

MODIFICATION REQUEST:

Project Application for Mixed Use Development

45-47 Macquarie Street and 134-140 Marsden Street, Parramatta

MP09_0167 MOD4



Secretary's Environmental Assessment Report
Section 75W of the
Environmental Planning and Assessment Act 1979

October 2015

Cover image: Axonometric view of the Hunter and Marsden Street elevations (source: proponent's RtS)

© Crown copyright 2015
Published October 2015
NSW Department of Planning & Environment
www.planning.nsw.gov.au

Disclaimer:

While every reasonable effort has been made to ensure that this document is correct at the time of publication, the State of New South Wales, its agents and employees, disclaim any and all liability to any person in respect of anything or the consequences of anything done or omitted to be done in reliance upon the whole or any part of this document.

EXECUTIVE SUMMARY

Crown Landmark Development Pty Ltd (the proponent) seeks approval to modify the project approval (MP10_0167) for the development at 45-47 Macquarie Street and 134-140 Marsden Street, Parramatta, pursuant to Section 75W of the *Environmental Planning and Assessment Act 1979*.

On 28 October 2011, the Planning Assessment Commission (Commission) approved a project application for the construction of part 10 to 26 storey mixed use buildings. The Commission subsequently approved modifications to the project application providing for the construction of part 11 part 28 storey mixed use buildings comprising 477 apartments, 42 serviced apartments, 1,240m² retail/restaurant floor space, a 423m² archaeological interpretation centre and six levels of car parking including 566 car parking spaces.

This modification application proposes an increase in the number of apartments, internal and external amendments, provision of a roof top bar and stratum subdivision.

The Department publicly exhibited the application from 29 October 2014 until 28 November 2014 and received three submissions from public authorities and no public submissions. Parramatta City Council did not object to the proposal, however, it provided comments on the design of the building and proposed public benefits.

The proponent submitted a Response to Submissions to address the issues raised during the exhibition period and to clarify key issues. Council reiterated its comments on design and public benefits following its consideration of the Response to Submissions.

The key issues in the Department's assessment are built form, developer contributions and public benefit and signage.

The increase of the height of Block D will maintain an appropriate built form transition to the neighbouring site fronting Hunter Street to the west, with no additional overshadowing or privacy impacts to neighbouring properties. The Hunter Street façade of Block D has been articulated and adequately provides for visual interest.

The Department considers that the development provides for sufficient public benefit through condition B4, which ensures that the increase in the Capital Investment Value arising from this modification will result in a corresponding increase in developer contributions.

The building and business identification signs and signage zones are appropriately integrated into the design of the building and subject to the deletion of one signage zone would not have an unacceptable visual impact.

The Department also considered matters relating to the rooftop bar, residential amenity and other minor amendments to the conditions and is satisfied that the impacts have been satisfactorily addressed within the proponent's application, RtS and the Department's recommended conditions.

The proposal is a controlled action under the Environmental Protection and Conservation Act 1999 as the site is approximately 100 metres from the World Heritage listed Old Government House and Domain. The proponent has lodged a separate application to the Commonwealth Department of Environment, which is currently under assessment. This separate process does not cause an impediment to the determination of this application.

The Department therefore recommends that the Commission approve the proposed modification subject to amended terms of approval, modifications and future assessment requirements.

TABLE OF CONTENTS

1.BACKGROUND	1
1.1 The site and surroundings	1
1.2 Previous Approvals	2
2. PROPOSED MODIFICATION	2
3. STATUTORY CONTEXT	6
3.1 Continuing Operation of Part 3A to Modify Approvals	6
3.2 Modification of a Minister's Approval	6
3.3 Secretary's Environmental Assessment Requirements	6
3.4 Delegated Authority	7
3.5 Environmental Protection and Biodiversity Conservation Act 1999 Approval	7
4. CONSULTATION AND SUBMISSIONS	7
4.1 Exhibition	7
4.2 Submissions	8
4.3 Response to Submissions	8
5. ASSESSMENT	8
5.1 Built form	9
5.2 Public benefits	12
5.3 Signage	12
5.4 Other	14
6. CONCLUSION AND RECOMMENDATIONS	
APPENDIX A RELEVANT SUPPORTING INFORMATION	
APPENDIX B CONSIDERATION OF SEPP 64 AND SEPP 65	
APPENDIX C RECOMMENDED MODIFYING INSTRUMENT	

1. BACKGROUND

The purpose of this report is to provide an assessment of a section 75W modification application to a Project Approval (MP09_0167 MOD4) for a mixed use development at 45 - 47 Macquarie Street and 134 - 140 Marsden Street, Parramatta. The proposal seeks approval for an increase in the number of apartments, internal and external amendments, provision of a roof top bar and stratum subdivision.

1.1 The site and surroundings

The site is known as 45 - 47 Macquarie Street and 134 - 140 Marsden Street and is located in the Parramatta CBD, approximately 25 kilometres west of the Sydney CBD, within the Parramatta Local Government Area (LGA) (refer to **Figure 1**).

The site is rectangular in shape and has frontages to Macquarie Street to the north, Marsden Street to the east, Hunter Street to the south and adjoins low-rise mixed use buildings immediately to the west. The site has a total area of 4,898m² and is generally flat. Construction of the approved redevelopment (MP09_0167) is underway.

The site is located approximately 150 metres to the north west of the Parramatta train station, 100 metres north of Westfield Shopping Centre, 150 metres south east of Parramatta Park and 500 metres south east of Old Government House. A location plan is provided at **Figure 1** below.

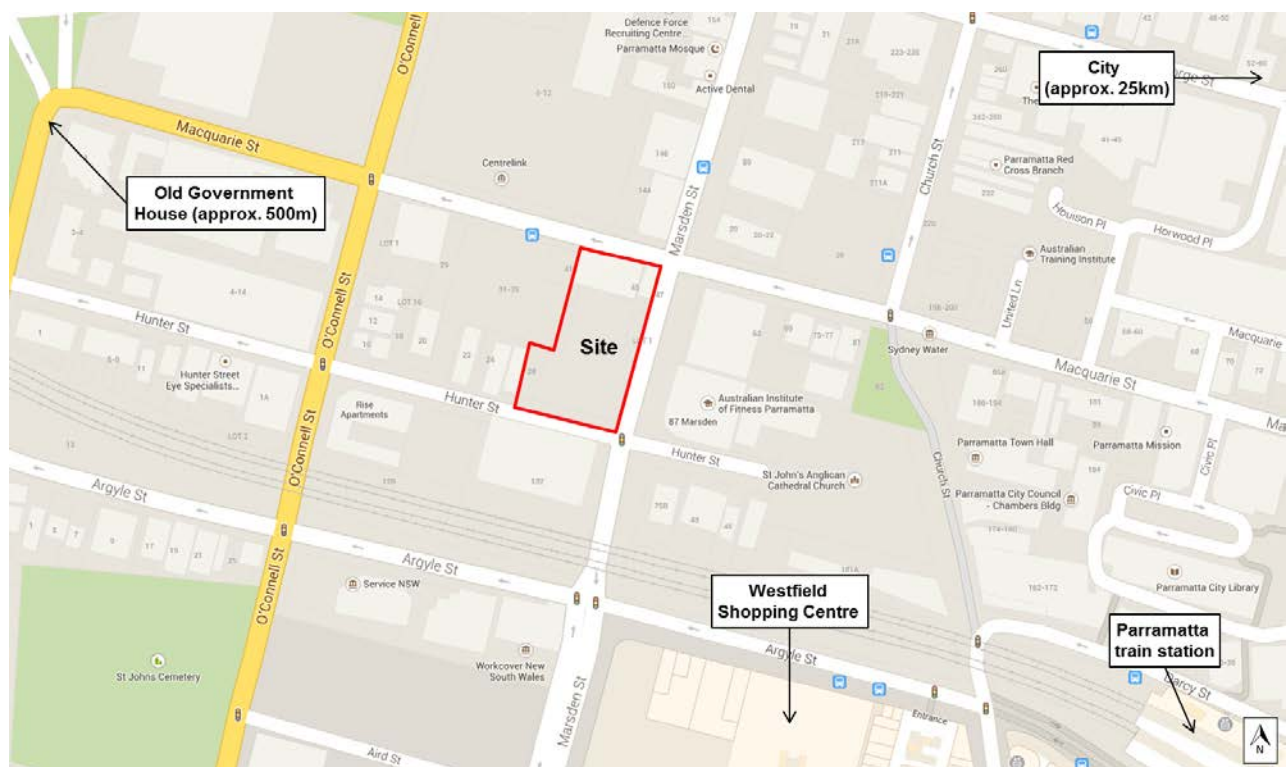


Figure 1: Local Context Plan (Base source: Google Maps)

The character of the surrounding area is mixed and includes low to high density commercial/retail, office and residential buildings. The Parramatta CBD is identified in *A Plan for Growing Sydney* as Sydney's second CBD. Council has identified that high density development will play a critical role in stimulating growth within Parramatta and achieving its status as Sydney's second CBD as outlined in **Section 2.2**.

1.2 Previous Approvals

On 28 October 2011, the Planning Assessment Commission (Commission) approved a project application (MP09_0167) for the construction of a part 10 to 26 storey mixed use development comprising four tower blocks (A to D) with an 'L' shaped footprint and including:

- 367 residential apartments;
- 2,952m² of commercial gross floor area (GFA);
- 1,240m² of retail and restaurant GFA;
- 316m² archaeological interpretation centre; and
- six levels of basement car parking accommodation 535 car parking spaces, 86 bicycle spaces, and four motorcycle spaces.

The Project Approval has since been modified on three occasions as summarised in **Table 1** below.

Table 1 – Modifications to approved Project Application MP09_0167

Mod No.	Description of Modification	Approved
Mod 1	Amendment of condition B4 to allow the staged payment of Section 94 contributions.	22 Mar 2012
Mod 2	Amendment of the proposal including an increase in the: <ul style="list-style-type: none">• height of Blocks A to D, a reduction of the height of the podium and alterations of the podium and tower facades;• number of residential apartments to 477 and introduction of 42 serviced apartments (519 in total);• GFA from 40,522m² to 43,242m²;• size of the archaeological interpretation centre to 423m²; and• number of car parking spaces from 535 to 566 spaces and internal reconfiguration of basement car parking layout.	26 Jun 2014
Mod 3	Amendment condition A16 relating to the archaeological display area.	14 Aug 2014

2. PROPOSED MODIFICATION

2.1 Modification Description

The modification application proposes the following key changes:

- increase the height of Block D by seven storeys (from RL 54.8 metres (12 storeys) to RL 74.90 (19 storeys);
- increase in overall GFA of 3,822.33m² (from 43,424.67m² to 47,247m²);
- an increase of 114 residential apartments (from 477 to 591);
- deletion of all 42 serviced apartments;
- expansion of the conference centre at second floor level;
- amendment and expansion of the archaeological interpretation centre and display area;
- external amendments to all facades;
- provision of a roof-top bar and outdoor terrace at level 26 of Block C;
- an increase of eight car parking spaces (from 566 to 574) and reconfiguration of basement car parking levels;
- stratum subdivision of uses; and
- provision of building and business identification signage and signage zones.

Comparison images of the approved and proposed modified concept plan are shown at **Figures 2 and 3**. Further details of the proposed modifications are provided at **Appendix A**.

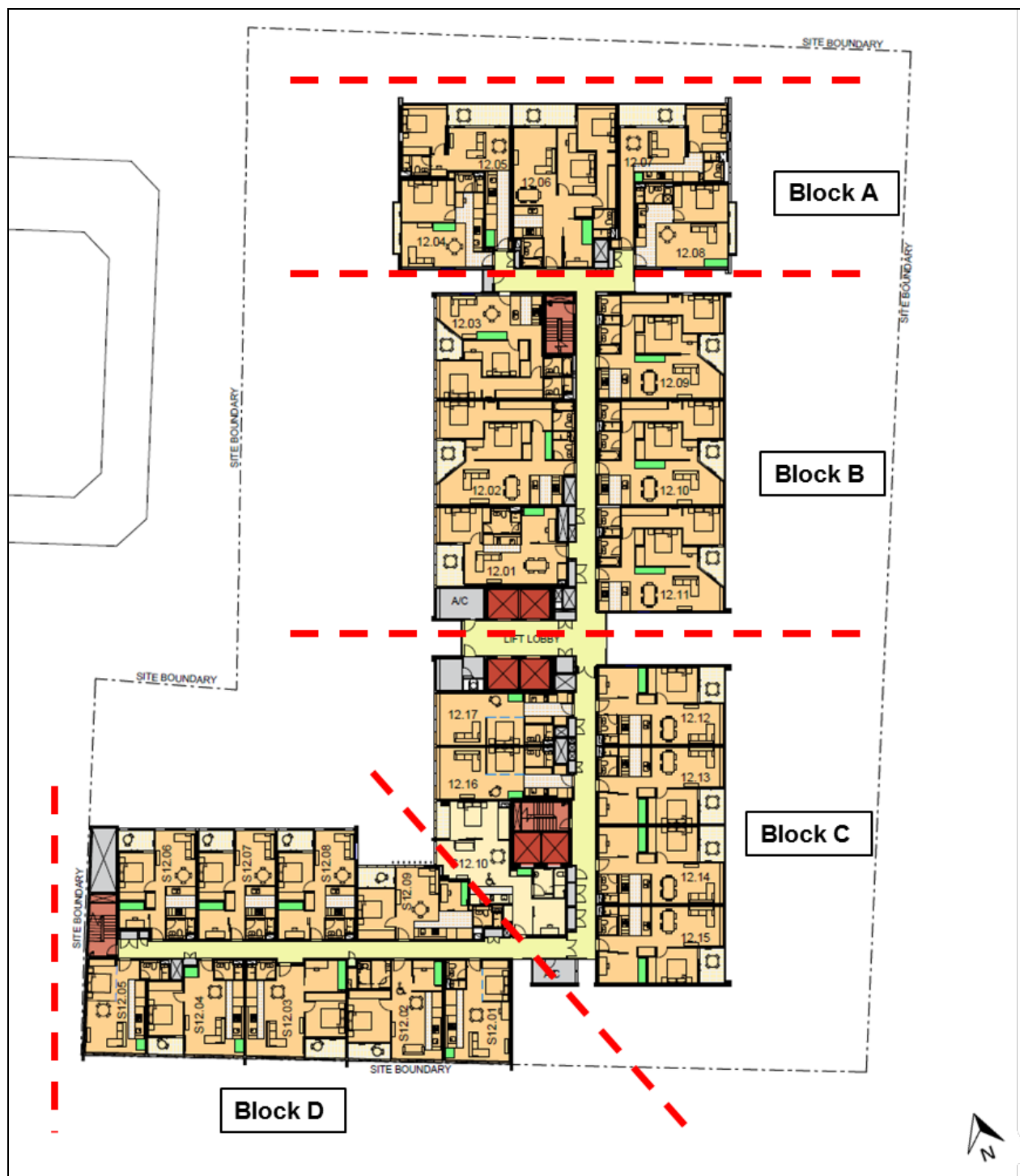


Figure 2: Proposed typical layout of the four blocks that make up the development (Base source: proponent's RtS)

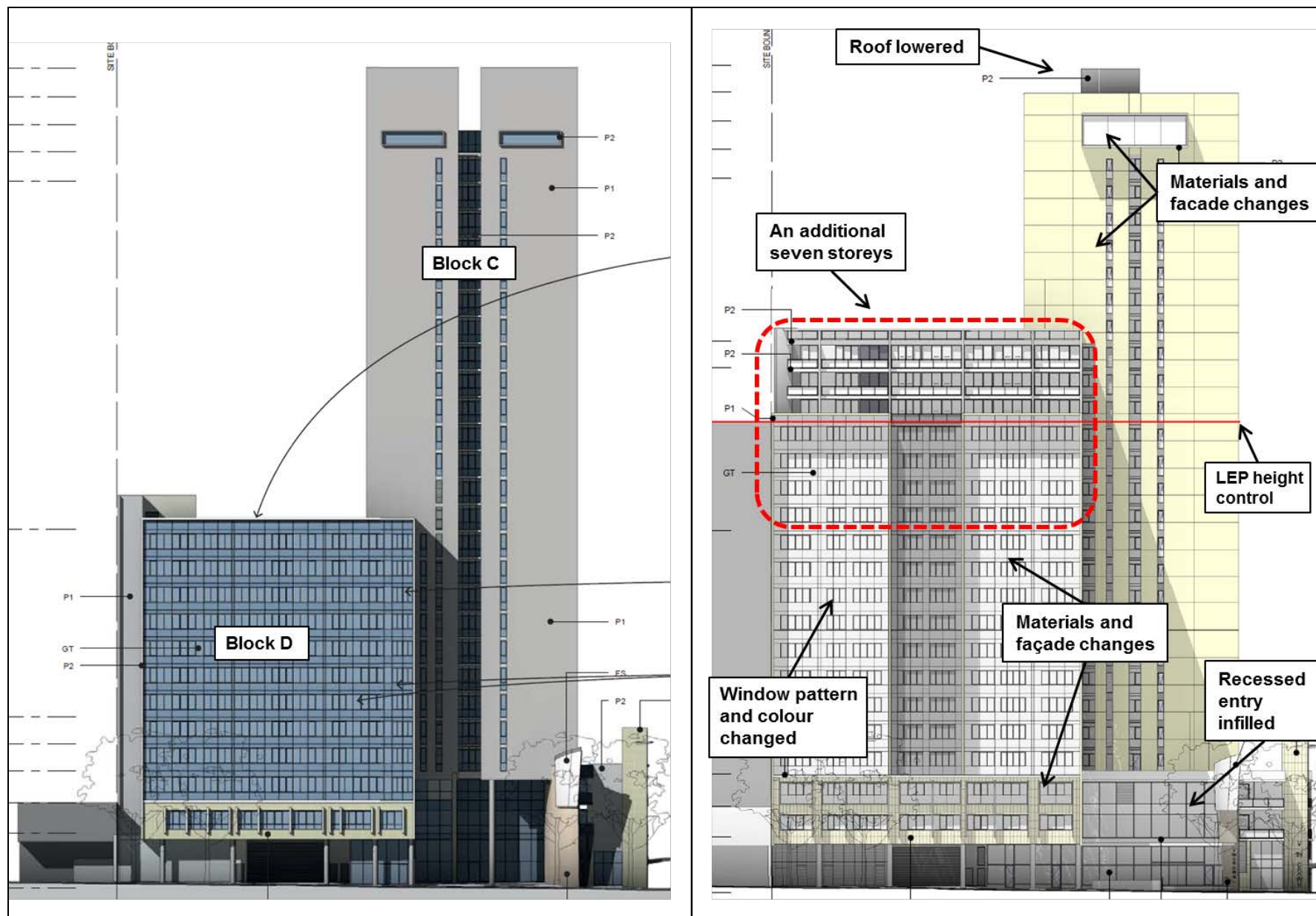


Figure 3: Comparison between the approved (left) and proposed (right) Hunter Street elevation (Base source: proponent's EIS and RtS)

2.2 Strategic Context

A Plan for Growing Sydney

A Plan for Growing Sydney sets out the NSW Government's vision for Sydney to 2031. The Plan anticipates that the population of Sydney will increase by 1.6 million people by 2031 and this will result in the need for approximately 689,000 new jobs and 664,000 new homes across the metropolitan area.

The Plan encourages growth and urban renewal and aims to make the best use of transport and infrastructure, making Sydney more sustainable and efficient. In planning for growth, the Plan focuses on urban renewal in Strategic Centres, areas close to transport hubs and corridors. The plan places specific emphasis on the role of Parramatta as a Central Business District at the centre of the Sydney metropolitan area and a key priority of the plan is to grow Parramatta as Sydney's second CBD and as part of the Global Economic Corridor.

The proposed additional floor space will assist with growing the city of Parramatta. The provision of apartments will assist in strengthening the role of the Parramatta CBD as a Regional City and part of the Global Economic Corridor. The site's central location and proximity to public transport will make use of existing infrastructure and encourage walking, cycling and the use of public transport.

Parramatta CBD Planning Strategy

On 27 April 2015 Parramatta City Council adopted the *Parramatta CBD Planning Strategy*. The objectives of the strategy are to set the vision for the growth of Parramatta CBD as Australia's next great city, establish principles to guide a new planning framework for the CBD and provide a clear implementation plan for the delivery of the new planning framework.

Under the strategy, a new planning framework for the CBD, through a planning proposal and LEP, is expected to be finalised by the end of 2016.

Subject to further testing and studies, the Plan indicates a potential new FSR control of 10:1 applying to the majority of the CBD east of Marsden Street, with a potential additional 15 per cent floor space bonus for sites displaying design excellence. It also indicates the potential removal of maximum building height controls for the most of the CBD as shown in **Figure 4**. The blocks adjacent to the World Heritage listed Old Government House and Domain (OGHD), including the subject site, are excluded from the area for potential increased FSR/removal of building heights. The current FSR (6:1) and height controls (54 metres) will be retained for these blocks to ensure that future development retains the heritage values of the OGHD precinct.

Notwithstanding this, the Department notes that the site is immediately adjacent to the western most boundary of the area of proposed FSR increase/no height controls and is 105 metres from the OGHD. While the proposed height increase of Block D exceeds the current and likely future LEP control (by 20.9 metres), it remains nine storeys (37.1 metres) below the maximum approved height of Blocks A to C, which was previously assessed as a reasonable scale of development for this site. Further the 9% increase in GFA is considered minor in the context of the scale of the overall development and also contribute to the growth of Parramatta CBD

As discussed in **Section 5.1.2**, the proponent's visual analysis demonstrates that the additional height will not be visible from OGLD, and is subject to a separate assessment and approval process under the *Environmental Protection and Biodiversity Conservation Act 1999*.

On this basis, the Department is satisfied that the proposed increase in height and GFA can be accommodated within the development without adverse impacts on the OGLD and is therefore consistent with Council's broad strategic intention for the CBD. The Department has considered the increase in building height and GFA in detail in **Section 5.2**.

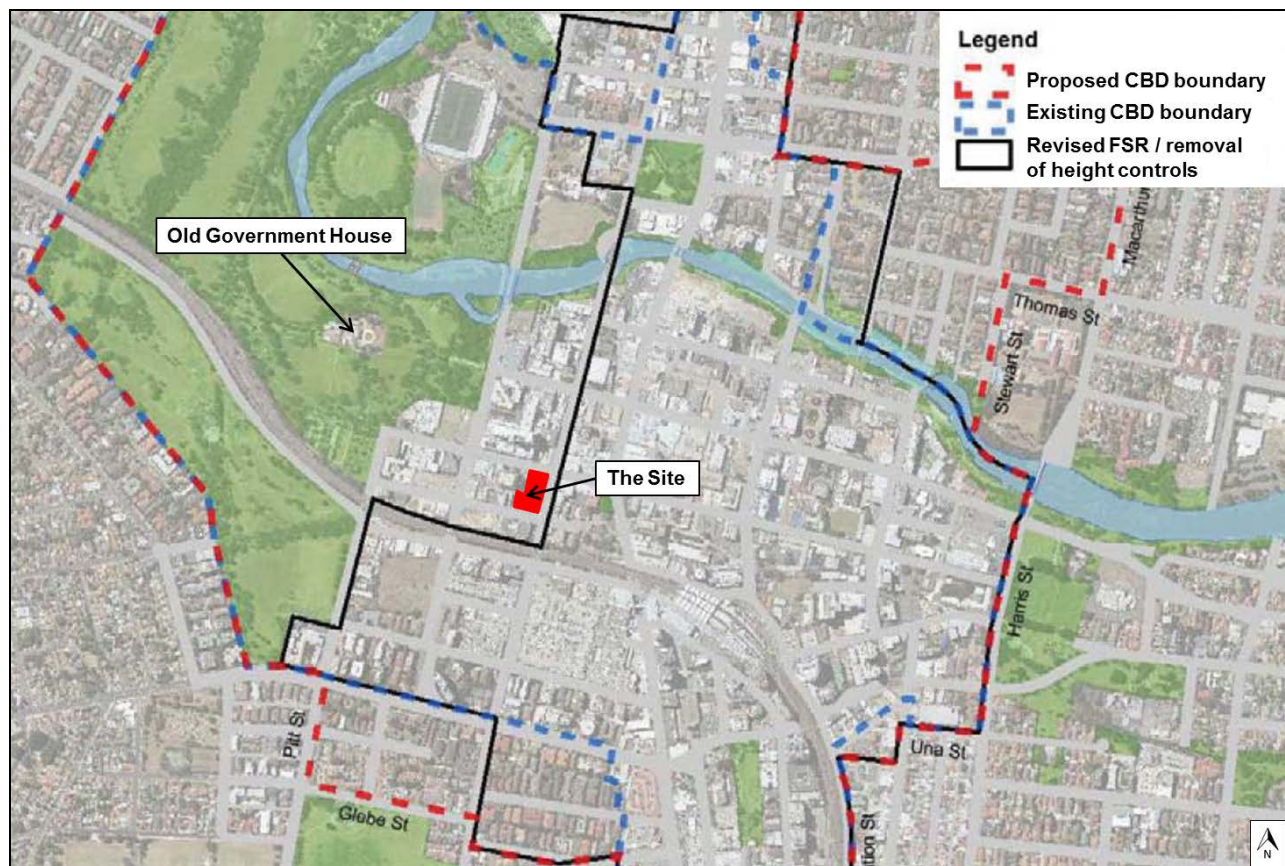


Figure 4: Proposed revised FSR controls and removal of height controls (Base source: Parramatta CBD Planning Strategy)

3. STATUTORY CONTEXT

3.1 Continuing Operation of Part 3A to Modify Approvals

In accordance with clause 3 of Schedule 6A of the EP&A Act, section 75W of the EP&A Act as in force immediately before its repeal on 1 October 2011 and as modified by Schedule 6A, continues to apply to transitional Part 3A projects.

Consequently, this report has been prepared in accordance with the requirements of Part 3A and associated regulations, and the Minister (or his delegate) may approve or disapprove of the carrying out of the project under section 75W of the EP&A Act.

3.2 Modification of a Minister's Approval

The modification application has been lodged with the Secretary pursuant to section 75W of the EP&A Act. Section 75W provides for the modification of a Minister's approval including *'revoking or varying a condition of the approval or imposing an additional condition on the approval'*.

The Minister's approval for a modification is not required if the project as modified will be consistent with the existing approval. However, in this instance, the proposal seeks to make substantial changes to the approved building and modify specific conditions of the approval, which require further assessment and therefore approval is required.

3.3 Secretary's Environmental Assessment Requirements

Section 75W(3) of the EP&A Act provides that the Secretary may notify the proponent of Secretary's Environmental Assessment Requirements (SEARs) with respect to the proposed modification that the proponent must comply with before the matter will be considered by the Minister.

In this instance, following an assessment of the modification request, it was not considered necessary to notify the proponent of SEARs as suitable information was provided to the Department to consider the application.

3.4 Delegated Authority

Consistent with the Minister for Planning's delegation, the application can be determined by the Planning Assessment Commission.

3.5 Environmental Protection and Biodiversity Conservation Act 1999 Approval

The site is located within 105 metres of the south eastern boundary of the OGHD, which is listed on the National and World heritage registers. The OGHD is a matter of national environmental significance (NES) and protected under the *Environmental Protection and Biodiversity Conservation Act 1999* (EPBC Act).

Under the EPBC Act, a person must not take an action that has, will have, or is likely to have a significant impact on matters of NES without the approval of the Australian Government Minister for the Environment. The proponent is required to determine whether an action is likely to have a significant impact. The Federal Department of Environment (FDE) also provides formal advice on whether a proposed action will have a significant impact and therefore be a 'controlled action'.

As the original development was deemed to be a controlled action, the Department recommended that the proponent refer the proposal to the FDE to confirm it was a controlled action.

On 14 September 2014, the proponent referred the application to the FDE. On 3 March 2015 the FDE confirmed that the proposal is a 'controlled action' and therefore requires assessment and approval under the EPBC Act. The proponent has confirmed that it has submitted its application to the FDE and is seeking the necessary approval under the EPBC Act.

Although the proponent is required to obtain approval under the EPBC Act for the controlled action, this has not been sought (under any bilateral agreement) as part of this assessment and therefore does not prevent the determination of the modification application under the EP&A Act. The Department therefore recommends an advisory note reminding the proponent to obtain the necessary EPBC Act approval.

4. CONSULTATION AND SUBMISSIONS

4.1 Exhibition

Under section 75X(2)(f) of the EP&A Act, the Department is required to make a modification request publicly available. With regard to public notification the Department:

- publicly exhibited the application from 29 October 2014 until 28 November 2014 on the Department's website, at the Department's Information Centre and at Parramatta City Council; and
- advertised the public exhibition in the Sydney Morning Herald, Daily Telegraph and Parramatta Advertiser on 29 October 2014; and
- notified landowners and relevant state and local government authorities in writing.

The Department received three submissions from public authorities, including Parramatta City Council, Roads and Maritime Services and the Heritage Council. No submissions were received from the general public. An additional submission was received in response to the RtS from Council.

The Department has considered the issues raised in submissions in its assessment of the proposed modification. A summary of the issues raised in the submissions is provided below.

4.2 Submissions

A summary of submissions received from government authorities is provided in **Table 2** below.

Table 2: Summary of public authority submissions

Parramatta City Council	
Environmental Impact Statement	<p>Council does not object to the modification and SSD proposals. However, it raised the following key issues:</p> <ul style="list-style-type: none"> the design of the Hunter Street elevation of Block D lacks compositional clarity and the distinction between the taller and shorter elements of the development has been diminished; additional information is required about potential overshadowing impacts on properties to the south; Section 94A contributions should be adjusted to reflect the change in cost of the development; and the application should demonstrate what additional public benefits it will deliver.
Response to Submissions	<p>Council stated that the RtS did not adequately address the following matters:</p> <ul style="list-style-type: none"> the design of the Hunter Street elevation of Block D lacks compositional clarity and the distinction between the taller and shorter elements of the development has been diminished; Section 94A contributions should be adjusted to reflect the change in cost of the development; and additional public benefit and/or affordable housing should be provided. <p>Conditions were suggested relating to noise, management and operation of the roof-top bar and car and bicycling parking design and layout.</p>
Roads and Maritime Services	
Environmental Impact Statement	Roads and Maritime Services raised no objection to the proposed modifications
Heritage Council	
Environmental Impact Statement	The Heritage Division raised no objection to the proposed modifications

No submissions were received from the general public.

4.3 Response to Submissions

The proponent provided a response to the issues raised in submissions (**Appendix A**) and includes amendments and further clarification of the proposed modifications as outlined in **Section 2**.

The Department is satisfied that the issues raised in all submissions have been addressed through the Response to Submissions, this report and the recommended conditions.

5. ASSESSMENT

The Department considers that the key assessment issues are:

- built form;
- development contributions and public benefits; and
- signage.

Each of these issues is discussed in the following sections of this report. **Section 5.4** of the report discusses other issues that were taken into consideration during the assessment of the application.

5.1 Built form

The key issues associated with built form are:

- the increase in height and GFA;
- heritage view impacts; and
- architectural composition / design.

5.1.1 Height and GFA

The proposal seeks to increase the height of Block D (the smallest Block), which fronts Hunter Street, by seven storeys from 12 (RL 54.8m) to 19 storeys (74.9m). No change is proposed to the taller blocks, A to C, which are approved with a height of 28 and 30 storeys (105m and 112m).

The proposal also seeks to increase in overall GFA by 3,822.33m² (from 43,424.67m² to 47,247m²) which predominantly comprises residential GFA (114 additional apartments). The FSR will increase from 8.86:1 to 9.64:1.

The Parramatta City Centre LEP sets a height limit of 54 metres for the site (including a 10% bonus for buildings which have been the subject of a design competition) and a FSR of 6:1. As approved, the development exceeds the LEP height limit by 51 to 58 metres and the FSR by 2.86:1.

The proposed increase to the eastern tower exceeds the height control by 20.9 metres and the increase in GFA exceeds the FSR control by 3.64:1.

The Department has previously concluded that the approved building heights and GFA were acceptable as the introduction of taller towers which display design excellence in this location is consistent with the strategic vision for Parramatta CBD.

As outlined in **Section 2.2**, Council is investigating increasing the FSR (to 10:1) and removing height controls for most of the Parramatta CBD (**Figure 4**). However, Council proposes to retain the existing FSR and height controls at the site, and surrounding blocks, due to its proximity to the OGHD. Notwithstanding this, Council has raised no objection to the proposed height and increase in GFA as it is consistent with the broader future strategic direction for the city and raised no objection to the proposed increase in height in this case.

The Department is of the view that the increase in GFA and provision of an additional seven storeys is acceptable as the proposed:

- increase in building height by seven storeys (from 12 to 19 storeys) remains nine storeys less than the tallest building approved on the site and provides for an appropriate transition of built form from Blocks B/C (28 storeys) down to the neighbouring development site, which is likely to accommodate a building up to 54 metres tall (16 storeys);
- inclusion of a upper storey setback and creation of a solid parapet line would visually tie in with the current and likely future 54 metre maximum height control of the neighbouring development site, which would provide for a better built form relationship between the two sites (refer to **Figure 6**);
- setback (approximately 2.2m) of the upper three storeys reduces the visual bulk of the building and reaffirms the height and visual primacy of Blocks B/C within the context of the overall development;
- additional seven storeys would not be visible from OGHD (as discussed in **Section 5.1.2**);
- increase in height would not result in any adverse amenity impacts in terms of increased overshadowing or overlooking of neighbouring properties;
- increase in GFA and additional residential apartments will provide additional housing within the Parramatta CBD and help grow it as Sydney's second CBD consistent with *A Plan for Growing Sydney* and the *Parramatta CBD Planning Strategy*;
- increase of eight car parking spaces will not have any adverse traffic impacts; and

- additional apartments provide an acceptable level of internal amenity as discussed at **Section 5.4**.

5.1.2 Heritage View Impacts

The proposal is a controlled action under the EPBC Act as it may have impacts on the world heritage listed OLHD, as discussed at **Section 3.5**.

Notwithstanding the separate FDE assessment and further approval requirement, the Department has reviewed the proponent's view analysis and notes that as viewed from the OGHD, the additional height of the tower would remain obscured by the intervening tree canopy (**Figures 5 and 6**) and as such would have no material impacts on views from this vantage point. The Department is therefore satisfied that the proposal will not result in any unacceptable impacts on heritage views or the setting of the OGHD.

The Department concludes that any impacts on the heritage significance of the OGHD, including any impacts on views from those locations, would be negligible and are considered to be acceptable in the context of the strategic objectives for Parramatta CBD.



Figure 5: View south east of OGHD (Base source: proponent's application)



Figure 6: View south west of OGHD (Base source: proponent's application)

5.1.3 Architectural composition / design

The proposal seeks approval for the revision of the approved palette of materials for all elevations, including window design, glazing and cladding together with other minor alterations (refer to **Figures 2, 3 and 7**).

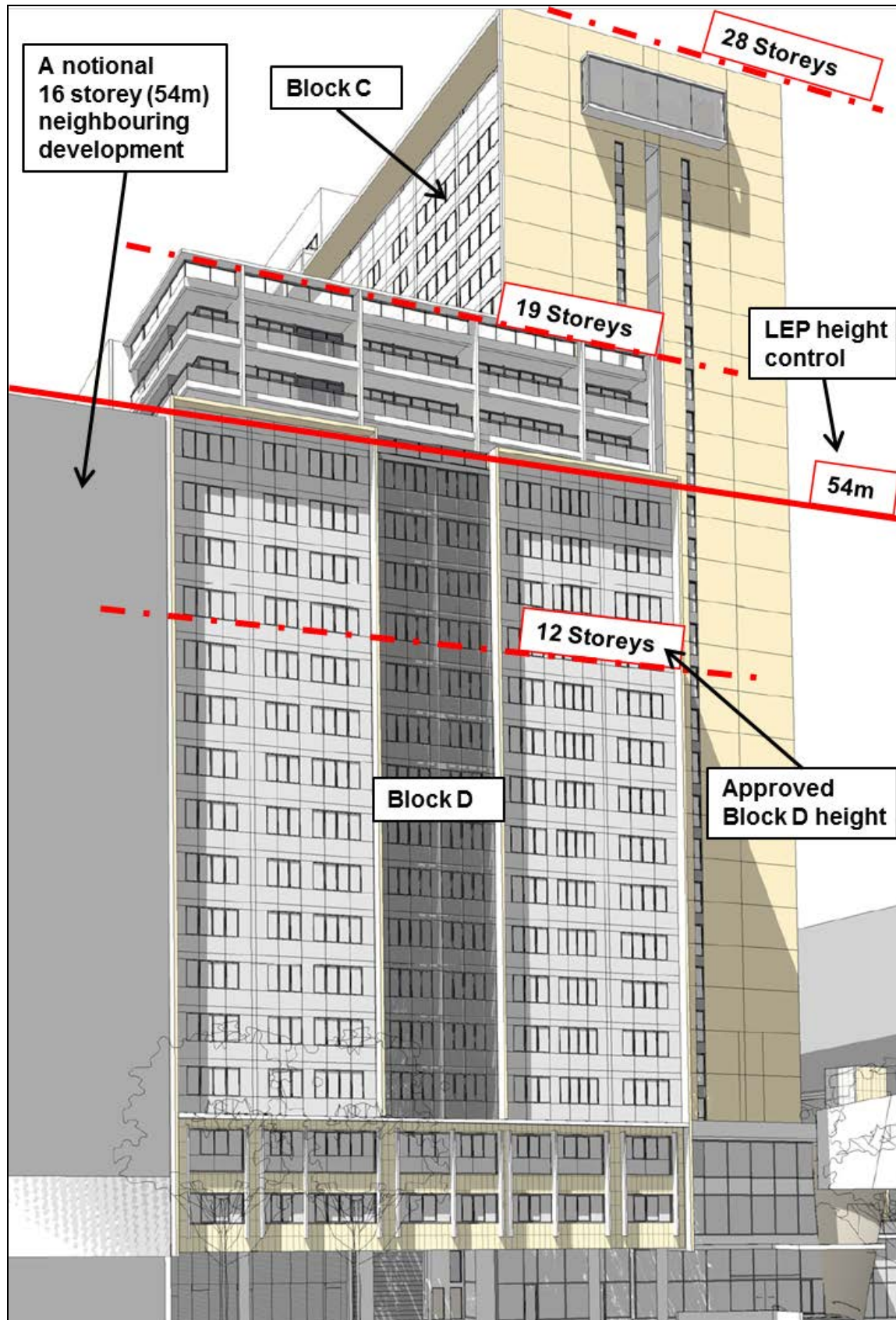


Figure 7: Proposed Hunter Street elevation of Block D (Base source: proponent's RtS)

Council raised concern that the design of the Hunter Street elevation of Block D lacks compositional clarity and the distinction between the taller and shorter elements of the development has been diminished.

In response the proponent amended the proposed Hunter Street elevation of Block D by setting back the top three floors, dividing the Hunter Street elevation into three vertical parts and providing dark glazing within the central part of the elevation to mimic the visual break / gap between Blocks B and C on Marsden Street.

The Department considers that the revised architectural composition of the Hunter Street elevation is adequate for the following reasons:

- the amendments to the façade have provided additional articulation that emphasises the vertical proportions of the building, which in turn has reduced its perceived bulk and mass;
- the three different architectural approaches to the lower, middle and upper components of the elevation provide for visual interest;
- the inclusion of darkened glazing centrally within the facade provides additional contrast and strengthens the overall verticality of the elevation; and
- the setback upper three storeys are suitably recessive and breaks down the perceived scale of the building.

The Department is of the view that the proposed changes to the approved materials are acceptable and will improve the overall design and appearance of the development.

5.2 Public benefits

The project approval includes public benefits in the form of an archaeological plaza and interpretation centre, which allows public access to the archaeological relics unearthed on the site (retained in-situ).

Council has commented that the proposed increase in GFA and height should be compensated for by a commensurate increase in public benefits and/or affordable housing.

The proponent asserts that the proposal includes additional public benefit by way of the expansion and positive reconfiguration of the layout/design of the archaeological centre. In addition, the increase in the overall CIV as a result of the modifications will result in a corresponding increase in Section 94A contributions payable to Council (equal to 3% of the total CIV), which will be to the benefit of the local community.

The Department notes that the proposed 3,822.33m² increase in GFA equates to approximately 6% of the approved GFA. The Department considers that, in the context of the overall development, the proposed increase in GFA is minor and would only result in a small increase in demand for services and infrastructure. Further, the Department is of the view that this increase in demand for services and infrastructure would be adequately provided for through the increase in S94A contributions.

In light of the above findings, the Department considers that the improvements to the archaeological centre represent a public benefit of appropriate proportion and commensurate to the extent of the modifications proposed. The Department does not therefore recommend any additional public benefits beyond what is currently proposed.

5.3 Signage

The proposal includes the provision of eight business identification and building identification signs and an additional eleven signage zones at lower levels and at roof level of the building, as shown in **Table 3** and **Figures 8, 9 and 10**.

Table 3: Proposed signage and signage zones

Signs				
No.	Dimensions (metres)	Location	Text / Design	Illumination
3	1.75 x 1.75	Level 4 and roof	Crown circular logo	Halo lit
4	0.8 x 2.7	Ground	'V by Crown Group', '45 Macquarie Street', 'Lounge', 'Heritage'	Non-illuminated
1	1.2 x 3.0	Ground	'V by Crown Group', '45 Macquarie Street', 'Lounge', 'Heritage' (includes signage panel)	Internally illuminated
Signage Zones				
No.	Dimensions (metres)	Location	Design	Illumination
6	1.75 x 0.6	Ground	Hanging retail box	Internally illuminated
2	0.6 x 0.9	Ground	retail boxes mounted on the northern lobby building support column	Internally illuminated
1	0.9 x 0.6	Ground	Projecting retail box	Internally illuminated
1	7.0 x 1.5	Ground	Facia signage zone above southern entrance	Internally illuminated
1	10 x 2	Roof	Rectangular signage zone at roof level	Internally Illuminated

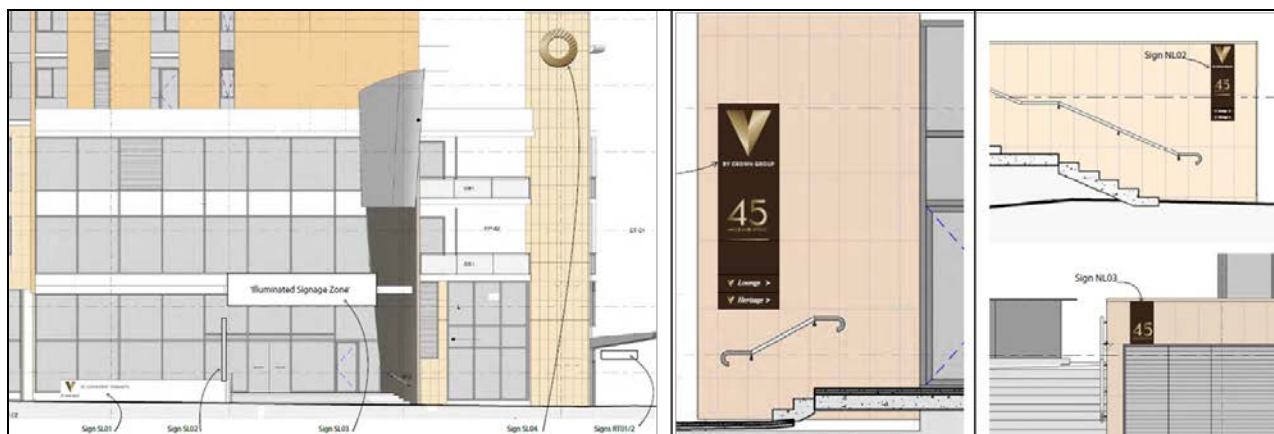


Figure 8: Three signs and two signage zones at the South Lobby (left) and three of the signs at the north lobby (middle and right) (Source: proponent's RtS)

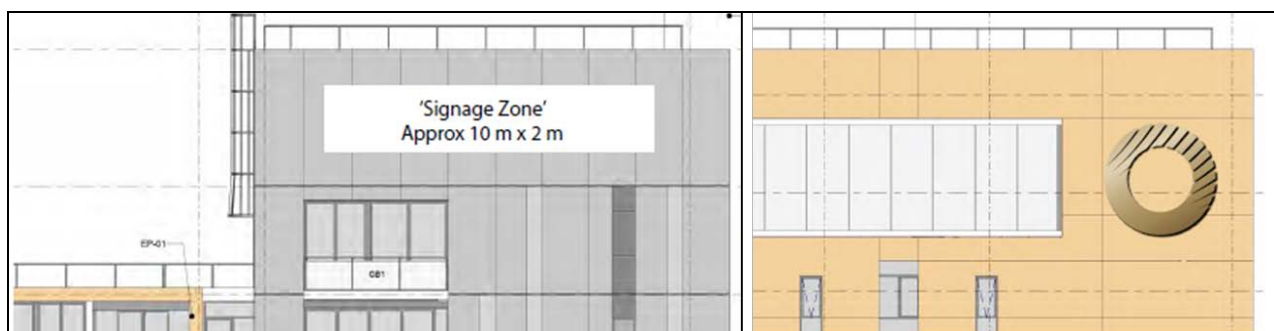


Figure 9 Signage zone (left) and Crown logo sign (right) at roof level (Source: proponent's RtS)

The Department considers that the roof level signage zone and Crown logo sign are acceptable and proportionate to the scale of the development. Further, the proponent has indicated that the roof level signage zone is expected to contain halo-lit lettering and therefore would not fill the entire expanse of the proposed 20m² signage zone.

The Department notes that there are four proposed signs in close proximity to each other at the Macquarie Street entrance, comprising two internally illuminated retail box signage zones

mounted on the building support column at the northern lobby (refer to **Figure 10**) and two building identification signs. The Department considers that the proliferation of signs in this location may result in visual clutter when considered together and in the context of the pedestrian environment. The Department therefore recommends a condition requiring the deletion of one of the internally illuminated signage zones.

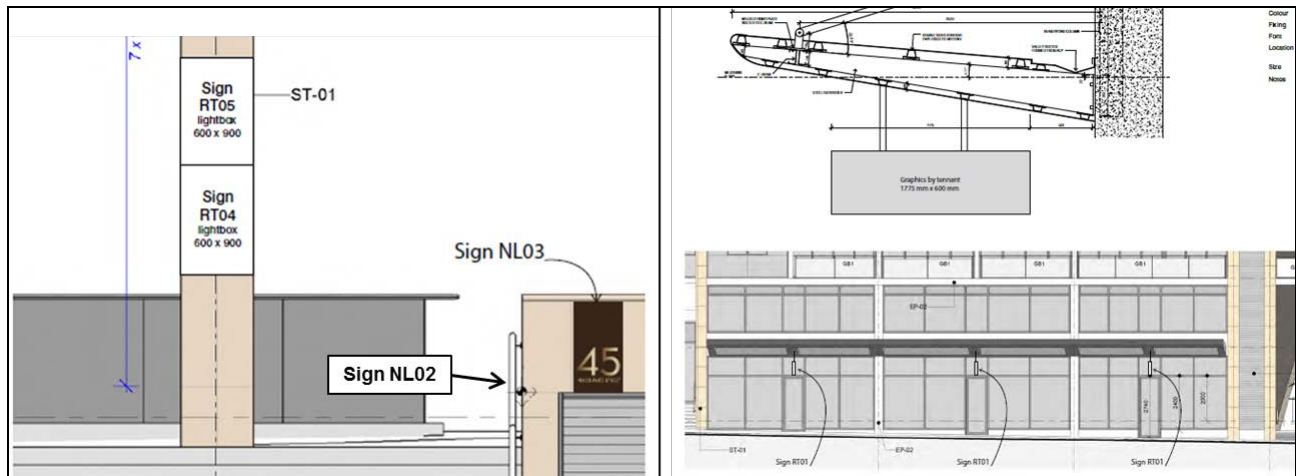


Figure 10: Support column mounted retail box signage zones (left) and hanging retail box signage zones (right) (Source: proponent's RtS)

Other than the retail signage zone discussed above, the Department supports the proposed signage as it satisfies the key assessment criteria in SEPP 64 (refer to **Appendix B**). In particular:

- it is compatible with the amenity and visual character of the area and is appropriately located and is of a high quality;
- the illumination of the upper level signage and majority of the ground level signs is unlikely to have negative impacts upon motorists or residents.
- when considered in the context of the overall building and the Parramatta CBD, it will not result in any negative impacts on adjoining properties or the public domain;
- the signage appropriately integrates into the design of the buildings;
- the scale of the signs and signage zones are acceptable within the overall context of the building and the majority of the proposed signs and signage zones are located at the lower levels of the building (situated above doorways, glazed window-fronts and/or appropriately located within the façade of the building).

5.4 Other

Roof top bar

The proposal includes the provision of a roof top bar, referred to as the V-Lounge, at level 26 of Block C (refer to **Figure 11**) and a roof terrace fronting Marsden Street. Operational details of the proposed bar are provided below:

- maximum capacity of 350 patrons;
- hours of operation between 7am and midnight, seven days a week; and
- accessed via one dedicated express lift (i.e. not stopping at residential levels) within the southern residential lobby fronting Hunter Street.

Council is satisfied with the proposed capacity, hours of operation and access to the bar provided that the overall operation does not give rise to adverse impacts on residential amenity and security. The Department has reviewed the Plan of Management submitted with the proposal is satisfied that adequate measures can be implemented to ensure that the bar does not affect residential amenity. The Department therefore recommends a condition relating to the operation of the rooftop bar that ensures the:

- bar is operated in accordance with a management plan;

- operation will not give rise to unacceptable noise impacts;
- hours of operation are not outside of 7am and midnight;
- dispersal of patrons does not have an adverse impact on amenity; and
- access from the bar to the residential circulation area at level 26 is only possible in event of emergency.

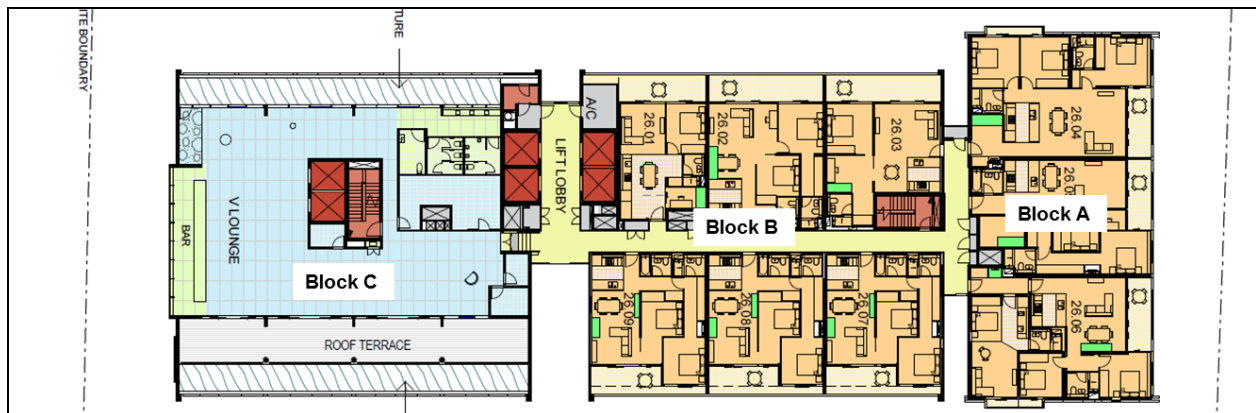


Figure 11: Proposed roof top bar (coloured blue) at level 26 of Block C (Source: proponent's RtS)

Internal residential amenity

State Environmental Planning Policy 65 – Design Quality of Residential Flat Development (SEPP 65) seeks to improve the design quality of residential flat developments. The Residential Flat Design Code (RFDC) is closely linked to the principles of SEPP 65 and sets out best practice design principles for residential flat development. The Department has carried out a comprehensive review of SEPP 65 including the replacement of the RFDC with the Apartment Design Guide (ADG), which was endorsed on 19 June 2015 and came into effect on 17 July 2015. However, SEPP 65 includes saving provisions which confirm that the previous SEPP 65 (and RFDC) still applies for development applications prior lodged prior to 19 June 2015.

The Department considered the quality of internal residential amenity as part of its assessment of the original application (and subsequent modifications). The Department considered key departures from the RFDC relating to building depth, balcony depth, internal circulation, deep soil planting natural ventilation and minimum apartment sizes and concluded that despite these departures the proposed development is acceptable.

As the proposed additional and amended apartment layouts generally replicate the layout of the approved apartments and are constrained by the parameters of the dimensions of the approved building, the development (including the additional/amended apartments) continues to include departures from the guidelines of the RFDC relating to the key issues previously considered.

Notwithstanding these departures, the Department considers that the additional and amended apartments provide for an acceptable level of amenity, which is generally in accordance with the aims and objectives of SEPP 65. An assessment of the proposal against the principles of SEPP 65 is provided at **Appendix B**.

Other minor amendments to conditions

The Department notes that there is a discrepancy with the condition numbering sequence in Section 2 Part B of the consent, which has resulted in the duplication of numbering from condition B18 onwards. For clarity, the Department recommends that the condition numbering sequence be corrected.

Amendments are also recommended to conditions to take account of the proposed modifications to the proposal. The Department considers these changes to be minor and administrative in nature and are therefore acceptable.

6. CONCLUSION AND RECOMMENDATIONS

The Department has assessed the merits of the proposed modification taking into consideration the issues raised in all submissions and is satisfied that the impacts have been satisfactorily addressed within the proposal and Department's recommended conditions. The Department concludes that the proposed modification is reasonable and results in a form and scale of development which is consistent with the desired future character of the area.

The Department concludes that the proposal is acceptable as it:

- will result in a height/built form of Block D that is compatible with the desired future character of Hunter Street and acceptable façade detailing resulting in a satisfactory urban design outcome;
- provides for an additional public benefit in the form of improvements to the archaeological display area, which is considered acceptable given the relatively minor nature of the proposed modifications;
- will not result in adverse impacts on amenity due to the operation of the rooftop bar; and
- provides residential apartments with an appropriate standard of amenity.

The proposed modification falls within the scope of section 75W of the EP&A Act and does not alter the original assessment as to the site's suitability for the approved development.

The Department supports the modifications subject to conditions and it is therefore recommended that the Planning Assessment Commission:

- (a) **consider** the findings and recommendations of this report;
- (b) **approve** the modification under delegated authority, subject to conditions; and
- (c) **sign** the attached Instrument of Modification (**Appendix C**).

Prepared by Matthew Rosel
Metropolitan Projects

Endorsed by

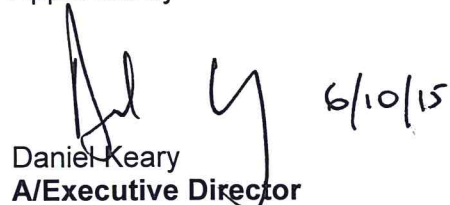


Amy Watson
Team Leader
Metropolitan Projects



Ben Lusher
A/Director
Key Site Assessments

Approved by



Daniel Keary
A/Executive Director
Infrastructure and Industry Assessments

APPENDIX A RELEVANT SUPPORTING INFORMATION

The following supporting documents and supporting information to this assessment report can be found on the Department of Planning and Infrastructure's website as follows:

1. Modification Application

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=6662

2. Submissions

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=6662

3. Proponent's Response to Submissions

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=6662

APPENDIX B CONSIDERATION OF SEPP 64 AND SEPP 65

State Environmental Planning Policy No. 64 – Advertising and Signage

State Environmental Planning Policy No 64- Advertising and Signage (SEPP 64) applies to all signage that under an Environmental Planning Instrument can be displayed with or without development consent and is visible from any public place or public reserve.

Under clause 8 of SEPP 64, a consent must not be granted for any signage application unless the proposal is consistent with the objectives of the SEPP and with the assessment criteria which are contained in Schedule 1. **Table 3** below demonstrates the consistency of the proposed signage with these assessment criteria.

Table 4: SEPP 64 Compliance Table

Assessment Criteria	Comments	Compliance
1 Character of the area		
Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?	The proposed signs are appropriately located and integrated into the design and appearance of the building, except for a retail box signage zone which is removed by condition. The inclusion of building and business identification signage is common for buildings/developments of this size within the Parramatta CBD.	Y
Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	The proposed signs follow a consistent theme throughout the development.	Y
2 Special areas		
Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?	Subject to the deletion of the proposed retail signage zone sign at the northern lobby entrance, the proposed signs would not detract from the amenity or visual quality of the surrounding area.	Y
3 Views and vistas		
Does the proposal obscure or compromise important views?	The proposed signs are integrated with the proposed buildings and therefore would not result in any obstruction of views. The location and content of the signs would not otherwise compromise important views. The signs would not be visible from Parramatta Park.	Y
Does the proposal dominate the skyline and reduce the quality of vistas?	The proposed roof level Crown logo sign and the signage zone would sit below the parapet line of the building and would not dominate the skyline.	Y
Does the proposal respect the viewing rights of other advertisers?	The proposed signs do not impact upon the viewing rights of other advertisers.	Y
4 Streetscape, setting or landscape		
Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?	The scale, proportion and form of the proposed signs are proportionate to the scale of the building.	Y
Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	The proposed signage zones would contribute to the visual interest of the building by contributing to the identification and recognition of site.	Y
Does the proposal reduce clutter by rationalising and simplifying existing advertising?	The deletion of the retail signage zone at the northern lobby ensures that there is not an over proliferation of signage on this building. The proposed signs are considered to be sympathetic to the architectural treatment of the building.	Y

Does the proposal screen unsightliness?		N/A
Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	The signs do not protrude above the parapet line of the building.	Y
Does the proposal require ongoing vegetation management?	The signs would not require ongoing vegetation management.	Y
5 Site and building		
Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?	The signs have been designed to be fully compatible with the proposed building and its architecture. Importantly the signs have been placed so as to allow suitably identification for future uses without causing visual clutter.	Y
Does the proposal respect important features of the site or building, or both?	The signs have been located in the most architecturally appropriate locations to assist in place identification and wayfinding.	Y
Does the proposal show innovation and imagination in its relationship to the site or building, or both?	The proposed signs have been fully integrated with the building architecture.	Y
6 Associated devices and logos with advertisements and advertising structures		
Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?	The Crown logo has been designed to be an integral part of the signage.	Y
7 Illumination		
Would illumination result in unacceptable glare? Would illumination affect safety for pedestrians, vehicles or aircraft?	The illumination of signs and signage zones would not result in unacceptable glare.	Y
Would illumination detract from the amenity of any residence or other form of accommodation?	The illumination would not detract from existing amenity.	Y
Can the intensity of the illumination be adjusted, if necessary? Is the illumination subject to a curfew?	The intensity of the illumination is not able to be adjusted and would not be subject to a curfew. This is acceptable given the circumstances of the site and its location within the Parramatta CBD	Y
8 Safety		
Would the proposal reduce safety for pedestrians, particularly children, by obscuring sightlines from public areas?	The signs would not obscure sightlines to or from public areas.	Y
Would the proposal reduce safety for any public road?	The signs and signage zones are not considered to be out of proportion given the scale of the development. Illumination would not consist of flashing, blinking or intermittent lights. The signs would not reduce safety for any public road	Y

State Environmental Planning Policy No. 65 - Design Quality of Residential Flat Development

State Environmental Planning Policy 65 – Design Quality of Residential Flat Development (SEPP 65) seeks to improve the design quality of residential flat developments. The Residential Flat Design Code (RFDC) is closely linked to the principles of SEPP 65 and sets out best practice design principles for residential flat development.

SEPP 65:	Endorsed SEPP 65:	Department's Response
Current Principle	Proposed Principle	
1. Context	1. Context and Neighbourhood Character	The modifications to the Project Approval alter the development's relationship to its context. However, the revised building envelope layouts, height and scale are considered acceptable as outlined in Section 5.1
2. Scale	2. Built Form and Scale	The modifications to the Project Approval result in an increase in the height/scale of Block D fronting Hunter Street. The Department considers the proposed alterations are acceptable and would not have any adverse visual, amenity or public domain impacts as outlined in Section 5.1 .
3. Built Form		It is considered that the modifications will facilitate the provision of a building that achieves an appropriate built form outcome as outlined in Section 5.1 of this report. The conditions of the original approval together with the new and amended conditions ensure an acceptable standard of architectural design.
4. Density	3. Density	The modified proposal proposes an increase in residential GFA and dwelling numbers. The Department considers that the conditions will ensure that the development is of an acceptable overall design and impact.
5. Resource, Energy and Water Efficiency	4. Sustainability	No change from Project Approval.
6. Landscape	5. Landscape	No change from Project Approval.
7. Amenity	6. Amenity	The Department has assessed the proposal in terms of solar access, cross ventilation, privacy and internal amenity. The Department is satisfied that the development will provide for apartments that achieve a satisfactory level of amenity.
8. Safety and Security	7. Safety	Subject to the appropriate management of the V Lounge Bar, the Department considers the proposal will be capable of achieving an satisfactory level of safety and security and outlined in Section 5.4 .
9. Social Dimensions and Housing Affordability	8. Housing Diversity and Social Interaction	The proposal does not include affordable housing. However, the proposal provides a mix of one and two bedroom apartments to cater for a range of residents with varied incomes and needs.
10. Aesthetics	9. Architectural Expression	The proposal demonstrates an acceptable standard of architectural design.

APPENDIX C RECOMMENDED MODIFYING INSTRUMENT
