



Planning & Environment

Contact: Amy Watson
Phone: 02 9228 6379
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Our ref: MP09_0167 MOD 3

Ms Kim Shmuel
Principal Planner
JBA Urban Planning Consultants Pty Ltd
Level 7, 77 Berry Street
NORTH SYDNEY NSW 2060

Dear Ms Shmuel,

RE: REQUEST FOR SECRETARY'S ENVIRONMENTAL ASSESSMENT REQUIREMENTS, 45-47 MACQUARIE STREET AND 136-140 MARSDEN STREET, PARRAMATTA (MP 09_0167 MOD 3).

I refer to your letter of 19 June 2014, requesting Secretary's Environmental Assessment Requirements for a proposed modification to MP 09_0167 issued for a mixed use development at 45-47 Macquarie Street and 136-140 Macquarie Street, Parramatta.

I have reviewed your request which outlines the proposed modification including an increase in height of Section D, an increase in gross floor area, provision of additional residential apartments and/or serviced apartments, provision of a rooftop bar over Section C and strata subdivision.

I consider that the previous Environmental Assessment Requirements issued on 22 June 2012 (copy attached) for Modification 2 remain relevant for the proposed modification. Based upon the information provided in your letter, it is not considered necessary to issue new Environmental Assessment Requirements.

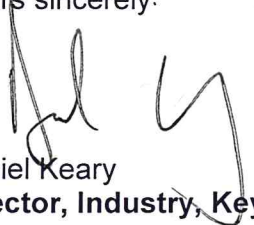
I note that the proposed modification involves an increase in height within Section D and that potential impacts on the world heritage listed Old Government House and Domain have not previously been assessed. On this basis, the department maintains that the proposed modification should be referred to the Minister for Environment to determine whether the proposal is a controlled action and requires formal assessment and approval under the *Environmental Planning and Biodiversity Conservation Act 1999*.

Any modification request should also provide:

- details on the proposed land uses, specifically including the provision of residential and serviced apartments within Section D;
- a plan of management for the proposed rooftop bar on Level 26 of Section C; and
- stratum subdivision plans.

Your contact officer for this proposal, Amy Watson, can be contacted on 9228 6379 or amy.watson@planning.nsw.gov.au. Please mark all correspondence regarding this proposal to the contact officer.

Yours sincerely.


Daniel Keary
Director, Industry, Key Sites and Social Projects

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Contact: Kate MacDonald
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Our ref: MP09_0167 MOD 2

Mr Andrew Duggan
Director, Research and Advice
JBA Planning
Level 7, 77 Berry Street
NORTH SYDNEY NSW 2060

Dear Andrew,

RE: REQUEST FOR PROVISION OF DETAILS OF KEY ISSUES AND ASSESSMENT REQUIREMENTS, 45 – 47 MACQUARIE STREET, PARRAMATTA (MP 09_0167 MOD 2).

I refer to your letter of 30 April 2012, requesting Director-General's Requirements for Modification 2 to MP 09_0167.

I have attached a copy of the Director-General's Requirements (DGRs) for the preparation of an Environmental Assessment for the proposed modification. The DGRs have been prepared based on the information you have provided to date.

Should public authorities who were consulted with on the DGRs outline a need for the requirements to address an additional key issue, the department may modify the DGRs by further notice. Under section 75F(3) of the *Environmental Planning and Assessment Act 1979*, the Director-General may alter these requirements at any time.

Prior to exhibiting the Environmental Assessment, the department will review the document to determine if it adequately addresses the DGRs. The department may consult with other relevant government authorities in making this decision. Please provide 1 hard copy and 1 electronic copy of the Environmental Assessment to assist this review.

If the Director-General considers that the Environmental Assessment does not adequately address the DGRs, the Director-General may require you to revise the Environmental Assessment. Once the Director-General is satisfied that the DGRs have been adequately addressed, the Environmental Assessment will be made publicly available.

If your development is likely to have a significant impact on matters of National Environmental Significance, it will require approval under the *Environmental Protection and Biodiversity Conservation Act 1999* (EPBC Act). This approval would be in addition to any approvals required under the NSW legislation and it is your responsibility to contact the Department of Sustainability, Environment, Water, Population and Communities to determine if an approval under the EPBC Act is required for your development (<http://www.environment.gov.au> or 6247 1111).

Your contact officer for this proposal, Kate MacDonald, can be contacted on 9228 6435 or kate.macdonald@planning.nsw.gov.au. Please mark all correspondence regarding this proposal to the contact officer.

Yours sincerely

Heather Warton

Director

Metropolitan and Regional Projects North

ATTACHMENT A

Director-General's Requirements Section 75F of the <i>Environmental Planning and Assessment Act 1979</i>	
Application number	MP 09_0167
Project	Modification of MP 09_0167
Location	45 – 47 Macquarie Street and 134 – 140 Marsden Street, Parramatta
Proponent	Crown International Holdings (Crown)
Date issued (modified)	
Key issues (Core)	The modification application must address the following key issues to the extent applicable to the modification application: 1. Relevant EPI's policies and Guidelines to be Addressed Planning provisions applying to the site, including permissibility and the provisions of all plans and policies including: • SEPP (Building Sustainability Index: BASIX) 2004 • SEPP 65 – Design Quality of Residential Flat Development • Residential Flat Design Code (Planning NSW, 2002) • SEPP (Infrastructure) 2007, with particular reference to clauses 85,86 and 88 • <i>Draft West Central Sub-regional Strategy</i> • nature and extent of any non-compliance with Parramatta City Council's environmental planning instruments (including <i>Parramatta City Centre LEP 2007</i> and <i>Parramatta City Centre DCP 2007</i>). 2. Built Form The modification application shall address the height, bulk and scale of the approved development against the proposed development within the context of the locality and existing planning controls. The modification application shall also provide the following: • comparable height study to demonstrate how the approved and proposed building 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) • a thorough and detailed justification of any height and FSR non compliance • a description of the public benefits proposed to offset the impacts of the additional height proposed under the modification • advice/recommendations from the design review panel. 3. Urban Design The modification application shall address the design quality with specific consideration of the façade, massing, setbacks, building articulation, use of appropriate colours, materials/finishes, landscaping, safety by design and public domain. In addition the application shall address compliance with the design excellence requirements of clause 22B of the <i>Parramatta City Centre LEP 2007</i>. The modification application shall also address the methods proposed to activate the 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.

4. 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).

5. 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).

6. Transport and Accessibility (Construction and Operational)

The modification application shall provide:

- justification of the proposed quantum of on-site car parking for the proposal having regard to the RTA guidelines and accessibility of the site to public transport
- daily and peak traffic movements likely to be generated by the proposed development, including modelling and assessment of the performance of key intersections providing access to the site, and 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 coordinated intersection operation
- preparation of a Travel Demand Management Plan that provides an analysis of public transport provision, walking and cycling connections with 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

7. 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.

8. 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*.

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*.

9. 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.

10. Staging

The modification application must include details regarding the staging of the proposed development (if proposed).

11. 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 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.

12. Consultation

Undertake an appropriate and justified level of consultation in accordance with the Department's *Major Project Community Consultation Guidelines October 2007*.

13. Other Impacts

In the event that the extent of excavation approved under MP 09_0167 increases, or other changes to the treatment of 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*.

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 material 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.

Drainage - The modification application shall address drainage/flooding issues associated with the development/site, including: stormwater, drainage infrastructure and incorporation of water sensitive urban design measures.

	<u>Sydney CBD Metro</u> - 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.
	40 days

Plans and Documents to Accompany the Application

<u>General</u>	The modification application must include: 1. A thorough site analysis including site plans, areal photographs and a description of the existing and surrounding environment. 2. A thorough description of the proposed development. 3. An assessment of the key issues specified above and a table outlining how these key issues have been addressed. 4. An assessment of the potential impacts of the project and a draft Statement of Commitments, outlining environmental management, mitigation and monitoring measures to be implemented to minimise any potential impacts of the project. 5. A signed statement from the author of the modification application certifying that the information contained in the report is neither false nor misleading. 6. A Quantity Surveyor's Certificate of Cost to verify the capital investment value of the project (in accordance with the definition contained in the Major Projects SEPP). 7. A conclusion justifying the project, taking into consideration the environmental impacts of the proposal, the suitability of the site, and whether or not the project is in the public interest.
<u>Plans and Documents</u>	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 (sq.m) and north point • the existing levels of the land in relation to buildings and roads • location and height of existing structures on the site • location and height of adjacent buildings and private open space • all levels to be to Australian Height Datum. 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). 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. 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 <i>Disability Discrimination Act</i> • 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 • 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. 5. Other plans (to be required where relevant): • Stormwater Concept Plan - illustrating the concept for stormwater management • 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 • 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 • View Analysis - Visual aids such as a photomontage must be used to demonstrate visual impacts of the proposed building envelopes in particular having regard to the siting, bulk and scale relationships from key areas • 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 • 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 3.00 pm.
<u>Documents to be submitted</u>	• 1 copy of the modification application, plans and documentation for the Test of Adequacy • 12 hard copies of the modification application (once the modification application has been determined adequate) • 12 sets of architectural and landscape plans to scale, including one (1) set at A3 size (to scale) • 12 copies of the modification application and plans on CD-ROM (PDF format), not exceeding 5Mb in size.