

Statement of Environmental Effects for Section 4.55(2) Modification – DA/805/2013

PARRAMATTA RSL CLUB
MACQUARIE STREET, PARRAMATTA



QUALITY ASSURANCE

PROJECT: Statement of Environmental Effects for Section 4.55 (2) modification to DA/805/2013

ADDRESS: Lot 362 DP 752058: 2 Macquarie Street, Parramatta

COUNCIL: The City of Parramatta

AUTHOR: Think Planners Pty Ltd

Date	Purpose of Issue	Rev	Reviewed	Authorised
11 December 2018	Draft Issue for Client Review	Draft	BD	AB
12 December 2018	Lodgement Issue	Final	BD	AB
19 December	Update from 'DA Return'	Update	BD	BD

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EXECUTIVE SUMMARY

This Statement of Environmental Effects has been prepared in support of a Section 4.55(2) modification to an approved development for the demolition of an existing club and the construction of a new two storey club over at grade and basement carparking.

This Statement of Environmental Effects has been updated as a result of Council's return of the application via DL/1262/2018 dated 17 December 2018. Refer to page 14 of this document for a response to the issues raised in the return.

The original development application DA/805/2013 was granted approval on 13 May 2015 by the Sydney West Joint Regional Planning Panel.

Keys aspects of the approved development are:

Demolition

Demolition of the existing club building (following construction of the new building), removal of bowling greens and demolition of other minor improvements

Construction

Construction and use of a new 1 -2 storey registered club containing a total public area of 2972m² and an additional back-of-house area of 1229m², incorporating the following areas/facilities:

- The sub-branch of the RSL, memorial forecourt and eternal flame;
- Bar, lounge and dining room areas including café and bistro;
- Function spaces;
- Outdoor terrace areas, including a roof-top terrace/function area;
- Gaming room area;
- Back-of-house areas, including kitchen, storeroom;
- Amenities and storage areas; and
- Administrative office.

Retention of site access/egress via Macquarie Street, and removal of the egress via the Parramatta Park internal access road.

Use

The hours of operation for the venue are:

Sunday-Wednesday: 10am-11pm

Thursday: 10am-12 midnight

Friday-Saturday: 10am- 1am

Parking:

A total of 635 carparking spaces comprising:

- 64 surface spaces located on the western portion of the site
- 274 spaces at Basement Level 1, also including back-of-house area and loading dock
- 146 spaces at Basement Level 2
- 151 spaces at Basement Level 3

Since approval construction of the project has commenced and the following modifications have been determined.

- DA/805/2013/A that sought approval for the deletion of condition 26 in relation to Section 94A contributions was refused on 16 November 2015.
- DA/805/2013/B that sought approval for the deletion of condition 26 in relation to Section 94A contributions and enter into a voluntary planning agreement was approved on 29 August 2016.
- DA/805/2013/C that sought approval for the modification of condition 118 that relates to the hours of operation and granted approval for the club to operate for a 12 month trial between:

Monday	7am to 1am
Tuesday	7am to 1am
Wednesday	7am to 1am
Thursday	7am to 4am
Friday	7am to 4am
Saturday	7am to 4am
Sunday	7am to 1am

Council is currently assessing Modification DA/805/2013/D that is seeking approval for revisions to the building that predominantly involve changes to the internal layout of the building including:

Ground floor

- Modification of the airlock to provide an improved entry sequence to the club;
- Conversion of the sports/function area to a café/lounge and relocation of amenities;
- Repositioning of the Main bar to the eastern edge of the building;

- Modification of the divisions between the external terraces to create a designated smoking terrace fronting O'Connell Street;
- Installation of an outdoor children's playground adjacent to the café as well as an external accessible ramp to provide appropriate access for prams etc to the playground;
- Relocation and provision of additional access stairs from the basement carparking areas to the club;
- Use of the previously approved transformer room as an Air Supply Room;
- Provision of an electrical substation along the Macquarie Street frontage of the site;
- Provision of addition landscaping including an arbour in front of the main club entrance;
- Provision of a roof over the stair access from Macquarie Street near O'Connell Street;

First Floor

- Conversion of designated function space to a restaurant and bar area;
- Division of the terrace areas to create a designated smokers terrace;
- Provision of a planter box on the western elevation of the terrace;
- Re-arrangement of back of house areas to improve functionality;
- Reduction in open plant area as a result of detailed design of services;
- Provision of an additional stair to better access the Bar Terrace and comply with BCA requirements.
- Provision of a carpark exhaust stacker behind the parapet to the O'Connell Street frontage;
- Provision of a planter box on the western elevation of the terrace
- Provision of a TV wall on the southern wall of the Bar Terrace;
- Provision of a retractable roof over the eastern terrace in lieu of umbrellas;
- Provision of additional retractable roofing over the western terraces;

Basement carparking areas

- Refinement of the basement carpark to accommodate additional services;
- Refinement of OSD including the provision of two OSD tanks in lieu of the one approved;
- Increasing the size of back of house areas;
- As a result of the refinements to the parking the total number of parking spaces to be provided on site is reduced by 48 spaces from 635 to 587.

This modification is seeking approval for further changes to the approved development including:

Ground floor

- Expansion of gaming lounge through the relocation of the administration area to the basement;
- Provision of stairs to improve circulation to the proposed new first floor function rooms;
- Removal of one access door to the external smoking terraced fronting O'Connell Street;
- Provision of an additional internal wall in front of the amenities;
- Relocation of fire hose reel within the TAB lounge; and
- Provision of an airlock between the gaming lounge and alfresco gaming area.

First Floor

- Provision of a new function area on the south western corner of the proposed building; and
- Provision of the first floor offices and a store room along the southern elevation of the building fronting Macquarie Street;

The above changes result in an additional 465m² of floorspace.

Basement

- Conversion of proposed general store rooms (GFA of 98m²) (that approval is currently being sought via modification DA/805/2013/D) to office space.

Elevations

Revised elevations and sections that reflect these changes accompany this resubmission

The changes are clouded in green on plans prepared by EJE architecture

Known legally as Lot 362 in DP 752058 the subject site is commonly known as 2 Macquarie Street (Cnr O'Connell Street), Parramatta. The subject site itself is a significant land parcel located on a prominent corner that marks the western gateway into the heart of Parramatta City Centre and was originally part of Parramatta Park with its northern and western boundaries adjoining the park. The development site can be best described as a large irregular shaped corner allotment with frontages to both Macquarie Street and O'Connell Street. with a total site area of 1.12ha.

The site is zoned RE2 Private Recreation under Parramatta Local Environmental Plan 2011. '*Registered Clubs*' remain permissible with consent within the RE2 Zone

The modified development continues to propose a contemporary gateway building of visual interest that exhibits design excellence in a prominent corner location along the

western edge of Parramatta City Centre. The modified application is a result of refinements of the design since approval and modifications to facilitate compliance with the National Construction Code.

Having regard to the benefits of the proposal and considering the absence of adverse environmental, social or economic impacts, and that the proposal represents an appropriate use of well-located land; the application is submitted to Council for assessment. Think Planners Pty Ltd recommends the approval of the modification application subject to necessary, relevant and appropriate conditions of consent.

PARRAMATTA CITY CENTRE

The subject site resides within the Parramatta City Centre associated with Part 4 of the Parramatta Development Control Plan 2011, as illustrated below.



Figure 1: Map of Parramatta City Centre Map Extract (Source: Parramatta DCP 2011)

Parramatta City Centre is currently experiencing a significant transformation of its built form as it progresses towards fulfilling its role as the key Regional Centre of Western Sydney and this development will assist with this.

Site Analysis

The subject site is legally described as Lot 362 in DP 752058 but commonly known as 2 Macquarie Street (Cnr O'Connell Street), Parramatta.

The approved new club building is located on the western edge of the Parramatta City Centre and is located in a precinct containing a mix of commercial office space, retail shops and mixed use developments containing residential apartments on their upper levels. The broad locality is undergoing a significant transformation towards higher density mixed uses and residential development.

The site is generally rectangular in shape and has frontage to both Macquarie Street (154.485m) and O'Connell Street (70.79m). The site has an area of 11,121m². The site falls from the west to the east and north-east. The site currently contains a 2 storey club with construction commencing on the approved new club building.

As demonstrated below, the site is bounded by the Parramatta Park on its northern and western boundaries with commercial offices, a multi-level carpark owned by the RSL club and large substation being located opposite the site in Macquarie Street. The adjacent side of O'Connell Street contains a large commercial office building.

As outlined above, and as evident in the extract in the following pages, the subject site is zoned RE2 Private Recreation under the Parramatta Local Environmental Plan 2011 and is subject to a maximum height of 10m. 'Register Clubs' are permissible with consent within the RE2 Zone.

The aerial photo on the following page shows the subject site and its relationship to adjoining properties.



Figure 2: Aerial Map of Subject Site (Source: Nearmap 2018)

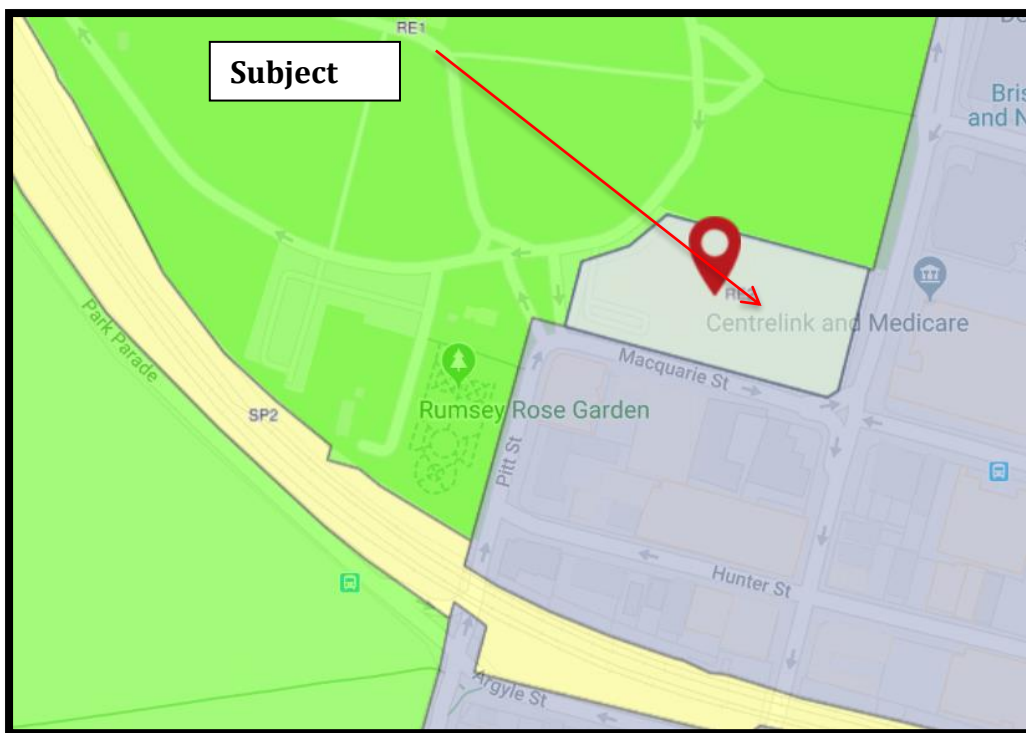


Figure 3: Zoning Map Sheet LZN_010 Extract (Source: NSW Planning Portal)



Photo 1: Current construction works as viewed from Macquarie Street

Broader Site Analysis

The Plan for Growing Sydney supports higher residential development in strategic locations to accommodate future population growth, and Parramatta City Council has zoned the subject site as RE2 – Private Recreation, which encourages recreational activities within the subject site. Furthermore, the subject area is ideal for future urban intensification as it is located on a western gateway into the Parramatta City Centre.

The site is also within distance to public transport, local schools, parks and other local services. The aerial photograph in the following page demonstrates the sites location in its broader locality.



Figure 4: Broader Locality Map (Source: Nearmap)

It is noted that the modified proposal will continue to align with the typically desired vision for town centres by providing a development that on balance will assist with reactivating the western edge of the Parramatta CBD and will continue to support the role and function of the Parramatta City Centre.

The approved development seeks to utilise the land in accordance with the zoning and will contribute towards revitalising the area by increasing commercial opportunities that will promote activity at the street level and will augment patronage of the area, thus create additional patronage that will contribute towards boosting the economy performance of Parramatta and will increase employment opportunities within the locality both during the construction phase and through an increase of commercial space at the completion of the proposal.

RETURNED DEVELOPMENT LODGEMENT APPLICATION RESPONSE

The development application was initially lodged on 12 December 2018. (DL/1262/2018) On 17 December 2018, Council returned the application and required the following issues to be addressed prior to the re-lodgement of the application.

Returned Development Application – Response Table	
Concern	Comment
Cost of Works <i>An estimate of the cost of works involved with the proposed modifications must be provided</i>	<p>A detailed cost estimate of the additional cost of the project has been prepared by an estimator utilising Council's Detailed cost Estimate Form.</p> <p>This confirms that the additional work proposed as part of this modification will cost \$1,879,646.</p>
Waste Management Plan <i>A revised Waste Management Plan incorporating the impacts of the proposed changes must be provided with this application.</i>	<p>As requested, a Waste Management Plan accompanies this resubmission.</p>
Aboriginal Pleistocene Study <i>The site is identified as being of high Aboriginal Pleistocene Study. The Statement of Environmental Effects must address this and discuss any potential impacts of the proposed modifications.</i>	<p>The modification does not increase excavation on the site. The potential impact of the development on potential Aboriginal relics was considered in the report prepared by Artefact Heritage and titled , 'Parramatta RSL Club, Aboriginal Archaeological Assessment', September 2013 (Artefact 2013b). This was submitted with the parent development application.</p> <p>The Heritage Impact Statement submitted with the originally lodged modification by GML further addresses this issue and states:</p> <p><i>There are no additional archaeological impacts to those identified as part of the development approval (Artefact 2013a-b) and subject to current and future requirements of the Heritage Act 1977 and National Parks & Wildlife Act 1979.</i></p>

As outlined in the above table, the development has been revised to appropriately address the concerns outlined in Council's Development Return letter. Council is requested to accept the revised application and proceed to a merits based assessment of the proposal.

PROPOSED SECTION 4.55(2) MODIFICATION

This Section 4.55(2) modification seeks approval for revisions to the building including:

Ground floor

- Expansion of gaming lounge through the relocation of the administration area to the basement;
- Provision of stairs to improve circulation to the proposed new first floor function rooms;
- Removal of one access door to the external smoking terraced fronting O'Connell Street;
- Provision of an additional internal wall in front of the amenities;
- Relocation of fire hose reel within the TAB lounge; and
- Provision of an airlock between the gaming lounge and alfresco gaming area.

First Floor

- Provision of a new function area on the south western corner of the proposed building; and
- Provision of the first floor offices and a store room along the southern elevation of the building fronting Macquarie Street;

The above changes result in an additional 465m² of floorspace.

Basement

- Conversion of proposed general store rooms (GFA of 98m²) (that approval is currently being sought via modification DA/805/2013/D) to office space.

Elevations

Revised elevations and sections that reflect these changes accompany this resubmission

The changes are clouded in green on plans prepared by EJE architecture.

The following plans and technical reports are submitted to Council to assist with its assessment of the Modification Application.

DOCUMENT	PREPARED BY
Architectural Drawings	EJE Architects
Heritage Impact Statement	GML

Traffic Report	Transport and Traffic Planning Associates
Quantity Surveyor Letter	Paynter Dixon
Waste Management Plan	Paynter Dixon

PLANNING CONTROLS

Section 4.55 of the Environmental Planning and Assessment Act 1979

Pursuant to Section 4.55 (2) of the Act (Previously known as Section 96(2)), Council may consider an application to amend a development consent provided that it is substantially the same development and of minimal environmental impact.

An extract of Section 4.55 (2) is provided below:

A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if:

(a) it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which consent was originally granted and before that consent as originally granted was modified (if at all), and

(b) it has consulted with the relevant Minister, public authority or approval body (within the meaning of Division 4.8) in respect of a condition imposed as a requirement of a concurrence to the consent or in accordance with the general terms of an approval proposed to be granted by the approval body and that Minister, authority or body has not, within 21 days after being consulted, objected to the modification of that consent, and

(c) it has notified the application in accordance with:
(i) the regulations, if the regulations so require, or
(ii) a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and

(d) it has considered any submissions made concerning the proposed modification within the period prescribed by the regulations or provided by the development control plan, as the case may be.

Subsections (1) and (1A) do not apply to such a modification.

(3) In determining an application for modification of a consent under this section, the consent authority must take into consideration such of

the matters referred to in section 4.15 (1) as are of relevance to the development the subject of the application. The consent authority must also take into consideration the reasons given by the consent authority for the grant of the consent that is sought to be modified.

The application is substantially the same as the approved development, with the refinement of the scheme to reflect the detailed design work undertaken. The minor changes to the plans are reasonably and appropriately considered 'substantially the same development' when having regard to case law set down by the Land and Environment Court

Land and Environment Court Judgments

The question as to whether a modified proposal is 'substantially the same' as that originally approved has been an ongoing issue dealt with in the Land and Environment Court. It is also important to note that the Court has consistently described the section 96-modification provision of the Act as "beneficial and facultative". It is designed to assist the modification process rather than to act as an impediment to it; "It is to be construed and applied in a way that is favourable to those who seek to benefit from the provision" (see *North Sydney Council v Michael Standley & Associates Pty Limited* [1998]).

As demonstrated below the change to an approval can be substantial without the amended proposal failing the 'substantially the same' test. By way of example, and relevant to the current proposal, the following cases were considered in the Court and found to be substantially the same development, with this extract contained in a Gadens Publication dated 17 June 2012:

Bassett and Jones Architects Pty Limited v Waverley Council (No 2) [2005]: The modification application sought an additional storey to the approved front building of a mixed commercial and residential development, which would alter the building from three- storeys to four-storeys; and the provision of a zero side setback for a part of the external side walls at all three levels. This resulted in an increase in floor space of 112 square metres, being a 20 per cent increase in floor space, and a 28 per cent increase in height (both of which exceeded the applicable council controls).

The Court found that the test was satisfied albeit only on "a very fine balance". The Court noted however that the modified design might give rise to privacy impacts that may warrant refusal of the application when the merits of the change are assessed. The application was later refused on its merits, but not before passing the "substantially the same" threshold test.

Davi Developments Pty Ltd v Leichhardt Council [2007]: A modification application sought to change consent for a seven storey residential flat building with two levels of basement parking. There was to be a reduction of one floor, but an increase in the main parapet height by 900mm, and the substantial reconfiguration of the unit mix such

that the numbers reduced from 42 to 30, with a rearrangement of the car park plan such that it was “entirely different”.

The Court nevertheless considered that the fundamental characteristics and essence of the building would remain essentially the same.

Bathla Investments Pty Limited v Blacktown City Council [2008]: The original approval was for eight townhouses presenting as four, single-storey buildings. Some of the townhouses were attached.

The modification application sought to change some of the townhouses to two storeys, and also sought to separate the dwellings and made changes to the garage designs and parking layout. The Court noted that there were “numerous differences” between the schemes, however, the townhouse development presented as materially and essentially the same development.

Marana Developments Pty Limited v Botany City Council [2011]: The original approval was for the construction of five residential flat buildings (with basement car parking) comprising a total of 76 units. The modification application sought ‘significant changes to the external appearance and layout of the buildings’ including an increase in unit numbers from 76 up to 102, and an additional level of basement car parking.

This also involved a changed unit mix. Despite significant internal changes, the minimal change to the external floor plates and layout was of great significance and the test was satisfied.

Boyd v Bega Valley Council [2007]: It was proposed to add a second storey to a single storey dual occupancy development. Although the application was unsuccessful on merit grounds reasons (visual impact from the waterway caused by poor architectural design), the Court was satisfied that the increase from a single storey to a two storey dwelling satisfied “substantially the same” test.

As can be seen above, particularly in Bathla v Blacktown, the Court noted that despite there being “numerous differences” the development presented as materially and essentially the same development. Having regard to the series amendments proposed in this application including the additional first floor and basement floorspace, it is noted that the proposal remains materially and essentially the same development.

Therefore, the proposal is considered to be in essence substantially the same development as that originally approved.

It is anticipated that the development application will be notified to adjoining property owners and a discussion against the relevant planning controls is provided further in this statement.

STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007

The modification remains consistent with the ISEPP.

STATE ENVIRONMENTAL PLANNING POLICY NO.55 - REMEDIATION OF LAND

Clause 7 of SEPP 55 provides:

1. *A consent authority must not consent to the carrying out of any development on land unless:*
 - (a) *it has considered whether the land is contaminated, and*
 - (b) *if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*
 - (c) *if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.*

This issue was considered by the City of Parramatta as part of the assessment of the parent application and found to be satisfactory.

STATE ENVIRONMENTAL PLANNING POLICY – (VEGETATION IN NON-RURAL AREAS) 2017

State Environmental Planning Policy (Vegetation in Non-Rural Areas) was introduced in August 2017. This SEPP seeks to protect the biodiversity values of trees and other vegetation in non-rural areas of the state, and to preserve the amenity of non-rural areas of the State through the appropriate preservation of trees and other vegetation.

The subject site is located within an emerging high density CBD environment. The site contains limited vegetation and it is noted that this modification does not seek approval for any additional vegetation removal.

SYDNEY REGIONAL ENVIRONMENTAL PLAN- SYDNEY HARBOUR CATCHMENT

The subject site is subject to the broad planning principles contained within the SREP.

The Sydney Harbour Catchment Planning Principles must be considered and achieved, where possible, in the carrying out of development within the catchment.

The relevant principles include:

Protect and improve hydrological, ecological and geomorphologic processes;
Consider cumulative impacts of development within the catchment;
Improve water quality of urban runoff and reduce quantity and frequency of urban runoff; and

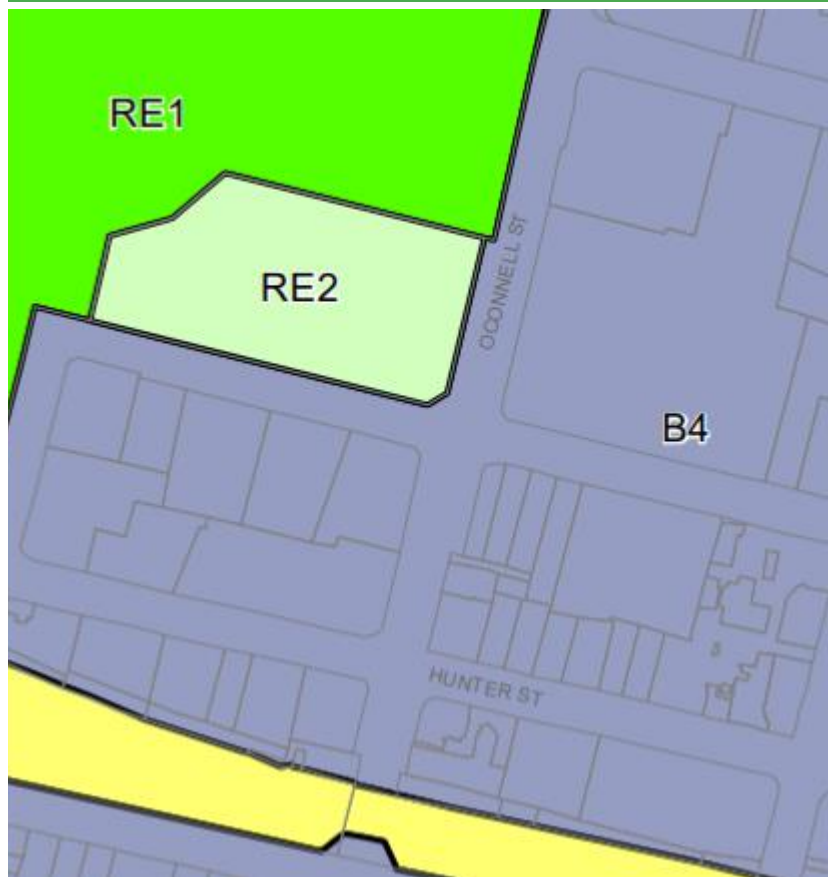
Protect and rehabilitate riparian corridors and remnant vegetation.

The modified proposed development will not detract from the above listed principles given the nature of the development and the environmental safeguards proposed, including the detailed drainage concept and erosion and sediment controls that will be in place throughout the construction phase of the development.

PARRAMATTA LOCAL ENVIRONMENTAL PLAN 2011

The development site is zoned RE2 Private Recreation, as indicated on the zoning map extract below.

Figure 4: Zoning Map Extract Sheet LZN_010 Extract (Source: Parramatta LEP 2011)



The proposed modifications are consistent with the prescribed zone objectives that are stipulated as:

- *To enable land to be used for private open space or recreational purposes.
To provide a range of recreational settings and activities and compatible land uses.*
- *To protect and enhance the natural environment for recreational purposes.*

- To identify privately owned land used for the purpose of providing private recreation, or for major sporting and entertainment facilities which serve the needs of the local population and of the wider Sydney region.

The table below provides detail on the development standards relevant to the current proposal as well as other relevant LEP provisions.

Parramatta Local Environmental Plan 2011 - Compliance Table			
Clause	Control	Comment	Complies
Zoning	RE2 Private Recreation Zone	No changes to the proposed land uses under this modification.	No change
Part 2 Permitted or Prohibited Development			
2.3	Zone Objectives and Land Use Table	The proposal remains consistent with the zone objectives of the RE2 – Private Recreation Zone.	Yes
2.7	Demolition Requires Consent	No changes under this proposed modification.	N/A
Part 4 Principal Development Standards			
4.3	Height of Buildings 10m	The modified development will continue to comply with the 10m height control that applies to the site.	Yes
4.4	Floor Space Ratio-	The site is not identified as containing a floor space ratio under Parramatta Local Environmental Plan 2011 Floor Space Ratio Map Sheet FSR_010.	N/A
4.6	Exception to Development Standards	The modification does not seek to vary any LEP standards.	N/A
Part 5 Miscellaneous Provisions			
5.10	Heritage Conservation	The Heritage Impact Statement prepared by GML confirms that the modification will not have an unacceptable impact on the heritage significance aspects of the site or adjoining and nearby heritage items.	Yes
6.1	Acid sulphate soils	The land class is shown as '5' and the proposal is not within 500m of any other land classes, nor is the proposal likely to lower the water table below 1 metre AHD.	No change
6.2	Earthworks	This application does not seek approval for any additional earthworks.	N/A

		<p>The proposal will not adversely affect or disrupt drainage and flood patterns, flood storage or soil stability in the area.</p> <p>The proposed excavation is consistent with the current and future use of the land and will develop the site into context with its surrounds and in accordance with Councils current and proposed planning strategies.</p>	
6.3	Flood planning	The proposed modifications are minor and predominantly relate to internal changes to the building and basement. There are no changes that impact on flood related matters.	Yes
6.4	Biodiversity protection	The site is not identified on the Natural Resources Biodiversity Map. Not applicable.	N/A
6.5	Water protection	The site is not identified on the Natural Resources Riparian Land and Waterways Map. Not applicable.	N/A
6.6	Development on landslide risk land	The site is not identified as being subject to landslide risk. Not applicable.	N/A
6.7	Foreshore building line	The proposal is not within close proximity of the foreshore and is not located within the foreshore building line. Not applicable.	N/A
Part 7 Parramatta City Centre			
7.2	Floor Space Ratio	The site is not identified as containing a floor space ratio under Parramatta Local Environmental Plan 2011 Floor Space Ratio Map Sheet FSR_010.	N/A
7.3	Car Parking	This clause does not contain a maximum parking rate for a registered club. Not applicable.	N/A
7.4	Sun Access	<p>The development does not cast shadow over Parramatta Square, The Lancer Barracks or Jubilee Park.</p> <p>Further the modified proposal does not increase the height of the building and accordingly the modification does not result in increased overshadowing beyond the site.</p>	N/A
7.5	Serviced Apartments	Service apartments are not proposed as part of this development. Not applicable.	N/A
7.6	Airspace Operations	The development site is not identified as "Area 3" on the Special Provisions Area Map Sheet CL1_010.	N/A

7.10	Design Excellence	The proposal exhibits design excellence and embodies the matters prescribed in Clause 22B(3)(a)-(xi).	Yes
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PARRAMATTA DEVELOPMENT CONTROL PLAN 2011

All relevant Council controls have been considered in the following compliance table.

Parramatta Development Control Plan 2011 – Compliance Table			
Clause	Controls	Comment	Complies
2. Site Planning			
2.1	Design in Context	The proposed modifications will have minimal adverse environmental or amenity impacts and provides an appropriate outcome on site in an appropriate location.	No change
2.3	Site Analysis	A Site Analysis has been prepared and is attached as part of this application.	As considered under parent DA
2.4.1	Views and Vistas	The proposed modifications are minor and ensure the development provides an appropriate outcome on site and within the area and will not impact on views to and from significant sites or on existing significant view corridors.	No change
2.4.2.1	Water Management- Flooding	There are no changes that impact on flood related matters.	No change
2.4.2.2	Protection of Waterways	The subject site is not located within close proximity of a waterway. Not relevant.	N/A
2.4.2.3	Protection of Groundwater	It is considered that the risk of site contamination occurring to groundwater during both construction and future use of the site is low.	N/A
2.4.3.1	Soil Management- Sedimentation	This application seeks Council consent for the excavation of the site as per the original approval.	Yes
2.4.3.2	Soil Management- Acid Sulfate Soils	The land class is shown as '5' and the proposal is not within 500m of any other	No change

		land classes, nor is the proposal likely to lower the watertable below 1 metre AHD.	
2.4.3.3	Soil Management- Salinity	Due to the nature and location of the site it is not likely to be affected by Saline Soils.	No change
2.4.4	Land Contamination	This was considered as part of the parent development application and found to be satisfactory.	No change
2.4.5	Air Quality	<p>It is considered that the proposed modifications will not significantly contribute to air pollution, odours or the release of atmospheric pollutants.</p> <p>Appropriate management of the site during the demolition and construction phases will limit the potential for air pollution.</p>	Yes
2.4.6	Development on Sloping Land	The development site does not contain any substantive slope.	No change
2.4.7	Biodiversity	<p>The proposed development will not impact on any significant flora and fauna.</p> <p>The development proposes appropriate open space and landscaped areas undertaken in accordance with Council controls.</p>	No change
2.4.8	Public Domain	There are no changes proposed under this modification that impact on the approved public domain features of the development site.	No change
3. Development Principles			
3.1.1	Height	The height of the building is not increased as a result of this modification.	Yes
3.1.2	Height Transition	There is no change proposed under this application to the approved building height.	No change
3.2.2	Building Facades and Articulation	There are only minor changes to the proposed external façade and overall building articulation under this proposed modification.	Yes – minor changes

3.2.3	Roof Design	The minor changes to the roof form through the increased provision of the first level floor space is consistent with the design of the roof for the development.	Yes -minor changes
3.2.4	Energy Efficient Design	The modified proposed development incorporates design elements to increase energy efficiency and reduce the consumption of natural resources.	Yes
3.2.5	Streetscape	The proposed changes incorporated into this application retain an appropriate streetscape presentation.	Yes
3.2.6	Fences	No changes to proposed fencing proposed in this modification.	No change
3.3.1	Landscaping	No changes to proposed landscaping proposed in this modification.	No Change
3.3.3	Visual and Acoustic Privacy	<p>The proposed modifications ensure that a satisfactory level of building separation and setback combined with appropriate treatment works is achieved.</p> <p>It is considered that the revised proposed development produces an appropriate outcome on site that will provide a satisfactory level of amenity for future occupants.</p>	Yes
3.3.4	Acoustic Amenity	The changes to the development will not result in a change to noise generated. .	Yes
3.3.5	Solar Access and Cross Ventilation	The development does not change solar and cross ventilation compliance.	No Changes
3.3.6	Water Sensitive Urban Design	The proposed development (as demonstrated under the parent DA appropriately addresses the unique characteristics of the site and will allow for the efficient management of stormwater.	No changes
3.3.7	Waste Management	No changes to the waste management plan are necessitated by this proposal.	No changes
3.4.1	Culture and Public Art	Not applicable to this proposed modification.	No changes

3.4.2	Access for People with Disabilities	<p>The proposed modification does not alter the accessibility standards achieved in the original approval.</p> <p>Access to the public spaces will be accessible. A continuous path of travel is provided from the street frontage to the entry points to the building.</p>	No changes
3.4.4	Safety and Security	The proposal has been designed to promote casual surveillance of all street frontages.	Yes
3.5	Heritage	Has been addressed previously within this statement.	-
3.6.2	Parking and Vehicular Access	The modification does not alter carparking provision. Despite the additional floorspace, adequate carparking is continued to be provided to the development.	Yes
3.6.3	Accessibility and Connectivity	<p>The modified proposal provides for the safe and efficient movement of pedestrian and vehicular traffic within the site and both entering and exiting the site. Vehicle and pedestrian routes are clearly indicated and accessible.</p> <p>Public and private areas of the proposal are clearly defined and provide a clear distinction between the public and private domain elements of the proposal.</p>	Yes
3.7.2	Site Consolidation and Development on Isolated Sites	The revised proposal will not lead to the creation of an isolated site.	No change
4. Special Precincts			
4.3.3 Parramatta City Centre			
	Building Form		
	Minimum street frontage of 20m	<p><i>a) Minimum Building Street Frontage</i> DCP requires land parcels within the city centre to have at least one street frontage of 20m. The site has a frontage of approximately 154 m to Macquarie Street and a frontage of approximately 71m to O'Connell Street. Complies.</p>	No Change

Minimum street alignment/setback: 0m *b) Building to Street Alignment and Street Setbacks*

The development site is identified by figure 4.3.3.1.1 as being subject to a continuous built edge. No changes are proposed to the buildings setbacks as part of the modification.

Upper level setback: 8 storey/26m *c) Street and River Frontage Heights and Upper Level Setbacks*

The development site is subject to the street frontage height controls, identified as being subject to the City Centre frontage as per figure 4.3.3.1.9 This requires a 26m/8 storeys street frontage height with a recessed upper level of 6m. It is noted that the proposed 6 level podium level does not exceed 26m in height. Complies.

d) Building Depth and Bulk

Building depth/bulk is appropriate and enables good natural ventilation and solar access.

g) Building Exteriors

The development provides high quality finishes that exhibit design excellence.

The proposal has been designed to address the prominent corner location and also providing an attractive facade that marks an entry into Parramatta's western gateway.

The proposal will incorporate appropriate finishes that will positively contribute to public domain areas and visual appreciation of the development, noting the use of facade and design to provide an attractive western gateway building into Parramatta CBD. See plans for detail.

The proposal incorporates built elements that integrates with the public domain whilst clearly distinguishing between the public and private elements that are easily read by staff, visitor and passer by alike.

The proposal incorporates physical articulation of the built form and a mixed palette of building materials and finishes. Materials and finishes used are consistent with that existing in the area while being contemporary in character. The range of materials significantly contributes to the articulation of the

	building and reducing the overall bulk and mass of the building.	
	The proposed building and subsequent facades do not result in undue glare that will negatively impact upon the safety of pedestrians and drivers.	
	<u>h) Sun Access to Public Spaces</u> The proposal does not result in overshadowing to the public spaces identified within the DCP.	
Public Domain Pedestrian Amenity	and <u>a) Site Links and Lanes</u> The proposal is not subject to future planned site links and lanes. However, it is noted that the proposal will continue to result in a future pedestrian link through the site to Parramatta Park. This will improve pedestrian movement and flow within Parramatta CBD's western edge. <u>b) Active Frontages</u> The proposal has an active frontage with the club adding to the vibrancy of the streetscape by promoting pedestrian activity and enhancing the public domain. <u>c) Pedestrian Overpass</u> Not applicable to the proposal. <u>e) Courtyards and Squares</u> The proposal incorporates an external courtyard adjacent to the cafe area. The courtyard will be a delightful outdoor room with an appropriate depth to width proportions. This courtyard will enhance the public domain and be an asset to the development and the precinct.	Yes
Views and View Corridors	The site is not identified as being within a view corridor. Not applicable	No change
Access and Parking	<u>a) Vehicle Footpath Crossing</u> Not applicable to this proposed modification. <u>b) Pedestrian Access and Mobility</u> Not applicable to this proposed modification.	No change

	<p><u>c) Vehicular Driveway and Maneuvering Areas</u></p> <p>Not applicable to this proposed modification.</p> <p><u>d) On-site Parking</u></p> <p>Adequate on-site parking continues to be provided for the development</p>	
Environmental Management	Adequate landscaping continues to be incorporated into the development	Yes
City Centre Special Areas	<p>The site is located within the Park Edge City Centre Special Areas.</p> <p>At least 80% of the building height must be contained below the level of the surrounding established tree canopy of Parramatta Park when viewed from any of the key viewing locations from OGH shown in Figure 4.3.3.7.7.</p> <p>Any building element must be oriented so as to minimise the visual impact from these viewing locations.</p> <p>b. External building materials must be muted in colour with matt finishes to minimise contrast with the park surrounds and be complementary to its setting.</p> <p>c. Signage on the upper level of buildings must not face the Domain of Parramatta Park.</p>	No change
Design Excellence	The amended proposal has been carefully designed to ensure that the development continues to exhibit design excellence.	No change

CONCLUSION

Following a review of the relevant planning controls, it is concluded that the proposed modified development is consistent with the objectives, planning strategies and detailed controls of these planning documents. Consideration has been given to the potential environmental and amenity impacts that are relevant to the proposed development and this report addresses these impacts.

Having regard to the benefits of the proposal and considering the absence of adverse environmental, social or economic impacts, the application is submitted to Council for assessment and granting of development consent. Think Planners Pty Ltd recommends the approval of the modification application, subject to necessary, relevant and appropriate conditions of consent.