

Planning Report

Section 75W Application

330 Church Street, Parramatta

Increase height of towers and change podium

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Contents

1	Introduction	1
2	Site and Surroundings.....	2
2.1	Site Description	2
2.2	Surrounding Development	5
3	Proposed Modifications	9
3.1	Existing Consent	9
3.2	Proposed Amendments.....	9
3.2.1	Summary.....	9
3.2.2	Basement and Podium.....	10
3.2.3	East Tower (Serviced Apartments).....	10
3.2.4	West Tower (Residential Apartments)	10
3.2.5	Colours and Materials	10
3.2.6	Building Name Sign	11
3.2.7	Statement of Commitments	11
3.2.8	Conditions of Consent.....	11
3.2.9	Referral under the EPBC Act.....	11
3.2.10	Voluntary Planning Agreement	11
3.2.11	Staging.....	12
4	Planning Assessment.....	13
4.1	Environmental Planning Instruments	13
4.1.1	Parramatta City Centre Local Environmental Plan 2007	13
4.1.2	State Environmental Planning Policy No 65 – Quality of Residential Flat Buildings.....	19
4.1.3	State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	19
4.1.4	State Environmental Planning Policy No. 55 – Remediation of Land	19
4.2	Draft Environmental Planning Instruments.....	20
4.3	Development Control Plans	20
4.3.1	Parramatta City Centre Development Control Plan 2007	20
4.4	Other Policies and Plans	20
4.4.1	NSW 2012: A Plan to Make NSW Number One	20
4.4.2	Draft Metropolitan Strategy for Sydney to 2031	21
4.4.3	Parramatta Riverbank Urban Design Strategy, April 2009	22
4.4.4	Parramatta City Council Preliminary Draft Riverbank Design Guidelines, 2010.....	22
4.4.5	Space Syntax Study for the River Bank.....	27
4.5	Likely Impacts.....	27
4.5.1	Streetscape and Scale.....	27
4.5.2	Traffic	27
4.5.3	Amenity	28
4.5.4	Operation	28
4.5.5	Flooding	28
4.5.6	Visual Assessment.....	28
4.5.7	Heritage	29
5	Conclusion.....	30

Annexure

Annexure 1: Approved Plans

Annexure 2: Proposed Amended Plans

Annexure 3: Landscape Plan

Annexure 4: Photomontages

Annexure 5: Amended Statement of Commitments and Conditions of Consent

Annexure 6: DCP and LEP Assessment Tables

Annexure 7: Acoustic Report

Annexure 8: Waste Management Report

Annexure 9: Wind Environment Report

Annexure 10: Solar Access Report

Annexure 11: Solar Reflectivity Report

Annexure 12: Traffic Report

Annexure 13: Accessibility Report

Annexure 14: DSEWPC Correspondence

Annexure 15: SEPP 65 Documentation

Annexure 16: Colours and Materials

Annexure 17: Proposed VPA

Annexure 18: BASIX Certificate

Annexure 19: View Analysis

Annexure 20: Heritage Impact Statement

Annexure 21: Crime Risk Assessment

Annexure 22: Council Landowner Consent

Annexure 23: QS Report

1 Introduction

This Planning Report relates to a Section 75W Application seeking consent from Department of Planning and Infrastructure to amend Major Project Application MP 10_0171.

The subject Section 75W Application seeks to increase the height of the towers and change the podium design. Specifically, the following is proposed:

- Podium increased height by 1 storey (+ 3.1 metres);
- East Tower increased height by 5 storeys (+ 24.8 metres);
- West Tower increased height by 16 storeys (+ 59.5 metres);
- Increase in 17,594 sqm gross floor area;
- 158 additional residential apartments;
- 96 additional serviced apartments;
- 1,152 sqm less retail floor space;
- Deleted childcare centre;
- 112 additional car parking spaces; and
- Building signage on the serviced apartment tower.

The amended proposal includes a new proposed Voluntary Planning Agreement (VPA). The new VPA is based on the proposed additional gross floor area (and height) in the amended design. The total financial benefit to Council for the proposed amended scheme is \$12,763,995 (total contributions to Council). One of the main public benefits that will arise from the VPA is the demolition of the multi-storey public carpark located along the riverfront. The carpark is to be demolished to make way for a large public park that connects Philip Street with the river front.

This Report:

- describes the site and its surrounding area,
- details the nature of the proposed development, and
- undertakes an assessment of any likely impacts arising from the proposal.

The conclusion is reached that the proposal is acceptable with regard to all relevant planning issues.

2 Site and Surroundings

2.1 Site Description

The site is located at 330 Church Street, Parramatta. The land area of the subject site has been increased since MP10_0171 was originally approved. The original site was 6,759 sqm in area and comprised Lot 2 & 3 in DP 788637 and Lot 101 in DP 1031459. The new site area is 7,483 sqm, which incorporates an additional 720 sqm parcel of land.

Parramatta Council is currently preparing a proposed plan of subdivision to create the new allotment. The new additional parcel of land is detailed in the Voluntary Planning Agreement for the site – refer section 3.2.9 of this report. In the interim, Parramatta Council has granted its consent to the transfer of the land – refer **Annexure 22**. The consent letter also diagrammatically shows the location of the additional parcel of land.

Figure 1 shows the general location of the subject site and **Figure 2** shows the approximate extent of the amended subject site area described above.

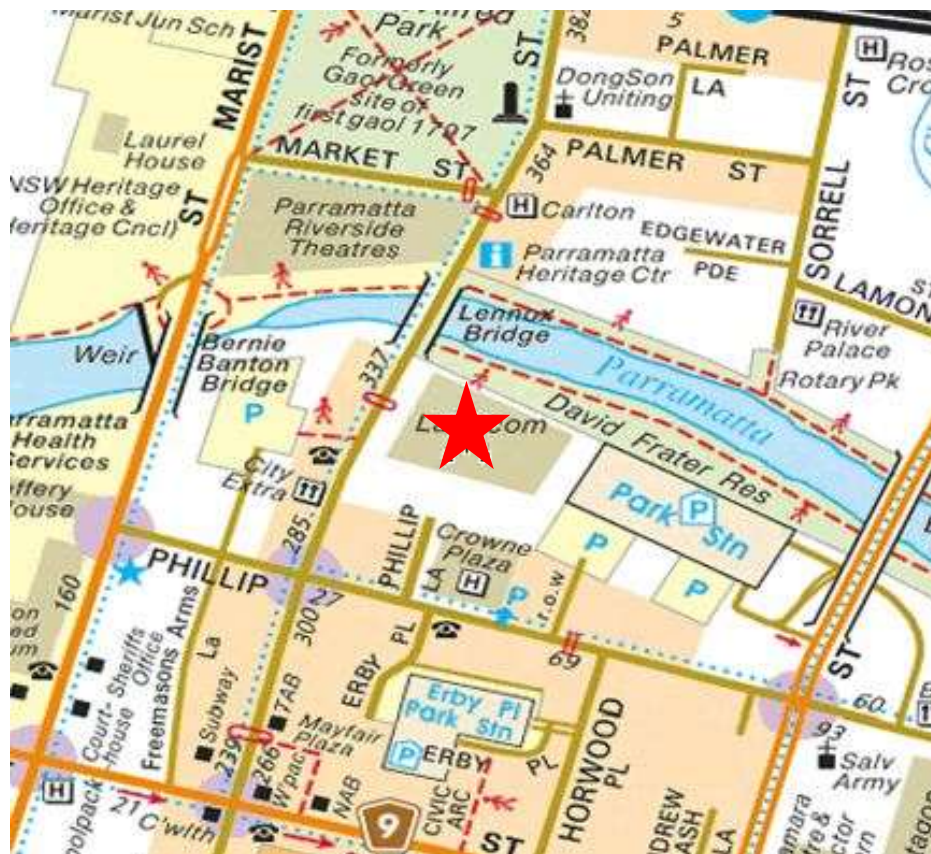


Figure 1: Location of subject site (marked with star)



Figure 2: Aerial views of site showing approximate boundary location

The site is occupied by a four and three level concrete slab building. The building is built to the boundaries of the site, and contains no vegetation. The building on the site presents as a blank façade with little articulation of architectural interest and the rear “handle” is currently used as an open air car park.

The building was previously occupied by David Jones and more recently by ‘Brandsmart’. The commercial component of the building is currently vacant. Two professional services companies (including Landcom), and two restaurants operate from the building.

Figures 3 to 5 show the subject site and its existing improvements.



Figure 3: Existing building on site as it presents to the Parramatta River foreshore



Figure 4: Existing building viewed from the rear (adjacent to Council carpark)



Figure 5: Existing building (left) and interface with adjoining development on Church Street

2.2 Surrounding Development

The site is located within the Parramatta Central Business District. It is within close proximity to the Riverside Theatre and within a reasonable walking distance to the Ferry Wharf and Parramatta Transport Interchange.

To the north of the site are the Parramatta River and the historic Lennox Bridge. Across the river are predominantly residential apartments set back from the water's edge. While there are grassed banks on both sides of the river, street furniture and public domain works are at a minimum.

To the immediate south of the site is the Crown Plaza Hotel which takes access off Philip Street. To the immediate east of the site is the Council owned car park, referred to as the David Fraser car park.

To the west of the site is Church Street which has a number of shop fronts and outdoor dining areas, providing a unique strip of active frontages. Uses typically include restaurants, cafes, repair shops and professional service providers.

Pedestrian access to the site is via public stairs from Church Street/Lennox Bridge or via Philip Street between the Parkroyal Hotel and the AGC House. Vehicular access to the site is from Philip Street via the laneway. Refer to images overleaf for details of the surrounding land uses.

Figures 6 to 10 show the existing built form that surrounds the subject site.



Figure 6: Parkroyal Hotel, which occupies the site to the south



Figure 7: Parramatta River along the northern frontage of the site



Figure 8: Stairs from Parramatta River frontage to Church Street



Figure 9: Existing buildings fronting the western side of Church Street – to the west of the site



Figure 10: Existing buildings fronting the eastern side of Church Street - to the south of the site

3 Proposed Modifications

3.1 Existing Consent

On 19 October 2012, the Department of Planning issued its consent (MP10_0171) for “*demolition of existing structures on site and construction of a mixed use building (residential/retail/serviced apartments), basement with 597 car parking spaces, public domain works and installation of utility services.*”

Annexure 1 contains a copy of plans approved with the subject application.

3.2 Proposed Amendments

3.2.1 Summary

The subject Section 75W Application seeks to increase the height of the towers and change the podium design. Specifically, the following is proposed:

- Podium increased height by 1 storey (+ 3.1 metres);
- East Tower increased height by 5 storeys (+ 24.8 metres);
- West Tower increased height by 16 storeys (+ 59.5 metres);
- Increase in 17,594 sqm gross floor area;
- 158 additional residential apartments;
- 96 additional serviced apartments;
- 1,152 sqm less retail floor space;
- Deleted childcare centre;
- 112 additional car parking spaces; and
- Building signage on the serviced apartment tower.

The table below provides a summary comparison of the approved development and the proposed amendments.

	APPROVED (MP10_0171)	PROPOSED (S75W)
Residential Apartments	31 x 1-bed 173 x 2-bed 16 x 3-bed 220 Total	66 x 1-bed 292 x 2-bed 20 x 3-bed 378 Total
Serviced Apartments	110 x 1-bed 60 x 2-bed 170 Total	3 x studio 170 x 1-bed 66 x 2-bed 27 x 3 bed 266 Total
Retail	4,353 sqm comprising 8 retail tenancies and a 1,928 sqm supermarket.	3,201 sqm comprising 8 retail tenancies. Supermarket deleted.
Childcare	68 childcare places with a total 705 sqm	Deleted
Height	Podium: 1-3 storeys (RL14.0 – RL 20.2) East Tower: 22-storeys (RL 91.5) West Tower: 34-storeys (RL 125.6)	Podium: 4 storeys (RL 23.3) East Tower: 27-storeys (RL 116.3) West Tower: 50-storeys (RL 185.1)
Gross Floor Area	44,117 sqm (6.52:1*)	61,711 sqm (8.25:1*)
Car Parking	597 spaces	709 spaces

* The approved FSR is based on the original site area of 6,763 sqm (refer section 2.1 of this report).

** The proposed FSR is based on the new site area of 7,483 sqm (refer section 2.1 of this report).

The proposed amended development is shown on the architectural drawings at **Annexure 2** and the photomontages at **Annexure 4**.

The following paragraphs provide a detailed description of the proposed amendments.

3.2.2 Basement and Podium

The podium has been increased in height by a maximum of 3.1 metres. The amended podium is to contain a total of 4 levels including the ground floor level.

The ground floor (and mezzanine) layout of the podium has changed by deleting the supermarket and reconfiguring the retail tenancies, which results in a reduction of 1,152 sqm retail floor space. The ground floor layout is also amended in respect of loading and vehicular access arrangements, garbage storage and the serviced apartment lobby and service areas.

Levels 1 to 3 of the podium are proposed to accommodate parking that is 'sleeved' by apartments to the Parramatta River and Church Street frontages. The previously approved childcare centre is to be deleted from the proposal. The east and west cores of the building will provide separate access to additional serviced apartments and residential apartments, respectively.

The existing approved basement is to be internally reconfigured. A total of 709 parking spaces are proposed, including those located on Levels 1 to 3. This represents an increase of 112 parking spaces.

The amended parking arrangements have necessitated amended vehicular access arrangements. The proposal now contains one ramp to the basement and another separate ramp to Levels 1 to 3.

Recreational facilities – including swimming pool and gym - are provided on the top of the podium. Each tower has its own recreational facilities – one for the residents and one for the serviced apartment guests. The remainder of the podium is to be landscaped.

3.2.3 East Tower (Serviced Apartments)

The east tower is to be increased in height by 5 storeys (24.8 metres). The tower footprint is to remain unchanged. The amendments will result in 96 additional serviced apartments, some of which are situated in the podium as described in 3.3.1 above.

3.2.4 West Tower (Residential Apartments)

The west tower is to be increased in height by 16 storeys (59.5 metres). The tower footprint is to remain essentially the same. The amendments will result in 158 additional residential apartments, some of which are situated in the podium as described in 3.3.1 above.

3.2.5 Colours and Materials

The proposal incorporates a similar colours and materials palette as originally approved. A detailed keyed reference to the proposed colours and materials is included at **Annexure 16**.

3.2.6 Building Name Sign

The proposal also includes the erection of 4 x building name signs – one on each elevation at the top of the serviced apartment tower.

Each sign is to be comprised of individually fabricated letters and a logo mounted on the parapet of the building. The fabricated letters and logo will have metal casing and acrylic facing and will be internally illuminated. The letters and logo will be affixed flush to the parapet to ensure that no light spillage occurs. All wiring and cabling will be hidden behind the parapet.

3.2.7 Statement of Commitments

The proposed amendments and amended submitted documentation has necessitated changes to the Statement of Commitments. The proposed amended Statement of Commitments is at **Annexure 5**.

3.2.8 Conditions of Consent

The proposal requires amendment to various conditions of consent. These are detailed in **Annexure 5**.

3.2.9 Referral under the EPBC Act

On 18 April 2013, Meriton submitted an application to the Department of Sustainability, Environment, Water, Population and Communities (DSEWPC) for 'Referral of Proposed Action' under the Environment Protection and Biodiversity Conservation Act, 1999.

On 24 April 2013, the DSEWPC informed Meriton that since it has undertaken a review of the World and National Heritage values relating to Old Government House and The Domain the proposal does not require a referral under the EPBC Act. Meriton confirmed withdrawal of the submitted application on the same day. A copy of this correspondence is at **Annexure 14**.

3.2.10 Voluntary Planning Agreement

A new proposed Voluntary Planning Agreement (VPA) has been negotiated with Council in relation to the site. The new VPA is based on the proposed additional gross floor area (and height) in the amended design. Total financial benefit to Council for the proposed amended scheme (including the new 720 sqm parcel of land) is proposed as follows:

- \$4,495,000 (Current approval, s94 contributions)
- \$3,100,000 (Council's 720 sqm parcel of land)
- \$1,801, 945 (increased s94 payments)
- \$3,367,050 (bonus floor space)
- **\$12,763,995 (Total Contributions to Council)**

One of the main public benefits that will arise from the VPA is the demolition of the multi-storey public carpark located along the riverfront. The carpark is to be demolished to make way for a large public park that connects Philip Street with the river front. This forms a key component of Council's vision for the regeneration of the Parramatta riverfront in the CBD area.

It is proposed that the VPA will be publicly exhibited following lodgement of the subject Section 75W application.

Annexure 17 contains a copy of the draft VPA, explanatory note, formal letter of offer and Council's resolution to publicly exhibit the documents.

3.2.11 Staging

Construction will commence and continue as a single process. This remains unchanged from the original approved development. Occupation of the premises will be subject to issue of interim occupation certificates issued at the authority of the relevant building certifier.

4 Planning Assessment

This section undertakes an assessment of the proposal under relevant issues of consideration.

4.1 Environmental Planning Instruments

4.1.1 Parramatta City Centre Local Environmental Plan 2007

Zoning and Objectives

Part 2 of the Parramatta City Centre Local Environmental Plan 2007 (LEP) identifies that the subject site is zoned B4 Mixed Use. The proposal is permitted in the zone subject to consent from the Council.

The objectives of the Mixed Use zone are as follows:

- *To provide a mixture of compatible land uses.*
- *To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.*
- *To create opportunities to improve the public domain and pedestrian links within the Mixed Use Zone.*
- *To support the higher order Commercial Core Zone while providing for the daily commercial needs of the locality, including:*
 - *commercial and retail development,*
 - *cultural and entertainment facilities that cater for a range of arts and cultural activity, including events, festivals, markets and outdoor dining,*
 - *tourism, leisure and recreation facilities,*
 - *social, education and health services,*
 - *high density residential development.*
- *To protect and enhance the unique qualities and character of special areas within the Parramatta city centre.*

The proposal is consistent with the above objectives, in that:

- It provides for a mixture of different landuses that are well designed to ensure they are compatible on the site;
- It contains a retail component in a central location of the Parramatta CBD;
- The development will result in a substantial improvement to the public domain, particularly the relationship with Parramatta River;
- The proposed retail spaces will provide for ideal dining opportunities along the riverfront and the section of Church Street, which is known as 'Eat Street';
- The serviced apartments will promote the tourist industry in the region of Parramatta; and
- The addition of residential apartments will contribute to high density living in the area.

Height of Buildings

Clause 21 of the LEP contains provisions relating to building height. Pursuant to LEP height map, the subject site has a height limit of 80 metres.

The proposal has been through a competitive design process and, therefore, an additional 10% height can be allocated to the site. The additional 10% raises the maximum permitted height to 88 metres.

The proposed eastern tower has a maximum height of 109.3 metres and the western tower has a maximum height of 177.1 metres.

The proposed amended towers, therefore, do not comply with the relevant provisions of the LEP.

The proposed eastern tower seeks a 21.3-metre variation to the 88-metre height limit; and the proposed western tower seeks an 89.1-metre variation to the 88-metre height limit.

Clause 24 of the LEP contains provisions on exceptions to development standards. The proposed variations to the tower heights are considered under those provisions later in this report.

Architectural Roof Features

Clause 21A of the LEP contains provisions relating to architectural roof features. The clause states as follows:

- (1) *Development that includes an architectural roof feature that exceeds, or causes a building to exceed, the height limits set by clause 21 may be carried out, but only with consent.*
- (2) *Development consent must not be granted to any such development unless the consent authority is satisfied that:*
 - (a) *the architectural roof feature:*
 - (i) *comprises a decorative element on the uppermost portion of a building, and*
 - (ii) *is not an advertising structure, and*
 - (iii) *does not include floor space area and is not reasonably capable of modification to include floor space area, and*
 - (iv) *will cause minimal overshadowing, and*
 - (b) *any building identification signage or equipment for servicing the building (such as plant, lift motor rooms, fire stairs and the like) contained in or supported by the roof feature is fully integrated into the design of the roof feature.*

The proposed west tower contains an architectural roof feature above the plant level. The wing shaped roof feature has a total height of 3.1 metres.

Floor Space Ratio

Clause 21 of the LEP contains provisions relating to floor space ratio. Pursuant to the LEP floor space ratio map, the subject site has a maximum floor space ratio of 6:1.

The proposal has been through a competitive design process and, therefore, an additional 10% FSR can be allocated to the site. The additional 10% raises the maximum permitted FSR to 6.6:1.

The proposed FSR is 8.25:1, which is based on the new site area of 7,483 sqm. This proposed FSR does not comply with the relevant provisions of the LEP.

Clause 24 of the LEP contains provisions on exceptions to development standards. The proposed variation to the floor space ratio is considered under those provisions later in this report.

Minimum Building Street Frontage

Clause 22A(2) requires that development consent must not be granted to the erection of a building that does not have at least one street frontage of 20m or more on land zoned B3 Commercial Core, B4 Mixed Use or B5 Business Development.

The subject site frontage remains unchanged with a 70 metre frontage to Church Street. The proposal therefore complies with clause 22A.

Design Excellence

Clause 22B of the LEP contains provisions relating to design excellence. In order for the subject development to demonstrate design excellence in accordance with the provisions of clause 22B, a design competition is required to be undertaken in accordance with clause 22B(4), which states as follows:

- (4) Consent must not be granted to the following development to which this Plan applies unless an architectural design competition that is consistent with the City Centre Development Control Plan has been held in relation to the proposed development:*
 - (a) development for which an architectural design competition is required as part of a concept plan approved by the Minister under Division 3 of Part 3A of the Act,*
 - (b) development in respect of a building that is, or will be, greater than 55m or 13 storeys (or both) in height,*
 - (c) development having a capital value of more than \$1,000,000 on a key site, being a site shown edged heavy black and distinctively coloured on the Key Sites Map,*
 - (d) development for which the applicant has chosen to have such a competition.*

A design competition has been held in accordance with the requirements of clause 22B. Details in respect of the design competition process are at section 5 of this report.

Clause 22B(6) allows for bonus height and floor space for developments that have been through a design competition in accordance with clause 22B. The relevant clause states as follows:

- (6) The consent authority may grant consent to the erection or alteration of a building to which this clause applies that has a floor space ratio of up to 10 per cent greater than that allowed by clause 22 or a height of up to 10 per cent greater than that allowed by clause 21, but only if:*

- (a) *the design of the building or alteration is the result of an architectural design competition, and*
- (b) *the concurrence of the Director-General has been obtained to the development application.*

The proposed development has been through a competitive design process. Additional height is sought in accordance with the above clause. An assessment in this respect is included under clause 24 (exceptions to development standards) later in this report.

Included at **Annexure 2** is a statement prepared by Tony Caro's office that demonstrates their view that the proposed amended development remains consistent with the design endorsed under the design competition and constitutes an extension of the winning design.

Car Parking

Clause 22C of the LEP contains the car parking requirements relating to the subject site and proposed development. The following table demonstrates that the proposal complies with the maximum LEP car parking requirements. A traffic and parking report is at **Annexure 12**.

	Proposed	LEP Rate (max)	LEP Required	Proposed
Studio	0	1 per unit	0	
1 Bedroom	66	1 per unit	66	
2 Bedroom	292	1 per unit	292	
3 Bedroom	20	1 per unit	20	
Total Residential Units	378		378	
Studio	3	1 per unit	3	
1 Bedroom	170	1 per unit	170	
2 Bedroom	66	1 per unit	66	
3 Bedroom	27	1 per unit	27	
Total Serviced Apartments	266		266	
Visitor		1 per 5 units	129	
Retail	3,201 sqm	1 per 30 sqm	107	
Total Parking			880	709

Building Separation

Clause 22D requires that Buildings on land to which this Plan applies must be erected so that the separation distance from neighbouring buildings, and between separate towers or other separate raised parts of the same building, is not less than that provided for in the City Centre Development Control Plan.

The proposed building footprints are to remain unchanged from the original approval. The proposal therefore remains compliant with Clause 22D.

Ecologically Sustainable Development

Clause 22E requires consideration of matters relation to ecologically sustainable development.

The proposed development meets the NSW legislative requirements under BASIX. An amended BASIX Certificate is at **Annexure 18** and contains details on all the energy efficiency measures proposed for the buildings.

In respect of internal amenity of units, the proposed residential apartments comply with the requirements of SEPP 65 and the Residential Flat Design Code. Specifically, the apartments achieve the solar access and adequate cross ventilation to address the requirements of the RFDC.

Accordingly, the proposal satisfies the requirements of clause 22E of the LEP.

Serviced Apartments

Clause 22F of the LEP contains provisions relating restricting strata subdivision of serviced apartments unless compliance with SEPP 65 can be achieved.

The proposal does not involve any strata subdivision of the serviced apartments. Therefore clause 22F is not applicable to the proposal.

Objectives for Development within Parramatta City Centre Special Areas

Clause 22G of the LEP contains provisions relating to Special Areas. The clause states as follows:

The consent authority, in considering a development application for land in or adjoining a Special Area identified in the City Centre Development Control Plan, must have regard to the objectives for the Special Area set out in that Plan.

The subject site is covered by two Special Areas, being Church Street and River Foreshore. A full assessment of the proposal under the relevant provisions of those Special Areas is contained in the assessment table at **Annexure 6**. The assessment concludes that the proposal will be consistent with the vision and planning intent of these Special Areas.

Accordingly, the proposal satisfies the requirements of clause 22G(2) of the LEP.

Exceptions to Development Standards

Clause 24 of the LEP contains provisions relating to exceptions to development standards.

The subject development proposes height and floor space ratio above the limits set by the LEP. Accordingly, those aspects of the proposal require consideration under the provisions of clause 24.

Clause 24 contains a series of 'tests' for consideration of a proposal that seeks a variation to development standards. An assessment of the proposed variations is contained in a table at **Annexure 6**. The assessment concludes that the proposed variations are justified under the circumstances.

Heritage Conservation

Clause 35 of the LEP contains provisions relating to heritage items.

Schedule 5 of the LEP identifies the subject site as heritage item No.86 – former David Jones department store.

The approved development gives consent for the full demolition of the existing building.

In respect of impact on surrounding heritage properties, a heritage assessment report is contained at **Annexure 20**. The report concludes that the proposal will have acceptable impacts in respect of surrounding heritage items.

Outdoor Advertising and Signage

Clause 29A contains provisions relating to outdoor signage. The clause states as follows:

- (1) A person must not, without development consent, carry out development for the purpose of an advertisement (other than development that is exempt development).*
- (2) Despite subclause (1), development for the purpose of any one or more of the following is prohibited:*
 - (a) an advertisement on land that is within a heritage conservation area or on which there is a heritage item,*
 - (b) an advertisement on land zoned RE1 Public Recreation or RE2 Private Recreation,*
 - (c) (Repealed)*
 - (d) pole or pylon advertising signs (being an advertisement erected on a pole or pylon and independent of any building or other structure),*
 - (e) moveable and freestanding “A” frame signs on public land.*
- (3) Before granting development consent for development that involves the erection or display of signage, the consent authority must be satisfied that the signage:*
 - (a) is compatible with the desired amenity and visual character of the area, and*
 - (b) provides effective communication in suitable locations, and*
 - (c) is of high quality design and finish.*

In respect of (2), above, the proposed building name sign does not comprise any of the identified prohibited signs.

In respect of (3), above, a complete assessment of the proposed signage is undertaken in section 3.9 of the DCP assessment table at **Annexure 6**. The assessment concludes that the proposed signage:

- is compatible with the desired amenity and visual character of the area,
- provides effective communication in suitable locations, and
- is of high quality design and finish.

The proposal therefore complies with Clause 29A of the LEP.

Development on Flood Prone Land

Clause 33A contains provisions relating to development on flood prone land.

The proposed amendments do not involve any change to the flood planning levels of the approved development. The proposed amended development will comply with the relevant conditions of the existing Major Project approval.

On this basis, compliance with clause 33A of the LEP is achieved.

Historic View Corridors

Clause 35A states that the consent authority must not grant consent to development on land identified in the City Centre Development Control Plan as being within a historic view corridor unless it has taken into account the impact that the development may have on any such historic view corridor.

The proposed building footprints remain unchanged. The proposal will not result in any impacts on the historic view corridors. Accordingly the proposal complies with Clause 35A.

4.1.2 State Environmental Planning Policy No 65 – Quality of Residential Flat Buildings

State Environmental Planning Policy No 65 – Quality of Residential Flat Buildings applies to residential flat building developments of three or more storeys comprising four or more self-contained dwellings.

Annexure 15 contains a table that outlines the compliance of the proposal against the relevant guidelines contained in the SEPP 65 Residential Flat Design code. The assessment in that table demonstrates that the amended proposal generally complies with the policy and is consistent with its aims and objectives.

Tony Caro Architecture has also prepared an amended SEPP 65 Design Principles Statement, which is included at **Annexure 15**.

4.1.3 State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 applies to the subject site and requires the submission of a BASIX Certificate with the application. An amended BASIX Certificate is at **Annexure 18**.

4.1.4 State Environmental Planning Policy No. 55 – Remediation of Land

Clause 7 of State Environmental Planning Policy No 55 (Remediation of Land) requires the consent authority to consider whether land is contaminated, prior to granting of consent to the carrying out of any development on that land.

The site contamination report included in the Environmental Assessment Report lodged with the original Major Project application concluded that the proposed use will be suitable for the site.

The proposed additional 720 sqm parcel of land that has been added to the site is not to be the subject of any works. No excavation will occur on that land and no building activity will occur on that land. It will remain undisturbed.

Accordingly the amended proposal is deemed to satisfy the requirements of SEPP 55.

4.2 Draft Environmental Planning Instruments

There are no draft environmental planning instruments that apply to the subject site.

4.3 Development Control Plans

4.3.1 Parramatta City Centre Development Control Plan 2007

The Parramatta City Centre Development Control Plan applies to the subject site and the proposed development. The DCP complements the City Centre LEP.

Annexure 6 contains an table that undertakes an assessment of the amended proposal under only those DCP provisions where the amended design requires calls for such assessment. The assessment demonstrates that the proposal generally complies with the DCP. Where a variation has been sought, it has been adequately justified.

4.4 Other Policies and Plans

4.4.1 NSW 2021: A Plan to Make NSW Number One

NSW 2021 is a 10 year plan to rebuild the economy, provide quality services, renovate infrastructure, restore government accountability, and strengthen our local environment and communities. It replaces the State Plan as the NSW Government's strategic business plan, setting priorities for action and guiding resource allocation.

The Plan contains 5 key strategies:

1. Rebuild the economy;
2. Return quality services;
3. Renovate infrastructure;
4. Strengthen our local environment and communities; and
5. Restore accountability to government

Following is an assessment of the proposal against the relevant strategies of the Plan.

In respect of the strategy to rebuild the economy, the proposed amended development is consistent in that:

- It will create construction and ongoing employment and help to achieve the employment growth rate of 1.2% per year; and
- It will assist in improving housing affordability by increasing housing supply.

In respect of the strategy to return quality services, the proposed amended development is consistent in that:

- It will assist in increasing the number of commuter trips made by public transport, given that the site is to provide housing in close proximity to public transport;
- It will provide housing and retail facilities in an environment with minimised crime risk (refer to crime risk assessment at **Annexure 21**).

In respect of the strategy to renovate infrastructure, the proposed amended development is consistent in that:

- It contains BASIX commitments (refer **Annexure 18**) that will assist in reducing demand on water.

4.4.2 Draft Metropolitan Strategy for Sydney to 2031

The draft Metropolitan Strategy for Sydney anticipates that Sydney will grow by 1.3 million people by 2031. The Strategy divides the Sydney Metropolitan area into 6 sub regions. The subject site is located in the West Central & North West sub-region.

The sub regional strategies act as a broad framework for the long term development of the area, guiding government investment and linking local and state planning issues.

The plan identifies the Parramatta City Centre as a Premier Regional City and Second CBD. The table below makes an assessment of the proposed amended development against the relevant identified priorities for Parramatta.

Balanced Growth

The Plan seeks to create an additional 21,000 new jobs in Parramatta CBD and support opportunities for economic clustering by extending the commercial core.

The proposal will involve additional construction activities on the site and will involve ongoing employment on the site for the retail and serviced apartments.

The construction activities of the development will also assist in economic growth.

Liveable City

The Plan seeks to achieve a target of 148,000 additional homes within the West Central Subregion.

The proposal will involve the construction of 378 new residential dwellings, which will assist in achieving the housing target.

Productivity

The Plan seeks to achieve a target of 21,000 new jobs within the West Central Subregion.

As stated above, the proposal will involve additional construction activities on the site and will involve ongoing employment on the site for the retail and serviced apartments.

Healthy Environment

The Plan seeks to use energy, water and resources efficiently.

The amended proposal includes an updated BASIX package that details the energy savings that will result from the commitments it contains for the buildings.

Accessibility

The Plan seeks reduce car usage and increase walking, cycling and public transport use.

The proposed development is situated on a CBD site that is situated in close proximity to public transport and will be within walking or cycling distance to employment opportunities in the CBD and beyond.

4.4.3 Parramatta Riverbank Urban Design Strategy, April 2009

The Parramatta Riverbank Urban Design Strategy, April 2009 applies to the subject site and the proposed development. The Strategy identifies urban design considerations for the subject site.

An assessment of the amended proposal under the relevant provisions of the Strategy is provided in the table at **Annexure 6**. The assessment demonstrates that the amended proposal generally complies with the Strategy.

4.4.4 Parramatta City Council Preliminary Draft Riverbank Design Guidelines, 2010

Parramatta City Council Preliminary Draft Riverbank Design Guidelines, 2010, contains a series of site specific controls that relate to the subject site and the broader area called 'Riverbank'.

The following provides an assessment of the amended proposed development against the main controls that are contained in the Guidelines.

Public Domain

Figure 11 shows the broad public domain plan for the Riverbank area. Insofar as the subject site is concerned, the proposed development complies with the Public Domain plan in that:

- The ground floor level of the proposed development is at RL 8.80;
- The proposal contains a 5-metre wide colonnade along the northern side of the buildings, which continues as a pedestrian link through the eastern end of the building;
- The proposal has been designed to facilitate a future foreshore area with possible terraced areas and steps that will provide connection to the river bank; and
- The development is set back at least 25 metres from the bank of the Parramatta River.

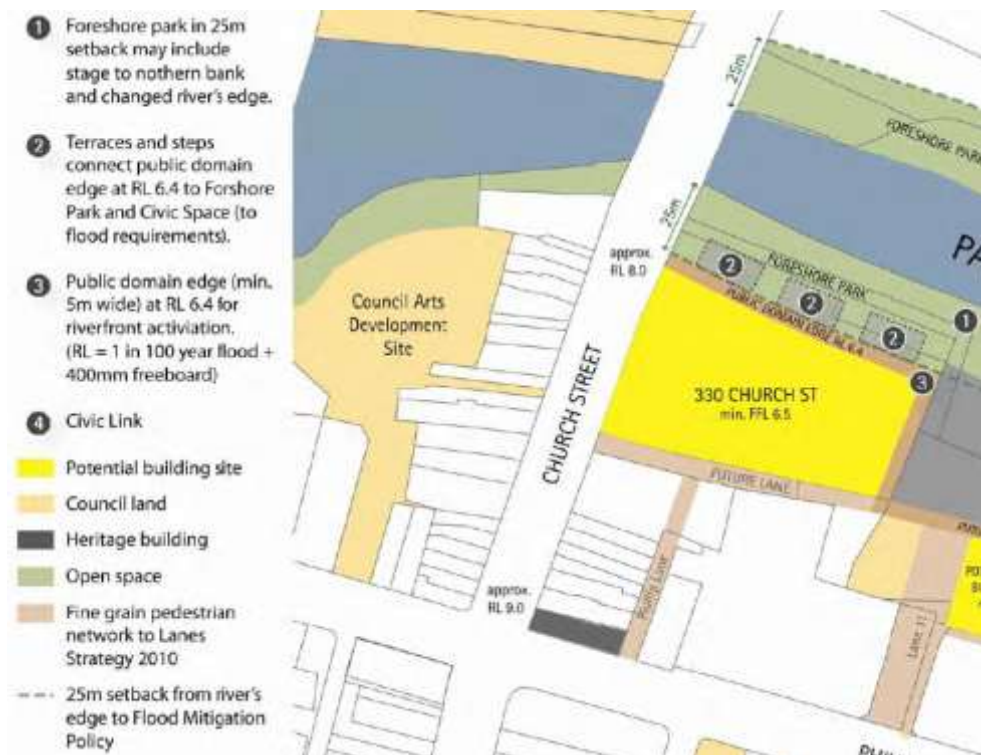


Figure 11: Riverbank - Pedestrian Amenity; Public Domain Plan

Active Frontage

Figure 12 shows the active frontage plan for the Riverbank area. Insofar as the subject site is concerned, the proposed development complies with the active frontage plan in that:

- The proposal contains retail spaces fronting the river and Church Street, which will contribute to the active frontage requirements for the site.



Figure 12: Riverbank - Pedestrian Amenity; Active Frontage Plan

Shelter and Car Access

Figure 13 shows the shelter and car access plan for the Riverbank area. Insofar as the subject site is concerned, the proposed development complies with the shelter and car access plan in that:

- The riverfront side of the building is to contain a colonnade, which will provide continuous weather protection;
- The Church Street frontage of the proposal contains awnings that extend the full frontage; and
- No car access is proposed from the Church Street frontage.



Figure 13: Riverbank - Pedestrian Amenity; Shelter and Car Access

Building Heights

Figures 14 and 15 show the building heights plan and section information for the Riverbank area.

The proposal includes a maximum podium height of 16.3 metres, and tower heights of 109 and 178 metres. The towers and podium seek variation from the building heights plan. A discussion on the proposed variation is contained at section 4.1 of this report.



Figure 14: Riverbank - Building Heights Plan

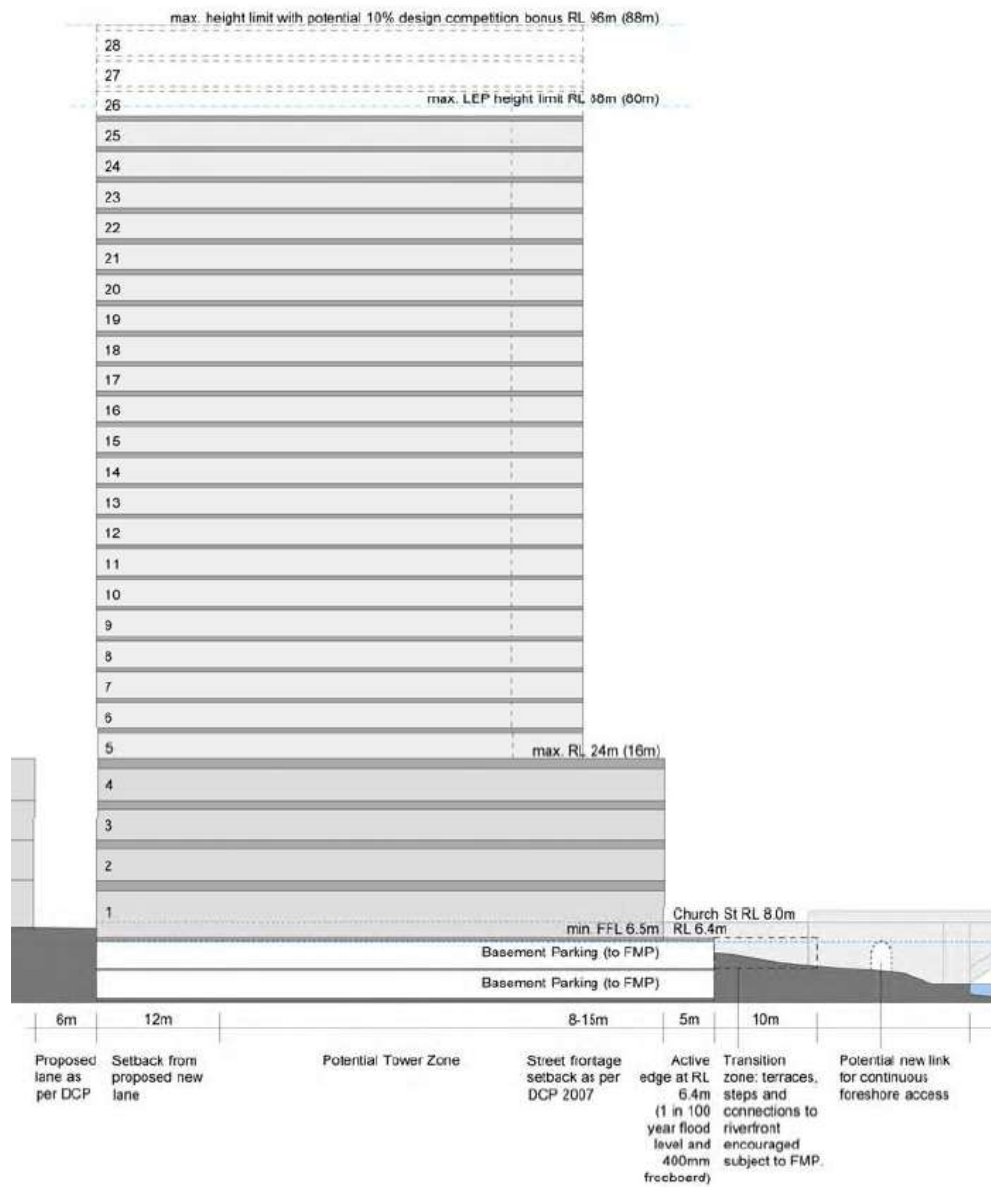


Figure 15: Riverbank - Section AA

4.4.5 Space Syntax Study for the River Bank

The space syntax study was part of the process involved in the preparation of the site controls for the Parramatta Riverbank. The resulting document is the Parramatta City Council Preliminary Draft Riverbank Design Guidelines – an assessment of which is at section 4.4.4. The syntax study informed the process and assisted in the preparation of the Riverbank Design Guidelines. The proposal is consistent with the Parramatta City Council Preliminary Draft Riverbank Design Guidelines, except for the proposed building heights. However, consideration of the proposed building heights demonstrates that the proposed variation to the indicated heights is acceptable under the circumstances.

On the basis of the above, it is considered that the vision contained in the Space Syntax study has been generally satisfied by the proposed development.

4.5 Likely Impacts

4.5.1 Streetscape and Scale

Along Church Street, the proposal will set the benchmark for a new invigorated streetscape. The proposed podium has been designed to relate to the height of the dome on the building at the corner of Church St and Philip Street - this relationship can be seen in the Church Street photomontage at **Annexure 4**. The future redevelopment of sites along Church Street will further contribute to the renewal of the area, creating the CBD environment that Council envisages for the area.

From the Parramatta River foreshore, the proposed towers will comprise a cohesive pair and a strong identity that is needed for this CBD location. Despite the height of the towers, their shape minimises any perceived bulk or scale issues and provide an exciting presentation along the foreshore. The tower facades incorporate balanced articulation with the positioning of balconies and the use of vertical and horizontal blades and louvres. A photomontage of the proposal from the river is included at **Annexure 4**.

When viewed from a more distant point of view, the proposal appears as an iconic landmark that identifies the northern fringe of the Parramatta CBD at the river's edge. The towers will build confidence in the Parramatta CBD and encourage redevelopment of surrounding sites. The future continued redevelopment of the CBD will result in the proposed towers forming part of an overall CBD skyline.

4.5.2 Traffic

The subject application is accompanied by an amended traffic and parking assessment report (**Annexure 12**). The report concludes that the proposed parking provision will be adequate for the needs of the development and appropriate to the desired constraint on undue traffic generation particularly in a CBD environment where there are excellent public transport services. The report also finds that the traffic generated by the proposed development will not have any adverse impact on the surrounding road network, and the internal access, parking and servicing provisions have been designed in accordance with all relevant planning controls and standards.

4.5.3 Amenity

The amended proposal will provide excellent amenity on the site and reasonably preserve amenity to the adjoining properties.

The proposed residential units exceed the solar access requirements of SEPP 65 and will achieve cross and natural ventilation. The apartments are generously proportioned and have appropriately sized balconies. All apartments will have views over the Parramatta River or the CBD.

The extent of shadow cast by the amended towers will not be unreasonable. The proposed towers are generally positioned along a north-south axis and have a slender design, which ensures that the extent of overshadowing to the south will be relatively confined. No overshadowing will occur over significant areas of public domain or areas of public parks and gardens.

The residents and guests of the serviced apartments will have access to communal facilities situated at the base of each tower. The facilities include a 20-metre swimming pool, gym facilities and changing rooms. Guests and residents will also have access to the landscaped areas of the podium level.

Environmental amenity has also been ensured by mitigating adverse effects in relation to wind, solar reflectivity and noise. Relevant specialist reports are at **Annexure 9, 11 and 7** respectively.

The development will provide accessible spaces compliant with the relevant requirements, which are detailed in the access report at **Annexure 13**.

4.5.4 Operation

The proposed waste management operations of the completed proposed development are detailed in the waste report that is included at **Annexure 8**.

The serviced apartments will be operated in accordance with the practices established and employed at Meriton's other serviced apartments operations across the Sydney Metropolitan area.

4.5.5 Flooding

The proposed amendments do not involve any change to the flood planning levels of the approved development. The proposed amended development will comply with the relevant conditions of the existing Major Project approval.

4.5.6 Visual Assessment

The application includes an amended view analysis (refer **Annexure 19**) that compares the proposed development with the height controls of the Parramatta City CBD. The prominence of the development varies depending on the viewline. In any case, the subject site is considered to be suitable for a taller development because it marks the northern edge of the CBD in the CBD's most prominent north-south thoroughfare.

Council is currently working on combining the Parramatta City Centre LEP with the LEP for the remainder of its Council area. This matter was reported to Council in October 2012 and Council is currently in the process of preparing the documentation for submission to Department of Planning and Infrastructure. One of the matters being considered is allowing for an uplift in the

design excellence height bonus provisions. It is proposed to increase the current 10% bonus to 15%, and a new provision is proposed to accommodate proposals seeking greater than a 15% height bonus. The implementation of these future controls will reduce the any visual impact created by the towers.

4.5.7 Heritage

The approved development gives consent for the full demolition of the existing heritage building on the subject site.

In respect of impact on surrounding heritage properties, a heritage assessment report is contained at **Annexure 20**. The report concludes that the proposal will have acceptable impacts in respect of surrounding heritage items.

5 Conclusion

The subject Section 75W Application seeks to increase the height of the towers and change the podium design.

It is considered that the proposal provides an appropriate response to the planned development of the site and will assist in the orderly and economic development of the land.

The proposal satisfies assessment of all relevant issues and all relevant provisions of the applicable planning controls.

It is therefore submitted that the Minister grant approval to the Section 75W Application and amend the Major Project approval in the manner requested.

Annexure 1: Approved Plans

Annexure 2: Proposed Amended Plans

Annexure 3: Landscape Plan

Annexure 4: Photomontages

Annexure 5: Amended Statement of Commitments and Conditions of Consent

Annexure 6: DCP and LEP Assessment Tables

Annexure 7: Acoustic Report

Annexure 8: Waste Management Report

Annexure 9: Wind Environment Report

Annexure 10: Solar Access Report

Annexure 11: Solar Reflectivity Report

Annexure 12: Traffic Report

Annexure 13: Accessibility Report

Annexure 14: DSEWPC Correspondence

Annexure 15: SEPP 65 Documentation

Annexure 16: Colours and Materials

Annexure 17: Proposed VPA

Annexure 18: BASIX Certificate

Annexure 19: View Analysis

Annexure 20: Heritage Impact Statement

Annexure 21: Crime Risk Assessment

Annexure 22: Council Landowner Consent

Annexure 23: QS Report