

Department of Planning and Environment  
4 Parramatta Square, 12 Darcy Street  
Parramatta NSW 2124

<b>Your Ref</b>	SSD-8800
<b>Our Ref</b>	NCA/8/2017
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**11 February 2022**

ATTN: Thomas Piovesan,

**COUNCIL SUBMISSION  
NOTICE OF EXHIBITION OF RTS REPORT FOR THE PARRAMATTA LEAGUES CLUB  
HOTEL (1 EELS PLACE, PARRAMATTA)**

I refer to the above application and the request to provide advice on the proponent's *Response to Submission Report*. Council staff have reviewed the supplied report and wish to make the following comments:

**Heritage Impacts (Height, bulk, and scale)**

The site is located within the Highly Sensitive Area identified within the Conservation Area Agreement signed under the Environment Protection and Biodiversity Act 1999 (EPBC Act), to protect World and National Heritage values of Old Government House and Domain.

The project is also in close proximity to the Nationally Listed Parramatta Female Factory and Institutions precinct.

It is acknowledged that the height of the proposal has been reduced. However, as required by the Conservation Area Agreement the project is required to meet all requirements of the Old Government House and Domain, Conservation Agreement. Whilst the site does not have a mapped height control, at a height of 55m (approximately 69RL) the proposed building is still taller than controls would allow for adjacent properties along O'Connell St (which allow heights between 9-11m). The building is also taller than the recently constructed Western Sydney Stadium (CommBank Stadium) which reaches a height of 41.96RL.

Council staff support the Heritage NSW (formerly Office of Environment and Heritage) position that the building is to be no higher than the adjacent Western Sydney Stadium (CommBank Stadium), this would reduce the height of the building to approximately eight levels. It is considered that the Visual Impact Statement whilst lengthy, lacks clarity especially in relation to the requirement to remain predominantly below the tree canopy of Parramatta Park.

It is also noted that the Independent Heritage Assessment is still being prepared by the applicant and is unavailable for review at this time. Council is concerned that the proposal

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could impact on any case for the Parramatta Female Factory and Institutions precinct to be included on the UNESCO World Heritage List. The Independent Heritage Assessment should also consider this. It would be appreciated if the document could be made available to Council when submitted given the potential for impacts on such significant heritage sites.

## Public Domain

It is acknowledged that the revised design affords improved site linkages for both pedestrian and vehicles and therefore improved legibility. However, Council maintains that the public domain improvements along the O'Connell Street frontage from the southern Access Road to Eels Place should be provided under this development to provide better access and interface between the hotel and the surrounding City. In addition, while the 'Access Rd' is a private road it would be beneficial to include widening of the existing footpath to provide better public access to hotel and beyond.

## Ecology

The revised BDAR report has been reviewed and the following items need to be addressed:

1. The updated BDAR states that there are no clear guidelines on how to assess native planted vegetation and does not follow the BAM 2020 requirements. It is requested that the BDAR is updated to follow the streamlined assessment module for planted native vegetation outlined in the BAM (2020) – Appendix D.
2. The mitigation measures outlined in the BDAR for bird collision are too generic. It is requested that the BDAR clearly specifies the measures to be used to minimise bird collision. These measures are then to be shown on updated architectural plans.
3. One of the mitigation measures outlined in the BDAR is the installation of nest boxes. It is requested that the BDAR is updated to provide details, such as the type and the numbers of boxes to be installed. Specification should also include that nest boxes are to be purchased from a reputable nest box manufacturer to ensure box longevity and that the installation should be done with an ecologist present to identify suitable locations.

activities.						
Habitat Improvement	Installation of nest boxes for hollow-dwelling birds and Microchiropteran bats in retained vegetation within the subject land and subject to approval, within retained vegetation in surrounding vegetation (e.g. <i>Platanus x acerifolia</i> adjacent to the Parramatta Leagues Club carpark), and Tree trunks from trees to be removed are to be salvaged and used in landscaped areas within the subject land where possible.	Construction/operation	Once	Contractor	Low	None
Other Mitigation	The development footprint will be	Construction	Regular	Contractor	Low	Death or injury to

It is recommended that the consent conditions should include the requirement to implement the mitigation measures outlined in the BDAR.

## Flood Planning

Council has reviewed the revised Flooding and Stormwater Response and maintain the following to be addressed prior to determination:

1. Tanked construction for the basement is required which should be secured via a condition of consent.

2. No overland flow flood study has been provided and is requested prior to DA determination. If this is not completed Council will not know what the relevant flood levels are and cannot verify if the basement and ground level are adequately flood proofed. The flood study should also address PMF mitigation measures. This has been requested since the SEAR's stage in 2017.
3. A comprehensive Flood Emergency Response plan is required, the submitted one page plan does not adequately address any meaningful issues.
4. The WSUD and landscape design must address landscape bio-retention measures.
5. The provided Construction Environmental Management Plan does not detail site protection measures implemented to mitigate flooding impacts.

## **Social Outcomes**

The Social Impact Assessment (SIA) provided in the EIS does not meet the criteria for a social impact assessment. Since October 2021, the new Social Impact Assessment Guidelines require all State significant developments to submit a social impact assessment. Given the scale of the proposed development, an SIA would be critical in ensuring proper assessment of the development.

Council requests that the applicant engages a 'suitably qualified person' to complete the SIA. As defined in Appendix B of the SIA Guidelines 2021 (<https://www.planning.nsw.gov.au/Policy-and-Legislation/Under-review-and-new-Policy-and-Legislation/Social-Impact-Assessment>), 'a suitably qualified person' must have suitable qualifications in a relevant social science discipline (e.g. sociology, human geography, anthropology, social or community planning), and/or proven experience over multiple years and substantial competence in social science research methods and SIA practices.

Council has previously requested a completed SIA from the applicant as part of the review process for the proposed developed in 2017 and 2019. Unfortunately, without a complete SIA, Council is unable to provide appropriate recommendations and advice.

## **Matter that can be addressed via conditions**

### Developer Contributions

Council welcomes the proponent's agreement to pay the full 7.12 development contribution based off the Parramatta CBD Development Contributions Plan 2007 – Amendment No. 5. It is requested that the condition of consent details the amount payable, being 3% of the total development cost, for the avoidance of any doubt.

### Design Review

Council welcomes the applicants support of conditions requiring the Design Review Panel (including City Architect) to review the proposal at key stages. It is requested that these stages include prior to CC, OC, and any modification.

### ESD Measures

The proponents support of the minimum 5-star NABER's green rating is welcomed and is requested to be secured via a condition of consent.

### Traffic and Transport

Council is supportive of the provision of bicycle parking and loading dock as requested in the previous submission. Council is also satisfied with the new access arrangements from Eels PI and the hotels proposed porte-cochere.

It is noted that the applicant has agreed to Council's request for a Construction Traffic Management Plan to be submitted prior to the issue of any Construction Certificate to be included as a condition of any future consent.

### **Conclusion**

Given that there are still serious concerns with the height of the proposal relative to the adjacent World and Nationally listed heritage sites Council formally **objects** to the proposal.

It is noted that this submission is made by Council officers and has not been endorsed by Council.

Council appreciates the opportunity to comment on the above application and we look forward to continued collaboration on this matter.

Should you wish to discuss the above matters, please contact Paul Sartor (Development Assessment Officer) on the details listed above.

Yours sincerely,

A handwritten signature in cursive script that reads "Myfanwy McNally".

Myfanwy McNally  
**MANAGER, CITY SIGNIFICANT DEVELOPMENT**