



## Australian Government

### Department of Infrastructure, Regional Development and Cities

File reference: F17/968

<b>TO</b> Matthew Di Maggio <b>Parramatta City Council</b> <a href="mailto:MDiMaggio@cityofParramatta.nsw.gov.au">MDiMaggio@cityofParramatta.nsw.gov.au</a>  Ian Thompson <b>Thompson GCS</b> <a href="mailto:ithompson@thompsonsgcs.com">ithompson@thompsonsgcs.com</a>	<b>CC</b> David Binskin <b>Sydney Metro Airports</b> <a href="mailto:David.binskin@smairports.com.au">David.binskin@smairports.com.au</a>  <b>Civil Aviation Safety Authority</b> <a href="mailto:airspace.protection@casa.gov.au">airspace.protection@casa.gov.au</a>  <b>Airservices Australia</b> <a href="mailto:airport.developments@airservicesaustralia.com">airport.developments@airservicesaustralia.com</a> <a href="mailto:ifp@airservicesaustralia.com">ifp@airservicesaustralia.com</a>  Nathan Campbell <b>Walker Corporation Pty Ltd</b> <a href="mailto:Nathan.Campbell@walkercorp.com.au">Nathan.Campbell@walkercorp.com.au</a>	<b>FROM</b> Flysafe <b>Airspace Protection</b> <a href="mailto:flysafe@infrastructure.gov.au">flysafe@infrastructure.gov.au</a>
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#### DECISION UNDER THE AIRPORTS (PROTECTION OF AIRSPACE) REGULATIONS 1996

**Proposed Activity:** Construction of a building  
**Location:** 6-8 Parramatta Square, Parramatta NSW  
**MGA 94 Coordinates:** E315218 N6256398  
**Proponent:** City of Parramatta Council

I refer to the application from City of Parramatta Council (the Proponent), received by the Department of Infrastructure, Regional Development and Cities (the Department) on 30 October 2018 from Sydney Metro Airports (SMA). This application sought approval under the Airports (Protection of Airspace) Regulations 1996 (the Regulations) for the intrusion of a building at 6-8 Parramatta Square, Parramatta (the site) into airspace which, under the Regulations, is prescribed airspace for Bankstown Airport.

Under regulation 6(1), ‘prescribed airspace’ includes ‘the airspace above any part of either an Obstacle Limitation Surface (OLS) or Procedures for Air Navigation Services - Aircraft Operations (PANS-OPS) surface for the airport’.

The Outer Horizontal Surface of the OLS above this site is at a height of 156 metres above the Australian Height Datum (AHD) and hence prescribed airspace above the site commences at 156 metres AHD. At a maximum height of 240 metres AHD, the building will penetrate the OLS by 84 metres.

Accordingly, the construction of the building constitutes a “controlled activity” under Section 182 of the *Airports Act 1996* (the Act). Section 183 of the Act specifies that controlled activities cannot be carried out without approval. Details of the penetration of prescribed airspace are provided in Table 1.

Table 1: Height and location of the proposed activity that will intrude into prescribed airspace for Bankstown Airport.

Activity	MGA 94 Coordinates	Maximum height (AHD)	Penetration of prescribed airspace
Building	E315218 N6256398	240 metres	84 metres

Regulation 14 provides that a proposal to carry out a controlled activity must be approved unless carrying out the controlled activity would interfere with the safety, efficiency or regularity of existing or future air transport operations into or out of the airport concerned. Regulation 14(1)(b) provides that an approval may be granted subject to conditions.

Under the Regulations, the Secretary of the Department is empowered to make decisions in relation to the approval of controlled activities, and impose conditions on the approval. I am the Secretary's Delegate for the purposes of the Regulations.

### **Decision**

In accordance with regulation 14, **I approve** the controlled activity for the intrusion of a building at 6-8 Parramatta Square, Parramatta into prescribed airspace for Bankstown Airport to a **maximum height of 240 metres AHD**.

In making my decision, I have taken into consideration the opinions of the Proponent, the Civil Aviation Safety Authority, Airservices Australia's advice number YSBK-CA-004-P4, SMA and the crane plan prepared by Thompson GCS dated 12 October 2018.

In accordance with regulation 14(1)(b), I impose the following conditions on my approval:

1. The building **must not exceed** a maximum height of **240 metres AHD**, inclusive of all lift over-runs, vents, chimneys, aerials, antennas, lightning rods, any roof top garden plantings, exhaust flues etc.
2. Separate approval **must be sought** under the Regulations for any equipment (e.g. cranes) required to construct the building. Construction cranes may be required to operate at a height significantly higher than that of the proposed controlled activity and consequently, may not be approved under the Regulations. Therefore, it is advisable that approval to operate additional construction equipment be obtained **prior** to any commitment to construct.
3. The building **must** be obstacle lit by medium intensity steady red lighting during the hours of darkness at the highest point of the building. Obstacle lights are to be arranged to ensure the building can be observed in a 360 degree radius as per subsection 9.4.3 of the Manual of Standards Part 139 – Aerodromes (MOS Part 139). Characteristics for medium intensity lights are stated in subsection 9.4.7 of MOS Part 139.
4. The proponent **must ensure** obstacle lighting arrangements have a remote monitoring capability, in lieu of observation every 24 hours, to alert Bankstown Airport reporting staff of any outage. For detailed requirements for obstacle lighting monitoring within the OLS of an aerodrome, refer to subsection 9.4.10 of the MOS Part 139.

5. The Proponent **must advise** Airservices Australia at least three business days prior to the controlled activity commencing by emailing <ifp@airservicesaustralia.com> and quoting YSBK-CA-004-P4.
6. On completion of construction of the building, the Proponent **must provide** SMA with a written report from a certified surveyor on the finished height of the building.

**Breaches of approval conditions are subject to significant penalties** under Sections 185 and 187 of the Act.

Yours sincerely



Craig Downsborough  
Director, Efficiency and Reform  
Aviation and Airports Division

31 October 2018

22 June 2018

The General Manager  
Parramatta City Council  
PO Box 32  
Parramatta NSW 2124

**ATTENTION: MATTHEW DI MAGGIO**

Dear Sir/Madam,

**STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007  
DEVELOPMENT APPLICATION – DA/46/2018  
Parramatta Square 4 & 6, Parramatta**

I refer to the above development application requiring RailCorp's concurrence in accordance with clause 86(1) of the above SEPP.

As of 1 July 2014 the property functions of RailCorp have been transferred to Sydney Trains. Whilst RailCorp still exists as the legal land owner of the rail corridor, its concurrence function under the above SEPP has been delegated to Sydney Trains.

Sydney Trains advises that the proposed development has been assessed in accordance with the requirements of Clause 86(4) being:

- a) the potential effects of the development (whether alone or cumulatively with other development or proposed development) on:
  - (i) the safety or structural integrity of existing or proposed rail infrastructure facilities in the rail corridor, and
  - (ii) the safe and effective operation of existing or proposed rail infrastructure facilities in the rail corridor, and
- b) what measures are proposed, or could reasonably be taken, to avoid or minimise those potential effects.

In this regard, Sydney Trains has taken the above matters into consideration and has decided to grant its concurrence to the development proposed in development application DA/46/2018 subject to Council imposing the operational conditions listed in Attachment A that will need to be complied with.

Should Council choose not to impose the operational conditions provided in Attachment A (as written), then concurrence from Sydney Trains has not been granted to the proposed development.

In the event that this development proposal is the subject of a Land and Environment Court appeal, Council's attention is drawn to Section 97A of the Environmental Planning and Assessment Act 1979 which requires Council to give notice of that appeal to a concurrence authority. Sydney Trains therefore requests that Council comply with this requirements should such an event occur.

Should you have any enquires about this matter further please contact Mr Jim Tsirimiagos on 8575 0780. Finally, Sydney Trains requests that a copy of the Notice of Determination and conditions of consent be forwarded to Sydney Trains.

Yours sincerely,



**John Camarda**  
**Executive Manager**  
**Commercial Property**

**Attachment A****Operational Conditions**

- A1. *If required by Sydney Trains, a revised services search is to be undertaken prior to commencement of works. The Applicant is to contact the Sydney Trains Rail Corridor Management Group to confirm the need for this item.*
- A2. *All excavation works with 25m of the rail corridor are to be supervised by a geotechnical engineer experience with such excavation projects.*
- A3. *The following items are to be submitted to Sydney Trains for review and endorsement prior to the issuing of a Construction Certificate:*
- *Machinery to be used during excavation/construction.*

*The Principal Certifying Authority is not to issue the Construction Certificate until it has received written confirmation from Sydney Trains that this condition has been complied with.*

- A4. *Sydney Trains and Transport for NSW, and persons authorised by them for this purpose, are entitled to inspect the site of the approved development and all structures to enable it to consider whether those structures on that site have been or are being constructed and maintained in accordance with these conditions of consent, on giving reasonable notice to the principal contractor for the approved development or the owner or occupier of the part of the site to which access is sought.*
- A5. *Copies of any certificates, drawings or approvals given to or issued by Sydney Trains or Transport for NSW must be submitted to Council for its records.*
- A6. *Prior to the commencement of works and prior to the issue of the Occupation Certificate, a joint inspection of the rail infrastructure and property in the vicinity of the project is to be carried out by representatives from the light rail operator Transdev and the Applicant. These dilapidation surveys will establish the extent of any existing damage and enable any deterioration during construction to be observed. The submission of a detailed dilapidation report will be required unless otherwise notified by Sydney Trains.*
- A7. *A final acoustic assessment based on the final approved development is to be prepared in compliance with the Department of Planning's document titled "Development Near Rail Corridors and Busy Roads- Interim Guidelines" and submitted to Council. The assessment is to also address the PERL.*
- A8. *A final Electrolysis Report based on the final approved development is to be prepared prior to the issue of a construction certificate. The report is also to address the PERL. The Applicant must incorporate in the development all the measures recommended in the report to control that risk.*



- A9. *Given the possible likelihood of objects being dropped or thrown onto the rail corridor from balconies, windows and other external features (eg roof terraces and external fire escapes) that are within 20m and face the rail corridor, the Applicant is required to install measures (eg awning windows, louvres, enclosed balconies, window restrictors etc) which prevent the throwing of objects onto the rail corridor. These measures are to comply with Sydney Trains requirements. The Principal Certifying Authority is not to issue the Construction Certificate until it has confirmed that these measures are to be installed and have been indicated on the Construction Drawings.*
- A10. *The design, installation and use of lights, signs and reflective materials, whether permanent or temporary, which are (or from which reflected light might be) visible from the rail corridor must limit glare and reflectivity to the satisfaction of the light rail operator. The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from the light rail operator confirming that this condition has been satisfied.*
- B15. *Prior to the issue of a Construction Certificate a Risk Assessment/Management Plan and detailed Safe Work Method Statements (SWMS) for the proposed works are to be submitted to Sydney Trains and the light rail operator for review and comment on the impacts on rail corridor. The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from Sydney Trains and the light rail operator confirming that this condition has been satisfied.*
- B16. *No metal ladders, tapes and plant/machinery, or conductive material are to be used within 6 horizontal metres of any live electrical equipment. This applies to the train pantographs and catenary, contact and pull-off wires of the adjacent tracks, and to any high voltage aerial supplies within or adjacent to the rail corridor.*
- B17. *Prior to the issuing of a Construction Certificate the Applicant is to submit to Sydney Trains a plan showing all craneage and other aerial operations for the development and must comply with all Sydney Trains and light rail operator requirements. The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from the Sydney Trains and the light rail operator confirming that this condition has been satisfied.*
- B18. *Rainwater from the roof must not be projected and/or falling into the rail corridor and must be piped down the face of the building which faces the rail corridor.*
- B19. *Prior to the commencement of works appropriate fencing/hoarding is to be in place along the rail corridor/station to prevent unauthorised access to the rail corridor during construction. Details of the type of fencing and the method of erection are to be to the satisfaction of Sydney Trains prior to the fencing/hoarding work being undertaken.*
- B20. *Prior to the issuing of a Construction Certificate the Applicant shall liaise with Sydney Trains to the need to provide any fencing, rail access points or crash barriers due to the revised Darcy Street. The timing of the provision of these items if required by Sydney Trains is to be in accordance with Sydney Trains requirements.*

- B21. No scaffolding or hoarding is to be used facing the rail corridor unless prior written approval has been obtained from the light rail operator. To obtain approval the proponent will be required to submit details of the scaffolding and hoarding, the means of erecting and securing this scaffolding, the material to be used, and the type of screening to be installed to prevent objects falling onto the rail corridor. Unless agreed to by Sydney Trains in writing, scaffolding shall not be erected without isolation and protection panels.
- B22. Prior to the issue of a Construction Certificate the Applicant is to submit to Sydney Trains the demolition, excavation and construction methodology and staging for review and endorsement. The Principle Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.
- B23. Prior to the undertaking of works or the issuing of a Construction Certificate (whichever occurs first), the Applicant must hold current public liability insurance cover for a sum to be determined by Sydney Trains. This insurance shall not contain any exclusion in relation to works on or near the rail corridor and rail infrastructure. The Applicant is to contact Sydney Trains Rail Corridor Management Group and the light rail operator to obtain the level of insurance required for this particular proposal. Prior to issuing the Construction Certificate the Principal Certifying Authority must witness written proof of this insurance in conjunction with Sydney Trains and light rail operator written advice to the Applicant on the level of insurance required.
- B24. Prior to the undertaking of works or the issuing of a Construction Certificate (whichever occurs first), the Applicant is to contact Sydney Trains Rail Corridor Management Group to determine the need for the lodgement of a Bond or Bank Guarantee for the duration of the entire works. The Bond/Bank Guarantee shall be for the sum determined by Sydney Trains and the light rail operator. Prior to the issuing of the Construction Certificate the Principal Certifying Authority must witness written advice from Sydney Trains and the light rail operator confirming the lodgement of this Bond/Bank Guarantee.
- B25. Drainage from the development must be adequately disposed of/managed and not allowed to be discharged into the corridor unless prior approval has been obtained from Sydney Trains.
- B26. Prior to the issuing of an Occupation Certificate the Applicant is to submit the as-built drawings to Sydney Trains and Council. The as-built drawings shall indicate that there has been no encroachment into Sydney Trains land or easements. The Principal Certifying Authority is not to issue the Occupation Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.



- B27. No work is permitted within the Sydney Trains land, or its easements, at any time unless prior approval or an Agreement has been entered into with Sydney Trains and/or Transport for NSW. Where the Applicant proposes to enter the rail corridor, the Principal Certifying Authority shall not issue a Construction Certificate until written confirmation has been received from those entities confirming that its approval has been granted.
- B28. Where a condition of consent requires Sydney Trains or Transport for NSW endorsement the Principal Certifying Authority is not to issue a Construction Certificate or Occupancy Certificate, as the case may be, until written confirmation has been received from those entities that the particular condition has been complied with. The issuing of a staged Construction Certificates dealing with specific works and compliance conditions can be issued subject to written agreement from those entities to which the relevant conditions applies.
- B29. In the event that Sydney Trains or Transport for NSW require the placement of an easement or covenant on title indemnifying those entities from any damage that may be caused in the event the suspended road concrete slab has not been designed to withstand the equipment used by Sydney Trains or Transport for NSW, the required easement/covenant is to be placed on title prior to the opening up of the new Darcy St to public or Sydney Trains/Transport for NSW use. The Principal Certifying Authority is not to issue the Occupation Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.
- B30. In the event that the new Darcy Street is opened up for public or Sydney Trains/Transport for NSW use prior to its dedication as a public road, the Applicant shall registration an easement for unrestricted access for the benefit of Sydney Trains and Transport for NSW. The Principal Certifying Authority is not to issue the Occupation Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.
- B31. The developer shall make provision for easy and ongoing access by rail vehicles, plant and equipment to support maintenance and emergency activities.

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Mr Matthew Di Maggio  
Development Assessment Officer  
City Significant Development  
City of Parramatta  
PO Box 32  
PARRAMATTA NSW 2124

Dear Mr Di Maggio

**6 & 7 Parramatta Square, Parramatta NSW 2150 (DA/47/2018)  
Lot 2 DP 1234735, Lot 3 DP 1234735, Lot 4 DP 1234735**

Thank you for your letter dated 2 March 2018 requesting Transport for NSW (TfNSW) provide for concurrence pursuant to Clause 86 of the State Environmental Planning Policy (Infrastructure) 2007.

TfNSW has reviewed the relevant documentation supporting the development application and detailed comments are provided in **TAB A**.

TfNSW advises that the placing of any foundations, other structures and building loads in or near the proposed Parramatta Rail Link (PRL) alignment would affect the practicability of constructing this link.

It is noted that some of the proponent's reports need to be updated for the current development applications for the above site. TfNSW requests that the proposed development should be subject to the following conditions being included in any development consent.

**Condition 1**

*Prior to the issue of the Construction Certificate, the applicant shall provide the following documentation for TfNSW review and written endorsement:*

- *Revised Acoustic Assessment Report with the inclusion of any possible noise and vibration effects from the operation of the PRL;*
- *Updated Architectural Drawings to show the PRL corridor, the sections details in relation to the PRL Corridor with RL's specified;*
- *Revised Structural Engineering Report and Drawings that:*
  - *The structural engineer addresses the integrity of the building façade during construction and operation of the PRL;*
  - *The structural engineer confirms that the movements predicted by the geotechnical numerical modelling can be accommodated by the structure; and*
  - *The applicant provides structural drawings during design development. Structural drawing should show the section details in relation to the PRL corridor and also provide the section detail showing the existing rail infrastructure.*
- *Revised Rail Interface Report to reflect the changes to the development that have been made as part of the current development applications and be amended to reflect the current standard (2017).*

Condition 2

*Prior to the issue of the Occupancy Certificate, the applicant shall implement the suggested measures included in the Electrolysis Report.*

If you require clarification of any issue raised, please don't hesitate to contact Mark Ozinga, Principal Manager Land Use Planning and Development on 0439 489 298.

Yours sincerely



Elizabeth Mildwater  
**Acting Secretary**  
**Transport for NSW**  
13th July 2018

Objective Reference CD18/02042

## **TAB A – Detailed Comments on the Corridor Protection for PRL**

### **Acoustic Assessment Report**

#### Comment

It is noted that the Acoustic Assessment Report addresses the possible effects of the existing rail corridor on the development but does not address the effects of the operation of the PRL.

#### Recommendation

TfNSW requests that the applicant includes comments relating to any possible noise and vibration effects from the operation of the PRL.

### **Statement of Environmental Effects (SEE)**

#### Comment

The following comments are provided:

- Section 3.45 of the SEE indicates that the finished basement level will be RL- 9.9. However, the architectural drawings show RL - 4.3 for the finished basement level;
- Section 4.163 of the SEE states that the structural report notes that the south boundary perimeter shoring wall to 6&8 Parramatta Square will be propped during construction using internal temporary steel props to avoid ground anchors protruding into the PRL corridor. This is not correct as the structural report notes that temporary anchors will be used; and
- Section 2.57 of the SEE references a Rail Interface Report by BG&E. This has not been included with the SEE documentation.

#### Recommendation

It is requested that the applicant provides a copy of the revised Rail Interface Report for the current development applications for review.

### **Electrolysis Report**

#### Comment

The Electrolysis Report states the following:

- It is expected that minimal, additional stray current effects would occur as the proposed PRL will be further away from the existing rail line to the proposed development.
- The recommendations included in the report are conservative and would provide protection against any additional stray current effects, in the event they occur.

It is noted that the Electrolysis Report recommends some protective measures that must be implemented.

#### Recommendation

It is requested that the applicant implement the suggested measures included in the Electrolysis Report.

## **Architectural Drawings**

### Comment

It is noted that the architectural drawings do not show the PRL corridor.

### Recommendation

It is requested that the applicant updates the architectural drawings to show the PRL corridor. Architectural drawings also should provide the sections details in relation to the PRL Corridor and basement with RL's specified.

## **Structural Engineering Report and Drawings**

### Comment

A Structural Engineering Report has been provided which outlines the proposed approach to the structural design of the building. The report needs to address the integrity of the building façade during construction and operation of the PRL. It is noted that the Structural Engineering Report refers a four level basement but architectural drawings indicate that a five level basement is proposed

Structural engineering drawings have not been provided for review.

### Recommendation

It is requested that

- The structural engineer addresses the integrity of the building façade during construction and operation of the PRL;
- The structural engineer confirms that the movements predicted by the geotechnical numerical modelling can be accommodated by the structure; and
- The applicant provides structural drawings during design development. Structural drawing should show the section details in relation to the PRL corridor and also provide the section detail showing the existing rail infrastructure.

## **Rail Interface Report**

### Comment

BG&E have prepared a Rail Interface Report that addresses the interaction between the proposed development, the existing rail corridor and the PRL. This report was submitted as part of the previous development applications for the site that were subsequently approved.

### Recommendation

It is requested that Rail Interface Report be revised to reflect the changes to the development that have been made as part of the current development applications. The current report refers to the collision loads as per old AS 5100.Part 2 standard (2004). The report should be amended to reflect the current standard (2017).

17 July 2018

Our Reference: SYD18/00268/01 & SYD18/00270/01  
Council Ref: DA/46/2018 & DA/47/2018

The General Manager  
Parramatta City Council  
PO Box 32  
Parramatta NSW 2124

Attention: Matthew Di Maggio

Dear Sir/Madam

**CONSTRUCT RESIDENTIAL & COMMERCIAL BUILDING AND BASEMENT CARPARK  
6-7 PARRAMATTA SQUARE, PARRAMATTA**

Reference is made to our previous letter dated 10 April 2018 in response to Councils letter dated 5 February 2018 and 6 February 2018, regarding the abovementioned Application which was referred to Roads and Maritime Services (Roads and Maritime) in accordance with Clause 104 of *State Environmental Planning Policy (Infrastructure) 2007*.

At the Parramatta Light Rail and Parramatta Square Coordination meeting that was held on 23 May 2018, Roads and Maritime discussed the access arrangements with TfNSW (Parramatta Light Rail Team and Sydney Coordination Office), City of Parramatta Council and Walker Corporation. The Parramatta Light Rail Team advised that the approved access arrangements to the Parramatta Square Basement Carpark will be;

1. Macquarie Street will be restricted to one eastbound lane between Church Street and Harris Street with the exception of the section between Horwood Place and Smith Street which would be light rail only.
2. Access and egress to the existing Parramatta Square basement car park entrance (adjacent to the eastern end of the Parramatta Square Stop) would be maintained during construction and operation of the project.
  - a. Access will be provided via the signalised intersection of Smith Street and Macquarie St only.
  - b. A right hand turn from Smith Street (southbound) to Macquarie St (westbound) will be permitted.
  - c. A left hand turn from Smith Street (northbound) to Macquarie St (westbound) will be permitted.
  - d. All movements (left, right and straight) will be permitted from Macquarie St (eastbound) at the intersection with Smith Street.

Following this, the applicant was requested to update the Traffic Impact Assessment (TIA) and revise the traffic modelling with the access arrangement described above.



Roads and Maritime has reviewed the amended TIA and raises no objections to the proposed development subject to the following conditions being included in any consent issued by Council;

1. That the applicant submit an updated Construction Pedestrian Traffic Management Plan in consultation with the Sydney Coordination Office (SCO) to consider the potential impacts of the proposed development on the surrounding road network including the safe movement of public transport customers and buses to and from bus stops and bus layover locations. The CPTMP needs to include, but not be limited to, the following:
  - Location of all proposed work zones;
  - Haulage routes;
  - Construction vehicle access arrangements;
  - Proposed construction hours;
  - Estimated number and type of construction vehicle movements including morning and afternoon peak and off peak movements;
  - Maintain pedestrian access from the station to the north at all times during construction;
  - Traffic and public transport customer management in the vicinity of the development, including the bus interchange;
  - Details of any temporary structures within the surrounding road network.
  - Timing of and reinstatement standards for footpath and road openings
  - Consultation between Sydney Coordination Office and the Applicant.
  - Construction program highlighting details of peak construction activities and proposed construction 'Staging';
  - Any potential impacts to general traffic, cyclists, pedestrians and bus services within the vicinity of the site from construction vehicles during the construction of the proposed works;
  - Cumulative construction impacts of projects including the Parramatta Light Rail and major developments within Parramatta CBD. Should any impacts be identified, the duration of the impacts; and
  - Measures proposed to mitigate any associated general traffic, public transport, pedestrian and cyclist impacts should be clearly identified and included in the CTMP.
2. The layout of the proposed basement car park area associated with the subject development should be in accordance with AS 2890.1 -2004 and AS2890.6 2009.
3. All loading and servicing should be provided for wholly within the development and the proposal should not rely on the surrounding on street parking to fulfil the developments loading and car parking requirements. The number of car parking spaces and loading bay spaces are to be to Council satisfaction.
4. Sight distances from the proposed vehicular crossings to vehicles are to be in accordance with Austroads 'Guide to Traffic Engineering Practice, Part 5 Intersections at Grade, Section 6.2 – Sight Distance and AS 2890. Vegetation and proposed landscaping must not hinder sight lines to and from the vehicular crossings to pedestrians, cyclists, and general traffic.
5. All vehicles are to enter and exit the site in a forward direction and are to be wholly contained on site before being required to stop.
6. Bicycle parking associated with the subject development should be in accordance with AS 2890.3 (Bicycle Parking Facilities). Consideration should also be given to providing end-of-trip facilities within the commercial development to support and encourage active transport to the subject development.

7. During peak periods, a high volume of buses use Station Street /Smith Street and the Station Street bus layover. The Station Street bus layover is a critical layover facility at Parramatta Interchange and it is essential that the construction works at Darcy Street do not impede bus access to and from the layover facility.

Therefore, a Road Occupancy Licence should be obtained from Transport Management Centre for any works that may impact on traffic flows on Smith Street, Macquarie Street and Darcy Street during construction activities.

Should you have any further inquiries in relation to this matter, please do not hesitate to contact Nav Prasad by email at [development.sydney@rms.nsw.gov.au](mailto:development.sydney@rms.nsw.gov.au).

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Aleks Tancevski', with a stylized, wavy line extending to the right.

Aleks Tancevski  
**Senior Land Use Planner**  
**South East Precinct – Sydney Division**

Matthew Di Maggio  
Development Assessment Officer  
City Significant Development  
City of Parramatta  
PO Box 32  
PARRAMATTA NSW 2124

By email: [mdimaggio@cityofparramatta.nsw.gov.au](mailto:mdimaggio@cityofparramatta.nsw.gov.au)

Dear Mr Di Maggio

**Referral of Development Application DA/47/2018 at Nos 6 and 8 Parramatta Square, Parramatta - Construction of a 56 storey commercial tower, including infrastructure works within Darcy Street (above ground works)**

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Thank you for the invitation to submit comments for the above development application that involves above ground works for a 56-storey commercial tower at Nos 6 and 8 Parramatta Square, Parramatta, located in the south-east corner of Church Street Mall.

As the subject site is not within the curtilage of a State Heritage Register item, the Heritage Council of NSW is not a referral body under the *Environmental Planning and Assessment Act 1979* and not a consent authority under section 57(1) of the *Heritage Act 1977*. It is noted that management of the archaeological resource under this site is currently being managed through approvals under the Heritage Act.

In reply to Council's request whether the subject site is part of the State Heritage listing of Parramatta Railway Station, I advise that 6 and 8 Parramatta Square is not within the State Heritage Register curtilage for Parramatta Railway Station. This is because the State Heritage Register curtilage for Parramatta Railway Station is smaller than the curtilage mapped under the Parramatta Local Environmental Plan (LEP).

The following comments are provided as requested by Parramatta Council.

Heritage impacts

The proposed 56 storey tower is located on a prominent corner, directly opposite three heritage items that will be most impacted. These items are:

- *St John's Anglican Cathedral*, an item of listed on the State Heritage Register (No. 01805), built in the Old Colonial Gothick and Victorian Romanesque styles between 1817 and 1885;
- *Parramatta Town Hall*, a two storey Victorian Free Classical building of local heritage significance, built in 1881; and
- *Bicentennial Square and Adjoining Building*, an item of local heritage significance, built in 1888.

The statements of significance advise that both the Victorian Free Classical Town Hall and the Gothick and Romanesque Cathedral are major historic landmarks. The Cathedral has dominated Church Street since 1817 and the Town Hall since the 1880s. The historic and aesthetic significance of the Cathedral and Town Hall have been maintained by the uniform two and three storey buildings that form a harmonious street wall that encloses Bicentennial Square and the Church Street Mall.

It is acknowledged that the planning controls permit a building at Nos 6 & 8 Parramatta Square, up to 250m high, and that the proposal is compliant at 232m high. However, it is emphasised that the Heritage Council of NSW has expressed repeated concern about the substantial increase in building heights in the Parramatta CBD and the adverse impact on nearby heritage items.

For the development at No 6 & 8 Parramatta Square, there is considerable concern about the disparity between the enormous scale and verticality of the proposed 56 storey tower and the much smaller heritage items only 30-40m away. This disparity in scale will be an extremely poor result for the Town Hall and Cathedral as the 232m high eye-catching tower will overwhelm its much smaller neighbours and drastically reduce their historic prominence. The impact is worsened as the tower will encroach into Church Street itself, will have a tall and deep undercroft and cantilevered upper floors. The proposed 21m high 2.4m diameter columns supporting the undercroft will accentuate the disparity in scale as they will be over twice the height of the Town Hall itself and taller than the Cathedral's steeply pitched roof.

The applicant asserts in their application that the tower creates a civic place as a setting for the heritage items. This claim is disputed as the disparate scale between the small-scale heritage items and the 232m tower with its 21m podium is so great that the heritage items will be overwhelmed. The applicant also asserts that a horizontal line in the glazing and screens will relate to the scale of the Cathedral and Town Hall. However, this feature will not be legible to the eye as it will be shadowed in under the tall undercroft and will be set back and obscured by the visually dominant giant columns which draw the eye up to the height of the tower itself.

Considering the adverse impacts noted above, the tower should be redesigned to substantially lessen its visual impact and its prominence in Bicentennial Square and the Church Street Mall. Instead of a tall under-croft, the tower should feature a strong base/ podium with a scale that is sympathetic with the scale of the Cathedral and Town Hall. The tower shaft should be set back from its base at the corner to break up the tall vertical composition and accentuate a horizontal line that relates to the heritage items and the consistent street wall that has been maintained around Bicentennial Square and the Church Street Mall. Once the development has a strong base which is compatible with the existing scale at street level, the dominance of the tall tower above will recede.

#### Below ground works

Comments for any excavation for basement parking were provided by the Heritage Division in a letter dated 27 February 2018, under development application DA/46/2018. The recommendations in this letter, relating to archaeological excavation and the city-wide Interpretation Plan, should be included in this application.

Furthermore, all archaeological conditions related to archaeological approvals issued under the Heritage Act 1977 for this and any other Parramatta Square sites, remain in force and are required to be adhered to, including interpretation requirements in any new buildings.

If you have any questions in relation to the development at Nos. 6 & 8 Parramatta Square, please contact Lily Chu, Senior Heritage Assessment Officer, at the Heritage Division on (02) 9873 8595 or [Lily.Chu@environment.nsw.gov.au](mailto:Lily.Chu@environment.nsw.gov.au).

Yours sincerely



23/08/2018

**Cheryl Brown**

Manager, North Region

Heritage Division

Office of Environment & Heritage

**As Delegate of the Heritage Council of NSW**