



CITY OF PARRAMATTA

Our Reference: NCA/6/2010

Contact: Liam Frayne

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Ms Fiona Gibson
Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

3 March 2016

Dear Madam,

Application No.: MP_0167 MOD 5
Property: 45 MACQUARIE STREET PARRAMATTA
Proposal: SECTION 75W MODIFICATION REQUEST TO MIXED USE DEVELOPMENT AT 45 MACQUARIE STREET PARRAMATTA

I refer to your invitation for comment with respect to the Section 75W modification for the subject site. We thank you for the opportunity to provide input on this application.

We have reviewed the submitted detail and note that Council does not have any specific concern with respect to the following aspects of the proposal:

- The height reduction;
- The stratum subdivision of the development into 6 strata;
- The changes to the retail signage detail conditions;
- The deletion of condition E19.
- The other minor plan adjustments (Basement 2, Basement 3, mezzanine plan, the extension of the Level 4-9 plan to level 11, the minor lobby changes and setback on Levels 16 and 17, and to the upper levels of the building with respect to the height change, fire egress adjustments etc.)

Aspects Council would request further consideration of the Department are outlined below:

Redesignation of the previously approved conference centre to a multi-purpose centre including a Place of Public Worship

Council does not consider that a Section 75W amendment to the approved application for the development on the site is the appropriate vehicle for a new use as intensive as a place of public worship to be considered.

Instead, Council considers a more appropriate and transparent process for consideration of such an application could, and should be carried out via the standard Development Application process during which the matter can be fully and comprehensively examined on its individual merits.

If the Department is of a mind to proceed to include this part of the application in the final determination, it is requested that appropriate conditions of consent be included to tightly limit attendance numbers and the hours of operation to ensure that the use does not impact on the amenity of the residents of the building.

Additionally, conditions should be included to require that it be certified prior to the release of any Occupation Certificate that appropriate acoustic treatment has been included in the building for all parts of the building where attendees might pass, including in the lift lobby on the subject level, to ensure that there is no unreasonable transmission of noise to residents.

Council also requests that in such circumstances, appropriate building code assessments be carried out by the Department to ensure compliance.

Change to conditions regarding the provision of affordable rental housing units to Parramatta City Council

Council has reviewed the conditions of consent modification proposed with respect to the affordable rental housing units proposed. Council is satisfied with the modifications, subject to the minor adjustments marked below (in bold and underlined):

"As set out in the Proponent's revised statement of commitments (see the end of this document), the Proponent shall dedicate 5 affordable housing units to Parramatta City Council (Council) as identified in condition B4A(b) below (each affordable housing unit being called "Council Strata Lot"). The Council Strata Lots shall:

- (a) Each to be dedicated to Council free of cost with the dedication of each individual Council Strata Lot to occur within 15 Business Days after:***
 - (i) the issue of an Occupation Certificate for the relevant part of the Development within which that Council Strata Lot is located, or***

(ii) the registration of a Strata Plan for the relevant part of the Development within which the Council Strata Lot is located, *whichever occurs later, the proponent must at no cost to Council transfer each Council Strata Lot to the Council in accordance **with any relevant** approvals, approved plans or construction terms and so that immediately on transfer, the Council will have an estate in fee simple in possession, freed and discharged from all estates, interests, trusts, restrictions, dedications, reservations, rights, charges, rates, strata levies, and contracts. For the avoidance of doubt, all stamp duty (including fines, penalties, and interest) payable on or in connection with, the transfer of any Council Strata Lot and on any other instruments executed under or in connection with the transfer of the Council Strata Lots, must be borne by the proponent;*

(b) *comprise of the following:*

- i. Apartment S10.01, being an apartment on Level 10, located in the same corresponding location as S12.01 identified in the approved plans under Condition A2;
- ii. Apartment 20.16, as identified in the approved plans under Condition A2;
- iii. Apartment 21.14 as identified in the approved plans under Condition A2;
- iv. Apartment 21.15 as identified in the approved plans under Condition A2;
- v. Apartment 21.17 as identified in the approved plans under Condition A2;

(c) **each** *Include the following household appliances;*

- i. *A range hood;*
- ii. *Cook top;*
- iii. *Oven;*
- iv. *Dishwasher;*
- v. *Washing machine; and*
- vi. *Dryer.*

It is requested that the above be taken into consideration during your assessment of this application. If you require any further clarification on any of the matters raised, please contact Liam Frayne in Development Services on 9806-5595.

Regards



Liam Frayne
Senior Development Assessment Officer