

Sydney Central City Planning Panel - Council Assessment Report

Summary/ Application Details	
Panel Reference	PPSSCC-787
DA No:	DA/93/2023/E
LGA	City of Parramatta Council
Proposal:	Section 4.55(2) modification to approved mixed use development including replacement of commercial office floorspace in podium with 100 room hotel accommodation use, and revisions to basement layout, retail tenancy and apartment quantity/type/layout, façade design and landscaping.
Property	Lot 1 Sec 88 DP 758829, Lot 2 Sec 88 DP 758829, Lot 3 Sec 88 DP 758829 - Part of 34 Hassall Street PARRAMATTA NSW 2150
Date of receipt	9 October 2025
Applicant	Deicorp Projects (Hassall St) Pty Ltd
Owner	Deicorp Projects (Hassall St) Pty Ltd
Property owned by a Council employee or Councillor	No
Political donations/gifts disclosed	No
Regional Development Criteria	Pursuant to Clause 275(2) of the <i>Environmental Planning Regulations 2021</i> and Schedule 1 (3) of the <i>Instruction on Functions Exercisable by Council on Behalf of Sydney District or Regional Planning Panels—Applications to Modify Development Consents</i> - Departure of development standards. The modification proposes to depart from Clause 7.26(3)(b) of the Parramatta LEP 2023.
Submissions received	2 submissions
Recommendation	Approval, subject to amended conditions
Report Prepared by	Bianca Lewis, Executive Planner, City Significant Development

Legislative Requirements	
Environmental Planning Instruments	<ul style="list-style-type: none"> • State Environmental Planning Policy (Housing) 2021 • State Environmental Planning Policy (Sustainable Buildings) 2022 • Environmental Planning and Assessment Act 1979 • Environmental Planning and Assessment Regulations 2021 • Parramatta Local Environmental Plan 2023
Zoning	MU1 Mixed Use
Bushfire Prone Land	No
Heritage	No
Heritage Conservation Area	No
Integrated development	No. The original application was Nominated Integrated development under the Water Management Act 2000

Contact us:

council@cityofparramatta.nsw.gov.au | 02 9806 5050
 @cityofparramatta | PO Box 32, Parramatta, NSW 2124
 ABN 49 907 174 773 | cityofparramatta.nsw.gov.au

1. Application History

The modification application was formally lodged on 9 October 2025. The application was placed on public exhibition between 17 October 2025 and 7 November 2025. Council requested further information in relation to the application on 20 November 2025, including a revised Economic Analysis and design changes. Further information was lodged on 12 December 2025. Due to outstanding issues relating to design and sustainability matters Council requested further information on 4 February 2026. Further information was lodged on 6 and 9 February 2026.

When the application was lodged on 9 October 2025 the modification application was to be determined by the Sydney Central City Planning Panel. On the 16 January 2026, the *Environmental Planning and Assessment Amendment (Planning System Reform) Act 2025* came into effect with the intention of delegating modifications of the type here proposed to Local Planning Panels. However, after review, it was determined the legislation enforcing the delegation was not sufficiently clear and the delegation thus still sits with the Regional Planning Panel. Confirmation of this conclusion was received from the Director of Planning Panels at the NSW Department of Planning, Housing and Infrastructure on 17 February 2026.

2. The Subject Site

2.1 Description and Conditions

The subject site is known as (part of) 34 Hassall Street, Parramatta. The current property description is Lot 1 Section 88 DP 758829, Lot 2 Section 88 DP 758829, and Lot 3 Section 88 DP 758829. The subject site has an area of 5,804sqm and was the site of the former 'Rowland Hassall School'.

The site has three street frontages - Hassall Street (southern edge), Macquarie Street (northern edge) and Harris Street (western edge). Immediately adjoining the site to the east is the remainder of the vacant school land. The Parramatta Light Rail route, including the Robin Thomas stop, is directly adjacent to the site along Macquarie Street. Robin Thomas Reserve is located directly opposite the site along Harris Street.

The site is currently cleared of structures and trees and earthworks have commenced (refer Figure 1). A crane is erected on site (refer Photograph 1 and 2).

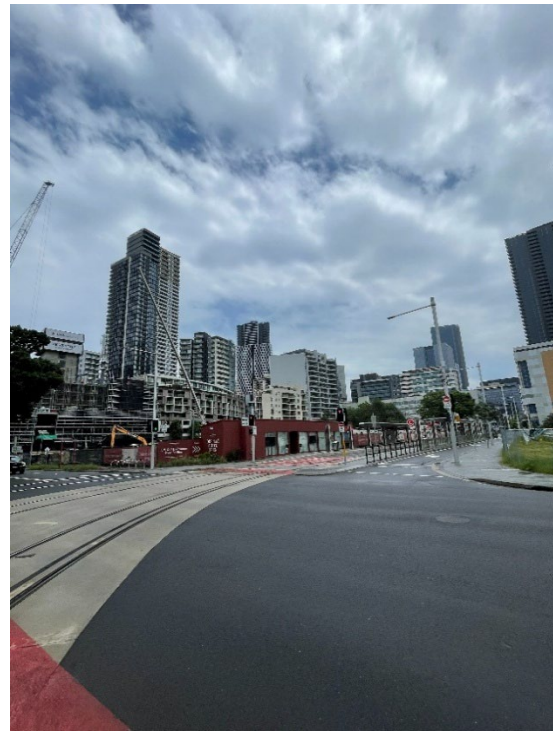
The site is zoned MU1 Mixed Use under the Parramatta Local Environmental Plan 2023 (refer Figure 2). The surrounding properties are also zoned MU1 Mixed Use and comprise mixed-use high-density development.



Figure 1: Aerial of Subject site (Source: Nearmaps, aerial dated 5 December 2025)



Photograph 1: Site looking east along Macquarie Street, with Robin Thomas Light Rail Stop (Source: City of Parramatta Council Officer, February 2026)



Photograph 2: Subject site corner of Harris and Macquarie Streets as viewed from Robin Thomas Reserve (Source: City of Parramatta Council Officer, February 2026)

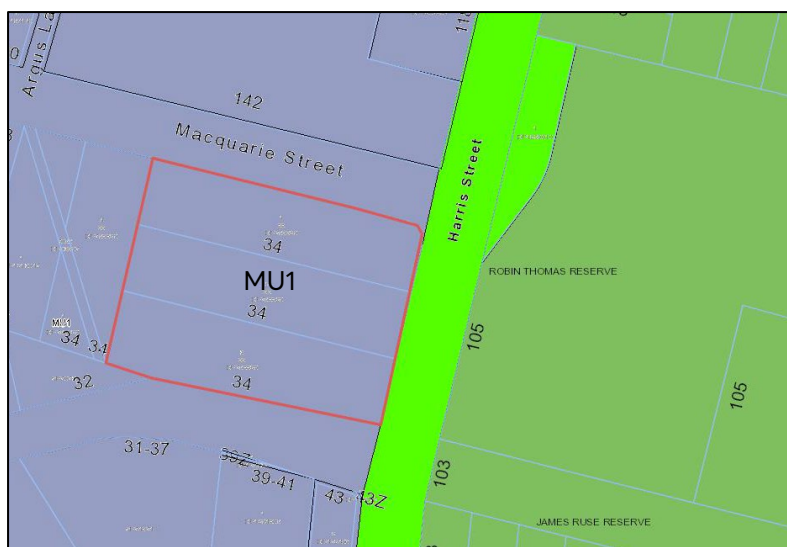


Figure 2: MU1 Mixed Use, Land Use Zoning, Parramatta LEP 2023, Council's GIS

2.2 Site Planning History

Table 1: Applications relating to the site.

Application No.	Comments
DA/93/2023	Development application for a 42 and 43-storey mixed-use development comprising a 3-storey retail and commercial podium (5,804sqm of floorspace), two residential towers of 604 residential apartments and 6 basement levels for 432 car parking spaces. Stratum subdivision of 4 lots for retail and office and residential lots and 604 Strata Subdivision of the 2 residential stratum lots. Demolition of existing structures and removal of trees. The application was approved by the Central Sydney Planning Panel on 18 December 2023.
DA/93/2023/A	A section 4.55(1) modification application to rectify a misdescription of the number of stratum lots in the notice of determination. The stamped stratum plans approved five stratum lots for retail and office, whereas the approved description of the development notes 4 stratum lots for retail and office. The modification was approved on 7 March 2024.
DA/93/2023/B	Section 4.55(1A) modification to approved mixed use development tower development, including reconfiguration of basement parking and storage arrangements and reduction of basement levels from 6 to 5 levels and internal changes to ground and mezzanine floor due to amendments to fire stairs and structure. The modification was approved on 27 September 2024.
DA/93/2023/C	Section 4.55(1A) modification to approved mixed use development tower development. The modifications relocate plant rooms, rainwater tanks and apartments on levels 3, 4, 5 and 18 in Towers A and B and revisions to fire egress arrangements for Level 3 in Tower B. The modification was approved on 6 November 2024.
DA/93/2023/D	Section 4.55(1A) modification to DA/93/2023 seeking the deletion of Condition 75 relating to noise attenuation measures. The modification was approved on 19 August 2025.
DA/93/2023/E	The subject modification application.

3. The Proposal

The subject application proposes modifications to development consent DA/93/2023 to

- Introduction of a 99-room hotel in the podium of the building (mezzanine to Level 3), replacing commercial tenancies and residential apartments;
- Reduction from 604 to 597 residential apartments;
- Amendments to ground floor retail tenancies - increasing from 6 to 17 tenancies and removal of supermarket;
- Amendments to architectural expression and façade to podium;
- Amendments to apartment layout and mix on Levels 18 and 42 due to plant room changes; and
- Basement car parking layout changes;
- Request to update Condition 76 with new Acoustic report;
- Request to amend or delete conditions 88, 89, 90, 91 and 171 relating to the Public Domain;
- Request to delete Conditions 93 and 95 relating to ESD and Electric vehicle conditions;
- Updating of conditions 180 referencing an updated BASIX Certificate;
- Request to delete Condition 48 as an amended Public Art Plan was submitted to address the condition requirements; and
- Request to revised parking rates contained in Condition 99, delete condition 108 relating to provision of visitor parking and modify Condition 244 in relation to the Green Travel Plan.

Table 2 summarises the amendments by floor level:

Level	Proposed Amendments
Basement levels 01-06	<ul style="list-style-type: none"> • Residential car parking amended from 405 to 402 spaces for residential. • Increase 10 to 17 spaces for the retail and hotel. • Decrease residential bicycle parking from 763 to 755 spaces to adjust for reduced apartments. • Residential pits adjusted Basement 06 • Hotel lifts added and parking and storage rearranged to accommodate. • Sewer pump, main switch room relocated to B2 • Minor movements of columns. <p><u>Basement 01</u></p> <ul style="list-style-type: none"> • End of trip amenities added for hotel staff • Service and parking rearranged • Additional plant and storage room • Commercial lifts removed, hotel and retail lifts added • Adjustments to waste holding rooms • Car park ramp adjustment, including level changes (Hassall Street).
Ground Level	<ul style="list-style-type: none"> • 17 retail tenancies replacing 6 retail tenancies and 1 supermarket. • Relocated retail amenities and reconfiguration of bin rooms • Addition of hotel lobby, two lifts for hotel and one lift for retail • Ramp into car park basement and loading dock levels adjusted. • Minor movements of columns.
Mezzanine	<ul style="list-style-type: none"> • Introduction of hotel facilities including conference room, pre-function area, meeting room, hotel gym and wellness and amenities; • Shelter in Place room relocated. • Lifts reconfigured so that retail lifts stop at ground floor, introduction of a service lift for hotel (basement to Level 2) • RL for Mezzanine to L2 adjusted to suit revised design.
Level 1	<ul style="list-style-type: none"> • Replacement of 5 commercial suites with 58 hotel rooms, bar and restaurant, staff canteen and change rooms and store rooms. • RL for Mezzanine to L2 adjusted to suit revised design. • Rainwater harvesting tank increased in size from 209.39m³ to 518.36m³.

Level	Proposed Amendments
Level 2	<ul style="list-style-type: none"> • Replacement of apartments and commercial suite on the western tower with 42 hotel rooms, hotel administration and linen rooms. • Rainwater tank of 174.4m³ added, replacing commercial lobby. • RL for Mezzanine to L2 adjusted to suit revised design.
Level 3	<ul style="list-style-type: none"> • Landscape on podium reduced to be contained within moveable planters and introduction of seating. • 3 apartments increased in area (3-4sqm) to reduce stepping in eastern façade of Tower A.
Levels 4 – 15	<ul style="list-style-type: none"> • 3 apartments on each level (e.g. Level 4 = A.403, A.404 and A.405) area increased to reduce stepping in eastern façade of Tower A. • Towers A and B adjusted to remove stepping and apartment plans adjusted to accommodate.
Levels 16- 17, 19, 20- 33	<ul style="list-style-type: none"> • 3 apartments on each level (e.g. Level 16: A.1603, A.1604, A.1605) area increased to reduce stepping in eastern façade of Tower A. • Towers A and B adjusted to remove stepping and apartment plans adjusted to accommodate.
Level 18	<ul style="list-style-type: none"> • Apartment B.1816 amended from a 1-bedroom to a 2 bedroom unit. • Three apartments increased in area to reduce stepping in Tower A. • Removal of plant room.
Levels 34 - 37	<ul style="list-style-type: none"> • 3 apartments of each level (e.g. Level 34: A.3402; A.3403; A.3404) area increased to reduce stepping in eastern façade of Tower A. • Towers A and B adjusted to remove stepping and apartment plans adjusted to accommodate. • 2 apartments adjusted to accommodate new faced stepping (e.g. Level 34: A3406; and A.3407)
Levels 38- 39	<ul style="list-style-type: none"> • 3 apartments of each level (e.g. Level 38: A.3802; A.3803; A.3804) area increased to reduce stepping in eastern façade of Tower A. • Towers A and B adjusted to remove stepping and apartment plans adjusted to accommodate.
Level 40	<ul style="list-style-type: none"> • 2 apartments (A.4002 and A.4003) area increased to reduce stepping in eastern facade of Tower A. • Towers A and B adjusted to remove stepping and apartment plans adjusted to accommodate. • Tower A apartment plans adjusted due to services in raking roof design.
Level 41	<ul style="list-style-type: none"> • Apartments A.4101 and A.4103 area increased to reduce stepping in eastern facade of Tower A. • Towers A and B adjusted to remove stepping and apartment plans adjusted to accommodate.
Level 42	<ul style="list-style-type: none"> • Apartment B.4204 changed due to plant room and services requirements in upper levels

The works approved under DA/93/2023 are commenced and not completed.

Figures 3- 6 indicates the key differences in the ground floor, mezzanine and first floor levels. **Figures 8** and 9 show the amendment to the tower stepping.

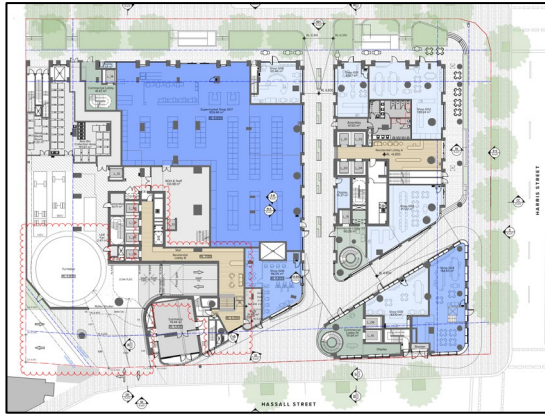


Figure 2: Ground Floor Approved (DA/93/2023/B)



Figure 3: Proposed Ground floor (Source: Turner Architects)

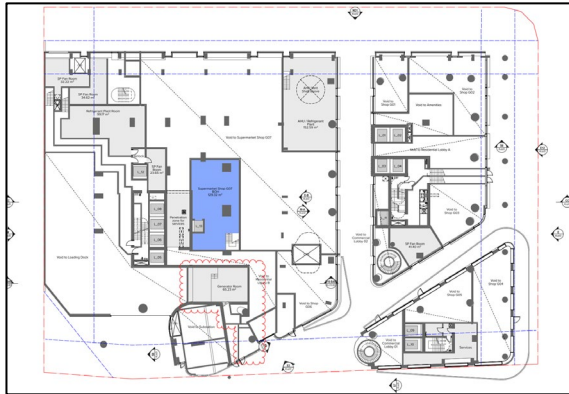


Figure 4: Mezzanine Approved (DA/93/2023/B)

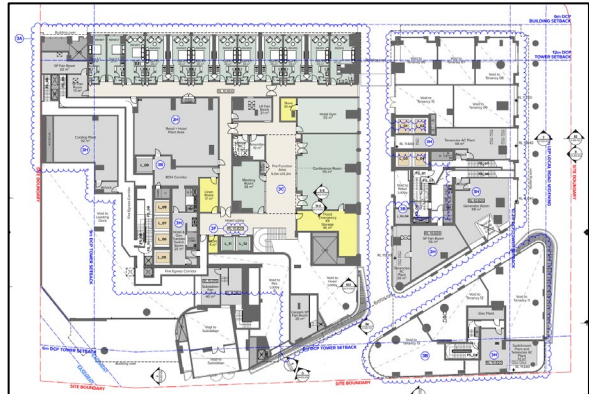


Figure 5: Proposed Ground floor (Source: Turner Architects)

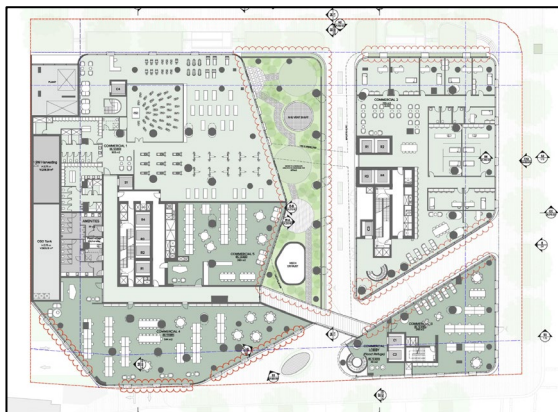


Figure 6: First floor approved - commercial suites (DA/93/2023)

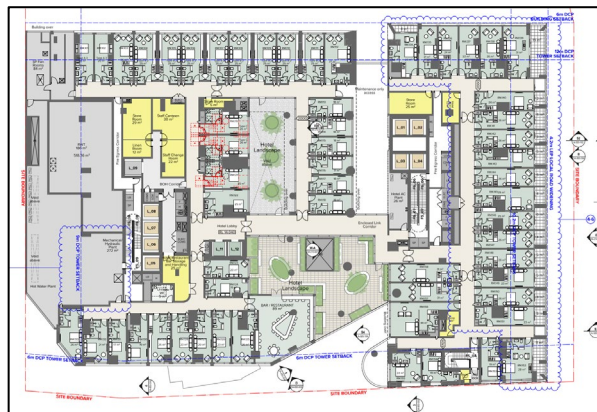


Figure 7: Proposed first floor - hotel uses (Source: Turner Architects)

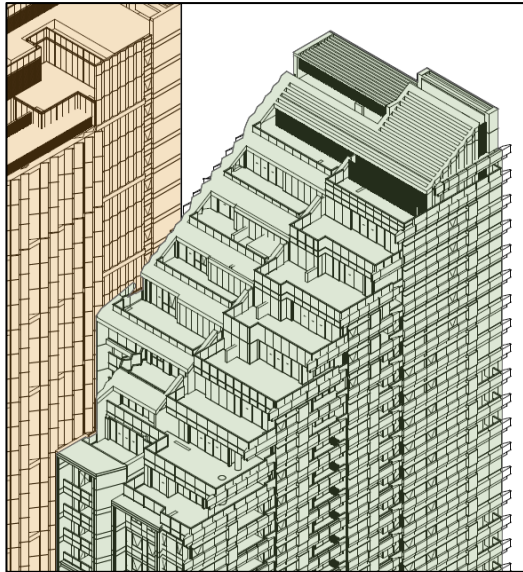


Figure 8: Tower A approved stepping (DA/93/2023)

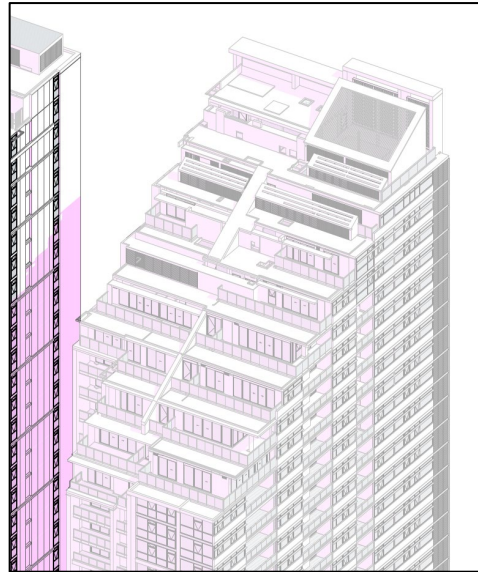


Figure 9: Tower A revised stepping approach (DA/93/2023/E)

4. Section 4.55(2) Assessment

The Application is lodged under s. 4.55(2) of the *Environmental Planning & Assessment Act 1979*. An assessment of the Application against the relevant provisions of s. 4.55 of the Act is undertaken as follows.

Environmental Planning & Assessment Act 1979		
Section	Provision	Assessment
4.55(2)	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 proposed modification is of minimal environmental impact, and it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all), and	<p>The modification would result in a minimal environment impact as detailed in the report.</p> <p>The consent, as modified, is considered to result in a development that is substantially the same as the originally approved development. The replacement of retail and commercial floorspace within the podium of the building for a hotel use (another non-residential use) is not considered a significant departure of the approved development as mixed use. Furthermore, the approved building envelope is not significantly amended by the modification and is substantially the same as that approved. Furthermore the proposal is consistent with the reasons for which the application was originally approved.</p>

Environmental Planning & Assessment Act 1979		
Section	Provision	Assessment
	(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	Transport for NSW and WaterNSW were referred the application for comment. Refer Table 7, Section 6 in relation to the responses.
	(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	As per Appendix 1, Section 10 of Council's <i>Community Engagement Strategy (2024-2028)</i> the modification (s4.55(2)) application was notified as per the original application for a 21-day period.
	(d) it has considered any submissions made concerning the proposed modification within any period prescribed by the regulations or provided by the development control plan, as the case may be.	Two (2) submissions were received and matters raised in the submissions are considered in Section 7.1 of the report.
4.55(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.	An assessment of the proposed modifications against the reasons for approval of DA/93/2023 has been undertaken in Table 3 below. An assessment of the application against the relevant provisions of s. 4.15 has been undertaken in Section 5 of this Report.

Table 3: Consistency with reasons for the granting of the original consent:

Reason	Consistency
The proposal is in accordance with the type of development envisaged for the site under Parramatta LEP 2011	The modification does not impact on the development being consistent with a mixed-use development envisage for the site.
The proposal will contribute to the overall housing supply of the LGA	Although the modification slightly reduces the number of apartments by 7, the development as proposed, contributes to the overall supply of housing.
The proposal suitably integrated business, office, residential retail and other development in accessible locations so as to maximise public	The modification does not impact on the development being consistent with this reason.

Reason	Consistency
transport patronage and encourage walking and cycling.	
The proposal does not result in any unreasonable environmental impacts and provides for a high quality architectural and urban design outcome.	The modification does not reduce the architectural and urban design outcome.
For the reasons above, approval of the application is in the public interest.	The modification does not impact on the development being consistent with this reason.

5. Section 4.15 Assessment

5.1 S4.15 Assessment

The Application is assessed against the relevant provisions of s. 4.15 in accordance with Section 4.55(3) of the *Environmental Planning & Assessment Act 1979*, as summarised in the following **Table 4** below.

Table 4: Section 4.15 – Summary of Assessment

Section 4.15 Assessment Requirements - Summary	
S. 4.15 Requirement	Section
S. 4.15(1)(a)(i) – Provisions of any environmental planning instrument	Refer Sections 5.2 and 5.3 below.
S. 4.15(1)(a)(ii) – Provisions of any environmental planning instrument placed on public exhibition	No draft provisions apply.
S. 4.15(1)(a)(iii) – Provisions of any development control plan	Refer Sections 5.4 below.
S. 4.15(1)(iia) – Any planning agreement	A State Planning Agreement applies to the subject site. Refer Section 5.5 below.
S. 4.15(1)(a)(iv) – the regulations (as they apply)	Conditions required by the Environmental Planning and Assessment Regulations 2021 relating to compliance with the Building Code of Australia, demolition, PCA appointment, etc are not amended as part of the modification.
S. 4.15(1)(b) – The likely significant impacts of the development	The likely impacts of the development have been considered in this report and it is considered that the impacts are consistent with those that are to be expected given the planning framework. Subject to the recommended conditions, it is considered the impacts that arise are acceptable.
S. 4.15(1)(c) – The suitability of the site for the development	The potential impacts of the proposed modification have been assessed within this report and it is considered that the site is suitable for the proposed development.
S. 4.15(1)(d) – Any submissions	Two submissions were received and are considered in Section 7.1 below.
S. 4.15(1)(e) – The public interest	Having regard to the assessment within the report, and subject to the recommended conditions, it is considered the proposed modification is in the public interest.

5.2 State Environmental Planning Policies

5.2.1 SEPP (Housing) 2021

The Housing SEPP applies to development applications and modifications applications for residential apartment development, specifically Clause 147(1)(b) requires consideration of the Apartment Design Guide.

The proposed development increases apartment sizes to 112 units across the 41 floors of Tower A. The increase in size ranges from 3 to 6sqm. As the proposal originally approved (DA/93/2023) met the minimum apartment size and layout requirements contained in Part 4D of the NSW Apartment Design Guide, there is no objection to larger units in this case.

5.2.2 SEPP (Sustainable Buildings) 2022

The purpose of the SEPP (Sustainable Buildings) 2022 is to reduce household electricity and water use by setting minimum sustainability targets for new and renovated homes. Evidence of compliance is to be demonstrated through the provision of a BASIX Certificate.

The application was accompanied by the relevant NatHERS and BASIX certificates that list the sustainability commitments and was reviewed by Council's Sustainability Consultant, Flux. The requirements outline in the certificates have not been completely satisfied in relation to rainwater harvesting, window openings (ventilation), glass performance and description of the building subject to modification application, however this can be achieved via a draft condition.

5.3 Parramatta Local Environmental Plan 2023

An assessment against the relevant provisions of the Parramatta Local Environmental Plan 2023 (PLEP) has been undertaken in Table 5 below.

Table 5: Parramatta LEP 2023 Assessment Table

Parramatta Local Environmental Plan 2023		
Clause	Control	Assessment
Part 2 – MU1 Mixed Use	Consistent with the objectives of the zone.	It is considered that the proposed amendment is consistent with the land use zone as it: <ul style="list-style-type: none"> - encourage a diversity of land uses that generate employment opportunities (including the hotel). - Continues to provide an active street frontage.
4.3 Height of Buildings & 7.5 Sun Access	Determined by sun access plane to Experiment Farm.	The proposed development does not amend the height of buildings.
4.4 Floor Space Ratio	Mapped: 10:1 Clause 7.15 FSR bonus design excellence): 1.5:1 Total maximum FSR: 11.5:1	The approved development was for a total of 66,275.62sqm and a based on a site area of 5,804sqm a total of 11.42:1 FSR. The modification application revises the total GFA to 66,686sqm and a FSR of 11.49:1. The proposal complies as it is within the maximum allowable FSR of 11.5:1.
5.21 Flood Planning	Satisfied that the development: <ul style="list-style-type: none"> - will not adversely affect flood behaviour - will not adversely 	The site is affected wholly by the PMF and portion of the site 1% and 5% annual exceedance probability (AEP) flooding and overland flow flooding. The original application (DA/93/2023) was accompanied by a Flood Report. This analysis informed the building freeboard and flood planning levels. The entire site is inundated during

Parramatta Local Environmental Plan 2023		
Clause	Control	Assessment
	<p>affect the safe occupation & efficient evacuation of people</p> <p>- incorporates appropriate measures to manage risk to life in the event of a flood.</p>	<p>the PMF event. As such no safe excavation routes can be provided.</p> <p>The proposed modification has not impacted the finished floor levels (6.83m) which sit above the 1% AEP. The proposed crest of the driveway at 6.83m and flood gate to the basement after the crest remains in place.</p> <p>A Flood Emergency Response Plan (as per Condition 68 of the consent) has been prepared which details where workers and visitors of the retail and commercial will be able to access a place of refuge. Residents are proposed to remain in apartments during a flood event. The FERP outlines the backup power and water supply to these areas of the building are to be maintained through potential flood events.</p> <p>The modification application proposes the introduction of a hotel use and a relocated Shelter in Place refuge on the mezzanine level (above PMF) which site within the ancillary hotel uses. To respond to these amendments, it is recommended to include the following conditions on any consent:</p> <ul style="list-style-type: none"> - Requires an update to the FERP to include the hotel use. - That the Hotel Operational Management Plan be updated to include reference to the FERP and to accommodate retail and hotel workers and visitors.
6.13 Design Excellence	<p>(3) Development consent must not be granted to development... unless the consent authority is satisfied the development exhibits design excellence.</p> <p>(4) In considering whether the development exhibits design excellence, the consent authority must consider matters (a)-(d)</p>	<p>Refer assessment below in Section 5.3.2.</p> <p>It is noted that the application proposes to delete Condition 93 which requires the building to achieve a 5 star Green Building rating. This was a requirement of the Design Competition winning scheme, and therefore the removal of this condition it is not supported.</p>
7.10 Active Frontages	The building will have an active frontage for the part of the ground floor of the building facing the street.	The proposal retains the active frontage of retail along Macquarie and Harris Streets and part of Hassall Street.
7.11 Flood Plain Risk Management		Refer assessment under Clause 5.21 of PLEP 2023.
7.12-7.13 Design Excellence	Refer to design excellence matters in Clause 6.13(4)(a)-(d)	Refer assessment below in Section 7.3.2 Below.

Parramatta Local Environmental Plan 2023		
Clause	Control	Assessment
7.17 Car Parking General	Residential (max): 1 bed – 0.3 spaces 2 bed – 0.7 spaces 3 bed – 1 space Retail premises Max 3 spaces (car parking formula) Hotel (max) – 1 space / 4 bedroom (<100 beds)	The proposed 424 spaces are compliant with the maximum PLEP 2023 rates. 1 bedroom – 119 x 0.3 = 35.7 2 bedroom – 392 x 0.7 = 274.4 3 bedroom – 93 x 1 = 93 <u>Max 403 spaces. Complies – 402 proposed.</u> Hotel = maximum 25 spaces. Retail 1,795sqm maximum 3 spaces Non residential max 28 spaces. Complies 17 proposed.
7.24 Dual Water Systems	To provide dual reticulation to support the immediate or future connection to a recycled water network.	The application proposes to delete Condition 93 which requires the provision of dual water system in the building. The applicant argues that they are competing requirements with those imposed through the SEPP (refer Clause 2.2). Council’s Sustainability Consultant, Flux, has reviewed the proposal and advised that the Condition was agreed to address the requirements of the (then) PLEP 2011 and therefore non-competing provisions, including: - operational cost savings for occupants - Increase resilience and water security - reduce the technical and financial barriers to upgrading buildings to connect to future non-drinking water supply infrastructure. Accordingly, the dual piping requirements of Condition No. 93 are lawfully imposed and the deletion of the condition is not supported.
7.25 High Performing Buildings	That part of a building used for hotel accommodation is capable of achieving: (i) a maximum energy target of 5,220kg CO ₂ e per room each year, (ii) a maximum water target of 76.1kL per room each year.	The application has been accompanied by a Letter dated 10 June 2025 “Compliance with Clause 7.25 of the Parramatta Local Environmental Plan – Proposed Hotel Modification at 34 Hassall Street (Deicorp)” prepared by E-Lab Consulting. It states a commitment that the targets contained in the PLEP 2023 can be achieved through a NABERS hotel rating 5-star for energy and 4-star for water. Council’s external sustainability consultants confirm that the 5-star Energy rating will meet the required energy target contained in Clause 7.25, however the proposed water target is required to be 4.5 Star. As such Condition 93 of the consent is recommended to be updated to include the required NABERS commitment.
7.26 Commercial Premises on certain land	(3)(b) gross floor area at least equal to a floor space ratio of 1:1 will be used only for commercial premises.	The modification, proposes the following breakdown on gross floor area (GFA) and floor space ratio (FSR): - Residential = 59,130sqm (10.19:1) - Retail = 1,794sqm (0.3:1) - Visitor and Tourist accommodation (Hotel) – 5,762sqm (1:1) Therefore, the modification does not comply with Clause 7.26 as the proposal only provides 0.3:1 of commercial premises. Noting that ‘commercial premises’ is defined in

Parramatta Local Environmental Plan 2023		
Clause	Control	Assessment
		<p>the PLEP 2023 as (a) business premises, (b) office premises or (c) retail premises.</p> <p>The variation to the Clause 7.26 is discussed in detail in the Section 5.3.1 below.</p>

5.3.1 Clause 7.26 - Minimum Provision of 1:1 Commercial Floor Space

The approved scheme (DA/93/2023) contains 3,200sqm of commercial suites and 2,604sqm of retail floor space, totalling 5,804sqm (1:1 FSR) of commercial premises within the development. The proposed modification results in 1,795sqm (0.3:1 FSR) of retail premises, therefore resulting in a variation to the development standard by 70%.

The lost commercial floorspace and a portion of previously approved residential is to be converted into a hotel (5,762sqm GFA) which represents 0.99:1 of total FSR. However, hotels are a type of 'visitor and tourist accommodation' within the Parramatta LEP 2023 and not defined as commercial premises and therefore cannot be considered as satisfying the requirements of Clause 7.26.

The application was accompanied by an Economic Analysis (and Addendum Letter) prepared by Atlas Economics. The key economic justifications (in summary) put forward by the Analysis to support the reduction in commercial uses on the subject site include:

- a) The site is located on the edge of the Parramatta CBD, away from the core, where commercial and retail facilities are focused.
- b) There is an oversupply of office space in the Parramatta CBD and it is extremely competitive (and difficult) for buildings on the periphery to attract tenants.
- c) The demand for short-term hotel accommodation in Parramatta is robust and is expected to endure. As a major CBD, Parramatta receives business and corporate visitors in addition to key visitor attractions, which all contribute to increased demand.
- d) Visitors and tourists provide significant economic contribution to local economies. This is particularly true for businesses that cater to tourists. To capitalise on this potential visitor demand and expenditure, there must be sufficient short-term accommodation available.

Council Officers do not object to the hotel uses on site and agrees that there are positive economic impacts generated by visitor accommodation. It is Council Officer's strategic position that hotel uses should not replace the previously approved commercial GFA to safeguard employment floorspace and jobs-generating uses in the Parramatta City Centre (refer Table 7 Internal Referrals). However a site specific analysis which follows is satisfied that a change to a hotel use on balance is supportable.

In relation to the merit assessment of this application and the site-specific circumstances the following is noted:

- The proposal continues to provide 1,795sqm of retail uses.
- Overall, the building will continue to accommodate 7,557sqm of non-residential uses and provide employment opportunities as well visitors to the Parramatta CBD which will have positive impacts on the local economy.
- The hotel use cannot be subdivided and therefore could have the potential to expand commercial uses in the future.

- The floor to ceiling heights for the hotel accommodation are of a suitable size to allow for future conversion to commercial uses.

Therefore, whilst the loss of potential commercial floorspace is not desirable, the impacts in this case, given the circumstances above are not considered to be significant enough to warrant refusal.

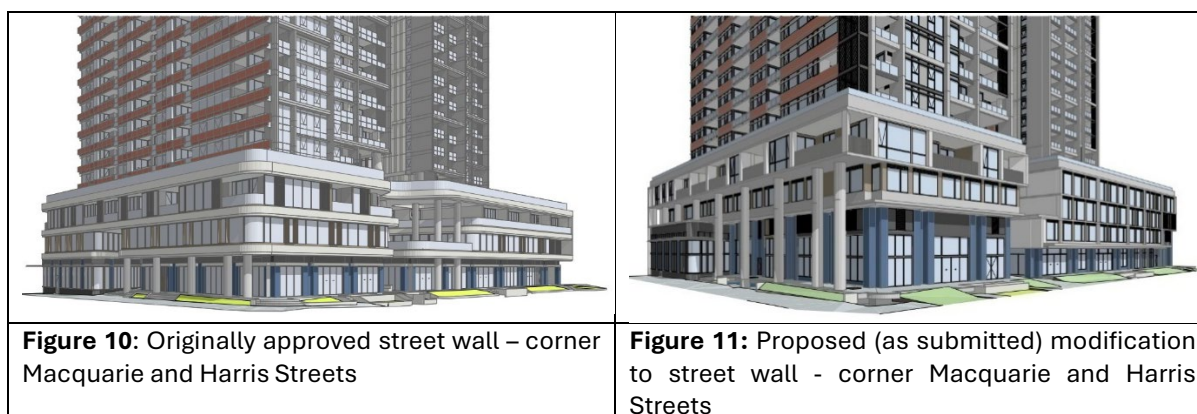
5.3.2 Design Excellence

In accordance with the (then) Parramatta LEP 2011 a design competition was held for the site (Council Ref: DC/3/2022) and on 2 December 2022 a proposal by Turner Studio was selected as the winner by the Design Competition Jury. The original application was based on the winning scheme.

The initial submission resulted in significant design changes to the podium / street wall level due to:

- the introduction of a ‘fourth’ level along the western end of Macquarie Street frontage (to accommodate the hotel use); and
- the ground level floor height being raised at the corner of Macquarie and Harris Streets (to provide a partially for a double height retail space and part services).

Figures 10 and 11 provides a comparison of the street wall along these street frontages.



As originally submitted with the modification application (refer Figure 11), Council’s Design Excellence Team considered the design a regression in the design quality of the podium street wall as they have *“lost clarity and consistency, and present a disjointed resolution of their form and character”*. Council Officers requested a design revision to reinstate a consistent street wall treatment along Macquarie and Harris Streets, with a consistent corner form at their intersection, and a simple break in form on Macquarie Street for the arcade.

Turner Studio resubmitted the design to address Council’s feedback. **Figures 12 and 13** indicate the revised (current) proposal to the street wall along Harris and Macquarie Streets.

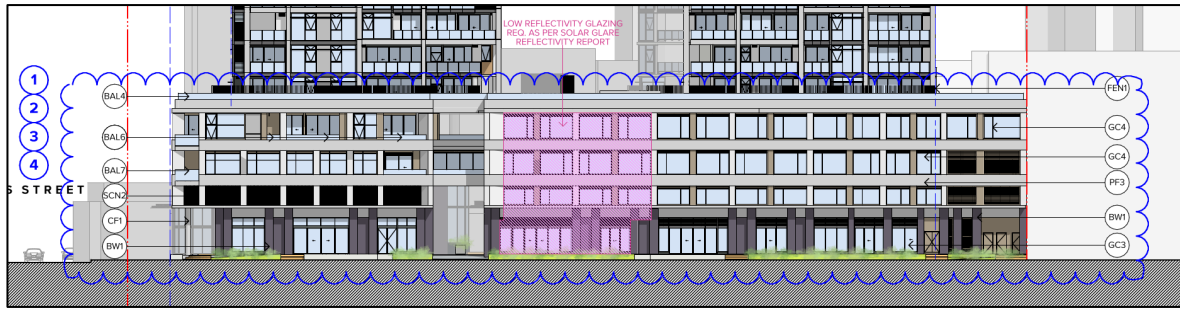


Figure 12: Proposed Macquarie Street podium/street wall frontage



Figure 13: Proposed Harris Street frontage

The revised scheme has responded to Council Officers comments in relation to street wall and retaining its significance as set out in the Parramatta DCP 2023 – Part 9 City Centre. The Design Excellence Team has concluded in relation to the revised scheme that they are “satisfied that the revised drawings acceptably respond to our previous comments and achieve design excellence as defined in the LEP.”

5.4 Parramatta Development Control Plan 2023

An assessment against the relevant parts of the Parramatta Development Control Plan (PDCP) 2023 have been undertaken in **Table 6** below.

Table 6: PDCP 2023 Compliance Table

Parramatta Development Control Plan 2023		
Control	Proposal	Assessment
Part 2 – Design in Context		
2.13 Culture and Public Art	Development >\$5M to provide and implement an Arts Plan, including provision of art work	The revised Public Art Plan submitted as part of the modification application will be considered as a condition compliance matter.
Part 4 – Non -Residential Development		
4.1.2 Noise Amenity	Non-residential development is not to adversely affect the amenity of adjacent residential development as a result of noise, odour, hours of operation and / or service delivery.	An Acoustic Report (Acoustic Logic) was submitted as part of the modification application which recommends that the outdoor terrace associated with hotel bar would operate between 10am to 12 midnight daily, with reduced patrons and music from 10pm onwards to reduce impact. A Hotel Plan of Management was also submitted with the application.

Parramatta Development Control Plan 2023		
Control	Proposal	Assessment
		<p>It is recommended to include conditions of consent which:</p> <ul style="list-style-type: none"> - Restrict the hours of operation from 10am to 10pm for the outdoor terrace associated with the hotel bar and restaurant, noting that in order to alleviate any noise impact from 10pm onwards that no patrons shall occupy the terrace; and - Ensure the Hotel Plan of Management is revised to include hours of operation of the outdoor terrace, plans to manage pick up and drop off of patrons and manage complaints.
Part 5 - Environmental Management		
<p>5.1.2 Water Sensitive Urban Design</p> <ul style="list-style-type: none"> - All developments must implement rainwater retention and a WSUD approach. The extent and types of this will be proportional to the scale of development. - Rainwater storage and tanks are encouraged for all developments. 	<p>The proposal requests to delete Condition 93 which includes the provision of a rainwater collection and reuse is to be installed. Contrary to this, the proposed architectural drawings includes two rainwater tanks on Levels 1 and 2.</p>	<p>The deletion of Condition 93 is not supported in relation to provision of rainwater tank as this supports the management of stormwater on the site and reuse of water on site.</p>
Part 9 – Parramatta City Centre		
<p>9.3.4. The Street Wall</p> <ul style="list-style-type: none"> - Define the space of the street and public spaces and articulate their edges. - Design the street wall to provide appropriate scale, material quality and detail. 	<p>The proposal amends the street wall from the original proposal.</p>	<p>Refer assessment in Section 5.3.2 above.</p>
<p>9.3.9 Dwelling Mix & Flexible Housing</p> <ul style="list-style-type: none"> - Studio/ 1 bed (10-20%) - 2 bedroom (55-70%) - 3 bedroom (10-20%) - 4 bedrooms (5-10%) 	<p>1 bed = 112 units (18.7%) 2 bed = 389 units (65%) 3 bed = 96 units (16%) Total: 597 units</p>	<p>The proposal complies with the dwelling mix provided in the DCP.</p>
Part 9.8 Environmental Sustainability		
<p>9.8.1 High Performing Buildings</p>	<p>The proposal commits to NABERs equivalent 5</p>	<p>Refer Clause 7.25 of Parramatta LEP 2023 Assessment table.</p>

Parramatta Development Control Plan 2023		
Control	Proposal	Assessment
<ul style="list-style-type: none"> - Hotel use NABERs equivalent - 4.5 Energy Rating - 4.5-star Water Rating 	Energy Rating and 4-star Water Rating	
9.8.3 All Electric Buildings	<p>All new buildings are to use only electricity (grid provided and on-site renewables) for all energy requirements associated with normal operations.</p> <p>Evidence shall be provided with the application of market testing and equipment supplier advice to confirm that an electricity powered alternative is not technically possible.</p>	<p>The proposal requests amendment to Condition 93 to allow for the non-residential portion (hotel and retail) is able to connect to gas. This request does not comply with the DCP controls for provision of an all electric building.</p> <p>The primary reason the applicant puts forward is to attract high quality food and beverage tenants.</p> <p>Council Officers note that no evidence has been supplied which shows that alternatives are not technically possible (in accordance with DCP control). It is noted that there are suitable alternatives for cooking as follows:</p> <ul style="list-style-type: none"> • induction is much more efficient than gas. • there are technologies for wok cooking that are induction; and • many leading restaurant owners are going with gas.
9.8.4 Electric Vehicle Charging	The proposal requests deletion of Condition 95 which requires the provision of EV charging infrastructure	<p>The application to modify proposes delete Condition 93 which requires the provision of dual water system in the building. The applicant argues that they are competing requirements with those imposed through the SEPP (refer Clause 2.2).</p> <p>Council's Sustainability Consultant, Flux, has reviewed the proposal and advised that the Condition was agreed to address the requirements of the (then) PLEP 2011 and therefore non-compete provisions, including:</p> <ul style="list-style-type: none"> - operational cost savings for occupants - reduce indoor air pollutants associated with the onsite combustion to improve air quality for occupants - ensure new development in Parramatta provides the necessary infrastructure to support the charging of electric vehicles. - reduce the technical and financial barriers to upgrading buildings to connect to future electricity supply for vehicles. - realise the positive benefits of increased electric vehicle adoption on urban amenity including air quality and urban heat - Minimise the impact of electric vehicle charging on peak electrical demand

Parramatta Development Control Plan 2023		
Control	Proposal	Assessment
		requirements. Accordingly, the electric vehicle requirements of Condition No. 95 are lawfully imposed and the deletion of the condition is not supported.
9.8.6 Solar Light Reflectivity	Proposed amendments to the north façade in which light rail drivers on Macquarie Street are anticipated to have the potential to experience reflection impacts.	The submitted RWDI “Solar Reflectivity – Preliminary Desktop Review” was reviewed by Council’s Sustainability Consultant, Flux. It is concluded that the Review provides no analysis of the proposals impact and in fact states <i>“actual prediction of the projects potential for glare impacts is currently being undertaken.”</i> Further analysis is required to support the proposed facade modifications. As such it is recommended to include a condition of consent requiring a revised Reflectivity Assessment.
9.9.3.2 Bicycle Parking Residential – 1 per dwelling Hotel– 1 per 4 staff & 1 per 20 rooms	Decrease residential bicycle parking from 763 to 755 spaces to adjust for reduced apartments.	The bicycle provision is a mix of bicycle parking on Level 1 for visitors and communal residential storage cages. This is considered sufficient supply for the proposed residents.
9.9.3.3 End of Trip facilities – provisions for non-residential uses	Separate end of trip facilities for hotel staff and retail workers has been provided in Basement Level 1.	Complies.

Based on the above assessment, the application is considered to be consistent with the relevant provisions of the *Parramatta Development Control Plan 2023* subject to the imposition of recommended conditions of consent.

5.5 Planning Agreement

No local planning agreement applies to the site.

A State Planning Agreement (ref: SVPA2023-75) relating to the original development application applies. Payment of a monetary contribution per dwelling is required as a contribution towards state infrastructure. Payment is required prior to the issue of the first construction certificate.

The Department of Planning, Housing and Infrastructure (Planning Agreements Team) was notified of the proposed modification. DPHI confirmed that whilst the modification reduces residential development, Clause 8.1 of the Planning Agreement does not apply to modifications. Accordingly, the modification application does not trigger reissuance of a certificate or any further planning agreement obligations.

6. Other Matters

6.1 Referrals

The modification application was referred to the following external and internal referrals. Their comments are summarised in the **Tables 7 and 8** below.

Table 7: External Referrals

External Referrals	
Stakeholder	Comment
Transport for NSW (TfNSW)	<p>No objection.</p> <p>The conditions included by way of concurrence by TfNSW in the development consent are unchanged (and applicable), as such TfNSW has no comment in relation to this modification application.</p>
Water NSW	<p>Revised General Terms of Approval issued</p> <p>WaterNSW has reviewed the proposed amendments and the information provided indicates that there are no changes to the tanked (watertight) basement design. Notwithstanding, Water NSW has reissued General Terms of Approval on 21 October 2025, replacing the GTAs on the 17 August 2023 issued with the original development.</p> <p>WaterNSW requests an updated set of GTAs be included in Council's development consent for the proposed modification as stated <i>"WaterNSW updated its suite of General Terms of Approval (GTA) to align with current regulations and to provide clearer, more fit-for-purpose conditions. Earlier versions of these conditions are now outdated."</i> Specifically the revised conditions are as follows:</p> <ul style="list-style-type: none"> - GT0116-00001 replaced with GT0279-00001, which allows for a Construction Certificate to be issued, however dewatering cannot take place without an approval being granted by WaterNSW for a water supply work approval. - Updated Legislation - Water Management (General) Regulation 2025: - GT0117-00001 - replaced with GT0281-00001 - GT0118-00001 - replaced with GT0281-00001 - GT0121-00001 - replaced with GT0174-00001, changes to Legislation in relation to approval requirement for monitoring bores.

Table 8: Internal Referrals

Internal Referrals	
Technical Officer	Comment
City Futures (Strategy) Team	<p>Objection to the variation to development standard. The hotel uses should not replace the approved gross floor area for commercial premises.</p> <p>The amendment proposes a departure from the 1:1 provision under Clause 7.26 with the deletion of all commercial office GFA and a reduction in the retail GFA, and replacement with a hotel use. The replacement of commercial uses with Hotel uses does not yield the same long-term, direct employment outcomes.</p> <p>Based on Council Officer calculations, the proposed scheme results in a loss of over 200 direct jobs compared to the previously approved scheme. It is noted that the hotel use may create indirect jobs due to induced economic activity, however, commercial spaces have higher</p>

Internal Referrals	
Technical Officer	Comment
	<p>density of worker per square metre and workers would generate demand for daily services.</p> <p>Furthermore, accepting this proposal would also set an undesirable precedent that the 1:1 minimum commercial provision can be effectively “ignored” if it is deemed not feasible at a particular point in the market cycle.</p> <p>Refer Section 5.3.1 for discussion.</p>
Design Excellence Team	<p>The proposal exhibits design excellence. Refer comments provided in Section 5.3.2 of the report.</p>
Traffic Engineer	<p>Satisfactory, subject to amendments to conditions of consent. The proposed parking is in line with the Parramatta LEP 2023 maximum rates. It is proposed to reflect the updated parking provision in Condition</p> <p>Condition 108 is proposed to be deleted as there is no visitor parking provided. This is acknowledged and considered acceptable.</p> <p>Condition 244 modification proposes to amend the responsibility of the Green Travel from the applicant to the building owner. This is considered acceptable.</p>
Public Domain	<p>Do not support the deletion of conditions 89, 90 and 171. The proposed deletion of Conditions 89, 90, 91 and 171, amendments to Condition 88 and any removal of proposed trees from the approved plans are not supported for the following reasons:</p> <ul style="list-style-type: none"> - Specifications are provided to ensure that the public domain treatment within the City Centre is consistent and of high quality as per Council’s Parramatta Public Domain Guidelines. Council typically applies these conditions for developments within the City Centre. - The condition is worded to ensure that public domain works respond to both the road widening on Hassall St and Macquarie Street treatment is in keeping with the public domain around the Parramatta Light Rail. - Much consideration was given to the removal of the existing Jacaranda trees on the site and the sustainable replacement of these trees with substantial canopy. The condition ensures that sustainable planting of replacement trees will be achieved. <p>However, support the amendment of Conditions 90 and 91 to reduce the number of trees required on Macquarie (0), Harris (5 to 8) and Hassall Street (minimum 1) due to the numerous of services present. Further to amend Condition 91 to provide evidence of availability of supply or an order for trees is satisfactory.</p> <p><i>Note from Assessment Planner:</i> the applicant has reiterated that the number of services in Hassall Street (supported by services drawings) it is highly probable that no trees can be accommodated. Therefore, the removal of street tree requirement along Hassall Street is agreed.</p>

Internal Referrals	
Technical Officer	Comment
Landscape Officer	<p>Recommended design amendments to Landscape Plans via condition</p> <p>The proposed modification proposes to simplify the landscaped areas as follows:</p> <ul style="list-style-type: none"> • Level 1 - reconfigured, removing the mezzanine and interconnecting bridge walkway. • Level 2 – reduced the landscape communal open space size by 75% removing the interconnecting bridge walkways and tiered landscape mezzanine. • Level 3 - removed more than 75% of the soft landscaped areas. <p>The tiered landscape with meandering paths through a densely planted communal open space ‘forest garden’ was feature of the design competition winning scheme. Concerns were raised with the applicant in relation to the significant reduction in landscaping.</p> <p>Improvements have been made to Level 3 landscape area, noting the limitations due to the hotel uses on Levels 1 and 2. Council recommends that the Level 3 landscaped areas include the following to ensure the original design intent is still achieved as per the originally designed scheme:</p> <ul style="list-style-type: none"> • The GRC planters are to be replaced to provide permanent, in situ concrete planters that are integrated into the design and provide ample contiguous planting. Compliance with ADG requirements for planting on structure shall be demonstrated through revised documentation. • Further activation of the northern and western boundary shall be provided. • Improve trafficability around the proposed communal gathering / BBQ are to ensure efficient use of space and sufficient thoroughfare. <p>It is recommended to amend Condition 121 of the consent to reflect the above.</p>
Senior Engineer	<p>Catchment</p> <p>Water Sensitive Urban Design / Stormwater Management: Do not support the deletion of Condition 93 of which relates to rainwater capture and use, as this is an integral part of the WSUD and stormwater management as required by the PDCP 2023.</p> <p>Flooding – request for further information. In relation to flooding matters, it is noted the request from the Senior Catchment Engineer for the submission of revised Flood Impact Assessment is beyond the scope of the modification application. Refer assessment against Parramatta LEP 2023.</p>
Sustainability (Flux)	<p>Satisfactory, subject to conditions of consent.</p> <p>Refer Section 5 of this report for an assessment relating to Clause 7.24 (Dual Water Systems) and 7.25 (High Performing Buildings) of the Parramatta LEP 2023. Refer Section 5.4 of this report for an assessment against controls relating to reflectivity and electric vehicles in Parramatta DCP 2023.</p>
Accessibility Officer	<p>Satisfactory, subject to existing conditions of consent.</p> <p>As per Parramatta DCP 2023 requirements, the proposed hotel should provide 15% accessible rooms (15 rooms). It is recommended to place a condition of consent requiring this to be achieved.</p>

Internal Referrals	
Technical Officer	Comment
	<i>Note from Planning Assessment Officer:</i> the applicant requested that in line with the recommendation of their Access Report that this be revised to a minimum of 6. This is considered acceptable.
Waste Management	Satisfactory, subject to existing conditions of consent.

6.2 Bonds & Contributions

Conditions of consent relating to bonds and contributions payable exist on the consent.

It is recommended that an amended condition be included which requires the submission of a cost summary report in order to determine contributions generated as a result of changes made to the development since originally approved, inclusive of this modification.

7. Public Consultation

7.1 Notification

Appendix 1, Section 10 of Council's Community Engagement Strategy (2024-2028) outlines the notification requirements for applications for modification of development consent, including Section 4.55(2). The modification application was placed on public notification between 17 October 2025 and 7 November 2025. Two (2) submissions were received from the adjoining apartment building (26/30 Hassall Street). The issues raised and Council Officer response is provided in the **Table 9** below.

Table 9: Summary of Issues from Public Submissions

Summary of Issue	Response
The building (hotel) will directly block solar access and views to our balcony and rooms. Recommend the reduce height and increasing setbacks.	The building envelope of the approved development is not proposing to be amended as part of this modification application to further impact solar access or views.
The proposal will cause privacy impacts.	The building envelope of the approved development is not proposing to be amended as part of this modification application to further impact privacy issues.
The construction of the building at 34 Hassall Street is highly disruptive. The noise and dust means our windows and doors are closed.	The modification application does not propose to amend the conditions of consent relating to construction management. Conditions of consent in relation to construction hours (Condition 149), construction noise (Condition 150) and dust management (Condition 164). The applicant is also required to keep log of any complaints (Condition 153) and Council can be contacted if any concerns in relation to compliance matters.
Need for more commercial retail business facilities in the area for people convenience.	Refer consideration of this matter in Section 5.3.1 of this report.
Road traffic concerns.	This matter was considered as part of the original application.

Summary of Issue	Response
Surrounding recreational areas lacking to support 500 plus families	The original consent requires contributions to be paid for local infrastructure, including parks and open space. Furthermore, Council Community Infrastructure Strategy and list of works within the Parramatta CBD Contributions Plan aim to deliver local infrastructure which cater for the growing population.
Tiny apartments proposed do not resolve housing shortage issue and will only inflate housing prices.	Inflation of housing prices is not a relevant consideration for this application. The apartments meet the minimum size standards under the NSW Apartment Design Guide.

7.2 Conciliation Conference

On 7 December 2017, Council resolved that “If more than 7 unique submissions are received in the form of an objection, Council will host a conciliation conference at Council Offices. As only 2 submissions were received, a conciliation conference was not required to be offered to the applicant.

8. Recommendation

Pursuant to s. 4.55 of the *Environmental Planning & Assessment Act 1979*, it is recommended that the Sydney Central City Planning Panel grant development consent to DA/93/2023/E by way of modification to the consent DA/93/2023/D as detailed in attached draft conditions.