



SYDNEY CENTRAL CITY PLANNING PANEL Addendum Assessment Report

Panel Reference	2018SWC082
DA Number	DA/480/2018
LGA	City of Parramatta Council
Proposed Development	Construction of 58 and 66 storey mixed used buildings over a podium on the corner of George Street and Charles Street, comprising two (2) new ground floor retail units, 5 levels of basement car parking, a child care centre, a commercial gym, 271 serviced apartments, and 753 residential units.
Street Address	180 George St and 180A, B, C & D George Street, Parramatta Lot 201 DP 1082194, Lot 202 DP 1082194, LOT 1 DP 506760, Lot 203 DP 1082194, Lot 204 DP 1082194, CP SP 74916
Applicant	Karimbla Construction Services (NSW) Pty Ltd
Owner	Karimbla Construction (No13) Pty Ltd
Date of DA lodgement	18 July 2018
Number of Submissions	5 submissions
Recommendation	Approval subject to conditions
Regional Development Criteria	The development has a capital investment value of more than \$30 million.
List of all relevant s4.15(1)(a) matters	<ul style="list-style-type: none">• Environmental Planning and Assessment Act 1979• Environmental Planning and Assessment Regulations 2000• SEPP (Infrastructure) 2007• SEPP (State and Regional Development) 2011• SEPP (Sydney Harbour Catchment) 2005• SEPP (Educational Establishments and Child Care Facilities) 2017• SEPP (Vegetation in Non-Rural Areas) 2017• SEPP No. 55 (Remediation of Land)• SEPP No. 64 (Advertising and Signage)• SEPP No. 65 (Design Quality of Residential Apartment Development)• Draft SEPP (Environment) 2017• Parramatta Local Environmental Plan 2011• Parramatta Development Control Plan 2011
List all documents submitted with this report for the Panel's consideration	<ul style="list-style-type: none">• Attachment 1 – Original Council Assessment Report• Attachment 2 – Construction Management Plan• Attachment 3 – Draft Revised Conditions of Consent
Report prepared by	Myfanwy McNally Manager – City Significant Development
Report date	25 September 2019

1. Introduction

1.1 Background of Consideration of Application

Development Application 2018SWC082 was referred to the Sydney Central City Planning Panel (the Panel) on 31 July 2019 with a recommendation for approval subject to conditions. The Panel deferred a decision and requested additional information. The full Council assessment report is available at Attachment 1. This assessment is still considered to be Council officers' position subject to the additional assessment in this addendum report and the revised recommendation.

1.2 Sydney Central City Planning Panel Decision

The application was reported to the Panel with a recommendation of approval subject to conditions on 31 July 2019. After hearing submissions from the applicant and interested parties, the Panel resolved to defer a decision on the application for the following reasons as stated in the Record of Deferral:

The Panel is minded to approve the application but will defer determination to allow –

- *A Construction Management Plan to be prepared addressing the issues for owners and workers;*
- *A Operational Noise Management Plan to be prepared to include measures to protect existing residents and businesses;*
- *A Revised Acoustic Report addressing all late-night trading activities that could potentially be affected. Relevant findings of this report should be included in the two preceding management plans.*

Upon receipt of the Council addendum report, the Panel may determine the matter electronically or by public meeting.

2. Applicant Response

In response to the deferral, the applicant submitted the following:

- A Construction Management Plan prepared by Karimbla Construction Services (NSW) Pty Ltd was submitted to Council on 13 August 2019 and includes the following appendices:

- Appendix 1 - Access Plans
- Appendix 2 - Acoustic & Operational Management Plan
- Appendix 3 - Traffic Management Plan
- Appendix 4 - Erosion & Sediment Control
- Appendix 5 - Waste Management Plan
- Appendix 6 - Dust Management Plan
- Appendix 7 - Noise & Vibration Management Plan

The original Construction Management Plan submitted with the application has been amended to include Appendix 1 and Appendix 2 listed above.

All of these documents are included at Attachment 2 for the consideration of the Panel.

3. Response to SCCPP Deferral Reasons

Council officer assessment of the additional information, in the context of the deferral reasons, is provided below.

3.1 Construction Management Plan

The revised Construction Management Plan (CMP) updates the original CMP submitted with the application. This report has been prepared to manage the construction of the site to address access, egress and safety of retail owners/tenants, people visiting the site, vehicular movements, parking and construction.

Section 2 of the CMP includes details regarding the existing building and owner access which provides for the following:

- Safe vehicle and pedestrian access for retail owners, tenants and their staff at all times (access plans have been provided)
- The Ground Floor includes 2 passenger and goods lifts and a stairwell providing pedestrian access from the basement carpark to the ground floor
- Additional directional signage will be put in place to further improve pedestrian egress from the car park to the ground floor
- Ramp access is provided from George Street to the basement carpark. The entry to the ramp is external from the construction zone with a secured private entry, providing safe access for the retail tenants
- A security guard is located at the George Street driveway entrance to the carpark allowing tenants and staff entry to underground parking. The driveway entry is hoarded from the construction zone
- A security guard is also located at the Ground Floor permitting pedestrian access to Charles Street. Lighting is provided and maintained to the basement carpark and the lift lobbies at all times. All pedestrian routes from the carpark to the Ground Floor are kept clear of debris and materials. The site and shared areas are to be kept clean with cleaning taking place on a daily basis
- Tenant/community complaint handling process to be implemented.

Council Comment: This Construction Management Plan is considered to appropriately address the concerns for owners and workers during construction. Compliance with this plan is to be incorporated into the revised Recommendation.

3.2 Operational Noise Management Plan

The revised Construction Management Plan (CMP) submitted updates the original CMP submitted with the application and includes Appendix 2 – Acoustic & Operational Management Plan, prepared by Acoustic Logic.

The Operational Management Plan has been prepared that will guide noise management of future non-residential uses at ground level.

The following operational management procedures are recommended to ensure the acoustic amenity of the public forecourt, the retail tenancies themselves and the residential apartments above:

- Outdoor seating for all areas to be closed at 11pm. Food and beverage premises may continue to operate until 12am internally, provided windows and doors are closed and all patrons are contained within the premises.

- Management should ensure that patrons depart the premises in a prompt and orderly manner at closing times. Management to ensure that patrons act in an orderly manner in the outdoor spaces at all times.
- Background music is to be limited to a level of 65dB(A)Leq within the food and beverage premises and 60dB(A)Leq within the outdoor spaces (adjustment of levels may be appropriate based on final tenant layout).
- Benches within the kitchen are to be isolated from structural walls and columns (no rigid connection).
- Any tiled flooring within the kitchen or back of house and bar area is to be acoustically treated with 5mm thick Acoustic Supplies Vibramat.
- Any loudspeakers installed within the space should be suitably vibration isolated from the building structure to render structure borne noise inaudible within the residences above.
- Prominent notices shall be placed to remind patrons that a minimum amount of noise is to be generated when leaving the premises.
- All garbage should be retained within the premises and removed the following day after 7am.

Council Comment: This Operational Management Plan was reviewed by Council's Environmental Health Officer who advises that the report adequately addresses the management of potential noise emissions provided there is adherence to the proposed noise management controls. Compliance with this Operational Management Plan is included within the revised Recommendation.

3.3 Revised Acoustic Report

The revised Construction Management Plan (CMP) submitted updates the original CMP submitted with the application and includes Appendix 2 – Acoustic & Operational Management Plan, prepared by Acoustic Logic.

This report has been prepared to address noise emissions from the Port Bar restaurant affecting the proposed residential development at 180 George Street, Parramatta. The report has reviewed the current consent for the Port Bar and makes the following comments:

- Provided the Port Bar is operating in accordance with the noise emission criteria of their own consent, noise from the Port Bar operation would be deemed acceptable for any future residential development on the existing property boundary at 180 George Street, Parramatta.
- The Port Bar dining establishment has been operating since the occupation of the existing Meriton Serviced Apartments and ground floor shops on the site. The Meriton Group has advised that over time there have been no noise complaints from guests about noise from the Port Bar.
- The orientation of the outdoor dining area of the Port Bar is such that the rear of the building provides partial screening between the outdoor area and proposed podium apartments. The outdoor dining area is largely covered by a canvas canopy, further reducing patron noise levels to the proposed apartments.
- The hours of operation of the Port Bar are similar to restaurants on Church Street, where Council's City Strategy is to incorporate new residential development in an existing dining precinct.
- In order to increase the acoustic amenity for occupants within the proposed podium apartments The Meriton Group propose to use an upgraded large air gap double glazed system, which will provide a 40-45dB(A) reduction external patron noise when measured within the proposed podium apartments.

Based on the above, the report concludes as follows:

- (a) Noise emissions from the existing Port Bar would be acceptable at the future residential podium apartments provided the Port Bar is operating in accordance with the operational noise management plan and consent
- (b) It is typical to have ground floor restaurants and bars with outdoor areas in urban areas with residential development
- (c) In addition to the above, The Meriton Group are providing an upgraded façade system to further increase the amenity of the podium level future residential properties facing the existing outdoor area of the Port Bar.

Council Comment: This acoustic plan was reviewed by Council's Environmental Health Officer who advises that the report adequately addresses the concerns raised by the Panel. It is recommended however that the proposed Condition 201 (offensive noise/vibration restriction) be altered for the following reasons:

- This condition appears to combine two separate criteria into one but they should be separated out as the L10 and octave band criteria is specific to noise from liquor licenced venues.
- As this DA does not include any specific approval for a licenced venue the L10 and octave band criteria are not necessary – these can be added in a tenancy DA if required.

Condition 201 has been amended in the revised conditions attached to this report.

Condition 56 has also been amended to incorporate the details of the proposed upgraded façade system noted in the acoustic report.

3.3 Other Issues Raised by Council Officers

Heritage Interpretation Strategy

Council's Interpretation & Strategy Coordinator has raised that as this site is of high significance for Aboriginal and colonial history, a heritage interpretation strategy should be required to be prepared and implemented for this project. In this regard, it is recommended that the following conditions be incorporated within the consent conditions:

Heritage Interpretation Strategy

Prior to issue of any Construction Certificate, a Heritage Interpretation Strategy is to be submitted to and approved by Council's Group Manager, Development and Traffic Services.

The Strategy is to:

- a) *Detail how information on the history and significance of the site and building will be provided for the public and make recommendations regarding public accessibility, signage and lighting. The strategy may, for example, include public art, details of the heritage design, or the display of selected artefacts.*

Reason: *To ensure that loss of heritage fabric at the site is offset by an appropriate interpretation strategy.*

Certification - Heritage Interpretation Strategy

The recommendations of the Heritage Interpretation Strategy approved in Condition 38A are to be completed in full to the satisfaction of Council's Group Manager, Development and Traffic Services prior to the issue of the final Occupation Certificate.

Reason: To ensure the recommendations of the Heritage Interpretation Strategy are carried out.

Modifications to Conditions

The conditions have been revised to:

- Incorporate conditions as a result of the additional information submitted to satisfy the deferred matter
- Incorporate detailed technical reports to be adhered to (previously incomplete)
- Incorporate the requirements for the submission of an Interpretation Strategy and compliance with recommendations of that strategy.
- Adjust the Section 7.12 contributions to correct a typographical error.

4. Conclusion

This report provides a response and assessment of the panel deferral recommendation of the application. The applicant has demonstrated that the proposal satisfactorily addresses the applicable planning framework. As such, approval subject to the imposition of appropriate conditions is recommended. Recommended conditions of consent are provided at Attachment 3.

5. Recommendation

- A. **That** the Sydney Central City Planning Panel, as the consent authority, grant **Consent** to Development Application No. DA/480/2017 for a 58 and 66 storey mixed used buildings over a podium on the corner of George Street and Charles Street, comprising two (2) new ground floor retail units, 5 levels of basement car parking, a child care centre, a commercial gym, 271 serviced apartments, and 753 residential units at 180 George St and 180A, B, C & D George Street, Parramatta (Lot 201 DP 1082194, Lot 202 DP 1082194, LOT 1 DP 506760, Lot 203 DP 1082194, Lot 204 DP 1082194, CP SP 74916) for a period of five (5) years from the date on the Notice of Determination subject to the conditions under Attachment 3.

ATTACHMENTS:

1. Original Council Assessment Report
2. Additional Information Submitted - Construction Management Plan
3. Revised Draft Conditions of Consent