



**SYDNEY CENTRAL CITY PLANNING PANEL**

**COUNCIL ASSESSMENT REPORT**

<b>Panel Reference</b>	2018SWC082
<b>DA Number</b>	DA/480/2018
<b>LGA</b>	City of Parramatta
<b>Proposed Development</b>	<p>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.</p> <p>The application is to be determined by the Sydney Central City Planning Panel.</p>
<b>Street Address</b>	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
<b>Applicant</b>	Karimbla Construction Services (NSW) Pty Ltd
<b>Owner</b>	Karimbla Construction (No13) Pty Ltd.
<b>Date of DA lodgement</b>	18 July 2018
<b>Number of Submissions</b>	Five (5)
<b>Recommendation</b>	Approval subject to conditions
<b>Regional Development Criteria (Schedule 4A of the EP&amp;A Act)</b>	Pursuant to Section 4.7 of the Environmental Planning and Assessment Act 1979 (at the time of lodgement), the development has a capital investment value of more than \$30 million.
<b>List of all relevant s4.15(1)(a) matters</b>	<ul style="list-style-type: none"><li>• Environmental Planning and Assessment Act 1979</li><li>• Environmental Planning and Assessment Regulations 2000</li><li>• SEPP (Infrastructure) 2007</li><li>• SEPP (State and Regional Development) 2011</li><li>• SEPP (Sydney Harbour Catchment) 2005</li><li>• SEPP (Educational Establishments and Child Care Facilities) 2017</li><li>• SEPP (Vegetation in Non-Rural Areas) 2017</li><li>• SEPP No. 55 (Remediation of Land)</li><li>• SEPP No. 64 (Advertising and Signage)</li><li>• SEPP No. 65 (Design Quality of Residential Apartment Development)</li><li>• Draft SEPP (Environment) 2017</li><li>• Parramatta Local Environmental Plan 2011</li><li>• Parramatta Development Control Plan 2011</li></ul>

<b>List all documents submitted with this report for the Panel's consideration</b>	Attachment 1 – Architectural Drawings Attachment 2 – Landscape Drawings Attachment 3 – Civil & Stormwater Drawings Attachment 4 – Design Excellence Jury Review Attachment 5 – Applicant External Shading Justification
<b>Report prepared by</b>	Jonathan Cleary Senior Development Assessment Planner, City Significant Development
<b>Report date</b>	18 July 2019

### **Summary of s4.15 matters**

Have all recommendations in relation to relevant s4.15 matters been summarised in the Executive Summary of the assessment report? **Yes**

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### **Legislative clauses requiring consent authority satisfaction**

Have relevant clauses in all applicable environmental planning instruments where the consent authority must be satisfied about a particular matter been listed, and relevant recommendations summarized, in the Executive Summary of the assessment report? **Yes**

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### **Clause 4.6 Exceptions to development standards**

If a written request for a contravention to a development standard (clause 4.6 of the LEP) has been received, has it been attached to the assessment report? **N/A**

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### **Special Infrastructure Contributions**

Does the DA require Special Infrastructure Contributions conditions (s7.24 of the EPAA)? **No**

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### **Conditions**

Have draft conditions been provided to the applicant for comment? **Yes**

## 1. Executive summary

The proposal provides for construction of a mixed use development comprising a four storey podium, 58 and 66 storey residential towers comprising 753 residential units, 271 serviced apartments. The proposal also includes the retention of a portion of the existing Meriton Serviced Apartments development on the site and construction 5 levels of basement car parking. The new podium levels would include a commercial gym, a child care centre, and two retail tenancies.

The proposal is based on the winning entry in a design competition process that was awarded design excellence. The proposed building generally follows the form for the site envisaged by Parramatta LEP 2011 and Parramatta DCP 2011 and as such is considered to provide a high standard of accommodation for future occupants.

The site constraints include flooding and heritage conservation. However, it is considered that sufficient evidence has been provided that these risks can be managed appropriately.

The amenity impacts on adjoining and nearby properties are considered to be reasonable based on the high-density character of the area and the built forms envisaged by the controls.

The application has been assessed relative to section 4.15 of the Environmental Planning and Assessment Act 1979, taking into consideration all relevant State and local planning controls. On balance the proposal has demonstrated a satisfactory response to the objectives and controls of the applicable planning framework. Accordingly, approval is recommended.

## 2. Key Issues

### *Apartment Design Guide*

- **Building Separation** – Separation between the proposed towers is reduced however the orientation of the living spaces and private open space reduce the impacts of the noncompliance. This is considered acceptable in this instance.

### *Parramatta LEP 2011*

- **Car Parking** – The provision of parking is in accordance with the statutory controls and more recent directions on CBD planning proposal.

### *Parramatta Development Control Plan 2011*

- **Envelope** – Non compliant setbacks and building length considered to be acceptable due to narrow site depth and offsetting improvement to public domain and screening of above ground car park.
- **Heritage** – The site is located adjacent to Harrisford House. The proposal is considered to appropriately address the heritage item notwithstanding the scale.
- **View Loss** – No reasonable modifications could be made to the development to preserve the views to the Sydney CBD and Sydney Harbour Bridge from the nearby properties which rely on the current development density to maintain these views.

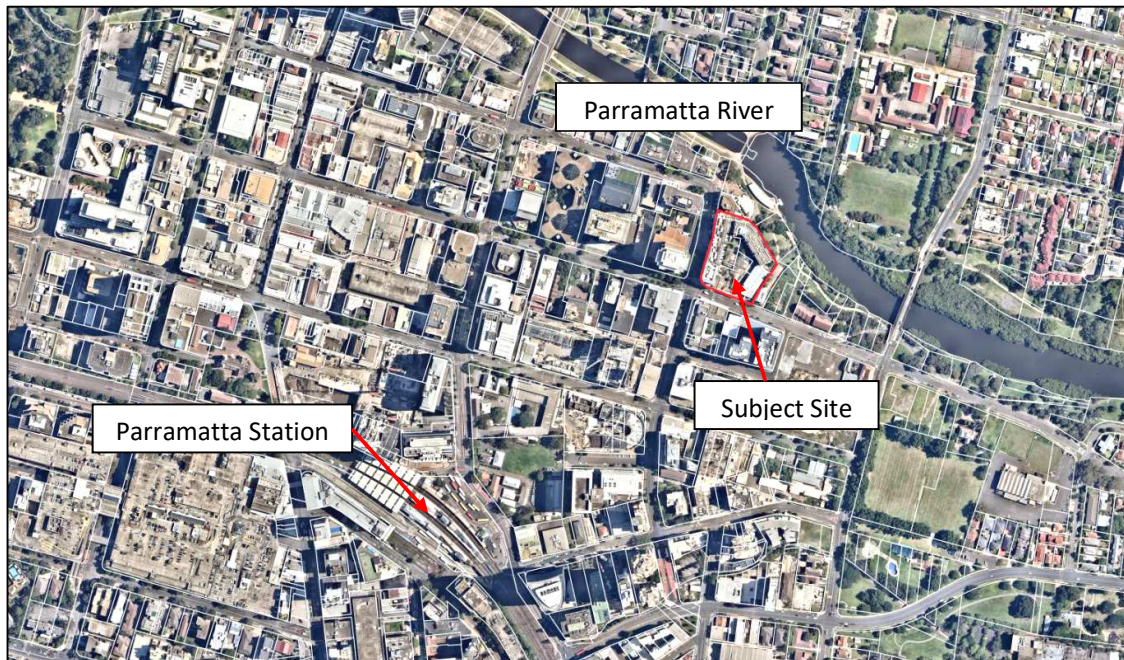
## 3. Site description, location and context

### 3.1 Site Description and Current Improvements

The site is located on the north-eastern corner of the intersection of George Street and Charles Street in the eastern end of the Parramatta CBD. The subject site is legally describes as Lots 201, 202, 203, and 204 in DP 1082194 and CP SP 74916. The site is relatively flat

and has a combined area of 7978.5m<sup>2</sup>, with a frontage to George Street of 69 metres and 94.8 metres to Charles Street.

The site is immediately adjacent to the Parramatta River



**Figure 1:** Aerial view of the site and surrounding infrastructure.

The site was inspected multiple times since lodgement. A number of buildings on the site have been demolished under previous consents. The improvements on the site at the time of lodgement were:

- Block A - Two storey shop top housing building (Demolished)
- Block B - Twelve storey mixed use development building (To be retained and incorporated into proposed development)
- Block C – Three storey shop top housing building (To be retained and incorporated into the proposed development)
- Block D - Five Storey serviced apartment building (Partially demolished)
- Block E - Two storey shop top housing building (Demolished)
- Central courtyard area (Demolished); and
- Common basement car parking level (Partially demolished and incorporated into the proposed development).





**Figure 2:** Existing building arrangements at the time of lodgement



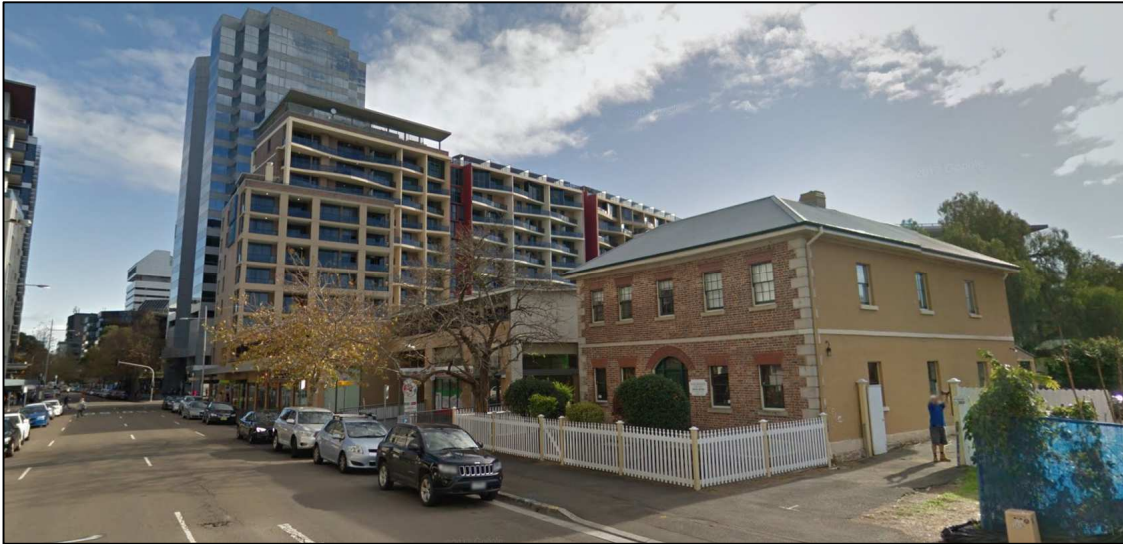
**Figure 3:** Aerial view of the site (NearMap 7 April 2019). Block A has been demolished in this image.

### 3.2 Site Constraints

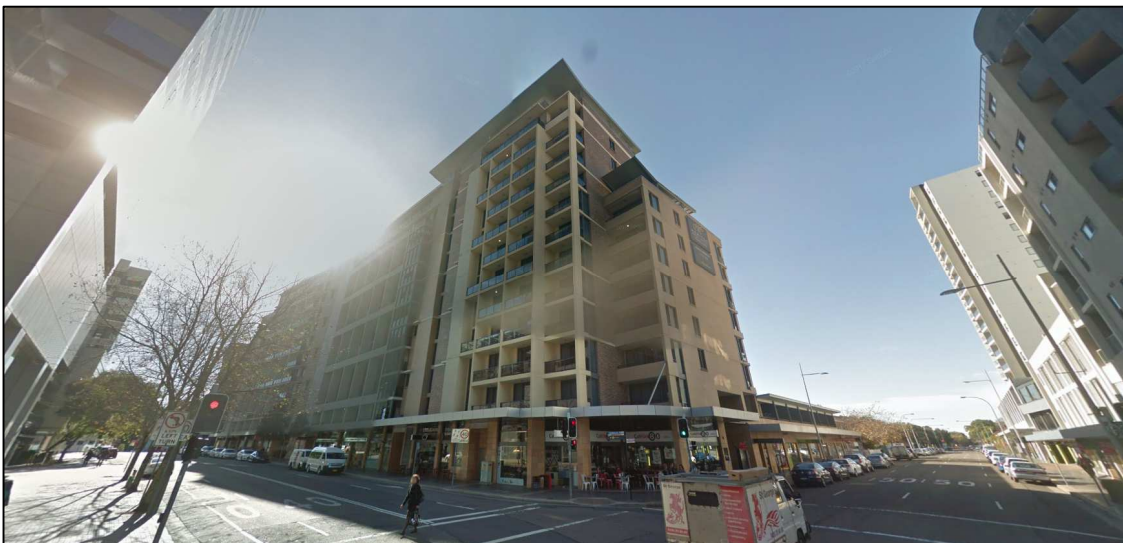
The site currently contains a partially demolished building and a 10 storey building comprising Meriton Serviced Apartments and retail, restaurant, and business premises on the ground floor. The existing basement servicing the building contains 136 car parking spaces.

Although the subject site does not contain any heritage items the subject site directly adjoins Heritage Item I00248 – *Harrisford (and potential archaeological site)*, a state listed heritage item. The subject site is not within a heritage conservation area.

The land is likely to contain acid sulphate soils, is of High Aboriginal heritage sensitivity (Pleistocene Sands) and is flood affected.



**Figure 4.** Subject site as viewed from George Street looking west (Google Maps July 2016). Harrisford is located in the foreground. The existing Meriton Service Apartments to be retained are located in the background.



**Figure 5:** Subject site as viewed from the intersection of George Street and Charles Street (Google Maps July 2016). The Meriton Serviced Apartments to be retained are in the foreground.

### 3.3 Surroundings Development

- North – Parramatta River and Foreshore
- East – Harrisford House and vacant site adjoining
- South – 9 storey shop-top housing development
- West – 20 storey commercial premises (Commonwealth Bank)

### 3.4 Site History

The site is the subject of a Planning Proposal (RZ/24/2015) which sought an increase in both the maximum Height of Building and Floor Space Ratio applicable to the site. The Planning

Proposal was made on the 28 February 2019 resulting in a mapped height of 190m and FSR of 10:1. The Council has also adopted a site specific Development Control Plan and endorsed a Voluntary Planning Agreement for the site.

A design competition was held for the site (Council Ref: DC/2/2017) in November 2017. On 15 November 2017 a proposal by Woods Bagot was awarded design excellence triggering the following bonuses under Clause 7.10(8):

- Height – 15% bonus (from 190m to 218.5m)
- FSR – 15% bonus (from 10:1 to 11.5:1)

### 3.5 Relevant Previous Applications

<b>DA/960/2017</b>	Demolition of existing buildings know as Block A, D, E, the removal of street trees and erection of hoardings and temporary ramp to facilitate vehicle access. Approved 13 June 2018.
<b>DA/960/2017/A</b>	Modification seeks to allow for Saturday demolition works. Approved 17 October 2018
<b>DA/960/2017/B</b>	Modification seeks to allow for the removal of 11 trees from the site and surrounds. Approved 17 January 2019
<b>DA/960/2017/C</b>	Modification seeks to remove an additional tree located on George Street. Under Assessment at the writing of this report.
<b>DA/636/2018</b>	Bulk excavation, shoring and piling works to enlarge the existing basement and create three additional basement levels with associated lift pit. Approved 22 March 2019.
<b>DA/168/2019</b>	Stratum subdivision and boundary realignment to create thee (3) allotments. Under Assessment at the writing of this report.

### 3.6 Statutory Context

The Parramatta CBD is undergoing significant redevelopment transitioning from its historic low-medium rise commercial development to high rise mixed use development.

The following development application in the Parramatta CBD is relevant to the proposal:

Site	Reference	Description / Details
130-150 George Street	DA/808/2017	33 storey commercial office building fronting Charles Street; 4 storey mixed use building fronting George Street comprised of retail, commercial offices and communal recreation facilities; modification to existing car park at 150 George Street including reduction in car parking spaces; pedestrian through-site link along western boundary of 140 George Street; and associated landscaping and public domain works; following demolition of existing car park at 140 George Street. <b>Approved.</b>



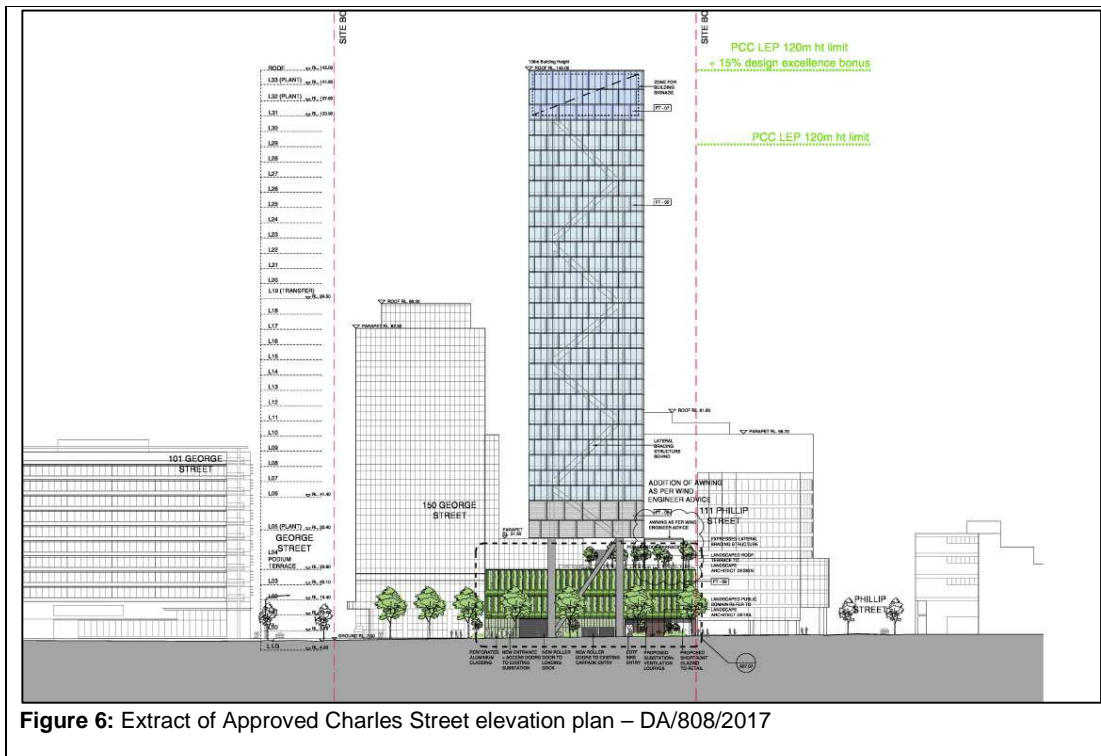


Figure 6: Extract of Approved Charles Street elevation plan – DA/808/2017

#### 4. The proposal

The proposal involves the following:

- Construction of two residential towers of 58 and 66 storeys over a mixed use podium providing a total of 1037 residential units comprising:
  - 776 private residences including the change of use of 145 serviced apartments into private residences within Buildings B and C; and
  - 271 serviced apartments;
- Construction of 5 levels of basement car parking (bulk excavation approved under separate application) comprising;
  - 533 car spaces (total spaces including podium levels – 654));
  - 1 car wash bay;
  - 321 bicycle spaces;
- The podium would comprise the following uses;
  - A 704m<sup>2</sup> and a 101m<sup>2</sup> retail premises;
  - A 475m<sup>2</sup> commercial gymnasium;
  - 499m<sup>2</sup> child care centre;
  - Lobbies to the services apartments within the southern tower;
  - Private pool facilities for the residential dwellings;
  - Car Parking and delivery facilities comprising;
    - 121 car spaces including 12 accessible spaces (total spaces including basement level 654);
  - Waste disposal facilities and other services;
- Retention of Buildings B and C and change of use of 147 serviced apartments to private residences;
- Construction of a 6-metre wide public access pathway along the eastern and northern boundaries;
- Public Domain improvements.

The residential and serviced apartment component of the development comprise of the following:

	<b>North Tower</b> Levels 2 – 66 inclusive	<b>South Tower</b> Levels 43-57 inclusive	<b>Serviced Apartments within South Tower</b> Levels 4-42 inclusive	<b>Existing serviced apartments converted to private dwellings</b> Levels G-11 inclusive
<b>Type of Unit</b>	Private Residence	Private Residence	Serviced Apartments	Private Residence
<b>Studio Units</b>			78	2
<b>1 Bedroom</b>	138	33	154	43
<b>2 Bedrooms</b>	309	41	39	87
<b>3 Bedrooms</b>	89	6		13
<b>4 Bedrooms</b>	4	1		
<b>Total</b>	<b>540</b>	<b>81</b>	<b>271</b>	<b>145</b>

- 7 x internally illuminated building identification signs;

<b>North Tower</b>	<b>South Tower</b>	<b>Podium</b>
No signage proposed	2 x 'M' logos East and West Elevations  (w) 4,400 x (h) 3,500mm	2 x 'M' Logos North and South elevations above building entrances (w) 1,600 x (h) 1,450mm
	2 x 'Meriton' signs North and South Elevations  (w) 18,900 x (h) 3,500mm	1 x 'M' logo Eastern elevation within laneway (w) 4,400 x (h) 4,000mm

- Creation of a 6 metre wide easement adjacent to the eastern boundary as a through-site link from George Street to the Parramatta River Foreshore; and
- Creation of a 4.5 metre wide easement adjacent to the northern boundary as a connection between the Parramatta River Ferry stop and the podium levels.

The proposal would result in the following:

- Increase in the amount of commercial floor space on the site from 976m<sup>2</sup> to 2,238m<sup>2</sup> (+1877m<sup>2</sup>, +229%);
- A total of 17,898m<sup>2</sup> of tourist and visitor accommodation floor space;



**Figure 7.** Photomontages of proposal as viewed from the south (left) and north-east (right).

### **Summary of Amended Proposal**

In response to concern's raised by the Design Competition Jury and Council officers the applicant submitted revised drawings which included the following changes:

- Amended the façade to reflect the design competition winning scheme;



**Figure 8:** Façade design in original submission.





**Figure 9:** Façade design in amended submission.

- Include sunshading devices on the critical elevations (north-east, northern, north-west, south-west) of the towers in keeping with the design competition winning scheme

## 5. Referrals

The following referrals were undertaken during the assessment process:

### 5.1 Sydney Central City Planning Panel (SCCPP) Briefing

Issues Raised	Comment
<b>Briefing (6 March 2019)</b>	
Waiting design excellence to be achieved	The Jury has confirmed that the scheme as amended reflects the award winning scheme and as such has design excellence.

### 5.2 Design Excellence Jury

The Design Excellence Jury considered the application 30 August 2018. The Jury found that parts of the submitted design was not consistent with the design competition winning scheme. In particular, the podium design was a clear departure from the “spirit and intent” of the original design.

Amended plans were submitted to Council following the Jury’s advice.

On 13 February 2019, the Jury reconvened to consider the amended plans and found that the following issues are addressed before being formally endorsed with Design Excellence:

- Environmentally Sensitive Design;
- Revised Tower and Podium Façade Details; and
- Design Excellence Statement.

On 18 July 2019, the Jury formally awarded Design Excellence to the application following the satisfaction of the above issues.

The Design Excellence Jury’s full comments are included at Attachment 4.

### 5.3 External

Authority	Comment
Roads and Maritime Services (Traffic Generating Development)	The RMS raised concerns with respect to the modelling within the submitted <i>Transport Assessment</i> prepared by ARUP. The concerns raised do not indicate an in-principle concern with the proposed development. The submitted <i>Transport Assessment</i> is not included as a specialist report in the conditions of consent and should not be relied upon.
Endeavour Energy	No objection subject to standard safety conditions.
Sydney Water	No response. Standard Sydney Water Act 1994 conditions applied.
Sydney Metro Airports	Controlled Activity approvals granted subject to conditions.
Department of Infrastructure, Regional Development and Cities	No objection subject to conditions.
Civil Aviation Safety Authority	No objection subject to conditions
NSW Heritage Council	Supported subject to conditions. It is noted that the support is primarily with respect to aboriginal and European archaeology during excavation which was considered as part of the demolition and excavation application. rather than the structure.

### 5.4 Internal

Authority	Comment
Development & Catchment Engineer	No OSD required as the development is below the PMF. Conditions of consent requiring watertight construction of the basement and WSUD targets is recommended.
Tree & Landscape Officer	Supported subject to conditions of consent requiring replacement plantings in appropriate locations.
Traffic & Transport	Concerns are raised with respect to the location of the primary garage door which may result in delivery vehicles queueing onto George Street. A condition of consent is recommended that the door be deleted from the plans.
Environmental Health – Acoustic	Acceptable subject to standard acoustic impact conditions.
Environmental Health – Contamination	Concerns were raised with respect to the age of the contamination report submitted. An amended contamination report was submitted with the application for excavation. Conditions of consent are recommended for the management of any contaminated material discovered on site in line with conditions of consent for DA/636/2018.
Environmental Health – Waste	Acceptable subject to standard conditions relating to storage and collection of waste.
Civil Assets	Conditions of consent are recommended requiring the preparation of detailed civil asset plans prior to the issue of a construction certificate and approved by Council's Civil Assets team.
Public Domain	Generally acceptable subject to conditions requiring detailed public domain drawings be submitted for approval.
Heritage	Councils Heritage Advisor raised concerns with respect to the scale of the building, however the building is within the building envelope envisioned by the planning controls.



<b>Authority</b>	<b>Comment</b>
Environmentally Sustainable Development	Acceptable subject to conditions following the provision of additional sun shading on the critical (north-eastern, northern, and north-western elevations).
Wind Consultant (MEL Consultants)	Supported. The submitted wind report prepared by SLR is included as a technical report.

## **6. Environmental Planning and Assessment Act 1979**

The sections of this Act which require consideration are addressed below:

### **6.1 Section 1.7: Significant effect on threatened species, populations or ecological communities, or their habitats**

The site is in an established urban area with low ecological significance. No threatened species, populations or ecological communities, or their habitats are impacted by the proposal.

### **6.2 Section 4.15: Evaluation**

This section specifies the matters which a consent authority must consider when determining a development application, and these are addressed in the Table below:

<b>Provision</b>	<b>Comment</b>
Section 4.15(1)(a)(i) - Environmental planning instruments	Refer to section 7
Section 4.15(1)(a)(ii) - Draft environmental planning instruments	Refer to section 8
Section 4.15(1)(a)(iii) – Development control plans	Refer to section 9
Section 4.15(1)(a)(iiia) - Planning Agreement	Refer to section 10
Section 4.15(1)(a)(iv) - The Regulations	Refer to section 11
Section 4.15(1)(a)(v) - Coastal zone management plan	Not applicable.
Section 4.15(1)(b) - Likely impacts	Refer to section 12
Section 4.15(1)(c) - Site suitability	Refer to section 13
Section 4.15(1)(d) – Submissions	Refer to section 14
Section 4.15(1)(e) - The public interest	Refer to section 15

Table 2: Section 4.15(1)(a) considerations

## **7. Environmental planning instruments**

### **7.1 Overview**

The instruments applicable to this application comprise:

- SEPP (Infrastructure) 2007
- SEPP (State and Regional Development) 2011
- SEPP (Sydney Harbour Catchment) 2005
- SEPP No. 55 (Remediation)
- SEPP No. 64 (Advertising & Signage)
- SEPP No. 65 (Design Quality of Residential Apartment Development)
- SEPP (Child Care Facilities) 2017;
- Parramatta Local Environmental Plan 2011

Compliance with these instruments is addressed below.

### **7.2 State Environmental Planning Policy (Infrastructure) 2007**

The proposal is considered to constitute 'traffic generating development' as it proposes more than 300+ dwellings with access to a road. As such, the proposal was referred to Roads and Maritime Services (RMS).

Concerns were raised with respect to the quality of the traffic reports submitted with the application however no in-principle objections were raised with respect to the development.

The submitted traffic report is not included as a referenced specialist report.

### 7.3 State Environmental Planning Policy (State and Regional Development) 2011

As this proposal has a Capital Investment Value of more than \$30 million, Part 4 of this Policy provides that the Sydney Central City Planning Panel is the consent authority for this application.

### 7.4 State Environmental Planning Policy (Sydney Harbour Catchment) 2005

This Policy, which applies to the whole of the Parramatta local government area, aims to establish a balance between promoting a prosperous working harbour, maintaining a healthy and sustainable waterway environment and promoting recreational access to the foreshore and waterways by establishing planning principles and controls for the catchment as a whole.

The nature of this project and the location of the site are such that there are no specific controls which directly apply, with the exception of the objective of improved water quality. That outcome would be achieved through the imposition of suitable conditions to address the collection and discharge of water during construction and operational phases.

### 7.5 State Environmental Planning Policy No. 55 – Remediation of land

The development includes no major excavation works as a previous application secured the approval of the relevant excavation and piling works. Notwithstanding the application is accompanied by a Preliminary Site Investigation Report. The investigation included 6 boreholes across the site. Analysis of the soil samples found no contaminants above acceptable limits. No asbestos was identified on site. The report concludes that the site is suitable in its current form for the proposed commercial uses. As such the site is considered to satisfy the requirements of SEPP 55.

### 7.6 State Environmental Planning Policy No. 64 – Advertising and Signage

The application proposes the erection and display of the following 7 x building identification signs:

North Tower	South Tower	Podium
No signage proposed	2 x 'M' logos East and West Elevations  (w) 4,400 x (h) 3,500mm	2 x 'M' Logos North and South elevations above building entrances (w) 1,600 x (h) 1,450mm
	2 x 'Meriton' signs North and South Elevations  (w) 18,900 x (h) 3,500mm	1 x 'M' logo Eastern elevation within laneway (w) 4,400 x (h) 4,000mm

SEPP No. 64 was gazetted on 16 March 2001 and aims to ensure that outdoor advertising is compatible with the desired amenity and visual character of an area, provides effective communication in suitable locations and is of high quality design and finish.

Clause 8 of SEPP No. 64 states the following:

*A consent authority must not grant development consent to an application to display signage unless the consent authority is satisfied:*

- (a) *that the signage is consistent with the objectives of this policy ...and*
- (b) *that the signage the subject of the application satisfies the assessment criteria specified in Schedule 1.*

### **Aims and Objectives**

The proposed signage is compatible with the desired amenity and visual character of the area, provides effective communication in suitable locations, is of high quality design and finish, and is therefore consistent with the aims and objectives of Clause 3 of SEPP No. 64.

### **Assessment Criteria**

The following table outlines the manner in which the proposed signage satisfies the assessment criteria of SEPP No. 64.

<b>Consideration</b>	<b>Comment</b>
<b>1 Character of the area</b>	
Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?	Yes. The site is located in a city centre. The city centre is characterised by large building identification wall signs. As such the proposal is considered to be in keeping with the existing and desired future character of the area.
Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	There is not considered to be an established character or theme in the area.
<b>2 Special areas</b>	
Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?	The site is not located in a heritage conservation area. The proposed sign within the through-site link is located on the Level 3 which is significantly above the heritage 'Harrisford' building on the adjoining site to the east.
<b>3 Views and vistas</b>	
Does the proposal obscure or compromise important views?	There are no important views in the vicinity of the site. The signs are wall mounted and do not contribute to additional view loss.
Does the proposal dominate the skyline and reduce the quality of vistas?	The signs are below parapet height and in keeping with the scale of the building and as such do not dominate the skyline or reduce the quality of vistas.
Does the proposal respect the viewing rights of other advertisers?	There are no other signs in the vicinity of the site which would be compromised by the proposed signs.

<b>4 Streetscape, setting or landscape</b>	
Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?	The proposed signs are considered to be in keeping with the scale and proportions of the city centre location.
Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	The proposed signs add visual interest to the proposed facades.
Does the proposal reduce clutter by rationalising and simplifying existing advertising?	The existing advertising and signage on the site is associated with the existing commercial tenancies on the ground floor of Block B and C. The proposed signage would not reduce the clutter of existing signage, however would not result in increased clutter or complexity of signage.
Does the proposal screen unsightliness?	There is no relevant unsightliness that requires screening.
Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	The proposed signs do not protrude above the building. The building is generally in keeping with the height of adjoining and nearby buildings. The signage would be above tree copies.
Does the proposal require ongoing vegetation management?	No vegetation is proposed in the vicinity of the signage.
<b>5 Site and building</b>	
Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?	The proposed signs are considered to be in keeping with the scale and proportions of the proposed building.
Does the proposal respect important features of the site or building, or both?	The proposed signs do not detract from the design of the building. There are no important site features.
Does the proposal show innovation and imagination in its relationship to the site or building, or both?	The proposed signs are considered an appropriate response to the contemporary building design.
<b>6 Associated devices and logos with advertisements and advertising structures</b>	
Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?	The proposed signage only includes the logo and name of the building owner and act as signalling for pedestrian entrances.
<b>7 Illumination</b>	
Would illumination result in unacceptable glare?	The level of glare would be commensurate with the city centre location.
Would illumination affect safety for pedestrians, vehicles or aircraft?	The signs are well above ground level, and as such would not affect the safety of pedestrians or vehicles. The Sydney Metro Airports and Civil Aviation Safety Authority do not raise concerns with respect to the height of the buildings and signage.
Would illumination detract from the amenity of any residence or other form of accommodation?	The proposal is adjacent to residential units to the south, across George Street, however the proposed signage is located on Level 58 which is significantly elevated above the 8 storey residence nearby. To minimise the potential impacts from the illumination, a condition of consent is recommended that the illumination must be connected to a dimmer system.
Can the intensity of the illumination be adjusted, if necessary?	This is not clear from the information submitted. Regardless, a condition is included limiting illumination.

Is the illumination subject to a curfew?	A condition is included limiting hours of illumination.
<b>8 Safety</b>	
Would the proposal reduce the safety for any public road?	The signs include no digital screens, no flashing lights and are well above ground level. As such they are not considered to affect the safety of road users.
Would the proposal reduce the safety for pedestrians or bicyclists?	The signs are not located in footpaths or cycle ways. As such the signs would not affect the amenity of pedestrians or cyclists.
Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?	The signs are well above ground level and as such they would not compromise the safety of pedestrians.

For the reasons listed above the proposed signage is considered to be acceptable subject to conditions.

### 7.7 State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017

The provisions of the State Environmental Planning Policy (Education and Child Care Facilities) 2017 are applicable to the proposed development. The following assessment of the development proposal has been undertaken against the applicable provisions of the environmental planning instrument.

The proposed development includes the general use of a portion of the podium level for a child care centre. No fitout or number of children have been proposed as part of this development, a consideration of the site suitability is provided below against the requirements of SEPP (Child Care Facilities) 2017:

<b>Part 3 Early education and care facilities—specific development controls</b>	
<b>Standards</b>	<b>Discussion</b>
<b>22 Centre-based child care facility—concurrence of Regulatory Authority required for certain development</b>	
Concurrence must be sought for developments that do not achieve the minimum indoor or outdoor unencumbered space requirements	The application was referred to the Early Childhood Education and Care Directorate however as the proposed development does not include the occupation of the child care centre, the Directorate has indicated that the future application for the fitout and occupation of the child care centre should be referred.
<b>23 Centre-based child care facility—matters for consideration by consent authorities</b>	
The Child Care Planning Guidelines must be considered.	Considered below.
<b>25 Centre-based child care facility—non-discretionary development standards</b>	
If the following requirements are met, the consent authority cannot require more onerous standards: (a) Location; (b) Indoor or outdoor space; (c) Site area and site dimension; or (d) Colour of building materials or shade structures	(a) The proposed child care centre is located within the Parramatta CBD and is generally a supported use within the CBD.  (b) No details have been provided regarding the number of children to consider  (c) No concerns raised  (d) The child care centre is within a larger development which has achieved design excellence.



## Child Care Planning Guideline

Integral to SEPP (Childcare) is the *Child Care Planning Guideline*, which sets benchmarks for the design of the development

The development's compliance with the *Child Care Planning Guideline* is assessed below:

<b>Part 3 – Matters for Consideration</b>	
<b>3.1 Site Selection and Location</b>	
<p><b>C1 – Zone considerations</b></p> <p><b>Acoustic and privacy impacts</b> The location of the centre is appropriate with respect to acoustic and privacy impacts.</p> <p><b>Setbacks and siting</b> Child care centre would be located within the podium levels of a mixed-use development.</p> <p><b>Traffic and Parking</b> The centre would have access to adequate parking facilities.</p>	Yes
<p><b>C2 – Site Selection</b></p> <p><b>Compatible uses</b> The proposed child care centre is a compatible use within the Parramatta CBD.</p> <p><b>Environmental constrains</b> The site is affected by flooding however it located on Level 2 Podium significantly elevated above the Probably Maximum Flood level affecting the site.</p> <p>The flood affectation of the site was considered when the site specific land uses were gazetted in the Parramatta LEP. Council considers that the site constraints are adequately addressed in the design of the larger development.</p> <p><b>Contamination</b> Considered under SEPP 55. Child Care Centre would not be affected by site contamination.</p> <p><b>Site Characteristics</b> The site is considered suitable for the child care centre.</p> <p><b>Drop off areas</b> The site provides sufficient parking within the building to accommodate pick-up and drop-off.</p> <p><b>Restricted Premises</b> The site is not located in proximity to any restricted premises or places of incompatible social behaviour.</p>	Yes
<p><b>C3 – Location</b> The child care centre is located nearby to public open space, schools, and public transport.</p>	Yes
<p><b>C4 – Avoiding hazardous areas</b> The site is not located nearby to any uses that would result in adverse environmental conditions to children, staff or visitors such as heavy industrial uses, service stations, water cooling/heating services, or odour generating sources.</p>	Yes
<b>3.2 Local Character, Streetscape and Public Domain Interface</b>	
Not applicable to this development. Will be considered with the application for occupation and fitout	
<b>3.3 Building Orientation, Envelope and Design</b>	
Not applicable to this development. Will be considered with the application for occupation and fitout	
<b>3.4 Landscaping</b>	
Not applicable to this development. Will be considered with the application for occupation and fitout	
<b>3.5 Visual and Acoustic Privacy</b>	
Not applicable to this development. Will be considered with the application for occupation and fitout	

<b>3.6 Noise and Air Pollution</b>		
Not applicable to this development. Will be considered with the application for occupation and fitout		
<b>3.7 Hours of Operation</b>		
<b>C30 – Hours of Operation in mixed use areas</b>		N/A
The hours of operation of the child care centre have not been proposed at this time.		
<b>3.8 Traffic, Parking and Pedestrian Circulation</b>		
<b>C32 – Parking in non-residential zones</b>		Yes
The parking for the child care centre is not included with the remainder of the commercial uses.		
The plans indicate the provision of 19 car spaces for a capacity of 76 children within the podium levels.		
<b>C36 – Pedestrian Environment</b>		Yes
The pedestrian entry to the site and access around the site is clear, safe and direct.		
<b>C37 – Mixed Use access</b>		Yes
The entrance is separated from the remaining uses within the building with a clear entrance to the street.		
<b>C38 – Car Park Design</b>		Yes
The parking is located within the podium levels and is accessible only via the lifts.		
<b>Part 4 – Applying the National Regulations to Development Proposals</b>		
<b>4.1 Indoor Space Requirements</b>		
The child care centre would rely on simulated outdoor space which would be the subject of a detailed design and referred to the NSW Early Childhood Education and Care Directorate for further consideration.		
<b>4.2 Laundry and Hygiene Facilities</b>		
Not applicable to this development. Will be considered with the application for occupation and fitout		
<b>4.3 Toilet and Hygiene Facilities</b>		
Not applicable to this development. Will be considered with the application for occupation and fitout		
<b>4.4 Ventilation and Natural Light</b>		
Not applicable to this development. Will be considered with the application for occupation and fitout		
<b>4.5 Administrative Space</b>		
Not applicable to this development. Will be considered with the application for occupation and fitout		
<b>4.6 Nappy Change Facilities</b>		
Not applicable to this development. Will be considered with the application for occupation and fitout		
<b>4.7 Premises designed to facilitate supervision</b>		
Not applicable to this development. Will be considered with the application for occupation and fitout		
<b>4.8 Emergency and Evacuation Procedures</b>		
<b>Regulations 97 and 168 Education and Care Services National Regulations</b>	This would be considered under the application for occupation and fitout.	N/A
Regulation 168 sets out the list of procedures that a care service must have, including procedures for emergency and evacuation. Regulation 97 sets out the detail for what those procedures must cover.	Council considers that the site is generally suitable for a child care centre and is satisfied that an appropriate emergency evacuation plan could be prepared for the use.	
<b>4.9 Outdoor Space Requirements</b>		
Not applicable to this development. Will be considered with the application for occupation and fitout		
<b>4.10 Natural Environment</b>		
<b>Regulation 113 Education and Care Services National Regulations</b>	The child care centre will rely on simulated outdoor space which would be the subject of detailed design.	N/A
The approved provider of a centre-based service must ensure that the outdoor spaces allow children to explore and experience the natural environment.		
<b>4.11 Shade</b>		
Not applicable to this development. Will be considered with the application for occupation and fitout		
<b>4.12 Fencing</b>		

Not applicable to this development. Will be considered with the application for occupation and fitout
<b>4.13 Soil Assessment</b>
Not applicable to this development. Will be considered with the application for occupation and fitout

## 7.8 State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development

SEPP 65 applies to the development as the building is more than 3 storeys in height and contains a residential component.

### Design Quality Principles

SEPP 65 sets 9 design quality principles. These principles do not generate design solutions, but provide a guide to achieving good design and the means of evaluating the merits of proposed solutions. As required by the Environmental Planning and Assessment Regulation, the application is accompanied by a response to those design principles, as prepared by the project architect.

Table 1: Response to SEPP 65 design principles

ADG design quality principle	Response
<b>1. Context</b>	<p>The existing context is a high density commercial and residential environment.</p> <p>The proposed development achieves design excellence and is in keeping with the future desired densities in the Parramatta CBD with public domain improvements and address to the street at the pedestrian level.</p> <p>The site is located adjacent to the Parramatta Ferry Wharf and approximately 700m walking distance to Parramatta Railway Station.</p> <p>The context of the development encourages this form of development being a mixed commercial, retail, hotel, and residential development.</p>
<b>2. Built form and scale</b>	<p>The development is within the maximum building height and floor space ratios granted under the design excellence clauses in the Parramatta LEP 2011 and is in keeping with the expected bulk and scale on the site.</p> <p>The majority of the floor space of the development is within two towers set back above a 4 storey podium level.</p> <p>The podium level has been designed to complement the heritage listed <i>Harrisford</i> adjoining the site to the east with the carrying of particular datum through the podium and the use of square design elements.</p>
<b>3. Density</b>	<p>The development proposes 1037 residential units and serviced apartment with an additional 1880m<sup>2</sup> of commercial/retail floor space, which, given its location within the Parramatta CBD and 700 metres to Parramatta Station is considered appropriate.</p>

<b>4. Sustainability, resource, energy &amp; water efficiency</b>	A BASIX Certificate has been submitted and independently reviewed. The building meets the required thermal and energy targets.
<b>5. Landscape</b>	A Landscape Plan was submitted with the proposal and considered adequate.  The development includes podium level landscaping and additional landscaping within the thru-site link.
<b>6. Amenity</b>	The overall amenity of the development is satisfactory in terms of the internal layout, solar access, ventilation, visual and acoustic privacy, storage, outdoor space and service areas.
<b>7. Safety &amp; security</b>	The development provides additional active street frontages to George Street, Charles Street and the foreshore by way of the services apartment lobby, retail spaces, and the existing retail tenancies.
<b>8. Social dimensions/housing affordability</b>	The unit mix within the proposal provides acceptable housing choice within the area.
<b>9. Aesthetics</b>	The development provides an appropriate choice of colours, materials and textures that will complement the streetscape and locality.

#### Apartment Design Guide

Integral to SEPP 65 is the Apartment Design Guide (ADG), which sets benchmarks for the appearance, acceptable impacts and residential amenity of the development.

The development's compliance with the ADG is assessed below.

Apartment Design Guide - Criteria			Development Proposal	Compliance
Communal open space has a minimum area equal to 25% (1994.6m <sup>2</sup> ) of the site.			2141.45m <sup>2</sup> Split over two levels	Yes
Developments achieve a minimum of 50% direct sunlight to the principle useable part of the communal open space for a minimum 2 hours between 9 am and 3 pm on 21 June.			Podium level COS received 2 hours	Yes
Deep soil zones are to meet the following minimum requirements:			Zero	No but acceptable
Site area	Minimum dimensions	Deep soil zone (7% of site area).	Adequate planting provided within existing COS and proposed podium COS.	
greater than 1,500m <sup>2</sup>	6m	558.5m <sup>2</sup>		

Building Height	Habitable to Habitable	Non-habitable to Habitable	Non-habitable to Non-habitable	Tower are 16.6 metres apart between habitable rooms.	No but acceptable through the design competition process.
up to 12m (4 storeys)	12m	9m	6m	The orientation of the towers are away from each other and minimal visual and acoustic privacy impacts are considered to occur.	
up to 25m (5-8 storeys)	18m	12m	9m		
Over 25m (9+ storeys)	24m	18m	12m		
The reduced separation distance was raised as a concern through the design competition process. The applicant was requested to justify the variation which was accepted by the Design Jury.					
<p>The minimum car parking requirement for residents and visitors is set out in the Guide to Traffic Generating Developments, or the car parking requirement prescribed by the relevant council, whichever is less.</p> <p>The car parking needs for a development must be provided off street.</p> <p>Minimum Resi Parking Rate:            (a) 0.4 space per 1 bed            (b) 0.7 space per 2 bed            (c) 1.2 space per 3 bed            (d) 1 visitor space per 7 units</p> <p>= 521 residential spaces + 110 visitor spaces.</p> <p>Minimum 3-4 star Hotel Parking Rate:            (a) 1 space per 4 bedrooms            = (310 bedrooms) = 76 spaces.</p> <p>Minimum Retail parking            (a) 6.1 spaces per 100m<sup>2</sup> GLFA            = (805m<sup>2</sup>) = 50 spaces</p> <p>Minimum Child Care Centre Parking            (a) 1 space per 4 children            = (unknown children numbers)</p> <p>Minimum Gymnasium Parking            (a) 3 spaces per 100m<sup>2</sup> children            = (275m<sup>2</sup>) = 9 spaces.</p> <p>Total = 766 spaces</p>				<p>When considered against the requirements of the RMS Guide to Traffic Generating Development, the proposal would require to provide a <i>minimum</i> of 766 spaces.</p> <p>The site specific parking controls provided in the Parramatta LEP 2011 require a maximum of 627 new parking spaces.</p> <p>The plans indicate a total of 627 total car spaces with includes the 119 existing car spaces as part of the existing buildings</p>	<p>Yes. Given that this is less than the rate set out in the Guide to Traffic Generating Development these controls prevail.</p> <p>This is discussed in more detail under the Parramatta LEP 2011.</p>
Living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 2 hours direct sunlight				Min. 72%	Yes
A maximum of 15% of apartments in a building receive no direct sunlight				Max. 13%	Yes



At least 60% of apartments are naturally cross ventilated in the first nine storeys of the building.	84%	Yes													
Overall depth of a cross-over or cross-through apartment does not exceed 18m, measured glass line to glass line.	No cross-through apartments proposed	N/A													
<p>Measured from finished floor level to finished ceiling level, minimum ceiling heights are:</p> <table border="1"> <thead> <tr> <th colspan="2">Minimum Ceiling Height</th> </tr> </thead> <tbody> <tr> <td>Habitable rooms</td> <td>2.7m</td> </tr> <tr> <td>Non-habitable</td> <td>2.4m</td> </tr> <tr> <td rowspan="2">For 2 storey apartments</td> <td>2.7m main living area</td> </tr> <tr> <td>2.4m second floor where it does not exceed 50% of the apartment area.</td> </tr> <tr> <td>Attic spaces</td> <td>1.8m at edge of room with a 30 deg minimum ceiling slope.</td> </tr> <tr> <td>Located in mixed use areas</td> <td>3.3m for ground and first floor to provide future flexibility of use.</td> </tr> </tbody> </table>	Minimum Ceiling Height		Habitable rooms	2.7m	Non-habitable	2.4m	For 2 storey apartments	2.7m main living area	2.4m second floor where it does not exceed 50% of the apartment area.	Attic spaces	1.8m at edge of room with a 30 deg minimum ceiling slope.	Located in mixed use areas	3.3m for ground and first floor to provide future flexibility of use.	<p>Min 2.7m ceiling heights provided for habitable rooms.</p> <p>Floor-to-Floor height 3.1 metres provided.</p>	Yes
Minimum Ceiling Height															
Habitable rooms	2.7m														
Non-habitable	2.4m														
For 2 storey apartments	2.7m main living area														
	2.4m second floor where it does not exceed 50% of the apartment area.														
Attic spaces	1.8m at edge of room with a 30 deg minimum ceiling slope.														
Located in mixed use areas	3.3m for ground and first floor to provide future flexibility of use.														
<p>Apartments are required to have the following minimum internal areas:</p> <table border="1"> <thead> <tr> <th>Apartment type</th> <th>Minimum internal areas</th> </tr> </thead> <tbody> <tr> <td>Studio</td> <td>35m<sup>2</sup></td> </tr> <tr> <td>1 bedroom</td> <td>50m<sup>2</sup></td> </tr> <tr> <td>2 bedroom</td> <td>70m<sup>2</sup></td> </tr> <tr> <td>3 bedroom</td> <td>90m<sup>2</sup></td> </tr> </tbody> </table> <p>The minimum internal areas include one bathroom. Additional bathrooms increase the minimum internal area by 5m<sup>2</sup> each.</p> <p>A fourth bedroom and further additional bedrooms increase the minimum internal area by 12m<sup>2</sup> each.</p>	Apartment type	Minimum internal areas	Studio	35m <sup>2</sup>	1 bedroom	50m <sup>2</sup>	2 bedroom	70m <sup>2</sup>	3 bedroom	90m <sup>2</sup>	<p>Minimum sizes for Studios, 2, bedroom, 3 bedroom, and 4 bedroom achieved.</p> <p>1 Bedroom unit (N16) is 49m<sup>2</sup>.</p> <p>Apartment layout is logical although furniture is oversized for a 1 bedroom unit resulting in the apartment appearing smaller on the floor plan.</p>	No in relation to unit N16 which is acceptable. All other units achieve the minimum floor area.			
Apartment type	Minimum internal areas														
Studio	35m <sup>2</sup>														
1 bedroom	50m <sup>2</sup>														
2 bedroom	70m <sup>2</sup>														
3 bedroom	90m <sup>2</sup>														
Every habitable room must have a window in an external wall with a total minimum glass area of not less than 10% of the floor area of the room. Daylight and air may not be borrowed from other rooms.	Yes, all habitable rooms have one window.	Yes													

Habitable room depths are limited to a maximum of 2.5x ceiling height. <b>(2.5 x 2.7 ceiling = 6.75m)</b>	All apartments include open plan kitchen/living/dining space with a maximum depth of 8 metres from a window.	Yes															
In open plan layouts the maximum habitable room depth is 8m from a window.	All open plan kitch/din/liv spaces for other units is max 8m.	Yes															
Master bedrooms have a minimum area of 10m <sup>2</sup> and other bedrooms 9m <sup>2</sup> .	Yes	Yes															
Bedrooms have a minimum dimension of 3m.	Yes	Yes															
Living rooms or combined living/dining rooms have a minimum width of: - 3.6m for studio and 1 bedroom apartments. - 4m for 2 and 3 bedroom apartments.	Yes	Yes															
The width of cross-over or cross-through apartments are at least 4m internally to avoid deep narrow apartment layouts.	No cross through apartments	N/A															
All apartments are required to have primary balconies as follows: <table border="1" data-bbox="264 1140 781 1461"> <thead> <tr> <th>Dwelling type</th> <th>Minimum Area</th> <th>Minimum Depth</th> </tr> </thead> <tbody> <tr> <td>Studio</td> <td>4m<sup>2</sup></td> <td>-</td> </tr> <tr> <td>1 Bedroom</td> <td>8m<sup>2</sup></td> <td>2m</td> </tr> <tr> <td>2 Bedroom</td> <td>10m<sup>2</sup></td> <td>2m</td> </tr> <tr> <td>3 Bedroom</td> <td>12m<sup>2</sup></td> <td>2.4m</td> </tr> </tbody> </table> The minimum balcony depth to be counted as contributing to the balcony area is 1m.	Dwelling type	Minimum Area	Minimum Depth	Studio	4m <sup>2</sup>	-	1 Bedroom	8m <sup>2</sup>	2m	2 Bedroom	10m <sup>2</sup>	2m	3 Bedroom	12m <sup>2</sup>	2.4m	The units achieve the minimum area however do not achieve the minimum depth for the entirety of the balcony.  The units within the podium levels provide excess private open space.  The balconies are positioned in such a way as to form a direct extension from the internal living spaces of each unit, achieve the minimum area requirement, and is considered appropriate in this instance	No but acceptable
Dwelling type	Minimum Area	Minimum Depth															
Studio	4m <sup>2</sup>	-															
1 Bedroom	8m <sup>2</sup>	2m															
2 Bedroom	10m <sup>2</sup>	2m															
3 Bedroom	12m <sup>2</sup>	2.4m															
For apartments at ground level or on a podium or similar structure, a private open space is provided instead of a balcony. It must have a minimum area of 15m <sup>2</sup> and a minimum depth of 3m.	Both ground floor and podium units provided with a minimum of 15m <sup>2</sup> of POS and a minimum 3m depth.	Yes															

<p>The maximum number of apartments off a circulation core on a single level is eight.</p>	<p>Circulation core includes up to 6 lifts and two fire exits serving 9 units per floor</p>	<p>No but acceptable.</p> <p>Although the number of units serviced by a single core exceeds 8, the number of lifts and fire escapes within the core account for the non-compliance.</p>										
<p>For buildings of 10 storeys and over, the maximum number of apartments sharing a single lift is 40.</p>	<p>The 6 lifts within the north tower would service 540 residential apartments (90 units per lift).</p> <p>Due to the narrow footprint of each tower, the provision of 14 lifts would not be feasible.</p> <p>The corridor areas wider than normal (2 metre) and do not include blind or dark corners.</p>	<p>No but acceptable.</p>										
<p>In addition to storage in kitchens, bathrooms and bedrooms, the following storage is provided:</p> <table border="1" data-bbox="266 1192 675 1549"> <thead> <tr> <th data-bbox="266 1192 444 1287">Apartment type</th> <th data-bbox="444 1192 675 1287">Storage size volume</th> </tr> </thead> <tbody> <tr> <td data-bbox="266 1287 444 1350">Studio</td> <td data-bbox="444 1287 675 1350">4m<sup>3</sup></td> </tr> <tr> <td data-bbox="266 1350 444 1413">1 bedroom</td> <td data-bbox="444 1350 675 1413">6m<sup>3</sup></td> </tr> <tr> <td data-bbox="266 1413 444 1476">2 bedroom</td> <td data-bbox="444 1413 675 1476">8m<sup>3</sup></td> </tr> <tr> <td data-bbox="266 1476 444 1549">3 bedroom</td> <td data-bbox="444 1476 675 1549">10m<sup>3</sup></td> </tr> </tbody> </table> <p>At least 50% of the required storage is to be located within the apartment.</p>	Apartment type	Storage size volume	Studio	4m <sup>3</sup>	1 bedroom	6m <sup>3</sup>	2 bedroom	8m <sup>3</sup>	3 bedroom	10m <sup>3</sup>	<p>Adequate basement and in-unit storage provided.</p>	<p>Yes</p>
Apartment type	Storage size volume											
Studio	4m <sup>3</sup>											
1 bedroom	6m <sup>3</sup>											
2 bedroom	8m <sup>3</sup>											
3 bedroom	10m <sup>3</sup>											

Despite the numerical non-compliances with the Apartment Design Guide, the development achieves design excellence and is generally in keeping with the future desired built form and amenity for the site envisioned by SEPP 65 and Council's planning controls.

### 7.9 Parramatta Local Environmental Plan 2011

The relevant objectives and requirements of the Parramatta Local Environmental Plan 2011 have been considered in the assessment of the development application and are contained

within the following table.

Development standard	Proposal	Compliance
<b>2.3 Zoning</b> B4 – Mixed Use	The proposed uses are defined as: <ul style="list-style-type: none"> <li>• Shop top housing;</li> <li>• Retail Premises;</li> <li>• Centre-based child care facilities;</li> <li>• Recreation facilities (indoor); and</li> <li>• Tourist and visitor accommodation</li> </ul> which are permissible with development consent in the zone.	Yes
<b>Zone Objectives</b>	The proposal is considered to be in keeping with the objectives of the B4 Mixed Use zone for the following reasons: <ul style="list-style-type: none"> <li>• The proposal provides an appropriate mixture of land uses;</li> <li>• The proposal provides additional employment opportunities in a highly accessible area;</li> <li>• The proposal contributes to active frontages along both George Street and the river foreshore;</li> <li>• The proposal provides pedestrian links along the foreshore;</li> <li>• The proposal supports the nearby businesses by way of tourist accommodation and residential dwellings; and</li> <li>• The proposal achieves design excellence and enhances the Parramatta CBD.</li> </ul>	Yes
<b>4.3 Height of Buildings</b> Control: 218.5m [subject to clause 7.10(8)] See Figure 10 below	Max Height: 210.7	Yes
<b>4.4 Floor Space Ratio</b> Control: 11.5:1 (91,758.5m <sup>2</sup> ) [subject to clause 7.10(8)] See Figure 11 below	Total GFA: 91,712 (11.49:1)	Yes
<b>4.6 Exceptions to Development Standards</b>	N/A	
<b>5.10 Heritage conservation</b>	The separation between the proposed podium and towers to the heritage item immediately to the east is considered appropriate despite the closeness. The Design Competition required that the design and features of the heritage item are carried through the design of the podium levels of the proposed development. The proposed development does not involve additional earthworks that would disturb any remaining relics on the site. The bulk excavation was approved under DA/636/2018. Council's Heritage Advisor raises concerns with respect to the scale of the development relative to the scale of the heritage item. Although the	Yes

Development standard	Proposal	Compliance
	<p>proposed development far exceeds the scale of the adjoining heritage item, it is in keeping with the envisioned bulk and scale for the site.</p> <p>The proposed development has achieved design excellence through the design competition process and is considered satisfactory with respect to Clause 5.10 of the PLEP 2011.</p>	
<p><b>6.1 Acid Sulfate Soils</b> Class 4/5</p>	<p>The whole site is classified as Class 4 Acid Sulphate Soils.</p> <p>The proposed development, in particular the construction of the basement parking, would be affected by Acid Sulphate Soils.</p> <p>An Acid Sulphate Soil Management Plan is required to be prepared prior to the issue of the construction certificate for the basement works.</p>	Yes
<p><b>6.2 Earthworks</b></p>	<p>The bulk earthworks were considered under DA/636/2018.</p> <p>The earthworks are approved centrally to the site and considerable below natural ground level. As such, there are not impacts generated to neighbouring uses, cultural or heritage items or features of the surrounding land.</p>	Yes
<p><b>6.3 Flood Planning</b></p>	<p>The site is affected by the Probably Maximum Flood extent.</p> <p>The finished floor level of the development has been set at RL7.6 which is above the 1% AEP + 500mm freeboard requirement.</p> <p>It is noted however that the ground floor FFL would still be inundated in the PMF event.</p> <p>A condition of consent is recommended that a Flood Emergency Evacuation Plan is prepared prior to occupation and that the basement is protected up to and including the PMF flood events.</p>	Yes
<p><b>6.4 Biodiversity Protection</b></p>	<p>The proposal would result in the planting of some trees within the site atop of the podium level. No significant trees are proposed for removal as part of the application.</p>	Yes
<p><b>6.5 Water Protection</b></p>	<p>The site is upstream of the Parramatta River. Conditions have been included to ensure the proposal does not result in erosion or sedimentation to the waterway.</p>	Yes

Development standard	Proposal	Compliance
<p><b>7.3 Car Parking</b></p>	<p>Required:  Child Care – 19 spaces  Commercial – 4 spaces  Retail – 27 spaces  <b>Total: 50 spaces</b>  <b>53 spaces indicated on plans.</b>  Council has taken the view that serviced apartments should be calculated with a residential parking rate to allow for the future possible conversion of these serviced apartments into private residences without a significant deficiency in off-street parking and has therefore been excluded from the above calculation.</p>	<p>No  As the overall number of parking spaces on the plans meets the maximum number of spaces permitted on the site, a condition of consent is recommended that the parking is reallocated to avoid any breach in maximum parking rates for each use.</p>
<p><b>7.4 Sun Access</b></p>	<p>The proposal would not overshadow Jubilee Park, Parramatta Square or Lancer Barracks during the solar protection window (i.e. 12pm – 2pm).</p>	<p>Yes</p>
<p><b>7.6 Air Space Operations</b></p>	<p>The Bankstown Airport OLS of 156m AHD is breached however the Department of Infrastructure, Regional Development and Cities has issued consent to the development subject to a number of conditions.</p>	<p>N/A</p>
<p><b>7.10 Design Excellence</b></p>	<p>The proposal is the winning entry in a design competition and has received the designation of 'design excellence'.  The design as submitted has been reviewed by the original design jury and found to be acceptable subject to conditions (see Section 5.2 above).  As such the proposal is eligible for height and floor space bonuses of 15%.</p>	<p>Yes</p>
<p><b>7.12 Development on Land at 180 George Street</b></p>	<p>See below for discussion.</p>	<p>Yes</p>

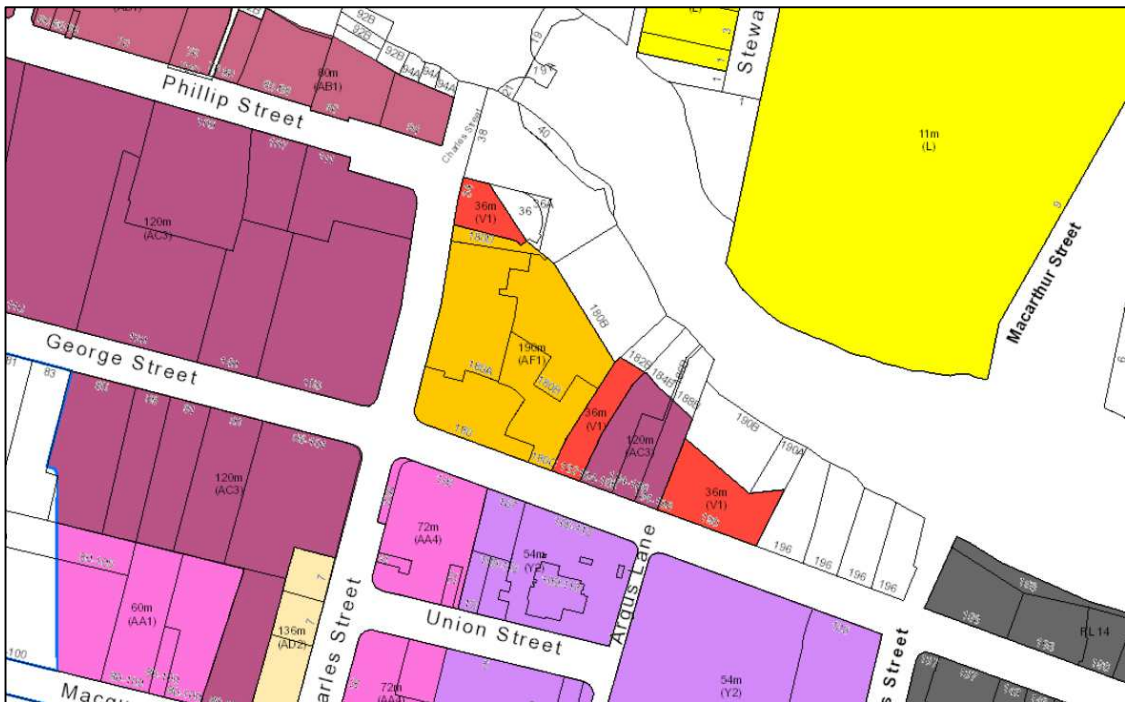


Figure 10: Extract of Height of Buildings Map from PLEP 2011 (GeoCortex 2019).

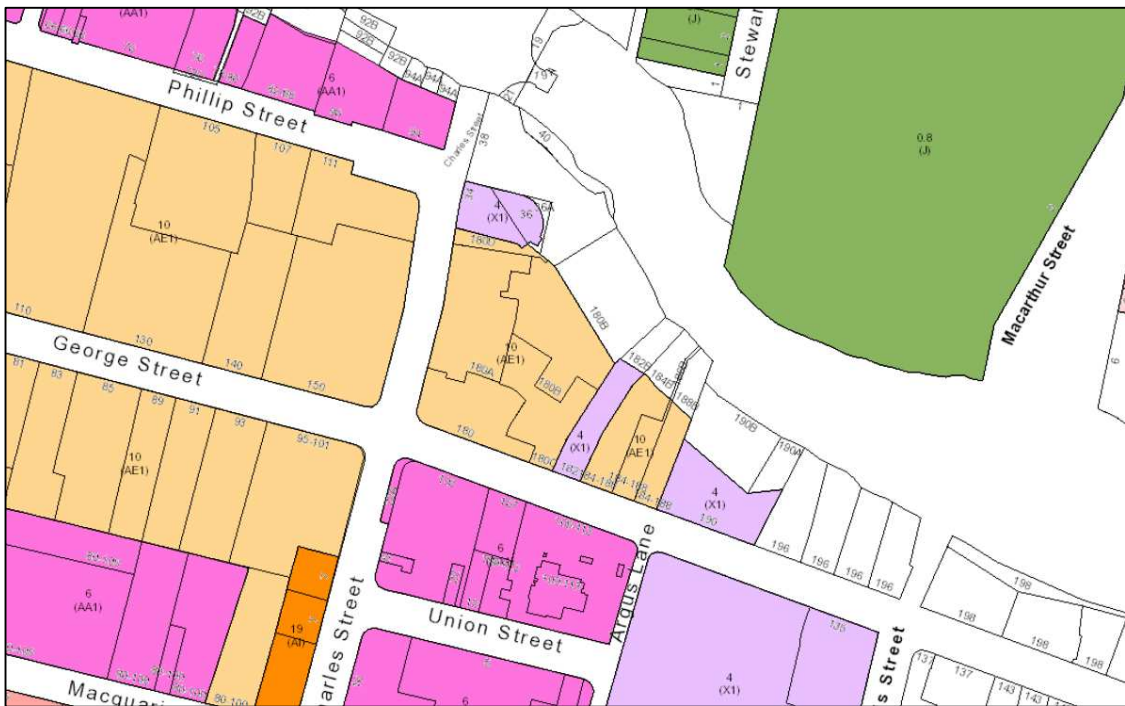


Figure 11: Extract of Floor Space Ratio map from PLEP 2011 (GeoCortex 2019)

**Clause 7.12 Development on Land at 180 George Street**

Subclause	Proposal	Compliance
(2) <b>Minimum FSR 1:1</b> for: (a) commercial premises; (b) tourist and visitor accommodation;	17,898m <sup>2</sup> – serviced apartments; 615m <sup>2</sup> – child care centre 457m <sup>2</sup> – additional commercial floor space;	Yes

<p>(c) centre based child care; and (d) serviced apartments</p> <p>Total GFA = 7978.5m<sup>2</sup></p>	<p>805m<sup>2</sup> – retail premises.</p> <p>Total – 19,775m<sup>2</sup></p> <p><b>Total commercial FSR 2.5:1</b></p> <p><b>Total FSR – 11.49:1</b></p>	
<p>(3) Maximum Resi Parking Rate:</p> <p>(a) 0.1 space per studio (b) 0.3 space per 1 bed (c) 0.7 space per 2 bed (d) 1.0 space per 3 bed</p> <p>0 x studio units = 0 spaces 171 x 1 bedroom = 51.3 spaces 350 x 2 bedroom = 245 spaces 113 x 3+ bedroom = 113 space</p> <p><u>Converted Serviced Apartments to Residential:</u></p> <p>2 x studio units – 0.2 spaces 42 x 1 bedroom = 12.6 spaces 86 x 2 bedroom = 60.2 spaces 12 x 3 bedroom = 12 spaces</p> <p><b>Max new Resi + converted resi Total : 495 spaces</b></p>	<p>477 spaces indicated on the architectural plans including the 119 residential spaces within the existing basement.</p>	<p>Yes.</p> <p>As noted below, a</p>
<p>(4) Maximum Commercial Parking Rate:</p> <p><math>M = (G \times A) / (50 \times T)</math> M = Max Spaces; G = GFA of all commercial uses; A = Site Area; T = Total GFA</p> <p><b>Max Comm Total: 34</b></p>	<p>Does not apply as the commercial FSR remains below 3.5:1</p>	<p>NA</p>
<p><u>Maximum Parking allocation</u></p> <p>The site specific controls for 180 George Street contain maximum parking rates for residential (Clause 7.12 (3)) and for commercial with a floorspace ratio greater than 3.5:1 (Clause 7.12 (4)). Given that the commercial FSR is less than this, Clause 7.12 (4) does not apply and Clause 7.3 should be used instead.</p> <p>As no defined rate for serviced apartments is identified in the LEP, Council has formed the position that the site-specific residential parking rate should be applied to the serviced apartments in this instance.</p> <p><u>Existing Commercial Uses</u></p> <p>The proposed development retains 1188m<sup>2</sup> of existing commercial and retail floor space as they are current tenancies on site with 27 Parking spaces on site for these uses and are to be retained.</p> <p><u>Proposed Commercial Uses</u></p> <p>Clause 7.3 of the PLEP 2011 is to be used to calculate the new commercial floorspace. The maximum parking rate for commercial is as follows:</p> <p>Child Care = 19 spaces</p>		



Commercial = 4 spaces  
 Retail = 27 spaces  
**Total: = 50 spaces**

Serviced Apartments and Residential

The proposal includes a combination of new residential, serviced apartments, and conversion of existing serviced apartments to residential. Given Council's position regarding the parking calculation for serviced apartments should be the same as the residential, the serviced apartments and residential can be considered together.

The maximum parking requirements for the serviced apartments and residential units are as follows:

80 x Studios – (0.1 spaces per unit) = 8  
 369 x 1 Bedroom - (0.3 spaces per unit) = 110.7  
 475 x 2 Bedroom - (0.7 spaces per unit) = 332.5  
 125 x 3+ Bedroom - (1 space per unit) = 125  
**Total = 577 spaces**

The maximum parking rate for the development is as follows:

Existing commercial and retail: 27 spaces (existing and retained)  
 Proposed Commercial, Child Care and retail: 50 spaces  
 Proposed serviced apartments and residential: 577 spaces

**Total Maximum Permitted: 654 spaces**

**Total Provided: 654 spaces**

Allocation

The architectural plans indicate a total of 654. As the table below shows, the indicative allocation does not comply. A condition of consent is recommended that the parking is allocated in accordance with the maximum permitted under the PLEP 2011.

Use	Maximum Parking Rate as per PLEP 2011	Number identified on Architectural Plans
Existing Commercial and Retail	27	27
Converted Serviced Apartments to Private Residences	85	119
New Private Residences	410	395
New Serviced Apartments	82	60
New Commercial, Child Care and Retail	50	53
<b>Total</b>	<b>654</b>	<b>654</b>

## 8. Draft Planning Instruments

### 8.1 Draft Environment SEPP 2017

The purpose of SEPP (Environment) 2017 is to promote the protection and improvement of key environmental assets for their intrinsic value and social and economic benefits they provide.

The State's water catchments, waterways, urban bushland and world heritage areas provide diverse and significant benefits that support the physical health, economic security and cultural identity of NSW's community. Catchments, waterways and urban bushland support a range of important ecosystems and ecosystem services, including drinking water and clean air, and are intrinsically valuable.

If the application were to be approved, conditions of consent would be imposed requiring the installation of erosion and sediment control measures to minimise runoff into the Sydney Harbour Catchment.

## 9. Development Control Plans

### 9.1 Parramatta Development Control Plan 2011

An assessment of the proposal against the relevant controls in the Parramatta Development Control Plan 2011 is provided below:

Development Control	Proposal	Comply
2.4 Site Considerations		
2.4.1 Views and Vistas	<p>The site is not identified as having significant views and vistas by Appendix 2 and is not located in the Harris Park Conservation Area.</p> <p>The development would be constructed near the eastern-most edge of the Parramatta CBD and would likely obstruct views from nearby developments eastward to the Sydney CBD and Sydney Harbour Bridge.</p> <p>As per the NSW Land and Environment Court Planning Principle established in <i>Tenacity Consulting v Waringah [2004] NSWLEC 140</i> the proposal is considered to acceptably share views for the following reasons:</p> <ul style="list-style-type: none"> <li>Although the views from the adjoining sites are iconic (e.g. the Sydney CBD, and Harbour Bridge), the development is compliant with respect to the envisioned building envelope under the site specific DCP.</li> </ul> <p>Of particular note is the approved 33-storey commercial development on the western side of Charles Street identified in Figure 6.</p> <p>Although the view loss is not negligible, the loss is unavoidable in this instance and as such is not considered to be a reason to refuse the application.</p>	Yes
2.4.2 Water Management	The proposal is located adjacent to the	Yes

Development Control	Proposal	Comply
	<p>Parramatta River. Subject to conditions of consent for appropriate Water Sensitive Urban Design and water quality systems, the proposal is considered unlikely to have an impact on the water quality of the Parramatta River.</p> <p>Conditions of consent are also recommended that the basement is constructed to be either 'tanked' or similar. Details must be provided prior to the issue of the relevant construction certificate. Council considers that the proposal is unlikely to have a detrimental impact on groundwater.</p>	
2.4.3 Soil Management	<p>The proposal includes a preliminary erosion and sediment control plan. It is considered that standard conditions of consent would be sufficient to ensure the objectives of the control are achieved.</p> <p>See Acid Sulfate Soils section above.</p> <p>The excavation of the site was approved under a previous application (DA/636/2018).</p>	Yes
2.4.4 Land Contamination	See SEPP 55 section above.	Yes
2.4.5 Air Quality	The proposal is not considered likely to result in unacceptable air quality impacts.	Yes
2.4.6 Development on Sloping Land	<p>The site slopes down from south to north towards the Parramatta River.</p> <p>While the building does not step down with the land, the raise promenade is at the correct level to connect to the future promenade sections along the foreshore.</p> <p>As such the proposal is considered to satisfy the objectives of the control.</p>	Yes
2.4.7 Biodiversity	See LEP Clause 6.4 above.	Yes
2.4.8 Public Domain	<p>The proposal includes upgrades to the public domain including widened pavement, new street trees, bicycle parking and seating. See further discussion at end of table below.</p> <p>The proposed building provides adequate address to the public domain, and would permit passive surveillance of the public domain.</p>	Yes
<b>3.1 Preliminary Building Envelope</b>		
See Section 4.1.6 below.		
<b>3.2. Building Elements</b>		
3.2.1 Building Form and Massing	While the proposed building has a large footprint, it is acceptable given the desired future uses and CBD location of the proposal. The design has been awarded design excellence.	Yes

Development Control	Proposal	Comply
3.2.2 Building Façade and Articulation	The primarily glazed façade is considered to be in keeping with the future desired character of the area and the type of use (residential). The materials and articulation within the front façade would add interest to the streetscape.	Yes
3.2.3 Roof Design	<p>The roof design is generally flat, being occupied by penthouse terraces and plant rooms obscured by continuous glazing.</p> <p>This is considered to be in keeping with the character of the area.</p>	Yes
3.2.4 Energy Efficient Design	<p>The applicant has targeted 5 star NABERS . Specific initiatives include, but are not limited to, high quality glazing, external solar shading on north-west facade and photovoltaics. Conditions are included to secure delivery of these initiatives.</p> <p>Council's ESD consultant considers that the applicant has adequately address the requirements to achieve the requirements of both BASIX and NatHERS with the inclusion of the sunshading.</p> <p>Conditions of consent are recommended that that energy efficiency targets are achieved and certified throughout the development.</p>	Yes, subject to condition
3.2.5 Streetscape	<p>The new development would significantly improve the streetscape and activation along both George Street and the foreshore by the inclusion of serviced apartment lobby facing George Street and retail tenancies facing the raised foreshore promenade.</p> <p>The proposal does not directly active the existing uses along Charles Street, however indirectly the increased resident and tourist accommodation density would increase opportunities for the existing businesses.</p>	Yes
<b>3.3 Environmental Amenity</b>		
3.3.1 Landscaping	<p>The majority of the landscaping is located on the podium communal open space. Some landscaping is provided within the easement adjacent to the eastern boundary, however this is located within raised planter boxes.</p> <p>Due to the inner city location, dense landscaping is not considered possible. Conditions of consent are recommended that appropriate in-ground vessels are installed to allow for new vegetation to thrive, in particular, within the through-site link and within the footpath.</p> <p>On balance this is considered to be acceptable.</p>	Yes

Development Control	Proposal	Comply
3.3.3 Visual and Acoustic Privacy	<p>The primary noise emanating from the site would be from plant and equipment or noises associated with a residential environment. This plant would be fully enclosed and set back from the facades of the building. A standard condition relating to noise amenity is considered to be sufficient to ensure acoustic privacy.</p> <p>The development applications for occupation of the child care centre and retail premises must consider the operational noise from these uses on the surrounding uses and may require additional acoustic mitigation measures.</p>	Yes
3.3.4 Acoustic Amenity	<p>The proposal includes a child care centre on the podium level and retail uses on the ground floor.</p> <p>The noise generation and potential amelioration methods would be considered under the associated applications for the first use and fitout of these premises which may include limitations on the hours of operation.</p> <p>Notwithstanding, given the city centre nature of the area this is not considered likely to result in a discernable increase in noise for adjoining properties.</p>	Yes
3.3.5 Solar Access	<p>While the proposal would result in a tall building directly to the north of shop top housing, due to the generally north-south orientation of the building the shadow would be fast moving. The north facing units to the south would still receive morning and afternoon sun. As such all affected units would still receive the required solar access of 2 hours sunlight to habitable rooms and 50% of their private open space areas between 9am and 3pm on 21 June.</p>	Yes
3.3.6 Water Sensitive Urban Design	<p>The proposed building is considered to achieve the relevant water efficiency objectives as the applicant has committed to 4 star NABERS water and 5 star GreenStar. The applicant has also committed to the provision of dual plumbing and provision for future connection into a Precinct Supply once available. Conditions are included to secure delivery of these initiatives. An OSD tank is included.</p>	Yes
3.3.7 Waste Management	<p>The applicant has submitted a waste management plan which details estimated waste volumes for the construction stage. The waste management plan is considered to be acceptable.</p> <p>The ongoing waste management has been addressed by the provision of a waste storage room.</p> <p>Conditions are included to ensure waste is</p>	Yes

Development Control	Proposal	Comply
	accommodated appropriately.	
<b>3.4 Social Amenity</b>		
3.4.1 Culture and Public Art	<p>The application included an art wall on the south-eastern elevation of the southern tower.</p> <p>A condition of consent is recommended that a Public Arts Plan is prepared and submitted to Council.</p>	Yes
3.4.4 Safety and Security	<p>The proposal is not considered likely to contribute to the provision of any increased opportunity for criminal or anti-social behavior for the following reasons:</p> <ul style="list-style-type: none"> <li>• The primary building entrance is easily identifiable from the street;</li> <li>• Natural surveillance of the public domain would be significantly increased with the proposed level of occupancy;</li> <li>• The introduction of a new retail unit at ground level would increase activation;</li> <li>• The private areas are clearly delineated; and</li> <li>• Access to the carpark would be secured with an access gate.</li> </ul>	Yes
<b>3.5 Heritage</b>		
3.5.1 General	<p>The site of the proposed development is not individually heritage listed, however, it is adjacent to <i>Harrisford</i>, a heritage item of State significance.</p> <p>The design of the façade was considered throughout the design excellence process to address the materiality and significant datums of the heritage item.</p> <p>The heritage impacts are minor and were envisaged by the planning controls and as such the proposal is not considered likely to have an unacceptable impact on heritage.</p>	Yes
3.5.2 Archaeology	The site is currently being excavated under a separate application (DA/636/2018).	Yes
3.5.3 Aboriginal Cultural Heritage	<p>The demolition and excavation works are currently being undertake with approval under a separate application (DA/636/2018) which considered the potential to encounter Aboriginal relics.</p> <p>The remaining works on the site include minor earthworks associated with construction and as such is considered unlikely to encounter Aboriginal relics.</p>	Yes

Development Control	Proposal	Comply
<b>3.6 Movement and Circulation</b>		
<b>3.6.1 Sustainable Transport</b>		
Car Share  1 car share if over 5,000sqm commercial	0	No, acceptable subject to condition requiring 1 car share space
Green Travel Plan  Required for >5,000sqm commercial	Not provided.	No, acceptable subject to condition requiring Green Travel Plan.
<b>3.6.2 Parking and Vehicular Access</b>		
Car Parking Control	See Parramatta City Centre section below.	N/A
Loading Docks  1/400sqm (2)	One with capacity to service 3 vehicles at a time.	Yes. Loading dock management plan to be conditioned
Bicycle Parking  1 bicycle space per 200m <sup>2</sup> of floor space (91,712m <sup>2</sup> ) = 459	389 on Basement 1.  The proposed bicycle parking facilities adequate for the proposed residential and serviced apartments.  Adequate space is available within the basement and podium levels to accommodate an additional 70 bicycle spaces in both the designated spaces and scattered throughout the car parking areas.	No. But acceptable.
<b>4.3.3 Strategic Precinct - Parramatta City Centre</b>		
Objectives	The proposal is considered to be consistent with the objectives of the strategic precinct: <ul style="list-style-type: none"> <li>• The proposal provides a mix of uses that reinforces the centre's core employment role;</li> <li>• The building has achieved design excellence.</li> <li>• The proposal activates the Parramatta River edge; and</li> <li>• The proposal would not have an unacceptable impact on heritage.</li> </ul>	Yes
<b>4.3.3.1 Building Form</b>		
Street Frontage >20m	George Street ~ 69m (development parcel) Charles Street ~ 94.5 (development parcel)	Yes
Front Setback = 0m	George Street – 0m Charles Street – 0m	Yes
Street Frontage Heights  6m setback above 26m	Minimum 5.6 metres for towers	No, acceptable based on site constraints and design competition
Building length <45m	89m (98% breach)	No, acceptable based on site constraints and design competition
Residential Maximum Floor Plate <1000m <sup>2</sup>	Floor plates <1000m <sup>2</sup>	Yes

Development Control	Proposal	Comply
Side Setback 6m above 26m	6m setbacks provided along-side boundaries.	Yes
Rear Setback 6 metres for towers	4.2 metres	No, acceptable due to already reduced tower separation and achievement of design excellence.
Wind Mitigation	The application is supported by a wind report which was reviewed by an independent wind consultant. The report concludes that there would be no unsafe wind conditions around the building and that further studies during the detailed design phase to survey existing vegetation and trees which are part of the current building environment and undertake further studies. The submitted wind report is included in the specialist reports as a condition of consent	Yes
Buildings Exteriors	The Design Excellence Jury consider the proposed materials pallet to be in keeping with design excellence principles. A condition is included requiring the jury inspect samples of the podium façade louvers prior to construction certificate.  To ensure that the development does not result in unreasonable glare in the public domain or in adjoining/nearby properties, a condition of consent is recommended to limit the reflectivity to 10%.	Yes
Sun Access to Public Spaces	The proposal does not overshadow any of the protected areas.	Yes
<b>4.3.3.2 Mixed Use Buildings</b>		
Street Activation	The proposal provides lobby areas to the serviced apartments, residences, and child care centre along the George Street frontage.  The major and minor retail premises would be orientated towards the river and through-site link.	Yes
Floor Heights Ground – 3.6m Above – 2.7m	Lobby 4.6m >3m	Yes



Development Control	Proposal	Comply
Servicing	<p>The service entrance is included with the primary vehicle entrance from George Street.</p> <p>The loading bay included space for 3 heavy rigid vehicles</p> <p>Council's traffic engineers recommend the garage door is left open between 6am and 10pm to minimise the potential for heavy vehicles queueing across the footpath and into George Street.</p>	Yes
<b>4.3.3.3 Public Domain and Pedestrian Amenity</b>		
Active Frontages Min 50% Primary Min 40% Secondary	Primary (George) – 43.24m/69m= 63% Secondary (Parkes) Existing – 86.1m/94.5m = 91%	Yes
Continuous Awning	Continuous awnings proposed along George Street	Yes
<b>4.3.3.4 Views and View Corridors</b>		
Protection of Views	Building is setback appropriately to preserve "View long George Street to Parramatta Park gatehouse and tree"	Yes
<b>4.3.3.5 Access and Parking</b>		
Location of Vehicle Access	Private vehicles would ingress and egress at the reconstructed vehicle entrance on George Street.	Yes
Design of Vehicle Access	<p>To minimise the potential for vehicles queueing across the footpath into George Street, a condition of consent is recommended that the vehicle access door must remain open between 6:30am to 10pm and restrict the hours for delivery to the site.</p> <p>Notwithstanding this condition, in principle the design of the door is suitable.</p>	Yes
Pedestrian Access and Mobility	The pedestrian entrances to the various uses are at ground level and do not involve stairs or the like. Continuous, step-free access is provided throughout the building.	Yes
Vehicular Driveways and Maneuvering Areas	All vehicles would be able to enter and exit in a forward direction.	Yes
On-site parking  Motorcycle 1 car parking space per 50 car parking spaces (~13)	53	Yes
Above ground parking design	The preferred location of car parking in the Parramatta CBD is in basements. However, the proposal for above ground car parking in this location is considered to be acceptable. The parking within the podium levels would be obscured by used when viewed from the public domain.	Yes

Development Control	Proposal	Comply
	Appropriate screening and façade treatments are proposed along the eastern elevation of the development to obscure the appearance of the carpark.	
<b>4.3.3.6 Environmental Management</b>		
Landscape Design	Due to the narrow width of the site there is minimal opportunity for ground level planting. Street trees are provided generally in accordance with Council's Public Domain Guidelines.	Yes
Planting on Structures	Appropriate planting is provided on the podium level.	Yes
Green Roof	Green roofing is generally not possible due to the height of the proposal and the maximum heights approved by the Department of Infrastructure, Regional Development and Cities.	Yes
Energy and Water Efficient Design	NABERS 5 star Energy and NABERS 4 star water are proposed and conditioned. Further discussion above and below.	Yes
Recycled Water	Dual plumbing and provision for future connection into a Precinct Supply (once available) is proposed and conditioned.	Yes
<b>4.3.3.8 Design Excellence</b>		
	The applicant has followed the design excellence competition process outlined in the DCP and the proposal has been granted design excellence by the jury. The jury have support the application subject to above-mentioned conditions of consent.	Yes

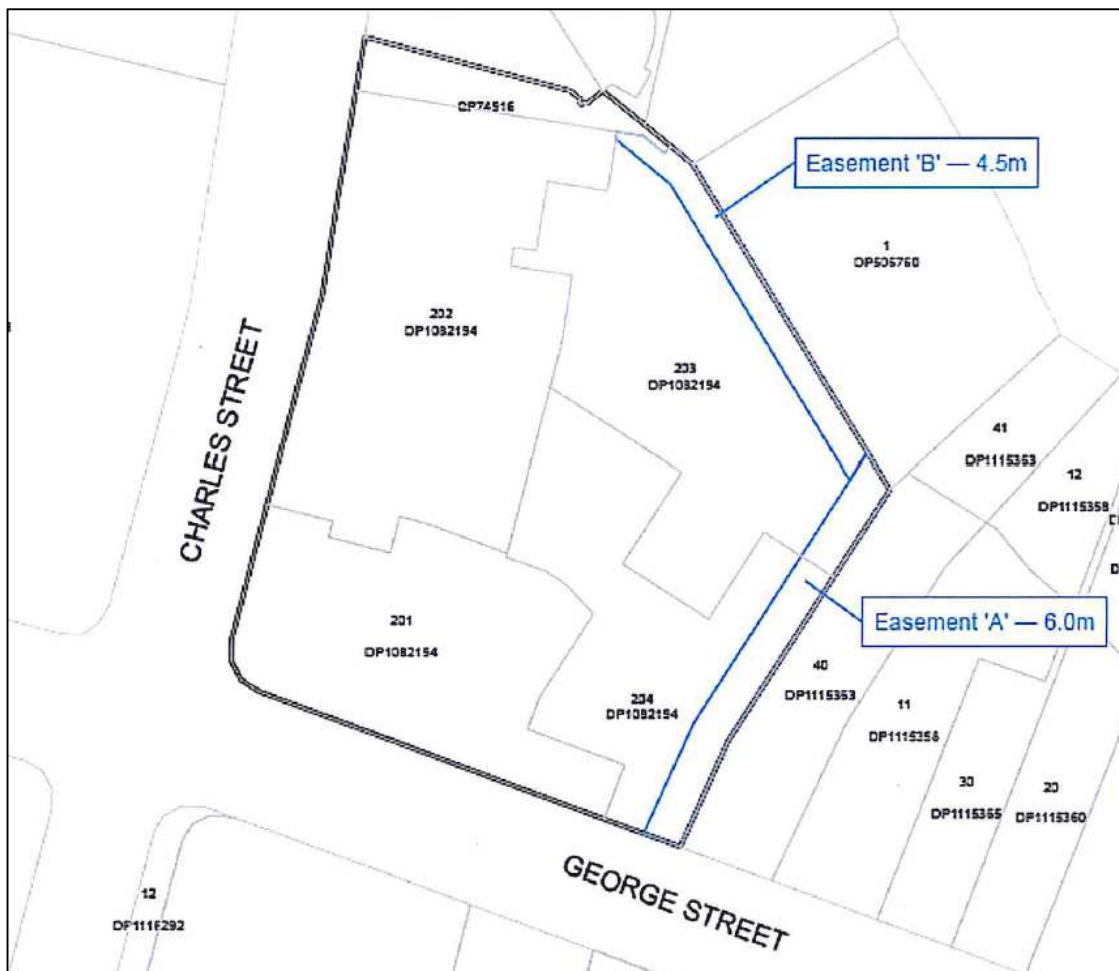
## 10. Planning Agreements

The site is the subject of a Voluntary Planning Agreement. The terms of the VPA are as follows:

- (a) Increase the maximum height from 36 metres to 190 metres;
- (b) Increase the maximum floor space ratio from 4:1 to 10:1.

In return, the development will:

- (a) Pay a monetary contribution of \$7,179,300.000 (indexed to the time of payment) paid prior to the issue of the first Occupation Certificate to be used for foreshore improvements;
- (b) Grant, at no cost to Council, 2 easements over the subject site in the locations indicated in Figure 12 below;
- (c) The easements must be registered within 12 months of the issue of the first Occupation Certificate unless otherwise agreed.



**Figure 12:** Extract of Voluntary Planning Agreement showing location and widths of easements

The proposed development includes these easements as per the above requirements.

Conditions of consent are recommended that the monetary contribution is paid and the easements are registered in accordance with the terms of the VPA.

## 11. The Regulations

The recommendation of this report includes conditions to ensure the following provisions of the Regulation would be satisfied:

- Clause 92 - Demolition works are to satisfy AS 2601 - 1991; and
- Clause 98 - Building works are to satisfy the Building Code of Australia.

## 12. The likely impacts of the development

The likely impacts of the development have been considered in this report. Fire safety would be addressed by way of appropriate conditions.

## 13. Site suitability

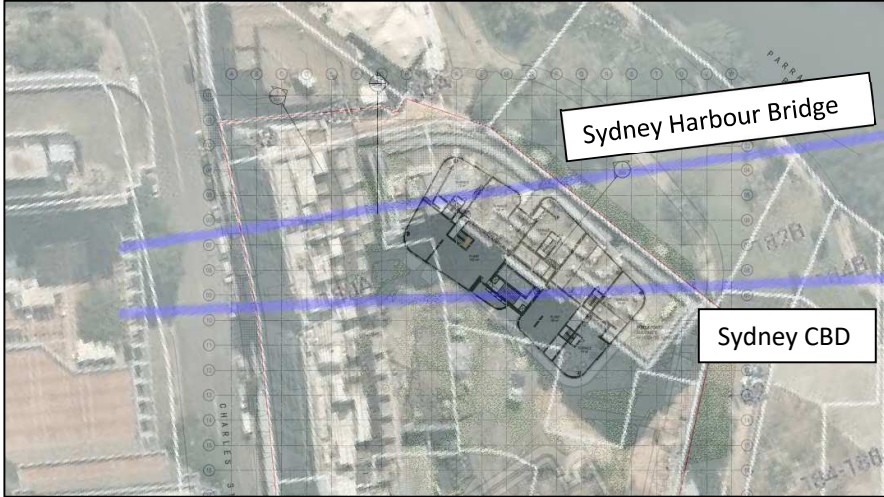
The subject site and locality is affected by flooding. Council's Engineering Department have assessed the application and considered the proposal to be satisfactorily designed to

minimise risk to human safety and property. Suitable investigations and documentation has been provided to demonstrate that the site is suitable for the proposed development in terms of contamination and acid sulphate soils.

No other natural hazards or site constraints are likely to have a significant adverse impact on the proposed development. Accordingly, the site is considered to be suitable for the proposed development subject to relevant conditions.

## 14. Submissions

The application was notified and advertised in accordance with Appendix 5 of DCP 2011 for a 21-day period between 1 August 2018 till 22 August 2018 and again between 20 February 2019 and 13 March 2019 following the submission of amended plans. Five (5) submissions have been received. Submission issues are summarised and commented on as follows:

Issues Raised	Comment
<i>Loss of Solar Access</i>	The applicant has provided shadow diagrams which demonstrate that the proposal would not result in adjoining and nearby properties receiving less than the required 2 hours of solar access at midwinter between 9am and 3pm.
<i>Loss of View</i>	<p>The general guidance provided by <i>Tenacity Consulting v Waringah [2004] NSWLEC 140</i> is use in considering of the loss of views from the nearby properties;</p> <ol style="list-style-type: none"> <li>1. <i>Assessment of the views to be affected</i> The views affected are of the Sydney CBD and Sydney Harbour Bridge however are distant views approximately 19 km east of the affected property. Although these views are significant views, they are distant regional views.</li> <li>2. <i>What part of the property the views are obtained;</i> The views are obtained from the front elevation of the proposed building on the affected property.</li> <li>3. <i>Extent of the impact;</i> The entire view is obscured by the development, in particular the northern tower.</li> </ol>  <p><b>Figure 13:</b> Overlay of view lines from adjoining development and proposed northern tower.</p> <ol style="list-style-type: none"> <li>4. <i>Reasonableness of the proposal causing the impact.</i> The proposed towers are located generally within the footprint envisioned by the</li> </ol>

	planning proposal and site specific DCP. No reasonable modification could be made to the building footprint to preserve the views from the approved 33 storey building on the adjoining site.
<i>Construction disruption</i>	A Construction Traffic Management Plan must be prepared prior to the issue of a construction certificate which considers the management of vehicles during the construction phase. Further, a Construction Pedestrian Traffic Management Plan must be prepared to ensure that pedestrians are appropriately managed throughout the construction phase.
<i>Glare</i>	A condition is recommended that the finishes on the proposal achieve reflectivity of no more than 20%. The details are to be provided to the PCA prior to the issue of the relevant Construction Certificate.
<i>Privacy</i>	The proposed change of use from serviced apartments to private residences is considered appropriate. The privacy in these units would be commensurate with a high density urban environment which shares commercial and residential uses.  The change of use of the serviced apartments to private residences was considered as part of the Voluntary Planning Agreement
<i>Infrastructure Capacity</i>	The capacity of the surrounding infrastructure, including roads, parks, sewer, stormwater has been considered in the rezoning of the surrounding area.
<i>Parking</i>	The application complies with the maximum parking requirements under the Parramatta LEP 2011. Given the accessibility of the site to the Parramatta CBD and Parramatta Railway Station, a reduced car parking ratio is enforced.
<i>Noise</i>	The operation of the proposed development would be as expected for a CBD environment. The future retail and child care centre tenancies would be subject to further assessment as a development application and acoustic measures may be included in the use of these tenancies.
<i>Construction Management</i>	It is expected that the construction phase will result in amenity impacts both in relation to noise and traffic. The site is located at the edge of the CBD and therefore the traffic impacts are able to be managed. A condition of consent is recommended to limit the hours of construction to within reasonable hours as referenced in the NSW Interim Construction Noise Guideline.
<i>Demolition on Saturdays</i>	Demolition work and excavation/blasting work is permitted to occur on Saturdays between 9am and 1pm under the NSW Interim Construction Noise Guideline.
<i>Bulk and Scale</i>	The development achieves the bulk and scale as envisioned by the site specific DCP and LEP clauses. The site is toward the perimeter of the CBD and is therefore less impacted by significant view corridors and flight paths that would otherwise limit the height on other sites.
<i>Wind Impacts</i>	The wind impacts of the development were considered by an external consultant. The wind impacts of the development are considered acceptable subject to conditions of consent requiring further detailed study at the detailed design phase of the proposal. No unsafe wind conditions were identified in both the submitted wind assessment or review.
<i>Public Domain Improvements</i>	Council's Public Domains team has reviewed the application and are generally supportive of the proposal subject to conditions of consent requiring additional details.
<i>Application of design excellence</i>	As addressed above, the development achieves design excellence and the additional floor space ratio and building height are applicable to the development as considered under the Voluntary Planning Agreement.

<i>Use of Serviced Apartments as Residences</i>	<p>The site-specific DCP for the site indicates that the existing serviced apartments may be retained if they can be appropriately integrated into the development. In this instance, the existing apartments can more readily be integrated into the development as private residences with access through communal open space.</p> <p>The amenity impacts to the residential units would be in keeping with the expectation in a high density, CBD environment.</p>
<i>Inconsistency with Planning Proposal</i>	<p>The planning proposal originally included the retention of the serviced apartments within the existing building, however it was accepted that these apartments would be converted to individual private residences outside the scale of the planning proposal. The development is generally consistent with the planning proposal on the site.</p>
<i>Planting of Charles Street Square</i>	<p>The planning proposal included the payment of \$7,179,300 for foreshore improvements in line with the Charles Street Square Strategy.</p>
<i>Wind Impacts</i>	<p>The application achieves the required wind safety and comfort targets internally and externally to the development.</p>
<i>Safety during construction</i>	<p>Conditions of consent are recommended for appropriate hoarding and site fencing to minimise the potential for impacts on pedestrians, customers, and surrounding buildings.</p>
<i>Ongoing safety</i>	<p>Conditions of consent are recommended for appropriate lighting and surveillance within the through-site link and foreshore walkway.</p>
<i>Heritage Impacts</i>	<p>The Design Excellence process included requirements for the proposed development to address the qualities of <i>Harrisford House</i>. This included the use of materials and articulation to provide a connection to the item.</p> <p>In the awarding of Design Excellence to the proposal, the design achieves the heritage objectives of the design brief:</p> <ul style="list-style-type: none"> <li>• <i>The western boundary of the subject site should incorporate soft landscaping between any future development and the adjacent heritage item. Mature landscaping would be in character with the northern side of George Street, would ensure a visual separation between it and the adjacent heritage, and would provide a soft backdrop to this heritage item when it is viewed from the east;</i></li> <li>• <i>The lower floors of any future development should be appropriately articulated to mediate the difference in scale between it and the adjacent heritage item. This may involve articulating the podium to have regard to the scale of 'Harrisford'.</i></li> <li>• <i>Also for the purpose above, the form of future development could incorporate a demarcation within the podium to create a shadow line at a sympathetic height. The detail and scale of the new podium is to be further resolved.</i></li> </ul> <p>Notwithstanding the scale of the proposed development, it has adequately addressed the heritage item. Conditions of consent are recommended that the public domain works within the through-site link are appropriately designed and CPTED principles are included in the ongoing operation of the link.</p>

## 15. Public interest

Subject to implementation of conditions of consent outlined in the recommendation below, no circumstances have been identified to indicate this proposal would be contrary to the public interest.

## 16. Disclosure of Political Donations and Gifts

No disclosures of any political donations or gifts have been declared by the applicant or any organisation / persons that have made submissions in respect to the proposed development.

## 17. Development Contributions

As the cost of works exceeds \$200,000 a Section 7.12 development contribution of **3.0%** is required as per *Parramatta City Centre S94A Development Contribution Plan (Amendment No. 4)*. An independent review of the applicants Capital Investment Report was undertaken which estimated a development cost of \$322,333,605. This estimate is considered to be commensurate with the works proposed. A standard condition of consent has been imposed requiring the contribution to be paid prior to the issue of the relevant Construction Certificates.

## 18. Summary and conclusion

The application has been assessed relative to Section 4.15 of the Environmental Planning and Assessment Act 1979, taking into consideration all relevant state and local planning controls. On balance the proposal has demonstrated a satisfactory response to the objectives and controls of the applicable planning framework. Accordingly, approval of the development application is recommended.

The proposed development is appropriately located within a locality earmarked for high-rise mixed use development, however some variations (as detailed above) in relation to Parramatta DCP 2011 are sought.

While the proposal is not compliant with several of the envelope controls contained in the Parramatta DCP 2011 this is considered to be acceptable given the narrow width of the site and the offsetting improvements to the public domain and screening of above ground car parking. Concerns relating to the lack of external solar shading are resolved via condition.

Having regard to the assessment of the proposal from a merit perspective, Council officers are satisfied that the development has been responsibly designed and provides for acceptable levels of amenity for future commercial occupants. It is considered that the proposal successfully minimises adverse impacts on the amenity of neighbouring properties. Hence the development, irrespective of the departures noted above, is consistent with the intentions of the relevant planning controls and represents a form of development contemplated by the relevant statutory and non-statutory controls applying to the land.

For these reasons, it is considered that the proposal is acceptable and is recommended for approval subject to conditions.

## 19. 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 Appendix 1.