are proposed in response to design developments that have taken place since approval. The ESD initiatives include:

- The residential component of the modified development will meet the minimum BASIX energy (20%) and water (40%) efficiency targets.
- Water efficiency will be achieved with a number of measures including the use of efficient fixtures and fittings with a WELS rating of 4 and 3 star shower fittings. Rainwater or stormwater collection in a 120,000 litre tank will provide water for irrigation.
- Energy efficiency will be achieved with the installation of gas cook tops and electric ovens, ventilated fridge spaces, compact fluorescent lighting, timer switches/ motion sensors in common areas and air conditioning units with a 3-3.5 EER efficiency rating.
- Thermal comfort and passive design have been maximised to ensure health, wellbeing and amenity are achieved. The modified development will comply with the BASIX requirements for thermal comfort and BCA Section J thermal requirements. This includes 2 hours of sunlight for 87% of living areas, good natural ventilation due to the vertical slot design and insulation to meet BCA minimum requirements.

The Sustainability Strategy also provided details of the ESD initiatives for the development including:

- Water efficiency – efficient fittings, rainwater recycling, wastewater recycling;
- Energy efficiency – solar hot water, residential initiatives, appliances, air conditioning;
- Thermal comfort and passive design – insulation, daylight availability, shading, natural ventilation;
- Green roofing; and
- Retail and Commercial areas – daylight access, ventilation, efficient plant equipment and reduced energy lighting.

As a result of the above initiatives, which will remain unchanged in the modified proposal, the modified development will achieve a high level of ESD performance.

4.22 Dilapidation Surveys

Douglas Partners has undertaken investigations to determine the dilapidation zone of the project and has confirmed that this zone should not exceed 10 metres (see letter from Douglas Partners at **Appendix V**). On this basis it is not necessary to prepare a dilapidation report for No 41 Hunter Street. This requirement has been removed from the revised Draft Statement of Commitments.

4.23 Economic Impact

As outlined in Section 3.0 of this report, it is proposed to alter the retail and commercial components of the approved development. These changes have come about as a result of the applicant obtaining a greater understanding of the needs and demands of the local market, together with a desire to make a number of changes to the building to achieve an enhanced design outcome for the site.

The proposed changes result in the reconfiguration of the ground level retail space. The design of the building has been vastly improved by allowing for the creation of a more open, permeable and welcoming ground floor space and building facade that continues to be activated by retail and cafe uses.

Above ground, the previously approved commercial floor space has been replaced with serviced apartments and a new conference facility fronting onto Hunter Street. The proposed changes to the building's commercial component has come about as a result of further market analysis, which has led to the decision that there is a need for further serviced apartments within Parramatta CBD, which are considered to be an entirely complementary and integral land use, and which will play a key role in supporting the realisation of Parramatta CBD as a key business hub within greater Sydney. Similarly the proposed conference facility also ensures the building continues to have a commercial function that complements and services the existing surrounding area.

The proposed retail, serviced apartment and conference facility uses on the site will result in employment generation on the site and in the broader Parramatta CBD.

4.24 Public Interest

The proposal will provide a number of community and public benefits the most prominent of which is its conservation and interpretation of the archaeological relics on the site and presentation within an accessible public plaza area. The archaeological heritage display will enhance and support the recognition of the early heritage of Parramatta particularly in light of the recent inclusion of Parramatta Park on the World Heritage List.

The re-designed archaeological display area will not only provide for a more cohesive and interactive heritage display on the site, but will also ensure the longer term preservation of the important archaeological relics on the site through improved below-ground atmospheric control. The introduction of lift access to the below-plaza area will also provide equitable access to the display area. The improvements in this regard have added approximately $750,000 to the cost of constructing the heritage display and interpretation centre. Further detail of the improvements made to the design of the archaeology display and interpretation centre are included at **Appendix X**.
The extensive design review process undertaken for the approved mixed use development has resulted in a development on this long-term vacant site that will improve the character of the Parramatta City Centre and encourage increased investment in the locality. The proposal will provide ground floor retail premises which will activate the surrounding streetscapes together with a through-site link which will improve the pedestrian permeability in the locality.

The proposed serviced apartments and conference facility will not only support existing local businesses but will provide employment generation in the area. The proposal will encourage increased economic activity in the locality and residents of the new development will support local businesses.

A high level of internal amenity is proposed for all residential units. These units have been designed to be suitable for the Parramatta residential market and provide affordable units for residents in Parramatta. Potential adverse impacts resulting from the modified development have been addressed through mitigation measures which have been included in the Draft Statement of Commitments below. The proposal is considered to be in the public interest.

5.0 Revised Draft Statement of Commitments

The amendments described in this report necessitate the following amendments to the approved Statement of Commitments. Deletions are shown in ~~**bold strikethrough**~~ and insertions are shown in ***bold italics***.

Table 8 – Revised Statement of Commitments

Subject	Commitments	Timing
Developer contribution	A total monetary contribution comprising $1,500,000 is payable to Parramatta City Council pursuant to Section 94A of the Environmental Planning and Assessment Act, 1979 and the Parramatta City Centre Civic Improvement Plan. Payment must be by cash, EFTPOS, bank cheque or credit card only. The contribution is to be paid in stages to Council as follows: ▪ $227,133 is to be paid prior to the issue of a construction certification for excavation and basement works and ground level building works (up to a maximum RL15.5); ▪ For any other works above RL15.5 the balance of the contribution is to be paid on a prorate staged basis based upon the value of works associated with each construction certificate ▪ The value of each staged payment is to be agreed with Parramatta City Council prior to the issue of each construction certification for works above RL15.5, ▪ The staged contributions will be calculated according to the proportional value of the work stage that has been completed. At the time of payment, the contribution levy will be indexed quarterly in accordance with movements in the Consumer Price Index (All Groups Index) for Sydney issued by the Australian Statistician.	Prior to final occupation certificate being issued.
Contamination	A preliminary Site Investigation Report and (if required) a Remedial Action Plan (RAP) will be prepared for the site. If required remediation activities will be carried out in accordance with the RAP and a Site Audit Statement will be prepared for the site.	Prior to the construction certificate being issued.
~~Traffic Noise~~ ~~Traffic Noise (continued)~~	~~— Traffic noise impacted apartments will be designed as per the requirements of AS3671-1989 to comply with internal noise levels specified in AS2107-2000.~~ ~~— Levels 3 to 9 facing Marsden Street (the eastern facade) will be constructed with standard block construction in a reinforced concrete frame to provide a high level of traffic noise reduction without the need for any additional insulation.~~ ~~— Standard concrete block construction for external walls and upgraded glazing to a thickness of 7.78mm laminated glass will be used.~~ ~~— Mechanical ventilation (air conditioning) complying the BCA requirements will be provided in the traffic noise affected apartments.~~ ~~— Recommended glazing thickness for windows/ sliding doors to prevent traffic noise intrusion presented in the table below will be implemented during construction:~~	~~Detailed design and construction~~ ~~Detailed design and construction~~

Subject	Commitments	Timing
	Table 4.1 - Required R_w Ratings for Glazing	

Macquarie Place – North Facade – Facing Macquarie Street
Calculated Glazing R_w Values

Location	Level 3 – 9 Inclusive	Level 10 – 13 Inclusive	Level 14 – 17 Inclusive	Level 18 & Above
Bedroom	28	26	25	24
Living Room	26	23	22	21
Ensuite	27	25	24	23

Macquarie Place – South Facade – Facing Hunter Street
Calculated Glazing R_w Values

Location	Level 3 – 9 Inclusive	Level 10 – 13 Inclusive	Level 14 – 17 Inclusive	Level 18 & Above
Bedroom	30	26	25	24
Living Room	28	26	22	21
Ensuite	29	25	24	23

Macquarie Place – East Facade – Facing Marsden Street
Calculated Glazing R_w Values

Location	Level 3 – 9 Inclusive	Level 10 – 13 Inclusive	Level 14 – 17 Inclusive	Level 18 & Above
Bedroom	33	33	31	30
Living Room	30	30	28	26
Ensuite	32	32	30	28

Macquarie Place – West Facade
Calculated Glazing R_w Values

Location	Level 3 – 9 Inclusive	Level 10 – 13 Inclusive	Level 14 – 17 Inclusive	Level 18 & Above
Bedroom	21	20	20	20
Living Room	16	17	17	17
Ensuite	18	19	19	19

R_w Value	GLAZING TYPES
26 or less	Standard window frame and glazing
27 to 30 Inclusive)	6.38mm laminated safety glass in an acoustically sealed frame
31 or more	6.78mm laminated safety glass in an acoustically sealed frame

<table>
<tr><th>Subject</th><th>Commitments</th><th>Timing</th></tr>
<tr><td>Internal noise mitigation measures</td><td>
~~The recommended treatments detailed in the Building Services Acoustic Report prepared by VDM Consulting and dated 9 March 2010 will be incorporated into the design and construction of the proposal.~~
~~This is supplemented by additional recommendations provided in response to the revised design. Partition walls should be constructed according to the following standards (refer to Appendix B of PPR for plans):~~
▪ ~~Wall Type 'Yellow'~~
~~Wall type 'Yellow' must have an Rw+Ctr (airborne) rating of not less than 50 and be of discontinuous construction. Discontinuous construction meaning that the wall provides for a minimum 20mm cavity between two separate leaves.~~
▪ ~~Wall Type 'Red'~~
~~Wall type 'Red' must have an Rw + Ctr rating of not less than 50.~~
▪ ~~Wall Type 'Green'~~
~~Wall type 'Green' must have an Rw rating of not less than 50.~~
▪ ~~Wall Type 'Blue'~~
~~Wall type 'Red' must have an Rw + Ctr rating of not less than 40.~~
▪ ~~Wall Type 'Pink'~~
~~Wall type 'Red' must have an Rw + Ctr rating of not less than 25.~~
~~Services must not be chased into the concrete element of the wall. If a services cavity is required the wall should include:~~
▪ ~~Furring channels not less than 28mm deep fixed to concrete element;~~
▪ ~~Cavity filled with fibreglass insulation; and~~
▪ ~~One layer 16mm plasterboard (waterproof material for wet areas) fixed to furring channels.~~
~~All fixed to both sides of the concrete element.~~
Recommended glazing requirements:
<table>
<tr><th>Room</th><th>Facade</th><th>Level</th><th>Glazing Requirements</th><th>Acoustic Seals</th></tr>
<tr><td rowspan="4">Living rooms</td><td>North</td><td rowspan="12">All Levels</td><td>10.38mm Laminated</td><td rowspan="12">Yes</td></tr>
<tr><td>East</td><td>10.38mm Laminated</td></tr>
<tr><td>West</td><td>6.38mm Laminated</td></tr>
<tr><td>South</td><td>6.38mm Laminated</td></tr>
<tr><td rowspan="4">Bedrooms</td><td>North</td><td>10.38mm Laminated</td></tr>
<tr><td>East</td><td>10.38mm Laminated</td></tr>
<tr><td>West</td><td>6.38mm Laminated</td></tr>
<tr><td>South</td><td>6.38mm Laminated</td></tr>
<tr><td>Commercial</td><td>All facades</td><td>6mm Float/Toughened</td><td>Yes</td></tr>
</table>
Recommended Minimum STC/R_w of Glazing Requirements
<table>
<tr><th>Glazing Assembly</th><th>Acoustic Seals</th><th>Minimum STC of Installed Window</th></tr>
<tr><td>10.38mm Laminated</td><td>Yes</td><td>35</td></tr>
<tr><td>6.38mm Laminated</td><td>Yes</td><td>31</td></tr>
<tr><td>10mm Float</td><td>Yes</td><td>33</td></tr>
</table>
</td><td>Detailed design and construction</td></tr>
<tr><td>Environmentally Sustainable Design</td><td>
The minimum 40% BASIX water efficiency requirements will be achieved with:
▪ Efficient fixtures – 4 star ELS rated toilet, taps and dishwashers, 3 star showers
▪ Shaded swimming pool
▪ ~~Rainwater or stormwater collection into a 50kL tank to provide water for irrigation and some toilets~~
▪ Rainwater or stormwater collection in a 120,000 litre tank will provide water for irrigation
</td><td>Detailed design and construction</td></tr>
</table>

Subject	Commitments	Timing
	The minimum 20% BASIX energy efficiency requirements will be achieved with: ▪ Passive design principles including shading, natural ventilation, natural daylight and insulation ▪ Gas cook tops and electric ovens, ventilated fridge spaces ▪ Compact fluorescent lighting ▪ Heat pump hot water with gas boost ▪ Timer switches, motion sensors and/or daylight sensors for all common area ventilation and lighting ▪ Naturally ventilated lobby and corridor areas ▪ Air conditioning to all units, 3-3.5 EER efficiency ▪ Swimming pool with heat pump water heating Health wellbeing and amenity will be achieved by complying with SEPP 65, BASIX requirements for thermal comfort and BCA Section J thermal requirements including the following: ▪ Dual aspect for 60-70% of dwellings ▪ Natural ventilation to 25% of kitchens ▪ 2 hours of sunlight to 70% of all living areas ▪ Low VOC paints, adhesives, sealants and carpets ▪ Low formaldehyde composite wood ▪ Roof insulation to minimum R3.2 ▪ Wall insulation to minimum R1.7	
Aboriginal heritage	The Department of Climate Change and Water (DECCW) will be notified immediately should an aboriginal object be uncovered during excavation or construction. Stop work procedures and management of objects during the construction phase of a development will be consistent with the provisions of Part 3A of the EP&A Act. All new Aboriginal objects will be registered with the DECCW in accordance with s91 of the NPW Act.	<u>During excavation and construction</u>
Corridor Lighting Strategy	Lighting controls to be included to ensure artificial lighting is not used when sufficient daylight is available. These controls will include: – Daylight sensors to switch off unnecessary lighting when sufficient daylight is available; or – Timer switches to switch off superfluous lights during daylight hours; and – Separate lighting wiring so that lights that are required during daylight hours can be left on while superfluous lighting is switched off.	Detailed design and construction
Site Remediation Works	Excavation procedures will be carried out generally in accordance with the recommendations in the Preliminary Report on Geotechnical Investigations prepared by Douglas Partners and dated March 2010 (Appendix P of EAR). Where the specific recommendations are considered inappropriate, alternative solutions will be provided.	Excavation and construction
Acid Sulphate Soils	Additional investigation into Acid Sulphate Soils onsite will be undertaken during the excavation phase of the project to determine which soils will need to be treated before disposal and the extent of the treatment. Douglas Partners assume that 25% of soils will need to be treated and disposed of as general soil waste.	Excavation and construction
Security	The following security management actions will be undertaken: ▪ ~~Consultation with local police, Parramatta City Council, Chamber of Commerce and Heritage Council representatives will be undertaken to ensure that the proposal converges with similar security and crime prevention initiatives in place throughout the Parramatta City Centre.~~ ▪ Carefully managed 24 hour 7 days a week limited and secure access will be implemented to the development to achieve desirable crime prevention outcomes. ▪ Lighting design will incorporate down lighting where appropriate to maximise surveillance opportunities. ▪ Signage will be directional and controlling.	Construction and operation

Subject	Commitments	Timing
	▪ CCTV technology will be utilised for the development and cameras will be located in key areas, such as the Macquarie Street frontage, main entry and heritage area, pedestrian points in Marsden and Hunter Streets, reception foyers, lift lobbies, building perimeters, vehicle entry and loading points and vehicle parking areas. ▪ *Prior to post-construction commissioning, the applicant shall prepare a Security Awareness, Maintenance and Risk management Plan (referred to as a CPTEM) by consulting with local police, Council, the Chamber of Commerce and Heritage Council representatives, together with owner/operators of surrounding precincts to ensure that the plan converges with similar initiatives in place, or proposed, throughout Parramatta's City Centre.*	
Archaeological heritage conservation, interpretation and display	The process of sorting and culling the collection into three categories - display, research and public distribution - will be undertaken *by an appropriately qualified consultant* with NSW Heritage Branch approval.	Detailed design
Design of archaeological display area and interpretation centre	▪ *Detailed design of the "underground" walkways, balustrades and retaining walls around the retained archaeological display should be prepared in consultation with and to the satisfaction of the NSW Heritage Office.* ▪ *Detailed design of the environmental management, moisture movement monitoring and reactive conservation processes for the retained archaeological display should be prepared in consultation with and to the satisfaction of the NSW Heritage Office.* ▪ *The detailed design of the Archaeological and Heritage Interpretation of the actual archaeology and the Interpretation Centre, with its associated café, should be guided by the preparation of a detailed Interpretation Plan, and be subject to review by the NSW Heritage Council.*	*Detailed design*
Further archaeological excavation	Further archaeological excavation will be undertaken in the following locations: ▪ The well on Allotment 16 was only partially excavated. The remainder of the well shaft remains unexcavated and has the potential to provide well preserved artefacts, relating to the occupation of 1830s cottage. ▪ Within the concrete footings of the 1890s house on Allotment 17 are the only surviving remains of the house shown on this allotment in 1823. The building survived until at least 1854. Further archaeological investigation may reveal whether this building was originally a 'convict hut'. This additional archaeological excavation work will be undertaken at the same time as the excavation for the basement car park.	Excavation
Performance Requirements for Conservation of Archaeological Remains	The following performance requirements will be met to ensure ongoing conservation of archaeological remains. *Ground Moisture, Run-off and Flooding* 1. Prevention of overland flow of floodwater. 2. Maintenance of ground water table level no higher than a level to be determined at detailed design stage below the current surface profile of the soil. 3. Management of soil moisture content at a level to be determined at detailed design stage, but generally high. 4. Prevention of rainfall directly onto the remains. 5. Prevention of run-off from the roof, façade and plaza flowing onto the remains. 6. Management of moisture content of masonry at a level to be determined at detailed design stage. 7. Management of moisture content of exposed timber floorboards at a level to be determined at detailed design stage. *Biological Growth* 8. Allowance for active management of all forms of biological growth (mould, fungi, cyanobacteria, algae, higher plants). *Ambient Air* 9. Management of air above the remains (and possibly air flow) in order to control air flow, moisture content and temperature. 10. Facilitation of a mechanism to "buffer" the archaeological remains from extreme	Detailed design, construction and operation.

Subject	Commitments	Timing
	fluctuations in air qualities (temperature, moisture level, flow etc).	
Performance Requirements for Conservation of Archaeological Remains	*Temperature* 11. Provisions to be made to manage fluctuation in temperature around the remains so as to minimise thermal cycling of the archaeological materials. 12. Maintenance of the temperature as low as possible to limit the rate of evaporation of moisture from the materials. *Access* 13. Prevention of public access directly onto the remains. 14. Provision for safe maintenance access to all areas of exposed (ie. not buried) remains. 15. Implementation of mechanism to ensure that the exposed remains are secure and safe from vandalism. 16. Provision of good visual access to the public in a safe manner *Maintenance and Longer-term Considerations* 17. Allowance for active management (including on-going maintenance) of the in situ remains. 18. Monitoring the behaviour of the remains over time to confirm performance against established performance requirements. 19. Allowance for periodic review of the effectiveness of implemented preservation solutions.	Detailed design, construction and operation.
Ongoing conservation (operation)	An appropriate legal mechanism for managing the financial contributions and maintenance program associated with the ongoing conservation of the archaeological remains will be established.	Prior to the final Occupation Certificate
Schedule of Conservation Works	Geotechnical advice on the likely impact of surrounding piling and other ground works on water table levels will be sought.	Detailed design
	Analysis of predicted wind patterns to be carried out within the plaza area to understand the extent to which prevailing winds will access the remains below the deck.	Detailed design
	Investigation of optimum size and orientation of openings in plaza deck to give best balance between visibility of the remains and stability of the microclimate around the remains to be undertaken.	Detailed design
	Detailed design to be prepared for surrounding deck to prevent water ingress.	Detailed design
	Allowance for future make-up or draw-down options for ground water table below remains to be made.	Detailed design and construction
Schedule of Conservation Works	Possible options to facilitate managing soil moisture to be documented and incorporated into current design details. Concepts discussed include gravel surface treatment to ground, spray or drip irrigation systems, below grade sump pumps.	Detailed design and construction
	~~Protection of the archaeological remains during construction to be documented including a methodology and implementation strategy.~~ *This work has been completed and approved by Heritage Office*	Detailed design, construction and operation
	Environmental control devices (and provision for future devices if required) to be designed and documented.	Detailed design and construction
	~~Condition of remains to be assessed - analysis and recommendations for any remediation works to be made.~~ *This work has been completed and approved by Heritage Office*	Detailed design and construction
	Ground moisture content to be managed	Construction and operation
	Condition of remains to be monitored, observed and recorded	Construction and operation
	Biological growth to be managed.	Construction and operation
	Higher plant material to be removed.	Construction and operation
	Temporary structural stabilisation of remains during construction to be implemented and to be monitored during construction Protection to be removed after construction	Construction and post-construction
	Remnants of the following to be cleaned up: ▪ Biological growth ▪ Mud	Construction and post-construction

Subject	Commitments	Timing
	Fabric of remains to be consolidated e.g. timber, mortar, brick, stone	Construction
	Elements with original materials to be reinstated/repaired in relation to the following: ▪ Brick ▪ Stone ▪ Timber	Construction
Schedule of Conservation Works (continued)	Where relevant elements of the following to be reconstructed: ▪ Brick ▪ Stone ▪ Timber	Construction
	Access to remains to be designed and documented for the following purposes: ▪ Maintenance ▪ Interpretation	Construction and post-construction
	Long term structural stabilisation of remains to be carried out, including: ▪ Foundations ▪ Reconstruction of footings ▪ Pinning of cracked elements ▪ Mortar joints	Construction
	Desalination of porous masonry elements to be undertaken if required	Construction
	Biological growth control programme to be developed	Post-construction
	Environmental control devices to be installed, such as: ▪ Monitors ▪ Sprinklers / drippers ▪ Heater / AC	Construction
	Surface finishes around remains to be installed	Construction
	Interpretive elements to be installed including: ▪ Signs ▪ Lights ▪ Other	Construction
	Monitoring and maintenance manual including schedule programme and procedures to be prepared.	Prior to occupation certificate
Schedule of Conservation Works (continued)	Ongoing cleaning of remains to be undertaken, including: ▪ Dust ▪ Litter ▪ Biological growth ▪ Access traces	Operation
	Monitoring and maintenance manual to reviewed on a regular basis	Long Term
	Biological growth control program to be operated	Operation
Protection of archaeological relics during construction	Phase 1 - Project Planning *Site Induction/Access Management* The following measures will be carried out to limit access to the remains and impact on the archaeological remains: ▪ Arrange and attend site orientation meeting with the Contractor and all ground works subcontractors, archaeologist and archaeological conservator to discuss significance of remains and required work methods to prevent impact on remains (pre and post contract works). ▪ Mandatory site inductions for all personnel who enter the site to be provided. Induction will address significance of remains and required work methods to prevent impact on remains. ▪ Control site access to authorised personnel only.	Detailed Design and Construction

Subject	Commitments	Timing
	▪ Provide secure hoarding around perimeter of site. ▪ Ensure all visitors to the site are accompanied by certified site personnel (pre and post contract works). *Cranes* The use of cranes during construction will consider the following guidelines: ▪ Do not erect or mount a crane within either of the archaeological conservation zones. ▪ Avoid placing crane in areas where there are exposed archaeological remains or around conservation zones. ▪ If tower crane is required, position structure on the site of the future building or on adjacent street. Do not position crane on areas where there are unexcavated or reburied archaeological remains. ▪ Use mobile cranes situated on adjacent streets or on the site of the future building wherever possible. ▪ Mobile cranes will not be moved or placed within 10m of the archaeological remains. ▪ Crane loads to be placed only on areas away from archaeological remains or on areas that have been protected.	
Protection of archaeological relics during construction (continued)	*Heavy Machinery* Planning for heavy machinery use on a site with in situ archaeological relics will consider the following: ▪ Use heavy machinery on the site of the future building or on adjacent street. ▪ Heavy machinery will not be moved or placed within 10m of the excavated archaeological remains. ▪ Limited heavy machinery will be used over unexcavated or reburied archaeological remains. *Excavation* Excavation during construction will be carefully planned and consider the following: ▪ In areas that are designated as being "unexcavated": o Apply for relevant archaeological permits (where required) o Undertake on-going monitoring by archaeologist during excavation ▪ In areas where excavation is occurring adjacent to exposed archaeological remains: o Minimise area of excavation; o Ensure adjacent excavation does not destabilise any retaining features or cause collapse of the sides of excavations. o Use handheld equipment before mobile excavators o Use small light excavators or drill rigs as a last resort Install protective work platforms to prevent access directly on remains *Work Methodologies* All work on or around the archaeological remains will be thoroughly planned and include the following: ▪ Preparation of Work Method Statement (WMS) for all actions around and within the conservation areas with a focus on methodology and sequencing to minimise time and impact on site. ▪ Preparation of Work Method Statement (WMS) for all works around and within the unexcavated and/or reburied areas with a focus on minimising surface and subsurface disturbance. ▪ Review of WMS by archaeological conservator and archaeologist prior to commencement on site. Sign off of WMS by all site contractors involved with specific works will be mandatory.	Detailed Design and Construction
Protection of	Phase 2- Site Preparation *Site Preparation*	Detailed Design

Subject	Commitments	Timing
archaeological relics during construction (continued)	Site preparation will include works to "unclutter" the site and facilitate viewing of the archaeological remains, namely: ▪ Weedicide Application o Spray leaves of higher plants with weedicide (product containing glyphosphate such as Round-Up). o Leave plants for 1-2months until plants have wilted and died. ▪ Plant Removal o Cut back the higher plants as far down the stalk as possible to remove the bulk of the foliage and stalk. o Do not remove/pull up roots from ground or from within archaeological features. This may disturb subsurface features or damage features. *Stabilisation works* A detailed installation methodology will be developed once the site has been cleared of biological growth and the full condition of the site has been ascertained. The stabilisation strategy will be based on ICS's recommended stabilisation strategy in the report titled *Recommendations for Protection of Archaeological Remains during Construction* prepared by ICS and dated March 2010. Phase 3 - Initial Structural Works *General Guidelines* ▪ In all instances, minimise the area of disturbance ("disturbance zone") resulting from construction works. ▪ Consult archaeological site conservator immediately should any unexpected slippage, slumping or site disturbance occur (pre and post contract works). ▪ Immediately document (with both photographs and theodolite points) any unexpected slippage, slumping or site disturbance (pre and post contract works). ▪ Any disturbance or unforeseen disruption to the site (ie. including "disturbance zones" as a result of excavation) will be reinstated in a way sensitive to the original archaeological remains and in a way that interprets the original historical scheme; plans for reinstatement should be reviewed by the archaeologist and archaeological site conservator prior to commencement.	and Construction
Protection of archaeological relics during construction (continued)	*Structural columns* ▪ Provide Work Method Statements (WMS) for installation methodologies prior to carrying out works; WMS should be reviewed by archaeologist and conservator. ▪ Monitor the zone during all excavation and piling for evidence of disturbance or ground heaving. ▪ Minimise vibrations during installation. ▪ Use auger excavation as a priority, particularly for first 2-5m; minimise use of pounding or other machine generated vibrations. ▪ Remove backfill immediately from the area; do not load the zone with backfill. ▪ Heavy machinery used for pile excavation/installation should be established and used outside of the zone wherever possible. *Sheet piling* ▪ Provide Work Method Statements (WMS) for installation methodologies prior to carrying out works; WMS should be reviewed by archaeologist and conservator. ▪ Use combination of excavation and sheet piles to minimize site disturbance. ▪ Minimise pounding and other machine generated vibrations. ▪ Excavate small amounts just inside sheet piling if required to minimise heaving.	Detailed Design and Construction
	▪ Progress work at a careful and steady pace. ▪ Minimise vibrations during installation. ▪ Monitor the zone during all excavation and piling for evidence of disturbance or ground heaving. Stop work immediately if heaving or other disturbance is evident; Consult	

Subject	Commitments	Timing
	archaeological conservator and structural engineer immediately.	
Protection of archaeological relics during construction (continued)	*Reinforced concrete walls* ▪ Provide Work Method Statements (WMS) for installation methodologies prior to carrying out works; WMS should be reviewed by archaeologist and conservator. ▪ Minimise size of excavation wherever possible, particularly on the Conservation Zone side of the walls. ▪ Monitor the zone during all excavation and piling for evidence of disturbance or ground heaving. ▪ Minimise vibrations during installation. ▪ Use hand excavation as a priority, particularly for first 600-900mm of depth; minimise use of pounding or other machine generated vibrations. ▪ Remove backfill immediately from the area; do not load the zone with backfill. ▪ Heavy machinery used for footing excavation/installation should be established and used outside of the zone wherever possible.	Detailed Design and Construction
	Phase 4 - During Construction *Protection Options - Raised Deck* Install a waterproof raised deck with perimeter drainage over all areas of exposed archaeological remains. *Infill Panels* If additional site storage / shedding space is required, consideration could be given to installing structural infill panels to the openings in the public deck over the Conservation Zones. *Monitoring Inspection* In all instances, Monitoring inspections should be carried out: ▪ Weekly, by the contractor's site foreman / engineer ▪ Monthly, in conjunction with the archaeological conservator As required following any incidents involving impact or spillage on the protection system.	
Heritage Branch of the Department of Planning conditions	▪ A specialist heritage manager or heritage consultant shall be nominated for the works which affect the archaeological heritage of the site. The consultant shall have appropriate qualifications and experience commensurate with the significance of the site and the scope of the Major Project works. The name and experience of this consultant shall be submitted to the Director, Heritage Branch, for approval prior to commencement of works. The heritage consultant shall advise on the detail design resolution of new works, undertake on site heritage inductions, and shall inspect new works, design and installation of services (to minimise impacts on significant fabric) and manage the implementation of the conditions of approval for the Project. A report by the heritage consultant (illustrated by works' photographs) shall be submitted to the Director, Heritage Branch, for approval within 6 months of the completion of the works which describes the work, any impacts/damage and corrective works carried out. ▪ All construction contractors, subcontractors and personnel are to be inducted and informed by the nominated heritage consultant prior to commencing work on site as to their obligations and requirements in relation to historical archaeological sites and 'relics' in accordance with guidelines issued by the Heritage Council of NSW. ▪ Significant archaeological heritage items and remnant built fabric elements are to be adequately protected during the works from potential damage. Protection systems shall ensure historic fabric is not damaged or removed. ▪ All affected areas within the site which are of historical archaeological significance and will be affected by the construction works shall be subject to professional archaeological excavation and/or recording. A Research Design including an Archaeological Excavation Methodology shall be prepared in accordance with Heritage Council guidelines for each site which is to be excavated. Those documents should be prepared for the approval of the Director, Heritage Branch, Department of Planning.	Prior to, during and following construction

Subject	Commitments	Timing
	▪ After archaeological works are undertaken, a copy of the final excavation report(s) shall be prepared and lodged with the Heritage Council of NSW, the Local Studies Library and the Local Historical Society in the Parramatta Local Government area. The proponent shall also be required to nominate a repository for the relics salvaged from any further historical archaeological excavations. The information within the final excavation report shall be required to include the following: ▪ An executive summary of the archaeological programme; ▪ Due credit to the client paying for the excavation, on the title page. ▪ An accurate site location and site plan (with scale and north arrow); ▪ Historical research, references, and bibliography; ▪ Detailed information on the excavation including the aim, the context for the excavation, procedures, treatment of artefacts (cleaning, conserving, sorting, cataloguing, labelling, scale photographs and/or drawings, location of repository) and analysis of the information retrieved; ▪ Nominated repository for the items; ▪ Detailed response to research questions (at minimum those stated in the Department of Planning approved Research Design); ▪ Conclusions from the archaeological programme; and ▪ Details of how this information about the excavations has been publicly disseminated (for example, include copies of press releases, public brochures and information signs produced to explain the archaeological significance of the sites). ▪ After the completion of the additional archaeological fieldwork the previously prepared Appendix S of EAR - Heritage Interpretation Plan shall be revised and updated to incorporate the findings from the archaeological works and the detailed design development phase. An updated final Interpretation Plan which includes specific detail regarding the design, locations; media; devices and messages which are proposed to the used at the site shall be submitted for the approval of the Director, Heritage Branch, prior to the occupation of the new development. The Plan shall be prepared in consultation with a materials conservator and an archaeologist in order to ensure that physical conservation needs of the archaeology are adequately reflected in final proposals. ▪ The report prepared by International Conservation Services (approved as part of MP_09_0167) titled '*Recommendations for Protection of Archaeological Remains during Construction',* shall be supplemented by an additional document which provides specific detail regarding the long-term maintenance needs of the retained physical archaeological 'relics' and associated artefact displays. A Monitoring and Maintenance Plan to address these aspects with designated schedules, programs and cycles for maintenance shall be prepared by a materials conservator. The Plan shall be submitted for the approval of the Director, Heritage Branch, prior to the occupation of the new development.	

Subject	Commitments	Timing
Disabled Access Note: the recommendations in relation to disabled access have been completely replaced to avoid any overlap	Ingress and Egress Main Entry Plaza ▪ *Provide handrails compliant with AS 1428.1 on either side of Macquarie Street and Marsden Street main entry stairway. Due to stairway width, intermediate handrails may be required to satisfy BCA requirements and assist people with ambulant disabilities.* *Central Lobby Entrances* ▪ *Ensure suitable walkway gradients (no steeper than 1:20 with suitable intervals) from site boundary to Lobby main entrances, compliant with AS1428.1.*	Detailed Design and Construction

Subject	Commitments	Timing
	▪ *Ensure Marsden Street internal entry ramp has a max. 1:14 gradient ramp for 9m max. lengths, compliant with AS1428.1 and DDA Premises Standards.* *Archaeology Centre Main Entrance* ▪ *Ensure the main entry doorway has a minimum clear width of 850mm (920mm door leaf) and suitable door circulation area, compliant with AS1428.1.* *Conference Centre Main Entrance (Hunter Street)* ▪ *Provide handrails on both sides of the stair to level 1, compliant with AS1428.1.* *Retail Tenancy Main Entrances* ▪ *Ensure an accessible path of travel, compliant with AS1428.1 from the site boundary to and through all retail tenancies main entry doorways.* ▪ *Provide main entry doorways with a minimum clear width of 850mm (920mm door leaf) and suitable door circulation area, compliant with AS1428.1.* *Emergency Egress* ▪ *Consideration to be given for the provision of a minimum clear width of 850mm (920mm door leaf) at each doorway leading to emergency egress stairways. (advisory)* ▪ *Consideration for any emergency warnings systems to be installed to include both audible and visual warnings indicators to assist people with a sensory disability (advisory).* *Retail and Commercial* *Archaeological Interpretation Centre* ▪ *Where achievable, ensure the 1000mm min. width pathway around subterranean area has suitable splayed corners to allow a person using a wheelchair to turn 90 degrees, compliant with AS1428.1.* ▪ *If continuous access is not achievable to all walkway areas, provide suitable viewing platforms at least 1540mm width x 2070mm length to ensure equivalent access to key features of the archaeological experience, compliant with AS1428.1.* *Conference/Function Facility* ▪ *Ensure all doorways have a minimum clear width of 850mm (920mm door leaf) and suitable door circulation area on both sides, compliant with AS1428.1.* *Passenger Lifts* ▪ *Provide lifts with 1400mm (width) x 1700mm (length) min. dimensions as required by the Parramatta City Centre DCP clause 4.1(d), and AS1428.2.* ▪ *Ensure that components in the lift cars (control panels, audio/visual indicators, handrails and light levels) comply with AS 1735.12 and DDA Premises Standards.* *Commercial Sanitary Facilities (Ground and Level 1)* ▪ *Ensure all corridor ends provide a wheelchair turning area (1540mm width x 2070mm length) within 2m of the end, compliant with AS1428.1 and DDA Premises Standard.* ▪ *Provide at least 1 accessible toilet, compliant with AS1428.1 adjacent to the male and female toilets on each level where provided in accordance with the DDA Premises Standard.* ▪ *Provide at least 1 ambulant cubicle for people with disabilities, compliant with AS1428.1 within the male and female toilets, adjacent to an accessible toilet* *Serviced Apartment Accommodation*	

Subject	Commitments	Timing
	Path of Travel: General ▪ *Ensure suitable wheelchair turning areas (1540mm width x 2070mm length) are provided at 20m intervals along long corridors less than 1540mm clear width (eg. along void to Lobby, western corridor), compliant with AS1428.1 and DDA Premises Standard.* ▪ *Ensure dual hinged doors on arterial corridor are magnetic hold open or alternatively provide 850mm min. clear width doors, compliant with AS1428.1.* *Passenger Lifts* ▪ *Provide lift cars with dimensions of 1400mm (width) x 1700mm (length), compliant with the Parramatta City Centre DCP clause 4.1(d), AS1428.2 and the DDA Premises Standards.* ▪ *Ensure that components in the lift cars (control panels, audio/visual indicators, handrails and light levels) comply with AS 1735.12 and DDA Premises Standards.* ▪ *Provide entry doors with 850mm clear widths (920mm door leafs) and suitable latch side clearance compliant with AS1428.1 & Parramatta City Centre DCP.* *Accessible Apartments: Allocation* ▪ *Provide 1 extra accessible apartment (total of 3) to satisfy DDA Premises Standards Table D3.1 (between 41 – 60 apartments) within the development.* ▪ *As more than 2 accessible apartments are required, ensure the additional unit is another room type (eg. 1 or 3 bed type) to be representative of the range of rooms available in accordance with DDA Premises Standards Table D3.1.* *Accessible Units: Design – Type 4.14* ▪ *Provide all doors with 850mm clear widths (920mm door leafs) and suitable latch side clearance compliant with AS1428.1 & Parramatta City Centre DCP.* ▪ *Ensure continuous wheelchair access to external balcony, compliant with AS1428.1.* *Residential Accommodation* *Path of Travel: General* ▪ *Ensure suitable wheelchair turning areas (1540mm width x 2070mm length) are provided at 20m intervals along long corridors (eg. western corridor), compliant with AS1428.1 and DDA Premises Standard.* ▪ *Ensure dual hinged doors on arterial corridor are magnetic hold open or alternatively provide 850mm min. clear width doors, compliant with AS1428.1.* *Visitable Units* *To ensure 20% of residential units are 'visitable' under AS4299 requirements:* ▪ *Provide 20% of unit entry doors with 850mm clear widths (920mm door leafs) compliant with AS1428.1.* ▪ *Ensure 20% of units have a 'visitable' toilet ie. a bathroom with 1250mm clear length x 900mm clear width in front of WC, free of door swing, compliant with AS4299.* *Adaptable Units: Allocation* ▪ *Provide an additional 6 adaptable units (min. total of 38) to satisfy Parramatta City Centre DCP clause 6.1(d) for 10 per cent of the residential units to be adaptable in accordance with AS4299.* *Adaptable Unit Type 5.14: Design (2 bed, bath)* ▪ *At CC Stage, provide pre- and post-adaptation layouts for adaptable units to*	

Subject	Commitments	Timing
	ensure compliance with AS4299. *Adaptable Unit Type 14.15: Design (2 bed, 1 bath)* ▪ *At CC Stage, provide pre- and post-adaptation layouts for adaptable units to ensure compliance with AS4299.* ▪ *Ensure provision for 530mm latch side clearance to bedroom doorway on post-adaption plan, compliant with AS1428.1 and AS4299.* *Common Use Facilities and Amenities* *Pool and Residents Amenities* ▪ *Provide an alternative accessible linkage (eg. stair platform lift, compliant with AS1735.7) from Conference centre to common use pool areas and then onto Garden/Spa in accordance with the DDA Premises Standards.* ▪ *Ensure the stairs have 1500mm min. clear width to accommodate stair lift and between handrails installed on both sides, compliant with AS1428.1.* ▪ *Provide a suitable sling style swimming pool lift hoist as required by DDA Premises Standards Part D 3.10 and D5.5.* ▪ *Provide entry doors with 850mm clear widths (920mm door leafs) and suitable latch side clearance compliant with AS1428.1 & Parramatta City Centre DCP.* *Residential Gymnasium* ▪ *Provide an alternative accessible linkage (eg. stair platform lift, compliant with AS1735.7) from level 1 common use areas to mezzanine gymnasium/sauna in accordance with the DDA Premises Standards.* ▪ *Ensure stairs have 1500mm min. clear width and base landings to accommodate the above stair lift.* ▪ *Provide handrails installed on both sides of stair, compliant with AS1428.1.* ▪ *Provide an accessible combined toilet/shower compliant with AS1428.1 adjacent to the male/female toilets/change rooms, compliant with DDA Premises Standard.* ▪ *Provide at least 1 ambulant cubicle for people with disabilities, compliant with AS1428.1 within the male/female toilets, adjacent to an accessible toilet facility in accordance with the DDA Premises Standard.* ▪ *Provide entry doors with 850mm clear widths (920mm door leafs) and suitable latch side clearance compliant with AS1428.1 & Parramatta City Centre DCP* *Residents Roof Terrace* ▪ *Provide ramp access to the Roof Terrace from the adjacent common use areas in accordance with the DDA Premises Standards.* ▪ *Ensure ramp is designed with suitable setbacks, max. 1:14 gradient between landings, compliant with AS1428.1.* ▪ *Provide handrails installed on both sides of stair and ramp, compliant with AS1428.1.* *Additional Residents Facilities* ▪ *Provide a minimum clear width of 850mm (920mm door leaf) and a minimum internal latch-side clearance of 510mm at the entry doorways of the garbage rooms on each residential level.* ▪ *Provide a minimum clear width of 850mm (920mm door leaf) and a minimum internal latch-side clearance of 510mm at the entry doorways of the garbage rooms on each residential level.*	

Subject	Commitments	Timing
	Common-Use Accessible Toilets ▪ *Provide at least 1 accessible toilet, compliant with AS1428.1 adjacent to the male and female toilets on each level where provided in accordance with the DDA Premises Standard.* ▪ *Provide at least 1 accessible combined toilet/shower, compliant with AS1428.1 adjacent to the male and female toilets/change rooms on each level where provided in accordance with the DDA Premises Standard.* ▪ *Provide at least 1 ambulant cubicle for people with disabilities, compliant with AS1428.1 within the male and female toilets, adjacent to an accessible toilet.* ▪ *Provide a minimum clear width of 850mm (920mm door leaf) at the entry doorway to common use accessible toilets, compliant with AS1428.1.* *Car Parking* *General* ▪ *Ensure the vertical clearance leading to accessible/adaptable car bays is not less than 2200mm above the FFL, in compliance with AS2890.6.* ▪ *Ensure there is a clear space of 2500mm above the FFL over the accessible/adaptable car bays, compliant with AS2890.6.* *Retail & Commercial* ▪ *Ensure 1% of all commercial and 2% retail car parking is accessible, compliant with DDA Premises Standard Table D3.5.* ▪ *Ensure total amount of serviced apartment car parking is multiplied by 5% (ie. 3 required accessible of 58 total serviced apartments) to determine the required accessible car spaces required, compliant with DDA Premises Standard Table D3.5.* ▪ *Relocate the 2 accessible spaces (eg. to east of the residential lift lobby) for improved safety in line with AS2890.6 and Parramatta DCP objectives as visibility of rear loading car ramps may be impeded for drivers when descending the ramp.* ▪ *Consideration to provide at least 1 accessible visitor car space as an accessible space (advisory).* *Residential* ▪ *Relocate the 2 accessible spaces (eg. to east of the residential lift lobby) for improved safety in line with AS2890.6 and Parramatta DCP objectives as visibility of rear loading car ramps may be impeded for drivers when descending the ramp.*	
Wind amelioration	The following wind mitigation measures to be implemented: ▪ ~~A strategic layout of densely foliating evergreen trees, capable of growing to a height of 5m with a 4m wide canopy, for the ground level areas within an around the development site.~~ ▪ ~~3m high impermeable screens along the perimeter of the Level 1 Podium terrace areas.~~ ▪ ~~A combination of 2m and 3m high impermeable screens along the perimeter of the level 28 private roof terrace areas.~~ ▪ ~~1m high impermeable balustrades be included along the perimeter of the private balconies of residential units on level 26.~~ ▪ *The strategic layout of densely foliating evergreen trees, capable of growing to a height of 6m, with a 6m wide canopy, for the ground level areas around the development site.* ▪ *The extension of a 3m high impermeable screen and inclusion of strategic*	Detailed design and construction.

Subject	Commitments	Timing
	landscaping, consisting of densely foliating evergreen trees capable of growing to a height of 4m with a 4m wide canopy, at the southern end of the Level 3 communal garden terrace. ▪ *The inclusion of a 3m high impermeable screen on the northern side of the Level 12 roof terrace in conjunction with a strategic layout of densely foliating trees capable of growing to height of 4m with a 4m wide canopy. It should be noted that it is recommended that the 3m high impermeable screen located on the southern side of the Level 12 roof terrace, will be retained in the final building design.* ▪ *A strategic layout of densely foliating evergreen trees capable of growing to a height of 4m with a 4m wide canopy, at the south eastern corner of the Level 26 roof terrace.*	
Reflectivity	~~▪ The reflectivity of glass of the facade for the 015° aspect of the proposed development up to and including level 4, including 015° aspect of the north-east most cafe/retail area will not exceed a normal spectral reflectivity of light value of 15%; or~~ ~~▪ Vertical mullions external to the glass line of the 015° aspect that can block solar reflections up to 8 degrees from the centre of the glass to be installed.~~ ~~▪ All other areas of the facade of the proposed development will have a maximum normal specular reflectivity of visible light of 20 percent.~~ ▪ *The façade on the 015 degree aspect of the proposed development between Levels 3 and 8 should have a normal spectral reflectivity of light no greater than 10%; or* ▪ *Install vertical mullions external to the glass-line that can block solar reflections up to 8 degrees from the centre of the glass.*	Detailed design and construction.
Loading dock arrangements	Warning lights and signage will be provided to advise tenants entering and departing the site when a truck is reversing into the dock. Minor modifications will be made to the layout of the loading dock (splaying of garbage room and relocation of column to south dock by about a metre) to allow access by an MRV.	
Construction and Traffic Management Plan (Council recommended condition)	Prior to the commencement of any works on the site the applicant must prepare a Construction and Traffic Management Plan. The following matters must be specifically addressed in the plan: ▪ Construction Management Plan for the Site; ▪ A plan view of the entire site and frontage roadways indicating: o Dedicated construction site entrances and exits, controlled by a certified traffic controller, to safely manage pedestrians and construction related vehicles in the frontage roadways; o Turning areas within the site for construction and spoil; o Removal vehicles, allowing a forward egress for all construction vehicles on the site; o The locations of proposed Work Zones in the egress frontage roadways; o Location of any proposed crane standing areas; o A dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries; o Material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected; and o The provisions of an on-site parking area for employees, tradesperson and construction vehicles as far as possible. ▪ Traffic Control Plan(s) for the site: o All traffic control devices installed in the road reserve shall be in accordance with	Prior to construction

Subject	Commitments	Timing
	the Roads and Traffic Authority, NSW (RTA) publication 'Traffic Control Worksite Manual' and be designed by a person licensed to do so (minimum RTA 'red card' qualification). The main stages of the development requiring specific construction management measures are to be identified and specific traffic control measures identified for each, o Approval shall be obtained from Parramatta City Council for any temporary road closures or crane use from public property. ▪ A detailed description and route map of the proposed route for vehicles involved in spoil removal, material delivery and machine floatage must be provided and a copy of this route is to be made available to all contractors. Where applicable, the plan must address the following: ▪ Evidence of RTA concurrence where construction access is provided directly or within 20m of an Arterial Road;	
Construction and Traffic Management Plan (Council recommended condition)	▪ A schedule of site inductions shall be held on regular occasions and as determined necessary to ensure all new employees are aware of the construction management obligations; ▪ Minimising construction related traffic movements during school peak periods; The Construction and Traffic Management Plan shall be prepared by a suitably qualified and experienced traffic consultant and be certified by this person as being in accordance with the requirements of the abovementioned documents and the requirements of this condition.	Prior to construction
Driveway Crossing Application (Council recommended condition)	Prior to any work occurring on the driveway crossings within Council's road reserve, an application is required for any new, reconstructed or extended sections of driveway crossings between the property boundary and road alignment which must be obtained from Parramatta City Council. All footpath crossings, laybacks and driveways are to be constructed according to Council's Specification for Construction or Reconstruction of Standard Footpath Crossings and in compliance with Standard Drawings DS1 (Kerbs & Laybacks); DS7 (Standard Passenger Car Clearance Profile); DS8 (Standard Vehicular Crossing); DS9 (Heavy Duty Vehicular Crossing) and DS10 (Vehicular Crossing Profiles). In order to apply for a driveway crossing, you are required to complete the relevant application form with supporting plans, levels and specifications and pay the appropriate fee of $166.30 Note: This development consent is for works wholly within the property. Development consent does not imply approval of the footpath or driveway levels, materials or location within the road reserve, regardless of whether the information is shown on the development application plans.	Prior to construction
Damage to public infrastructure (Council recommended condition)	Prior to commencement of works the applicant shall advise Council in writing, of any existing damage to Council property. A dilapidation survey of Council's assets, including photographs and written record, must be prepared and submitted to the Principal Certifying Authority and Council (if Council is not the PCA) prior to the commencement of works; failure to identify any damage to Council's assets will render the applicant liable for the costs associated with any necessary repairs.	Prior to construction
Road Opening Permits (Council recommended condition)	The applicant shall apply for a road-opening permit where a new pipeline is proposed to be constructed within or across the footpath. Additional road opening permits and fees may be necessary where there are connections to public utility services (e.g. telephone, electricity, sewer, water or gas) are required within the road reserve. No drainage work shall be carried out on the footpath without this permit being paid and a copy kept on site.	Prior to construction
Work hours (Council recommended condition)	All work including building, demolition and excavation work; and activities in the vicinity of the site generating noise associated with preparation for the commencement of work (eg. loading and unloading of goods, transferring tools etc) in connection with the proposed development must only be carried out between the hours of 7.00am and 5.00pm on Monday to Fridays inclusive, and 7.00am to 5.00pm on Saturday. No work is to be carried out on Sunday or public holidays. Note - Council may allow extended work hours for properties located on land affected by	During construction

Subject	Commitments	Timing
	Parramatta City Centre LEP 2007 in limited circumstances and upon written application and approval being given by Parramatta City Council at least 30 days in advance. Such circumstances where extended hours may be permitted include: ▪ Delivery of cranes required to the site outside of normal business hours; ▪ Site is not located in close proximity to residential use or sensitive land uses; ▪ Internal fit out work.	
Footpath construction (Council recommended condition)	Footpath paving will be in accordance with the approved landscape plans for the development which have been prepared in accordance with Council requirements. Details of the proposed footpath works shall be submitted to and approved by Council prior to commencement of footpath works. Proof of completion of construction work shall be submitted to the satisfaction of Council prior to release of the Occupation Certificate. All costs are to be borne by the applicant.	Prior to and during construction
Post-construction dilapidation report (Council recommended condition)	The applicant shall engage a suitably qualified person to prepare a post construction dilapidation report at the completion of the construction works. This report is to ascertain whether the construction works created any structural damage to adjoining buildings, infrastructure and roads. The report is to be submitted to Parramatta City Council. In ascertaining whether adverse structural damage has occurred to adjoining buildings, infrastructure and roads, the proponent must: ▪ compare the post-construction dilapidation report with the preconstruction dilapidation report, and have written confirmation from the relevant authority that there is no adverse structural damage to their infrastructure and roads	After completion of construction
Public Domain/Alignment Plan (Council recommended condition)	Prior to the commencement of works a Public Domain/Alignment Plan shall be submitted and approved by Councils Senior Project officer Urban Design.	Prior to construction
Sydney Water conditions	A Section 73 Certificate will be obtained prior to construction.	Prior to construction
~~Dilapidation Report for No 41 Hunter Street~~	~~A dilapidation report shall be prepared for No 41 Hunter Street and copies of all relevant reports shall be provided to the owner of No 41 Hunter Street.~~	Prior to construction

Essential Fire Safety Measures	The following Essential Fire Safety Measures shall be installed:	Construction Certificate

Item	Proposed Essential Fire Safety Measure	Minimum Standard of Performance
1.	Access panels, doors and hoppers to fire resisting shafts	BCA2012 Clause C3.13
2.	Automatic fail safe devices	BCA2012 Clause D2.21, AS1670.1-2004 and Manufacturer's Specification
3.	Automatic fire detection and alarm system	BCA2012 Clause E2.2a and Clause 3, 4, 5, 6 of Specification E2.2a, AS1670.1-2004
4.	Automatic fire suppression system (sprinkler system)	BCA2012 Clause E1.5, AS2118.1-1999
5.	Emergency lighting	BCA2012 Clauses E4.2 & E4.4, AS2293.1-2005
6.	Emergency lifts	BCA2012 Clause E3.4, AS1735.2-2001
7.	Exit signs	BCA2012 Clauses E4.5, E4.6 & E4.8, AS2293.1-2005
8.	Fire control rooms	BCA2012 Clause E1.8
9.	Fire dampers	BCA2012 Specification C3.15, AS/NZS1668.1-1998, AS1682.1 & 2
10.	Fire doors	BCA2012 Spec C3.4, AS1905.1-2005
11.	Fire hose reel system	BCA2012 Clause E1.4, AS2441-2005
12.	Fire hydrant system	BCA2012 Clause E1.3, AS2419.1-2005
13.	Fire seals protecting openings in fire resisting components of the building	BCA2012 Clause C3.15, AS1530.4-2005
14.	Fire shutters	BCA2012 Spec C3.4, AS1905.2-2005
15.	Fire windows	BCA2012 Spec C3.4
16.	Lightweight Fire Rated Construction	BCA2012 Clause / Specification C1.8
17.	Mechanical air handling systems	BCA2012 Clause F4.5, F4.11, AS/NZS1668.2-1991
18.	Paths of travel, stairways, passageways or ramps	BCA2012 Section D
19.	Portable fire extinguishers	BCA2012 Clause E1.6, AS2444-2001
20.	Pressurisation system	BCA2012 Table E2.2a, AS/NZS1668.1-1998
21.	Required (automatic) exit doors	BCA2012 Clause D2.19, AS1670.1-2004
22.	Smoke and heat vents	BCA2012 Specification E2.2c, AS2665-2001
23.	Smoke control system	BCA2012 Specification E2.2a, BCA Specification E2.2b, AS/NZS1668.1-1998
24.	Smoke dampers	AS/NZS1668.1-1998
25.	Smoke doors	BCA2012 Specification C3.4
26.	Sound systems and intercom systems for emergency purposes (formerly EWIS)	BCA2012 Clause E4.9, AS1670.4-2004
27.	Standby power system	BCA2012 Specification G3.8 Clause 6
28.	Wall wetting sprinkler and drencher system	BCA2012 Clause C3.4
29.	Warning and operational signs	BCA2012 Clause D2.23, EP&A Reg. 2000 Clause 183

Fire Resistance Levels	The following Fire Resistance Levels (FRLs) shall be applied to various structural elements of the building:	Construction Certificate

Item	Class 2 & 3	Class 7a or 9b	Class 6
Loadbearing External Walls • less than 1.5m to a fire source feature • 1.5 – 3m from fire source feature; • more than 3m from a fire source feature.	 90/90/90 90/60/60 90/60/30	 120/120/120 120/90/90 120/60/30	 180/180/180 180/180/120 180/120/90
Non-Loadbearing External Walls • less than 1.5m to a fire source feature • 1.5 – 3m from fire source feature; • more than 3m from a fire source feature.	 -/90/90 -/60/60 -/-/-	 -/120/120 -/90/90 -/-/-	 -/180/180 -/180/120 -/-/-
External Columns • Less than 3m • 3m or more	90/-/- -/-/-	120/-/- -/-/-	180/-/- -/-/-
Fire Walls	90/90/90	120/120/120	180/180/180
Stair and Lift Shafts • Loadbearing • Non loadbearing	 90/90/90 -/90/90	 120/120/120 -/120/120	 180/120/120 -/120/120
Internal walls bounding sole occupancy units • Loadbearing • Non loadbearing	 90/90/90 -/60/60	 120/-/- -/-/-	 180/-/- -/-/-
Internal walls bounding public corridors, hallways and the like: • Loadbearing • Non loadbearing	 90/90/90 -/60/60	 120/-/- -/-/-	 180/-/- -/-/-
Ventilating, pipe garbage and the like shafts: • Loadbearing • Non loadbearing	 90/90/90 -/90/90	 120/90/90 -/90/90	 180/120/120 -/120/120
Other loadbearing internal walls, beams trusses and columns	90/-/-	120/-/-	180/-/-
Floors	90/90/90	120/120/120	180/180/180
Roofs [1]	90/60/30	120/60/30	180/60/30

<table>
<tr>
<td>BCA Compliance

Note: All recommendations in relation to BCA have been completely replaced to avoid any overlap</td>
<td>The following matters shall be addressed in a Fire Engineering Report:

<table>
<tr><th>Item</th><th>Description of Alternate Solution</th><th>DTS Provision</th><th>Performance Requirement to be met</th></tr>
<tr><td>1.</td><td>Protection of openings within different fire compartments.</td><td>C3.3 of BCA 2012</td><td>CP2 & CP3</td></tr>
<tr><td>2.</td><td>Provision of glass sliding doors within the fire wall separating the conference centre and the hotel portion.</td><td>C3.5 of BCA 2012</td><td>CP2, CP3 & CP4</td></tr>
<tr><td>2.</td><td>Extended travel distance from the units in the south eastern corner on levels 12-25 to an exit or a point of choice to an alternative exit, and extended travel distance from the plenums within the basement carpark levels.</td><td>D1.4 of BCA 2012</td><td>DP4</td></tr>
<tr><td>3.</td><td>The width of plenums associated with the basement carpark levels are 850mm wide in lieu of the minimum 1m.</td><td>D1.6 (b) of BCA 2012</td><td>DP4</td></tr>
<tr><td>4.</td><td>Fire-isolated stairways 1 and 4 at the northern end of the building discharge within the building.</td><td>D1.7(b) of BCA 2012</td><td>DP4</td></tr>
<tr><td>5.</td><td>Travel via the non-fire-isolated stairways from the plant room on the mezzanine level to the point of egress exceeds 80m.</td><td>D1.9 (c) of BCA 2012</td><td>DP4</td></tr>
<tr><td>6.</td><td>The fire hydrant booster valve is located in a position that is not protected by walls achieving an FRL of 90/90/90 extending 3m above and 2m either side of the booster assembly in accordance with AS 2419.1.</td><td>E1.3 of BCA2012</td><td>EP1.3</td></tr>
<tr><td>7.</td><td>Removal of the need for the fire hose reels to the residential levels, where internal hydrants are provided.</td><td>E1.4 of BCA 2012</td><td>EP1.1</td></tr>
</table>
</td>
<td>Construction Certificate</td>
</tr>
<tr>
<td>~~BASIX certificate~~</td>
<td>~~A BASIX certificate will be prepared for the development prior to the construction certificate being issued for the project.~~</td>
<td>~~Prior to issue of construction certificate~~</td>
</tr>
<tr>
<td>Travel Demand Management Plan</td>
<td>A Travel Demand Management Plan will be prepared for the development prior to the first Occupation certificate being granted for the retail premises.</td>
<td>Prior to first retail occupation certificate</td>
</tr>
</table>

6.0 Conclusion

This application seeks the following key amendments to Major Project MP09_0167:

- Inclusion of additional levels of residential accommodation and changes to the apartment mix and overall number of apartments contained within the modified development;
- Replacement of previously approved C-grade commercial floor space with serviced apartments at levels 1 and 2 in the podium and inclusion of serviced apartments at levels 3 to 7 of the building;
- Introduction of a new commercial conference and function facility fronting Hunter Street at Level 1 (includes outdoor garden); and
- Changes to the archaeological display area and access to the relics to include a subterranean viewing area of the former Wheatsheaf Hotel relics.

The changes will result in a minor increase in the approved GFA on the site, as well as an increase in the overall building height. Although the modifications will result in an increase in height and density on the site, the redesigned proposal will result in a sleeker, more-streamlined mixed use building with a narrower floor plate. This will not only improve internal amenity within the residential apartments in the modified development but will result in an improved urban design outcome in the Parramatta CBD.

The proposed amendments will result in an increased number and diversity in the apartment mix, in line with market demand and consistent with the principles of improving housing affordability. The changes to the building envelope, building facades, and ground level interface, will result in a far improved design and development, and will raise the quality of building stock in the Parramatta CBD. The amended building design positively responds to its local surroundings, and once complete will enhance the streetscape and wider CBD.

In addition, the modified proposal offers a number of public benefits including an enhanced archaeological display area and public plaza, improved relationship to the Marsden, Macquarie and Hunter Street streetscapes and a through-site link.

The modifications also provide a grand lobby area with entrances off all three street frontages. This increased accessibility combined with the provision of four distinct uses on the site – residential, retail, serviced apartments and conference/function centre – will increase activity in and around the site, as well as in the broader Parramatta CBD.

This EAR has demonstrated that the amended design is generally consistent with the approved scheme, and adequately responds to the development controls and standards contained within the relevant EPIs and polices. It responds appropriately to all of the heads of consideration set out in the DGRs.

As demonstrated within this report and the accompanying plans and specialists documents, the modifications will not result in any adverse environmental impacts. In light of the above benefits and in the absence of any negative environmental impacts, the application is recommended for approval.