



SYDNEY CENTRAL CITY PLANNING PANEL

COUNCIL ASSESSMENT REPORT

Panel Reference	PPSSCC-88
DA Number	DA/655/2019
LGA	City of Parramatta Council
Proposed Development	Demolition of existing structures including demolition of a local heritage item; site consolidation; and construction of a 25-storey mixed use building over one basement level for 373 residential apartments, 352 car parking spaces, landscaping and ancillary public domain works. The application is to be determined by the Sydney Central City Planning Panel.
Street Address	134-142 Parramatta Road, 26-38 Good Street, 59-61 Cowper Street, Granville NSW 2142
Applicant/Owner	Think Planners/ Starryland NSW Pty Ltd
Date of DA lodgement	14 November 2019
Number of Submissions	25 submissions
Recommendation	Approval subject to conditions
Regional Development Criteria (Schedule 4A of the EP&A Act)	General Development Over \$30 Million Cost of Construction proposed = \$142,497,000.00
List of all relevant s4.15(1)(a) matters	• Environmental Planning and Assessment Act and Regulations • State Environmental Planning Policy (Sydney Harbour Catchment) 2005 • State Environmental Planning Policy 65 – Design Quality of Residential Apartment Development • State Environmental Planning Policy (BASIX) 2004 • Parramatta Local Environmental Plan 2011 • Parramatta Development Control Plan 2011
Report prepared by	Sohini Sen, Senior Development Assessment Officer
Report date	10 November 2020

Summary of s4.15 matters

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

Legislative clauses requiring consent authority satisfaction

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

e.g. Clause 7 of SEPP 55 - Remediation of Land, Clause 4.6(4) of the relevant LEP

Clause 4.6 Exceptions to development standards

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

Special Infrastructure Contributions

Does the DA require Special Infrastructure Contributions conditions (S94EF)?

Not

Note: Certain DAs in the Western Sydney Growth Areas Special Contributions Area may require specific Special Infrastructure Contributions (SIC) conditions

Applicable

Conditions

Have draft conditions been provided to the applicant for comment?

Yes

Note: in order to reduce delays in determinations, the Panel prefer that draft conditions, notwithstanding Council's recommendation, be provided to the applicant to enable any comments to be considered as part of the assessment report

1. Executive Summary

This report considers a proposal for demolition of existing structures including demolition of a local heritage item; site consolidation; and construction of a 25-storey mixed use building over one basement level for 373 residential apartments, 352 car parking spaces, landscaping and ancillary public domain works.

Assessment of the application against the relevant planning framework and consideration of matters by Council's technical departments has not identified any fundamental issues of concerns. The application is therefore satisfactory when evaluated against Section 4.15 of the Environmental Planning and Assessment Act 1979.

This report recommends that the Panel:

- Grant development consent for development proposal subject of this application, subject to the recommended conditions.

2. Key Issues

- Demolition of a heritage item;
- Variation to ADG communal open space control.

3. The Site and Surrounds

The subject site is known as 134-142 Parramatta Road, 26-38 Good Street, 59-61 Cowper Street, Granville NSW 2142 and comprises 15 allotments (Lot 12 DP 575064; Lots 1 & 2 & 7 Sec A DP 979437; Lot 51 DP 1248262; Lot 1 DP 721626; Lots 1-6 DP 1075357; Lot 1 DP 604204; Lot 1 DP 76041; and Lot 50 DP 1248262).

The site is located on the southern side of Parramatta Road and has frontages to Parramatta Road, Good Street and Cowper Street. The site has a total area of 5,150m². The site includes Heritage Item 157 - The Barn which fronts Parramatta Road.

The land currently accommodates a mixture of one and two storey commercial buildings, a single detached dwelling, a car sales yard, visitor car parking, and a vacant lot. The lots fronting Parramatta Road are adjacent to a petrol station. The lots fronting Cowper Street are adjacent to a mixed use development comprising a 9 storey building with a total of 68 units. The lots fronting Good Street are opposite a mixture of one and two storey buildings occupied by commercial and retail uses. The site does not contain any significant vegetation.

The wider locality has a mix of commercial, industrial and residential land uses of varying ages and architectural styles.

The site is located approximately 140m from Granville Transport Interchange and Granville Town Centre. The western railway line is located to the south of the site and the M4 Motorway is located to the north of the site. The site is located in close proximity to the Parramatta City Centre. Several key arterial road networks are also in close proximity to the site. These include Parramatta Road and the M4 Motorway, connecting to Western Sydney and the Sydney CBD; Woodville Road, connecting South Western Sydney to Parramatta; and James Ruse Drive, connecting North Western Sydney to Parramatta.



Figure 1: Aerial map with subject site outlined in yellow (Nearmap)



Figure 2: View of the site from Parramatta Road

4. Development History

Planning Proposal

A Planning Proposal was lodged with Council on 23 December 2014 (RZ/27/2014) and sought to rezone the land from part B2 Local Centre and part B6 Enterprise Corridor to B4 Mixed Use; amend the Height of Buildings and Floor Space Ratio development standards contained with the Parramatta Local Environmental Plan 2011; introduce a design excellence clause; and introduce a site specific clause specifying a maximum of 4,000m² of non-residential floor space. The Planning Proposal was considered and endorsed by Council on 11 December 2017. The amendment to the Parramatta Local Environmental Plan 2011 was gazetted on 3 August 2018.

The site was deemed suitable for the planning proposal subject to achieving design excellence.

Amendments to the LEP were gazetted in August 2018 (Amendment 27, 3 August 2018) for an increase to the maximum height of buildings from part 15m and part 21m to 82m, and FSR of 2:1, 3:1 and 3.5:1 to 6:1. No additional FSR or Height bonus is applicable for achieving design excellence under the amendments.

A voluntary planning agreement was also entered into with the following terms:

- Dedication of 1,177m² of land as public land;
- Payment of a monetary contribution of \$400,000 plus additional \$5,000 contribution for each unit above 350 units;
- Dedication of 3 x two bedroom units to Council for the purposes of affordable housing; and
- Creation of public easements.

Architectural Design Competition

A design competition (DC/13/2018) was undertaken via an invitational architectural design competition.

PBD Architecture were the winners of the competition and the proposal was awarded design excellence subject to a number of design amendments. It is noted that the proposal does not benefit from any FSR or height bonuses. The development features of this winning entry included:

- Three bay elements repeated across the façade;
- The building was made up of five pods;
- Plaza entry treatment with double height volume and cut out corner to accentuate the lobbies. New Good Street plaza and alfresco eating zone which achieves good activation and desired pedestrian movement;
- Four storey podium;
- Commercial Gross Floor Area of 2,000m²;
- 374 apartments (35% x 1 bedroom, 58% 2 x bedroom, and 7% x 3 bedroom apartments);
- Construction Budget of \$160,136,100.00.

It is noted that slight modifications have been made to the development during the Development Application stage.

The Competition Jury made the following comments in relation to the site specific DCP:

- *Based on the review of the first stage of submissions, the Jury considered that the through site link required by the DCP delivers a flawed urban design outcome. The link does not align with any pedestrian desire lines and moves people away from the public streets into an arbitrary semi-public space. The through site link results in excessive double-sided retail frontages which the Jury were of the view may be difficult to lease. There were also additional problems created by the through-site link including residential apartments contained within the podium which overlook the through site link and lack amenity with compromised acoustic and visual separation. The link is considered by the Jury to be "disingenuous construct" and that alternative solutions should be considered.*
- *The Design Jury also gave consideration to the DCP provisions in relation to Heritage and the Heritage Impact Statements prepared for each of the competition entries by NBRS Architecture and Heritage. The Design Jury noted that the demolition of The Bam is necessary for the future widening of Parramatta Road and the interpretation of the façade and a modern interpretation and narrative approach to the significance of the heritage building heritage is preferred to the reconstruction of the brick wall as an attachment to the modern building.*

The Jury recommended that the following aspects be further explored during design development:

- Public Domain / Ground Plane: *The Jury support the proposed Good Street "landscaped plaza", which is 8m wide from the boundary to retail glass line (6m setback to podium + 2m outdoor dining zone). No basement parking is to be located beneath the plaza. The quantum of pedestrianised public domain in the revised layout is to be equal to that required by the DCP and agreed in a VPA between the proponent and the Council.*
- Above ground parking: *The revised proposal accommodates 4 x levels of above ground parking in a consolidated podium, which is an appropriate use along a busy arterial road. The approach to materiality and screening of the Parramatta Road frontage should be retained (e.g. - stacked bond brickwork and horizontal concrete banding). The Jury request that the floor to floor levels of Level 01 parking is increased to "future proof a later conversion to commercial uses.*
- Building Entry / Residential Lobbies: *The resolution of the Cowper and Good Street corner is a positive move and leads to a superior civic outcome for Granville as it will also function as a local meeting point/node. This double volume space should be retained, as it is a key element to the proposal. However, the following items should be considered as part of design development:*
 - *Consider linking both residential lobbies via an internal hallway/walkway, and*
 - *Improve/increase retail activation of entry plaza.*
- Live-work Spaces: *Consider reducing the scale of the live/work spaces, by splitting in half or converting 4 into 6 live/work modules.*
- Hierarchy of Retail: *The scheme presents an attractive mix of ground floor retail uses that appear well suited to the context and Granville market. This includes: -*
 - *Large scale retail showrooms - Parramatta Road,*
 - *Small scale retail shops, cafes + restaurants - Good Street,*
 - *Live/work spaces - Cowper Street.*
- Tower Form: *The accentuated "5 x tower pods" design strategy should be retained, locating services and cores within the "negative space". The Jury are supportive of the contrasting pod language that articulates the tower forms. The Jury also*

encourage the reintroduction of rounded corners. Privacy impacts (visual, acoustic) generated by the L-shaped building form should be addressed at DA stage.

- *Materiality - Podium:* *The rhythmic approach of the podium (solid + void) using face brickwork and concrete is to be retained. The brickwork pays homage to the existing heritage building, while the voids provide depth and accentuate the solidity of the façade.*
- *Communal Open Space (indoor):* *Consider providing direct access to the podium level communal open space via a staircase accessible from the entry lobby (south-east corner).*

Whilst the PBC Architects scheme is accepted as the winning design, the Jury recommends that the following aspects be further explored as design development occurs prior to DA lodgement with Council:

- *Façade:* *During design development, it is acknowledged that the facades (including substitution of composite metal cladding) may be rationalised, and the Jury will review these at pre-DA stage.*
- *Entry Expression:* *The expression of the floating double height pod + curved bronze screens above the main entry needs to relate more closely to the architecture of the rest of the building.*
- *Tower Height Variation:* *The Jury would strongly advocate for additional height (north-south pod) to create a stronger massing differentiation between the two parts of the L-shaped tower.*
- *Parramatta Road Retail Frontage:* *Suggest removing the break in the ground floor retail fronting Parramatta Road. However, the break in podium form should be retained between levels 1-3.*
- *Good Street Retail:* *The heritage interpretation panels within the outdoor dining zone divide-up the retail space and obscure the retail frontage. The Jury request the panels are removed so that a continuous outdoor dining zone is provided.*
- *Publicly Accessible space:* *The quantum of pedestrianised public domain in the revised layout is to be equal to that required by Council and agreed in the VPA between the proponent and the Council.*
- *Landscaping:*
 - *The Jury question the validity of some of the trees shown in the presentation (e.g. tree spacing + location close to Parramatta Road). The developed design should involve engagement with RMS and anticipate a future potential road widening.*
 - *Planters in the main public space on south-east corner are obstructive. Planters may not be required in this area as there is no basement parking underneath.*
 - *All submitted landscape plans are to show short term + long term street sections for both Good Street and Parramatta Road, both of which are subject to future widening.*
- *Natural Cross Ventilation:* *Ensure that all recesses (snorkels) in the tower forms allow for compliant natural cross ventilation.*
- *Apartment Layouts:* *Apartment locations will require adjustment to locate premium apartments in key locations.*

- Heritage: *The Design Jury gave consideration to the DCP provisions in relation to Heritage and the Heritage Impact Statements prepared for each of the competition entries by NBRs Architecture and Heritage. The Design Jury concurs with the Heritage Impact Statement in relation to the PBD scheme that:*
 - *"The proposal has taken an active approach to interpretation of the heritage item through retention of physical traces and interpretation through various means of its intangible heritage values.*
 - *It also attempts to respond aesthetically to the heritage item and the context of the development of Granville through the use of masonry detailing at podium level. The removal of The Barn is necessary for the future widening of Parramatta Road and the interpretation of the façade is the preferred option for the development of the site. The PBD proposal allows for retention, conservation and interpretation of the footings of The Barn in the footpath on Parramatta Road and a modern interpretation and narrative approach to the significance of the heritage building is prominent within the public spaces of the plaza and Parramatta Road*
 - *Heritage interpretation within the Good Street retail frontage is encouraged given this area will be subject to greater pedestrian movement and visitation than the Parramatta Road frontage. Consideration can be given to retention, conservation and interpretation of the footings of The Barn in the footpath on Parramatta Road".*

These additional design amendments have been considered and incorporated into the development scheme lodged under this Development Application. A detailed discussion of these recommendations is provided further in this report.

5. The Proposal

The subject Development Application seeks development consent for demolition of existing structures including demolition of a local heritage item; site consolidation; and construction of a 25-storey mixed use building over one basement level for 373 residential apartments, 352 car parking spaces, landscaping and ancillary public domain works.

The proposed development includes the following components:

- Demolition of existing structures on the site including a local heritage item ('The Barn');
- Construction of 25 storey mixed use development comprising:
 - One basement level;
 - 1,035m² of retail floor space located on the ground floor;
 - 352 car parking spaces located over one basement level and four (4) above ground levels;
 - Communal Open Space located primarily on podium level (level 4);
 - 352 residential apartments (130 x 1-bedroom; 217 x 2-bedroom; and 26 x 3-bedroom apartments); and
- Site works and landscaping.



Figure 3: 3D perspective of proposed development as viewed from Parramatta Road (PBD Architects)

The development has a total gross floor area of 9,401m² and includes 1,035m² commercial floor area. The proposed building height is 80.2m.

The key differences between the development scheme subject of this Development Application and the scheme that was awarded design excellence during the design competition phase include:

- Reduction of 1 bedroom and 3 bedroom apartments; and
- Decrease in amount of commercial ground floor area.

Amended plans were received during the course of assessment of this application with the following changes:

Amended architectural plans were submitted with the following changes:

- Clarification on Gross Floor Area calculations;
- Clarification on parking provisions;
- Clarification on Communal Open Space;
- Amendments to the bedrooms to comply with ADG requirements;
- Increased private open space areas on the podium level;
- Extension of blade walls to provide privacy and addition of privacy screens;
- Additional pavement details;
- Details of proposed road widening shown on plans;
- Provision of awning details;
- Amendments to the building design to incorporate design jury comments; and
- Removal of the proposed LPG tank.

Other amended documentation submitted includes:

- Revised wind report;
- Revised BASIX and NatHERS certificates;
- Revised Landscape Plans;
- Revised Public Domain Plans;

- Amended Traffic Report;
- Amended Acoustic Report;
- Stage 2 Site Investigation Report; and
- Vertical Transport Report.

The amended plans and documentation are the subject of this assessment and have been awarded design excellence by the design jury.

6. Referrals

The following internal and external referrals were undertaken:

Design Excellence Jury	The Jury unanimously agree that the revised proposal, subject to conditions, exhibits Design Excellence. The Jury are supportive of Council's standard Design Excellence conditions of consent attached to this document. 1. <u>Public Domain/Ground Plan</u> <i>The Jury supports the proposed Good Street "landscaped plaza" which is 8m wide from the boundary to retail glass line (6m setback to podium + 2m outdoor dining zone). No basement parking is to be located beneath the plaza. The quantum of pedestrianised public domain in the revised layout (see attached) is to be equal to that required by the DCP and agreed in a VPA between the proponent and the council.</i> Ground floor plans updated with setback information. Basement parking is not located under critical plaza/street front zones. Setbacks and easements shown are dimensioned on basement and ground floor plans. Issue resolved. The updated documentation shows further detail of the paving materials and urban design for the ground floor and public domain. The COP Urban Planning team should confirm that the updated plans provide the necessary detail to achieve a high-quality urban outcome. Other issues resolved/deferred to COP. 2. <u>Above Ground Parking</u> <i>The revised proposal accommodated 4 x levels of above ground parking in a consolidated podium, which is an appropriate use along a busy arterial road. The approach to materiality and screening of the Parramatta Road frontage should be retained (e.g. - stacked bond brickwork and horizontal concrete banding).</i> <i>The jury request that the floor to floor levels of level 01 parking is increased to "future proof" a later conversion to commercial uses.</i> Above ground planters: planters have been reinstated to the car park low-height walls and other areas. Issue resolved. Public Domain: Street Trees Street trees are shown to Parramatta Road and Good Street. Size of trees remain at 100L rather than 400L. The Jury recommend that 400L trees are specified. COP Urban Design team to confirm with reference to public domain specifications. Planters to above ground car park: Planter reinstated: Issue resolved. Communal Open Space: Jury consider COS satisfactory and defer the matter to COP for consistency with relevant statutory codes. Other issues resolved. 3. <u>Building Entry/Residential Lobbies</u> <i>The resolution of the Cowper and Good Street corner is a positive move and leads to a superior civic outcome for Granville as it will also function as a local meeting point/node. This double volume space should be retained, as it is a</i>
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	<i>key element to the proposal. However, the following items should be considered as part of design development:</i> <i>. Consider linking both residential lobbies via an internal hallway/walkway and improve/increase retail activation of entry plaza.</i> Issues Resolved. 4. <u>Live/Work Spaces</u> <i>Consider reducing the scale of the live/workspaces, by splitting in half or converting 4 into 6 live/work modules.</i> The live/work spaces have been removed from the scheme and rather an approach to providing a range of sizes of apartments including some larger sized apartments has been adopted which will permit the future residents to operate work from home and home office arrangements is preferred. There are also additional retail/commercial spaces at the ground floor. Issue resolved. 5. <u>Hierarchy of Retail</u> <i>The scheme presents an attractive mix of ground floor retail uses that appear well suited to the context and Granville market. This includes:</i> <i>. Large scale retail showrooms- Parramatta Road,</i> <i>. Small scale retail shops, cafes + restaurants – Good Street,</i> <i>. Live/workspaces - Cowper Street.</i> The design excellence winning scheme included large scale retail along Parramatta Road with smaller retail suites along Good Street. This hierarchy is being retained with 2 large tenancies along Parramatta Road being 345m² and 296m². There are also a range of small to medium sized tenancies along Good and Cowper Streets with suites ranging from 55m² to 128m² in area. The original scheme included provision for live/work units however these are no longer in the scheme rather a series and range of larger apartments which can accommodate work from home and home office arrangements can be accommodated within the development. Issue resolved. 6. <u>Tower Form</u> <i>The accentuated "5 x tower pods" design strategy should be retained, locating services and cores within the "negative space". The Jury are supportive of the contrasting pod language that articulates the tower forms.</i> <i>The Jury also encourage the reintroduction of rounded corners.</i> <i>Privacy impacts (visual and acoustic) generated by the L - shaped building for should be addressed at the DA stage.</i> The overall form of the tower pods is retained in the proposal. Services and cores are to be located as far as possible within the negative space as requested by the Jury. The proposal will retain the square building design rather than rounded corners. Jury discussed presentation of tower in revised scheme. The Square corners present satisfactorily, and rounded corners may be more difficult to achieve successful results due to faceting, etc. Issue Resolved. ADG Visual Privacy: The amended plans show additional screens and adjustment to areas adjacent to habitable spaces within apartments. The amendments resolve issues raised by the jury. Building Setbacks: Issue resolved 7. <u>Materiality - Podium</u> <i>The rhythmic approach of the podium (solid + void) using face brickwork and concrete is to be retained. The brickwork pays homage to the existing heritage</i>
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	<i>building, while the voids provide depth and accentuate the solidity of the façade.</i> Tower Materiality: The amended documentation shows a darker paint finish to the recessed elements of the tower [Dulux Raku]. Issue resolved. 8. <u>Façade</u> <i>During design development, it is acknowledged that the facades (including substitution of composite metal cladding) may be rationalised, and the jury will review these at Pre-DA stage.</i> Issue resolved. 9. <u>Entry Expression</u> <i>The expression of the floating double height pod + curved bronze screens above the main entry need to relate more closely to the architecture of the rest of the building.</i> The amendments have simplified the expression of the entry pod which is now more in line with the architectural language of the tower. Issue Resolved. 10. <u>Tower – Height Variation</u> <i>The Jury would strongly advocate for additional height (north-south pod) to create a stronger massing differentiation between the two parts of the L – shaped tower.</i> The proposal presents a stronger and taller north-south pod which assists with creating a stronger massing differentiation between the two parts of the towers. Note that there may be excess GFA shown in the documentation. If the applicant cannot support the current GFA measurements, then it is recommended that the eastern tower is reduced in height to achieve the differential massing. The amended drawings clarify GFA calculations. The Jury defer the matter to COP. 11. <u>Parramatta Road retail frontage</u> <i>Suggest removing the break in the ground floor retail fronting Parramatta Road. However, the break in the podium form should be retained between level 1-3.</i> The break on the ground floor level of the retail fronting Parramatta Road has been removed as suggested by the Jury. The suggested break in the podium between levels 1-3 is retained as suggested by the Jury. Issue resolved. 12. <u>Good Street Retail</u> <i>The heritage interpretation panels within the outdoor dining zone divide up the retail space and obscure the retail frontage. The jury request the panels are removed so that a continuous outdoor dining zone is provided.</i> These panels have been removed to ensure the space reads and flows better as a continuous public dining and accessible space. 13. <u>Publically Accessible Space</u> <i>The quantum of pedestrianised public domain in the revised layout is to be equal to that required by the DCP and agreed in the VPA between the proponent and the council.</i> As presented within the design excellence winning scheme, there is 1,177m² of public space provided which aligns with the same area as presented in the site specific DCP. 14. <u>Landscaping</u> <i>The Jury questions the validity of some of the trees shown in the presentation (e.g. tree spacing + location close to Parramatta Road). The developed design</i>
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	<i>should involve engagement with RMS and anticipate a future potential road widening. Planters in the main public space on the south-east corner are obstructive. Planters may not be required in this area as there is no basement parking underneath. All submitted landscape plans are to show short term + long term street sections for both Good Street and Parramatta Road, both of which are subject to future road widening.</i> The proposal ensures the future road widening along Parramatta Road can be accommodated. The planters are removed, and ground level plantings are now proposed in this location. The requested landscape plans are provided with this submission. Issue resolved. 15. <u>Natural Cross Ventilation</u> <i>Ensure that all recesses (snorkels) in the tower forms allow for compliant natural cross ventilation.</i> Issue resolved. 16. <u>Apartment Layouts</u> <i>Apartment locations will require adjustment to locate premium apartments in key locations.</i> Issue resolved. 17. <u>Heritage</u> <i>The design jury gave consideration of the DCP provision in relation to Heritage and the Heritage Impact Statements prepared for each of the competition entries by NBRS Architecture and Heritage. The design Jury concurs with the Heritage Impact Statement in relation to the PBD scheme that: "The proposal has taken an active approach to interpretation of the heritage item through retention of physical traces and interpretation through various means of its intangible heritage values. It also attempts to respond aesthetically to the heritage item and the context of the development of Granville through the use of masonry detailing at podium level."</i> <i>The removal of the Barn is necessary for the future widening of Parramatta Road and the interpretation of the façade is the preferred option for the development of the site. The PBD proposal allows for retention, conservation and interpretation of the footings of The Barn in the footpath on Parramatta Road and a modern interpretation and narrative approach to the significance of the heritage building is prominent within the public spaces of the plaza and Parramatta Road. Heritage interpretation within the Good Street retail frontage is encouraged given this area will be subject to greater pedestrian movement and visitation than the Parramatta Road frontage. Consideration can be given to retention, conservation and interpretation of the footing of The Barn in the footpath on Parramatta Road.</i> The proposed heritage interpretation strategy was well conceived and should be implemented as proposed. All Heritage related issues are considered resolved. 18. <u>Street Tree Sizes</u> Council's Planner has advised the Jury that this item has been addressed to the satisfy Council's requirements. The Jury provide no further comment on this item. 19. <u>A/C Condenser Units on private balconies</u> The Jury note that the applicant has submitted substantial documentation that supports the proposed system of locating A/C condenser units on private balconies.
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	The project architect, PBD, has stated that the condenser units will be screened with enclosure screens, located at the corner/ends of balconies and do not impact on the amenity and circulation of the balconies. This statement was supported by the project engineer, Northrop Consulting Engineers. After careful consideration, the Jury are supportive of the proposed approach. The Jury note that there are other comparable developments in Granville where this approach has been approved by Council. Council's City Architect notes that all current and future Design Excellence Competitions within the Parramatta City Centre now require A/C condenser co-located in "condenser farms to improve the amenity of private balconies. This approach will be required for future Design Excellence developments within the Granville Town Centre. Additional Comment requested - Public Art Plan - Council's planner has requested that the Jury review and comment on the submitted Public Art Plan, prepared by UAP. The Jury consider that the proposed artwork opportunities are appropriate to the site, context and overall development. The Jury recommend that Council apply a condition of consent that requires the final Public Art design's to be submitted for the Jury's desktop review and comment prior to the relevant construction certificate being issued. The Jury recommend that Council apply recommended standard conditions of consent to the approval of this development.
Wind Consultant	• The clarification of how the gust wind speed is determined is noted. • Windtech's explanation is noted and we hope the density is increased for future wind tunnel studies that are submitted for review. • Windtech have acknowledged that the seating area in the drawings should target better wind conditions than the walking criterion. Windtech have suggested that the target criteria for the seating area should be the short exposure criteria and indicate the criterion relates to activities that span less than an hour. However, being seated for an hour at a café would be expected to allow the user to dine rather than a short duration activity such as a coffee and MEL Consultants would suggest a short duration activity would be up to 15 minutes. The fit for purpose consideration should direct the appropriate criterion. If the area is to be used for the short duration activities, not dining, then we have no issue with Windtech targeting the short duration criterion to the seating area. • Windtech have noted that Locations 11 and 14 fail this criterion and have suggested localised screening around the seating areas to satisfy the criterion. We have no issue with the approach of using local screening to achieve the target criterion and we expect the City of Parramatta would want to understand the requirements/details of these wind mitigation features. • MEL Consultants disagree that being on the safety criterion of 23 ms⁻¹ would satisfy the criterion. We have spoken to the author of this criterion and the observations were of young physically able pedestrians that lead to the development of this criterion of 23 ms⁻¹ when these young pedestrians were blown over. It is noted that persons less physically able or have unsteady mobility would be blown over at wind speeds below this criterion wind speed. In our opinion the Locations 19, 20, and 25 fail the criterion and the design should not have wind conditions that approach the 23 ms⁻¹ criterion. Furthermore, Location 01 also fails the safety criterion. It is noted in Table A5 of the

	Windtech report that the Limit of Safety, 'Completely unacceptable, people likely to be blown over', is 23 ms-1 and this is the criterion Windtech have selected for pedestrian safety in Table 3. The safety wind conditions at all the above locations are only mitigated by the use of landscaping (trees, etc.), contrary to the AWES Guidelines, as it is well known that trees generally do not survive in this wind environment. • Windtech have provide an explanation of the mitigation effect of the screens on Location 12. Windtech have indicated that the screens re-direct the wind flow away from Location 12, which would suggest that the location of the unsafe wind conditions have been moved to another nearby location. • The query for Location 26 was asking how the horizontal screen at the podium level has improved the wind conditions for the WSW, W, and WNW, wind directions. We have no issue with the explanation Windtech have provided for the downwash from the NE wind direction. The Figure below has been extracted from Appendix C of the report and shows the red line (horizontal wind screen in northern facade notch) improves compared to the blue line (proposed) for the WSW, W, and WNW wind directions. It is not clear how the horizontal screen at the Level 4 slab would improve the WSW, W, and WNW wind conditions when it is downstream of Location 26 for these wind directions. The concern with these data is Location 26 on ground level fails the safety criterion but somehow satisfies the criterion with the downstream screen at Level 4. <u>Planning Comment:</u> A condition of consent is recommended that separate consent be sought for the use of the outdoor dining areas for the retail tenancies and that prior to the issue of an Occupation Certificate of those consents, a Wind Consultant is to confirm the outdoor seating area meets relevant comfort and safety wind criteria.
ESD Consultant	No objections subject to recommended conditions of consent. <u>Planning Comment:</u> All issues that were initially raised by the ESD consultant have been resolved by the applicant through the submission of amended plans and supporting documentation.
Development Engineer	The development site is bounded by three street frontages and one of them is Parramatta Road. The proposal has already been referred to RMS and they have no objections to the development. Although Parramatta Road is under the jurisdiction of RMS, City of Parramatta Council has the authority & responsibilities to maintain the footpath area behind the kerb. The proposal also involves reconstruction of the existing footpath areas in all 3 street frontages. The development site also falls under the "Granville Town Centre Precinct", which requires special footpath paving standards. A Public Domain Footpath related plan has been submitted with the DA submission. However, the full footpath details have to be submitted to Council's City Assets Division for approval, prior to construction. Appropriate conditions will be imposed. Although a trunk sewer system traverses the development site, it does not go beyond the development sites. Therefore, the proposed basement will not be impacted, as the trunk sewer can be terminated at the boundary, without any problems. All drainage related drawings, calculations, details etc., are contained in a "Concept Stormwater Management Report" document, prepared by Meinhardt, A Geotechnical Report has been submitted, with appropriate recommendations. Although it is a Mixed Use Development, Stratum Subdivision was not requested in the application. Therefore, no Subdivision related conditions will be included.

	The proposal satisfies the engineering requirements. The proposal satisfies the requirements of Council's controls and can be supported, subject to standard and/or special conditions of consent.												
Heritage Advisor	Council's Heritage Advisor raises no objection to the demolition of this item. The Design Excellence Jury is supportive of the demolition of the heritage item, the Public Art Plan and Heritage Interpretation												
Tree and Landscape Officer	A site visit on 23 December 2019 was undertaken and noted that there are three (3) existing mature <i>E.microcorys</i> (Tallowood) located on the Cowper Street frontage which were assessed as being in good health and condition at the time of inspection. The subject trees are located within the building envelope and cannot be retained with the current proposal. Tree removal is therefore supported if the proposed development is deemed to be compliant with building setbacks. The landscape embellishment proposed is supported with conditions. It is noted that the Landscape Concept Plan has included the provision of street trees which will not be addressed in this assessment. It is recommended that the proposed street tree removals and the proposed planting of new species, size, location and tree pit specifications are to be assessed by Council's Public Domain team. The following trees are approved to be removed to facilitate development; <table><tr><td>Tree No.</td><td>Name</td><td>Common Name</td><td>Location</td><td>Condition/ Height</td><td>Reason</td></tr><tr><td>3 x</td><td><i>Eucalyptus microcorys</i></td><td>Tallowood</td><td>Cowper Street frontage</td><td>Good 18-20 m</td><td>To facilitate development</td></tr></table> The proposal satisfies the requirements of Council's controls and can be supported, subject to conditions of consent.	Tree No.	Name	Common Name	Location	Condition/ Height	Reason	3 x	<i>Eucalyptus microcorys</i>	Tallowood	Cowper Street frontage	Good 18-20 m	To facilitate development
Tree No.	Name	Common Name	Location	Condition/ Height	Reason								
3 x	<i>Eucalyptus microcorys</i>	Tallowood	Cowper Street frontage	Good 18-20 m	To facilitate development								
Traffic and Transport Engineer	<u>Parking Requirements - Parramatta DCP 2011</u> Section 4.3.7.1 – Table 4.3.7.1.1: <i>Residential</i> - Maximum 0.9 spaces per one-bedroom unit = 0.9 × 130 one-bedroom units = 117 - Maximum 1.2 spaces per two-bedroom unit = 1.2 × 217 two-bedroom units = 260.4 - Maximum 1.5 spaces per three-bedroom unit = 1.5 × 26 three-bedroom units = 39 Total residential spaces = Maximum 416.4 (417) Visitor: Maximum 0.2 spaces per dwelling = 0.2 × 373 units = 74.6 (75) <i>Retail</i> - Maximum of 1 space per 50m² of GFA = 1 × (1,035m² retail area ÷ 50) = 20.7 (21) Total = Maximum 513 spaces 352 parking spaces are provided, as shown on the submitted plans, including: 314 residential parking spaces 30 visitor parking spaces plus 5 car share spaces 3 retail parking spaces <u>Bicycle parking spaces – Parramatta DCP 2011</u> Section 4.3.7.1 – Table 4.3.7.1.1: <i>Residential</i> 1 space per dwelling = 1 × 373 units = 373 - Visitor: 1 space per 10 dwellings = 1 × (373 units ÷ 10) = 37.3 (38) <i>Retail</i>												

	• <i>Employee</i>: 1 space per 250m² of GFA = $1 \times (1,035\text{m}^2 \text{ retail area} \div 250)$ = 4.1 (5) • <i>Visitor</i>: 2 spaces + 1 per 100m² GFA = $2 + 1 \times (1,035\text{m}^2 \text{ retail area} \div 100)$ = 12.3 (13) Total = 429 bicycle spaces 71 bicycle spaces are provided, as shown on the submitted plans, while parking for 356 bicycles is provided within the storage cages. This bicycle parking provision is considered acceptable. <u>Motorcycle parking spaces – Parramatta DCP 2011</u> Section 4.3.7.1 – Table 4.3.7.1.1: • 1 space for every 25 parking spaces = $1 \times (352 \text{ parking spaces} \div 25)$ = 14 Total = 14 motorcycle spaces 14 motorcycle space are provided, as shown on submitted plans. <u>Loading Bays</u> 1 loading bay that can accommodate an 8.8m Medium Rigid Vehicle is provided, as shown on the Ground Floor Plan (Drawing No. DA102 – Issue B). The submitted Traffic Impact Assessment report also recommends that a Loading Dock Management Plan should be provided to schedule and manage use of the loading bay prior to issue of an Occupation Certificate. The provision of 1 loading bay is considered adequate for the proposed development. <u>Car Share Spaces</u> 5 car share spaces are provided, as shown on the Ground Floor Plan (Drawing No. DA102 – Issue B). <u>Parking Spaces – Layout and dimensions (Figures 2.2 of AS 2890.1-2004; AS 2890.6-2009)</u> The dimensions of the parking spaces and aisle width, as shown on the submitted DA plans = 2.4m wide x 5.4m long and minimum 5.8m aisle width At blind aisle, the aisle is extended 1m beyond the last parking space on each row of the parking spaces and minimum 300mm space is provided where the side boundary of a space is a wall or a column, as shown on the submitted plans. The dimensions and configuration of the disabled parking space = dedicated space plus shared space (2.4m wide x 5.4m long with a bollard installed on the shared space) and adaptable parking space (3.8m wide x 5.4m long). <u>Column Locations</u> Column locations, as shown on the submitted plans, meet the requirements of AS2890. <u>On-site manoeuvring (AS 2890.1-2004 Clause B3; Figures B3 and B7)</u> Swept path plans for vehicle access from the access driveway through to parking spaces have been submitted with the Traffic Impact Assessment report. A 6.1m wide combined entry and exit driveway from Cowper Street. Note that roller shutter door has been shown on the Ground Floor Plan (Drawing No. DA102 – Issue B). <u>Driveway gradients - Clause 2.5 and Clause 2.6 of AS 2890.1-2004</u> Driveway gradients, as shown on the Ground Floor Plan (Drawing No. DA102 – Issue B), meet the requirements of AS2890. <u>Sight lines</u> 2m x 2.5 sight triangle splay has shown on the Ground Floor Plan (Drawing No. DA102 – Issue B).
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	<u>Green Travel Plan – Parramatta DCP 2011</u> Section 3.6.1 Sustainable Transport <i>P.1 Development proposals that meet the following criteria must prepare a Travel Plan:</i> 5,000m² of gross floor space or 50 employees; and within a 800m radial catchment of a railway station or 400m radial catchment of a bus stop with a service frequency of an average of 15 minutes or less during the morning peak hour (7 am - 9 am) in either direction. The proposed development has a total of 30,897.8m² GFA and is within 800m radial catchment of the Granville train station. This requirement can be conditioned. <u>Access from the unnamed laneway off Bold Street</u> The proposed modification of the unnamed laneway off Bold Street to one-way flow and the proposed visitor access from Bold Street is not supported because access to the site from Bold Street is very difficult. Instead, it is recommended that the roller door on the lane be remain open from 6am to 10pm in order to facilitate access to the site. This recommendation can be conditioned <u>Traffic Generation</u> The submitted Traffic Impact Assessment report estimates that the combined trip generation of the existing development is in the order of 34 and 99 vehicle trips per hour during the morning and evening peak periods respectively while the combined generation of the proposed development would be 87 and 104 vehicle trips per hour during the morning and evening peak periods respectively. The report, then, estimates that the proposed development will result in a net traffic increase of 53 and 5 vehicle trips per hour during the morning and evening peak periods respectively. The report also undertook SIDRA modelling for the key intersections around the proposed development to assess the performance of the intersections. Based on the results of the SIDRA modelling, the report concludes that the additional vehicle trips from the proposed development will result in the intersections performing similarly to existing conditions, with increases in delays limited to only a maximum of 7.1 seconds. Based on the analysis and information submitted by the applicant, the proposed development is not expected to have a significant traffic impact on the surrounding road network. The proposal can be supported on traffic and parking grounds subject to recommended traffic related conditions.
Environmental Health Officer (Waste)	The proposed development of a multi-storey residential development. The applicants have submitted a waste management plan which details waste and recycling management during demolition, construction and the on-going use of the proposed development. The waste management plan also shows the dedicated waste storage areas for residential tenancies and predicted volumes. The proposal satisfies the requirements of Council's controls and can be supported, subject to conditions of consent.
Environmental Health Officer (Acoustic)	Northrop) Acoustics have been engaged to provide an acoustic report for development application for high-density mixed-use development "Gran Central" (the Project) to be located at 134-142 Parramatta Road, Granville NSW 2142 (the Site). The report provides a statement of compliance with the relevant statutory criteria for the proposed development within the vicinity of the nearest potentially affected receivers and recommendations for noise mitigation measures for the proposed development for compliance with the relevant criteria.

	The proposal satisfies the requirements of Council's controls and can be supported, subject to standard conditions of consent.
Environmental Health Officer (Contamination)	The preliminary environmental investigation identified friable asbestos and asbestos fines in fill material which requires remediation. The preferred remediation option is for removal of asbestos impacted soils. Following excavation of asbestos a validation report will be prepared. In addition, a detailed site investigation is to be submitted. The proposal satisfies the requirements of Council's controls and can be supported, subject to standard conditions of consent.
Property Officer	- The development appears to require rock anchors within the road during excavation of the basement. The applicant must execute a licence with Council for any rock anchors within the road and must also pay all fees associated with the rock anchors including but not limited to rock anchor fees and Council's legal fees. No construction on the basement is to commencement until the applicant provides proof of an executed rock anchor licence. - This DA does not deliver the roadway and pedestrian access ways that have been agreed in the VPA. - The 2.8m setback on Good St has not been provided. - The 9m public thoroughfare has not been provided as per the VPA, a cash contribution should be provided to Council as compensation. The compensation will be determined by Council's nominated valuer and all costs in this matter will be reimbursed by the applicant. <u>Planning Comment:</u> A condition of consent is recommended requiring that the applicant obtain a licence for rock anchors. It is noted that amendments to the VPA are currently with Council for consideration to reflect the Development Application Plans. Conditions of consent have been recommended by Council's Land Use team to ensure that appropriate land dedication to Council will occur in accordance with the VPA. A 2.8m setback to Good Street has been shown on the submitted amended plans.
Urban Design (Public Domain) Officer	The revised drawings, SS19-4174-101-H, received 8/10/2020, the street trees are now located in the planter space between the site boundary and the 2800mm setback. This design retains street trees at the edge of the footway in anticipation of the proposed future road widening of Good St. This design option is supported provided the street trees be in contiguous deep soil and that the trees are planted using stratavault detail referred to previously that allows for future pavement under the trees. Details to be provided prior to public domain CC approval. Details of surface runoff into the planter beds to be provided prior to public domain CC approval. The visually distinct edge defining clear path of travel is shown on the plan, details to be provided prior to public domain CC approval. Details for the remainder of comments in this section to be provided prior to public domain CC approval. The revised drawings, SS19-4174-101-H, received 8/10/2020, the street trees are now located in the planter space between the site boundary and the 2800mm setback. This meets the objective of the previous comment. Awnings dimensions are not shown. Details are to be provided prior to public domain CC approval.

	The wind report states 'The effect of vegetation was also excluded from the initial testing.' Based on this, the street trees should grow unimpeded by wind affects i.e. down drafts stunting the tree canopy. Details are to be provided prior to public domain CC approval. Public Domain Alignment Drawings not included. Details are to be provided prior to public domain CC approval, subject to advice from Supervisor Civil Assets. The Public Doman DA drawings are supported for DA approval subject to recommended conditions of consent.
Accessibility Officer	Supported subject to recommended conditions of consent.
Public Art Officer	It is recommended: • That the Public Art Plan dated October 2019 is submitted to the Design Excellence Jury for review. • That on approval of the Public Arts Plan and incorporating any additional requirements of the Design Excellence Jury, the applicant is required to meet the above conditions prior to construction certificate issue. • That the completed public art and documentation are required prior to occupation certificate issue. <u>Planning Comment:</u> The Public Art Plan was submitted to the Design Excellence Jury for review. The jury were supportive of the Public Art Plan. Additional conditions of consent are recommended to address the above issues.
Crime Prevention Officer	The CPTED principles have been well considered and are contained in the CPTED report. The report mentions location of mailboxes and secure entry to the basement. I have no objection to the development application but would seek the following conditions of consent to be included: • Mailboxes must be located inside a secure entry within the building. Each mailbox must be fitted with an individualised non-master key lock. The area in which the mail boxes are located must be covered by CCTV. • Security system to be provided in the basement to distinguish between the public and private parking areas to prevent unauthorised access to private basement parking and storage areas. • Any basement storage compartment provided to residents must be secure, with solid, opaque walls and door and fitted with an individualised non-master key lock.
Endeavour Energy	Subject to recommended conditions, Endeavour Energy have no objection to the Development Application.
Transport for NSW (formerly RMS)	Reference is made to the Planning Portal referral dated 18 November 2019, regarding the abovementioned Application which was referred to the former Roads and Maritime Services (Roads and Maritime) now Transport for NSW (TfNSW) for concurrence in accordance with Section 138 of the Roads Act 1993. On 1 December 2019 legislation came into effect to bring Roads and Maritime and TfNSW together as one organisation. TfNSW has reviewed the submitted application and provides concurrence to the proposed development subject to recommended conditions of consent.

7. Assessment under Environmental Planning and Assessment Act 1979

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

Section 4.15: Evaluation

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

Provision	Comment
Section 4.15(1)(a)(i) - Environmental planning instruments	Refer to section 9.
Section 4.15 (1)(a)(ii) - Draft environmental planning instruments	Refer to section 10.
Section 4.15 (1)(a)(iii) – Development control plans	Refer to section 11.
Section 4.15 (1)(a)(iiia) - Planning agreement	Refer to section 12.
Section 4.15 (1)(a)(iv) - The Regulations	Refer to section 13.
Section 4.15 (1)(b) – The likely impacts of the development	Refer to section 14.
Section 4.15 (1)(c) – The suitability of the site for development	Refer to section 15.
Section 4.15 (1)(d) – Any submissions	Refer to section 16.
Section 4.15 (1)(e) – The public interest	Refer to section 17.

8. Environmental Planning Instruments

Overview

The instruments applicable to this application comprise:

- State Environmental Planning Policy No. 55 – Remediation of Land;
- State Environmental Planning Policy (Sydney Harbour Catchment) 2005;
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004;
- State Environmental Planning Policy (Infrastructure) 2007;
- State Environmental Planning Policy (State and Regional Development) 2011;
- State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development; and
- Parramatta Local Environmental Plan 2011.

Compliance with these instruments is addressed below.

STATE ENVIRONMENTAL PLANNING POLICY 55 – REMEDIATION OF LAND

Clause 7 of this Policy requires that the consent authority must consider if land is contaminated and, if so, whether it is suitable, or can be made suitable, for a proposed use. In considering this matter it is noted:

- The site is not identified in Council's records as being contaminated. The site does have a history of commercial uses since the early 1990s and during the 2000s commercial structures in the north east corner of the site and a residential dwelling in the north east corner of the site were demolished and cleared areas used for car yards.
- The applicant has submitted a preliminary site investigation as part of the Development Application which concludes that the site contains friable asbestos and asbestos fibres in fill material which requires remediation. It is noted that the report also concludes that the site can be made suitable for the proposed development subject to the recommendations within the report.
- Conditions of consent are recommended including the preparation of a detailed site investigation and site audit statement by a suitable qualified professional.

Therefore, in accordance with Clause 7 of the State Environmental Planning Policy No 55—Remediation of Land, the land is suitable for the proposed development being a mixed use development, which includes a residential component.

SYDNEY REGIONAL ENVIRONMENTAL PLAN (SYDNEY HARBOUR CATCHMENT) 2005 (DEEMED SEPP)

The site is not located on the foreshore or adjacent to a waterway and therefore, with the exception of the objective of improved water quality, the objectives of the SREP are not applicable to the proposed development.

The development is consistent with the controls contained within the deemed SEPP.

STATE ENVIRONMENTAL PLANNING POLICY – BASIX 2004

The application is accompanied by a BASIX certificate that lists commitments by the applicant as to the manner in which the development will be carried out. The requirements outlined in the BASIX certificate have been satisfied in the design of the proposal.

A condition has been imposed to ensure such commitments are fulfilled during the construction of the development.

STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007

The provisions of SEPP (Infrastructure) 2007 have been considered in the assessment of the development application.

The application is not subject to clause 45 of the SEPP as the development does not propose works within the vicinity of electricity infrastructure.

The application is subject to Clause 101 of the SEPP as the site has a frontage to a classified road (Parramatta Road). Vehicular access to the site is off Cowper Street which is not a classified road. As such, the development maintains the safety and ongoing operation of Parramatta Road and is consistent with the provisions of Clause 101 of the SEPP.

The application is also subject to Clause 102 of the SEPP as the average daily traffic volume of Parramatta Road is more than 40,000 vehicles and the development includes a residential component. An acoustic report was submitted with the Development Application demonstrating that the residential apartments are able to achieve the acoustic requirements outlined in Clause 102 of the SEPP.

Consistent with clause 104 of this Policy (Traffic Generating Development) the application was referred to Roads and Maritime Services (RMS), who did not raise any objection to the proposed development subject to recommended conditions of consent.

STATE ENVIRONMENTAL PLANNING POLICY (STATE AND REGIONAL DEVELOPMENT) 2011

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

STATE ENVIRONMENTAL PLANNING POLICY NO. 65 (DESIGN QUALITY OF RESIDENTIAL APARTMENT DEVELOPMENT)

SEPP 65 applies to the development as the proposal is for a new building, is more than 3

storeys in height and will have more than 4 units. SEPP 65 requires that residential flat buildings satisfactorily address 9 design quality principles, be reviewed by a Design Review Panel, and consider the recommendations in the Apartment Design Guide.

Design Quality Principles

The proposal is considered to be consistent with the design principles for the reasons outlined below:

Requirement	Comment
Principle 1: Context and Neighbourhood Character	The design of the proposal responds to the site context, particularly with regards to the desired future character of the area comprising of mixed use development. The built form generally responds to the height and FSR controls applicable for the site. The proposal is appropriate given the site context as it provides active street frontages along Parramatta Road and Good Street and additional housing in close proximity to a major centre and transport interchange.
Principle 2: Built Form and Scale	The built form is appropriate for the site and is generally consistent with the building envelope and footprint controls prescribed by the Parramatta LEP 2011 and Parramatta DCP 2011. The proposal is consistent with the Apartment Design Guide requirements in terms of building alignments, proportions, type and manipulation of building elements. The proposal has been designed with respect to neighbouring buildings and is positioned within the site to minimise impacts arising from the close proximity to neighbouring developments.
Principle 3: Density	The proposal results in a density appropriate for the site and its context in terms of floor space yield, number of apartments and potential number of residents. The proposed density of the development is sustainable and responds to the availability of infrastructure, public transport, community facilities and environmental quality.
Principle 4: Sustainability	A BASIX Certificate has been submitted with the application and the required design measures are incorporated into the design of the building. Additional BASIX requirements will be addressed at the Construction Certificate stage of the development.
Principle 5: Landscape	The proposed landscaping on the site is located on primarily on the ground and podium levels and provides amenity for the communal open spaces and retail spaces on these levels. The landscaping is consistent with the landscape character of the locality.
Principle 6: Amenity	The proposed development is satisfactory with regards to amenity and has been designed to optimise internal amenity through orientation, visual and acoustic privacy, solar access, natural ventilation, apartment layout, storage areas and service areas.
Principle 7: Safety	The proposal satisfactorily addresses safety and provides opportunities for passive surveillance to the street frontage and communal areas of the site through the use of balconies addressing the street frontage and glazed openings. The car park area has been designed for secure access to ensure that the area remains accessible to only the building occupants and their visitors.
Principle 8: Housing Diversity and Social Interaction	The proposal comprises a mix of apartments ranging in type, size and affordability in order to provide housing choice for different demographics, living needs and budgets in close proximity to public transport. The development provides housing which suits the existing and future social mix and provide for the desired future community.
Principle 9: Aesthetics	The built form is appropriate with regard to the composition of building elements, textures, materials and colours which reflect the use, internal design and structure of the building. The building responds aesthetically to the environment and context, and

Requirement	Comment
	appropriately contributes to the desired future character of the area.

Architectural Design Excellence Jury

An Architectural Design Excellence Competition was held for this site and the development proposal subject of this application was referred back to the Design Excellence Jury for their review. As such, the application was not required to be referred to City of Parramatta's Design Excellence Review Panel. Refer to Referrals section of this report for comments provided by the Design Excellence Jury in relation to this proposal.

Apartment Design Guide

The ADG is a publication by the State Government which further expands on the design quality principles by providing some detailed practical guidance for the design of residential flat buildings.

The proposal has been assessed against the 32 topic area provisions within Parts 3 & 4 of the ADG and the relevant provisions of note are as follows:

Clause	Design Criteria	Comments	Comply
Part 3 – Siting the Development			
3A Site Analysis	Site analysis illustrates that design decisions have been based on opportunities and constraints of the site conditions and their relationship to the surrounding context.	A site analysis has been submitted.	Yes.
3B Orientation	Buildings along the street frontage define the street, by facing it and incorporating direct access from the street.	Pedestrian entry is provided off Good Street, Parramatta Road and Cowper Street.	Yes.
	Where the street frontage is to the east or west, the rear buildings should be orientated to the north.	The Street frontage along Parramatta Road is oriented north.	Yes.
	Where the street frontage is to the north or south, overshadowing to the south should be minimised and buildings behind the street frontage should be orientated to the east and west.	Parramatta Road is oriented to the north. There is one building proposed on the site.	Yes.
3C Public Domain interface	Transition between private and public domain is achieved without compromising safety and security.	The proposal provides a transition between the private and public domain interface. Apartments are located above the ground level and provide passive surveillance to the ground level.	Yes.
	Amenity of the public domain is retained and enhanced.	Public domain plans have been submitted and the public domain is retained and enhanced.	Yes.
3D Communal and public open space	Communal open space (COS) has a minimum area equal to 25% of the site, with minimum 3m dimensions.	Required: 1,287.5m ² Proposed: 1,078.1m ²	NO – refer to discussion below.
	Developments achieve a minimum of 50% direct sunlight to the principal usable part of the communal open space for a minimum of 2 hours between 9am and 3pm mid-winter.	The submitted shadow diagrams indicate that the proposed communal open space, which is north facing, achieves minimum of 50% direct sunlight to the	Yes.

	Facilities are provided within communal open spaces and common spaces for a range of age groups (see also 4F Common circulation and spaces), incorporating some of the following elements: • seating for individuals or groups • barbecue areas • play equipment or play areas • swimming pools, gyms, tennis courts or common rooms	usable part of the communal open space for a minimum of 2 hours between 9am and 3pm mid-winter. Outdoor seating areas and communal areas are provided on the podium level.	Yes.															
<u>Non-compliance discussion – Communal Open Space</u> The proposal provides less 25% of communal open space on the proposed Level 4 podium level. The communal open space contains deep soil planting areas and is accessible via the lifts. It is noted that the applicant has included areas towards their communal open space calculations which do not meet the definition of communal open space areas such as the communal room and library area on the podium level, and areas on Levels 1, 2 and 3. The areas on Levels 1, 2 and 3 are not easily identifiable and do not have direct and equitable access for all occupants of the development. A condition of consent is recommended to delete the communal room and library on the podium level as well as delete Unit 416 and convert these areas to communal open space areas. This would result in a contiguous communal open space area with increased amenity that has direct and equitable access for all residents.																		
3E Deep soil zones	Deep soil zones are to meet the following minimum requirements: <table><tr><th>Site area</th><th>Minimum dimensions</th><th>Deep soil zone (% of site area)</th></tr><tr><td>Less than 650m²</td><td>-</td><td></td></tr><tr><td>650m² – 1,500m²</td><td>3m</td><td></td></tr><tr><td>Greater than 1,500m²</td><td>6m</td><td>7%</td></tr><tr><td>Greater than 1,500m² with significant existing tree cover</td><td>6m</td><td></td></tr></table> Required: 360.5m²	Site area	Minimum dimensions	Deep soil zone (% of site area)	Less than 650m ²	-		650m ² – 1,500m ²	3m		Greater than 1,500m ²	6m	7%	Greater than 1,500m ² with significant existing tree cover	6m		Proposed: 281m² (5.4% using minimum dimensions) Proposed: 591.22m² (11.4%) not considering minimum 6m dimensions. Deep soil areas are provided at the podium level. While the proposal is non-compliant when considering the minimum dimensions for deep soil, the deep soil area provision is acceptable given that a number of smaller areas are provided on the podium level which are capable of mature tree planting.	NO but acceptable.
Site area	Minimum dimensions	Deep soil zone (% of site area)																
Less than 650m ²	-																	
650m ² – 1,500m ²	3m																	
Greater than 1,500m ²	6m	7%																
Greater than 1,500m ² with significant existing tree cover	6m																	
3F Visual Privacy	Separation between windows and balconies is provided to ensure visual privacy is achieved. Minimum required separation distances from buildings to the side and rear boundaries are as follows: <table><tr><th>Building Height</th><th>Habitable rooms and balconies</th><th>Non-habitable rooms</th></tr><tr><td>up to 12m (4 storeys)</td><td>6m</td><td>3m</td></tr><tr><td>up to 25m (5-8 storeys)</td><td>9m</td><td>4.5m</td></tr></table>	Building Height	Habitable rooms and balconies	Non-habitable rooms	up to 12m (4 storeys)	6m	3m	up to 25m (5-8 storeys)	9m	4.5m	The site contains three street frontages. As such, the northern, southern and eastern boundaries are sufficiently separated from buildings to the north, south and east. <u>Up to 4 Storeys</u> 7.5m (western boundary) <u>5-8 Storeys</u> 7.5m (5th storey, western boundary) 10.2m (western boundary) <u>Over 9 Storeys</u> 10.2m (western boundary)	NO – refer to discussion below.						
Building Height	Habitable rooms and balconies	Non-habitable rooms																
up to 12m (4 storeys)	6m	3m																
up to 25m (5-8 storeys)	9m	4.5m																

	over 25m (9+ storeys)	12m	6m	The adjoining development to the west is 8 storeys in height.	
Non-compliance discussion – Building separation					
It is noted that the building separation for the fifth storey of the development (Level 4 podium) does not meet the minimum building separation requirements under the ADG. A variation can be considered in this instance as there are no windows along the elevation of the adjoining residential flat building. As such, it is considered that no privacy impacts result from the non-compliance.					
3G Pedestrian access and entries	Building entries and pedestrian access connects to and addressed the public domain. Access, entries and pathways are accessible and easy to identify.	Pedestrian entries are located off the three street frontages. Pedestrian access through the site is satisfactory. Entries from Parramatta Road, Good Street and Cowper Street achieve equitable access to all parts of the development.	Yes. Yes.		
3H Vehicle Access	Vehicle access points are designed and located to achieve safety, minimise conflicts between pedestrians and vehicles and create high quality streetscapes.	Vehicular access from Cowper Street is provided. Separate pedestrian access is provided.	Yes.		
3J Bicycle and car parking	For development in the following locations: - on sites that are within 800m of a railway station or light rail stop in the Sydney Metropolitan Area: or - on land zoned, and sites within 400m of land zoned, B3 Commercial Core, B4 Mixed Use or equivalent in a nominated regional centre. The minimum car parking requirement for residents and visitors is set out in the Guide to Traffic Generating Developments, or the car parking requirement prescribed by the relevant council, whichever is less.	A maximum parking rate applicable for this site is contained within the site specific DCP. Based on the rates contained within the DCP, a maximum of 528 car parking, 22 motorcycle parking and 428 bicycle spaces are stipulated. 352 car parking spaces, 427 bicycle spaces and 2 motorcycle spaces are proposed. The proposal does not exceed the maximum rate.	Yes.		
Part 4 - Amenity					
4A Solar and daylight access	Living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 2 hours direct sunlight between 9 am and 3 pm at mid-winter.	71% of units comply – see Principle 4 – sustainability above.	Yes.		
4B Natural ventilation	Min 60% of apartments are naturally cross ventilated in the first nine storeys of the building. Apartments at ten storeys or greater are deemed to be cross ventilated only if any enclosure of the balconies at these levels allows adequate natural ventilation and cannot be fully enclosed. Overall depth of a cross-over or cross-through apartment does not exceed 18m, measured glass line to glass line.	65% of all apartments are cross ventilated. The balconies of the apartments at 10 storeys or greater allow adequate natural ventilation and cannot be enclosed. No cross over or cross through apartments exceed 18m in depth.	Yes. Yes. Yes.		
4C Ceiling heights	Measured from finished floor level to finished ceiling level, minimum ceiling heights are:	3.1m floor to floor with slab thickness no greater than 300mm are provided throughout the development.	Yes.		

	<table><tr><th colspan="2">Minimum Ceiling Height</th></tr><tr><td>Habitable rooms</td><td>2.7m</td></tr><tr><td>Non-habitable</td><td>2.4m</td></tr><tr><td></td><td>2.7m main living area</td></tr><tr><td>For 2 storey apartments</td><td>2.4m second floor where it does not exceed 50% of the apartment area.</td></tr><tr><td>Attic spaces</td><td>1.8m at edge of room with a 30 degree minimum ceiling slope.</td></tr><tr><td>Located in mixed use areas</td><td>3.3m for ground and first floor to promote future flexibility of use.</td></tr></table>	Minimum Ceiling Height		Habitable rooms	2.7m	Non-habitable	2.4m		2.7m main living area	For 2 storey apartments	2.4m second floor where it does not exceed 50% of the apartment area.	Attic spaces	1.8m at edge of room with a 30 degree minimum ceiling slope.	Located in mixed use areas	3.3m for ground and first floor to promote future flexibility of use.			
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Attic spaces	1.8m at edge of room with a 30 degree minimum ceiling slope.																	
Located in mixed use areas	3.3m for ground and first floor to promote future flexibility of use.																	
4D Apartment Size and Layout	Studio 35m ² 1 bedroom 50m ² 2 bedroom 70m ² 3 bedroom 90m ²	Studio N/A 1 bedroom 50m ² (min.) 2 bedroom 70m ² (min.) 3 bedroom 96m ² (min.)	Yes.															
	Every habitable room must have a window in an external wall with a total minimum glass area of not less than 10% of the floor area of the room.	Complies.	Yes.															
	Kitchens should not be located as part of the main circulation space in larger apartments (such as hallway or entry)	Complies.	Yes.															
	Habitable room depths are limited to a maximum of 2.5 x ceiling height. 2.5 x 2.7 = 6.75m	Refer to below as units have open plan layouts.	N/A.															
	In open plan layouts (where the living, dining and kitchen are combined) the maximum habitable room depth is 8m from a window.	Complies.	Yes.															
	Master bedrooms have a minimum area of 10m ² and other bedrooms 9m ² (excluding wardrobe space).	Complies.	Yes.															
	Bedrooms have a minimum dimension of 3m.	Complies.	Yes.															
	Living rooms or combined living/dining rooms have a minimum width of: - 3.6m for studio and 1 bedroom apartments. - 4m for 2 and 3 bedroom apartments.	Complies.	Yes.															
4E – Private open space and balconies	Primary balconies as follows <table><tr><th>Dwelling type</th><th>Minimum Area</th><th>Minimum Depth</th></tr><tr><td>Studio</td><td>4 m²</td><td>-</td></tr><tr><td>1 Bedroom</td><td>8 m²</td><td>2m</td></tr><tr><td>2 Bedroom</td><td>10 m²</td><td>2m</td></tr><tr><td>3 Bedroom</td><td>12 m²</td><td>2.4m</td></tr></table> The minimum balcony depth to be counted as contributing to the balcony area is 1m.	Dwelling type	Minimum Area	Minimum Depth	Studio	4 m ²	-	1 Bedroom	8 m ²	2m	2 Bedroom	10 m ²	2m	3 Bedroom	12 m ²	2.4m	The proposal complies.	Yes.
	Dwelling type	Minimum Area	Minimum Depth															
	Studio	4 m ²	-															
	1 Bedroom	8 m ²	2m															
	2 Bedroom	10 m ²	2m															
	3 Bedroom	12 m ²	2.4m															
	For apartments at ground level or on a podium or similar structure, a private open space is provided instead of a balcony. It	The proposal complies.	Yes.															

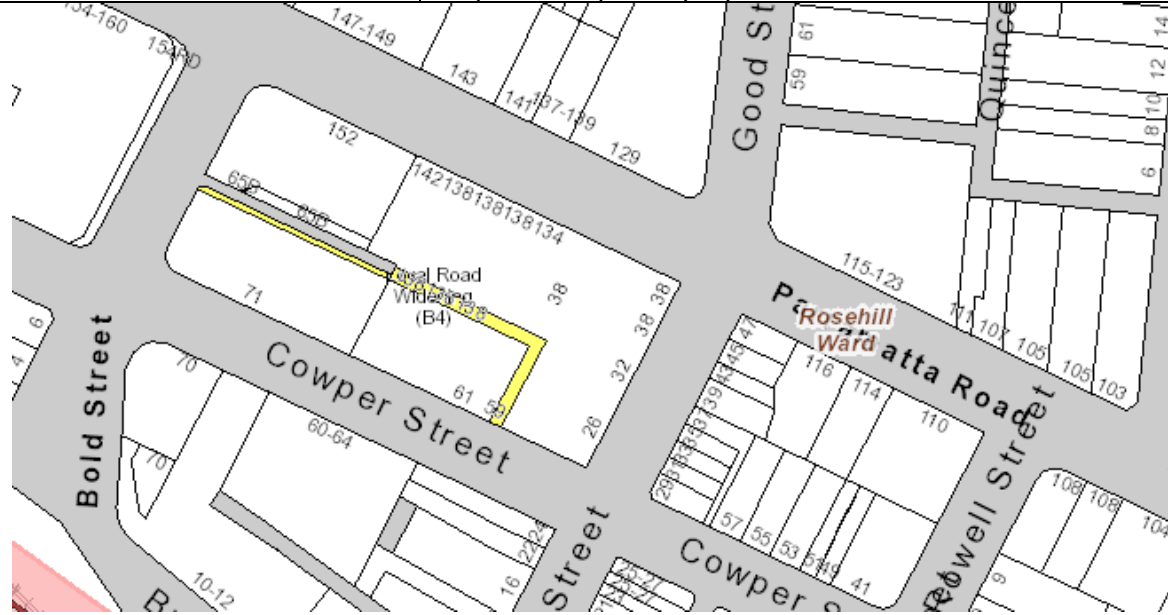
	must have a minimum area of 15 m ² and a minimum depth of 3m.												
4F – Common circulation and spaces	Max. apartments off a circulation core on a single level is eight. 10 storeys and over, max apartments sharing a single lift is 40.	10 units are provided off a lift core within proposed Tower B The building is more than 10 storeys. Four lifts are provided for 373 apartments.	NO. NO – refer to discussion below.										
<u>Non-compliance – Common circulation</u> The proposal does not comply with the common circulation requirements in the ADG. A variation can be supported in this instance as the applicant has submitted a Vertical Transport Report which demonstrates that the lifts proposed will be able to satisfactorily service the number of apartments. It is noted that Council has previously approved variations to this ADG requirement in a number of developments.													
4G - Storage	<table><tr><td>Apartment type</td><td>Storage size volume</td></tr><tr><td>Studio</td><td>4 m²</td></tr><tr><td>1 bedroom</td><td>6 m²</td></tr><tr><td>2 bedroom</td><td>8 m²</td></tr><tr><td>3 bedroom</td><td>10 m²</td></tr></table> At least 50% of the required storage is to be located within the apartment.	Apartment type	Storage size volume	Studio	4 m ²	1 bedroom	6 m ²	2 bedroom	8 m ²	3 bedroom	10 m ²	Adequate storage areas are provided.	Yes.
Apartment type	Storage size volume												
Studio	4 m ²												
1 bedroom	6 m ²												
2 bedroom	8 m ²												
3 bedroom	10 m ²												
4H Acoustic Privacy	Various objectives.	The proposal complies with the various objectives.	Yes.										
4J Noise and Pollution	Various objectives.	The proposal complies with the various objectives. A podium is proposed which will assist in shielding noise to apartments above.	Yes.										
Part 4 - Configuration													
4K Apartment Mix	Various objectives.	The proposal provides: 130 x 1-bed units (35% mix), 217 x 2-bed units (58% mix) and 26 x 3-bed unit (7% mix) which is consistent with the objectives.	Yes.										
4L Ground floor apartments	Various objectives.	No ground floor apartments are proposed.	N/A.										
4M Facades	Various objectives.	The proposal complies with the various objectives.	Yes.										
4N Roof design	Various objectives.	The proposed roof design complies with the various objectives.	Yes.										
4O Landscape design	Various objectives.	The proposal complies with the various objectives.	Yes.										
4P Planting on structures	Various objectives.	Planting is proposed within the and podium level. Minimum soil depths are shown and meet the objectives of this section of the ADG.	Yes.										
4Q Universal design	Various objectives.	The proposal complies and provides at least 20% of apartments incorporating the	N/A.										

		Liveable Housing Guideline's silver level universal design features.	
4R Adaptive reuse	Various objectives.	The proposal complies with the various objectives.	Yes.
4S Mixed Use	Various objectives.	The proposal complies with the various objectives.	Yes.
4T Awnings and signage	Various controls under SEPP 64 apply.	Building signage is shown on the submitted elevation detail drawings however no signage is formally included as part of the scope of works. Awnings are proposed along the Parramatta Road and Good Street frontages.	Yes.
Part 4 - Performance			
4U Energy efficiency	Various objectives.	The proposal complies with the various objectives subject to the recommendations and conditions provided by Council's ESD consultant.	Yes.
4V Water management and conservation	Various objectives.	The proposal meets the objectives.	Yes.
4W Waste Management	Various objectives.	Refer to DCP compliance table further in this report.	No design criteria under SEPP 65.
4X Building Maintenance	Various objectives.	The proposal complies with the various objectives.	Yes.

PARRAMATTA LOCAL ENVIRONMENTAL PLAN 2011

The relevant matters to be considered under Parramatta Local Environmental Plan 2011 for the proposed development are outlined below.

Development Standard	Compliance
Clause 2.3 Zone objectives and land use table	The site is zoned B4 Mixed Use. The proposed development is defined as a mixed use development and is permissible with development consent within the B4 zone. The proposal meets the objectives of the B4 Mixed Use zone as the development: • Provides a mixture of compatible land uses; • Integrates suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling; • Contributes to an active, vibrant and sustainable neighbourhood; • Creates opportunities to improve the public domain and pedestrian links; • Supports the higher order Zone B3 Commercial Core while providing for the daily commercial needs of the locality; and • Protects and enhances the unique qualities and character of special areas within the Parramatta City Centre.

Clause 2.7 Demolition requires development consent	Yes. Consent is sought for the demolition of the existing buildings on the site.
Clause 4.3 Height of Buildings Allowable = 82m Proposed = 80.2m	Yes.
Clause 4.4 Floor Space Ratio <u>Allowable:</u> 6:1 (30,900m ²) <u>Proposed:</u> 6.1:1 (30,885.3m ²)	Yes.
Clause 4.5 Calculation of floor space ratio and site area	The Floor Space Ratio and Site Area has been calculated in accordance with this clause.
Clause 4.6 Exceptions to development standards	N/A.
Clause 5.1A Development on land intended to be acquired for public purposes	Part of the site is identified on the map as reserved for land acquisition (local road widening). It is noted that this mapped area correlates with the land to be dedicated to Council under the Planning Proposal for the site. This land has now been relocated to the Good Street frontage. Council's Land Use team is currently reviewing a variation to the Voluntary Planning Agreement for the site to amend the revised land dedication areas on the site as reflected in the submitted Development Application plans. As such, the proposed development and built form is consistent with the intended land to be acquired for public purposes.
 Figure 4: Land Reservation Acquisition Map (LEP 2011)	
Clause 5.6 Architectural roof features	An architectural roof feature is not proposed.
Clause 5.7 Development below mean high water mark	The proposal is not for the development of land that is covered by tidal waters.
Clause 5.10 Heritage Conservation	Yes. The site contains a local heritage item (157 - The Barn) which fronts Parramatta Road. Due to the scale

	and height of the proposed development it is also considered to be located in the vicinity of the Granville Conservation Area - Civic Precinct and a number of other listed items including: • Shop, 47 Good Street (Item No. 116) • Single Storey Residence, 55 Cowper Street (Item No. 1 01) • Single Storey Residence, 57 Cowper Street (Item No. 1 02) • Granville Hotel, 10 Good Street (Item No. 95) • Former School of Arts, 12 Good Street (Item No. 115) • Burnetts Loan Office, 1 Good Street (Item No. 99) The Granville Conservation Area - Civic Precinct contains several locally listed places and a State registered place Granville Town Hall, 10 Carlton Street (Item No. 01679). This area is located on the southern side of the Granville Town Centre, within Cumberland City Council. Consent is sought for demolition of the heritage item on the site. The heritage item is located on a portion of the site that is marked for acquisition by Transport for NSW for the purposes of future road widening. The site specific DCP applicable to this site, as well as the planning proposal approved on this site, states that the heritage item should be retained through relocation of the physical fabric of the item on another part of the site. The significance of the item is proposed to be reinterpreted through the use of brickwork in the new building, proposed public art and proportions of the building façade at the street level along Parramatta Road. Council's Heritage Advisor and the Design Excellence Jury have reviewed the submitted documentation and raise no objections to the demolition of the heritage item subject to the implementation of the Public Arts Plan submitted.
Aboriginal Places of Heritage significance	Yes. The site is identified as Low Aboriginal Heritage Sensitivity.
Clause 5.11 Bush fire hazard reduction	The site is not identified as bushfire prone land.
Clause 6.1 Acid Sulfate Soils	The site is classified as containing Class 5 Acid Sulfate Soils. The proposed works are not within 500m of adjacent Class 1, 2, 3 or 4 land that is below 5m AHD and is unlikely to lower the watertable below 1m AHD on adjacent Class 1, 2, 3 or 4 land.
Clause 6.2 Earthworks	Council's Development Engineer has reviewed the application and considers that the proposed earthworks are satisfactory.
Clause 6.3 Flood planning	The site is not identified by council as being flood prone.
Clause 6.4 Biodiversity protection	The site is not identified on this map.

Clause 6.5 Water protection	The site is not identified on this map.
Clause 6.6 Development on landslide risk land	The site is not identified on this map.
Clause 6.7 Affected by a Foreshore Building Line	The site is not located in the foreshore area.
Clause 6.12 Design Excellence	Clause 6.12 is applicable to this development as it involves the erection of a new building which will have a height over 55m and has a capital investment value of over \$100 million. The building design is a winner of a competitive design process. An assessment of the relevant matters for consideration under this clause are provided below.
Clause 6.13 Design Excellence generally (1) The objective of this clause is to ensure that development exhibits design excellence that contributes to the natural, cultural, visual and built character values of Parramatta. <u>Comment:</u> The proposed development meets the objectives of this clause. The design was the winning entry of an architectural design competition. While some amendments to the design have been made between the design competition and Development Application stage, the key elements of the building that were commended by the design jury have been retained. The design jury has reviewed the architectural plans subject of this assessment and consider that the building design exhibits design excellence. (2) This clause applies to development involving the erection of a new building or external alterations to an existing building on land identified as “A” on the Design Excellence Map. <u>Comment:</u> Noted. (3) In considering whether development to which this clause applies exhibits design excellence, the consent authority must have regard to the following matters— (a) whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved, <u>Comment:</u> A high standard of architectural design, materials and detailing that are appropriate for the building type and location will be achieved. The design provides for a high level of solar access and cross ventilation to apartments and a high level of solar access to the commercial floor area, which is desirable for a high density development within the Granville Town Centre. The location and design of communal shared spaces foster interaction between building occupants. The materials are of high quality and are practicable for the scale and type of development in terms of construction methods. The materials and finishes used add to the architectural design as blade walls, and aluminium battens screens are used to create articulation of the building facade. Brickwork across the car park levels will be utilised to allow light to penetrate through which are appropriate for the proposed above ground parking levels. (b) whether the form and external appearance of the proposed development will improve the quality and amenity of the public domain, <u>Comment:</u>	

The proposed development has been designed to enhance the public domain. The ground floor provides an activated street frontage along Parramatta Road and Good Street by providing retail uses at the ground level with outdoor seating. The proposed vehicular access is located off Cowper Street so that it is not visible from the active street frontages. The proposed substation is located adjacent to the vehicular access driveway off Cowper Street, away from the Good Street and Parramatta Road frontages. The landscaping provided at the ground level softens the streetscape appearance and provides a transition between the private and public domain. Overall the form and external appearance of the building is attractive and blank walls are minimised.

(c) whether the proposed development detrimentally impacts on view corridors,

Comment: The proposed development is not considered to detrimentally impact on view corridors.

(d) how the proposed development addresses the following matters—

- (i) the suitability of the land for development,
- (ii) the existing and proposed uses and use mix,
- (iii) any heritage and archaeological issues and streetscape constraints or opportunities,
- (iv) the location of any tower proposed, having regard to the need to achieve an acceptable relationship with other towers (existing or proposed) on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form,
- (v) the bulk, massing and modulation of buildings,
- (vi) street frontage heights,
- (vii) environmental impacts, such as sustainable design, overshadowing and solar access, visual and acoustic privacy, noise, wind and reflectivity,
- (viii) the achievement of the principles of ecologically sustainable development,
- (ix) pedestrian, cycle, vehicular and service access and circulation requirements, including the permeability of any pedestrian network,
- (x) the impact on, and any proposed improvements to, the public domain,
- (xi) the impact on any special character area,
- (xii) achieving appropriate interfaces at ground level between the building and
- (xiii) the public domain, excellence and integration of landscape design.

Comment:

The site is zoned B4 Mixed Use and the proposed development is suitable for the site being a mixed use development. The site is not located in a particular special character area. The proposed building envelope and built form is appropriate for a mixed use tower development with podium. The site is located within a precinct undergoing transition with existing mixed use buildings and retail development and benefits from its location close to public transport, recreational facilities and the existing Granville Town Centre, making the site suitable for high density mixed use development.

The site contains a heritage item and is located in the vicinity of a heritage conservation area. As discussed earlier within this table, the proposal includes demolition of the heritage item on the site with the significance of the item reinterpreted through the façade treatment at the lower levels and through the proposed Public Art Plan.

The adjoining 8 storey residential development at 65-69 Cowper Street is built to the western boundary. The proposed development responds appropriately to this adjoining building by providing setback to this building. While some balconies are oriented towards the adjoining development, no resulting privacy impacts are anticipated as these balconies look onto a blank wall that has a painted mural.

The proposed built form utilises a podium structure with a modulated tower form as well as high quality materials, which reduce the appearance of overall building bulk and mass and provide an appropriate building height at the street frontage.

The proposed development takes advantage of the orientation of the site and maximises solar access and privacy. Documentation submitted with the Development Application supports the proposal with regards to the impacts of noise, wind and reflectivity. Ecologically Sustainable Development measures are proposed throughout the development and are satisfactory subject to recommended conditions of consent.

The proposal includes retail tenancies at the ground level which provides an opportunity to create an active street frontage along Parramatta Road and Good Street. Landscaping on this level softens the built form, is well integrated and provides a transition between the public and private domain. This transition is also enhanced by a lack of level changes between the street and the ground floor of the development. The proposed ground floor treatment is an improvement on the existing public domain transition of this site.

9. Draft Environmental planning instruments

Draft Parramatta Local Environmental Plan 2020 was placed on public exhibition on the 31 August 2020, with exhibition closing on the 12 October 2020. The draft LEP will replace the five existing LEPs that apply within the Local Government Area and will be the primary legal planning document for guiding development and land use decisions made by Council.

Whilst the draft LEP must be considered when assessing this application, under cl4.15(1)(a)(ii) of the Environmental Planning & Assessment Act, the LEP is neither imminent or certain and therefore limited weight has been placed on it.

Notwithstanding, the proposed development is consistent with the objectives of the Draft LEP.

10. Development Control Plans

Parramatta Development Control Plan 2011

The relevant matters to be considered under Parramatta Development Control Plan 2011 for the proposed development are outlined below.

Development Control	Compliance
Part 2 – Site Planning	
2.4.1 Views and Vistas	Yes. There are no significant views to or from the site identified within the DCP. The site is in proximity to the Granville Conservation Area – Civic Precinct. The proposal does not overshadow or obstruct views to the Granville Conservation Area – Civic Precinct.
2.4.2 Water Management	
2.4.2.1 Flooding	N/A. The site is not flood prone.
2.4.2.2 Protection of Waterways	Yes. The proposal complies.
2.4.2.3 Protection of Groundwater	Yes. The proposal complies.
2.4.3 Soil Management	
2.4.3.1 Sedimentation	Yes. An Erosion and Sediment Control Plan was submitted with the Development Application and conditions of consent ensuring minimisation of soil erosion are recommended.

2.4.3.2 Acid Sulfate Soils.	Yes. Refer to LEP table.
2.4.3.3 Salinity	Yes. The proposal complies.
2.4.4 Land Contamination	Yes. Refer to body of report.
2.4.5 Air Quality	Yes. The proposal complies. Relevant conditions for air quality are recommended to ensure no adverse air quality impacts are generated from the development during demolition, construction and ongoing use.
2.4.6 Development on Sloping Land	Yes. The proposal complies and the design of the development responds to the site topography.
2.4.7 Biodiversity	Yes. The proposal complies.
2.4.8 Public Domain	Yes. The proposal satisfactorily addresses the public domain.
Part 3 – Development Principles	
3.1 Preliminary Building Envelope	
3.1.1 Height	Yes.
<i>3.1.3 Preliminary Building Envelope Tables</i>	
Minimum Site Frontage Control	Refer to Part 4 of this table.
Front Setback Control	Refer to Part 4 of this table.
Side Setback Control: Assessed on merit	Refer to Part 4 of this table.
Rear Setback Control: Assessed on merit	Refer to Part 4 of this table.
Deep Soil and Landscaped Area: Assessed on merit	Refer to ADG table earlier in report. The level of landscaping proposed is considered satisfactory.
3.2 Building Elements	
3.2.1 Building Form and Massing Buildings are to be of a height that responds to the topography and the shape of the site. The proportion and massing of buildings is to relate favourably to the form, proportions and massing of existing and proposed buildings patterns in the street. Building height and mass should not result in unreasonable loss of amenity to adjacent properties, open space or the public domain. The form and massing of buildings is to provide a transition between adjoining land use zones and building types. For all mixed use developments, potential management arrangements, including ownership/lease patterns are to be considered at the design stage to ensure proper functioning of various components of the building.	Yes. The proposed building height is compliant with the maximum LEP building height permitted and responds to the site topography. Refer to Part 4 of this table for the applicable building form and massing controls. Yes. The proposal complies.
3.2.2 Building Facades and Articulation	Refer to Part 4 of this table for the applicable building façade controls.
3.2.3 Roof Design	Yes. The proposed roof design is compatible with the prevailing roof form in the street.
3.2.4 Energy Efficient Design	Yes. The proposal complies subject to recommended conditions of consent.
3.2.5 Streetscape	Refer to Part 4 of this table for the applicable streetscape and public domain controls.
3.3 Environmental Amenity	
3.3.1 Landscaping	Yes. The proposed landscaping is suitable for the type of development proposed and context of the site within the Granville Town Centre.

3.3.3 Visual Privacy	Yes. The proposal does not result in adverse overlooking impacts to adjoining properties.
3.3.4 Acoustic Privacy	Yes. An acoustic report was submitted with the Development Application. Council's Environmental Health Officer has reviewed the proposal and raises no objections to the proposed acoustic measures recommended within the acoustic report and recommended conditions of consent.
3.3.5 Solar Access and Ventilation	Yes. The proposed development complies with the solar access requirements under the ADG. The proposal results in overshadowing to a number of properties however the submitted shadow diagrams indicate that adjoining properties are able to receive the minimum 3 hours of solar access required under the DCP.
3.3.6 Water Sensitive Urban Design	Yes. The proposed development complies with the DCP controls relating to stormwater management. Refer to referral comments provided by Council's Development Engineer.
3.3.7 Waste Management	Yes. The submitted Waste Management Plan details the types, volumes and methods of waste disposal for the development during the demolition and construction phase. Council's Environmental Health Officer has reviewed the proposal and raises no objections with the proposed waste management measures subject to recommended conditions of consent.
3.5 Heritage	Yes. The site contains a local heritage item (157 - The Barn) which fronts Parramatta Road. Due to the scale and height of the proposed development it is also considered to be located in the vicinity of the Granville Conservation Area - Civic Precinct and a number of other listed items including: • Shop, 47 Good Street (Item No. 116) • Single Storey Residence, 55 Cowper Street (Item No. 1 01) • Single Storey Residence, 57 Cowper Street (Item No. 1 02) • Granville Hotel, 10 Good Street (Item No. 95) • Former School of Arts, 12 Good Street (Item No. 115) • Burnetts Loan Office, 1 Good Street (Item No. 99) The Granville Conservation Area - Civic Precinct contains several locally listed places and a State registered place Granville Town Hall, 10 Carlton Street (Item No. 01679). The proposed development retains and reinforces the traditional planning pattern of the Granville town centre through the provision of active street frontages to Parramatta Road, Good Street and Cowper Street. The materials proposed in the development reference the heritage item on the site. Council's Heritage Advisor has reviewed the submitted documentation and raised no objections to the demolition of the heritage item subject to the implementation of the Public Arts Plan submitted.
3.6 Movement and Circulation	

3.6.2 Parking and Vehicular Access	Yes. Refer to applicable parking rates further in this table.
3.6.3 Movement and Circulation	Yes. Information has been submitted to demonstrate that the proposed movement and circulation within the basement car park meets Australian Standards and the objectives and controls for this section of the DCP (refer to traffic referral comments in this report).
3.7 Residential Subdivision	
3.7.2 Site Consolidation and Development on Isolated Sites Development for the purpose of residential flat buildings, multi dwelling housing in the form of town houses, villas or the like is not to result in the creation of an isolated site that could not be developed in compliance with the relevant planning controls, including the Parramatta LEP 2011 and this DCP.	Yes. The development does not result in an isolated site as the adjoining property has already been built as an 8 storey residential flat building. The subject site is on an isolated site and has been designed to respond to the existing site constraints.
Part 4 – Special Precincts – 4.1.6 – Granville Town Centre	
The site is located within the Granville Town Centre identified within the DCP. Desired Future Character <i>The Granville town centre precinct will continue to be a vibrant place with a variety of activities within and surrounding the centre. This will be achieved through a mix of uses, building heights and densities to support the role and function of Granville. Throughout the precinct new development is to retain and enhance the heritage character of the precinct. Specific characteristics for parts of the town centre are detailed below.</i> Parramatta Road Corridor: <i>Parramatta Road is to accommodate non-residential development including business and office uses, light industries and specialised ‘retail’ developments that require large floor plates. New development is to be set back from the roadway to improve pedestrian amenity.</i> Mixed use development: <i>to be located between the railway line and Cowper Street with increased height limits and floor space ratios permitted on larger sites. The amalgamation of lots will be required to achieve the maximum building heights and floor space ratios prescribed in the Parramatta LEP 2011. Where the required site amalgamation does not occur, reduced building heights and floor space ratios apply (refer to the Parramatta LEP 2011). The prescribed maximum floor space ratios may not be wholly achievable on all sites due to urban design considerations or site configuration. Residential development will be located away from Parramatta Road to minimise adverse amenity impacts. The interface between development along Parramatta Road and residential development to the rear will be carefully designed to ensure that privacy and visual amenity are managed and protected.</i> Comment: The proposal is consistent with the desired future character of the Granville Town Centre, noting that specific design controls are applicable to the site.	
Setbacks	Refer to site specific setbacks applicable for the development further in this table.
<u>Site Frontage</u> Required: minimum 60m for site area greater than 3,500m² Proposed: 88m	Complies.
<u>Land Amalgamation</u> The preferred pattern of land amalgamation is to be side by side to maximise lineal street frontage and to encourage east west built form for good solar access, as shown in Figure 4.1.6.5.	Yes. The proposal includes the amalgamation of a number of allotments consistent with the Planning Proposal on the site.
<u>Landscaping and Deep Soil</u> In the B4 Mixed Use zone between Parramatta Road and railway line, a minimum of 30% of the site is to be a deep	Deep soil for the site has been provided in accordance with the ADG and has been located predominantly on the proposed podium level. While this is inconsistent with this particular DCP control, the proposed landscaping is consistent with the design excellence

soil zone, and not less than 40% of the site is to be landscaped. The required deep soil areas are to be predominantly located at the rear of the site to provide a landscape corridor and visual screening between buildings. Where a front building setback is required as shown in Figure 4.1.6.3 (with the exception of Parramatta Road), the front setback area is to be landscaped. Provision of street trees is required in this area. For development fronting Parramatta Road, the setback area is to form an extension of the footway. Landscape planting including street trees is encouraged.	requirements and site specific design controls for the site. Landscaping is provided at the ground level along the building setbacks and adjoining public domain areas.
<u>Development between Parramatta Road and Railway Line</u> Residential and commercial apartments are to be designed to enable casual surveillance of public spaces. For development greater than 15 metres in height, buildings with large floor plates, must be expressed as separate building elements. For development greater than 15 metres in height the horizontal dimension of any building façade must not exceed 35 metres. For development greater than 15 metres in height the maximum floor plate area of a non-residential buildings is 480m², with a maximum depth of 25 metres. Use light wells and courtyards to improve internal building amenity and cross ventilation. The roof forms of all buildings are to add interest to the skyline.	The proposal complies. The proposal has been designed to provide articulation across its building facades and is considered appropriate. The proposed building does not comply with this control. Refer to site specific controls further in this table. Refer to site specific controls further in this table. The proposal complies. The proposal complies.
4.3.7 Granville Precinct	
4.3.7.1 Land on the Corner of Parramatta Road, Good Street and Cowper Street, Granville – Site Specific DCP	
Desired Future Character The location of the site is consistent with the State Government policies for a renewed Parramatta Road Corridor, and is well located in relation to the Parramatta CBD. The mixed use character of development is to complement the Granville Town Centre and provide a positive design statement, appropriately marking the connection of the town centre main street (Good Street) with Parramatta Road. The proposed mix of land uses includes ground floor retail, commercial offices, residential apartments, public spaces	The proposal is consistent with the desired future character for the site. The key elements of the design are discussed below.

and thoroughfare, and the retention of heritage.

The following key design principles are to be incorporated into the future design:

- Respond to the generally orthogonal east-west north-south street pattern;
- Reinforce the Good Street precinct as the primary local retail destination, a primary pedestrian and vehicular connection across Parramatta Road to the north as well as being a primary pedestrian route to Granville Station;
- Minimise residential noise exposure from Parramatta Road;
- Provide a finer grain pedestrian network; and
- Retain the original extent of the front heritage façade of “The Barn” – 138 Parramatta Road through its deconstruction and reconstruction in line with the 6m setback proposed to Parramatta Road (subject to approval through the Development Application process) to prevent the item’s total loss should road widening be required by RMS as a result of the Granville Precinct Wide Traffic Study.

Future built form is to comprise a podium edge to the three streets with recessed tower forms.

The podium is to comprise 3-4 storeys and is to include the façade retention of the heritage property known as “The Barn” that fronts Parramatta Road after the façade is setback 6m from the Parramatta Road edge to prevent its future loss should the land along Parramatta Road be required for road widening.

Large consolidated sites can result in a loss of grain and character at street level. The street wall, separate from tower forms above, should be designed as the architectural component of the development that defines and imparts fine grain and character to the street.

Principles that should be incorporated in the design of the street wall include:

- Maximising the setback of higher tower forms in order to differentiate the street wall as a separate architectural element, which can be distinct and different in character from the higher tower elements;
- The street wall should be designed to provide a well-modulated pedestrian

experience at street level. A smaller, more detailed scale should be used in its articulation; • The design of the street wall should have regard to the traditional narrow subdivision plan and reflect this in its composition and articulation; and • Ground floor facades should be rich in variation and detail. Many doors and vertical relief in the facades intensify the walking experience, with awnings included and integrated in the design in order to provide adequate pedestrian shelter. A low scale to Good Street is to be provided through the podium, with residential exposure to Parramatta Road being minimized within the podium. A maximum height of 82m (25 storeys), excluding plant and lift overrun, is to be adhered to for the majority of the site. The north to south through site pedestrian link is to be generally open, with the exception of any opening that may pass beneath the tower(s) above. Double sided active retail uses fronting Good Street and the pedestrian through site link are required. Development is to comply with the objectives and controls set out below and any other relevant objectives and controls of this DCP. The proposed reference design concept for the site is shown in Figure 4.3.7.1.2. As seen in the legend of the Figures, the hatched land along Parramatta Road represents the location of the Heritage Item which subject to Development Application approval is proposed to be relocated in line with the 6m setback to Parramatta Road to prevent its future removal should the land be required for road widening in the future as a result of the Granville Precinct Wide Traffic Study.	
Objectives O.1 To provide a mix of uses that support the role of the Granville Town Centre. O.2 To revitalize the northern end of Granville Town Centre. O.3 To encourage high quality built form outcomes and achieve design excellence. O.4 To create an attractive and safe urban street environment for pedestrian and retail, community activities in the surrounding streets. O.5 To 'future proof' the subject site by ensuring land is retained through setbacks for	The proposal is consistent with this objective. Residential and retail uses are proposed. The proposal is consistent with this objective. The proposal is consistent with this objective. The proposal is consistent with this objective. The proposal is consistent with this objective.

road widening along Parramatta Road and Good Street should it be required in the future, and have flexible controls to allow the land within the setbacks to either form part of the public domain or part of the road infrastructure. O.6 To activate the block edges to Parramatta Road, Good Street and Cowper Street. O.7 To complete the laneway connection between Bold Street and Cowper Street. O.8 To minimize adverse impacts on the amenity of adjoining uses and that the built form be sympathetic to the Heritage Item. O.9 To restore and conserve the front façade and associated portions of lateral walls of the Heritage Item “The Barn” through its deconstruction and reconstruction in line with the 6m setback proposed to Parramatta Road (subject to approval through the Development Application process) to prevent the item’s total loss should road widening be required by RMS as a result of the Granville Precinct Wide Traffic Study. O.10 To provide the opportunity for the widening of the Parramatta Road corridor and permit deep soil planting between the site and Parramatta Road should the land form part of the public domain and not be required for road widening, which will be confirmed after the completion of the Granville Precinct Wide Traffic Study. O.11 To provide a through site pedestrian link between Parramatta Road and Cowper Street. O.12 Up to 4,000sqm of non-residential uses to be incorporated into the proposal.	The proposal is consistent with this objective. The proposal is inconsistent with this objective. Notwithstanding the relocation of the laneway identified within the DCP to the edge of Good Street provides a more desirable outcome in terms of pedestrian amenity. The amenity of adjoining uses is maintained. Refer to the heritage discussion earlier in this table. The proposal is consistent with this objective. The proposal is inconsistent with this objective. Notwithstanding the relocation of the laneway identified within the DCP to the edge of Good Street provides a more desirable outcome in terms of pedestrian amenity. The proposal is consistent with this objective.
Built Form and Massing	
<i>Maximum building heights</i> Maximum height of 82m (25 storeys) for the majority of the site. A maximum building height of 17m (4 storeys) fronting Good Street. The maximum number of storeys is indicated in Figure 4.3.7.1.3.	The proposal complies. Yes. A four storey podium fronts Good Street. The proposal provides a four storey podium level with a tower (maximum 25 storeys in total) on the site. The building heights and number of storeys were considered during the Design Excellence Competition

Note: A range in the number of storeys is shown in Figure 4.3.7.1.3 for the eastern component of the tower. This is to provide an option for distributing the gross floor area permitted under the Parramatta LEP 2011. The height of this part of the building is to be explored as part of the Design Excellence competition process, but consideration should be given to maintaining the difference in height between the towers.	process and the proposal subject of this Development Application is consistent with the winning design competition entry submitted by the architects.
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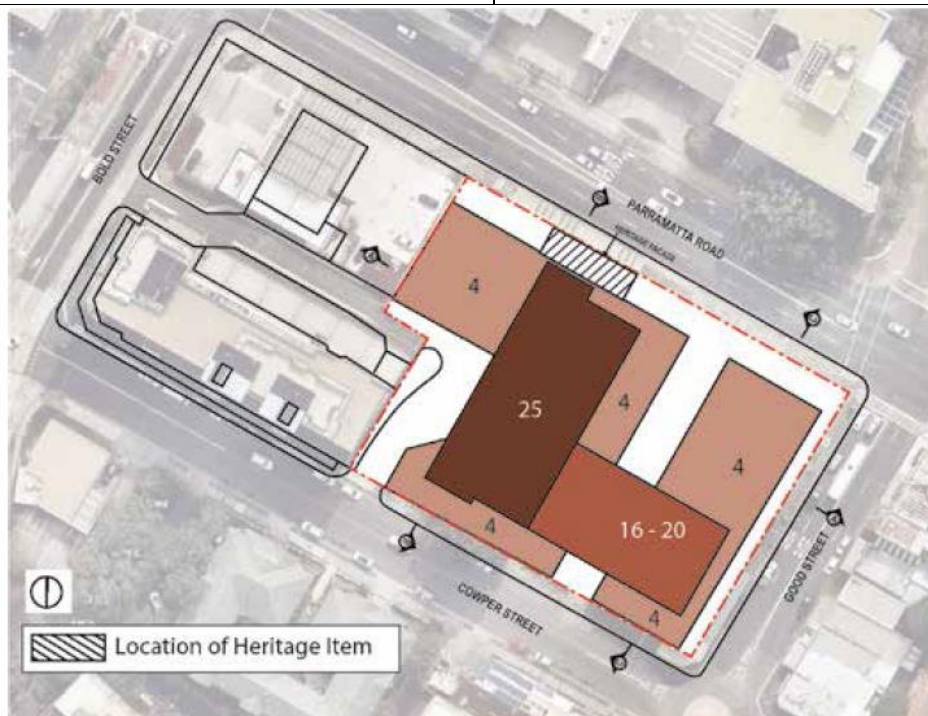


Figure 5: DCP Building Storeys Height Map

Shared frontage heights

4 storey podium fronting Good Street.

Yes. A four story podium fronts Good Street.

Retention of “The Barn” façade and exposed portions of side walls, and their incorporation into a podium building fronting Parramatta Road.

The feasibility of retention of the heritage item has been discussed earlier within this table. The demolition of the heritage item is supported.

Building setbacks

The setbacks and separations at street level are shown in Figure 4.3.7.1.4.

The proposal is consistent with these setbacks.

The setbacks are to ‘future proof’ the land for road widening along Good Street and Parramatta Road should additional road infrastructure be required by the RMS. This is to be determined as part of a precinct wide traffic study in Granville to accommodate for the anticipated growth proposed under the Parramatta Road Urban Transformation Strategy;

The proposal complies.

As shown in Figure 4.3.7.1.4, a 2.8m setback to Good Street and a 6m setback to Parramatta Road (inclusive of the land that includes “The Barn” Heritage Item which may

The proposal complies. The heritage item is proposed for demolition which is supported.

be relocated in line with the 6m setback subject to Council consent) are to be retained and dedicated for Council to 'future proof' the subject site should it be required for road widening. The land will form part of the public domain until it is confirmed that it is needed for road infrastructure. The Heritage Item façade is proposed to form part of the future building design, and subject to approval will be setback 6m from Parramatta Road to ensure its retention if the land is required for road widening in the future.

The setbacks to the tower above the podium are shown in Figure 4.3.7.1.5.

The Development Application and the Design Excellence processes will explore the most appropriate methodology to relocate the heritage façade in line with the proposed 6m setback to Parramatta Road. Council's Heritage Advisor will be involved in these processes to ensure the façade is deconstructed and reconstructed in the most appropriate way in order to retain the integrity of the item as part of the future design of the overall building.

The tower setbacks were considered during the Design Excellence Competition process and the proposal subject of this Development Application is consistent with the winning design competition entry submitted by the architects.

The heritage item is proposed to be demolished as retention and relocation is not feasible. This is supported by Council's Heritage Advisor.

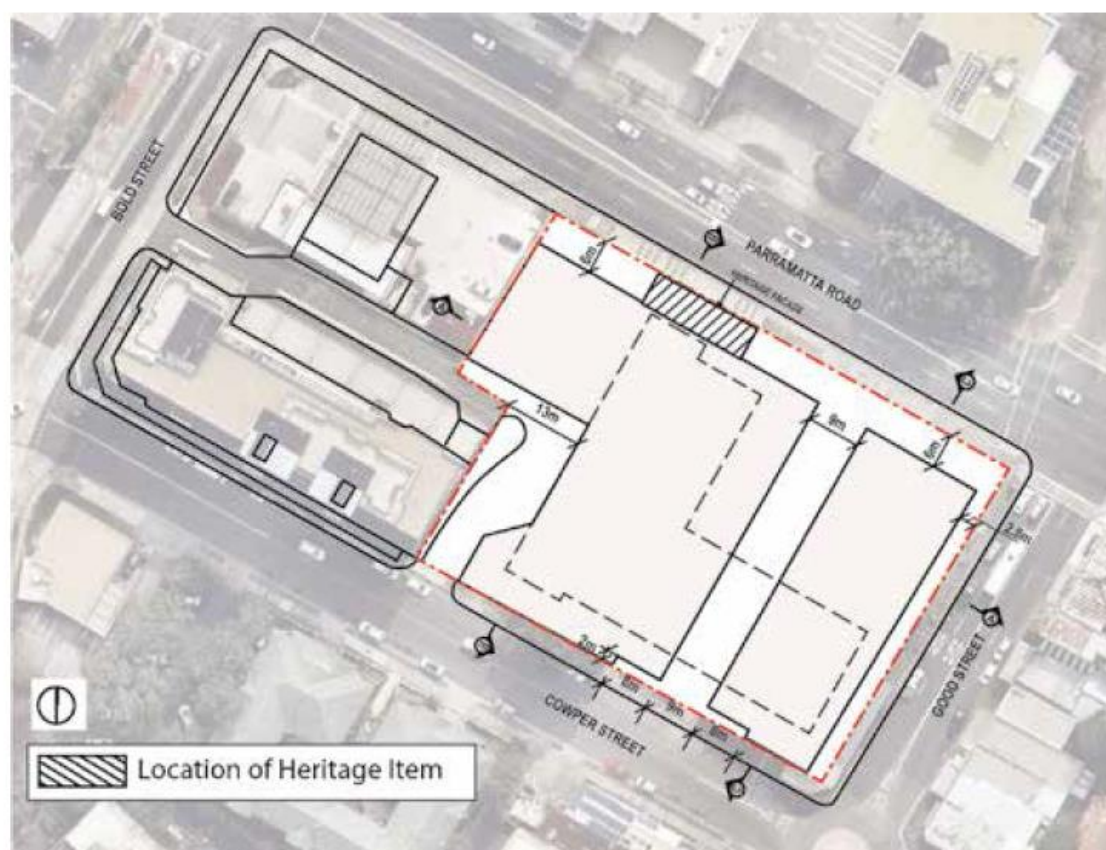


Figure 6: DCP Building Separation Map
Building envelopes and massing

Figure 4.3.7.1.11, 4.3.7.1.12 and 4.3.7.1.13 at the end of this Part comprise three sections that provide form and massing guidance for tower location. The Design Excellence process will also explore variations to the massing and building envelopes to accommodate the gross floor area permitted under the Parramatta LEP 2011 if it is considered to deliver a better built form outcome than proposed under this Site Specific DCP.	The building envelopes and massing were considered during the Design Excellence Competition process and the proposal subject of this Development Application is consistent with the winning design competition entry submitted by the architects. The proposal complies with the maximum Gross Floor Area permitted on the site. It is considered that while the proposal is inconsistent with this DCP control, the winning design of the Design Excellence Competition is more desirable and achieves a better overall outcome.
Public Domain and Landscaping	
The north-south pedestrian laneway is to have dimensions and location generally in accordance with Figures 4.3.7.1.4 & 4.3.7.1.6. Where the laneway passes below any tower a three to four storey opening for the pedestrian laneway is to be achieved. The pedestrian laneway is to be activated at ground level generally in accordance with Figure 4.3.7.1.7. Street frontage awnings are to be provided along active frontages to provide shade and shelter in accordance with Figure 4.3.7.1.8. The extent of the basement is to be generally in accordance with Figure 4.3.7.1.9. Landscaping plan is to be prepared by a suitably qualified landscape architect with heritage experience to ensure that the historic significance and views of the "The Barn" Heritage Item are retained. Reconstruct and upgrade the footpath pavement and provide comfortable and high quality street furniture, street lighting as specified by Council during the development. Awnings are to provide comfort and weather protection to the pedestrian, but not to create conflicts with street tree planting that might be required in the location. Provide a continuous landscape strip along the building frontage on Parramatta Road, which allows large canopy trees and combination shrub and groundcover plantings. If confirmed by RMS that the land within the 6m setback along Parramatta Road is needed for road widening as a result of a Precinct Wide Traffic Study in Granville, then this area will be landscaped in the interim until the land is used for road widening.	The pedestrian laneway was considered during the Design Excellence Competition process and the proposal subject of this Development Application is consistent with the winning design competition entry submitted by the architects. While the proposal is inconsistent with this DCP control, the relocation of the laneway to land adjacent to Good Street is a more desirable outcome that provides greater amenity to pedestrians and achieves greater activation at the street level. Street frontage awnings have been provided. The proposal complies. Refer to discussion earlier in the report regarding retention of the heritage item. The proposal is able to comply. The proposal complies. The proposal complies.
Traffic and Transport	
All vehicle access is to be form the laneway that connects Bold and Cowper Streets.	Vehicular access is proposed off Cowper Street and is considered acceptable.

Vehicular access and servicing is to be generally in accordance with Figure 4.3.7.1.10. High quality design and materials are to be used for the security shutters into the car park and loading areas. Services, service access points, and garbage collection points are not to be located on Parramatta Road, Good Street or Cowper Street, and are to be located off the laneway, consistent with Figure 4.3.7.1.10. A small splay (corner cut-off setback with the size yet to be designed as part of the DA process) is required on the corner of Good Street and Parramatta Road to ensure large vehicle movements should an additional left turning lane from Good Street into Parramatta Road be required. A detailed traffic model and assessment and an active transport (pedestrian and cyclist) management plan must be provided with a Development Application. Car parking and bicycle parking is to be provided to the rates set out below: Section 4.3.7.1 – Table 4.3.7.1.1: <u>Residential</u> Maximum 0.9 spaces per one-bedroom unit = 0.9×130 one-bedroom units = 117 Maximum 1.2 spaces per two-bedroom unit = 1.2×217 two-bedroom units = 260.4 Maximum 1.5 spaces per three-bedroom unit = 1.5×26 three-bedroom units = 39 Total residential spaces = Maximum 416.4 (417) Visitor: Maximum 0.2 spaces per dwelling = 0.2×373 units = 74.6 (75) <u>Retail</u> Maximum of 1 space per 50m² of GFA = $1 \times (1,035\text{m}^2 \text{ retail area} \div 50) = 20.7$ (21) Total = Maximum 513 spaces	The proposal complies. The proposal complies. A garbage collection area is located within the site. The proposal is able to comply. A traffic assessment report was submitted with the Development Application. A Green Travel Plan has been recommended as a condition of consent by Council's Traffic and Transport Engineer. The proposal complies. 352 car parking spaces are proposed.
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11. Planning Agreements

The proposal is subject of a planning agreement. It is noted that a voluntary planning agreement was entered into by the developer during the Planning Proposal stage however the terms of the planning agreement state that the agreement does not exclude application of contributions under Section 94 and Section 94A (now Sections 7.11 and 7.12) of the Environmental Planning and Assessment Act 1979 to the development.

The Voluntary Planning Agreement was entered into with the following terms:

- Dedication of 1,177m² of land as public land;
- Payment of a monetary contribution of \$400,000 plus additional \$5,000 contribution for each unit above 350 units;
- Dedication of 3 x two bedroom units to Council for the purposes of affordable housing; and
- Creation of public easements.

A variation to the Voluntary Planning Agreement has been sought and is currently under review by Council. The variation is in relation to the area and location of the dedication of land as public land.

12. The Regulations

Conditions have been recommended to ensure the following provisions of the Regulation will be satisfied:

- Clause 98 - Building works are to satisfy the Building Code of Australia.

14. The likely impacts of the development

Context and setting

The Land and Environment Court planning principle on “compatibility with context” as established in *Project Venture Developments v Pittwater Council* provides the following test to determine whether a proposal is compatible with its context:

Are the proposal’s physical impacts on surrounding development acceptable? The physical impacts include constraints on the development potential of surrounding sites?

Response

This proposal will not result in unacceptable adverse physical impacts as:

- The design and location of the building will not preclude surrounding land from being developed in accordance with planning controls;
- The proposal will not generate noise or diminish views that would be detrimental to adjacent and surrounding sites; and
- The significance of the heritage item on the site has been interpreted and considered into the new proposed design.

Is the proposal’s appearance in harmony with the buildings around it and the character of the street?

Response

This proposal will have a satisfactory relationship with its context for the following reasons:

- The scale, form and presentation of the building is consistent with planning controls, and the design and site planning is acceptable as independently assessed by Council’s Design Excellence Jury; and
- The built form does not result in any significant adverse impacts for adjacent sites.

15. Site suitability

Subject to the conditions provided within the recommendation to this report the site is suitable for this development given:

- It is an appropriate “fit” for the locality given the preceding analysis which demonstrates a lack of adverse built form and operational impacts; and
- The site attributes are conducive noting natural constraints/hazards; ecological and heritage impacts are able to be properly managed.

16. Submissions

The application was notified and advertised in accordance with Appendix 5 of DCP 2011 for a 21 day period between 27 November and 18 December 2019. During this time, 25 individual unique submissions were received. The issues raised within those submissions are addressed below. Issues have been grouped to avoid repetition.

Issue	Response
An extension of three months to the notification period should be granted as the advertising period is too close to the Christmas period.	It is noted that the advertising period for this application was 21 days (27 November until 18 December 2019) which concluded prior to Council’s Christmas exclusion period and is the standard timeframe for advertising for the proposed development being a mixed use development in accordance with Council’s Notification procedures outlined in the City of Parramatta Development Control Plan 2011. The advertising timeframe falls outside of the exclusion period and has therefore was not extended over Christmas and early January. As such, an extension of three months to lodge a submission was not granted. Notwithstanding, Council is able to accept and consider submissions until the assessment is nearing finalisation. It is noted that no submissions were received following the notification period.
Building height and bulk incompatibility with surroundings.	The proposal is consistent with the building height and FSR envisioned for this site through the approved Planning Proposal for the subject site and subsequent achievement of design excellence.
Obstruction of views to Sydney CBD from adjoining residential flat building at 65-71 Cowper Street.	The site is identified as being located within a significant view corridor identified with the Parramatta Development Control Plan 2011. In the Land and Environment court case <i>Tenacity Consulting v Warringah [2004] NSWLEC 140</i>, Senior Commissioner Dr John Roseth outlined the planning principles by which potential view sharing will be assessed. He defined a four-step process assessing the view from a qualitative, quantitative and merit based perspective. 1. <i>The first step is the assessment of views to be affected. Water views are valued more highly than land views. Iconic views are valued more highly</i>

than views without icons. Whole views are valued more highly than partial views.

The view loss claimed by the objector has been stated as a view of the Sydney city skyline. It is unclear as to whether this is a whole view however it is noted that the building at No. 65-71 Cowper Street, Granville has a north/south orientation and any potential views to the Sydney CBD to the east would be from the northern elevation of this building, and would also be an oblique view by virtue of the location of the building on the block and orientation.

- 2. The second step is to consider from what part of the property the views are obtained. Protection of views across side boundaries is more difficult than protection of views from the front and rear boundary. In addition, the position from which the view is obtained is also taken into account. Protection of sitting views are more difficult to protect than standing views. The expectation to retain side views and sitting views is often unrealistic.*

The objector claims view loss from the balcony. It is unclear if this balcony is a primary private open space area in this apartment. Reiterating the above point, the view would be an oblique view by virtue of the adjoining building orientation.

- 3. The third step is to assess the extent of the impact. The impact on views from living areas is more significant than from bedrooms or service areas (though views from the kitchen are highly valued). It is more useful to assess the view loss qualitatively than quantitatively as negligible, minor, moderate, severe or devastating.*

As mentioned above, the view would be an oblique view. The view loss is minor and the expectation to retain such views is unrealistic in the circumstances of the case. Hence, the claim of significant view loss from the objector is not supported.

The fourth step is to assess the reasonableness of the proposal that is causing the impact. A development that complies with all planning controls would be considered more reasonable than one that breaches them. With a complying proposal, the question should be asked whether a more skilful design could provide the applicant with the same development potential and amenity and reduce the impact on the views of neighbours. If the answer to that question is no, then the view impact of a complying development would probably be considered acceptable and the view sharing reasonable.

The development proposal is consistent with the building height and footprint anticipated under the Planning Proposal for the subject site. A modification to

	the design of the proposed development will not provide the applicant with the same development potential and amenity and reduce the impact on the views of the neighbours. Hence, the view impact from the complying proposed development is considered acceptable and the view sharing is reasonable.
Traffic congestion and parking.	The proposal complies with the maximum LEP 2011 parking rates applicable for the site. A traffic study was submitted with the Development Application and Council's Traffic and Transport Engineer has undertaken their own assessment of the proposal, concluding that the development will result in acceptable traffic impacts.
Structural impacts to adjoining properties	The proposal includes one level of basement excavation. Conditions of consent are included requiring the submission of a Geotechnical Report, submission of a dilapidation report, and conditions relating shoring and adequacy of adjoining properties to ensure that the proposed basement excavation does not impact upon adjoining properties.
Dust control	Relevant conditions for air quality and dust control are recommended to ensure no adverse air quality impacts are generated from the development during demolition, construction and ongoing use.
Privacy impacts to adjoining properties	Privacy impacts are discussed within the ADG and DCP compliance table earlier in this report.
Noise pollution	An acoustic report was submitted with this Development Application concluding that acoustic impacts from the development would be at acceptable levels. Council's Environmental Health Officer (Acoustic) has reviewed the application and raised no objections to the proposal subject to recommended conditions of consent relating to acoustic management.
Overshadowing on adjoining properties	The submitted shadow diagrams indicate that adjoining properties will be able to achieve minimum solar access requirements under the Parramatta Development Control Plan 2011.
Increased crime	There is no evidence to suggest that the proposed development will result in increased crime. Council's Crime Prevention Officer has reviewed the proposal and has advised that appropriate crime prevention through environmental design measures have been provided for the development.
The locality does not have enough parks or retail amenities for residents	The proposed development includes a number of retail and commercial tenancies and provides communal open space for the use of future occupants of the development.
Obstruction of breezes to adjoining properties	The proposed development provides sufficient setbacks and adjoining buildings are still able to receive southerly and westerly winds.
Demolition of heritage item	The proposed impacts of the heritage item on the site is discussed earlier within this report.
Development is non-compliant with B4 zone	The proposed development is permissible within the B4 zone and is considered to be consistent with the relevant objectives for this zone.

There are already too many high rise developments in the area.

The proposed development is permissible with development consent within this zone. There are no requirements restricting the number of high rise developments in the area as long as the proposed uses are permissible types of development.

Amended Plans Yes.

Summary of amendments

Amended architectural plans were submitted with the following changes:

- Clarification on Gross Floor Area calculations;
- Clarification on parking provisions;
- Clarification on Communal Open Space;
- Amendments to the bedrooms to comply with ADG requirements;
- Increased private open space areas on the podium level;
- Extension of blade walls to provide privacy and addition of privacy screens;
- Additional pavement details;
- Details of proposed road widening shown on plans;
- Provision of awning details;
- Amendments to the building design to incorporate design jury comments; and
- Removal of the proposed LPG tank.

Other amended documentation submitted includes:

- Revised wind report;
- Revised BASIX and NatHERS certificates;
- Revised Landscape Plans;
- Revised Public Domain Plans;
- Amended Traffic Report;
- Amended Acoustic Report;
- Stage 2 Site Investigation Report; and
- Vertical Transport Report.

In accordance with Clause 5.5.9 of Council's notification procedures entitled "*Notifications of Amended Development Applications Where The Development Is Substantially Unchanged*" the application did not require re-notification as the amended application is considered to be substantially the same development and does not result in a greater environmental impact.

CONCILIATION CONFERENCE

On 11 December 2017, Council resolved that:

"If more than 7 unique submissions are received over the whole LGA in the form of an objection relating to a development application during a formal notification period, Council will host a conciliation conference at Council offices."

Conciliation Conference – Required and Not Held

The application received more than 10 unique submissions during the formal notification period and as a result a Conciliation Conference was required to be held.

Council's Crisis Management Team suspended all Conciliation Meetings from 25 March 2020, for the foreseeable future, due to COVID19 and maintaining social distancing requirements. Therefore, a conciliation meeting in accordance with Council's resolution was not required to be held for this application.

17. Public interest

Subject to resolution of the issues of concern as addressed by the recommendation of this report, no circumstances have been identified to indicate this proposal would be contrary to the public interest.

18. Parramatta S94A Contributions Plan (Outside CBD) (Amendment No. 5)

As the cost of works for the development exceeds \$250,000 a Section 7.12 development contribution of 1.0% is required to be paid. The cost of works estimate submitted with the application (dated 5 November 2019) did not detail any exemptions however supplementary letter from the applicant's Quantity detailing a credit of \$1,273,870.00 for the provision of affordable units to be dedicated to Council has been identified as an exemption. Accordingly, the Section 7.12 contributions will be calculated on the value of \$141,223,130.000 (as per Clause 25J of the EP&A Regulation 2000).

A relevant condition of consent pertaining to the payment of Section 7.12 contributions prior to the issue of a Construction Certificate is included within draft conditions of consent.

Summary and conclusion

After consideration of the development against Section 4.15 of the Environmental Planning and Assessment Act 1979, and the relevant statutory and policy provisions, the proposal is suitable for the site and is in the public interest. The proposal is recommended for approval subject to conditions for the following reasons:

1. The development is permissible in the B4 zone and satisfies the requirements of all the applicable planning controls.
2. The development will be compatible with the emerging and planned future character of the area.
3. For the reasons above, approval of the application is in the public interest.

Recommendation

a) That the Sydney Central City Planning Panel as the consent authority grant consent to Development Application No. DA/655/2019 for Demolition of existing structures including demolition of a local heritage item; site consolidation; and construction of a 25-storey mixed use building over one basement level for 373 residential apartments, 352 car parking spaces, landscaping and ancillary public domain works, at 134-142 Parramatta Road, 26-38 Good Street, 59-61 Cowper Street, Granville NSW 2142 for a period of five (5) years for physical commencement to occur from the date on the Notice of Determination subject to the conditions in Attachment 1. The reasons for the conditions imposed on this application are as follows:

- i. To facilitate the orderly implementation of the objectives of the Environmental Planning and Assessment Act 1979 and the aims and objectives of the relevant Council Planning Instruments.
- ii. To ensure that local amenity is maintained and is not adversely affected and that adequate safeguards are incorporated into the development.
- iii. To ensure that the development does not hinder the proper and orderly development of the subject land and its surrounds.
- iv. To ensure that the relevant matters for consideration under Section 4.15 of the Environmental Planning and Assessment Act 1979 are maintained.

b) That submitters are advised of the decision.