

NOTICE OF COUNCIL MEETING

PUBLIC AGENDA

An Ordinary Meeting of City of Parramatta Council will be held in PHIVE (COUNCIL CHAMBER) COUNCIL CHAMBER AT 5 PARRAMATTA SQUARE, PARRAMATTA on Monday, 8 April 2024 at 6.30PM.

Gail Connolly PSM
CHIEF EXECUTIVE OFFICER

EMERGENCY EVACUATION DIAGRAM

Level 4 East

2 Civic Place, Parramatta NSW 2150

Evacuation Procedures

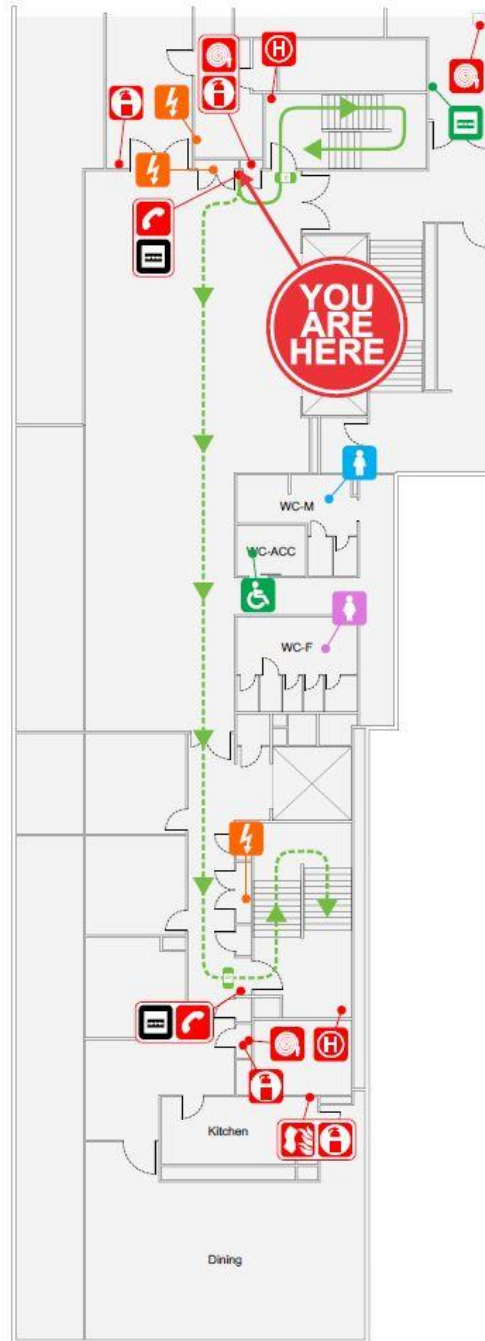
IN CASE OF FIRE

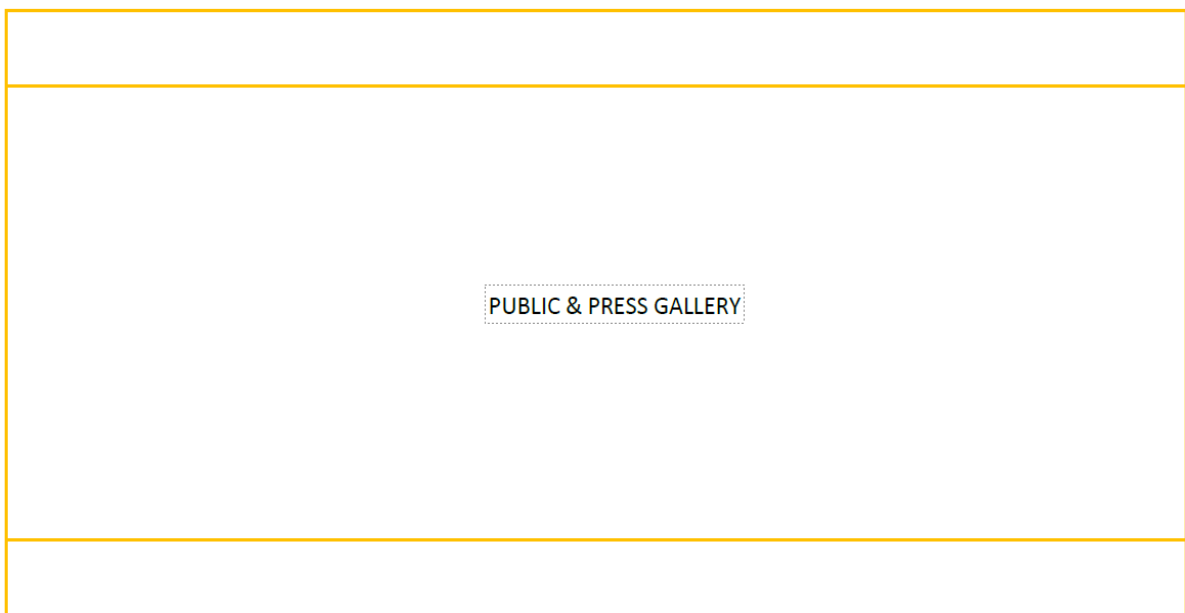
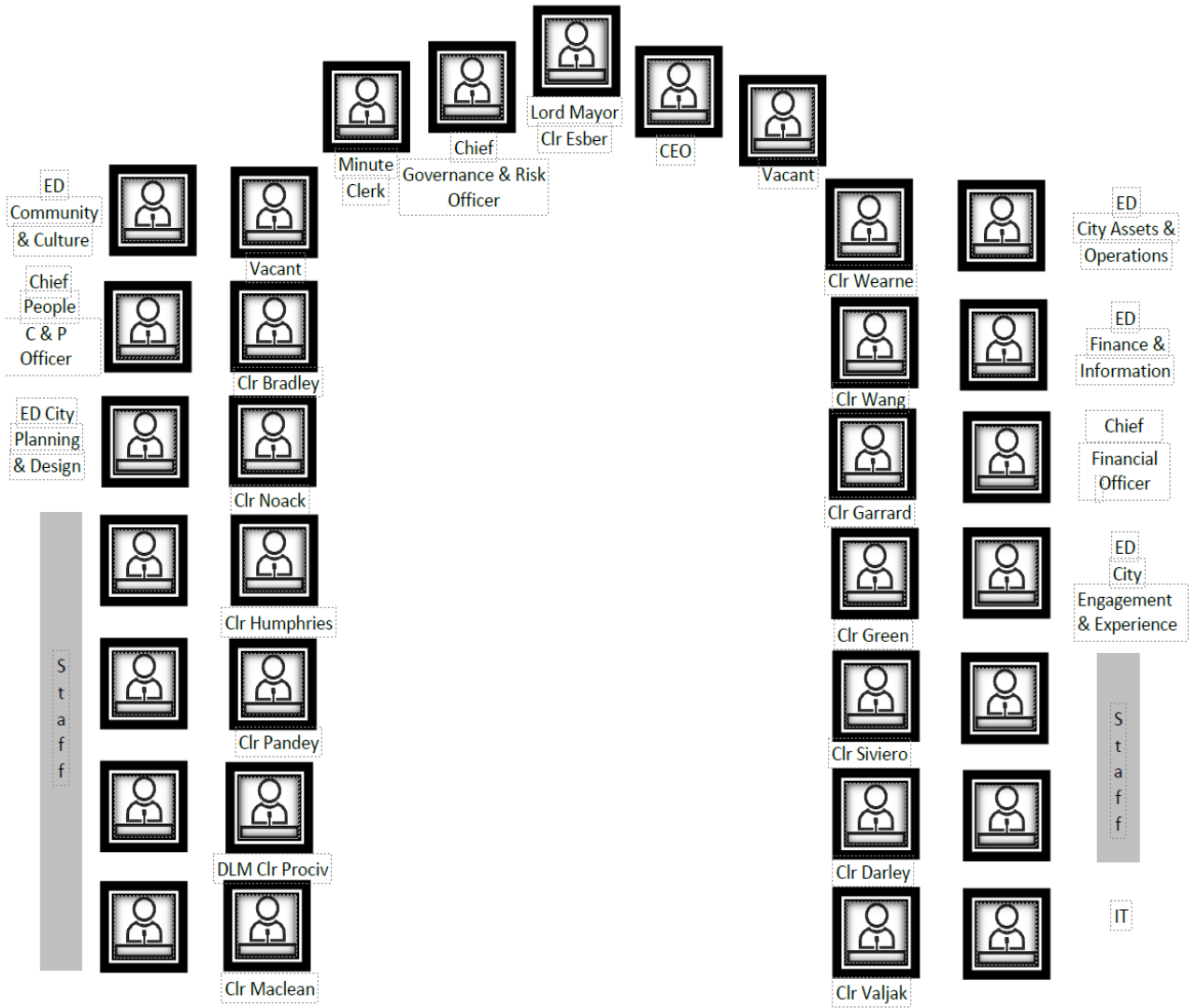
- (R)** REMOVE people from immediate danger
- (A)** ALERT people nearby and raise an alarm (Dial 000)
- (C)** CONFINE fire and smoke (Close doors behind you if safe to do so)
- (E)** EVACUATE via the nearest emergency exit

Legend

Site Plan

Parramatta PHIVE





STATEMENT OF ETHICAL OBLIGATIONS:

In accordance with clause 3.23 of the Model Code of Meeting Practice, Council is obligated to remind Councillors of the oath or affirmation of office made under section 233A of the Local Government Act 1993, and of their obligations under Council's Code of Conduct to disclose and appropriately manage conflicts of interest – the ethical obligations of which are outlined below:

Obligations	
Oath [Affirmation] of Office by Councillors	I swear [solemnly and sincerely declare and affirm] that I will undertake the duties of the office of Councillor in the best interests of the people of the City of Parramatta Council and the City of Parramatta Council that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgement.
Code of Conduct Conflict of Interests	
Pecuniary Interests	<p>A Councillor who has a pecuniary interest in any matter with which the Council is concerned, and who is present at a meeting of the Council at which the matter is being considered, must disclose the nature of the interest to the meeting.</p> <p>The Councillor must not be present at, or in sight of, the meeting:</p> <ol style="list-style-type: none"> At any time during which the matter is being considered or discussed, or At any time during which the Council is voting on any question in relation to the matter.
Non-Pecuniary Conflict of Interests	A Councillor who has a non-pecuniary conflict of interest in a matter, must disclose the relevant private interest in relation to the matter fully and on each occasion on which the non-pecuniary conflict of interest arises in relation to the matter.
Significant Non-Pecuniary Conflict of Interests	A Councillor who has a significant non-pecuniary conflict of interest in relation to a matter under consideration at a Council meeting, must manage the conflict of interest as if they had a pecuniary interest in the matter.
Non-Significant Non-Pecuniary Interests	A Councillor who determines that they have a non-pecuniary conflict of interest in a matter that is not significant and does not require further action, when disclosing the interest must also explain why conflict of interest is not significant and does not require further action in the circumstances.

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*This report is confidential in accordance with section 10A (2) (d) of
the Local Government Act 1993 as the report contains commercial
information of a confidential nature that would, if disclosed (i)
prejudice the commercial position of the person who supplied it; or
(ii) confer a commercial advantage on a competitor of the Council; or
(iii) reveal a trade secret.*

17 PUBLIC ANNOUNCEMENT

18 CONCLUSION OF MEETING



**CITY OF
PARRAMATTA**

MINUTES

**Ordinary Council Meeting
Monday, 25 March 2024
6.30pm**

**Council Chamber
Level 4, PHIVE
Parramatta Square, Parramatta**

PRESENT - COUNCILLORS

The Lord Mayor, Councillor Pierre Esber and Councillors Phil Bradley, Michelle Garrard, Henry Green, Ange Humphries (online), Cameron MacLean, Paul Noack, Sameer Pandey, Deputy Lord Mayor, Dr Patricia Prociv, Dan Siviero, Georgina Valjak, Donna Wang and Lorraine Wearne.

PRESENT – STAFF

Chief Executive Officer - Gail Connolly, Executive Director City Engagement and Experience - Angela Jones-Blayney, Executive Director Finance and Information - John Angilley, Acting Executive Director City Planning and Design – Rob Cologna, Executive Director Community and Culture - Jonathan Greig, Acting Executive Director City Assets & Operations - James Smallson, Chief Technology Officer - John Crawford, Chief Governance & Risk Officer - Roxanne Thornton, Chief Financial Officer - Amit Sharma, Chief of Staff - Justin Mulder, Traffic and Transport Manager – Richard Searle, ICT Service and Delivery Manager – Mark Vargas, Council Secretariat and Policy Officer - Marina Cavar and ICT Service Desk Team Leader - Alex Piccone.

1. OPENING MEETING

The Lord Mayor, Councillor Pandey, opened the meeting at 6.32pm.

2. ACKNOWLEDGEMENT TO TRADITIONAL OWNERS OF LAND

The Lord Mayor acknowledged the Burramattagal people of The Darug Nation as the traditional owners of this land, and paid respect to their ancient culture and to their elders past, present and emerging.

3. WEBCASTING ANNOUNCEMENT

The Lord Mayor advised that this public meeting is being recorded and streamed live on the internet. The recording will also be archived and made available on Council's website.

The Lord Mayor further advised that all care will be taken to maintain privacy, however as a visitor in the public gallery, the public should be aware that their presence may be recorded.

4. GENERAL RECORDING OF MEETING ANNOUNCEMENT

As per Council's Code of Meeting Practice, the recording of the Council Meeting by the public using any device, audio or video, is only permitted with Council permission. Recording a Council Meeting without permission may result in the individual being expelled from the Meeting.

5. APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE OR ATTENDANCE BY AUDIO-VISUAL LINK BY COUNCILLORS

RESOLVED: Councillor Noack and Councillor MacLean

That Councillor Humphries be permitted to attend this meeting by audio-visual link.

Record of Voting:

For the Motion: Unanimous

6 CONFIRMATION OF MINUTES

Minutes of the Council Meeting held on 11 March 2024

4716 **RESOLVED:** Councillor Noack and Deputy Lord Mayor, Councillor Prociw

That the minutes be taken as read and be accepted as a true record of the Meeting, with the exception of the below required corrections;

- Item 14.2: Unsolicited Proposal by the Australian Turf Club - Proposed Sale and Redevelopment of Rosehill Racecourse
 - Delete the words *“The Lord Mayor exercised his casting vote.”* from the note following the Record of Voting for Clr Noack / Clr MacLean Amendment.
- Procedural Motion: Matter of Urgency - International Women’s Day
 - Replace the words *“... regarding the Closure of Australia Post at Olympic Park.”* with *“regarding Council’s recent International Women’s Day event.”*

Record of Voting:

For the Motion: Unanimous

7. DISCLOSURES OF INTEREST

There were no Declarations of Interest made at this meeting.

PROCEDURAL MOTION DEALING WITH ITEMS BY EXCEPTION

RESOLVED: Councillor MacLean and Deputy Lord Mayor, Councillor Procriv

That in accordance with Section 13 of Council's Code of Meeting Practice, the Order of Business be amended to deal with the following items by exception

- 12.3: Investment Report for February 2024
- 13.2: Adoption of Land Dedication Policy 2024
- 13.3: Naming Proposal for Unnamed Laneway at 78 Phillip Street, Parramatta
- 13.4: Public Exhibition of Draft Councillor Workshops Policy 2024

Record of Voting:

For the Motion: Unanimous

12.3 **Investment Report for February 2024**

(Report of Tax and Treasury Accountant)

4717 **RESOLVED:** Councillor MacLean and Deputy Lord Mayor, Councillor Procriv

That Council receive and note the Investment Report for February 2024.

Record of Voting:

For the Motion: Unanimous

13.2 **Adoption of Land Dedication Policy 2024**

(Report of Group Manager Infrastructure Planning & Design)

4718 **RESOLVED:** Councillor MacLean and Deputy Lord Mayor, Councillor Procriv

That Council adopts the Land Dedication Policy 2024 as held at Attachment 1 to this report.

Record of Voting:

For the Motion: Unanimous

13.3 **Naming Proposal for Unnamed Laneway at 78 Phillip Street, Parramatta**

(Report of Senior Project Officer)

4719 **RESOLVED:** Councillor MacLean and Deputy Lord Mayor, Councillor Procriv

- (a) That Council endorse the use of the name *Yilabara Path* for the unnamed laneway, which runs adjacent to 78 Phillip Street in the south and connects to the Elizabeth Street Footbridge and the Parramatta River foreshore in the north. The location of the unnamed laneway is illustrated in the site map at **Attachment 1**.

- (b) Further, that the preferred name for the unnamed laneway be referred to the Geographical Names Board (GNB) of NSW for formal assignment and Gazettal under the Geographical Names Act 1996.

Record of Voting:

For the Motion: Unanimous

13.4 **Public Exhibition of Draft Councillor Workshops Policy 2024**

(Report of Policy Officer)

4720 **RESOLVED:** Councillor MacLean and Deputy Lord Mayor, Councillor Prociv

- (a) That the Councillor Workshops Policy be placed on public exhibition for a period of 28 days.
- (b) That Council authorises the Chief Executive Officer to make any necessary editorial and content changes to the draft Councillor Workshops Policy for public exhibition to give effect to Council's resolution.
- (c) That officers prepare a report to Council following the exhibition period to present the final Councillor Workshops Policy for adoption.

Record of Voting:

For the Motion: Unanimous

8. MINUTES OF THE LORD MAYOR

8.1 **Celebrating Easter**

(Lord Mayor Councillor, Pierre Esber)

4721 **RESOLVED:** Lord Mayor Councillor Esber and Councillor Garrard

- (a) That Council recognise Easter, an annual Christian celebration marking the death and resurrection of Jesus Christ, with Palm Sunday to be held on 24 March, Good Friday on 29 March, Easter Sunday on 31 March, Easter Monday on 1 April and Agio Pascha (Greek and Orthodox Easter) on 5 May 2024.
- (b) That Council extend its best wishes to those across our City celebrating Easter with family and friends in the spirit of a range of Christian traditions.

Record of Voting:

For the Motion: Unanimous

8.2 **Hambledon Cottage Bicentenary**

(Lord Mayor, Councillor Pierre Esber)

4722 **RESOLVED:** Lord Mayor Councillor Esber and Deputy Lord Mayor, Councillor Procriv

- (a) That Council note the bicentenary of Hambledon Cottage is being celebrated on 13 April 2024, commemorating the 200th anniversary of the completion of this significant colonial heritage site; and
- (b) Further, that Council note the program of events planned for 14-20 April, including a Bicentenary Event hosted by Parramatta & District Historical Society, with support provided by City of Parramatta.

Record of Voting:

For the Motion: Unanimous

8.3 **Recognising the service of former Federal Member for Parramatta John Joseph Brown AO**

(Lord Mayor, Councillor Pierre Esber)

4723 **RESOLVED:** Lord Mayor Councillor Esber and Deputy Lord Mayor, Councillor Procriv

- (a) That Council authorise the Chief Executive Officer to prepare a report to identify and assess options for naming a suitable location or asset after the former Federal Member for Parramatta The Hon. John Brown AO, in recognition of his public service to Parramatta and Australia.
- (b) That the matter be delegated to the Lord Mayor and Chief Executive Officer for action.
- (c) That the Chief Executive Officer investigate any outstanding dedications to former Councillors or Lord Mayors and advise Councillors by a Briefing Note.

Record of Voting:

For the Motion: Unanimous

8.4 **Celebrating Greek Independence Day - 25 March 2024**

(Lord Mayor, Councillor Pierre Esber)

4724 **RESOLVED:** Lord Mayor Councillor Esber and Councillor Valjak

- (a) That Council note that Monday 25 March 2024 is the Greek National Day of Independence; and
- (b) Further, that Council acknowledge the contributions made to the City of Parramatta by Greek Australians to our vibrant multicultural community.

Record of Voting:

For the Motion: Unanimous

Question Taken on Notice (Clr Valjak) regarding Item 8.4 Celebrating Greek Independence Day – 25 March 2024;

- Can the CEO please provide an update to Councillors on whether Council will reconsider flag raising ceremonies?

9. PUBLIC FORUM

Speaker	Report No.	Report Title
Laurie Bennett	15.3	QWN - Developer Contributions - Parramatta City Local Infrastructure Contributions Plan, Church St North Precinct

Note: All Councillors were provided with copies of the Public Forum submissions prior to the Council Meeting.

10. PETITIONS

There were no petitions tabled at this meeting.

11. RESCISSION MOTIONS

Nil

12. REPORTS TO COUNCIL - FOR NOTATION

12.1 **Minutes of Audit Risk and Improvement Committee Meeting held on 23 November 2023**

(Report of Coordinator Internal Audit)

4725 **RESOLVED:** Councillor Darley and Councillor MacLean

That Council receive and note the confirmed Minutes from the Audit, Risk and Improvement Committee (ARIC) meeting held on 23 November 2023.

Record of Voting:

For the Motion: Unanimous

Question taken on Notice (Clr Darley) regarding Item 12.1 Minutes of Audit Risk and Improvement Committee Meeting held on 23 November 2023;

- How can Councillors receive the relevant information referred to in the ARIC Minutes when the Minutes are merely referred to Council to receive and note?
- Public Interest Disclosures Policy – request for training to be provided to Councillors.

12.2 **ARIC Annual Report 2023**

(Report of Coordinator Internal Audit)

4726 **RESOLVED:** Councillor Darley and Councillor MacLean

That Council receives and notes the 2023 Annual Report of the Audit, Risk and Improvement Committee.

Record of Voting:

For the Motion: Unanimous

Question taken on Notice (Clr Darley) regarding Item 12.2 ARIC Annual Report 2023;

- Can Council (or Councillors) receive a high level overview of the key findings from Internal Audits, possibly via a Councillor Workshop?

12.3 **Investment Report for February 2024**

(Report of Tax and Treasury Accountant)

This matter was considered earlier in the meeting as detailed in these Minutes.

12.4 **Quarter Two Progress Report - Delivery Program and Operational Plan 2023/24**

(Report of Corporate Strategy Manager)

4727 **RESOLVED:** Councillor Darley and Councillor MacLean

That Council receive and note the report.

Record of Voting:

For the Motion: Unanimous

12.5 **Traffic Engineering Advisory Group - 21 February 2024 - Minutes**

(Report of Traffic and Transport Manager)

4728 **MOTION:** Councillor Noack and Councillor MacLean

That Council notes the minutes of the Traffic Engineering Advisory Group meeting held on 21 February 2024, as provided in **Attachment 1**, and summarised below:

(a) **ITEM 2402 B1 STATION STREET EAST, HARRIS PARK – PROPOSED ONE-WAY NORTHBOUND RESTRICTION AND FOOTPATH WIDENING**

This report seeks in-principle support for the footpath widening and one-way restriction in Station Street East and Marion Street, Harris Park between Wigram Street and Ada Street. The detail design could be funded from the Developer Contributions Plan (Outside of the CBD) or grants and staff will consider both options in planning for future budgets. This report makes no recommendation on the timing or funding source of the detailed design.

(b) **ITEM 2402 B2 RAWSON STREET, EPPING – REQUEST FOR SIGNALISED MID-BLOCK PEDESTRIAN CROSSING**

There are no financial implications from adopting the recommendations in this report.

(c) **ITEM 2402 B3 SOUTH STREET WEST OF JOHN STREET, RYDALMERE – REVIEW OF THE CHILDREN’S CROSSING**

There are no additional financial impacts from Council adopting the recommendations of this report.

(d) **ITEM 2402 B4 TRAFFIC MANAGEMENT AND PEDESTRIAN WORKS TEMPORARY DELEGATIONS TO COUNCIL**

This report only provides information on new delegations for traffic management and pedestrian works and therefore, has no direct financial impact on Council's budget.

(e) **ITEM 2402 B5 PROJECTS RECENTLY COMPLETED, PROJECTS CURRENTLY FUNDED AND PROJECTS LISTS FOR CONSIDERATION OF FUTURE FUNDING**

There are no financial implications to Council as a result of this report.

(f) **ITEM 2402 B6 TRAFFIC CONDITIONS IN KISSING POINT ROAD AT QUARRY ROAD, DUNDAS VALLEY**

There are no financial implications to Council as a result of this item.

(g) **ITEM 2402 B7 REQUEST FOR 'NO STOPPING' RESTRICTIONS IN BLUEGUM CIRCUIT, NORTHMEAD**

The estimated cost for the installation of 'No Stopping' restriction is \$1,000. This item however does not approve the installation of the restriction and therefore, has no financial implications to Council. When this is approved through the delegated authority process, Transport for NSW Block Grant Funds for installation and maintenance of traffic signs and line markings in 2023/24 will be used to fund the works.

(h) **ITEM 2402 B8 HILL ROAD, WENTWORTH POINT – UPDATE ON THE PROPOSED IMPROVEMENTS**

This report only provides an update on the proposed traffic improvements and other proposed works on Hill Road and Bennelong Parkway, Wentworth Point and Sydney Olympic Park. Therefore, this report has no financial impact upon Council's budget.

AMENDMENT: Councillor Wearne and Councillor Garrard

That Council notes the minutes of the Traffic Engineering Advisory Group meeting held on 21 February 2024, as provided in **Attachment 1**, and summarised below, with the exception of ITEM 2402 B2 RAWSON STREET, EPPING – REQUEST FOR SIGNALISED MID-BLOCK PEDESTRIAN CROSSING which has been amended as shown below:

(a) **ITEM 2402 B1 STATION STREET EAST, HARRIS PARK – PROPOSED ONE-WAY NORTHBOUND RESTRICTION AND FOOTPATH WIDENING**

This report seeks in-principle support for the footpath widening and one-way restriction in Station Street East and Marion Street, Harris Park between Wigram Street and Ada Street. The detail design could be funded from the Developer Contributions Plan (Outside of the CBD) or grants and staff will consider both options in planning for future budgets. This report makes no recommendation on the timing or funding source of the detailed design.

(b) **ITEM 2402 B2 RAWSON STREET, EPPING – REQUEST FOR SIGNALISED MID-BLOCK PEDESTRIAN CROSSING**

That the Chair of the Traffic Engineering Advisory Committee arrange a meeting with the Ward Councillors to discuss the matter in further detail.

(c) **ITEM 2402 B3 SOUTH STREET WEST OF JOHN STREET, RYDALMERE – REVIEW OF THE CHILDREN’S CROSSING**

There are no additional financial impacts from Council adopting the recommendations of this report.

(d) **ITEM 2402 B4 TRAFFIC MANAGEMENT AND PEDESTRIAN WORKS TEMPORARY DELEGATIONS TO COUNCIL**

This report only provides information on new delegations for traffic management and pedestrian works and therefore, has no direct financial impact on Council’s budget.

(e) **ITEM 2402 B5 PROJECTS RECENTLY COMPLETED, PROJECTS CURRENTLY FUNDED AND PROJECTS LISTS FOR CONSIDERATION OF FUTURE FUNDING**

There are no financial implications to Council as a result of this report.

(f) **ITEM 2402 B6 TRAFFIC CONDITIONS IN KISSING POINT ROAD AT QUARRY ROAD, DUNDAS VALLEY**

There are no financial implications to Council as a result of this item.

(g) **ITEM 2402 B7 REQUEST FOR ‘NO STOPPING’ RESTRICTIONS IN BLUEGUM CIRCUIT, NORTHMEAD**

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and maintenance of traffic signs and line markings in 2023/24 will be used to fund the works.

(h) **ITEM 2402 B8 HILL ROAD, WENTWORTH POINT – UPDATE ON THE PROPOSED IMPROVEMENTS**

This report only provides an update on the proposed traffic improvements and other proposed works on Hill Road and Bennelong Parkway, Wentworth Point and Sydney Olympic Park. Therefore, this report has no financial impact upon Council's budget.

Record of Voting:

For the Amendment: Councillors Garrard, Green, Siviero, Valjak, Wang and Wearne

Against the Amendment: Lord Mayor Councillor Esber, Councillors Bradley, Darley, Humphries(online), MacLean, Noack, Pandey, Deputy Lord Mayor, Councillor, Proxiv

On being put to the meeting voting on the Amendment was six (6) votes FOR and eight (8) votes against. The Amendment was LOST.

RESOLVED: Councillor Noack and Councillor MacLean

That Council notes the minutes of the Traffic Engineering Advisory Group meeting held on 21 February 2024, as provided in **Attachment 1**, and summarised below:

(a) **ITEM 2402 B1 STATION STREET EAST, HARRIS PARK – PROPOSED ONE-WAY NORTHBOUND RESTRICTION AND FOOTPATH WIDENING**

This report seeks in-principle support for the footpath widening and one-way restriction in Station Street East and Marion Street, Harris Park between Wigram Street and Ada Street. The detail design could be funded from the Developer Contributions Plan (Outside of the CBD) or grants and staff will consider both options in planning for future budgets. This report makes no recommendation on the timing or funding source of the detailed design.

(b) **ITEM 2402 B2 RAWSON STREET, EPPING – REQUEST FOR SIGNALISED MID-BLOCK PEDESTRIAN CROSSING**

There are no financial implications from adopting the recommendations in this report.

(c) **ITEM 2402 B3 SOUTH STREET WEST OF JOHN STREET, RYDALMERE – REVIEW OF THE CHILDREN'S CROSSING**

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(d) **ITEM 2402 B4 TRAFFIC MANAGEMENT AND PEDESTRIAN WORKS TEMPORARY DELEGATIONS TO COUNCIL**

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(f) **ITEM 2402 B6 TRAFFIC CONDITIONS IN KISSING POINT ROAD AT QUARRY ROAD, DUNDAS VALLEY**

There are no financial implications to Council as a result of this item.

(g) **ITEM 2402 B7 REQUEST FOR 'NO STOPPING' RESTRICTIONS IN BLUEGUM CIRCUIT, NORTHMEAD**

The estimated cost for the installation of 'No Stopping' restriction is \$1,000. This item however does not approve the installation of the restriction and therefore, has no financial implications to Council. When this is approved through the delegated authority process, Transport for NSW Block Grant Funds for installation and maintenance of traffic signs and line markings in 2023/24 will be used to fund the works.

(h) **ITEM 2402 B8 HILL ROAD, WENTWORTH POINT – UPDATE ON THE PROPOSED IMPROVEMENTS**

This report only provides an update on the proposed traffic improvements and other proposed works on Hill Road and Bennelong Parkway, Wentworth Point and Sydney Olympic Park. Therefore, this report has no financial impact upon Council's budget.

Record of Voting:

For the Motion: Lord Mayor Councillor Esber, Councillors Bradley, Darley, Humphries(online), MacLean, Noack, Pandey, Deputy Lord Mayor, Councillor, Proxiv and Valjak

Against the Motion: Councillors Garrard, Green Siviero, Wang and Wearne.

On being put to the meeting voting on the Motion was nine (9) votes FOR and five (5) vote against. The Motion was CARRIED.

12.6 **Improving the Governance and Performance of Council and Advisory Committee Meetings (Options for Committee Structures at the City of Parramatta)**

(Report of Chief Governance & Risk Officer)

4729 **MOTION:** Councillor Garrard and Councillor Wang

- (a) That Council note the recommendation by staff for a revised Council and Committee meeting structure and cycle, as detailed in this report.
- (b) That Council note the Chief Executive Officer will submit a report to Council after the September 2024 Local Government elections that contains all options for consideration by the newly elected Council.

AMENDMENT: Councillor Darley and Deputy Lord Mayor, Councillor Prociv

- (a) That Council note the preferred option recommended by staff (Option 4) for any revised Council and Committee meeting structure and cycle, as detailed in this report.
- (b) That Council note the Chief Executive Officer will submit a report to Council after the September 2024 Local Government elections that contains all options for consideration by the newly elected Council.
- (c) That the CEO make improvements to the governance of the current advisory committees (including but not limited to improvements to the agendas, reports, technology and general running of the committees) throughout the remainder of this term as appropriate.
- (d) Further that the CEO engage with the current external committee members to seek feedback in respect to the governance and purpose of the Committees before the end of this term of Council to inform the report for the incoming Council.

Record of Voting:

For the Amendment: Councillors Bradley, Darley and Valjak.

Against the Amendment: Lord Mayor, Councillor Esber, Deputy Lord Mayor, Councillor Prociv and Councillors Garrad, Green, Humphries (online) MacLean, Noack, Pandey, Siviero, Wang and Wearne.

On being put to the meeting voting on the Amendment was three (3) votes FOR and eleven (11) votes against. The Amendment was LOST.

RESOLVED: Councillor Garrard and Councillor Wang

- (a) That Council note the recommendation by staff for a revised Council and Committee meeting structure and cycle, as detailed in this report.

- (b) That Council note the Chief Executive Officer will submit a report to Council after the September 2024 Local Government elections that contains all options for consideration by the newly elected Council.

Record of Voting:

For the Motion: Unanimous

12. REPORTS TO COUNCIL - FOR COUNCIL DECISION

13.1 **Minutes of the Parramatta Traffic Committee Meeting Held on 21 February 2024**

(Report of Traffic and Transport Manager)

4730 **RESOLVED:** Councillor Noack and Councillor Green

- (a) That Council note the minutes of the Parramatta Traffic Committee held on 21 February 2024, provided at Attachment 1.
- (b) That Council approves the recommendations of the Parramatta Traffic Committee from the meeting held on 21 February 2024 provided at Attachment 1 and in this report, noting the following financial implications for each item.

I. **ITEM 2402 A1 WIGRAM STREET, HARRIS PARK – SPECIAL EVENT CLASS 2 HARVEST FESTIVAL**

The proposed Harvest Festival Event in Wigram Street, Harris Park on 13 April 2024 is to be delivered by Little India Australia at no cost to Council. Therefore, this matter has no direct financial impact upon Council's budget.

II. **ITEM 2402 A2 SANDRINGHAM DRIVE AT BARONS AVENUE, CARLINGFORD – INSTALLATION OF A PART-TIME 'NO ENTRY' RESTRICTION**

The estimated cost of the proposed part-time 'No Entry 3pm-4pm School Days' restriction with associated 'All Traffic Left Turn Only 3pm-4pm' and 'All Traffic Right Turn Only 3pm-4pm' signage in Sandringham Drive at Barons Avenue, Carlingford is \$1,600. This work will be funded from Transport for NSW Block Grant Funds for installation and maintenance of traffic signs and line markings in 2023/24.

III. **ITEM 2402 A3 BURROWAY ROAD, WENTWORTH POINT – INSTALLATION OF A RAISED PEDESTRIAN CROSSING**

The proposed raised pedestrian crossing is to be constructed by School Infrastructure NSW at no cost to Council. Therefore,

this proposal has no direct financial impact on Council's budget.

**IV. ITEM 2402 A4 RAY ROAD EAST OF KENT STREET, EPPING
– RAISED PEDESTRIAN CROSSING**

The estimated cost for the installation of a raised pedestrian crossing in Ray Road east of Kent Street, Epping is \$340,000. This project is 100% funded by Council from its Outside CBD Contributions Plan 2021.

Record of Voting:

For the Motion: Unanimous

13.2 Adoption of Land Dedication Policy 2024

(Report of Group Manager Infrastructure Planning & Design)

This matter was considered earlier in the meeting as detailed in these Minutes.

13.3 Naming Proposal for Unnamed Laneway at 78 Phillip Street, Parramatta

(Report of Senior Project Officer)

This matter was considered earlier in the meeting as detailed in these Minutes.

13.4 Public Exhibition of Draft Councillor Workshops Policy 2024

(Report of Policy Officer)

This matter was considered earlier in the meeting as detailed in these Minutes.

13.5 **2024/25 Budget Consideration - Parramatta Past Revealed Historical Publication**

(Report of Group Manager Community Hubs and PHIVE)

4731 **RESOLVED:** Councillor Garrard and Councillor Bradley

- (a) That Council digitise the existing 1996 printed publication (*Parramatta: Past Revealed*) to create a digital publicly-accessible historical reference resource on the history of Parramatta, with the \$1000 cost to be funded from the 2023/24 Community Hubs operational budget.
- (b) That Council consider funding the creation of a new, complementary publication to *Parramatta: Past Revealed* (at an estimated cost of \$65,000) as part of the 2024/25 draft budget preparation process.

Record of Voting:

For the Motion: Unanimous

13.6 **Sponsorships, Corporate Memberships and Memoranda of Understanding**

(Report of Executive Director City Planning and Design)

4732 **MOTION:** Councillor Bradley and Councillor Darley

That consideration of this matter be deferred to a further Councillor Workshop.

AMENDMENT: Councillor Garrard and Councillor Wearne

- (a) That Council note the information provided at Attachments 1 and 2 relating to Council's Strategic Memberships, Event Sponsorships and Partnerships (including Memoranda of Understanding).
- (b) That due to increasing levels of community interest in partnering with Council, the *Sponsorships Policy* and *Productive Partnerships Policy* be prioritised for review consistent with the principles outlined in this report, and the Policy Review Committee consider the draft policies at the 22 May 2024 Policy Review Committee meeting.
- (c) That, recognising the need for an interim approach until such time as this policy review is complete the Chief Executive Officer review the information at Attachment 1 to inform the 2024/25 budget preparation process in line with the following approach/criteria:
 - 1. Further consultation with Councillors;
 - 2. High strategic alignment;
 - 3. Clear value for money;
 - 4. Demonstrated community benefit;

5. Prioritise positioning Parramatta as a Global City;
 6. Position Council to proactively participate in policy conversations and other matters affecting the City and community;
 7. Not enter into any further MOUs or alliance arrangements; and
 8. Focus on formal commercial partnership agreements that offer direct and measurable benefits for the City, businesses and residents.
- (d) Further, that the Chief Executive Officer identify budget and staff resources to manage Council's sponsorships, partnerships, and alliances in a centralised and strategic manner as part of the budget preparation for financial year 2024/25.

Record of Voting:

For the Amendment: Lord Mayor Councillor Esber, Councillors Garrard, Green, Humphries (online) Noack, Pandey, Deputy Lord Mayor Councillor Proxiv, Siviero, Valjak, Wang and Wearne

Against the Amendment: Councillors Bradley, Darley, MacLean (abstained)

On being put to the meeting, voting on the Amendment was eleven (11) votes FOR and three (3) votes AGAINST. The Amendment therefore became the Motion.

RESOLVED: Councillor Garrard and Councillor Wearne

- (a) That Council note the information provided at Attachments 1 and 2 relating to Council's Strategic Memberships, Event Sponsorships and Partnerships (including Memoranda of Understanding).
- (b) That due to increasing levels of community interest in partnering with Council, the *Sponsorships Policy* and *Productive Partnerships Policy* be prioritised for review consistent with the principles outlined in this report, and the Policy Review Committee consider the draft policies at the 22 May 2024 Policy Review Committee meeting.
- (c) That, recognising the need for an interim approach until such time as this policy review is complete the Chief Executive Officer review the information at Attachment 1 to inform the 2024/25 budget preparation process in line with the following approach/criteria:
 1. Further consultation with Councillors;
 2. High strategic alignment;
 3. Clear value for money;
 4. Demonstrated community benefit;

5. Prioritise positioning Parramatta as a Global City;
 6. Position Council to proactively participate in policy conversations and other matters affecting the City and community;
 7. Not enter into any further MOUs or alliance arrangements; and
 8. Focus on formal commercial partnership agreements that offer direct and measurable benefits for the City, businesses and residents.
- (e) Further, that the Chief Executive Officer identify budget and staff resources to manage Council's sponsorships, partnerships, and alliances in a centralised and strategic manner as part of the budget preparation for financial year 2024/25.

Record of Voting:

For the Motion: Lord Mayor Councillor Esber, Councillors Garrard, Green, Humphries (online) Noack, Pandey, Deputy Lord Mayor Councillor Prociv, Siviero, Valjak, Wang and Wearne.

Against the Motion: Councillors Darley, Bradley, MacLean (abstained)

On being put to the meeting voting on the Motion was eleven (11) votes FOR and three (3) votes AGAINST. The Motion was CARRIED.

PROCEDURAL MOTION ADJOURNMENT OF MEETING

At 8.31pm, The Lord Mayor adjourned the meeting and the following Councillors were present:

Lord Mayor, Councillor Esber, Deputy Lord Mayor Councillor Prociv and Councillors Bradley, Darley, Garrard, Green, Humphries (online), MacLean, Noack, Pandey, Siviero, Valjak, Wang and Wearne.

PROCEDURAL MOTION RECONVENED MEETING

At 8.41pm, the Lord Mayor reconvened the meeting and the following Councillors were present:

Lord Mayor, Councillor Esber, Deputy Lord Mayor Councillor Prociv and Councillors Bradley, Darley, Garrard, Green, Humphries (online), MacLean, Noack, Pandey, Siviero, Valjak, Wang and Wearne.

13. NOTICES OF MOTION

14.1 **Lobbying of Government Officials - Proposed New Policy, Disclosure Requirements and Register for Councillors and CEO**

(Councillor Kellie Darley)

4733 **RESOLVED:** Councillor Darley and Councillor MacLean

- (a) That Council note the Independent Commission Against Corruption (ICAC) has recommended on multiple occasions that the Lobbying of Government Officials Act (2011) be extended to include Local Government Officials, including the recent investigation into conduct of the City of Canada Bay Council Mayor and others (Operation Tolosa), the investigation into the conduct of councillors at the former Canterbury City Council and others (Operation Dasha), the 2022 report into the conduct of the local member for Drummoyne (Operation Witney) and it was also a key finding in the ICAC's 2021 Investigation into the regulation of lobbying, access and influence in NSW (Operation Eclipse).
- (b) That the Lord Mayor write to the Minister for Local Government, the Hon. Ron Hoenig MP, outlining City of Parramatta's support for increasing integrity in local government by urgently adopting ICAC's recommendations in relation to enhancing transparency around lobbying of Local Government officials.
- (c) That the CEO commence a review of Council's Policy and wait for the OLG Guidelines. Should the Guidelines not be released by 30 June 2024, staff are to report back to Council with a view to finalising Council's Policy and refer it back to the Policy Review Committee, then to a Councillor Workshop and then to Council.

Record of Voting:

For the Motion: Unanimous

Note: The Lord Mayor, Clr Esber vacated the Chair at 9.30pm.

Note: The Deputy Lord Mayor, Clr Prociv assumed the role of Chair.

14.2 **Report to Investigate a New City of Parramatta Industrial Instrument (Enterprise Award)**

(Councillor Georgina Valjak)

4734 **RESOLVED:** Councillor Valjak and Councillor Darley

That the Chief Executive Officer prepare a report to Council on the potential advantages (and/or disadvantages) of creating a new industrial instrument (such as an enterprise Award) for the City of Parramatta.

Record of Voting:

For the Motion: Unanimous

Note: The Lord Mayor, Clr Esber resumed the role of Chair at 9.36pm.

14. QUESTIONS WITH NOTICE

15.1 **Gross Pollutant Traps**

(Councillor Kellie Darley)

4735

QUESTIONS WITH NOTICE:

GPTs play a key role in Council's catchment management to support healthy waterways and offer a last line of defence to reduce pollutants, such as rubbish, from entering our creeks and river. In December 2022, an audit of Council's Gross Pollutant Traps (GPTs) was completed and found (as reported to Council on 13th June 2023) that only 2% of Council's GPT were in good condition and didn't require any works, 11% required maintenance work, 21% required minor works, 23% required major structural works and 43% needed to be completely replaced.

1. Where are the GPTs requiring replacement, major or minor works located? (i.e. a map of Council's GPTs with the rectification category of each one)

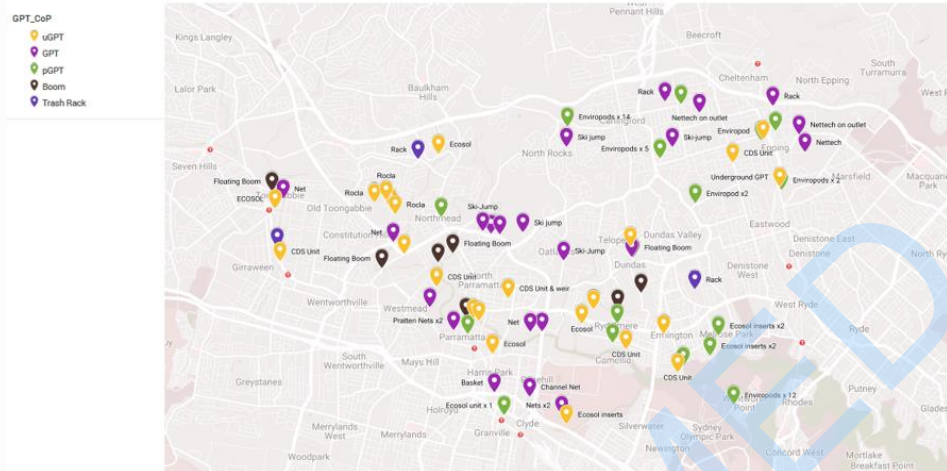
Executive Director, City Assets and Operations response:

All GPTs require an annual rolling works schedule to ensure they achieve their useful life. The December 2022 audit of the GPTs considered not only the condition and function of the asset, but also improvements to the areas surrounding the asset e.g. vehicular access improvements.

The following map identifying the locations of GPTs across the LGA was provided to Councillors at the Council meeting dated 16 June 2023, however a map delineating the GPTs for rectification works has not been developed.

Parramatta City Council GPT Audit – Asset Locations

Parra GPT MAP



GPTs recommended for replacement include:

- Anthony St, Carlingford
- Benaud PI Telopea
- Burrabogee Rd Toongabbie
- Clyde St, Rydalmere
- Lackey St (Lake Parra), North Parramatta
- Masons Rd, Oatlands
- Model Farms Rd, Winston Hills

GPTs recommended for major work include:

- Blaxland Rd (Somerville Park), Epping
- Cooyong Cres (in park), Toongabbie
- Lackey St (Lake Parra via carpark), North Parramatta
- Norwood Ave, Beecroft

2. What is the estimated cost to carry out all the identified rectification works?

Executive Director, City Assets and Operations response:

The high-level cost estimate to undertake the recommended maintenance, short and long term work for 44 GPTs is \$2.7 million.

Council has budgeted a total spend of \$11,517,563 over the next 5 years for drainage, maintenance and renewal including the GPT works identified from the audit.

3. What is the current schedule for carrying out these rectification works?

Executive Director, City Assets and Operations response:

Work on GPTs identified for maintenance and minor rectification works has already commenced and it is anticipated that this stage

will be finalised within the next 2 financial years. The major works and replacements are yet to be scheduled as detailed assessment and design documentation has not been undertaken. However, it is anticipated that work will be programmed over the 5 year period in accordance with the funding allocation identified above.

4. [Did the GPT audit make any other recommendations?](#)

Executive Director, City Assets and Operations response:

In summary, recommendations were made regarding the frequency and extent of inspection and cleaning for each GPT category and the suitability of access for cleaning contractors.

15.2 **Community Association/Strata Obligations for Long Term Care and Maintenance of Public Parks**

(Deputy Lord Mayor Cllr Dr Patricia Prociv)

4736

QUESTION WITH NOTICE:

1. [Are there any other examples known to staff where a Community Association/Strata is obliged to take eventual ownership and responsibility of a designated public park?](#)

Executive Director City Planning and Design response:

In Wentworth Point, Council staff are aware of two examples of private ownership of publicly accessible parks/open space. (It should be noted that these parks have never been, nor ever will be, in public ownership).

1. Bay Park at 18 Amalfi Drive: the park remains in private ownership by the Community Association, as it is located above the Association's resident basement car park. However, public access is permitted to the park, as a condition was attached to the development consent requiring public access easements to be created over the park at the time it was granted development consent. This approach was taken as Council does not accept ownership of open space land that sits above private land or structures such as basement car parking.
 2. The Development Application for the City Freeholds site (Block D) at Wentworth Point also includes a park to be held in private (community association) ownership that will also have car parking provided underneath with public access rights to the park above.
2. [If there is, has the Community Association/Strata been able to get adequate liability insurance? And how have they paid for the eventual long term care and maintenance of the public park?](#)

Executive Director City Planning and Design response:

Council staff are not privy to the private commercial arrangements (such as insurance requirements and strata/maintenance levies) of the relevant community associations.

15.3 **Developer Contributions - Parramatta City Local Infrastructure Contributions Plan, Church Street North Precinct**

(Councillor Phil Bradley)

4737

QUESTION ON NOTICE:

1. In 2022 Council officers estimated a \$1.373 Billion funding gap needed for CBD community infrastructure, even after Ministerial approval of the Council requested developer contribution of 5% of the cost of residential development and 4% for commercial development! Is \$1.4 Billion still the approximate 2024 funding gap estimate for the CBD/City Centre local community infrastructure, with the recent Council decision to propose reduced developer contributions from 5% to 4% for residential development & from 4% to 3% for commercial development in the Church Street North Parramatta precinct part of the CBD?

Executive Director, City Planning and Design response:

As indicated in the table below, the current funding gap between the total works program and the estimated income is \$1.295 billion, a reduction of about \$43 million.

Planning Controls	Contribution Scheme Response	Funding Gap between total works program & estimated income
July 2021: - CBD PP endorsed by Council for finalisation	October 2021: - Council endorsed contribution plan applying 5% for residential and 4% commercial.	\$1.338 billion
May 2022: - Department finalised CBD PP - Requested Council amend contribution rates for Phillip St block and Church St North Precinct	June 2022: - Council reinstated the 3% contribution rate for the Phillip St block and Church St North Precinct	Funding gap increased to \$1.398 billion
June 2023: - Department uses SEPP (No. 1) to amend FSR controls for the E2 Commercial Core zoned land (unlimited FSR for	No amendment to the 4% contribution rate for commercial uses required. Additional FSR means funding gap reduced.	Funding gap reduced to \$1.348 billion

office uses reinstated)		
December 2022: - Department uses SEPP (No. 2) to amend FSR controls for the Phillip Street block	March 2023: - Council approved the reinstatement of higher contribution rates for the Phillip St block of 5% for residential and 4% commercial	Funding gap reduced to \$1.335 billion
December 2023: - Department uses SEPP (No. 3) to amend the planning controls for the Church Street North Precinct	February 2024: - Council responses by resolving to exhibit an amendment to the contribution plan with a recommendation that the 3% contribution rate for the Church St Nth precinct be increased proportional to the GFA increase being 4% for residential; and retain the 3% for commercial.	Funding gap reduced to \$1.295 billion

2. If not, what is the latest estimate of the community infrastructure funding gap for the CBD/City Centre’s buildout after the recent Council decision to propose these reduced developer contributions?

Executive Director, City Planning and Design response:

The current funding gap is detailed in the table above.

3. What is the estimated local community infrastructure funding gap in the Church Street North Parramatta precinct with the recent Council proposal to reduce developer contributions from the City Centre’s 5% to 4% for residential development & from 4% to 3% for commercial?

Executive Director, City Planning and Design response:

The funding gaps detailed in the table above provide an indication of the cumulative funding, as it is not practical to calculate the funding gap related solely to the Church Street North precinct because much of the infrastructure in the CBD Contribution Plan will also benefit all the CBD and surrounding precincts.

4. Council staff advised in October 2021 that expert property consultant Savills stated “with an internal rate of return (IRR) of 20%, which is a commonly used benchmark for testing development feasibility where lending from a financial institution may be required” and with lower FSRs north of the river, that developer contribution

rates of 5% of the development cost for residential development and 4% for commercial were viable for development. So now that maximum FSRs have been reduced by 13% ie closer to 10% than 20%, consistent with Savills' advice, wouldn't my proposed rates of 4.5% residential and 3.5% commercial be viable and provide Council with approximately \$5 Million more for community infrastructure?

Executive Director, City Planning and Design response:

Feasibility scenarios prepared in October 2021 reflected the interest (commercial lending) rates at the time. Given the significant change in lending costs and interest rates since that time, they should not be given the same weight when attempting to calculate feasibility of developments in 2024.

Additionally, the Department-led rezoning for the Church Street North precinct reduced the theoretical GFA by 20%, compared to the original CBD Planning Proposal. While the FSR fell by 13%, the potential GFA decreased by 20%. In response, the Council proposed contribution rates have been adjusted down by 20% to match the decrease in development capacity.

5. In the ACT the public purse gets 75% of the betterment value of rezoning and Council staff have estimated that developer contributions are only about half of what is needed to fund the community infrastructure directly attributable to the CBD development. So why should our Council keep accepting development which causes reduced community livability due to insufficient developer contributions, which provide a minimum 20% Internal Rate of Return profit on investment for mostly wealthy big developers?

Executive Director, City Planning and Design response:

Developer contributions have never been intended to cover 100% of the cost of the additional local infrastructure demand generated by new development. Councils have always been restricted in the types of infrastructure they can levy contributions for and when they can be levied. Rates, fees and charges are (amongst other things) the most commonly used mechanisms by councils to fund the cost of additional infrastructure generated by new development.

Additionally, it is not reasonable to compare the ACT and NSW planning systems in the manner suggested for the following reasons:

- The NSW legal framework for development contributions is limited to Section 7.11 or 7.12 of the Environment Planning and Assessment Act 1979 (EPA Act)
- Planning Agreements in NSW between a consent authority and a developer are used to deliver local infrastructure under Section 7.4 of the EPA Act.
- Planning Agreements cannot use 'value sharing' (betterment) as a method to impose financial contributions under the Practice Note issued by the Department in February 2021.

- Council proposed as part of the CBD Planning Proposal, a mechanism that applied value sharing principles similar to those applied in the ACT; Council's proposal however was rejected by the State Government.

15.4 **Questions Taken on Notice at the 11 March 2024 Council Meeting**

(Governance Manager)

4738 **Councillor Darley** asked the following questions on Item 6 – Confirmation of Minutes:

1. On page 18 of the minutes, during the debate on Item 13.1 Quarterly Budget Review - December 2023, I asked for an explanation on what projects have been rephased to get to the total of \$91million?
2. On page 30 of the minutes, in closed session, I asked questions on Item 16.2 Determination of Senior Staff Structure – City of Parramatta, and this has not been answered as part of the Questions on Notice.

Executive Director, Finance and Information response:

1. The question was answered at the meeting and hence it is not recorded in the Minutes. For information, the following response was provided to Councillor Darley during the 26 February 2024 Council meeting:

Approximately \$87.9m of the total \$91m of capital rephasing adjustments to projects for funding and timing of commencement is covered in the column called "proposed adjustments" on pages 9 and 10 of the Capital Variances report, as contained in pages 97 and 98 of the Council report.

Officers have reviewed the recording of the discussion on *Item 16.2 Determination of Senior Staff Structure – City of Parramatta* and confirm that all questions raised by Councillor Darley were answered at the meeting. Hence, the questions were not recorded in the Minutes.

Councillor Darley asked the following question on Item 6 – Confirmation of Minutes which was not answered:

3. Page 23 of the minutes, when I moved my motion, I changed my motion to quarterly reporting and not monthly. Can staff please correct this?

Executive Director, Finance and Information response:

Staff have reviewed the recording and confirm that Councillor Darley amended her motion to quarterly reporting. Staff will make the necessary correction to the Minutes.

Councillor Garrard asked the following question on Item 8.4 - 2024 Homelessness Street Count:

4. Could staff go out and check on the homeless people underneath Lennox Bridge (back of Riverside Theatre) when there is heavy rain?

Executive Director, Community and Culture response:

The issue was raised as a Service Request and an update was separately provided to Councillors Garrard and Green following the meeting. (As the details contain personal information there is an overriding public interest against publishing the information in this Business Paper).

Councillor Siviero asked the following question on Item 12.1 Status Report - Update on Transcription Technology at PHIVE:

5. There were two parts to my motion, the following has not yet been answered: Could staff provide a word or PDF version of what is spoken so members of the public can get to what they need without going through hours of great content? Could staff provide a status update on the progress of this second part?

Executive Director, Finance and Information response:

The recordings of Council meetings are tagged with links from the contents page to each item, allowing the public to jump to the relevant section or business paper that they are interested in, thereby saving time.

Human transcription is not undertaken by council, as the Minutes provide an record of the meeting and to obtain a full transcript of each meeting would be \$1,000 per meeting, or alternatively would require a full-time staff resource to undertake. An AI transcript in a pdf file format has been investigated but has proven to be less than 70% accurate.

Councillor Garrard asked the following question on Item 12.1 Status Report - Update on Transcription Technology at PHIVE:

6. Isn't it the practice that when a Notice of Motion [resolution] is raised it would be reported back to Council on its entirety or the report acknowledging that part of the Notice of Motion [resolution] is still outstanding?

Executive Director, Finance and Information response:

It is usual practice to report back to Council on the entire status of a resolution of Council and acknowledge any outstanding matters. In this instance there was unfortunately confusion regarding reporting back upon a resolution as distinct from answering the QoN.

QUESTIONS WITH NOTICE – CONFIDENTIAL ITEM (ITEM 16.1)

Councillor Pandey asked three questions on Item 16.1 Tender 27/2023 Philip Street Smart Street, Stage 2, Parramatta - Civil and Landscape Works.

The response is provided in the confidential attachment.

Councillor Darley asked two questions on Item 16.1 Tender 27/2023 Philip Street Smart Street, Stage 2, Parramatta - Civil and Landscape Works.

The response is provided in the confidential attachment.

15.5

Parking Fines

(Councillor Kellie Darley)

4739

QUESTION ON NOTICE:

1. How many parking fines have been issued in our LGA annually for the last 5 years, broken down by category (e.g. CBD, school zone)?
2. What is the annual revenue Council has received from parking fines for the last 5 years?
3. How many parking rangers does Council have now compared to previous years?
4. What is the rough ratio of parking rangers time spent in the CBD and outside the CBD in our town centres and suburban streets?
5. Roughly what is the level of incidents against Council's parking rangers, and how has this been trending in recent years?

Executive Director, City Assets and Operations response:

1. How many parking fines have been issued in our LGA annually for the last 5 years, broken down by category (e.g. CBD, school zone)?

Financial Year	2019	2020	2021	2022	2023
Number of fines	52983	48055	38984	27369	51476
School related	1061	1322	1858	1368	1750

Data on fines is not automatically collected or broken down into the CBD or Local Centre areas. This level of analysis is unable to be provided without the diversion of significant staff resources.

2. What is the annual revenue Council has received from parking fines for the last 5 years?

Financial Year	2019	2020	2021	2022	2023
Parking Revenue (\$)	7,509,512	7,682,427	5,404,598	4,801,544	7,423,364

3. How many parking rangers does Council have now compared to previous years?

Council has 26.5 FTE parking officers, inclusive of the manager/supervisors. This number has remained stable over the past 5 years and consistently comprises approximately 50% of the Regulatory Services Rangers and Parkers Unit.

4. What is the rough ratio of parking rangers time spent in the CBD and outside the CBD in our town centres and suburban streets?

Operational data reveals that parking officers (not rangers) are allocated to patrol the Parramatta CBD, Harris Park and immediate surrounds approximately 80% of the time. However, this allocation is highly variable and is dependent on the number of events, activations, gatherings, rallies and other activities that are planned and hosted in the CBD area or in town centres on any given day.

5. Roughly what is the level of incidents against Council's parking rangers, and how has this been trending in recent years?

The level of incidents relating to parking officers is low and ranges between 30-40 incidents in the last two years, with a noticeable downward trend occurring.

PROCEDURAL MOTION SUSPENSION OF STANDING ORDERS - MATTER OF URGENCY

Councillor Pandey sought a Suspension of Standing Orders to raise a Matter of Urgency regarding recent closure of the PCYC Parramatta Club Facility.

The Lord Mayor, Councillor Esber agreed that the matter was a Matter of Urgency, and allowed the matter to be considered by Council.

MATTER OF URGENCY PCYC - CLOSURE OF PARRAMATTA CLUB FACILITY

PCYC - CLOSURE OF PARRAMATTA CLUB FACILITY

(Councillor Sameer Pandey)

4740 **RESOLVED:** Councillor Pandey and Councillor Garrard

- (a) That Council note the actions taken to date to address the imminent closure of the PCYC facility at Parramatta.
- (b) That Council note that the PCYC has commenced negotiations with the NSW government and has identified suitable premises in the Parramatta CBD to operate its before-school program on an interim basis.
- (c) That Council authorise the Lord Mayor and CEO to undertake an urgent investigation to identify sites within the LGA that would be suitable for use as a permanent long-term home for the PCYC club facility within the Parramatta LGA.
- (d) That Council authorise the Lord Mayor and CEO to engage with local private and public sector stakeholders for assistance in identifying sites within the LGA that would be suitable for use as a permanent long-term home for the PCYC club facility within the Parramatta LGA.

Record of Voting:

For the Motion: Unanimous

RESUMPTION OF STANDING ORDERS

Note: Standing Orders were resumed at 10.11pm.

PROCEDURAL MOTION MOVE TO CLOSED SESSION

RESOLVED: Councillor Noack and Councillor Pandey

That at this time of the meeting, being 10.12pm, the Lord Mayor, Councillor Esber advised that the meeting would move into Closed Confidential Session to allow consideration of matters in Closed Session in accordance with Section 10A of the *Local Government Act 1993*. Accordingly, members of the press and public are excluded from the closed session and access to the correspondence and reports relating to the items considered during the course of the Closed Session will be withheld.

This action is taken to discuss an urgent matter not listed on the business paper.

Record of Voting:

For the Motion: Unanimous

Note: Council moved into closed session at 10.13pm.

PROCEDURAL MOTION RETURN TO OPEN SESSION

RESOLVED: Councillor Noack and Councillor Wearne

That Council move into open session

Record of Voting:

For the Motion: Unanimous

Note: Council Moved to Open Session at 10.14pm.

REPORTS OF RESOLUTIONS PASSED IN CLOSED SESSION

Note: The Chief Executive Officer confirmed that there were no Recommendations moved in the Closed Session.

CONCLUSION OF MEETING

The meeting concluded at 10.14pm.

This page and the preceding 31 pages are the Minutes of the Ordinary Council Meeting held on Monday 25 March 2024 and confirmed on Monday 8 April 2024.

Chairperson

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REPORTS TO COUNCIL - FOR NOTATION

08 APRIL 2024

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12.2	Deferred from OCM 12 February 2024 - Delegation of the Lord Mayor and Chief Executive Officer Exercised During the 2023/24 Recess Period.....	92

REPORTS TO COUNCIL - FOR NOTATION

ITEM NUMBER	12.1
SUBJECT	Referral of Inspection Reports by Fire and Rescue NSW
REFERENCE	F2024/00282 - D09358516
REPORT OF	Team Leader Building Compliance
CSP THEME	GREEN

WORKSHOP/BRIEFING DATE: Nil

PURPOSE:

To provide details on the fire safety reports received by Council from Fire and Rescue NSW (FRNSW) in accordance with Schedule 5 Part 8, Clause 17 (2) of the Environmental Planning and Assessment Act 1979 (EP&A Act 1979).

RECOMMENDATION

- (a) That Council notes the inspection reports from Fire and Rescue NSW (FRNSW), pursuant to Schedule 5, Part 8 of the Environmental Planning and Assessment Act 1979 (EP&A Act).
- (b) That Council note FRNSW will be advised in due course of the ongoing actions taken by Council officers to address concerns identified by FRNSW.
- (c) That Council note the exercise of powers pursuant to Schedule 5, Part 8 (17) of the EP&A Act, to give fire safety orders addressing fire safety measures to the buildings located at:
 - 1 8-10 Howard Avenue, Northmead
 - 2 12-14 Howard Avenue, Northmead
 - 3 1 Bennelong Parkway, 17 & 19 Amalfi Drive, Wentworth Point,

as outlined in this report and provide further notice of its determination to the Commissioner of FRNSW.

BACKGROUND

1. FRNSW is empowered under the *Environmental Planning and Assessment Act 1979* (EP&A Act) to undertake fire safety inspections of a building. If of the opinion that adequate provision for fire safety has not been made, FRNSW may make recommendations for additional works to be carried out, in a report to Council. Such reports must be tabled at the next meeting of Council.
2. Council is in receipt of three inspection reports issued by FRNSW, pursuant to the EP&A Act, regarding the fire safety of buildings located at:
 - a. 8-10 Howard Avenue, Northmead
 - b. 12-14 Howard Avenue, Northmead
 - c. 1 Bennelong Parkway, 17 & 19 Amalfi Drive, Wentworth Point

3. The building located at 8-10 Howard Avenue, Northmead is identified as a three storey residential building with basement car parking.
4. The building located at 12-14 Howard Avenue, Northmead is identified as a three storey residential building with basement car parking.
5. The building located at 1 Bennelong Parkway, 17 & 19 Amalfi Drive, Wentworth Point is identified as an 8-storey residential building with basement car parking.

ISSUES/OPTIONS/CONSEQUENCES

6. FRNSW is of the opinion that there are inadequate provisions for fire safety within the buildings identified (*See the attached annexures relevant to each premises*).
7. Council has started an investigation under Service Request No. 643991 for the matter relating to the building located at 8-10 Howard Avenue, Northmead.
8. Council has started an investigation under Service Request No. 643989 for the matter relating to the building located at 12-14 Howard Avenue, Northmead.
9. Council has started an investigation under Service Request No. 644290 and continuing its investigation under Service Request Nos. 485710 and 470095 for the matter relating to the building located at 1 Bennelong Parkway, 17 & 19 Amalfi Drive, Wentworth Point.
10. FRNSW served an order on 12 December 2023 under the provisions of Section 9.34 of the EP&A Act for matters specifically pertaining to FRNSW fire fighting needs for the matter relating to the building located at 1 Bennelong Parkway, 17 & 19 Amalfi Drive, Wentworth Point.

CONSULTATION & TIMING

Stakeholder Consultation

11. Stakeholder consultation is not required for this statutory report.

LEGAL IMPLICATIONS FOR COUNCIL

12. FRNSW is empowered under the EP&A Act to undertake fire safety inspections of a building.
13. Council may instigate legal action to enforce compliance with Orders served relating to fire safety where appropriate.

FINANCIAL IMPLICATIONS FOR COUNCIL

14. Financial implications may occur dependent on any legal action/s that may need to be instigated if Notices and Orders are not complied with by owners. Regulatory Services has an allocated Legal Budget if such is required to be utilised.

Bernadette Robertson
Acting Health & Building Services Manager

Adrian Mihaila
Acting Group Manager Regulatory Services

George Bounassif
Executive Director City Assets and Operations

Gail Connolly
Chief Executive Officer

ATTACHMENTS:

- | | |
|--|----------|
| 1  Letter Out - Inspection Report 8-10 Howard Avenue, Northmead | 3 Pages |
| 2  Letter Out - Inspection Report 12-14 Howard Avenue, Northmead | 3 Pages |
| 3  Letter Out - Inspection Report 1 Bennelong Parkway, 17 & 19 Amalfi Drive, Wentworth Point | 41 Pages |

REFERENCE MATERIAL

OFFICIAL



File Ref. No: BFS24/30 (32947)
 TRIM Ref. No: D24/24739
 Contact: Matthew Warbrick

29 February 2024

General Manager
 City of Parramatta Council
 PO Box 32
 Parramatta NSW 2124

Email: council@cityofparramatta.nsw.gov.au

Attention: Manager Compliance/Fire Safety

Dear Sir / Madam,

**Re: INSPECTION REPORT
 RESIDENTIAL APARTMENTS
 8 – 10 HOWARD AVENUE NORTHMEAD (“the premises”)**

Fire and Rescue NSW (FRNSW) received correspondence on 4 January 2024 concerning the adequacy of the provision for fire safety in connection with ‘the premises’.

The correspondence stated that:

I've had an ingress of smoke issue from the neighbouring property and my concerns have been ignored and I finally got an expert able to come out and have been advised that not only has the landlord removed/disconnected ducting from the roof space but they have also removed fire dampers from the laundry and bathroom. Fire dampers (or fire shutters) are passive fire protection products used in heating, ventilation, and air conditioning (HVAC) ducts to prevent and isolate the spread of fire inside the ductwork through fire-resistance rated walls and floors. Other tenants have also advised that they don't have ducting so it is possible that they've fire dampers have been removed from many properties. Possibly when they have refurbished apartments or replaced ventilation fans as there is no access to the ducting as no manholes were installed (in my apartment anyway). Landlord is ignorant and doesn't care despite a residents child setting fire to the apartment a few months ago and smoking of all substances being permitted in the complex.

Fire and Rescue NSW

ABN 12 593 473 110

www.fire.nsw.gov.au

Community Safety Directorate
 Fire Safety Compliance Unit

1 Amarina Ave
 Greenacre NSW 2190

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Pursuant to Section 9.32(1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), Authorised Fire Officers from the Fire Safety Compliance Unit of FRNSW inspected 'the premises' on 21 February 2024.

On behalf of the Commissioner of FRNSW, the comments in this report are provided under Section 9.32(4) and Schedule 5, Part 8, Section 17(1) of the EP&A Act.

The items listed in the comments of this report are based on the following limitations:

- A general overview of the building was obtained without using the development consent conditions or approved floor plans as a reference.
- Details of the Provisions for Fire Safety and Fire Fighting Equipment are limited to a visual inspection of the parts in the building accessed and the fire safety measures observed at the time.
- Possible nonconformities identified in the report relate to the National Construction Code 2022, Volume 1 Building Code of Australia (NCC), provisions for fire safety and fire safety equipment. The items are not an exhaustive list of non-compliances. FRNSW acknowledges that the differences observed at the time may contradict development consent approval or relate to the building's age. Therefore, it's the Council's discretion as the appropriate regulatory authority to consider the most appropriate action.

COMMENTS

1. Investigation of concern
 - 1A. Authorised Officers of FRNSW could not access sole occupancy units to verify the validity of the concern relating to the passive fire protection measures within the mechanical ventilation system in the building. Notwithstanding this, it would be at the Council's discretion, as the appropriate regulatory authority, to determine whether further investigation of the concern is required.
2. Other items identified:
 - 2A. Portable Fire Extinguishers (PFE's)
 - A. PFEs were not provided to the residential levels within the building, contrary to the requirements of Clause E1D14 of the NCC.
 - 2B. Fire Doors
 - A. The two (2) fire exit doors providing egress from the basement carpark were found choked in the open position and preventing the door from self-closing, contrary to the requirements of Clause C4D5 of the NCC and Section 109 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 (EPAR). They were promptly removed.

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2C. Annual Fire Safety Statement (AFSS)

- A. A copy of the current AFSS was not prominently displayed within the building under Section 89 of the EPAR 2021.

FRNSW believes that there are inadequate provisions for fire safety within the building.

RECOMMENDATIONS


FRNSW recommends that Council:

1. Review items 1 and 2 of this report and conduct an inspection.
2. Review its records concerning the AFSS and ensure the owner is meeting their legal obligations to ensure the essential fire safety measures of the building are being assessed by an accredited practitioner (fire safety) and an AFSS is being submitted.
3. Address any other deficiencies identified on "the premises".

Please be advised that Schedule 5, Part 8, Section 17(2) requires any report or recommendation from the Commissioner of FRNSW to be tabled at a Council meeting. This matter is referred to the Council as the appropriate regulatory authority. FRNSW awaits the Council's advice regarding its determination under Schedule 5, Part 8, Section 17 (4) of the EP&A Act.

Please do not hesitate to contact Matthew Warbrick of FRNSW's Fire Safety Compliance Unit at FireSafety@fire.nsw.gov.au or call (02) 9742 7434 if there are any questions or concerns about the above matters. Please refer to file reference BFS24/30 (32947) regarding any correspondence concerning this matter.

Yours faithfully



Edren Ravino
Senior Building Surveyor
Fire Safety Compliance Unit

OFFICIAL



File Ref. No: BFS24/808 (33685)
TRIM Ref. No: D24/25405
Contact: Matthew Warbrick

29 February 2024

General Manager
City of Parramatta Council
PO Box 32
Parramatta NSW 2124

Email: council@cityofparramatta.nsw.gov.au

Attention: Manager Compliance/Fire Safety

Dear Sir / Madam,

**Re: INSPECTION REPORT
RESIDENTIAL APARTMENTS
12 – 14 HOWARD AVENUE NORTHMEAD (“the premises”)**

Fire and Rescue NSW (FRNSW) received correspondence on 14 February 2024 concerning the adequacy of the provision for fire safety in connection with ‘the premises’.

The correspondence stated that:

Flammable clutter in garbage room.

Pursuant to Section 9.32(1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), Authorised Fire Officers from the Fire Safety Compliance Unit of FRNSW inspected ‘the premises’ on 21 February 2024.

On behalf of the Commissioner of FRNSW, the comments in this report are provided under Section 9.32(4) and Schedule 5, Part 8, Section 17(1) of the EP&A Act.

The items listed in the comments of this report are based on the following limitations:

- A general overview of the building was obtained without using the development consent conditions or approved floor plans as a reference.

Fire and Rescue NSW

ABN 12 593 473 110

www.fire.nsw.gov.au

Community Safety Directorate
Fire Safety Compliance Unit

1 Amarina Ave
Greenacre NSW 2190

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- Details of the Provisions for Fire Safety and Fire Fighting Equipment are limited to a visual inspection of the parts in the building accessed and the fire safety measures observed at the time.
- Possible nonconformities identified in the report relate to the National Construction Code 2022, Volume 1 Building Code of Australia (NCC), provisions for fire safety and fire safety equipment. The items are not an exhaustive list of non-compliances. FRNSW acknowledges that the differences observed at the time may contradict development consent approval or relate to the building's age. Therefore, it's the Council's discretion as the appropriate regulatory authority to consider the most appropriate action.

COMMENTS

1. Investigation of concern
 - 1A. Authorised Officers of FRNSW could not access the basement carpark to verify the concern relating to the storage of flammable clutter within the garbage room of the building. Notwithstanding this, it would be at the Council's discretion, as the appropriate regulatory authority, to determine whether further investigation of the concern is required.
2. Essential Fire Safety Measures
 - 2A. Fire Hydrant System – the following items relate to the fire hydrant booster:
 - A. A permanent and fade-resistant or engraved sign indicating the boost pressure and test pressure was not provided at the booster assembly, contrary to the requirements of Clause 7.10.1 of AS 2419.1-2005.
 - B. The isolation valve was not secured open by a padlocked chain or a padlocked riveted strap, contrary to the requirements of Clause 8.5.8 of AS 2419.1-2005.
 - C. The pressure gauge at the inlet connection appears to be faulty and does not indicate accurate readings, contrary to the requirements of Clause 9.3 of AS2419.1-2005.
 - 2B. Portable Fire Extinguishers (PFE's)
 - A. PFEs were not provided to the residential levels within the building, contrary to the requirements of Clause E1D14 of the NCC.
 - 2C. Annual Fire Safety Statement (AFSS)
 - A. A copy of the current AFSS was not prominently displayed within the building under Section 89 of the EPAR 2021.

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FRNSW believes that there are inadequate provisions for fire safety within the building.

RECOMMENDATIONS

FRNSW recommends that the Council:

1. Review items 1 and 2 of this report and conduct an inspection.
2. Review its records concerning the AFSS and ensure the owner is meeting their legal obligations to ensure the essential fire safety measures of the building are being assessed by an accredited practitioner (fire safety) and an AFSS is being submitted.
3. Address any other deficiencies identified on "the premises".

Please be advised that Schedule 5, Part 8, Section 17(2) requires any report or recommendation from the Commissioner of FRNSW to be tabled at a Council meeting. This matter is referred to Council as the appropriate regulatory authority. FRNSW awaits the Council's advice regarding its determination under Schedule 5, Part 8, Section 17 (4) of the EP&A Act.

Please do not hesitate to contact Matthew Warbrick of FRNSW's Fire Safety Compliance Unit at FireSafety@fire.nsw.gov.au or call (02) 9742 7434 if there are any questions or concerns about the above matters. Please refer to file reference BFS24/808 (33685) regarding any correspondence concerning this matter.

Yours faithfully



Edren Ravino
Senior Building Surveyor
Fire Safety Compliance Unit

OFFICIAL



File Ref. No: BFS23/6253 (31691)
TRIM Ref. No: D24/000766
Contact: Ryan Maestri

1 March 2024

General Manager
Council of the City of Parramatta
PO Box 32
PARRAMATTA NSW 2124

Email: council@cityofparramatta.nsw.gov.au

Attention: Manager Compliance/Fire Safety

Dear Sir / Madam

**Re: INSPECTION REPORT
ONE THE WATERFRONT
23 BENNELONG PARKWAY, WENTWORTH POINT (“the premises”)
(INCORPORATING RESIDENTIAL TOWERS KNOWN AS – 1
BENNELONG PARKWAY, WENTWORTH POINT; 5 BENNELONG
PARKWAY, WENTWORTH POINT; 7 BENNELONG PARKWAY,
WENTWORTH POINT; 11 BENNELONG PARKWAY, WENTWORTH
POINT; 17 AMALFI DRIVE, WENTWORTH POINT; 19 AMALFI DRIVE,
WENTWORTH POINT**

Fire and Rescue NSW (FRNSW) received correspondence on 27 October 2023 concerning the adequacy of the provision for fire safety in connection with ‘the premises’.

The correspondence stated that:

- *Fire alarm system has multiple disablements. Building was granted interim occupation certification in 2019 and no further occupation certification has been issued. FRNSW determined not to make a Fire Safety Order on the building on 12 August 2021 but disablements still pertain.*

Pursuant to Section 9.32(1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), Authorised Fire Officers from the Fire Safety Compliance Unit of FRNSW inspected ‘the premises’ on 28 November 2023.

Fire and Rescue NSW

ABN 12 593 473 110

www.fire.nsw.gov.au

Community Safety Directorate
Fire Safety Compliance Unit

1 Amarina Ave
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On behalf of the Commissioner of FRNSW, the comments in this report are provided under Section 9.32(4) and Schedule 5, Part 8, Section 17(1) of the EP&A Act.

The items listed in the comments of this report are based on the following limitations:

- A general overview of the building was obtained without using the development consent conditions or approved floor plans as a reference.
- Details of the Provisions for Fire Safety and Fire Fighting Equipment are limited to a visual inspection of the parts in the building accessed and the fire safety measures observed at the time.

COMMENTS

The following items were identified during the inspection:

1. Essential Fire Safety Measures
 - 1A. Automatic Fire Detection and Alarm System
 - A. The Fire Brigade Panel (FBP) indicated a total of 112 disablements and 6 faults relating predominantly to the automatic fire detection and alarm system.
 - B. A smoke detector located outside unit 6061 has been covered, preventing it from being activated in the event of a fire.
 - 1B. Combined Fire Hydrant / Sprinkler System
 - A. The isolation valve at the combined fire hydrant / sprinkler booster located between the feed hydrants and boost inlets was not locked in the open position, contrary to the requirements of Clause 2.1 of AS 2118.6-2012 and Clause 8.5.8 of AS 2419.1-2005.
 - B. Signage and a 150 mm diameter liquid-filled pressure gauge is provided at the fire hydrant / sprinkler booster as per Clause 2.1 of AS 2118.6-2012 and Clause 7.6 of AS 2419.1-2005 indicates that the secondary diesel pump is installed in series with the booster. The schematic, however, indicates that the secondary diesel pump is supplied by on-site water tanks and an inspection of the pump room determined that the secondary diesel pump does not appear to be installed in series with the booster. FRNSW are of the opinion that the signage and gauge relating to the secondary diesel pump is not required.
 - C. Sufficient numbers of spare sprinkler heads and a spanner were not provided on the premises, contrary to the requirements of Clause 2.1 of AS 2118.6-2012 and Clause 6.7 of AS 2118.1-1999.

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- D. The pump control panel for the secondary pump indicated a low fuel level. It is therefore unlikely that the pumpset will be able to supply water to the combined fire hydrant / sprinkler system for the required duration contrary to Clause 2.1 of AS 2118.6-2012 and the specific requirements of AS 2419.1-2005 and AS 2118.1-1999.
- E. Numerous isolating valves were not locked in the open position, contrary to the requirements of Clause 2.1 of AS 2118.6-2012 and Clause 8.5.8 of AS 2419.1-2005.
- F. The concrete water storage tank did not incorporate a tank contents indicator, contrary to the requirements of Clause 2.1 of AS 2118.6-2012 and Clause 5.4.4 of AS 2419.1-2005.
- G. The north-western end of the pump room is not adequately enclosed and was being significantly impacted by water ingress which has the potential to damage the pumps and associated electrical equipment and make the around unsafe for use by firefighters.
- H. Emergency instructions were not provided at the sprinkler control valve assembly located on level 2 in building B west, contrary to the requirements of Clause 2.1 of AS 2118.6-2012 and Clause 8.5 of AS 2118.1-1999.
- I. Additional attack hydrants are provided in the basement car park below the Bari 2 building outside of the fire-isolated stairs. It is not considered that the additional hydrants meet the needs of Fire and Rescue NSW (FRNSW), contrary to the requirements of Clause 3.2.3.3 of AS 2419.1-2005 given that there are no additional location plans provided as per the requirements of Clause 11.6 of AS 2419.1-2021.
- J. The isolation valve located in the fire-isolated stair adjacent to car space 12025 is not monitored, contrary to the requirements of Clause 2.13 of AS 2118.6-2012 and is not locked in the open position, contrary to the requirements of Clause 2.1 of AS 2118.6-2012 and Clause 8.5.8 of AS 2419.1-2005.
- K. Quarter-turn isolation valves are installed on the supply and sensing pipework of the Pilot valve on the Pilot Operated Pressure Reduction Valve (POPRV). The valves are not monitored in accordance with Clause 2.13 of AS 2118.6-2012. When the isolation valve is turned to the 'CLOSED' position, water will not flow to an activated sprinkler head or hydrant valve. FRNSW therefore do not support the use of POPRVs with unmonitored isolation valves.
- L. Signage indicates that an attack hydrant is located within a locked cupboard adjacent to unit 6062. The locked cupboard is likely to

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increase the time for firefighter access to the attack hydrant. Further, the fire hydrant is not located within 4 metres of an exit, contrary to the requirements of Clause 3.2.3.2 of AS 2419.1-2005. Where the attack hydrant is installed as an additional hydrant as per Clause 3.2.3.3 of AS 2419.1-2005, location plans should be provided as required by Clause 11.6 of AS 2419.1-2021.

- 1C. Multiple exit signs located in the LG car park were not illuminated, contrary to the requirements of AS 2293.1-2018.

2. Compartmentation and Separation

- 2A. The electrical service penetrations entering the main switch room from the pump room do not appear to be completed sealing with fire-rated material and are not provided with insulation wrapping. It is unlikely that the penetrations are protected in accordance with a tested prototype complying with AS 1530.4-2014 as required by Clause C4D15 of the NCC.
- 2B. The fire-isolated stair serving building B west contained services contrary to those allowed under Clause C4D10 of the NCC.
- 2C. The common area corridors of the ground and first floors of the 'DIA' building are connected via the entry foyer and appear to form a corridor greater than 40 metres in length. In this regard, smoke separation was not observed, contrary to the requirements of Clause C3D15 of the NCC.
- 2D. The garbage rooms located in the premises serve garbage chutes contained within a fire-resisting shaft. Consequently, the garbage rooms are required to be fire separated as per Clause S5C8 of the NCC. In this regard, the following issues were identified:
- A. A majority of garbage rooms located in the basement car park do not incorporate fire-rated doorsets and appear to incorporate service penetrations through their enclosing construction that do not appear to be protected in accordance with a tested prototype complying with AS 1530.4-2014 as required by Clause C4D15 of the NCC.
- B. The fire-rated doors to the garbage room located adjacent to the lobby of the Bari 2 building do not self-close, contrary to the requirements of AS 1905.1-2015. A number of service penetrations through the enclosing construction of the garbage room do not appear to be protected in accordance with a tested prototype complying with AS 1530.4-2014 as required by Clause C4D15 of the NCC.
- 2E. The fire-rated door to the garbage room adjacent to car space 7029 was chocked open at the time of the inspection, preventing it from self-closing contrary to the requirements of Specification 12 of the NCC and AS 1905.1-2015.

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3. Access and Egress
 - 3A. The travel distance to a point of choice to an exit from the entry ramp of the Bari 2 basement car park is greater than 20 metres, contrary to the requirements of Clause D2D5 of the NCC.
 - 3B. The fire-isolated stair adjacent to car space 8025 contains both rising and descending flights that are not separated, contrary to the requirements of Clause D3D5 of the NCC.
 - 3C. The travel distance to the single exit on the ground floor of the 'DIA' building exceeds 20 metres, contrary to the requirements of Clause D2D5 of the NCC.
 - 3D. The artificial lighting located in the fire-isolated stair across from car space 9030 was non-operational, contrary to the requirements of Clause F6D5 of the NCC and preventing safe egress in the event of a fire.
4. Maintenance
 - 4A. The maintenance logbooks for the combined fire hydrant / sprinkler system pumpsets indicated that they have not been maintained monthly, contrary to the requirements of Clause 3.4 of AS 1851-2012.
 - 4B. The maintenance logbooks for the automatic fire detection and alarm system indicate that the system has not been maintained monthly, contrary to the requirements of Clause 6.4 of AS 1851-2012.
5. General
 - 5A. A current Annual Fire Safety Statement was not displayed in a prominent location within the building or provided to FRNSW contrary to the requirements of Section 89 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.

FRNSW believes that there are inadequate provisions for fire safety within the building.

Authorised Fire Officers' of FRNSW issued an Order No. 1, dated 12 December 2023, under the provisions of Section 9.34 of the EP&A Act. In this regard, Council is not presently required to act on item no. 1A A and item no. 1B D of this report.

Under Schedule 5, Part 6, Section 12 of the EP&A Act, a copy of the Order is attached for your information. FRNSW will conduct further inspections of the building to assess compliance with the terms of this Notice and advise Council accordingly.

RECOMMENDATIONS

FRNSW recommends that Council:

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- a. Review items 1 to 5 (excluding items 1A A and 1B D) of this report and conduct an inspection.
- b. Ensure the fire safety measures serving the premises are being regularly maintained and that an Annual Fire Safety Statement is being provided to both the Council and FRNSW.
- c. Address any other deficiencies identified on "the premises".

Please be advised that Schedule 5, Part 8, Section 17(2) requires any report or recommendation from the Commissioner of FRNSW to be tabled at a Council meeting. This matter is referred to Council as the appropriate regulatory authority. FRNSW awaits the Council's advice regarding its determination under Schedule 5, Part 8, Section 17 (4) of the EP&A Act.

Please do not hesitate to contact Ryan Maestri of FRNSW's Fire Safety Compliance Unit at FireSafety@fire.nsw.gov.au or call (02) 9742 7434 if there are any questions or concerns about the above matters. Please refer to file reference BFS23/6253 (31691) regarding any correspondence concerning this matter.

Yours faithfully



Ryan Maestri
Senior Building Surveyor
Fire Safety Compliance Unit

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File Ref. No: BFS23/6253 (31691)
TRIM Ref. No: D23/131185
Contact: Ryan Maestri

12 December 2023

The Owners – Strata Plan 98609
C/- Sarraf Strata
PO Box 520
HURSTVILLE NSW 1481

Dear The Proper Officer

**Re: FIRE SAFETY ORDER – ORDER NO.1
ON THE WATERFRONT
5 BENNELONG PARKWAY, WENTWORTH POINT (“the premises”)**

Fire & Rescue NSW (FRNSW) has received your representations dated 7 December 2023 in response to the Notice of Intention to give a Proposed Fire Safety Order – Order No.1 dated 1 December 2023.

FRNSW has determined to issue the **Fire Safety Order – Order No.1** (**‘Order No.1’**), with an extended 21 day timeframe for compliance in response to your representations, and consideration given under the provisions of Schedule 5, Part 7 (Section 14 and Section 15) of the *Environmental Planning & Assessment Act 1979* (EP&A Act). Accordingly, I have attached a copy of the FRNSW **“Order No. 1”** dated 12 December 2023, issued under Section 9.34 of the EP&A Act.

A copy of the **“Order No.1”** will be forwarded to Parramatta City Council, under Schedule 5, Part 6, Section 12 of the EP&A Act. Authorised Fire Officers will conduct inspections to assess compliance with the **“Order No.1”**.

Fire and Rescue NSW
Community Safety Directorate
Fire Safety Compliance Unit
www.fire.nsw.gov.au

ABN 12 593 473 110
1 Amarina Ave
Greenacre NSW 2190

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T (02) 9742 7434
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Please do not hesitate to contact Ryan Maestri of FRNSW's Fire Safety Compliance Unit at FireSafety@fire.nsw.gov.au or call on (02) 9742 7434 if there are any questions or concerns about the above matters. Please ensure that you refer to file reference BFS23/6253 (31691) regarding any correspondence concerning this matter.

Yours faithfully,



Mark Knowles
Senior Building Surveyor
Fire Safety Compliance Unit

CC: Amelia Causer
Dynamic Property Services
amelia.causer@dynamicproperty.com.au

Kara Seymour
Dynamic Property Services
kara.seymour@picagroup.com.au

Patrick Saad
Sarrafa Strata
patrick@sarrafastrata.com.au

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Fire Safety Order

ORDER No. 1

Under the *Environmental Planning and Assessment Act 1979 (EP&A Act)*
 Part 9 Implementation and Enforcement – Division 9.3 Development Control Orders
 Fire Safety Orders in accordance with the table to Part 2 - Schedule 5.
 Give an Order in accordance with Section 9.34(1)(b)

I, **Mark Knowles** **Senior Building Surveyor** **904279**
(name) (rank) (number)

being an authorised Fire Officer within the meaning of Schedule 5, Part 8, Section 16 of the *Environmental Planning and Assessment Act 1979*, and duly authorised for the purpose, hereby order you

The Owners – Strata Plan 98609
(name of the person whom Order is served)

Owner
(position, i.e. owner, building manager)

with respect to the premise

ON THE WATERFRONT
5 BENNELONG PARKWAY, WENTWORTH POINT (“the premises”)
(name/address of premises to which Order is served)

to do, or refrain from doing, the following things:

1. Undertake all required repairs to the automatic fire detection and alarm system so that it operates in accordance with its design and installation standard. In this regard, repairs shall include, but may not be limited to:
 - a. Repairing all faults displayed on the Fire Brigade Panel (FBP).
 - b. Removing all isolations displayed on the FBP.
2. Provide certification from the fire safety contractor confirming that the primary and secondary diesel pumps for the combined fire hydrant and sprinkler system are fully operational in accordance with their design and installation standard.

Fire and Rescue NSW
 Community Safety Directorate
 Fire Safety Compliance Unit
www.fire.nsw.gov.au

ABN 12 593 473 110
 1 Amarina Ave
 Greenacre NSW 2190

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 T (02) 9742 7434
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Page 3 of 5

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OFFICIAL**The reasons for the issue of this Fire Safety Order - Order No.1 are:**

1. Provisions for fire safety are inadequate to ensure or promote the safety of persons in the event of a fire as a result of the following:
 - a. At the time of the inspection on 28 November 2023, the building was occupied.
 - b. At the time of the inspection on 28 November 2023:
 - i. The FBP indicated 6 faults relating to the automatic fire detection and alarm system.
 - ii. The FBP indicated 112 disablements relating to the automatic fire detection and alarm system.
 - c. Given the issues noted in points "1 a" and "1 b" above, it is unlikely that the automatic fire detection and alarm system will operate correctly in the event of a fire.
 - d. If the automatic fire detection alarm system does not operate correctly to provide early warning of a fire to occupants, the safety of occupants will likely be compromised.
2. Ensuring the correct operation of the automatic fire detection and alarm system will likely safeguard occupants from injury by making the occupants aware of an emergency.
3. To ensure or promote the safety of persons in the event of fire by ensuring the correct operation of the automatic fire detection and alarm system.
4. To do or refrain from doing such things specified in the Order to ensure or promote adequate fire safety or awareness.
5. Provisions for fire safety are inadequate to ensure or promote the safety of persons in the event of a fire and to suppress fire as a result of the following:
 - a. At the time of the inspection on 28 November 2023, the building was occupied.
 - b. At the time of the inspection on 28 November 2023:
 - i. The maintenance logbooks for both the primary and secondary pumps indicated that the maintenance was not up to date with the last entry being September 2023.
 - ii. The last maintenance undertaken identified a number of defects.
 - c. Given points "5 a" and "5 b" above, it cannot be confirmed whether the pumps will operate to the required standard of performance.

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6. Ensuring the correct operation of the combined fire hydrant and sprinkler system pumps will likely safeguard occupants from injury and help to suppress fire by assisting Fire and Rescue NSW in undertaking firefighting operations.
7. To ensure or promote the safety of persons in the event of fire and to help to suppress fire by ensuring the correct operation of the combined fire hydrant and sprinkler system pumps.
8. To do or refrain from doing such things specified in the Order to ensure or promote adequate fire safety or awareness.

The terms of this Fire Safety Order - Order No.1 are to be complied with:

By no later than 5 pm on the **2 January 2024**.

You are required to submit the certification to:

Ryan Maestri
Senior Building Surveyor
Fire & Rescue NSW
Locked Bag 12
GREENACRE NSW 2190
e-mail: firesafety@fire.nsw.gov.au

Appeals

Pursuant to Section 8.18 of the Environmental Planning & Assessment Act 1979 (EP&A Act), there is no right of appeal to the Court against this Fire Safety Order - Order No.1 other than an order that prevents a person from using or entering premises.

Non-Compliance with Fire Safety Order – Order No.1

Failure to comply with this Fire Safety Order - Order No.1 may result in further Orders and/or fines being issued.

Substantial penalties may also be imposed under Section 9.37 of the EP&A Act for failure to comply with a Fire Safety Order - Order No.1.



Mark Knowles
Senior Building Surveyor
Fire Safety Compliance Unit

This Fire Safety Order - **Order No. 1** was mailed on **12 December 2023**.

OFFICIAL



File Ref. No: BFS23/6253 (31691)
TRIM Ref. No: D23/131186
Contact: Ryan Maestri

12 December 2023

The Owners – Strata Plan 98608
C/- Sarraf Strata
PO Box 520
HURSTVILLE NSW 1481

Dear The Proper Officer

**Re: FIRE SAFETY ORDER – ORDER NO.1
ON THE WATERFRONT
7 BENNELONG PARKWAY, WENTWORTH POINT (“the premises”)**

Fire & Rescue NSW (FRNSW) has received your representations dated 7 December 2023 in response to the Notice of Intention to give a Proposed Fire Safety Order – Order No.1 dated 1 December 2023.

FRNSW has determined to issue the **Fire Safety Order – Order No.1** (**‘Order No.1’**), with an extended 21 day timeframe for compliance in response to your representations, and consideration given under the provisions of Schedule 5, Part 7 (Section 14 and Section 15) of the *Environmental Planning & Assessment Act 1979* (EP&A Act). Accordingly, I have attached a copy of the FRNSW **“Order No. 1”** dated 12 December 2023, issued under Section 9.34 of the EP&A Act.

A copy of the **“Order No.1”** will be forwarded to Parramatta City Council, under Schedule 5, Part 6, Section 12 of the EP&A Act. Authorised Fire Officers will conduct inspections to assess compliance with the **“Order No.1”**.

Fire and Rescue NSW
Community Safety Directorate
Fire Safety Compliance Unit
www.fire.nsw.gov.au

ABN 12 593 473 110
1 Amarina Ave
Greenacre NSW 2190

www.fire.nsw.gov.au
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F (02) 9742 7843

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Please do not hesitate to contact Ryan Maestri of FRNSW's Fire Safety Compliance Unit at FireSafety@fire.nsw.gov.au or call on (02) 9742 7434 if there are any questions or concerns about the above matters. Please ensure that you refer to file reference BFS23/6253 (31691) regarding any correspondence concerning this matter.

Yours faithfully,



Mark Knowles
Senior Building Surveyor
Fire Safety Compliance Unit

CC: Amelia Causer
Dynamic Property Services
amelia.causer@dynamicproperty.com.au

Kara Seymour
Dynamic Property Services
kara.seymour@picagroup.com.au

Patrick Saad
Sarraf Strata
patrick@sarrafstrata.com.au

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Fire Safety Order

ORDER No. 1

Under the *Environmental Planning and Assessment Act 1979 (EP&A Act)*
 Part 9 Implementation and Enforcement – Division 9.3 Development Control Orders
 Fire Safety Orders in accordance with the table to Part 2 - Schedule 5.
 Give an Order in accordance with Section 9.34(1)(b)

I, **Mark Knowles** Senior Building Surveyor **904279**
 (name) (rank) (number)

being an authorised Fire Officer within the meaning of Schedule 5, Part 8, Section 16 of the *Environmental Planning and Assessment Act 1979*, and duly authorised for the purpose, hereby order you

The Owners – Strata Plan 98608
 (name of the person whom Order is served)

Owner
 (position, i.e. owner, building manager)

with respect to the premise

ON THE WATERFRONT
7 BENNELONG PARKWAY, WENTWORTH POINT (“the premises”)
 (name/address of premises to which Order is served)

to do, or refrain from doing, the following things:

1. Undertake all required repairs to the automatic fire detection and alarm system so that it operates in accordance with its design and installation standard. In this regard, repairs shall include, but may not be limited to:
 - a. Repairing all faults displayed on the Fire Brigade Panel (FBP).
 - b. Removing all isolations displayed on the FBP.
2. Provide certification from the fire safety contractor confirming that the primary and secondary diesel pumps for the combined fire hydrant and sprinkler system are fully operational in accordance with their design and installation standard.

OFFICIAL

OFFICIAL**The reasons for the issue of this Fire Safety Order - Order No.1 are:**

1. Provisions for fire safety are inadequate to ensure or promote the safety of persons in the event of a fire as a result of the following:
 - a. At the time of the inspection on 28 November 2023, the building was occupied.
 - b. At the time of the inspection on 28 November 2023:
 - i. The FBP indicated 6 faults relating to the automatic fire detection and alarm system.
 - ii. The FBP indicated 112 disablements relating to the automatic fire detection and alarm system.
 - c. Given the issues noted in points "1 a" and "1 b" above, it is unlikely that the automatic fire detection and alarm system will operate correctly in the event of a fire.
 - d. If the automatic fire detection alarm system does not operate correctly to provide early warning of a fire to occupants, the safety of occupants will likely be compromised.
2. Ensuring the correct operation of the automatic fire detection and alarm system will likely safeguard occupants from injury by making the occupants aware of an emergency.
3. To ensure or promote the safety of persons in the event of fire by ensuring the correct operation of the automatic fire detection and alarm system.
4. To do or refrain from doing such things specified in the Order to ensure or promote adequate fire safety or awareness.
5. Provisions for fire safety are inadequate to ensure or promote the safety of persons in the event of a fire and to suppress fire as a result of the following:
 - a. At the time of the inspection on 28 November 2023, the building was occupied.
 - b. At the time of the inspection on 28 November 2023:
 - i. The maintenance logbooks for both the primary and secondary pumps indicated that the maintenance was not up to date with the last entry being September 2023.
 - ii. The last maintenance undertaken identified a number of defects.
 - c. Given points "5 a" and "5 b" above, it cannot be confirmed whether the pumps will operate to the required standard of performance.

OFFICIAL

6. Ensuring the correct operation of the combined fire hydrant and sprinkler system pumps will likely safeguard occupants from injury and help to suppress fire by assisting Fire and Rescue NSW in undertaking firefighting operations.
7. To ensure or promote the safety of persons in the event of fire and to help to suppress fire by ensuring the correct operation of the combined fire hydrant and sprinkler system pumps.
8. To do or refrain from doing such things specified in the Order to ensure or promote adequate fire safety or awareness.

The terms of this Fire Safety Order - Order No.1 are to be complied with:

By no later than 5 pm on the **2 January 2024**.

You are required to submit the certification to:

Ryan Maestri
Senior Building Surveyor
Fire & Rescue NSW
Locked Bag 12
GREENACRE NSW 2190
e-mail: firesafety@fire.nsw.gov.au

Appeals

Pursuant to Section 8.18 of the Environmental Planning & Assessment Act 1979 (EP&A Act), there is no right of appeal to the Court against this Fire Safety Order - Order No.1 other than an order that prevents a person from using or entering premises.

Non-Compliance with Fire Safety Order – Order No.1

Failure to comply with this Fire Safety Order - Order No.1 may result in further Orders and/or fines being issued.

Substantial penalties may also be imposed under Section 9.37 of the EP&A Act for failure to comply with a Fire Safety Order - Order No.1.



Mark Knowles
Senior Building Surveyor
Fire Safety Compliance Unit

This Fire Safety Order - **Order No. 1** was mailed on **12 December 2023**.

OFFICIAL



File Ref. No: BFS23/6253 (31691)
TRIM Ref. No: D23/131188
Contact: Ryan Maestri

12 December 2023

Wentworth Point 1 Pty Ltd
C/- Boroughs Australia Pty Ltd
Level 6 / 77 Castlereagh Street
SYDNEY NSW 2000

Dear The Proper Officer

**Re: FIRE SAFETY ORDER – ORDER NO.1
ON THE WATERFRONT
23 BENNELONG PARKWAY, WENTWORTH POINT (“the premises”)**

Fire & Rescue NSW (FRNSW) has received your representations dated 7 December 2023 in response to the Notice of Intention to give a Proposed Fire Safety Order – Order No.1 dated 1 December 2023.

FRNSW has determined to issue the **Fire Safety Order – Order No.1** (**‘Order No.1’**), with an extended 21 day timeframe for compliance in response to your representations, and consideration given under the provisions of Schedule 5, Part 7 (Section 14 and Section 15) of the *Environmental Planning & Assessment Act 1979* (EP&A Act). Accordingly, I have attached a copy of the FRNSW **“Order No. 1”** dated 12 December 2023, issued under Section 9.34 of the EP&A Act.

A copy of the **“Order No.1”** will be forwarded to Parramatta City Council, under Schedule 5, Part 6, Section 12 of the EP&A Act. Authorised Fire Officers will conduct inspections to assess compliance with the **“Order No.1”**.

Fire and Rescue NSW

ABN 12 593 473 110

www.fire.nsw.gov.au

Community Safety Directorate
Fire Safety Compliance Unit

1 Amarina Ave
Greenacre NSW 2190

T (02) 9742 7434
F (02) 9742 7843

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Please do not hesitate to contact Ryan Maestri of FRNSW's Fire Safety Compliance Unit at FireSafety@fire.nsw.gov.au or call on (02) 9742 7434 if there are any questions or concerns about the above matters. Please ensure that you refer to file reference BFS23/6253 (31691) regarding any correspondence concerning this matter.

Yours faithfully,



Mark Knowles
Senior Building Surveyor
Fire Safety Compliance Unit

CC: Gavan Bond
Building & Facility Management
otw@sba.fm.com.au

Patrick Saad
Sarraf Strata
patrick@sarrafstrata.com.au

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Fire Safety Order

ORDER No. 1

Under the *Environmental Planning and Assessment Act 1979 (EP&A Act)*
 Part 9 Implementation and Enforcement – Division 9.3 Development Control Orders
 Fire Safety Orders in accordance with the table to Part 2 - Schedule 5.
 Give an Order in accordance with Section 9.34(1)(b)

I, **Mark Knowles** **Senior Building Surveyor** **904279**
 (name) (rank) (number)

being an authorised Fire Officer within the meaning of Schedule 5, Part 8, Section 16 of the *Environmental Planning and Assessment Act 1979*, and duly authorised for the purpose, hereby order you

Wentworth Point 1 Pty Ltd
 (name of the person whom Order is served)

Owner
 (position, i.e. owner, building manager)

with respect to the premise

ON THE WATERFRONT
23 BENNELONG PARKWAY, WENTWORTH POINT (“the premises”)
 (name/address of premises to which Order is served)

to do, or refrain from doing, the following things:

1. Undertake all required repairs to the automatic fire detection and alarm system so that it operates in accordance with its design and installation standard. In this regard, repairs shall include, but may not be limited to:
 - a. Repairing all faults displayed on the Fire Brigade Panel (FBP).
 - b. Removing all isolations displayed on the FBP.
2. Provide certification from the fire safety contractor confirming that the primary and secondary diesel pumps for the combined fire hydrant and sprinkler system are fully operational in accordance with their design and installation standard.

OFFICIAL

OFFICIAL**The reasons for the issue of this Fire Safety Order - Order No.1 are:**

1. Provisions for fire safety are inadequate to ensure or promote the safety of persons in the event of a fire as a result of the following:
 - a. At the time of the inspection on 28 November 2023, the building was occupied.
 - b. At the time of the inspection on 28 November 2023:
 - i. The FBP indicated 6 faults relating to the automatic fire detection and alarm system.
 - ii. The FBP indicated 112 disablements relating to the automatic fire detection and alarm system.
 - c. Given the issues noted in points "1 a" and "1 b" above, it is unlikely that the automatic fire detection and alarm system will operate correctly in the event of a fire.
 - d. If the automatic fire detection alarm system does not operate correctly to provide early warning of a fire to occupants, the safety of occupants will likely be compromised.
2. Ensuring the correct operation of the automatic fire detection and alarm system will likely safeguard occupants from injury by making the occupants aware of an emergency.
3. To ensure or promote the safety of persons in the event of fire by ensuring the correct operation of the automatic fire detection and alarm system.
4. To do or refrain from doing such things specified in the Order to ensure or promote adequate fire safety or awareness.
5. Provisions for fire safety are inadequate to ensure or promote the safety of persons in the event of a fire and to suppress fire as a result of the following:
 - a. At the time of the inspection on 28 November 2023, the building was occupied.
 - b. At the time of the inspection on 28 November 2023:
 - i. The maintenance logbooks for both the primary and secondary pumps indicated that the maintenance was not up to date with the last entry being September 2023.
 - ii. The last maintenance undertaken identified a number of defects.
 - c. Given points "5 a" and "5 b" above, it cannot be confirmed whether the pumps will operate to the required standard of performance.

OFFICIAL

6. Ensuring the correct operation of the combined fire hydrant and sprinkler system pumps will likely safeguard occupants from injury and help to suppress fire by assisting Fire and Rescue NSW in undertaking firefighting operations.
7. To ensure or promote the safety of persons in the event of fire and to help to suppress fire by ensuring the correct operation of the combined fire hydrant and sprinkler system pumps.
8. To do or refrain from doing such things specified in the Order to ensure or promote adequate fire safety or awareness.

The terms of this Fire Safety Order - Order No.1 are to be complied with:

By no later than 5 pm on the **2 January 2024**.

You are required to submit the certification to:

Ryan Maestri
Senior Building Surveyor
Fire & Rescue NSW
Locked Bag 12
GREENACRE NSW 2190
e-mail: firesafety@fire.nsw.gov.au

Appeals

Pursuant to Section 8.18 of the Environmental Planning & Assessment Act 1979 (EP&A Act), there is no right of appeal to the Court against this Fire Safety Order - Order No.1 other than an order that prevents a person from using or entering premises.

Non-Compliance with Fire Safety Order – Order No.1

Failure to comply with this Fire Safety Order - Order No.1 may result in further Orders and/or fines being issued.

Substantial penalties may also be imposed under Section 9.37 of the EP&A Act for failure to comply with a Fire Safety Order - Order No.1.



Mark Knowles
Senior Building Surveyor
Fire Safety Compliance Unit

This Fire Safety Order - **Order No. 1** was mailed on **12 December 2023**.

OFFICIAL



File Ref. No: BFS23/6253 (31691)
TRIM Ref. No: D23/131190
Contact: Ryan Maestri

12 December 2023

The Owners – Strata Plan 98434
PO Box 520
HURSTVILLE NSW 1481

Dear The Proper Officer

**Re: FIRE SAFETY ORDER – ORDER NO.1
ON THE WATERFRONT
1 BENNELONG PARKWAY, WENTWORTH POINT (“the premises”)**

Fire & Rescue NSW (FRNSW) has received your representations dated 7 December 2023 in response to the Notice of Intention to give a Proposed Fire Safety Order – Order No.1 dated 1 December 2023.

FRNSW has determined to issue the **Fire Safety Order – Order No.1** (**‘Order No.1’**), with an extended 21 day timeframe for compliance in response to your representations, and consideration given under the provisions of Schedule 5, Part 7 (Section 14 and Section 15) of the *Environmental Planning & Assessment Act 1979* (EP&A Act). Accordingly, I have attached a copy of the FRNSW **“Order No. 1”** dated 12 December 2023, issued under Section 9.34 of the EP&A Act.

A copy of the **“Order No.1”** will be forwarded to Parramatta City Council, under Schedule 5, Part 6, Section 12 of the EP&A Act. Authorised Fire Officers will conduct inspections to assess compliance with the **“Order No.1”**.

Fire and Rescue NSW

ABN 12 593 473 110

www.fire.nsw.gov.au

Community Safety Directorate
Fire Safety Compliance Unit

1 Amarina Ave
Greenacre NSW 2190

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www.fire.nsw.gov.au

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Please do not hesitate to contact Ryan Maestri of FRNSW's Fire Safety Compliance Unit at FireSafety@fire.nsw.gov.au or call on (02) 9742 7434 if there are any questions or concerns about the above matters. Please ensure that you refer to file reference BFS23/6253 (31691) regarding any correspondence concerning this matter.

Yours faithfully,



Mark Knowles
Senior Building Surveyor
Fire Safety Compliance Unit

CC: Patrick Saad
Sarrafa Strata
patrick@sarrafastrata.com.au

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Fire Safety Order

ORDER No. 1

Under the *Environmental Planning and Assessment Act 1979 (EP&A Act)*
 Part 9 Implementation and Enforcement – Division 9.3 Development Control Orders
 Fire Safety Orders in accordance with the table to Part 2 - Schedule 5.
 Give an Order in accordance with Section 9.34(1)(b)

I, **Mark Knowles** Senior Building Surveyor **904279**
(name) (rank) (number)

being an authorised Fire Officer within the meaning of Schedule 5, Part 8, Section 16 of the *Environmental Planning and Assessment Act 1979*, and duly authorised for the purpose, hereby order you

The Owners – Strata Plan 98434
(name of the person whom Order is served)

Owner
(position, i.e. owner, building manager)

with respect to the premise

ON THE WATERFRONT
1 BENNELONG PARKWAY, WENTWORTH POINT (“the premises”)
(name/address of premises to which Order is served)

to do, or refrain from doing, the following things:

1. Undertake all required repairs to the automatic fire detection and alarm system so that it operates in accordance with its design and installation standard. In this regard, repairs shall include, but may not be limited to:
 - a. Repairing all faults displayed on the Fire Brigade Panel (FBP).
 - b. Removing all isolations displayed on the FBP.
2. Provide certification from the fire safety contractor confirming that the primary and secondary diesel pumps for the combined fire hydrant and sprinkler system are fully operational in accordance with their design and installation standard.

Fire and Rescue NSW

ABN 12 593 473 110

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Community Safety Directorate
 Fire Safety Compliance Unit

1 Amarina Ave
 Greenacre NSW 2190

T (02) 9742 7434
 F (02) 9742 7843

www.fire.nsw.gov.au

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OFFICIAL

OFFICIAL**The reasons for the issue of this Fire Safety Order - Order No.1 are:**

1. Provisions for fire safety are inadequate to ensure or promote the safety of persons in the event of a fire as a result of the following:
 - a. At the time of the inspection on 28 November 2023, the building was occupied.
 - b. At the time of the inspection on 28 November 2023:
 - i. The FBP indicated 6 faults relating to the automatic fire detection and alarm system.
 - ii. The FBP indicated 112 disablements relating to the automatic fire detection and alarm system.
 - c. Given the issues noted in points "1 a" and "1 b" above, it is unlikely that the automatic fire detection and alarm system will operate correctly in the event of a fire.
 - d. If the automatic fire detection alarm system does not operate correctly to provide early warning of a fire to occupants, the safety of occupants will likely be compromised.
2. Ensuring the correct operation of the automatic fire detection and alarm system will likely safeguard occupants from injury by making the occupants aware of an emergency.
3. To ensure or promote the safety of persons in the event of fire by ensuring the correct operation of the automatic fire detection and alarm system.
4. To do or refrain from doing such things specified in the Order to ensure or promote adequate fire safety or awareness.
5. Provisions for fire safety are inadequate to ensure or promote the safety of persons in the event of a fire and to suppress fire as a result of the following:
 - a. At the time of the inspection on 28 November 2023, the building was occupied.
 - b. At the time of the inspection on 28 November 2023:
 - i. The maintenance logbooks for both the primary and secondary pumps indicated that the maintenance was not up to date with the last entry being September 2023.
 - ii. The last maintenance undertaken identified a number of defects.
 - c. Given points "5 a" and "5 b" above, it cannot be confirmed whether the pumps will operate to the required standard of performance.

OFFICIAL

6. Ensuring the correct operation of the combined fire hydrant and sprinkler system pumps will likely safeguard occupants from injury and help to suppress fire by assisting Fire and Rescue NSW in undertaking firefighting operations.
7. To ensure or promote the safety of persons in the event of fire and to help to suppress fire by ensuring the correct operation of the combined fire hydrant and sprinkler system pumps.
8. To do or refrain from doing such things specified in the Order to ensure or promote adequate fire safety or awareness.

The terms of this Fire Safety Order - Order No.1 are to be complied with:

By no later than 5 pm on the **2 January 2024**.

You are required to submit the certification to:

Ryan Maestri
Senior Building Surveyor
Fire & Rescue NSW
Locked Bag 12
GREENACRE NSW 2190
e-mail: firesafety@fire.nsw.gov.au

Appeals

Pursuant to Section 8.18 of the Environmental Planning & Assessment Act 1979 (EP&A Act), there is no right of appeal to the Court against this Fire Safety Order - Order No.1 other than an order that prevents a person from using or entering premises.

Non-Compliance with Fire Safety Order – Order No.1

Failure to comply with this Fire Safety Order - Order No.1 may result in further Orders and/or fines being issued.

Substantial penalties may also be imposed under Section 9.37 of the EP&A Act for failure to comply with a Fire Safety Order - Order No.1.



Mark Knowles
Senior Building Surveyor
Fire Safety Compliance Unit

This Fire Safety Order - **Order No. 1** was mailed on **12 December 2023**.

OFFICIAL



File Ref. No: BFS23/6253 (31691)
TRIM Ref. No: D23/131191
Contact: Ryan Maestri

12 December 2023

The Owners – Strata Plan 99753
PO Box 520
HURSTVILLE NSW 1481

Dear The Proper Officer

**Re: FIRE SAFETY ORDER – ORDER NO.1
ON THE WATERFRONT
19 AMALFI DRIVE, WENTWORTH POINT (“the premises”)**

Fire & Rescue NSW (FRNSW) has received your representations dated 7 December 2023 in response to the Notice of Intention to give a Proposed Fire Safety Order – Order No.1 dated 1 December 2023.

FRNSW has determined to issue the **Fire Safety Order – Order No.1** (**‘Order No.1’**), with an extended 21 day timeframe for compliance in response to your representations, and consideration given under the provisions of Schedule 5, Part 7 (Section 14 and Section 15) of the *Environmental Planning & Assessment Act 1979* (EP&A Act). Accordingly, I have attached a copy of the FRNSW **“Order No. 1”** dated 12 December 2023, issued under Section 9.34 of the EP&A Act.

A copy of the **“Order No.1”** will be forwarded to Parramatta City Council, under Schedule 5, Part 6, Section 12 of the EP&A Act. Authorised Fire Officers will conduct inspections to assess compliance with the **“Order No.1”**.

Fire and Rescue NSW

ABN 12 593 473 110

www.fire.nsw.gov.au

Community Safety Directorate
Fire Safety Compliance Unit

1 Amarina Ave
Greenacre NSW 2190

T (02) 9742 7434
F (02) 9742 7843

www.fire.nsw.gov.au

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Please do not hesitate to contact Ryan Maestri of FRNSW's Fire Safety Compliance Unit at FireSafety@fire.nsw.gov.au or call on (02) 9742 7434 if there are any questions or concerns about the above matters. Please ensure that you refer to file reference BFS23/6253 (31691) regarding any correspondence concerning this matter.

Yours faithfully,



Mark Knowles
Senior Building Surveyor
Fire Safety Compliance Unit

CC: Amelia Causer
Dynamic Property Services
amelia.causer@dynamicproperty.com.au

Kara Seymour
Dynamic Property Services
kara.seymour@picagroup.com.au

Patrick Saad
Sarraff Strata
patrick@sarraffstrata.com.au

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Fire Safety Order

ORDER No. 1

Under the *Environmental Planning and Assessment Act 1979 (EP&A Act)*
 Part 9 Implementation and Enforcement – Division 9.3 Development Control Orders
 Fire Safety Orders in accordance with the table to Part 2 - Schedule 5.
 Give an Order in accordance with Section 9.34(1)(b)

I, **Mark Knowles** Senior Building Surveyor **904279**
 (name) (rank) (number)

being an authorised Fire Officer within the meaning of Schedule 5, Part 8, Section 16 of the *Environmental Planning and Assessment Act 1979*, and duly authorised for the purpose, hereby order you

The Owners – Strata Plan 99753
 (name of the person whom Order is served)

Owner
 (position, i.e. owner, building manager)

with respect to the premise

ON THE WATERFRONT
19 AMALFI DRIVE, WENTWORTH POINT (“the premises”)
 (name/address of premises to which Order is served)

to do, or refrain from doing, the following things:

1. Undertake all required repairs to the automatic fire detection and alarm system so that it operates in accordance with its design and installation standard. In this regard, repairs shall include, but may not be limited to:
 - a. Repairing all faults displayed on the Fire Brigade Panel (FBP).
 - b. Removing all isolations displayed on the FBP.
2. Provide certification from the fire safety contractor confirming that the primary and secondary diesel pumps for the combined fire hydrant and sprinkler system are fully operational in accordance with their design and installation standard.

OFFICIAL

OFFICIAL**The reasons for the issue of this Fire Safety Order - Order No.1 are:**

1. Provisions for fire safety are inadequate to ensure or promote the safety of persons in the event of a fire as a result of the following:
 - a. At the time of the inspection on 28 November 2023, the building was occupied.
 - b. At the time of the inspection on 28 November 2023:
 - i. The FBP indicated 6 faults relating to the automatic fire detection and alarm system.
 - ii. The FBP indicated 112 disablements relating to the automatic fire detection and alarm system.
 - c. Given the issues noted in points "1 a" and "1 b" above, it is unlikely that the automatic fire detection and alarm system will operate correctly in the event of a fire.
 - d. If the automatic fire detection alarm system does not operate correctly to provide early warning of a fire to occupants, the safety of occupants will likely be compromised.
2. Ensuring the correct operation of the automatic fire detection and alarm system will likely safeguard occupants from injury by making the occupants aware of an emergency.
3. To ensure or promote the safety of persons in the event of fire by ensuring the correct operation of the automatic fire detection and alarm system.
4. To do or refrain from doing such things specified in the Order to ensure or promote adequate fire safety or awareness.
5. Provisions for fire safety are inadequate to ensure or promote the safety of persons in the event of a fire and to suppress fire as a result of the following:
 - a. At the time of the inspection on 28 November 2023, the building was occupied.
 - b. At the time of the inspection on 28 November 2023:
 - i. The maintenance logbooks for both the primary and secondary pumps indicated that the maintenance was not up to date with the last entry being September 2023.
 - ii. The last maintenance undertaken identified a number of defects.
 - c. Given points "5 a" and "5 b" above, it cannot be confirmed whether the pumps will operate to the required standard of performance.

OFFICIAL

6. Ensuring the correct operation of the combined fire hydrant and sprinkler system pumps will likely safeguard occupants from injury and help to suppress fire by assisting Fire and Rescue NSW in undertaking firefighting operations.
7. To ensure or promote the safety of persons in the event of fire and to help to suppress fire by ensuring the correct operation of the combined fire hydrant and sprinkler system pumps.
8. To do or refrain from doing such things specified in the Order to ensure or promote adequate fire safety or awareness.

The terms of this Fire Safety Order - Order No.1 are to be complied with:

By no later than 5 pm on the **2 January 2024**.

You are required to submit the certification to:

Ryan Maestri
Senior Building Surveyor
Fire & Rescue NSW
Locked Bag 12
GREENACRE NSW 2190
e-mail: firesafety@fire.nsw.gov.au

Appeals

Pursuant to Section 8.18 of the Environmental Planning & Assessment Act 1979 (EP&A Act), there is no right of appeal to the Court against this Fire Safety Order - Order No.1 other than an order that prevents a person from using or entering premises.

Non-Compliance with Fire Safety Order – Order No.1

Failure to comply with this Fire Safety Order - Order No.1 may result in further Orders and/or fines being issued.

Substantial penalties may also be imposed under Section 9.37 of the EP&A Act for failure to comply with a Fire Safety Order - Order No.1.



Mark Knowles
Senior Building Surveyor
Fire Safety Compliance Unit

This Fire Safety Order - **Order No. 1** was mailed on **12 December 2023**.

OFFICIAL



File Ref. No: BFS23/6253 (31691)
TRIM Ref. No: D23/131193
Contact: Ryan Maestri

12 December 2023

The Owners – Strata Plan 99752
PO Box 520
HURSTVILLE NSW 1481

Dear The Proper Officer

**Re: FIRE SAFETY ORDER – ORDER NO.1
ON THE WATERFRONT
17 AMALFI DRIVE, WENTWORTH POINT (“the premises”)**

Fire & Rescue NSW (FRNSW) has received your representations dated 7 December 2023 in response to the Notice of Intention to give a Proposed Fire Safety Order – Order No.1 dated 1 December 2023.

FRNSW has determined to issue the **Fire Safety Order – Order No.1** (**‘Order No.1’**), with an extended 21 day timeframe for compliance in response to your representations, and consideration given under the provisions of Schedule 5, Part 7 (Section 14 and Section 15) of the *Environmental Planning & Assessment Act 1979* (EP&A Act). Accordingly, I have attached a copy of the FRNSW **“Order No. 1”** dated 12 December 2023, issued under Section 9.34 of the EP&A Act.

A copy of the **“Order No.1”** will be forwarded to Parramatta City Council, under Schedule 5, Part 6, Section 12 of the EP&A Act. Authorised Fire Officers will conduct inspections to assess compliance with the **“Order No.1”**.

Fire and Rescue NSW
Community Safety Directorate
Fire Safety Compliance Unit

ABN 12 593 473 110
1 Amarina Ave
Greenacre NSW 2190

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T (02) 9742 7434
F (02) 9742 7843

www.fire.nsw.gov.au

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Please do not hesitate to contact Ryan Maestri of FRNSW's Fire Safety Compliance Unit at FireSafety@fire.nsw.gov.au or call on (02) 9742 7434 if there are any questions or concerns about the above matters. Please ensure that you refer to file reference BFS23/6253 (31691) regarding any correspondence concerning this matter.

Yours faithfully,



Mark Knowles
Senior Building Surveyor
Fire Safety Compliance Unit

CC: Amelia Causer
Dynamic Property Services
amelia.causer@dynamicproperty.com.au

Kara Seymour
Dynamic Property Services
kara.seymour@picagroup.com.au

Patrick Saad
Sarraf Strata
patrick@sarrafstrata.com.au

OFFICIAL

OFFICIAL



Fire Safety Order

ORDER No. 1

Under the *Environmental Planning and Assessment Act 1979 (EP&A Act)*
 Part 9 Implementation and Enforcement – Division 9.3 Development Control Orders
 Fire Safety Orders in accordance with the table to Part 2 - Schedule 5.
 Give an Order in accordance with Section 9.34(1)(b)

I, **Mark Knowles** **Senior Building Surveyor** **904279**
 (name) (rank) (number)

being an authorised Fire Officer within the meaning of Schedule 5, Part 8, Section 16 of the *Environmental Planning and Assessment Act 1979*, and duly authorised for the purpose, hereby order you

The Owners – Strata Plan 99752
 (name of the person whom Order is served)

Owner
 (position, i.e. owner, building manager)

with respect to the premise

ON THE WATERFRONT
17 AMALFI DRIVE, WENTWORTH POINT (“the premises”)
 (name/address of premises to which Order is served)

to do, or refrain from doing, the following things:

1. Undertake all required repairs to the automatic fire detection and alarm system so that it operates in accordance with its design and installation standard. In this regard, repairs shall include, but may not be limited to:
 - a. Repairing all faults displayed on the Fire Brigade Panel (FBP).
 - b. Removing all isolations displayed on the FBP.
2. Provide certification from the fire safety contractor confirming that the primary and secondary diesel pumps for the combined fire hydrant and sprinkler system are fully operational in accordance with their design and installation standard.

OFFICIAL

OFFICIAL**The reasons for the issue of this Fire Safety Order - Order No.1 are:**

1. Provisions for fire safety are inadequate to ensure or promote the safety of persons in the event of a fire as a result of the following:
 - a. At the time of the inspection on 28 November 2023, the building was occupied.
 - b. At the time of the inspection on 28 November 2023:
 - i. The FBP indicated 6 faults relating to the automatic fire detection and alarm system.
 - ii. The FBP indicated 112 disablements relating to the automatic fire detection and alarm system.
 - c. Given the issues noted in points "1 a" and "1 b" above, it is unlikely that the automatic fire detection and alarm system will operate correctly in the event of a fire.
 - d. If the automatic fire detection alarm system does not operate correctly to provide early warning of a fire to occupants, the safety of occupants will likely be compromised.
2. Ensuring the correct operation of the automatic fire detection and alarm system will likely safeguard occupants from injury by making the occupants aware of an emergency.
3. To ensure or promote the safety of persons in the event of fire by ensuring the correct operation of the automatic fire detection and alarm system.
4. To do or refrain from doing such things specified in the Order to ensure or promote adequate fire safety or awareness.
5. Provisions for fire safety are inadequate to ensure or promote the safety of persons in the event of a fire and to suppress fire as a result of the following:
 - a. At the time of the inspection on 28 November 2023, the building was occupied.
 - b. At the time of the inspection on 28 November 2023:
 - i. The maintenance logbooks for both the primary and secondary pumps indicated that the maintenance was not up to date with the last entry being September 2023.
 - ii. The last maintenance undertaken identified a number of defects.
 - c. Given points "5 a" and "5 b" above, it cannot be confirmed whether the pumps will operate to the required standard of performance.

OFFICIAL

6. Ensuring the correct operation of the combined fire hydrant and sprinkler system pumps will likely safeguard occupants from injury and help to suppress fire by assisting Fire and Rescue NSW in undertaking firefighting operations.
7. To ensure or promote the safety of persons in the event of fire and to help to suppress fire by ensuring the correct operation of the combined fire hydrant and sprinkler system pumps.
8. To do or refrain from doing such things specified in the Order to ensure or promote adequate fire safety or awareness.

The terms of this Fire Safety Order - Order No.1 are to be complied with:

By no later than 5 pm on the **2 January 2024**.

You are required to submit the certification to:

Ryan Maestri
Senior Building Surveyor
Fire & Rescue NSW
Locked Bag 12
GREENACRE NSW 2190
e-mail: firesafety@fire.nsw.gov.au

Appeals

Pursuant to Section 8.18 of the Environmental Planning & Assessment Act 1979 (EP&A Act), there is no right of appeal to the Court against this Fire Safety Order - Order No.1 other than an order that prevents a person from using or entering premises.

Non-Compliance with Fire Safety Order – Order No.1

Failure to comply with this Fire Safety Order - Order No.1 may result in further Orders and/or fines being issued.

Substantial penalties may also be imposed under Section 9.37 of the EP&A Act for failure to comply with a Fire Safety Order - Order No.1.



Mark Knowles
Senior Building Surveyor
Fire Safety Compliance Unit

This Fire Safety Order - **Order No. 1** was mailed on **12 December 2023**.

OFFICIAL



File Ref. No: BFS23/6253 (31691)
TRIM Ref. No: D23/131198
Contact: Ryan Maestri

12 December 2023

The Owners – Strata Plan 98433
PO Box 520
HURSTVILLE NSW 1481

Dear The Proper Officer

**Re: FIRE SAFETY ORDER – ORDER NO.1
ON THE WATERFRONT
11 BENNELONG PARKWAY, WENTWORTH POINT (“the premises”)**

Fire & Rescue NSW (FRNSW) has received your representations dated 7 December 2023 in response to the Notice of Intention to give a Proposed Fire Safety Order – Order No.1 dated 1 December 2023.

FRNSW has determined to issue the **Fire Safety Order – Order No.1** (**‘Order No.1’**), with an extended 21 day timeframe for compliance in response to your representations, and consideration given under the provisions of Schedule 5, Part 7 (Section 14 and Section 15) of the *Environmental Planning & Assessment Act 1979* (EP&A Act). Accordingly, I have attached a copy of the FRNSW **“Order No. 1”** dated 12 December 2023, issued under Section 9.34 of the EP&A Act.

A copy of the **“Order No.1”** will be forwarded to Parramatta City Council, under Schedule 5, Part 6, Section 12 of the EP&A Act. Authorised Fire Officers will conduct inspections to assess compliance with the **“Order No.1”**.

Fire and Rescue NSW
Community Safety Directorate
Fire Safety Compliance Unit
www.fire.nsw.gov.au

ABN 12 593 473 110
1 Amarina Ave
Greenacre NSW 2190

www.fire.nsw.gov.au
T (02) 9742 7434
F (02) 9742 7843

Page 1 of 5

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Please do not hesitate to contact Ryan Maestri of FRNSW's Fire Safety Compliance Unit at FireSafety@fire.nsw.gov.au or call on (02) 9742 7434 if there are any questions or concerns about the above matters. Please ensure that you refer to file reference BFS23/6253 (31691) regarding any correspondence concerning this matter.

Yours faithfully,



Mark Knowles
Senior Building Surveyor
Fire Safety Compliance Unit

CC: Patrick Saad
Sarrafa Strata
patrick@sarrafastrata.com.au

OFFICIAL

OFFICIAL



Fire Safety Order

ORDER No. 1

Under the *Environmental Planning and Assessment Act 1979 (EP&A Act)*
 Part 9 Implementation and Enforcement – Division 9.3 Development Control Orders
 Fire Safety Orders in accordance with the table to Part 2 - Schedule 5.
 Give an Order in accordance with Section 9.34(1)(b)

I, **Mark Knowles** Senior Building Surveyor **904279**
 (name) (rank) (number)

being an authorised Fire Officer within the meaning of Schedule 5, Part 8, Section 16 of the *Environmental Planning and Assessment Act 1979*, and duly authorised for the purpose, hereby order you

The Owners – Strata Plan 98433
 (name of the person whom Order is served)

Owner
 (position, i.e. owner, building manager)

with respect to the premise

ON THE WATERFRONT
11 BENNELONG PARKWAY, WENTWORTH POINT (“the premises”)
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1. Provisions for fire safety are inadequate to ensure or promote the safety of persons in the event of a fire as a result of the following:
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 - ii. The last maintenance undertaken identified a number of defects.
 - c. Given points "5 a" and "5 b" above, it cannot be confirmed whether the pumps will operate to the required standard of performance.

OFFICIAL

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8. To do or refrain from doing such things specified in the Order to ensure or promote adequate fire safety or awareness.

The terms of this Fire Safety Order - Order No.1 are to be complied with:

By no later than 5 pm on the **2 January 2024**.

You are required to submit the certification to:

Ryan Maestri
Senior Building Surveyor
Fire & Rescue NSW
Locked Bag 12
GREENACRE NSW 2190
e-mail: firesafety@fire.nsw.gov.au

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Pursuant to Section 8.18 of the Environmental Planning & Assessment Act 1979 (EP&A Act), there is no right of appeal to the Court against this Fire Safety Order - Order No.1 other than an order that prevents a person from using or entering premises.

Non-Compliance with Fire Safety Order – Order No.1

Failure to comply with this Fire Safety Order - Order No.1 may result in further Orders and/or fines being issued.

Substantial penalties may also be imposed under Section 9.37 of the EP&A Act for failure to comply with a Fire Safety Order - Order No.1.



Mark Knowles
Senior Building Surveyor
Fire Safety Compliance Unit

This Fire Safety Order - **Order No. 1** was mailed on **12 December 2023**.

REPORTS TO COUNCIL - FOR NOTATION

ITEM NUMBER	12.2
SUBJECT	Deferred from OCM 12 February 2024 - Delegation of the Lord Mayor and Chief Executive Officer Exercised During the 2023/24 Recess Period
REFERENCE	F2024/00282 - D09365814
REPORT OF	Executive Officer

CSP THEME: FAIR

WORKSHOP/BRIEFING DATE: Nil

PURPOSE:

The purpose of this report is to provide a further update on delegations exercised by the Lord Mayor and the Chief Executive Officer during the recess period, and to provide information regarding financial expenditure incurred during previous recess periods in this term of Council.

RECOMMENDATION

- (a) That Council note the decisions exercised under delegated authority during the recess period, being Tuesday 12 December 2023 until Sunday 11 February 2024, contained within this report.
- (b) That Council note there was no financial expenditure incurred under joint delegated authority during previous recess periods throughout this term of Council.

BACKGROUND

1. Council at its meeting held on 11 December 2023 provided delegated authority to the Lord Mayor and Chief Executive Officer over the 2023/24 recess period and resolved:

That:

- (a) *Council delegates to the Lord Mayor the authority to exercise the powers, authorities, duties and functions of Council during the recess period, being Tuesday 12 December 2023 until Sunday 11 February 2024;*
- (b) *The Lord Mayor shall consult with the Chief Executive Officer prior to exercising the delegation.*
- (c) *The delegation does not override the Chief Executive Officer's delegation approved by Council at its meeting on 11 April 2023.*
- (d) *Any person acting as the Chief Executive Officer during the recess period has all the functions and delegations and sub delegations given to the Chief Executive Officer pursuant to this resolution and those made at the Council meeting on 11 April 2023.*
- (e) *Council delegate authority to the Chief Executive Officer to exercise the powers, duties and functions of the Council during the Recess Period,*

being Tuesday, 12 December 2023 until Sunday, 11 February 2024; not including functions listed under Section 377(1) from (a) to (u).

- (f) *In the event that the Lord Mayor and Chief Executive Officer are required to deal with important or urgent business of the Council during the Recess Period, the process for calling an Extraordinary Council Meeting is as per the Code of Meeting Practice.*
- (g) *At the first Council meeting of 2024, the Chief Executive Officer report to Councillors all delegations jointly exercised by the Lord Mayor and the Chief Executive Officer during the recess period.*
2. Council at its meeting held on 12 February 2024 resolved:
- (a) *That Council note the decisions exercised under delegated authority during the recess period, being Tuesday 12 December 2023 until Sunday 11 February 2024, contained within this report.*
- (b) *That this matter be deferred to allow the CEO to provide a report on financial expenditure incurred during previous recess periods throughout this term of Council.*
3. Council at its meeting held on 12 December 2022 provided joint delegated authority to the Lord Mayor and Chief Executive Officer over the 2022/23 recess period to exercise the powers, duties and functions of the Council not including functions listed under Section 377(1).
4. No financial expenditure was incurred under joint delegated authority during the 2022/23 recess period.

ISSUES/OPTIONS/CONSEQUENCES

5. The following decisions were made under delegated authority during the Tuesday 12 December 2023 to Sunday 11 February 2024 recess period:

Date	Summary of Decision	Financial Impact
20/12/2023	In response to a request to the Lord Mayor: approved the expenditure of up to \$10,000 for the delivery of fireworks displays at a free community New Year's Eve event at Rydalmere Park hosted by The FC Social	\$10,000 funded from General Revenue
22/01/2024	In response to a request to the Lord Mayor: approved the expenditure of up to \$10,000 to support the delivery of the Little India Harris Park Business Association's (LIHPBA) Australia Day Event at Harris Park	\$10,000 funded from General Revenue
09/02/2024	In response to public submissions and Council officers' advice: resolved not to proceed with lodging a special rate category adjustment application for Parramatta Square to the Independent Pricing and Regulatory Tribunal (IPART) before the deadline on 9 February 2024; and to	There are no financial implications, as no additional revenue would have been generated from a redistribution of existing business rates.

	undertake a review of the business rate category.	
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CONSULTATION & TIMING

6. Pursuant to the Council resolution of 11 December 2023, stakeholder consultation was not required prior to exercising the delegated authority.

LEGAL IMPLICATIONS FOR COUNCIL

7. There are no legal implications for Council associated with this report.

FINANCIAL IMPLICATIONS FOR COUNCIL

8. The financial impact on the budget is set out in the table below.

	FY 22/23	FY 23/24	FY 24/25	FY 25/26
Revenue				
Internal Revenue				
External Revenue				
Total Revenue	Nil			
Funding Source				
Operating Result				
External Costs	(\$20,285)			
Internal Costs				
Depreciation				
Other				
Total Operating Result	(\$20,285)			
Funding Source	General Funds			
CAPEX				
CAPEX				
External				
Internal				
Other				
Total CAPEX	Nil			

Bronwyn Pullen
Executive Officer

Justin Mulder
Chief of Staff

Gail Connolly
Chief Executive Officer

ATTACHMENTS:

There are no attachments for this report.

REFERENCE MATERIAL

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REPORTS TO COUNCIL - FOR COUNCIL DECISION

08 APRIL 2024

13.1	Minutes of Parramatta Traffic Committee Extraordinary Meeting of 6 March 2024	98
13.2	Council Policies for Rescission: Social Investment Funding; Playgrounds	141
13.3	Public Exhibition of Draft Sportsground Allocation Policy 2024	151
13.4	Public Exhibition of Draft Debt Management and Hardship Assistance Policy 2024	163
13.5	Gateway Request: Planning Proposal for 124 Wigram Street, Harris Park.....	187
13.6	Planning Agreement Amendments: 20-22 Macquarie Street, Parramatta and 197-207 Church Street/89 Marsden Street, Parramatta.....	403

REPORTS TO COUNCIL - FOR COUNCIL DECISION

ITEM NUMBER	13.1
SUBJECT	Minutes of Parramatta Traffic Committee Extraordinary Meeting of 6 March 2024
REFERENCE	F2024/00282 - D09361662
REPORT OF	Traffic & Transport Team Leader

CSP THEME: Accessible

WORKSHOP/BRIEFING DATE: Nil

PURPOSE:

The purpose of this report is to seek Council approval of the Minutes of the Parramatta Traffic Committee extraordinary meeting held on 6 March 2024.

RECOMMENDATION

- (a) **That** Council note the minutes of the Parramatta Traffic Committee extraordinary meeting held on 6 March 2024, provided at Attachment 1.
- (b) **Further, that** Council approves the recommendations of the Parramatta Traffic Committee extraordinary meeting held on 6 March 2024 provided at Attachment 1 and in this report, noting the following financial implications.

ITEM 2403 A1 WIGRAM STREET, HARRIS PARK – UJJALA CARNIVAL OF COLOURS AND DIWALI FESTIVAL 2024

The proposed Ujjala Carnival of Colours and Diwali Festival events in Wigram Street, Harris Park in May and October 2024 are to be delivered by Little India Harris Park Business Association (LIHPBA) at no cost to Council. Therefore, this matter has no direct financial impact upon Council's budget.

BACKGROUND

1. Transport for NSW (TfNSW) is legislated as the organisation responsible for the control of traffic on all roads in New South Wales under the *Road Transport (Safety & Traffic Management) Act 1999*. To deal with the large number and range of traffic related matters effectively, TfNSW has delegated certain aspects of the control of traffic on local roads to councils. TfNSW has retained both the control of traffic on the State's classified road network and the control of traffic signals on all roads.
2. The TfNSW Delegation to Councils limits the types of prescribed traffic control devices and traffic control facilities that Council can authorise and imposes certain conditions on councils. One of these conditions requires councils to obtain the advice of TfNSW and the Police prior to proceeding with any proposal. This is most commonly achieved by councils establishing a Local Traffic Committee.
3. The Committee is composed of four formal members each with one vote. These four members are a representative from Council, the Police, TfNSW and the Local State Member of Parliament or their nominee. The Parramatta Traffic

Committee is an advisory body only, having no decision-making powers. It is, primarily, a technical review committee that is required to advise the Council on traffic related matters referred to it by Council. In general, Council makes the decision, however, the Police and TfNSW can appeal Council's decision to the Regional Traffic Committee.

ISSUES/OPTIONS/CONSEQUENCES

4. The most recent meeting of the Parramatta Traffic Committee was held on 6 March 2024. The meeting was attended by Councillors Paul Noack (Chairperson) and Patricia Proxiv. The minutes of that meeting and the report to that meeting are provided at Attachment 1 and Attachment 2 of this report.
5. The recommendations from the Extraordinary Parramatta Traffic Committee meeting are provided below.

ITEM 2403 A1 WIGRAM STREET, HARRIS PARK – UJJALA CARNIVAL OF COLOURS AND DIWALI FESTIVAL 2024

1. That the proposed Ujjala Carnival of Colours scheduled to be held in Wigram Street, Harris Park on Saturday 11 May 2024 be classified as a Class 2 Event in accordance with Austroads Guide to Traffic Management Part 9: Transport Control Systems - Strategies and Operations (Table 5.4 – Special Event Planning Matrix) and Transport for NSW Guide to Traffic and Transport Management for Special Events.
2. That the proposed Diwali Festival scheduled to be held in Wigram Street, Harris Park on Saturday 19 October 2024 be classified as a Class 2 Event in accordance with Austroads Guide to Traffic Management Part 9: Transport Control Systems - Strategies and Operations (Table 5.4 – Special Event Planning Matrix) and Transport for NSW Guide to Traffic and Transport Management for Special Events
3. That the use of Wigram Street (Marion Street - Una Street), Harris Park for the events detailed in recommendations 1 and 2 be approved subject to the following:
 - a. That written approval of Special Event Traffic Management Plan (SETMP) be obtained from Council and TfNSW prior to the events.
 - b. That Road Occupancy Licences (ROL) be obtained from Transport Management Centre of TfNSW prior to each of the events.
 - c. That the Crowd Management Plan for each of the event be prepared and implemented to the satisfaction of Cumberland Police Area Command.
 - d. That managed vehicle access be provided in Ada Street and Wigram Street (Ada Street to Una Street), Harris Park for each of the event.
 - e. That the removal of on-street parking spaces from the event area commence from 3pm on the previous day of the event and corflute signs be installed to advise motorists of the changes to parking restrictions at least 7 days prior to each of the event.
 - f. That medium rigid vehicles be used as part of Hostile Vehicle Mitigation Plan.

- g. That the local community be notified of the traffic impact/ delays due to the event via letter box drop at least 28 days prior to each events and a proof of the notifications is to be submitted to Council prior to the events.
- h. That two VMS boards be installed at least 7 days prior to each of the events to advise motorists of the road closure.
- i. That written concurrence from the Fire Station at 110 Wigram Street, Harris Park is to be obtained and submitted to Council and TfNSW before the SETMP can be approved.
- j. That the attached traffic related conditions be adhered to for each of the events.
- k. That all costs associated with the Ujjala Carnival of Colours and Diwali Festival events be funded and paid for by the Event Organiser at no cost to City of Parramatta Council.

Unanimous support.

CONSULTATION & TIMING

- 6. Details of the consultation undertaken with the Community, Agencies and Councillors for each item, are included in Attachment 2 and Attachment 3.

LEGAL IMPLICATIONS FOR COUNCIL

- 7. There are no legal implications for Council associated with the item in this report.

FINANCIAL IMPLICATIONS FOR COUNCIL

- 8. There is no financial impact on the budget arising from approval of this report as summarised in the table below.

ITEM	
2403 A1	The proposed Ujjala Carnival of Colours and Diwali Festival events in Wigram Street, Harris Park in May and October 2024 are to be delivered by Little India Harris Park Business Association (LIHPBA) at no cost to Council. Therefore, this matter has no direct financial impact upon Council's budget.

Saniya Sharmeen

Traffic & Transport Team Leader


Jennifer Concato

Executive Director City Planning and Design


Gail Connolly


Chief Executive Officer


ATTACHMENTS:

- [1](#)  PTC 2403 Minutes for the Extraordinary Parramatta Traffic Committee meeting held on 6 March 2024

3
Pages

[2](#)  PTC 2403 A1 Wigram Street, Harris Park – Extraordinary meeting

 SETMP Event Class 2 Ujjala Carnival of Colours and Diwali 2024

[3](#)  PTC 2403 Attachment 3



35

Pages

1 Page

REFERENCE MATERIAL

PARRAMATTA TRAFFIC COMMITTEE MEETING

WEDNESDAY 6 MARCH 2024

MINUTES

MINUTES OF THE EXTRAORDINARY PARRAMATTA TRAFFIC COMMITTEE MEETING HELD 6 MARCH 2024 AT 1.00PM. MEETING HELD IN PERSON AT COUNCIL'S ADMINISTRATION BUILDING, 126 CHURCH STREET, PARRAMATTA AND ATTENDANCE VIA MICROSOFT TEAMS

The Parramatta Traffic Committee Chairperson Councillor Paul Noack declared the extraordinary meeting open at 1:03.

PRESENT:	
NAME:	REPRESENTATIVE OF
Paul Noack	Councillor and Chairperson
Patricia Procriv	Councillor and Representative for Member for Parramatta Donna Davis MP
Nazli Tzannes	Transport for NSW (TfNSW)
Sergeant Jack Makhoul	Parramatta Police Area Command (PAC)
LSC William Graham	Cumberland Police Area Command (PAC)
Richard Searle	Traffic and Transport Manager, CoPC
Saniya Sharmeen	Traffic and Transport Team Leader, CoPC - Minutes Secretary

APOLOGIES:	
NAME:	REPRESENTATIVE OF
Sergeant Leonie Abberfield	Ryde Police Area Command (PAC)
LSC Raymond Yeung	Auburn Police Area Command (PAC)
Michael Butterworth	Representative for Member for Bennelong Jerome Laxale MP
Pam Kendrick	Representative for the Parramatta Bicycle Committee and Bicycle NSW

DECLARATIONS OF CONFLICT OF INTEREST:

There were no declarations of conflict of interest.

SECTION A ITEMS:

ITEM 2403 A1 WIGRAM STREET, HARRIS PARK – UJJALA CARNIVAL OF COLOURS AND DIWALI FESTIVAL 2024

Ward: Rosehill

State Electorate: Parramatta

Recommendation to Parramatta Traffic Committee:

1. That the proposed Ujjala Carnival of Colours scheduled to be held in Wigram Street, Harris Park on Saturday 11 May 2024 be classified as a Class 2 Event in accordance

with Austroads Guide to Traffic Management Part 9: Transport Control Systems - Strategies and Operations (Table 5.4 – Special Event Planning Matrix) and Transport for NSW Guide to Traffic and Transport Management for Special Events.

2. That the proposed Diwali Festival scheduled to be held in Wigram Street, Harris Park on Saturday 19 October 2024 be classified as a Class 2 Event in accordance with Austroads Guide to Traffic Management Part 9: Transport Control Systems - Strategies and Operations (Table 5.4 – Special Event Planning Matrix) and Transport for NSW Guide to Traffic and Transport Management for Special Events
3. That the use of Wigram Street (Marion Street - Una Street), Harris Park for the events detailed in recommendations 1 and 2 be approved subject to the following:
 - a. That written approval of Special Event Traffic Management Plan (SETMP) be obtained from Council and TfNSW prior to the events.
 - b. That Road Occupancy Licences (ROL) be obtained from Transport Management Centre of TfNSW prior to each of the events.
 - c. That the Crowd Management Plan for each of the event be prepared and implemented to the satisfaction of Cumberland Police Area Command.
 - d. That managed vehicle access be provided in Ada Street and Wigram Street (Ada Street to Una Street), Harris Park for each of the event.
 - e. That the removal of on-street parking spaces from the event area commence from 3pm on the previous day of the event and corflute signs be installed to advise motorists of the changes to parking restrictions at least 7 days prior to each of the event.
 - f. That medium rigid vehicles be used as part of Hostile Vehicle Mitigation Plan.
 - g. That the local community be notified of the traffic impact/ delays due to the event via letter box drop at least 28 days prior to each events and a proof of the notifications is to be submitted to Council prior to the events.
 - h. That two VMS boards be installed at least 7 days prior to each of the events to advise motorists of the road closure.
 - i. That written concurrence from the Fire Station at 110 Wigram Street, Harris Park is to be obtained and submitted to Council and TfNSW before the SETMP can be approved.
 - j. That the attached traffic related conditions be adhered to for each of the events.
 - k. That all costs associated with the Ujjala Carnival of Colours and Diwali Festival events be funded and paid for by the Event Organiser at no cost to City of Parramatta Council.

Comments:

Hannah Shilling from Transit Systems emailed her support on the item.

Recommendation from Parramatta Traffic Committee:

1. That the proposed Ujjala Carnival of Colours scheduled to be held in Wigram Street, Harris Park on Saturday 11 May 2024 be classified as a Class 2 Event in accordance with Austroads Guide to Traffic Management Part 9: Transport Control Systems - Strategies and Operations (Table 5.4 – Special Event Planning Matrix) and Transport for NSW Guide to Traffic and Transport Management for Special Events.

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 - i. That written concurrence from the Fire Station at 110 Wigram Street, Harris Park is to be obtained and submitted to Council and TfNSW before the SETMP can be approved.
 - j. That the attached traffic related conditions be adhered to for each of the events.
 - k. That all costs associated with the Ujjala Carnival of Colours and Diwali Festival events be funded and paid for by the Event Organiser at no cost to City of Parramatta Council.

Unanimous support.

BUSINESS ITEMS:

Nil

The Chairperson closed the meeting at 1:09pm.



CITY OF PARRAMATTA COUNCIL

Parramatta Traffic Committee Agenda Item

ITEM NO: 2403 A1
SUBJECT: Wigram Street, Harris Park – Ujjala Carnival of Colours and Diwali Festival 2024
APPLICANT: Little India Harris Park Business Association (LIHPBA)
REPORT OF: Traffic and Transport Team Leader
WARD: Rosehill
SED: Parramatta

Purpose

This report seeks approval for the Special Event Traffic Management Plan (SETMP) for two events scheduled to be held in Wigram Street, Harris Park on Saturday 11 May and 19 October 2024.

OFFICER'S RECOMMENDATIONS:

1. That the proposed Ujjala Carnival of Colours scheduled to be held in Wigram Street, Harris Park on Saturday 11 May 2024 be classified as a Class 2 Event in accordance with Austroads Guide to Traffic Management Part 9: Transport Control Systems - Strategies and Operations (Table 5.4 – Special Event Planning Matrix) and Transport for NSW Guide to Traffic and Transport Management for Special Events.
2. That the proposed Diwali Festival scheduled to be held in Wigram Street, Harris Park on Saturday 19 October 2024 be classified as a Class 2 Event in accordance with Austroads Guide to Traffic Management Part 9: Transport Control Systems - Strategies and Operations (Table 5.4 – Special Event Planning Matrix) and Transport for NSW Guide to Traffic and Transport Management for Special Events
3. That the use of Wigram Street (Marion Street - Una Street), Harris Park for the events detailed in recommendations 1 and 2 be approved subject to the following:
 - a. That written approval of Special Event Traffic Management Plan (SETMP) be obtained from Council and TfNSW prior to the events.
 - b. That Road Occupancy Licences (ROL) be obtained from Transport Management Centre of TfNSW prior to each of the events.
 - c. That the Crowd Management Plan for each of the event be prepared and implemented to the satisfaction of Cumberland Police Area Command.
 - d. That managed vehicle access be provided in Ada Street and Wigram Street (Ada Street to Una Street), Harris Park for each of the event.
 - e. That the removal of on-street parking spaces from the event area commence from 3pm on the previous day of the event and corflute signs be installed to advise motorists of the changes to parking restrictions at least 7 days prior to each of the

event.

- f. That medium rigid vehicles be used as part of Hostile Vehicle Mitigation Plan.
- g. That the local community be notified of the traffic impact/ delays due to the event via letter box drop at least 28 days prior to each events and a proof of the notifications is to be submitted to Council prior to the events.
- h. That two VMS boards be installed at least 7 days prior to each of the events to advise motorists of the road closure.
- i. That written concurrence from the Fire Station at 110 Wigram Street, Harris Park is to be obtained and submitted to Council and TfNSW before the SETMP can be approved.
- j. That the attached traffic related conditions be adhered to for each of the events.
- k. That all costs associated with the Ujjala Carnival of Colours and Diwali Festival events be funded and paid for by the Event Organiser at no cost to City of Parramatta Council.

Background

City of Parramatta has received an application from Little India Harris Park Business Association (LIHPBA) to hold Ujjala Carnival of Colours and Diwali Festival events in Wigram Street, Harris Park. The details of the event are provided below:

Event details:

Application Date: 14 February 2024

Event Organiser: Little India Harris Park Business Association (LIHPBA)

Event Traffic Management implemented by: RD Traffic Control

Event Managed by: TBA

Event 1: Ujjala Carnival of Colours on Saturday 11 May 2024 from 12pm to 8pm

Event 2: Diwali Festival on Saturday 19 October 2024 from 12pm to 8pm

Road Closure Details: Wigram Street from Marion Street to Una Street, Harris Park from 5am to 9:30pm on the event day

Expected Attendance for each event: 5,000+ patrons over the day

Special Event Traffic Management Plan (SETMP)

As part of the submitted SETMP for the Harris Park Harvest Festival Event, Wigram Street between Marion Street and Una Street, Harris Park is proposed to be closed from 5am to 9:30pm on Saturday 11 May and 19 October 2024. Managed vehicle access is proposed to be provided in Ada Street and Wigram Street between Ada Street and Una Street. A detour is proposed to be in place to divert vehicles around the Wigram Street closure via Una Street, Albion Street and Marion Street. A map of the proposed road closure and detour is shown in Figure 1.

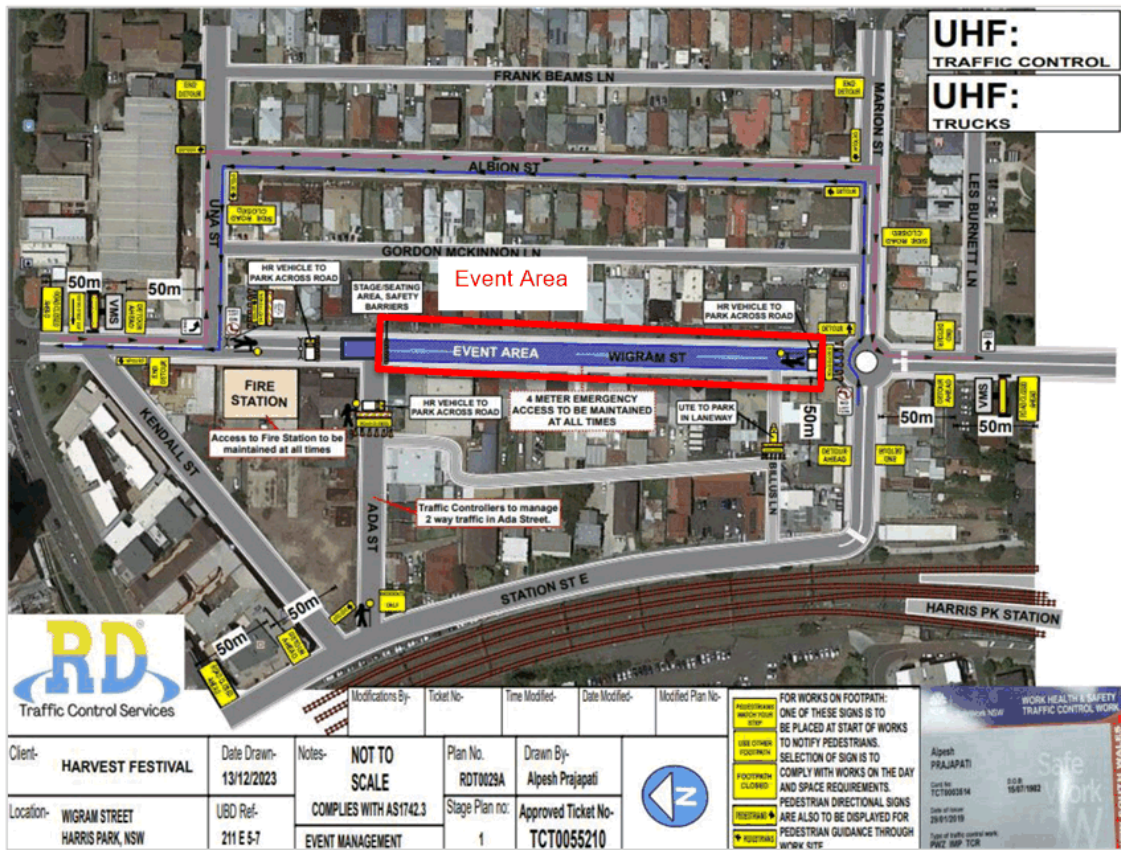


Figure 1: Map showing the event area in Wigram Street and detour route

Bus Services

Wigram Street between Marion Street and Una Street is not within a bus route, and therefore bus services will not be affected by these closures.

Fire Brigade Services

Parramatta Fire Station is located in Wigram Street between Ada Street and Una Street. According to the submitted SETMP, managed access will be provided for Fire Brigade vehicles. However, the Event Organiser is to consult and provide Council written concurrence from the Fire Brigades prior to the event.

Crowd Management Plan

The event area is to be fenced off to control the crowd numbers. This is required to reduce the risk of a crowd crush and injuries to people especially young children through a stampede. However, this will also require a plan to manage the queue of pedestrians waiting to access the event, particularly if a larger number of patrons arrive than what the event area can safely accommodate. As such, it is recommended that Event Organiser prepare and implement Crowd Management Plan in consultation with Cumberland PAC. A map of the proposed crowd management plan of the event is shown in Figure 2.

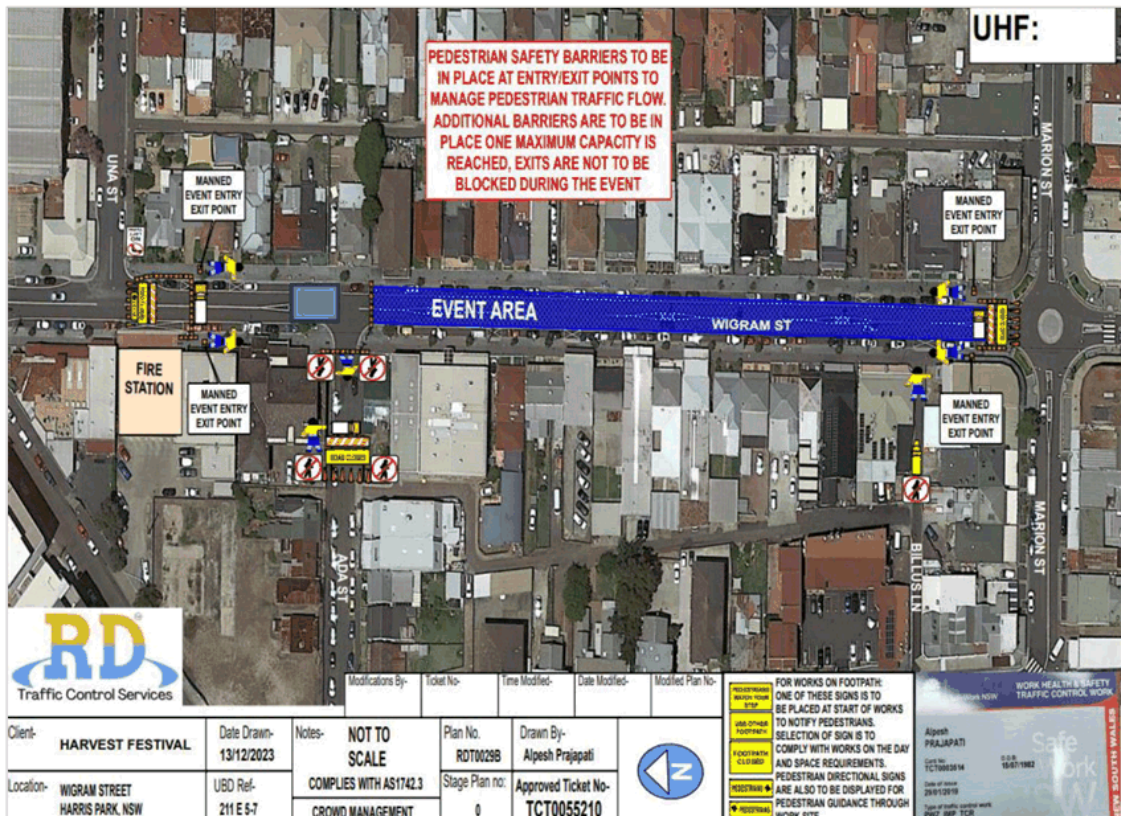


Figure 2: Crowd Management Plan of the Event

Hostile Vehicle Management Plan

Medium rigid heavy vehicles are to be used in Wigram Street at Ada Street and Marion Street and in Ada Street as part of Hostile Vehicle Mitigation Plan. However, a ute would be acceptable on the laneway adjacent to 64 Wigram Street.

Special Event Clearway Restriction

Council has previously resolved that all special events to be held in Wigram Street must obtain approval of a Special Event Clearway from the Traffic Management Centre (TMC) of TfNSW with the application to be submitted at least three months in advance to allow for sufficient administration time. This resolution was in response to feedback received from both the TfNSW and Police representatives at the Parramatta Traffic Committee.

The Special Event Clearway is under the care and control of TMC of TfNSW. As such, Council has discussed this matter with TMC, and they have advised that they do not have sufficient resources and will not be approving a special event clearway for this event. Furthermore, they have suggested that the Police explore alternative means of clearing parking vehicles using their existing powers.

It is to be noted that Special Event Clearway restrictions were not installed during previous road closures in Harris Park. During those events, the event area was cleared of vehicles by allowing event organisers to remove on street parking spaces using barricades from 3pm on the previous day of the event. As such, it is proposed to implement similar strategy for these

events, involving removal of on street parking from the event area from 3pm on the previous day of the event. The event organiser is to install temporary confluence signs in Wigram Street at least 7 days prior to the event advising motorists of the upcoming changes to parking restriction in the street.

Classification of the Harris Park Harvest Festival Event

It is apparent from the above that the closure of Wigram Street will disrupt local traffic, non-event community and transport systems but not major traffic and transport systems. It is therefore proposed to classify these two events as Class 2 Events in accordance with Austroads Guide to Traffic Management Part 9: Transport Control Systems - Strategies and Operations (Table 5.4 – Special Event Planning Matrix) and Transport for NSW Guide to Traffic and Transport Management for Special Events.

A copy of the submitted SETMP with relevant attachments is attached to the report.

Approvals

The event is within 100m of the signalised intersection of Parkes Street and Wigram Street, Harris Park. As such, the Event Organiser is required to obtain a Road Occupancy License (ROL) from the Transport Management Centre (TMC) of Transport for NSW (TfNSW) prior to the events.

In accordance with the Transport for NSW Guide to Traffic and Transport Management for Special Event, the Special Event Transport Management Plan is to be approved prior to the event.

Community Notification

The Event Organiser is required to undertake community notification of the road closures in the following form:

- Notification to local residents and businesses via letter box drop at least 28 days prior to the event and a proof of the notifications is to be submitted to Council prior to each of the event.
- Notification to motorists via two portable VMS boards in Wigram Street (one at Una Street facing southbound motorists and the other one at Marion Street facing northbound motorists) for at least 7 days prior to each of the event.

FINANCIAL IMPLICATIONS

The proposed Ujjala Carnival of Colours and Diwali Festival events in Wigram Street, Harris Park in May and October 2024 are to be delivered by Little India Harris Park Business Association (LIHPBA) at no cost to Council. Therefore, this matter has no direct financial impact upon Council's budget.



Saniya Sharmeen
Traffic and Transport Team Leader
27/02/2024

- Attachments** – 1. Traffic related Conditions
2. Special Event Traffic Management Plan for 11 May and 19 October 2024

**Attachment 1: TRAFFIC RELATED CONDITIONS FOR UJJALA CARNIVAL OF
COLOURS AND DIWALI FESTIVAL EVENTS 2024****Prior to the event:**

1. In accordance with the Transport for NSW Guide to Traffic and Transport Management for Special Events, the Event Organiser is to obtain written concurrence of Special Event Transport Management Plan Template from Council and TfNSW prior to the event being held.
2. The Event Organiser to provide Council the contact details, including mobile phone number of the Traffic Controller who will undertake the road closure.
3. The Event Organiser to submit to Council a copy of its Public Liability Policy in an amount not less than \$20,000,000 noting City of Parramatta and Transport for NSW as interested parties on the Policy and that Policy to cover both on-road and off-road activity.
4. The Event Organiser is to notify the details of the event to the NSW Police, NSW Ambulance Services, NSW Fire Brigade / Rural Fire Service and SES at least at least 28 days prior to the event; a copy of the correspondence be submitted to Council.
5. The Event Organiser is to directly notify relevant bus companies, tourist bus operators and taxi companies operating in the area and all the residences and businesses affected by the proposed event at least at least 28 days prior to the event. A proof of the notification to be submitted to Council prior to the event.
6. The Event Organiser is to assess the risk and addressing the suitability of the entire route as part of the risk assessment considering the possible risks for all participants traveling on winding, narrow, uneven gravel roads with steep roadside embankments and sharp bends; this assessment should be carried out by visual inspection of the route/site by the Event Organiser prior to preparing the TMP and prior to the event.
7. The Event Organiser is to carry out an overall risk assessment for the whole event to identify and assess the potential risks to spectators, participants and road users during the event and design and implement a risk elimination or reduction plan in accordance with the Work Health and Safety Act 2011; (information for Event Organisers about managing risk is available on the NSW Sport and Recreation's web site at <http://www.dsr.nsw.gov.au>). Note that the safety of all road users and personnel on or affected by the event is the responsibility of the Event Organiser.

During the event:

8. Access being maintained for businesses, residents and their visitors in accordance with the approved SETMP.
9. All traffic controllers/marshals operating within the public road network holding appropriate certification required by the RMS/Transport for New South Wales.
10. In accordance with the submitted TMP and associated TCP, appropriate advisory signs, including temporary speed restriction signs, shall be placed at the Event Organiser's expense after all the required approvals are obtained from the relevant authorities, and traffic control devices be placed during the event along the route under the direction of a traffic controller holding appropriate certification required by the RMS.

After the event:

11. All roads and marshalling points are to be kept clean and tidy, with all directional signs are to be removed immediately on completion of the activity.



RD Traffic Control

Traffic Management Plan (TMP)

Wigram Street, Harris Park, NSW
Class 2 Event

Prepared by: RD Traffic Control

22/02/24

Alpesh Prajapati
Licence TCT0003514

Traffic Management Plan

Event Organiser: LIHBPA

Document Author: **RD Traffic Control**
Alpesh Prajapati
Phone: 1800 507 552
Mb: 0423 727 063



Revision Record

Issue No.	Author	Reviewed/Approved	Description	Date
1.	Alpesh Prajapati	Alpesh	Rev 01	13/02/24
2.	Alpesh Prajapati	Alpesh	Rev 02	22/02/24
3.			Rev 03	
4.			Rev 04	
5.			Rev 05	
6.			Rev 06	

Traffic Management Plan

1. EVENT DETAILS**1.1. Event summary 1**Event Name: **Ujjala: Carnival of Colors 2024**Event Dates: Saturday 11th May 2024.

Event Start Time: 12:00 hours

Event Finish Time: 20:00 hours

Event Bump in: Saturday 11th May 05:00 hoursEvent bump out: Saturday 11th May 21:30 hoursEvent is: **Community Event**

Expected Attendance: 5,000+

1.1.2 Event summary 2

Event Name: Diwali Festival, LIHPBA 2024

Event Dates: Saturday 19th October 2024.

Event Start Time: 12:00 hours

Event Finish Time: 20:00 hours

Event Bump in: Saturday 19th October 05:00 hoursEvent bump out: Saturday 19th October 21:30 hoursEvent is: **Community Event**

Expected Attendance: 5,000+

1.2. Contact Names

Name	Position	Phone	Email
TBA	Event Manager	TBA	
Sanjay Deshwal	Event Coordinator	0412 462 344	sanjaydeshwal@gmail.com
Michelle Carter	City of Parramatta Council: Event & festival manager	0447 680 014	mcarter1@cityofparramatta.nsw.gov.au
Tim	Cumberland Pac		TBA
Alpesh Prajapati	Traffic Control: Coordinator	0423 727 063	admin@rdfacilitiesmanagement.com.au

1.3. Description of the events

LIHPBA is bringing the two festivals to Harris Park - the heart and soul of Indian community. Harris Park is well known as 'Little India' because of the large number of local businesses predominantly from an Indian background having presence in Harris Park. These businesses are fulfilling cultural needs and offering various cuisines from the Indian sub-continent.

The Carnival of Colours & Diwali festivals, will be colourful and exciting celebrations for people to experience India's rich culture and cuisine.

1.4. Controlled Entry

Controlled entry is to be in place around the stage/sitting area, pedestrian safety barriers are to be in place at both ends of this area as shown in the attached TGS on page 22 of the TMP.

HR vehicles are to be in place at all entry points as well as a Ute to be placed on Billus Place.

Authorised traffic controllers or wardens are to manage the controlled entrance areas & direct pedestrians at these points into the event/ stage /sitting areas.

The stage will be located between 95 Wigram Street & the fire brigade office.

2. TRAFFIC AND TRANSPORT MANAGEMENT

2.1. The Location

The Event will be held within a closed section of Wigram Street between Ada Street and Marion Street, Harris Park, with an expected attendance of 5000+ attendees during the event. This section of Wigram Street will be closed to vehicular traffic, access will remain for a section between Ada Street & Una Street for Fire Brigade & event vehicles, with additional traffic control to move on persons that may be loitering within the fire station access ways.



2.2. Parking

The event is aimed at local residents and it is anticipated that most local residents will walk to the event. The use of public transport will be promoted and public parking will be in the surrounding streets.

There will be no onsite parking within the road closure. Staff and stallholders will be instructed to park in surrounding streets.

There are two parking stations available within 600 metres walk from the event site:

- Wilson Parking - 30 Cowper Street

https://www.wilsonparking.com.au/park/2207_30-Cowper-St-Car-Park_30-Cowper-Street-Parramatta

2.3. Sydney Buses

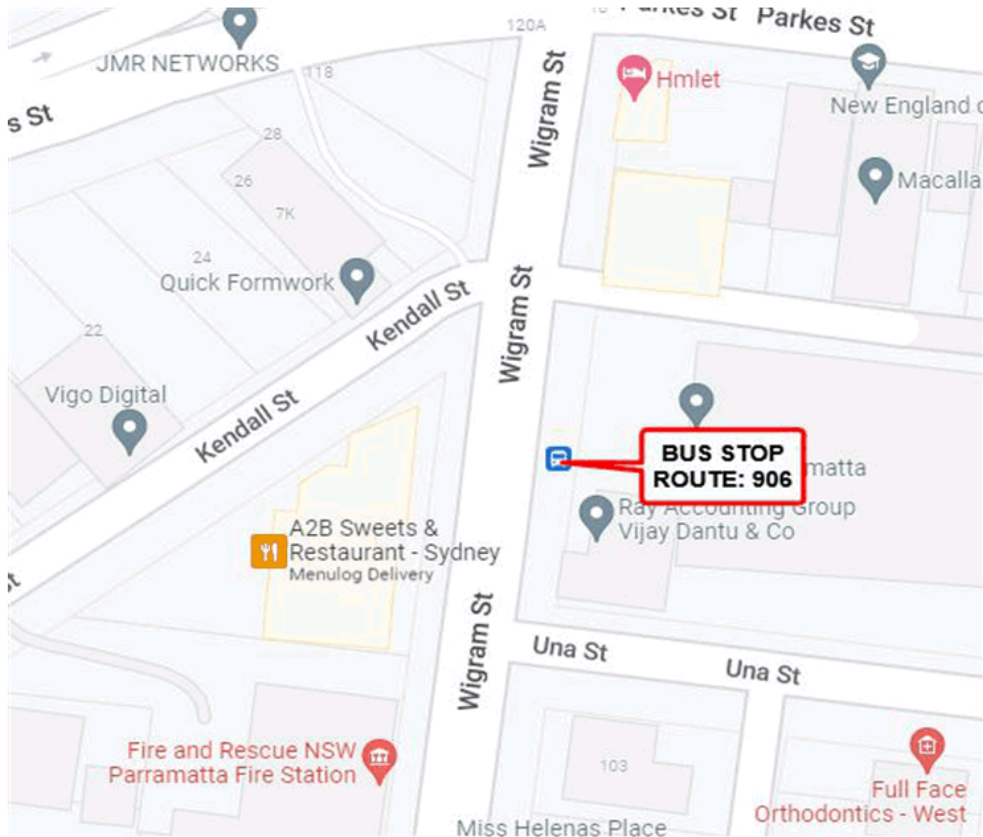
Bus route 906 operates on Wigram Street & Una Street between Fairfield and Parramatta. There 1 stop north of Una Street located on Wigram Street. This service will run to a normal timetable.

There are a number of additional services that stop at the Parramatta Interchange, a short walk from the event site.

For public transport timetables and planning visit:

<http://www.transportnsw.info/>

2.3. Bus Stop – Route 906



2.4. Sydney Trains

The closest railway station is Harris Park Station, a 400-meter walk from the event site.

For public transport timetables and planning visit:

<http://www.transportnsw.info/>

2.5. Parked Cars within the Event Site

Police and Council will allow barricading of car parking spaces, traffic control is to be in place from 3pm on the Friday, one day prior to the event, to capture & place barricades in parking spaces, no vehicles will be permitted to park in this area until the road is reopened at midnight, six corflute signs are to be placed along Wigram Street, to advise motorists of the removal of on street parking 7 days prior to the event stating dates & times.

2.6. Crowd Control Measures

Crowd control measures for ingress & egress to from the event are to be in place at Una Street & Marion Street, access to the event will not be available from Ada Street or Bilius Lane. Crowd control barriers are to be used to create the entry & exit points at both locations with a count to be taken & communicated via 2-way radio when the maximum capacity is reached, at this point access is to be stopped using the barriers, access will then be managed as follows, if 20 people leave then 20 will be given access. Crowd control measures will be overseen by authorised wardens/marshals/traffic control (see plan on page 22).

2.6.1 Crowd Management Plan

To ensure a controlled & secure movement of visitors at the event, the crowd management plan will be executed to control the access crowd:

1. LIHBPA will use the user pay police system (once confirmed) & have a presence of 2 police officers from 6pm to 9.30pm.
2. High visibility vest security personnel will be strategically positioned to oversee visitor accountability & once the event reaches its maximum capacity, our security personnel will temporarily restrict access to ne attendees.
3. The isolation of specific event areas (VIP & sitting area) will be maintained through the strategic placement of barricades & supervised by high visibility security personnel.

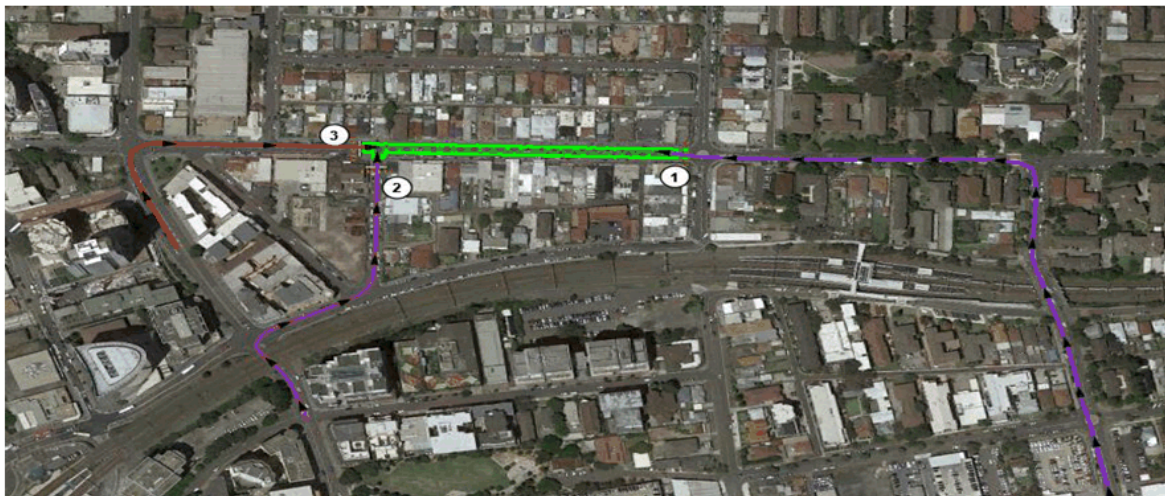
In the event of any concerns or issues arising at the site, our designated event manager, who will be present on site, will promptly address & try to resolve it.

2.7. Medium Rigid Vehicle Mitigation plan

Medium Rigid Vehicles are to be used for mitigating hostile vehicles from the event site, medium Rigid vehicles will be positioned at the following locations during the event:

1. On Wigram Street at the Marion Street roundabout end, there will be a standalone vehicle in place between the entry point & the amusement ride, this vehicle will access the site from Cambridge Street & then Wigram Street & will be positioned to stop vehicles accessing the pedestrian area during the event.
2. On Ada Street, there will be a standalone vehicle in place between the entry point & the amusement ride, this vehicle will access the site from Station Street East & will be positioned to stop vehicles accessing the pedestrian area during the event.
3. On Wigram Street near Ada Street, there will be a standalone vehicle in place between the entry point & the amusement ride, this vehicle will access the site coming from Parkes Street & then onto Wigram Street just past Ada Street & will be positioned to stop vehicles accessing the pedestrian area during the event.

All vehicle access points will have a standalone Medium Rigid vehicle in place between the entry point & the amusement ride to act as a barrier to stop hostile vehicles from entering the event site & causing injury to those in attendance.



2.8. Traffic management requirements unique to this event

RD Traffic Controllers will close Wigram Street between Una Street & Marion Street for the event. Access to the fire station on Wigram Street will remain, there will be no access to Ada Street from Wigram Street. This closure will be in place between 5:00am on 11th May 2024 till 9.30pm on Saturday 11th May 2024, then again between 5:00am on 19th October 2024 till 9.30pm on Saturday 19th October 2024.

From 3pm on Friday, the team will be out on Wigram Street putting out barriers to block out cars vacating the spot(s). From 5.00am Saturday; Traffic closure will commence. Registrations for any remaining vehicles left at 9am will be collated and passed onto Senior Leading Constable (at the time), who will assist us in contacting the owners of the said vehicle(s), or organising for vehicles to be towed. There will be a detour in place to divert vehicles around the Wigram Street closure via Una Street, Albion Street & Marion Street, as well as along Kendall Street to Station Street East. Communication around No parking on event day will be made to businesses in Harris Park via Little India Australia.

No buses will need to be diverted for the event.

(Refer TGS RDT0029A on page 21)

2.9. Traffic Control

RD Traffic Control will be employed to oversee implementation of the Traffic Control Plans and monitor traffic conditions throughout the day. All traffic controllers will always be in radio contact.

Temporary traffic control signage, barricades and equipment as per the supplied Traffic Control Plans must be installed by Safework/RMS accredited traffic controllers with a Safework/RMS "Implement Traffic Control Plan" certificate. Any person operating a Stop/Slow bat onsite must hold a Safework/RMS "Traffic Controller" certificate.

2.10. Heavy Vehicle impacts

There will be no impact to heavy vehicles during this event.

2.11. Special Event Clearways

No Special Event Clearway is required for this event on Wigram Street.

2.12. Cleaning

Event Organisers will ensure that the event area is cleaned at the end of the event and any remaining infrastructure is removed from site.

2.13. Road Occupancy Licence

ROL's is to be obtained from TMC prior to the event..

3. RISK MANAGEMENT - TRAFFIC

3.1. Occupational Health & Safety – Traffic Control

LIHBPA are the Risk Managers for their individual event operations. It is LIHBPA policy to treat identified hazards by endeavouring to prevent or eliminate health and safety risk where it is in their reasonable authority, to endeavour to minimise the likelihood of risks occurring when outside their authority and when risks occur to minimise the consequence of the risk activity.

Any risk treatment measure implemented by LIHBPA will be consistent with their obligations in accordance with the 2011 WHS Regulations and/ or AS/NZS ISO 31000:2009 Risk Management-Principles and guidelines.

LIHBPA, by the nature of the event operations has accepted the uncontrollable risks such as weather, environment and crowd behaviour and will implement treatment programs to mitigate risk.

Traffic Management Plan

Their role is to ensure the risk is transferred from the organisers to the expert contractors. The transfer needs to be formalised by way of contracts and key performance indicators.

LIHBPA needs to ensure that the staff/contractors have contemporary knowledge in their field and apply current safety regulations including J.S.A's and S.W.M.S's.

LIHBPA need to ensure that the attached checklists, where relevant are applied and completed.

LIHBPA then has to ensure that any new emerging risks or safety concerns are controlled as and when they arise.

(Also Refer Annex 1)

3.2. Public Liability Insurance

Refer Annex 2

3.3. Vehicle Mitigation

Vehicle mitigation strategies will be undertaken within the road closure in accordance with the event risk assessment and NSW Police direction.

This information is to remain confidential.

3.4. Police

Cumberland PAC will be notified of the event and a Public Assembly Form submitted to Police by LIHBPA.

3.5. NSW Ambulance and Fire and Rescue NSW

NSW Ambulance and Fire and Rescue NSW will be notified in writing of the event by the event organiser, a co-insurance needs to be submitted to council prior to the approval of the SETMP, a copy of the notification to NSW Ambulance will also need to be submitted to council.

3.6. Risk & Contingency Plans

LIHBPA have compiled Risk Assessments and Site-Specific Safety Plans for the event that is not included in this Transport Management Plan.

Item	Verified	Action Taken
All one-way streets are as described	Yes	Road closures, barricade and signage installed by authorised Traffic Controllers.
Block access to local businesses	Yes	Confirm list of letters to residents, businesses, and car parks. Advertisement of event to general public.
Block Emergency vehicle access	Yes	Confirm access and consultation of routes to and within areas affected by closures with Emergency Services.
Block heavy vehicle access	Yes	All vehicles are diverted before the closure with other traffic.
Restricted movements – banned turns, heavy/high vehicles	N/A	
Block Public facility (football oval, carpark, etc.)	No	None Required.
Block public transport access	No	None Required.
Can route use alternatives such as bicycle tracks, paths, parks, bush tracks etc.?	N/A	
Construction – existing,	No	None Required.

Traffic Management Plan

proposed that may conflict		
Numbers of lanes and their width are as described	Yes	
Road signage – existing/temporary	Yes	Temporary signage Installed and removed by Authorised Traffic Controllers.
Route impeded by traffic calming devices?	No	
Signalised intersections (flashing amber, Point duty?).	N/A	
Tidal flows	N/A	
Traffic generators - shopping centres, schools, churches, industrial area, hospitals	Yes	Advertisement of event to general public.
Traffic movement contrary to any Notice	N/A	Under the direction of traffic controllers
Traffic signals are as described	N/A	
Turning lanes are as described	Yes	Road closures, barricades and signage installed.
Letter Drop Zone Maps to indicate precincts mailed	No	

This section of the Transport Management Plan describes the contingency plans for the event. The contingency plan checklist identifies all possible issues/risks that may interfere with the event and the action to be taken to minimise the disturbance of the event.

Issues / Risks	Applicable	Action Taken
Heavy Weather	Yes	If event is cancelled due to heavy weather, notification is to be given by local radio stations, message on VMS changed to state event cancelled, message sent over social media platforms.
Flood hazard on the route	Yes	TMC / RMS and Police provide diversions around flooded area.
Flood hazard at the parking area	Yes	Event organiser to close parking area.
Parking during Wet weather	Yes	Hardstand only.
Bush fire hazard	Yes	For major local/regional bushfire hazard affecting general public health or transport to greater Sydney, take direction from NSW Police
Accident on the route	Yes	If CCTV monitored by TMC. Facilitate emergency response to area.
Breakdown	Yes	If CCTV monitored by TMC. Facilitate response to area.
Absence of marshals and volunteers	Yes	Re-deploy existing staff as required.
Block public transport access	Yes	Divert general public to next available transport, considering safety and circumstances. Relevant transport agency to employ appropriate steps to accommodate.

Traffic Management Plan

Slow participants	No	
Delayed Event	Yes	Delay of any aspect of the event will be communicated by the event organiser.
Cancellation of Event	Yes	Cancellation of any aspect of the event will be communicated by the event organiser.
Security of participants/general public	Yes	Provided by event organiser.
Security of very important persons (VIP's)	Yes	As Required

It shall be noted that Traffic Management Plan (TMP) and particularly Traffic Guidance Schemes (TGS) are seen as risk control measures, but alone they cannot substitute for a compliant and detailed event Risk Assessment.

Contingency form part of the risk assessment and management plan.

3.7. Regulatory Framework

This Transport Management Plan has been written in accordance with the following Act, Regulation, Australian Standards and Road Design Technical Direction

- WHS Act and Regulation 2011
- AS/NZS ISO 31000: Risk Management - Principles and Guidelines
- ISO 31000:2018 - Principles and Guidelines on Implementation
- ISO/IEC 31010:2009 - Risk Management - Risk Assessment Techniques
- ISO Guide 73:2009 - Risk Management – Vocabulary
- Traffic Control at Work Sites – (RMS) V6.1 February 2022
- AS 1742.2-2009 Manual of uniform traffic control devices - Traffic control devices for general use
- AS 1743-2018 Road signs - Specifications
- AS/NZS 1906.4:2010 Retro-reflective materials and devices for road traffic control purposes - High-visibility materials for safety garments
- AS 3996-2006 Access covers and grates
- AS 1742.10-2009 Manual of uniform traffic control devices - Pedestrian control and protection
- AS 1742.13-2009 Manual of uniform traffic control devices - Local area traffic management
- AS 1742.3-2009 Manual of uniform traffic control devices - Traffic control for works on roads
- RMS Guide to Traffic & Transport Management for Special Event Version 3.5 – June 2018

4. MINIMISING IMPACT ON THE NON-EVENT COMMUNITY AND EMERGENCY SERVICES

4.1. Access for local residents, businesses hospitals and emergency vehicles

The impact on local community will also include an increased traffic and parking demand in surrounding streets. In order to limit parking and traffic impacts, event organisers will actively promote alternate modes of transport including walking, cycling and public transport to get to and from the event.

4.2. Emergency Lane

A minimum four (4) metre emergency lane will be maintained along the entire closure. Authorised Traffic Controllers will be onsite to assist emergency vehicles through the closure points.

4.3. Advertise the traffic management arrangements

All residents/motorists will be notified of the event through:

- Letterbox drop will be conducted for impacted residents and businesses within and near the road closure precinct at least four weeks prior to the event.

Event 1: 11th May 2024

Dear Residents/motorists,

Road Closure of Wigram Street, between Marian Street & Una Street
Harris Park

LIHBPA will be holding a Festival on Saturday 11th May 2024. Traffic control will be onsite from 5.00am to manage the road closures which will be in place until 9.30pm. We ask that any residents with vehicles that need to be moved from the event area to please relocate your vehicles before 3.00pm on Friday 10th May 2024 as once the road is closed there will be no access, vehicles within the event area will be towed at the owner's expense...

PLEASE TAKE NOTE OF THE FOLLOWING IMPORTANT DETAILS

Full Road Closure: **Saturday 11th May 2024**

Affected Road: **Wigram Street, Harris Park, between Marian Street & Una Street**

Full Road Closure: **5.00am through to 9.30pm**

Traffic control will be onsite managing traffic from 5:00am

We aim to maintain a safe and clean environment during the event. Should a safety issue or concern arise, please do not hesitate to contact our Representative on the number listed below.

Alpesh | Mobile: 0423 727 063

Event 2: 19th October 2024

Dear Residents/motorists,

Road Closure of Wigram Street, between Marian Street & Una Street
Harris Park

LIHBPA will be holding a Festival on Saturday 19th October 2024. Traffic control will be onsite from 5.00am to manage the road closures which will be in place until 9.30pm. We ask that any residents with vehicles that need to be moved from the event area to please relocate your vehicles before 3.00pm on Friday 18th October 2024 as once the road is closed there will be no access, vehicles within the event area will be towed at the owner's expense...

PLEASE TAKE NOTE OF THE FOLLOWING IMPORTANT DETAILS

Full Road Closure: **Saturday 19th October 2024**

Affected Road: **Wigram Street, Harris Park, between Marian Street & Una Street**

Full Road Closure: **5.00am through to 9.30pm**

Traffic control will be onsite managing traffic from 5:00am

We aim to maintain a safe and clean environment during the event. Should a safety issue or concern arise, please do not hesitate to contact our Representative on the number listed below.

Alpesh | Mobile: 0423 727 063

4.4. Portable Variable message signs

VMS 1 - Eastern side of Wigram Street north of Una Street in the last 1P parking space. The sign will be facing the Southbound traffic.

VMS 2 - Western side of Wigram Street south of Marion Street in the last 1P parking space. The sign will be facing the Northbound traffic.

VMS messages:

Event 1: Monday 6th May – 1am on Saturday 11th May 2024

Screen 1



Screen 2



1am - midnight Saturday 11th May 2024

Screen 1



Screen 2



Event 2: Monday 14th October – 1am on Saturday 19th October 2024

Screen 1



Screen 2



1am - midnight Saturday 19th October 2024

Screen 1



Screen 2



5. PRIVACY NOTICE

The "Personal Information" contained in the completed Transport Management Plan may be collected and held by the NSW Police, the NSW Roads and Maritime Services (RMS), or Local Government.

I declare that the details in this application are true and complete. I understand that:

The "personal information" is being collected for submission of the Transport Management Plan for the event described in Section 1 of this document; I must supply the information under the Road Transport Legislation (as defined in the Road Transport (General) Act 1999) and the Roads Act 1993; Failure to supply full details and to sign or confirm this declaration can result in the event not proceeding;

The "personal information" being supplied is either my own or I have the approval of the person concerned to provide his/her "personal information"; The "personal information" held by the Police, RMS or Local Government may be disclosed inside and outside of NSW to event managers or any other person or organisation required to manage or provide resources required to conduct the event or to any business, road user or resident who may be impacted by the event; The person to whom the "personal information" relates has a right to access or correct it in accordance with the provisions of the relevant privacy legislation.

6. APPROVAL

TMP Approved by: Date:

Event Organiser

7. AUTHORITY TO *REGULATE TRAFFIC

Council's traffic management requirements have been met. Regulation of traffic is therefore authorised for all non-classified roads described in the risk management plans attached to this TMP.

Regulation of traffic authorised by: Date:

City of Parramatta Council.

The RMS's traffic management requirements have been met. Regulation of traffic is therefore authorised for all classified roads described in the risk management plans attached to this TMP.

Regulation of traffic authorised by: Date:

Road and Maritime Services.

* "Regulate traffic" means restrict or prohibit the passage along a road of persons, vehicles or animals (Roads Act, 1993). Council and RMS require traffic to be regulated as described in the risk management plans with the layouts installed under the direction of a qualified person.

Traffic Management Plan

8. Attachments

Annex 1 – Traffic Control Measures Checklist

Annex 2 – Public Liability Insurance

Annex 3 – Site Plan

Annex 4 – RD Traffic Management site documents

Traffic Management Plan

ANNEX 1

TRAFFIC CONTROL MEASURES CHECKLIST

This checklist can help you implement effective control measures in your workplace.

Using this checklist is not mandatory—you can use whatever means are most useful and practical to identify the traffic control measures to be used specific to your workplace.

CONSIDER THE FOLLOWING	Yes	No	Comments Action
Separation			
Are separate entries and exits provided for vehicles and pedestrians including visitors?			
Do the entries and exits protect pedestrians from being struck by vehicles?			
Does the layout of the workplace effectively separate pedestrians, vehicles and powered mobile plant?			
Are systems in place to keep pedestrians and moving vehicles or plant apart like physical barriers, exclusion zones and safety zones?			
Vehicle routes			
Are the roads and pathways within the workplace suitable for the types and volumes of traffic?			
Are loading zones clearly marked?			
Do vehicle route designs take into account vehicle characteristics under all conditions, for example emergency braking, running out of fuel or adverse weather?			
Are there enough parking places for vehicles and are they used?			
Are traffic directions clearly marked and visible?			
If a one-way system is provided for vehicle routes within the workplace is it properly designed, signposted and used?			
Are vehicle routes wide enough to separate vehicles and pedestrians and for the largest vehicle using them?			
Do vehicle routes have firm and even surfaces?			
Are vehicle routes kept clear from obstructions and other hazards?			
Are vehicle routes well maintained?			
Do vehicle routes avoid sharp or blind corners?			
Pedestrian routes			
Are pedestrian walkways separated from vehicles?			
Where necessary are there safe pedestrian crossings on vehicle routes?			
Is there a safe pedestrian route which allows visitors to access the site office and facilities?			
Are pedestrian walkways clearly marked?			
Are pedestrian walkways well maintained?			

Traffic Management Plan

CONSIDER THE FOLLOWING	Yes	No	Comments Action
Vehicle movement			
Have drive-through, one-way systems been used to reduce the need for reversing?			
Are non-essential workers excluded from areas where reversing occurs?			
Are vehicles slowed to safe speeds, for example speed limiters on mobile plant or chicanes on vehicle routes?			
Do drivers use the correct routes, drive within the speed limit and follow site rules?			
Signs			
Are there speed limit signs?			
Are there clear warnings of powered mobile plant hazards?			
Is there clear signage of pedestrian and powered mobile plant exclusion zones?			
Is there enough lighting to ensure signs are visible, particularly at night?			
Warning devices			
Are flashing lights, sensors and reversing alarms installed on powered mobile plant?			
Information, training and supervision			
Do powered mobile plant operators have relevant high risk work licences? Are they trained in operating the particular model of plant being used?			
Have workers received site specific training and information on traffic hazards, speed limits, parking and loading areas?			
Is information and instruction about safe movement around the workplace provided to visitors and external delivery drivers?			
Is the level of supervision sufficient to check traffic movement and ensure safety of pedestrians and drivers?			
Personal Protective Equipment			
Is PPE like high visibility clothing provided and used where necessary?			
Vehicle safety			
Have vehicles and powered mobile plant been selected which are suitable for the tasks to be done?			
Do vehicles have direct visibility or devices for improving vision like external and side mirrors and reversing sensors?			

Traffic Management Plan

CONSIDER THE FOLLOWING	Yes	No	Comments Action
Are vehicles fitted with effective service and parking brakes?			
Do vehicles and powered mobile plant have seatbelts where necessary?			
Is there a regular maintenance program for all vehicles and powered mobile plant?			
Is there a system for reporting faults on all vehicles and powered mobile plant?			
Do drivers carry out basic safety checks before using vehicles?			
Are there any other control measures that should be implemented to manage risks at your workplace?			

PUBLIC LIABILITY INSURANCE

The Barn Underwriting Agency
43 George Street
The Rocks NSW 2000

W: thebarnagency.co
P: 1300 902 210



CERTIFICATE OF CURRENCY **Policy Number: BARNSTPL220140**

Insured	RD Cleaning Professional Pty Ltd Tas R D Facilities Management	
The Business	Cleaning Contractor residential, commercial, strata, government buildings, schools, pubs, parks, gardening services, pest control and traffic management services and all ancillary activities thereto	
Period of Insurance	31/08/23 to 31/08/24 At 4pm Local Time	
Policy Wording	The Barn Specialty Trades Liability Insurance Policy GL2021.9	
Underwriter	Certain Underwriters at Lloyd's under Agreement No. B613322L0030000TB	
Limit of Indemnity		
Public Liability	\$20,000,000	any one occurrence
Products Liability	\$20,000,000	any one occurrence and in the aggregate for all Injury damage occurring during the period of insurance
Standard Excess	\$2,500	each and every occurrence (inclusive of costs and expenses)
Special Excesses	\$50,000 in respect of Injury to Contractors, Sub-Contractors & Labour Hire Personnel	

Date: August 18, 2023

David Porteous
Managing Director
The Barn Underwriting Agency
Trading as a Business Name of Market Lane Insurance Group Pty Ltd
ABN 64 625 224 642 - AFSL 509709

Coverholder at **LLOYDS**



Signed for and on behalf of Certain Underwriters at Lloyd's under Agreement No. B613322L0030000TB

TRAFFIC MANAGEMENT INDEMNITY INSURANCE



Level 2, 338 Pitt Street,
Sydney NSW 2000
Phone: 1300 295 262

Certificate of Currency

Professional Indemnity

This Certificate:

- is issued for informational purposes only, it does not form part of the Policy terms and conditions
- does not amend, extend or alter the coverage afforded by the policy listed;
- is only a summary of the cover provided. For full particulars, reference must be made to the current policy wording & schedule;
- In the case of inconsistency between this Certificate and the Policy Schedule, the Policy Schedule shall prevail.
- is current only at the date of issue.

Name Of Insured	RD Cleaning Professionals Pty Ltd T/as RD Traffic Managment (ABN: 30141909033)
Occupation/Professional Services	Consultancy Occupations
Policy Number	LPS016832716-19888
Insurance Period	4.00pm Local Standard Time on 31 Aug 2023 to 4.00pm Local Standard Time on 31 Aug 2024
Limit of Indemnity	Professional Indemnity: AUD\$10,000,000
Excess	Professional Indemnity: AUD\$0 each and every claim.
Retroactive Date	Unlimited
Insurer/Underwriter	AAI Limited ABN 48 005 297 807 trading as VERO Insurance
Signature	
Name of Signatory	Michael Gottlieb (BizCover for Brokers)
Capacity/Title	Director
Date of Issue	22 Aug 2023

Please note

- This Certificate is issued subject to the policy's terms and conditions and by reference to the insured's declaration. The information set out in this Certificate is accurate as at the date of signature and there is no obligation imposed on the signatory to advise of any alterations.
- The issue of this Certificate imparts no obligation on the insurer to notify any party relying on it should the policy later be cancelled or altered for any reason.
- This Certificate is issued as a matter of information only and confers no rights upon the certificate holder.

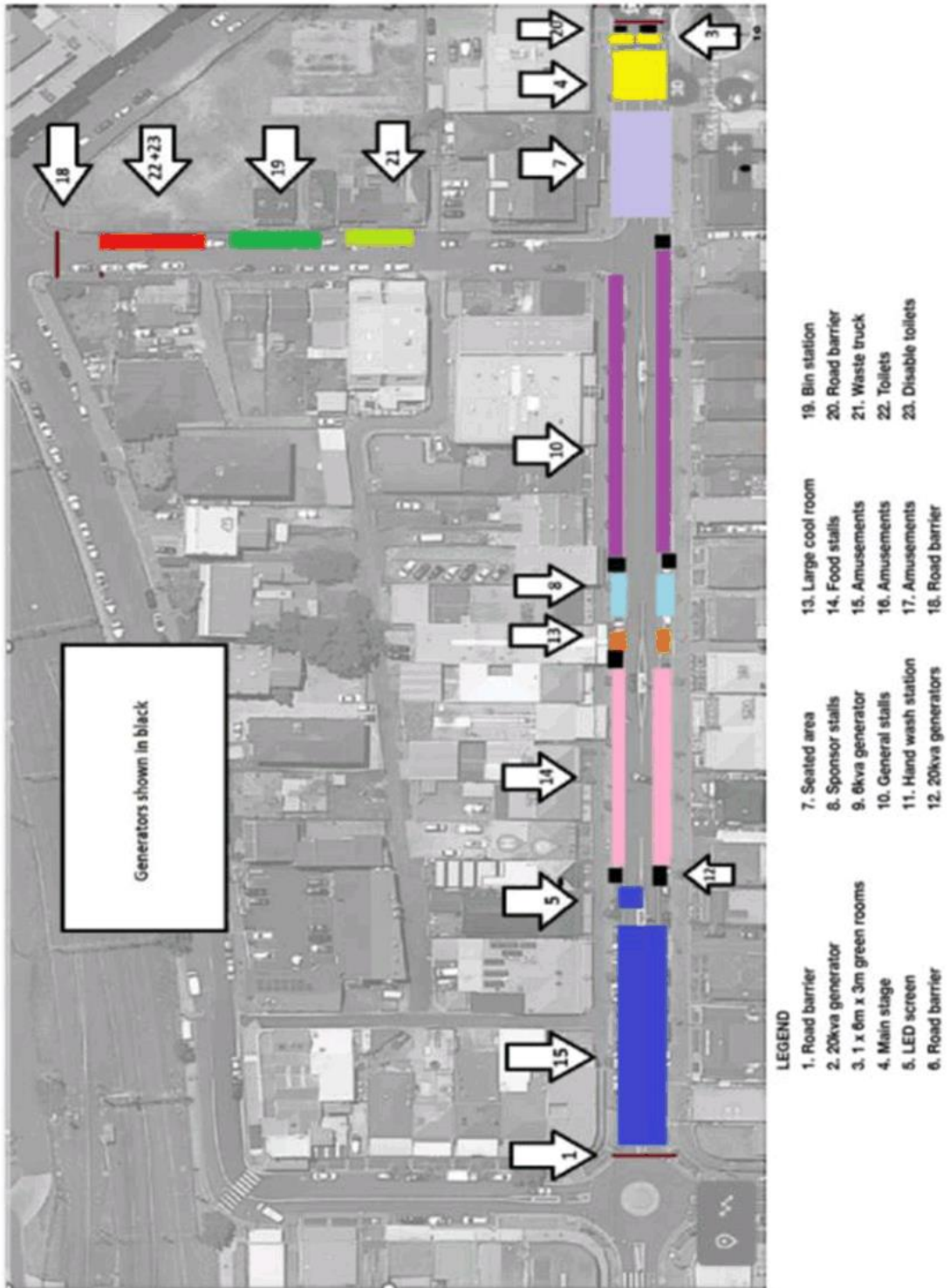
BizCover for Brokers is a business name of BizCover Pty Ltd (ABN 68 127 707 975; AFSL 501769) which acts under a binding authority given by the insurer to issue the insurance.

Mail to: Level 2, 338 Pitt Street, Sydney 2000 **T:** 1300 295 262 (1300 BIZCOVER) **E:** broker@bizcoverforbrokers.com.au

Traffic Management Plan

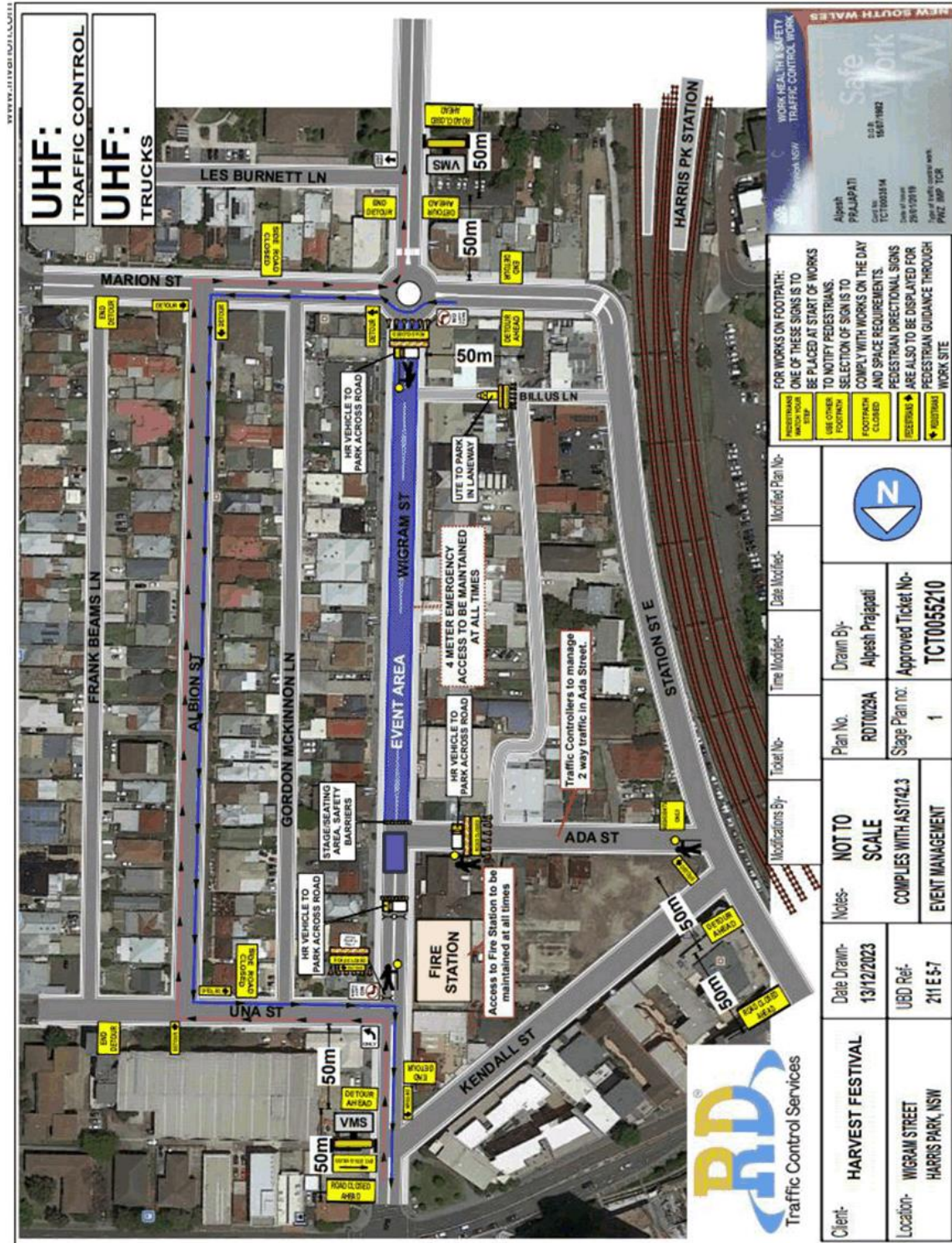
ANNEX 3

SITE PLAN



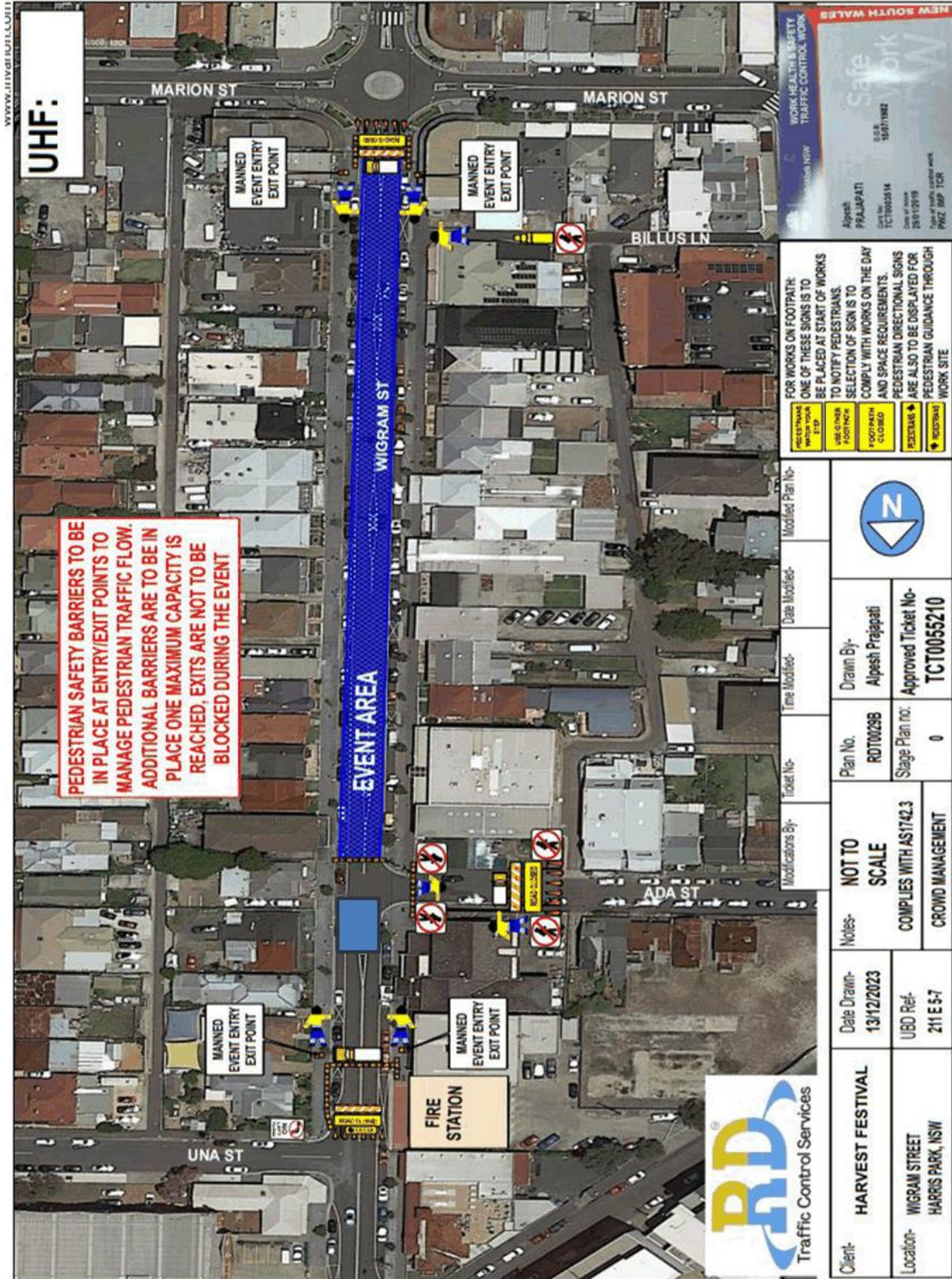
9. Traffic Control Plans

TCP 01 Wigram Street, Una Street & Marion St, HARRIS PARK



Traffic Management Plan

TCP 02 – Crowd Management Plan



 <p>RD TRAFFIC MANAGEMENT SERVICES</p>		<p>RD Cleaning Professionals Pty Ltd ABN: 30 141 909 033 Shop 15 / 58-62, Fitzwilliam Road, Old Toongabbie NSW 2146 Toll Free: 1800 507 552 Mobile: 0423 727 063 Email: enquiry@rdcleaning.com.au</p>
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Daily Toolbox / Pre-Start

Worksite Name: _____ Date: _____
 Worksite Address / Location: _____
 Meeting conducted by _____ Signed: _____

I have verbally and in person read and reviewed the below safety information with all personnel assigned to this Toolbox / Pre-start meeting. We discussed all questions, comments and concerns as listed.

Standard items to be addressed prior to commencement of any works:


1. Recent Accidents, incidents and near miss reports
2. WHS in general
3. Legislative requirements – Does all personnel hold current & related qualifications (cards/tickets)
4. **Scope of Works**
 - Ensure all staff have their Traffic Controller qualifications
 - Confirm they are aware of the Sign-on requirements & location
 - Brief of parking & vehicle access restrictions
 - Safety documentation to be completed
5. **TCP/s & Permits**
 - Implement TCPs accordingly
 - Work to permitted times of location / environment / ROL
6. **Equipment required to commence & complete works**
 - P.P.E & uniform requirements
 - C Class Flashing Arrow Board (if required)
 - Traffic & Pedestrian Signage & Devices (MUTCD - AS1742.3)
 - Radio Communication & Visual Signalling
7. **Personnel required to commence & complete works**
 - Primary Traffic Controls
 - Team Leader
 - Designated Spotter(s)

Other issues to be addressed

- Weather conditions Lighting conditions Road user / Motorist behaviour Manual Handling
 Fatigue / Alcohol / Drug Policy Fire / First Aid _____

Attendance Register: Print Name & Sign

1.		10.	
2.		11.	
3.		12.	
4.		13.	
5.		14.	
6.		15.	
7.		16.	
8.		17.	
9.		18.	

 TRAFFIC MANAGEMENT SERVICES		RD Cleaning Professionals Pty Ltd ABN: 30 141 909 033 Shop 15 / 58-62, Fitzwilliam Road, Old Toongabbie NSW 2146 Toll Free: 1800 507 552 Mobile: 0423 727 063 Email: enquiry@rdcleaning.com.au
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Traffic Control Location Checklist

The following checklist shall be completed on site with the approved TCP for the work being undertaken, prior to TCP implementation. Use the checklist to determine if the TCP is appropriate for the work and make modifications to the TCP if required.

Location: _____

Type of Work: Traffic & Pedestrian Management Date: _____

Name of person completing inspection: _____ Signed: _____

Item No.		Yes	No	N/A
1.	Has provision been made for any intersections, on-loading or off-loading ramps within the worksite?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2.	Will vehicles be entering or leaving the worksite from private or commercial driveways?	<input type="checkbox"/>	<input type="checkbox"/>	
2a	Has provision been made for those vehicles?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.	Is there adequate sight distance for road users to signs and traffic controllers?	<input type="checkbox"/>	<input type="checkbox"/>	
4.	Will control measures be safe for the approach speeds of traffic? (Consideration should be given to the proximity of workers to through traffic)	<input type="checkbox"/>	<input type="checkbox"/>	
5.	Has consideration been given to traffic volumes expected?	<input type="checkbox"/>	<input type="checkbox"/>	
6.	Has provision been made for bus stops & public transport (including school?)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7.	Has provision been made for pedestrians including those with impairments	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8.	Has provision been made for cyclists	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9.	Are there any overhead power lines that might be a risk to vehicles and plant?	<input type="checkbox"/>	<input type="checkbox"/>	
10.	Has the time of day been adequately considered (i.e. night work, sun etc.)?	<input type="checkbox"/>	<input type="checkbox"/>	
11.	Are there any contradictory signs or markings that may cause confusion	<input type="checkbox"/>	<input type="checkbox"/>	
12.	Has provision been made for emergency vehicles (Maintained 3m wide path)	<input type="checkbox"/>	<input type="checkbox"/>	

List the items that need to be addressed below and provide details of the action to be taken

Item No	Action to be taken

(comments if required)

Traffic Management Plan



RD Cleaning Professionals Pty Ltd

ABN: 30 141 909 033

Shop 15 / 58-62, Fitzwilliam Road, Old Toongabbie NSW 2146

Toll Free: 1800 507 552 | Mobile: 0423 727 063

Email: enquiry@rdcleaning.com.au

Worksite Risk Assessment

Name of worksite controller: _____ Date: _____

Work Description: Traffic & Pedestrian Management Time: _____

Location: _____

Are the workers familiar with the SWMS? Circle > Yes / No		Is the required SWMS available onsite? Circle > Yes / No	
HAZARD & RISK CONTROL CHECKLIST			
Hazard/s identified	Risk Rating	Control Measure/s	Final Risk Rating
<input type="checkbox"/> Sharps			
<input type="checkbox"/> Manual Handling			
<input type="checkbox"/> Tree Felling / Chainsaw use			
<input type="checkbox"/> Working alone / poor communication			
<input type="checkbox"/> Temperature / Weather extremes			
<input type="checkbox"/> Noise / hearing issue			
<input type="checkbox"/> Electricity			
<input type="checkbox"/> Excavation / Trench			
<input type="checkbox"/> Traffic		TCP No:	
<input type="checkbox"/> Moving equipment / Plant / Machine			
<input type="checkbox"/> Slips / Trips / Falls			
<input type="checkbox"/> Height / Falling objects			
<input type="checkbox"/> Fatigue			
<input type="checkbox"/> Underground / Overhead services			
<input type="checkbox"/> Other:			

Consequence	Probability			
	Very Likely	Likely	Unlikely	Very Unlikely
Death / permanent disability	1	1	2	3
Long term illness / serious injury	1	2	3	4
Medical attention / time off work	2	3	4	5
First Aid	3	4	5	6

Comments (if any):

I have participated in this Worksite Health Risk Assessment process, I understand the work activity, my responsibilities, hazards, and control measures that need to be in place and if any changes occur on-site I will report them to my immediate Supervisor.

Worksite Controller signature below confirms the risk assessment is adequate for work to commence safely.

Print Name: _____ Signature: _____ Date: _____

Traffic Management Plan

THIS TRAFFIC MANAGEMENT PLAN COMPLIES WITH AUSTRALIAN STANDARD 1742.3

All personnel dealing with traffic control, being either contractors or sub-contractors are to have the following current accreditation, for the management of each item listed below:

WHS&E general induction certificate (White card)

Safework/RMS Traffic Controller Card (for traffic control, performing stop/slow control)

Safework/RMS Implement Traffic Control Plans (for implementation of signage)

Safework/RMS Prepare Work Zone Traffic Management Plan (for selection & creation of TGS, TMP & inspection of existing traffic control plans)

All staff must be inducted on site before commencement of works

Staff must carry current accreditation on them at all times whilst on site

Appropriate PPE as outlined in the appropriate SWMS for the works.

Attachment 3**Extraordinary Parramatta Traffic Committee meeting held on Wednesday 6 March 2024****Consultation & Timing: Item A1****ITEM 2403 A1 WIGRAM STREET, HARRIS PARK – UJJALA CARNIVAL OF COLOURS AND DIWALI FESTIVAL 2024****Stakeholder Consultation**

A record of all submissions and responses is provided in the attachments to the Parramatta Traffic Committee report and Council report on the matter.

The Extraordinary Parramatta Traffic Committee meeting was held on 6 March 2024. The comments below were received.

Date	Stakeholder	Stakeholder Comment	Council Officer Response	Responsibility
6 March 2024	Hannah Shilling – Transit Systems	Hannah emailed her support on the item		
6 March 2024	PTC	Support recommendation		

Councillor Consultation

The Extraordinary Parramatta Traffic Committee meeting was held on 6 March 2024, and no Councillor comments were received.

REPORTS TO COUNCIL - FOR COUNCIL DECISION

ITEM NUMBER	13.2
SUBJECT	Council Policies for Rescission: Social Investment Funding; Playgrounds
REFERENCE	F2024/00282 - D09260401
REPORT OF	Policy Officer

CSP THEME: Fair

WORKSHOP/BRIEFING DATE: Policy Review Committee – 4 October 2022
Policy Review Committee – 14 March 2024

PURPOSE:

To seek Council's endorsement to rescind Council Policies identified as no longer required.

RECOMMENDATION

That Council approve the immediate rescission of the following Council Policies:

- i. Social Investment Funding Policy 2016 (Policy 346); and
- ii. Playgrounds Policy 2018 (Policy 81).

BACKGROUND

1. Council's policy portfolio is periodically assessed to identify policies endorsed by Council which have become redundant due to changes in prevailing legislation, Council Policies, or other strategic documents. Where other superseding documents will prevail, redundant policies can be rescinded.

ISSUES/OPTIONS/CONSEQUENCES

2. At the Policy Review Committee meeting on 14 March 2024, two Council Policies were supported for immediate rescission for the following reasons:

Title	Last adopted by Council	Reason(s) to Rescind
346 – Social Investment Funding Policy	2016	Policy direction was consolidated into updated Grants and Donations Policy 2021 and is further addressed by Council's Social Investment Action Plan. Additional Policy is now redundant.
81 – Playgrounds Policy	2018	Direction is appropriately addressed by Council's comprehensive Community Infrastructure Strategy. Best practice for this matter is also now established by the NSW Government's Everyone Can Play guideline. Additional Policy is redundant.

3. A reference copy of the Policies recommended for rescission can be found at **Attachments 1 and 2**.

CONSULTATION & TIMING

Councillor Consultation

4. The following Councillor consultation has been undertaken in relation to this matter:

Date	Stakeholder	Stakeholder Comment	Council Officer Response	Responsibility
4 October 2022	Policy Review Committee	Requested for staff to further assess recommendation to rescind Social Investment Funding Policy, and for relevant Manager to attend a future Committee Meeting to address any further questions.	Noted and actioned	Governance
14 March 2024	Policy Review Committee	Supported Council Policies as listed in the recommendation to be endorsed by Council for immediate rescission.	Noted and actioned	Governance + Social & Community Services + Parks & Open Space

LEGAL IMPLICATIONS FOR COUNCIL

5. There are no legal implications associated with rescinding the Council Policies as listed in the recommendation.

FINANCIAL IMPLICATIONS FOR COUNCIL

6. There are no unbudgeted financial implications for Council associated with rescinding the Council Policies as listed in the recommendation.

Melissa McIsaac
Policy Officer


Terry Johnson
Group Manager Parks & Open Space

David Moutou
Acting Executive Director Community Services

Roxanne Thornton
Chief Governance & Risk Officer

Gail Connolly
Chief Executive Officer

ATTACHMENTS:

- 1  For Information - Social Investment Funding Policy 2016 5 Pages
2  For Information - Playgrounds Policy 2018 3 Pages

REFERENCE MATERIAL



**CITY OF
PARRAMATTA**

Social Investment Funding Policy

Contents

1. Scope
2. Purpose
3. Policy
4. Definitions

1. SCOPE

- 1.1 This Social Investment Funding Policy provides the principles and criteria used to assess opportunities for involvement in major community-based projects, through the use of assets, provision of infrastructure and/or the provision of funding. This policy is informed by, yet distinct from, the Grants Administration Policy, Sponsorship Policy and the regular fee subsidy policy for casual hire of facilities.
- 1.2 Through Social Investment Funding, Council seeks to leverage the resources of The City of Parramatta to enable social innovation and achieve greater outcomes for all those who live, work and study within the local government area.
- 1.3 This policy must be followed by all employees as well as all consultants and contractors engaged within any business units of the City.

2. PURPOSE

- 2.1 This policy establishes how the City of Parramatta evaluates social investment opportunities. Social investment includes some form of mutual benefit for Council as the investor, the investee and the community more broadly. Through social investment, Council has an opportunity to leverage its existing assets and business-as-usual operations to achieve social outcomes and add value to those assets.
- 2.2 Social investment strategies offer Local Government a way to achieve the broad goals of its charter. The Local Government Act 1993 sets out the guiding principles by which Local Councils are run, which includes the principles of working collaboratively to meet local communities needs and to exercise decision making that is mindful of social justice, and the long term and cumulative effects of actions on future generations. In this way, all major projects of Council have the potential to incorporate social investment strategies within them to increase positive community impacts.

SOCIAL INVESTMENT FUNDING POLICY		
Owner: Service Manager	Area: Community Capacity	POL No: 346
Commenced: 12/12/2016	Approval Authority: Council	Date Approved: 12/12/16
Version: 1	Date of Next Review: 12/12/2018	Review: 2 yearly

- 2.3 As social investment opportunities can be diverse in form and are innovative by nature and design, the purpose of this policy is to provide principles by which these opportunities are evaluated.

3. POLICY

- 3.1 City of Parramatta Council seeks to be a leader among Local Government and exercise leadership in the community to drive social innovation and find new solutions to the challenges experienced in our community. City of Parramatta seeks to collaborate with a diverse range of stakeholders to fulfill the vision for the City and achieve the best outcomes for our residents. Social investment is recognised by Council as an effective methodology to add-value to initiatives and leverage Council business for social impact.
- 3.2 Social investment begins with the strategic documents and policies endorsed by Council. It is in these documents that evidence, need, best practice and the aspirations of the community of the City of Parramatta are articulated and captured. The vision and purpose of the City is the foundation for exploration of the mutual benefit opportunities to be found in social investment.
- 3.3 Social investment opportunities can take many forms including, but not limited to:
- seeding or supporting the growth of philanthropic endeavor with a community foundation, through which members of the community and local businesses can donate money for the benefit of local causes;
 - matched funding of social innovation crowdfunding campaigns, such as the *Parramatch* campaign;
 - the dedication to Council of apartment units through voluntary planning agreements which are then leased to community housing providers to sub-lease as at affordable rates to key workers;
 - increase the economic participation of local residents experiencing disadvantage in the growing prosperity of the City through fostering social enterprise and programs like the Parramatta Skills Exchange;
 - seek social outcomes from business-as-usual purchasing through enabling social procurement;
 - fostering social innovation and entrepreneurship in the local community through the establishment of social enterprise incubators and shared work-space, managed by Council or leased to a not-for-profit facility manager; and
 - promoting the benefits of social investment and, through role modeling and social leadership, engage the businesses of Parramatta in similar strategies.
- 3.4 The business case for significant new opportunities should be presented for the endorsement of Council. The business case should set out the social, financial and environmental costs and benefits of the strategy. The business case should demonstrate its strength against the following principles:

- **Robust planning, innovation and design** which underpins efficient, effective and ethical social investment. Innovation should be led by design.
 - **Diversity, Access and Equity** expressed through the design of social investment funding opportunities that address a broad spectrum of local needs, cultures and interests.
 - **Explicit community benefit** expressed through evidence-based decision making and clear communication.
 - **Outcomes orientation** in which social investment funding focuses on maximizing the achievement of strategic directions and lasting outcomes for the community.
 - **Collaboration and partnership** in which effective consultation and a constructive and cooperative relationship between the City, business, the community sector, residents and other relevant stakeholders contributes to achieving efficiency, effectiveness and equity. This includes collaboration between different units of the City of Parramatta.
 - **Community capacity building** which enables the community involved in the delivery of social investment opportunities to achieve their aspirations and foster sustainability and independence from the City.
 - **Governance and accountability** in which a robust governance framework clearly defines the roles and responsibilities of all parties in the process and supports public accountability for design, decision making, maintenance and evaluation.
 - **Probity and transparency** in which the funding of social investment opportunities reflect ethical behaviour, in line with Council's Statement of Business Ethics and Code of Conduct, and complies with public reporting requirements.
 - **Achieving value with public money** through careful consideration of costs, benefits, options and risks.
- 3.5 Consistent with Section 356 of the Local Government Act, any social investment funding opportunity that seeks out external partners should be publically advertised and listed on Council's website, detailing any specific eligibility criteria. Council reserves the right to amend, suspend or alter programs at any time.
- 3.6 The procurement of goods and services within a social investment program should follow the procurement policies, procedures and delegations of Council.
- 3.7 The results of social investment programs are to be reported to Council in a timely fashion and communicated to the community.
-

4. DEFINITIONS

Community foundation: a not-for-profit organisation established to help philanthropic individuals and organisations support grass-root causes and initiatives. It uses charitable giving to meet the current and future needs of local communities.

Social investment: for the purpose of this policy, an investment of funds or utilisation of assets where the investor (Council) seeks a social return in addition to, or in subsidy of, a financial return.

Not-for-profit organisation: an organisation which is not operating for the profit or gain of its individual members whether these gains would have been direct or indirect. A not-for-profit organisation can still make a profit, but this profit must be used to carry out the purposes of the organisation and must not be distributed to owners, members or other private individuals.

Social enterprise: a 'social business' that has the following characteristics:

- a. Social, environmental or cultural mission/objectives core to its purpose and focus.
- b. Limited distribution of profits –profits are reinvested in the enterprise and/or an associated social entity and not disbursed to individual shareholders.
- c. Mixture of capital inputs – the enterprise is supported through a mixture of grant income/subsidised income and trading income, but must trade.
- d. Generation of social return in addition to a financial return, and a commitment to demonstrating this.
- e. Favours democratic decision-making structures and seeks high levels of accountability to their stakeholders, rather than just to shareholders.

Relationship to legislation and associated documents

The NSW Local Government Act 1993 (§356) makes provision for councils to financially assist others by contributing money or otherwise granting financial assistance to persons for the purpose of exercising the council's functions.

Further legislative requirements that govern councils in providing services in an accessible and equitable manner include:

Commonwealth of Australia

- Disability Discrimination Act 1992
- Human Rights and Equal Opportunity Commission Act 1986
- Privacy Act 1988
- Privacy and Personal Information Act 1998 Commonwealth of Australia
- Racial Discrimination Act 1975
- Sex Discrimination Act 1984

New South Wales

- Anti Discrimination Act 1977 and Amendments
- Disability Services Act 1993
- Independent Commission Against Corruption Act 1988
- Government Information (Public Access) Act (GIPA) 2009.

This policy follows from the broader framework contained within the City of Parramatta Community Funding Framework.

This Policy also has direct relationship to the following Council policies and must be read in conjunction with these, where applicable:

- Community Strategic Plan and Operational Plan
- City of Parramatta Corporate Values
- Statement of Business Ethics
- Code of Conduct
- Sponsorship Policy
- Social Investment Policy
- Customer Service Charter
- Customers Compliments and Complaints Policy
- Procurement Policy
- Workplace Health and Safety Policy

SOCIAL INVESTMENT FUNDING POLICY		
Owner: Service Manager	Area: Community Capacity	POL No: 346
Commenced: 12/12/2016	Approval Authority: Council	Date Approved: 12/12/16
Version: 1	Date of Next Review: 12/12/2018	Review: 2 yearly



Playgrounds Policy

Contents

1. Scope
2. Purpose
3. Policy
4. Definitions

1. Scope

This policy applies to the provision of playgrounds provided on Council owned or managed land (excluding childcare centres).

2. Purpose

Council recognises the importance of play in facilitating the healthy physical, psychological and social development of children. This policy aims to ensure that inclusive play opportunities are equitably provided for children of all ages and abilities throughout the City.

3. Policy

- 3.1 Council will aim to provide a network of high quality playgrounds which incorporate a stimulating play and learning environment for all children regardless of ability or age.
- 3.2 Playground design shall reflect the principles of accessibility and inclusiveness to provide quality play opportunities for all children.
- 3.3 New or upgraded playgrounds will seek to increase accessibility for children with disabilities in a shared and inclusive environment that encourages participation.
- 3.4 Playgrounds will be equitably distributed throughout the City and be located within an easy walking distance for all children to encourage healthy living and independent access.
- 3.5 Council will undertake meaningful engagement with the community, particularly children, to inform inclusive playground design.
- 3.6 Playgrounds will provide children with an appropriate level of risk and challenge whilst complying with relevant Australian safety standards.
- 3.7 Nature play is to be incorporated into playgrounds to maximise play value through opportunities for exploration, imagination and creativity.

Playgrounds Policy		
Owner: City Assets & Environment	Area: Recreation Facilities and Public Spaces	POL No: 081
Date of Commencement: 8 October 2002	Approval Authority: Council	Date Approved: 16 July 2018
Amendment 2	Date of Next Review: July 2023	Review Period: Every 5 years



- 3.8 Council will aim to maximise shade provision at all playgrounds through the planting of advanced size trees.
- 3.9 New or upgraded playgrounds will incorporate natural or artificial shade provision based on individual site characteristics.

4. Definitions

Inclusiveness - Opportunities for participation that create a strong sense of belonging, where, regardless of difference, prejudice and persecution is not tolerated.

Nature Play – Elements from the natural environment such as trees, plants, sand, logs and boulders.

Playground – An area containing equipment and other elements that facilitates opportunities for children's play.

Associated documents

- Playground Shade Sail Assessment Criteria

History

- Version 1 – Council Minute 6550 (8 October 2002)
- Version 2 – Council Minute 686 (10 July 2017)
- Version 3 – Council Minute 1457 (16 July 2018)

REFERENCES	Disability Discrimination Act 1992 AS 4685 (Playground Equipment) AS 4422 (Playground Surfacing) AS 1428 (Design for Access and Mobility) AS 4174 (Shade Fabrics) AS 4373 (Pruning of Amenity Trees)
POLICIES	Asset Management Policy Public Art Policy Sun Protection Policy
ATTACHMENTS	Playground Shade Sail Assessment Criteria

Playgrounds Policy		
Owner: City Assets & Environment	Area: Recreation Facilities and Public Spaces	POL No: 081
Date of Commencement: 8 October 2002	Approval Authority: Council	Date Approved: 16 July 2018
Amendment 2	Date of Next Review: July 2023	Review Period: Every 5 years

Playground Shade Sail Assessment Criteria

Score	0	1	2
Surrounding Density	Low	Medium / High	
Existing Shade (Summer)	High (50+%)	Moderate (20% – 50%)	Low / None (<20%)
Tree Planting Opportunities (If no existing shade)	Yes	No	
Playground Classification	Local	District	

Total Score	1 – 2	3 – 5
Shade Sail Requirement	No	Yes



REPORTS TO COUNCIL - FOR COUNCIL DECISION

ITEM NUMBER	13.3
SUBJECT	Public Exhibition of Draft Sportsground Allocation Policy 2024
REFERENCE	F2024/00282 - D09173380
REPORT OF	Policy Officer

CSP THEME: Fair

WORKSHOP/BRIEFING DATE: Policy Review Committee – 14 March 2024

PURPOSE:

To seek Council's endorsement to place the draft Sportsground Allocation Policy on public exhibition.

RECOMMENDATION

- (a) That the draft Sportsground Allocation Policy be placed on public exhibition for a period of 28 days.
- (b) That Council authorise the Chief Executive Officer to make any necessary editorial and content changes to the draft Sportsground Allocation Policy for public exhibition to give effect to Council's resolution.
- (c) That following public exhibition, officers submit the final Sportsground Allocation Policy to Council for adoption.

BACKGROUND

1. Council does not currently maintain a policy for the management of allocation and hire requests for its sportsgrounds.
2. The Sportsground Allocation Policy will provide a framework for Council to manage competing public interest for use of its sportsgrounds, in accordance with Council's broader Sportsground Strategy.

ISSUES/OPTIONS/CONSEQUENCES

3. Before adopting the draft Policy, Council must place the document on public exhibition for a period of 28 days. This report is seeking Council's approval to place the draft Sportsground Allocation Policy on public exhibition.
4. Current hirers with a sportsground allocation have been notified that a draft Policy has been developed, and that they will have the opportunity to provide any feedback as part of the public exhibition. Peak sporting bodies and associations will also be notified of the public exhibition.
5. Once submissions have closed a further report will be presented to Council incorporating any public comment at the next available meeting, where Council will be required to adopt the final Policy. This document will become effective once it is adopted by Council.

CONSULTATION & TIMING

Stakeholder Consultation

6. The following stakeholder consultation has been undertaken in relation to this matter:
- Leadership Team;
 - Executive Team; and
 - Policy Review Committee (14 March 2024).

Anticipated timeframe

- Council Meeting – 8 April 2024
 - Council endorses the draft Policy for public exhibition.
- Public Exhibition
 - Exhibition dates approximately 15 April to 13 May 2024.
- Council Meeting – 27 May 2024 (pending community feedback)
 - Council adopts the final Policy.

LEGAL IMPLICATIONS FOR COUNCIL

7. The draft Policy was reviewed by Council's Legal Services Unit, and the Policy recommended for public exhibition does not present any legal concerns.

FINANCIAL IMPLICATIONS FOR COUNCIL

8. If Council resolves to approve this report in accordance with the proposed resolution, there are no unbudgeted financial implications for Council associated with the exhibition and adoption of this Policy.

Melissa McIsaac
Policy Officer

Terry Johnson
Group Manager Parks & Open Space

George Bounassif
Executive Director City Assets and Operations

Jon Greig
Executive Director Community Services

Roxanne Thornton
Chief Governance & Risk Officer

Gail Connolly
Chief Executive Officer

ATTACHMENTS:



For Public Exhibition - Draft Sportsground Allocation Policy 2024 9 Pages

REFERENCE MATERIAL



Sportsground Allocation Policy

Contents

1. Scope 1

2. Purpose 2

3. Policy 2

4. Delegation 7

5. Procedure 7

6. Definitions 8

1. Scope

- 1.1 This Policy applies to all Sportsgrounds owned or managed by City of Parramatta Council (Council).
- 1.2 This Policy applies to all proponents seeking to hire a Council Sportsground for the purpose of ongoing, organised, Grassroots Sport, including, but not limited to Sporting Clubs, Sporting Associations, schools, other community groups, and private and commercial organisations.
- 1.3 This Policy does not apply to special event hire of Council Sportsgrounds, or use of a Council Sportsground for personal and group fitness training, the conditions for which are established by Council’s Community Facilities Hiring Policy and applicable Terms & Conditions of Hire.
- 1.4 This Policy does not apply to Sportsgrounds which are the subject of an existing long-term (greater than one season) lease or license, until such time as the existing lease or license expires. Sportsgrounds occupied under a long-term lease or license agreement will be considered in accordance with the principles of this Policy upon re-negotiation of existing agreements, however long-term Sportsground lease or license agreements will be established pursuant to Council’s Lease & License Policy.

Sportsground Allocation Policy		
Owner: Manager Parks & Open Spaces	Area: Parks & Open Space Planning	POL No:
Date of Commencement:	Approval Authority: Council	Date Approved:
Amendment: 1	Date of Next Review:	Review: 4



2. Purpose

- 2.1 This Policy aims to ensure that Council will allocate the use of its Sportsgrounds in a systematic approach which aligns with Council's broader Sportsground Strategy and values, including to actively contribute to the health, wellbeing, equality, and inclusion of the whole community.
- 2.2 This Policy establishes a framework for Council to manage competing public interest for using its Sportsgrounds. This Policy sets out a consistent and transparent method for informing Council's decision making regarding a range of key Sportsground access and management issues.

3. Policy

- 3.1 The following guiding principles will inform Council decision making regarding allocating public use of its Sportsgrounds:
- 3.1.1 Provide a responsible, consistent, transparent, and equitable process for the use and management of Council Sportsgrounds and associated facilities.
- 3.1.2 Ensure Council's Sportsground facilities are safe, sustainable to operate, and shared by users.
- 3.1.3 Ensure that Sportsgrounds are utilised by well-governed sporting and community organisations with documented policies, and which provide safe, inclusive, and sustainable initiatives to support volunteers, participants, and underrepresented groups.
- 3.1.4 Increase participation and health outcomes across all demographics in the City of Parramatta local government area (LGA), by ensuring the behaviour and culture of facility users is aligned with Council's values.
- 3.1.5 Provide diverse opportunities for the community to participate in Grassroots Sport, recreation, and physical activity.
- 3.1.6 Respond to the needs and expectations of both our current and future communities by maximising the practical capacity of Council's Sportsground network.

Sportsground Allocation Policy		
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- 3.2 To promote fair and shared access to Council Sportsgrounds for hire, Council will generally arrange Allocations for hire of its Sportsgrounds on a non-exclusive, seasonal basis, for a single, specified period, as follows:
- Winter Season: second weekend of April to first weekend of September.
 - Summer Season: third weekend of September to last weekend of March.
 - Winter Pre-Season: 1st of March to the start of Winter Season.
 - Summer Pre-Season: 1st of August to the start of Summer Season.
 - Off-Season: Maximum of 6 weeks between 1 November to 31 December and maximum of 6 weeks between 1 May to 30 June.
- 3.2.1 Seasonal dates are subject to the requirement for a minimum one weekend rest period between seasons to allow for a change in sporting field configuration.
- 3.2.2 Pre-Season and Off-Season Allocations are subject to the practical capacity of the sportsground network and with consideration of Council's maintenance activities, infrastructure requirements, condition of field, and Sportsground availability.
- 3.2.3 School groups may, by exception, apply for an extended Allocation for Terms 1 to 4
- 3.2.4 Where availability and practical capacity permits, seasonal Allocations may be issued to more than one user group at a facility. Council will aim to ensure in scheduling any shared facility Allocations, that concurrent use will not disrupt the intended usage of the Hirers.
- 3.3 Council recognises the impact of bookings on turf Sportsgrounds and the need to maintain playing surfaces. Sportsgrounds will be rested for one (1) full weekday per week.
- 3.4 Where a facility upgrade to a synthetic or alternative surface allows for extended usage hours, additional hire hours will not be automatically allocated to the existing hirer. Additional available hours will be allocated through an Expression of Interest (EOI) process.
- 3.5 Season Draws must be provided to Council once confirmed, to allow for Council to re-allocate any unused Sportsgrounds. Blanket bookings are not permitted, and Hirers must ensure every effort is made to notify Council of any unused dates in advance.

Sportsground Allocation Policy		
Owner: Manager Parks & Open Spaces	Area: Parks & Open Space Planning	POL No:
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- 3.6 Allocations will generally include non-exclusive access to available Assets Within Sportsgrounds. From time to time, and subject to confirmation by Council, access to these Assets Within Sportsgrounds may be provided beyond the approved Allocation, such as to allow for use of a storage room between seasons. Where a Hirer's Allocation does not continue into the subsequent season, the Hirer will no longer have access to those Assets Within Sportsgrounds.
- 3.6.1 Where Assets Within Sportsgrounds are added or upgraded, Hirer access as part of an Allocation will not be automatic, and will be considered in accordance with the principles of this Policy, and other applicable Policies or Council requirements for facility hire.
- 3.6.2 Requests for exclusive hire of Assets Within Sportsgrounds are subject to Council's Lease & License Policy.
- 3.7 To be eligible to be considered for an Allocation, applicants must:
- maintain current public liability insurance, with a minimum amount of \$20,000,000 payable for any individual claim that may be made against that policy;
 - be registered as a legal entity (e.g. as an Incorporated Association);
 - not have any outstanding debts to Council; and
 - accept Council's Terms & Conditions of Hire.
- 3.7.1 Hirers that do not comply with this Policy or Council's Terms & Conditions of Hire during the term of their Allocation may not be considered for future Allocations.
- 3.7.2 To be assigned an Allocation, Professional or Representative Sporting use applicants must demonstrate that the existing Council facility meets the sport's requirements, and is not dependent on the pursuit of upgrades or embellishments.
- 3.8 Casual or temporary hire of Council Sportsgrounds may be granted to individuals and groups for an agreed period of time, during daylight hours outside the times assigned to users with an Allocation, in accordance with Council's Community Facilities Hiring Policy.

Sportsground Allocation Policy		
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3.8.1 To ensure fair shared use of Council’s facilities, three casual bookings per season are permitted outside of the season of hire for groups with an Allocation, and ten bookings per calendar year for casual Hirers without an Allocation.

3.8.2 Re-occurring weekly casual hire of Sportsgrounds is not available for weekends.

3.9 To ensure fair and shared access of Sportsgrounds, Council will generally facilitate Sportsground hire on a Seasonal Allocation or casual basis, where available. Council may however, consider long-term lease and license arrangements for exclusive use of a Sportsground where:

- (a) a commitment to significant financial investment in the facility can be demonstrated by the applicant to align with Council’s strategic direction; and
- (b) it can be demonstrated that this arrangement provides a greater benefit to the community, in line with the guiding principles of this policy, outlined in Section 3.1.

3.9.1 Requests for a multiple-season hire, or long-term lease or license agreement, for use of Sportsground, as an exception to this Policy, must be submitted to Executive Director Community and Culture for consideration, before applying for the lease or license agreement.

3.9.2 Lease or license arrangements for Sportsgrounds are subject to Council’s Lease & License Policy.

Prioritisation for Assigning Allocations

3.10 Council will utilise a prioritisation system to ensure that the hire of Sportsgrounds is equitable and aligned with Council’s broader Sportsground Strategy and Action Plan and values, including to actively contribute to the health, wellbeing, equality, and inclusion of the whole community. Prioritisation for Allocations may apply to both the Sportsground and season assigned to the application for hire.

3.11 To prioritise Allocation requests, Council will assign a priority tier to all applications, based on the type of hire group, as follows:

Priority Tier	Type of Hirer groups
Primary Priority	<ul style="list-style-type: none"> • Community-led, participative Sporting Clubs and organisations • Community-led, participative Sporting Clubs and organisations

Sportsground Allocation Policy		
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	(non-affiliated)
Secondary Priority	<ul style="list-style-type: none"> Government School groups located within the LGA Not-for-profit and community-based organisations and Programs Commercial organisations that provide community-based Programs Independent School groups located within the LGA Government School groups located outside of the LGA
Tertiary Priority	<ul style="list-style-type: none"> Independent School groups located outside the LGA Professional or Representative Sporting use Commercial and other hirers

3.11.1 All eligible Primary Priority Hirers will be allocated a principal facility (i.e. a home ground) as a priority before Primary Priority Hirers are allocated a second facility.

3.11.2 Where it is necessary for Council to determine contested Allocation requests, it will prioritise the applicant(s) which will best deliver programming to meet the community's needs and Council's values, with consideration given to the following criteria:

- (a) proportion of participant membership residing within the LGA;
- (b) provides ongoing Programs or initiatives that cater for Grassroots Sports;
- (c) provides ongoing Programs or initiatives that consider Gender Equality;
- (d) provides ongoing Programs or initiatives that cater for underrepresented groups;
- (e) membership is open to all and reflective of junior teams/sides; female teams/sides; registered development Programs; and female representation on club committee;
- (f) membership and Programs are inclusive of all participants regardless of skill;
- (g) strong affiliation or history with the facility;
- (h) provides initiatives that promote healthy lifestyles;
- (i) ability to optimise usage of facilities, while keeping the facilities to a good standard;
- (j) demonstrated strong ties to the local community;
- (k) new or emerging sport, where the applicant can demonstrate a plan for ongoing success
- (l) for school groups, availability of Sportsgrounds within the school; and

Sportsground Allocation Policy		
Owner: Manager Parks & Open Spaces	Area: Parks & Open Space Planning	POL No:
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- (m) for school groups, prioritised use for competitive sporting activities and programs over general recreation (e.g. physical education lessons, recess sessions).

4. Delegation

4.1 There are Administrative and/or Legislative Delegations applicable to this Policy, which are provided for in Council's Delegations Manual.

5. Procedure

5.1 This Policy must be read in conjunction with Council's Community Facilities Hiring Policy and accepted Terms & Conditions of Hire, which set out the applicable obligations for facility use which Hirers with an approved Allocation must follow.

5.2 Allocations will be made by Council through the following process:

- 5.2.1 Council will call for applications for Allocations approximately two months prior to season commencement (e.g. February for the Winter Season, and July for the Summer Season).
- 5.2.2 Applications for Allocations are due six (6) weeks prior to the official season commencement date, which will be advised by Council. Late applications will not be considered.
- 5.2.3 Council will assess all received applications in accordance with this Policy, and liaise with applicants as required.
- 5.2.4 Council staff will notify applicants regarding assigned Allocations, and issue invoices for hire fees in accordance with Council's Schedule of Fees and Charges.
- 5.2.5 Any changes to the Allocation requested by the applicant (e.g. as a result of increased or decreased registrations) may be accommodated by Council subject to availability, and will be considered in accordance with this Policy.
- 5.2.6 Where facilities may become available outside of the standard Allocation assignment cycle, such as through a vacancy, upgrade, or new development, Council will advertise for interested parties to submit an EOI application.

Sportsground Allocation Policy		
Owner: Manager Parks & Open Spaces	Area: Parks & Open Space Planning	POL No:
Date of Commencement:	Approval Authority: Council	Date Approved:
Amendment: 1	Date of Next Review:	Review: 4



Applications will be assessed by Council in accordance with this Policy. The successful EOI applicant(s) will be invited to complete an application for a seasonal hire Allocation.

- 5.3 Council may request for Hirers and applicants to provide Council with supporting documentation of operational information, which Council may seek to verify, including, but not limited to:
- an official membership list, confirming members' residential suburb;
 - the number of teams and participants in each team;
 - a detailed schedule for use of the requested facility;
 - information regarding the organisation's governance structure; and
 - a copy of the organisation's annual report, including financial report;
 - previous tenure at other sporting facilities; and
 - evidence of registration under the *Associations Incorporation Act 2009 (NSW)*, or other similar related registration that may apply to a sporting organisation.
- 5.4 If an applicant wishes to appeal the Allocation decision, they may appeal in writing to the Executive Director Community and Culture. The Executive Director Community and Culture or their delegate, will consider the appeal and notify all relevant applicants of the outcome.

6. Definitions

Allocation	A confirmed seasonal hire agreement for a Council Sportsground and/or sporting facility.
Assets Within Sportsgrounds	Council managed assets that facilitate the activity and support the use of the sporting field and may include items like cricket nets, floodlights, and pavilions.
Gender Equality	Refers to the attainment of equal rights, responsibilities, and opportunities for women, men, trans, and gender diverse people.
Grassroots Sport	Refers to organised sport practiced by amateur sportspeople, in the lowest available level of local competition.
Hirer	An organisation (e.g. Sporting Club, Sporting Association, state sporting organisation, community-based group, school, or tertiary organisation) whose application for hired use of a Council Sportsground has been approved, and who has accepted the Terms & Conditions of Hire.

Sportsground Allocation Policy		
Owner: Manager Parks & Open Spaces	Area: Parks & Open Space Planning	POL No:
Date of Commencement:	Approval Authority: Council	Date Approved:
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Not-for-Profit	An organisation that provides services to the community and does not operate to make a profit for its members or shareholders. All profits must go back into the services the organisation provides and must not be distributed to members.
Off-Season	A period outside of a main sporting season, which may be used by a sporting group for an out of season competition, Program, or grading.
Pre-Season	A period prior to the commencement of a main sporting season, which may be used by a sporting group for training, coaching activities, trials, and gradings.
Program	Refers to activities which aim to promote and increase community participation in sport or recreation.
Professional or Representative Sporting	Organised sport participated in at a higher level of competition than is readily available at the Grassroots Sport level.
Season Draws	Official competition draws provided by the relevant governing Sporting Association for that particular sport
Sporting Association	An umbrella organisation bringing together the affiliated Sporting Clubs and licensed players, with the aim of organising a sport, primarily through competition-based participation.
Sporting Club	A registered organisation that exists to promote and develop participation in a particular sport or physical activity.
Sportsground	Refers to land or a facility that is used primarily for formal sporting activities, involving organised sports or the playing of outdoor games.

REFERENCES	<i>Associations Incorporation Act 2009 (NSW)</i>
ASSOCIATED POLICIES and STRATEGIES	Community Facilities Hiring Policy Complaints Handling Policy Lease & License Policy Sportsground Strategy and Action Plan Terms & Conditions of Hire
ATTACHMENTS	Nil

Sportsground Allocation Policy		
Owner: Manager Parks & Open Spaces	Area: Parks & Open Space Planning	POL No:
Date of Commencement:	Approval Authority: Council	Date Approved:
Amendment: 1	Date of Next Review:	Review: 4

REPORTS TO COUNCIL - FOR COUNCIL DECISION

ITEM NUMBER	13.4
SUBJECT	Public Exhibition of Draft Debt Management and Hardship Assistance Policy 2024
REFERENCE	F2024/00282 - D09130581
REPORT OF	Policy Officer

CSP THEME: Fair

WORKSHOP/BRIEFING DATE: Finance Committee – 6 March 2024
Policy Review Committee – 14 March 2024

PURPOSE:

To seek Council's endorsement to place the draft Debt Management and Hardship Assistance Policy (Policy 327) on public exhibition.

RECOMMENDATION

- (a) That the draft Debt Management and Hardship Assistance Policy be placed on public exhibition for a period of 28 days.
- (b) That Council authorises the Chief Executive Officer to make any necessary editorial and content changes to the draft Debt Management and Hardship Assistance Policy for public exhibition to give effect to Council's resolution.
- (c) That following public exhibition, officers submit the final Debt Management and Hardship Assistance Policy to Council for adoption.

BACKGROUND

1. Council's existing Rates Hardship Policy (Policy 327) was last adopted by Council on 10 July 2017, and is due for periodic review.
2. As an outcome of the review, the Rates Hardship Policy is recommended to be redeveloped as a comprehensive Debt Management and Hardship Assistance Policy.

ISSUES/OPTIONS/CONSEQUENCES

3. Before adopting the draft Policy, Council must place the document on public exhibition for a period of 28 days. This report is seeking Council's approval to place the draft Debt Management and Hardship Policy on public exhibition.
4. Once submissions have closed a further report will be presented to Council incorporating any public comment at the next available meeting, where Council will be required to adopt the final Policy. This document will become effective once it is adopted by Council.

CONSULTATION & TIMING

Stakeholder Consultation

5. The following stakeholder consultation has been undertaken in relation to this matter:
- Executive Team;
 - Finance Committee (6 March 2024); and
 - Policy Review Committee (14 March 2024).

Anticipated timeframe

- Public Exhibition
 - Exhibition dates approximately 15 April to 13 May 2024.
- Council Meeting – 27 May 2024 (pending community feedback)
 - Council adopts the final Policy.

LEGAL IMPLICATIONS FOR COUNCIL

6. The draft Policy was reviewed by Council's Legal Services Unit, and the Policy recommended for public exhibition does not present any legal concerns.

FINANCIAL IMPLICATIONS FOR COUNCIL

7. If Council resolves to approve this report in accordance with the proposed resolution, there are no unbudgeted financial implications for Council associated with the exhibition and adoption of this Policy.




Melissa McIsaac
Policy Officer

Amit Sharma
Chief Financial Officer

Roxanne Thornton
Chief Governance & Risk Officer

Gail Connolly
Chief Executive Officer

ATTACHMENTS:

1 	For Public Exhibition - Draft Debt Management and Hardship Assistance Policy 2024	11 Pages
2 	For Information - Debt Management and Hardship Assistance Policy Review 2024 - Summary of Proposed Changes	1 Page
3 	For Information - Rates Hardship Policy 2017	10 Pages

REFERENCE MATERIAL



Debt Management and Hardship Assistance Policy

Contents

1. Scope 1

2. Purpose 1

3. Policy 1

4. Delegation 8

5. Procedure 8

6. Definitions 9

1. Scope

1.1 This Policy applies to all City of Parramatta Council (**Council**) Ratepayers and customers who have outstanding Debts with Council, including Rates, Sundry Debts, fees, and all other charges.

2. Purpose

2.1 This Policy sets out a consistent, transparent, and reasonable approach for Council to manage Debts owing to Council, and, where necessary, recover overdue Debts. This Policy will help ensure that Council’s resources are managed with integrity and diligence.

2.2 This Policy further establishes a framework for Council to provide assistance to customers experiencing financial Hardship, in accordance with the *Local Government Act 1993* (NSW) (**LG Act**).

3. Policy

3.1 In accordance with the relevant provisions of the LG Act and the *Local Government (General) Regulation 2021* (NSW) (**LG Regulation**), Council is committed to recovering monies owing to it in a timely, efficient, and effective manner. However, Council may allow flexibility in this approach by recognising and accommodating genuine cases of customer Hardship.

Debt Management and Hardship Assistance Policy		
Owner: Chief Financial Officer	Area: Finance	POL No: 327
Date of Commencement: 2012	Approval Authority: Council	Date Approved:
Amendment: 3	Date of Next Review:	Review: 4



- 3.2 Council encourages all Ratepayers and debtors to meet their payment commitments as they fall due.
- 3.3 Council will employ the follow principles in managing Debt and Rates:
- (a) ensure compliance with statutory requirements set out by the LG Act and associated LG Regulation as well as other applicable legislation that may apply;
 - (b) provide a customer-focused service;
 - (c) ensure a consistent approach to the collection of outstanding Debts;
 - (d) ensure transparency and probity in Debt recovery procedures;
 - (e) ensure that customers experiencing genuine financial difficulties are treated sensitively, and on a case by case basis;
 - (f) assist customers in meeting their Rates and other accounts receivable commitments by providing mutually agreeable alternative repayment plans; and
 - (g) minimise additional costs incurred by customers.

Notification of monies owing

Issue of Rate Notices

- 3.4 Customers will be notified regarding Rates and annual charges as follows:
- 3.4.1 Council will issue its annual Rates notice for the financial year to all properties in the Parramatta local government area (LGA) in July of each year.
 - 3.4.2 Council may, at its discretion, issue Supplementary Rates notices during the year.
 - 3.4.3 Where Ratepayers elect to pay by installments, Council will issue the instalment notice at least one month prior to the due date for the instalment.
 - 3.4.4 Ratepayers are encouraged to elect to receive their Rates notices electronically. Ratepayers may sign up for electronic notices via Council's Website.

Other Debt Notices

- 3.5 Customers will be notified of all other Debts through the issue of invoices as follows:
- 3.5.1 Council will issue invoices at the time they are raised (date of invoice). Invoices will be sent to customers via email where possible.

Debt Management and Hardship Assistance Policy		
Owner: Chief Financial Officer	Area: Finance	POL No: 327
Date of Commencement: 2012	Approval Authority: Council	Date Approved:
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3.5.2 Where accounts have an outstanding balance, Council will issue monthly statements in the first week of the month.

3.5.3 Council will issue reminder notices for outstanding invoices no more than 14 days after the due date.

3.6 Where Debts are overdue and an appropriate payment arrangement has not been made, Council will issue reminder notices for the outstanding amounts via an invoice no more than 14 days after the due date.

3.6.1 Where available and appropriate, Council may use additional channels of communication to remind customers of outstanding Debts. This may include text message reminders, telephone calls, and email communication.

Payment due dates

3.7 Pursuant to section 562 of the LG Act, Rates and annual charges are due as follows:

3.7.1 Rates and annual charges may be paid by a single instalment or by quarterly instalments.

3.7.2 Payments made by single instalment are due by 31 August of each year.

3.7.3 Payments made by quarterly instalments will be due by the following dates, each year:

- (a) first instalment: 31 August;
- (b) second instalment: 30 November;
- (c) third instalment: 28 February; and
- (d) fourth instalment: 31 May.

3.7.4 Where Council levies Rates and annual charges after an instalment was due, the amount payable will be apportioned across the remaining instalments.

3.7.5 A Rates instalment will be considered overdue if it is not paid on or before the due date.

Debt Management and Hardship Assistance Policy		
Owner: Chief Financial Officer	Area: Finance	POL No: 327
Date of Commencement: 2012	Approval Authority: Council	Date Approved:
Amendment: 3	Date of Next Review:	Review: 4



- 3.8 Payment terms for account invoices will be 30 days from the date of issue, unless otherwise stipulated on the invoice. Invoices will be considered overdue if not paid on or before the stipulated trading terms.
- 3.9 Available payment methods will be stipulated on the Rates notice or invoice.

Interest charges

- 3.10 Pursuant to section 566 of the LG Act, interest on overdue Rates and annual charges will be charged on a daily basis. Council will apply the interest rates as determined by the Office of Local Government to be charged on an annual basis.
- 3.11 Overdue Rates and annual charges will attract the interest rate set out in Council's Schedule of Fees and Charges.
- 3.12 A late payment fee may be charged where a reminder letter is issued, where set out in Council's Schedule of Fees and Charges.
- 3.13 Pursuant to section 566 of the LG Act, Ratepayers who enter into a payment arrangement with Council will continue to have interest charged on the outstanding balance.

Legal recovery of Debt

- 3.14 Council will only consider commencing legal recovery proceedings for the collection of overdue Debts in the following circumstances:
- (a) where Rates and charges have at least two instalments outstanding; or
 - (b) where all other invoices are overdue for more than 90 days; and
 - (c) where no payment arrangement has been made between the customer and Council.
- 3.15 Legal proceedings will commence with a Letter of Demand to the Debtor. The Letter of Demand will be issued by Council, or Council's legal recovery representative. Where the Debt remains unpaid notwithstanding the issue of the Letter of Demand, Council will proceed to commence formal legal action by the issue of a Statement of Claim (summons).

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- 3.15.1 Council will make best efforts to contact customers prior to issuing a Statement of Claim, with a view to minimising any legal costs that the customer may incur.
- 3.15.2 Council may engage a Mercantile Agent or Law Firm to conduct all or part of any legal proceedings on behalf of Council.
- 3.15.3 Pursuant to section 605 of the LG Act, any reasonable out-of-pocket expenses incurred by Council in connection with legal proceedings will be added to the outstanding account balance.
- 3.15.4 Where legal action in respect of a debt has been completed, and the Debt has been paid in full, Council will not pursue the Debt.

Hardship Assistance

- 3.16 Council recognises that there may be exceptional circumstances where a customer faces difficulty in paying a debt owed to Council. Such factors may include loss of employment or illness. Council will aim to work with customers experiencing Hardship to avoid legal action and, depending on the circumstances, may be able to provide the following assistance options, pursuant to applicable legislation:
- (a) extension of due date;
 - (b) alternative payment arrangements; or
 - (c) write off or reduce accrued interest.
- 3.17 Payment arrangements
- 3.17.1 Where customers experience Hardship and are having difficulty in meeting their payment commitments, they should contact Council as early as possible, to discuss making a suitable payment arrangement in respect of any Debt.
- 3.17.2 Council will work with customers experiencing Hardship to assist them with considering options and making mutually acceptable arrangements for the payment of their outstanding Debts.
- 3.17.3 Pursuant to section 564 of the LG Act, customers may at any time seek to make arrangements with Council to pay off their outstanding Debts by regular payments, subject to the following considerations:

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- (a) the amount and frequency of the payments under the arrangement must be acceptable to Council; and
- (b) arrangements should, where possible, seek to have the outstanding balance cleared by the end of the financial year.

3.17.3.1 Council may accept over the telephone payment arrangements within twelve months of the due date, for weekly, fortnightly, or monthly payments, whether monies owing are overdue or not, except for where legal proceedings have commenced against the debtor. Periodical payment arrangements will be confirmed in writing.

3.17.3.2 Council may grant requests for extensions of time to pay an overdue Rate installment in full provided the extension will not be greater than 30 days after the due date. Only one extension can be granted to a Ratepayer during an annual rating period. Interest on the overdue balance is still applicable under this arrangement.

3.17.3.3 Once legal proceedings have commenced against a debtor, only delegated Council officers can determine any payment arrangement, which must be formalized in writing, subject to the debtor entering into a direct debit arrangement with Council, and the debtor agreeing to pay Council's up-to-date legal costs relating to the proceedings. If a debtor objects to the direct debit arrangement, the debtor must provide reasons for their objection in writing, and propose an alternate payment method. Council will consider the alternate payment method, and will advise the debtor whether the request is accepted or rejected.

3.17.4 Where a customer has not honoured a previous payment arrangement, Council may, at its discretion decline to accept a request for a new arrangement, and may continue with further recovery action.

3.17.5 Customers aggrieved by clause 3.15.4 of this Policy, may appeal in writing to the Chief Executive Officer or their delegate. The Chief Executive Officer, or their delegate, will consider the appeal within thirty (30) days of it being received by Council and notify the customer of the decision.

3.17.6 Where a customer fails to make payment in full under an arrangement and does not notify Council of any financial difficulties, the payment arrangement will be

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voided, and the total amount outstanding will become payable and will be subject to Council's legal Debt recovery procedures, as set out in this Policy.

3.18 Waiving, reducing, or deferring Debts

3.18.1 Pursuant to section 567 of the LG Act, Council may write off accrued interest on Rates or charges payable by a person if, in Council's opinion, the reasons that the person was unable to pay the Rates or charges when they became due and payable were beyond the person's control, or that the person is unable to pay the accrued interest for reasons beyond their control, or that the payment of the accrued interest would cause the person Hardship.

3.18.2 Council may, at its discretion, write off or reduce accrued interest where a customer complies with their mutually agreed payment arrangement with Council.

3.18.3 Pursuant to section 601 of the LG Act, Ratepayers who incur a Rates increase in the first year following a revaluation of land values may apply to Council for Rates relief, if the increase in the amount of Rates payable would cause them substantial Hardship. In such circumstances, Council may, at its discretion, waive, reduce, or defer payment of the whole or any part of the increase in the amount of the Rates payable for such period, and subject to any conditions that Council deems appropriate.

3.18.3.1 While Council has the discretion to waive, reduce or defer, Council will only offer a revised payment schedule and interest free periods up to three years to ease the financial stress on the ratepayer.

3.18.3.2 Each individual case will be considered on its merits. Council's criteria for consideration Hardship assistance under section 601 of the LG Act will include, but is not limited to:

- (a) the amount of any Rate increase when compared to the average Rate increase for the Rate category;
- (b) the amount of Rates levied compared to the average Rate of the Rate category;
- (c) income from all sources;
- (d) assets owned;
- (e) living expenses;

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- (f) reason for financial Hardship;
- (g) length of occupancy; and
- (h) principal place of living.

3.18.4 Council may make a determination to grant a moratorium up to 90 days, where a group or area of Ratepayers or debtors affected by a natural disaster or significant event. Applications for approval of this moratorium must be in writing.

3.18.5 Upon notification of a Ratepayer(s) death, Council will grant a 12-month interest free period to allow for probate or Letters of Administration to be processed. After the 12-month period ends or the property is transferred, whichever comes first, interest will accrue at the prescribed rate.

Pensioner concessions

3.19 Available Rates rebates for Eligible Pensioners are set out by Council's Voluntary Pensioner Rebate Policy.

3.20 Council will not take legal proceedings against Eligible Pensioners to recover Debt. Eligible Pensioners will still be issued with reminder notices and are subject to interest on overdue balances, in accordance with this Policy.

4. Delegation

4.1 There are Administrative and/or Legislative Delegations applicable to this Policy, which are provided for in Council's Delegations Manual(s).

5. Procedure

5.1 Customers seeking consideration of financial Hardship must apply to Council in writing, with supporting evidence, using the Hardship Relief Application form.

5.1.1 Completed Hardship Relief Application forms may be submitted:

- (a) via email, to council@cityofparramatta.nsw.gov.au;
- (b) by mail, to City of Parramatta, PO Box 32, Parramatta NSW 2124; or
- (c) in-person at PHIVE Customer Service Desk.

5.1.2 The application must contain, at a minimum, the following information:

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- (a) the address and contact details of the customer; and
- (b) the reason(s) for the financial Hardship, with sufficient information provided as to enable Council to make an informed decision regarding the application.

5.1.3 Where a customer is seeking for Council to consider waiving the interest accrued on a Debt, the following additional information may be required:

- (a) details of all income including wages, benefits, and any other sources of income;
- (b) details of all expenditure;
- (c) details of all bank accounts and balances;
- (d) details of all credit cards and balances;
- (e) details of any other investments; and
- (f) details of last Tax Assessment Notice.

5.1.4 Council may request that any application for consideration of financial Hardship be supported by a statement from a financial advisor or accountant.

5.2 Council may collect the following customer information during the process of establishing any payment arrangements, with this information capable of being used for any Debt recovery process:

- (a) contact phone numbers (including mobile, work, and home);
- (b) employment details; and
- (c) email address.

5.3 Council will provide written confirmation to customers for any agreed payment arrangements.

6. Definitions

Debt	Monies owing to Council as part of its general business activity, including Rates, Sundry Debts, fees, and/or charges owing to Council.
Eligible Pensioner	As defined in the Dictionary to the LG Act and section 134 of the LG Regulation, means: (a) persons who receive a pension, benefit or

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	<p>allowance under Chapter 2 of the <i>Social Security Act 1991</i> of the Commonwealth, or a service pension under Part III of the <i>Veterans' Entitlements Act 1986</i> of the Commonwealth, and who are entitled to a pensioner concession card, issued by or on behalf of the Commonwealth government, or</p> <p>(b) persons who receive a pension from the Commonwealth Department of Veterans' Affairs and who are entitled to a pensioner concession card, issued by or on behalf of the Commonwealth government, or</p> <p>(c) persons who have received a lump sum mentioned in section 234(1)(b) of the <i>Military Rehabilitation and Compensation Act 2004</i> of the Commonwealth or are receiving a weekly amount mentioned in that paragraph, and who are entitled to a pensioner concession card, issued by or on behalf of the Commonwealth government, or</p> <p>(d) persons who receive a general rate of pension adjusted for extreme disablement under section 22(4) of the <i>Veterans' Entitlements Act 1986</i> of the Commonwealth, or a special rate of pension under section 24 of that Act, or</p> <p>(e) persons who receive, or who at some point in their life have been eligible for, a Special Rate Disability Pension under the <i>Military Rehabilitation and Compensation Act 2004</i> of the Commonwealth.</p>
Hardship	Refers to any situation where an individual is having difficulty paying legally owed Debt. This can result from life changes (such as illness, unemployment or changed financial circumstances) and can restrict a person's short-term capacity to pay.
Letter of Demand	Demand letter from Council or Council's legal recovery representative issued in accordance with the Australian Competition and Consumer Commission and the Australian Securities and Investments Commission guidelines
Rates	Refers to all amounts charged in accordance with section 546 of the LG Act.

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Ratepayer	The person/s who are the owner of rateable land or a person/s responsible for a lease where the LG Act provides that a Rate is to be paid to Council.
Sundry Debt	Any Debt owed to Council that is not a Rate or charge which is levied on a property.
Supplementary Rates	Refers to Rates which are issued when there has been a change to the rating record common adjustment, including changes to the land value or how the land is used in relation to the property. Also referred to as a part year rating.
REFERENCES	<i>Local Government Act 1993 (NSW)</i> <i>Local Government (General) Regulation 2021 (NSW)</i> <i>Social Security Act 1991 (Cth)</i>
ASSOCIATED POLICIES	Complaints Handling Policy Privacy Management Policy and Plan Voluntary Pensioner Rebate Policy
ATTACHMENTS	Hardship Relief Application Form

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**Debt Management and Hardship Assistance Policy 2024 –
Summary of Proposed Changes**

Changes made to the Policy as a result of the review are summarised below:

Type	Description	Reason
Update	<p>Policy 327 Rates Hardship Policy has been expanded to be a broader Debt Management and Hardship Assistance Policy.</p> <p>Added direction including guiding principles for managing any type of debt owing to Council, notification processes, a legal recovery framework, elaborated information regarding available forms of hardship assistance, and clearer application determination process.</p> <p>The existing provisions to provide Rates hardship relief, in accordance with the Local Government Act, have been retained.</p>	<p>Council does not currently maintain a general framework for handling customer financial hardship or managing overdue debts.</p> <p>The elaborated Policy sets out a consistent, transparent, and reasonable approach for Council to manage any monies owing, and, where necessary, recover overdue debts.</p> <p>Establishes a transparent and consistent framework for Council to provide assistance to customers with any debts experiencing financial hardship.</p>
Update	Added references to applicable Local Government Act provisions for debt notification, management, interest charges, and broader financial hardship measures, and processes for Council to implement.	To ensure Council's compliance with applicable legislation
Update	Transferred content to current Policy Template branding	To ensure consistent formatting across Council's policy portfolio
Update	Updated phrasing	To improve clarity, accuracy, and to ensure consistency with applicable Council and legal standards.



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Rates Hardship Policy

Contents

1. Scope
2. Purpose
3. Policy
4. Relationship to Legislation and Associated Documents

1. Scope

- 1.1 Council recognises that certain ratepayers in the community may have difficulty in meeting their commitments regarding the payment of residential Rates & Charges.
- 1.2 This policy will apply to Ratepayers who claim genuine hardship in meeting their obligation to pay the Rates & Charges, and prescribes the procedures to be followed in providing financial assistance to these ratepayers.

2. Purpose

- 2.1 To provide financial relief to customers of Council experiencing genuine hardship in meeting their commitments in paying their Rates & Charges.
- 2.2 To provide a decision making framework for the appropriate assessment of hardship applications.
- 2.3 To fulfil the statutory requirements of the Local Government Act 1993 and other relevant legislation in the recovery of rates and charges.

3. Policy

- 3.1 Council recognises there are cases of genuine financial hardship requiring respect and compassion in special circumstances.

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3.2 Assessment of financial hardship is to be made by the Service Manager - Rates following the completion of Council's "Financial Hardship Relief Application Form" – refer Attachment 2 and the determination is delegated to the CEO.

4. Relationship to Legislation and Associated Documents

4.1 Local Government Act 1993

Particular reference to:

Section 582

Council can provide assistance to Pensioners under this section. Council may waive or reduce payment of all or part of the rates and charges payable after rebates have been deducted.

Section 564

Council can enter into payment arrangements with ratepayers, who cannot meet their normal instalment payments and may write-off interest charges.

Section 567

Council can write off accrued interest on rates and charges if the ratepayer was unable to pay for reasons beyond their control.

Section 601

Council has the discretion to waive, reduce or defer payment of the whole or part of a rate increase following a revaluation of land.

4.2 Associated documents

Policy 215: Voluntary Pensioner Rebate Policy
Procedure Manual: Debt Recovery for Overdue Rates & Charges

REFERENCES	
POLICIES	
ATTACHMENTS	

Name of Policy		
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ATTACHMENTS

- 1) Process for assessing hardship relief applications
- 2) Hardship Rate Relief Application Form

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ATTACHMENT 1

Process for assessing Hardship Relief applications

Hardship applications will be assessed applying the principles of fairness, integrity, confidentiality and compliance with statutory requirements.

Assistance by Periodical Payment Arrangements

Section 564 of the LGA provides that Council may enter into a formal agreement with a ratepayer eligible for alternative periodical payments on their rates and charges. A periodical payment agreement will be offered in accordance with Council's Debt Recovery procedures.

Assistance by writing off accrued interest and costs

Accrued interest on rates and charges payable by a person may be written off under Section 567 of the LGA 1993, if

1. The person was unable to pay the rates or charges when they become due for reasons beyond the person's control.
2. The property for which the hardship application applies must be the principle place of residency of the applicant/s.
3. The property for which the hardship application applies must be categorised as "Residential" for rating purposes.
4. The application for hardship must be accompanied with supporting documentation which may include but is not limited to:
 - Reasons why the person was unable to pay the rates and charges when they became due and payable
 - Copy or recent bank statements for all accounts
 - Details of income and expenditure
 - Letter from a recognised financial counsellor or financial planner confirming financial hardship.
5. The CEO has the delegated authority to assess all applications from any ratepayer after receiving a written request.

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6. With respect to Section 601 of the LGA 1993, Council will not consider hardship applications under this provision, as valuations are independently determined by the NSW Valuer General. Council will encourage aggrieved ratepayers to make an appropriate application under the appeal provision of the NSW Valuation of Land Act 1916.

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ATTACHMENT 2

Hardship Rate Relief Application Form

HARDSHIP RATE RELIEF APPLICATION FORM

Approved by the Director General of the Department of Local Government, in accordance with clause 135 of the Local Government (General) Regulation 2005 under the *Local Government Act 1993*.

APPLICATION FOR HARDSHIP RATE RELIEF FOR THE WHOLE OR PART OF THE YEAR COMMENCING 1 JULY 200_

**please answer all questions relevant to you using block letters and ticking appropriate boxes.*

Assessment No. _____

I, _____
(Full name in block letters)

of _____
(Address)

telephone number _____ apply for a concession on the basis of financial hardship.

Property Description (Lot/Plan) _____
(office use only)

(1) Do you receive any pensions or benefits? Yes No

If Yes, please provide type of pension and amount received per fortnight.

Pension: _____ Amount: _____

(2) Do you have a current Pensioner Concession Card issued by the Commonwealth Government? Yes No

PCC No. _____ Date of Grant _____

(3) Have you claimed a pensioner concession on any other property this year? Yes No

If Yes, state the address of the other property _____

(4) Is this property your sole or principal place of living? Yes No

The property for which I am claiming has been my sole/principal place of living since _____

(5) I am liable for the payment of rates and charges on this property, together with others as listed below. (If no others, write "SOLE OWNER") _____

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Please provide details of all "other" persons indicated in Question 5. **(ALL OWNERS other than the applicant should be listed, including your spouse):**

Name	PCC Holder Y/N	Pension No	Date of Grant	Relationship to me (eg: spouse, father, co-owner etc)	Resident of Property Y/N	% of ownership

Evidence of joint ownership is attached/has been provided to council previously (circle whichever is applicable).

- (6) Is the property owned as shares in a company title? Yes No
If you do not own or rent the property, please explain why you are liable to pay the rates _____
- (7) Are there people living at the property other than those listed at Question 5? Yes No
- (8) Please indicate who these people are?
 - Self
 - Spouse
 - Children (State ages _____)
 - Boarders
 - Relatives
 - Other (please specify)
- (9) Do you own (either fully or partially) any other land or buildings? Yes No

If yes, list addresses.

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(10) How many children do you support? _____ State ages _____

(11) What is the cause of financial hardship? _____

(12) How long have you been experiencing hardship? _____

(13) Please state gross weekly amount received in dollars and cents from the following sources of income:

a) Pensions and benefits \$ _____

b) Compensation, superannuation insurance or retirement benefits \$ _____

c) Spouse's income \$ _____

d) Income of other residents of the property \$ _____

e) Casual/part-time employment \$ _____

f) Family allowance \$ _____

g) Interest from banks/credit unions/building societies \$ _____

(14) Please provide name and current balance of all bank, credit union or building society accounts held by you.

(15) Please state details of fortnightly outgoings.

Outgoing	Owed to	Amount
Rent/Home Loan		
Other mortgages		
Personal loans/Hire purchase		
Health Costs		
Council rates and charges		

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Please attach a separate page with any other relevant information you feel may assist your application.

I hereby declare that the information provided is true and correct. **If you make a false statement in an application you may be guilty of an offence and fined up to \$2,200.**

Signature: _____ Date: _____

IMPORTANT NOTICE

CUSTOMER CONSENT

For the sole purpose of authorising the council to confirm with Centrelink whether or not the detail I have provided to the council matches Centrelink or other Commonwealth portfolio department or agency records in relation to the current status of my Commonwealth Benefit:

I _____ (full name) authorise the council to confirm with Centrelink the following details:

- Pension No.
- Name
- Address
- Postcode, and
- That I am a valid concessional card holder

I agree that, unless I revoke my consent, this Customer Consent record is a permanent consent, and may be relied on by the council until such time as I revoke it.

I may revoke this Customer Consent record at any time by giving the council **written** notice that my consent is revoked. I understand if I revoke this consent, I may not be eligible for the concession given by the council.

I acknowledge I have read and understood this Customer Consent record.

Signature: _____ Date: _____

PRIVACY AND PERSONAL INFORMATION PROTECTION ACT 1998 Compliance with Section 10

The information contained in this application form and any information requested for the purpose of assessing eligibility for a pensioner concession is required under the Local Government Act 1993 and the Local Government (General) Regulation 2005.

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REPORTS TO COUNCIL - FOR COUNCIL DECISION

ITEM NUMBER	13.5
SUBJECT	Gateway Request: Planning Proposal for 124 Wigram Street, Harris Park
REFERENCE	F2024/00282 - D09311117
APPLICANT/S	Think Planners
OWNERS	Charles Street Nominees Pty. Ltd.
REPORT OF	Project Officer-Land Use

CSP THEME: Innovative

DEVELOPMENT APPLICATIONS CONSIDERED BY SYDNEY CENTRAL CITY PLANNING PANEL Nil

PURPOSE

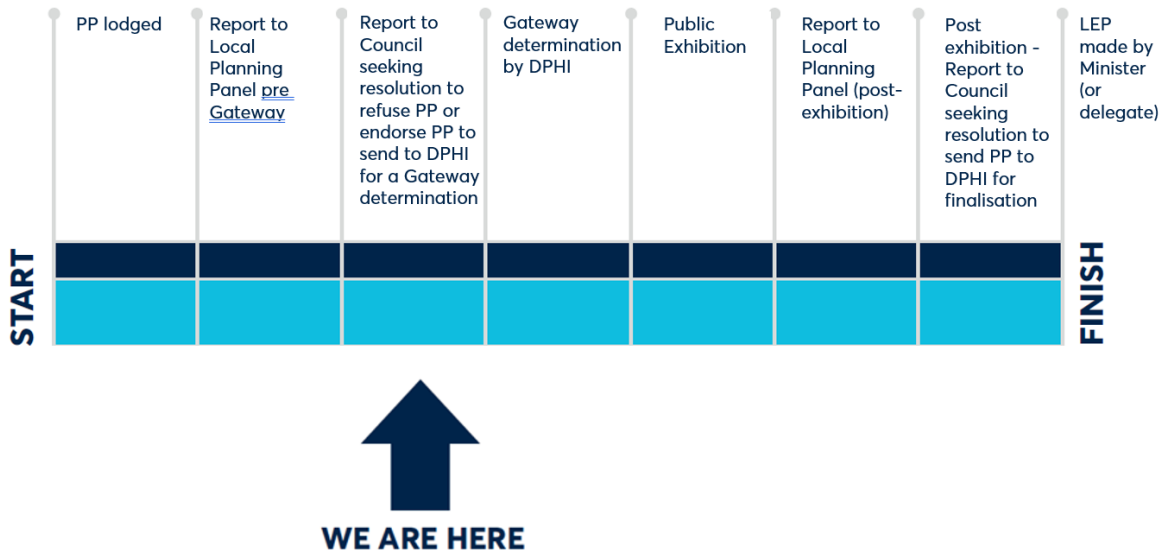
To seek Council's approval of a Planning Proposal for land at 124 Wigram Street, Harris Park to be forwarded to the Department of Planning, Housing and Infrastructure for the purpose of seeking a Gateway Determination.

RECOMMENDATION

- (a) That Council approve for the purposes of seeking a Gateway Determination from the Department of Planning, Housing and Infrastructure (DPHI) the Planning Proposal for land at 124 Wigram Street, Harris Park at Attachment 1 which seeks to amend the Parramatta Local Environmental Plan 2023 (PLEP 2023) Height of Building Map in relation to the subject site from 72 metres to a maximum building height of 103 metres (118.45 metres including the design excellence bonus).
- (b) That Council request the DPHI to include a condition in the Gateway Determination requiring the preparation of an updated local flood study prior to any public exhibition of the Planning Proposal to reflect the draft Parramatta River Flood Study 2023 study.
- (c) That Council request the DPHI to provide Council with the authorisation to exercise its plan-making delegations for this Planning Proposal.
- (d) That Council note the Local Planning Panel's advice to Council (refer to Attachment 2) is consistent with the Council Officer's recommendation in this report.
- (e) That Council delegate authority to the Chief Executive Officer to correct any minor anomalies of a non-policy and administrative nature that may arise during the amendment process.

PLANNING PROPOSAL TIMELINE

Planning Proposal Timeline



SUMMARY

1. This report seeks the endorsement by Council of a Planning Proposal for land at 124 Wigram Street, Harris Park for the purposes of seeking a Gateway Determination from the DPHI.
2. The Planning Proposal seeks to amend Parramatta Local Environmental Plan 2023 (PLEP 2023) to increase the height control from 72 metres (82.8 metres including bonuses) to a maximum height of 103 metres (118.45 metres including bonuses) to facilitate development of the site for high density commercial or mixed-use development.

SITE DESCRIPTION

3. The subject site is located at 124 Wigram Street, Harris Park and has a legal property description of Strata Plan 19939 and part of Strata Plan 80813 (see **Figure 1**). The site includes a narrow section of land fronting Charles Street that is currently part of the adjoining site to the north at 17-19 Hassall Street. The total site area is approximately 1,559 sqm.

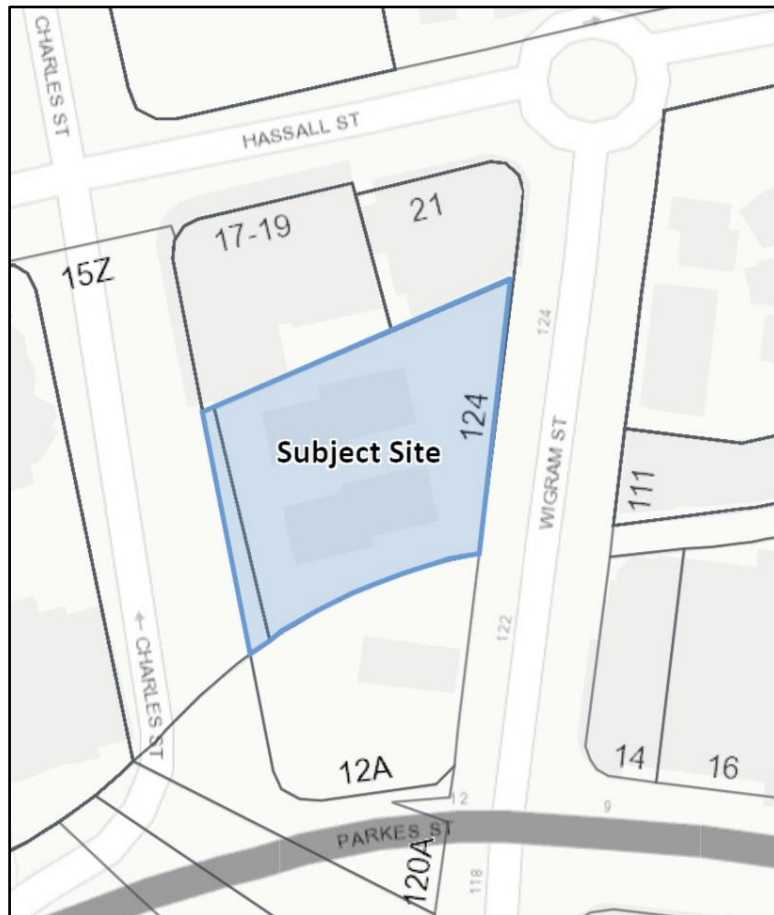


Figure 1: Site location (City of Parramatta GIS)

4. The narrow section of land fronting Charles Street is subject to a development consent (DA/342/2001) for a boundary adjustment between 17-19 Hassall Street and 124 Wigram Street, Harris Park. The consent permits the incorporation of this land within the site boundaries for 124 Wigram Street.
5. While the site address is Harris Park, it is located on the south-eastern edge of the subject area for the recently completed Parramatta CBD Planning Proposal. The site is currently developed with two, three-storey residential flat buildings estimated to have been built in the late 1970s/early 1980s.
6. Clay Cliff Creek runs along the southern boundary of the site and is a fully lined concrete channel for this part of the creek (see **Figure 2** below). Immediately to the south of the site on the other side of the concrete channel, at 12a Parkes Street, is a recently constructed 24 storey residential apartment building marketed as “Charlie Parker”. To the west of the site on Charles Street is a bus layover used by bus services queuing for the Parramatta interchange (see **Figure 3** below). To the north of the site, 17-19 and 21 Hassall Street both contain 9 storey apartment buildings. The land on the northern side of Hassall Street at 2-4 Charles Street is zoned for development to a maximum building height of approximately 50 storeys (166.75 metres).
7. The site is located south-east of the Parramatta CBD within close proximity to employment opportunities, educational establishments, recreational activities, and public transportation.

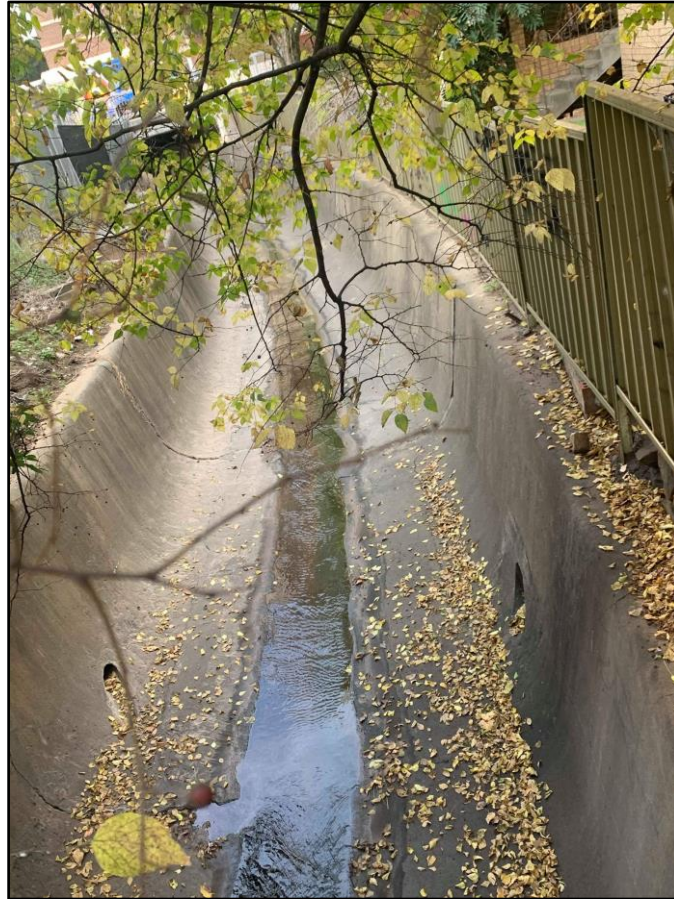


Figure 2: Clay Cliff Creek (Source: Think Planners - Planning Proposal January 2024)

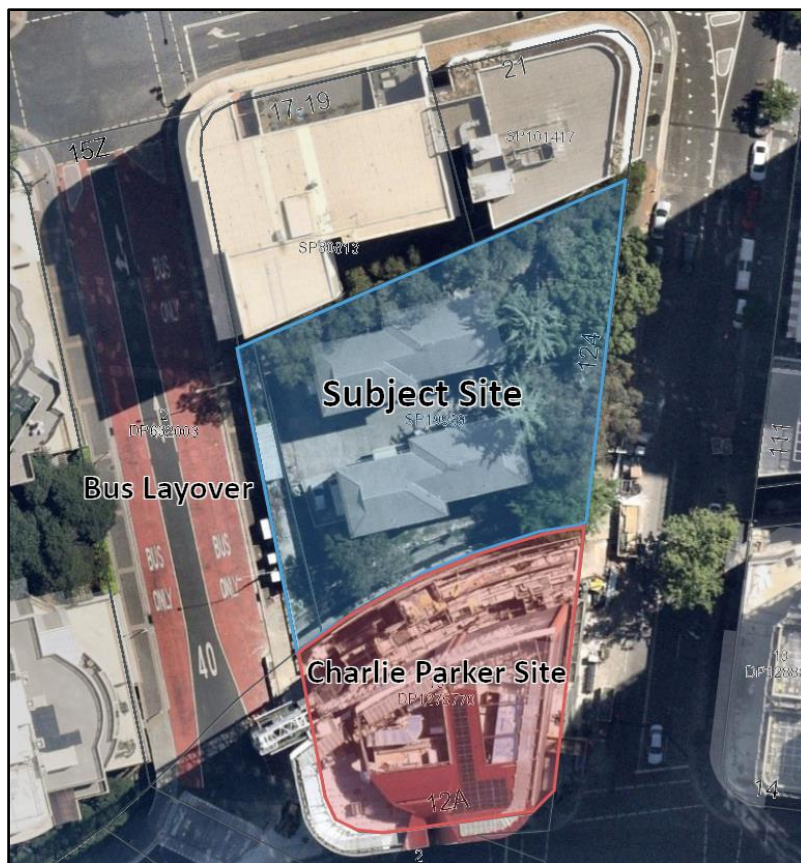


Figure 3: Site aerial (Source: City of Parramatta GIS)

BACKGROUND

8. In September 2019, Think Planners lodged a Planning Proposal with the City of Parramatta Council for land at 124 Wigram Street, Harris Park seeking to increase the density of development permitted within the MU1 Mixed Use zoning of the site (then B4 Mixed Use). The Planning Proposal sought to increase the floor space ratio (FSR) from 6:1 to 11.5:1 (including the 15% design excellence bonus). It also sought to remove the height control of 72 metres within the Incentive Height of Building Map.
9. Council Officers raised several concerns with the reference design submitted with the Planning Proposal and an assessment of the Proposal indicated that the site would receive similar controls under the Parramatta CBD Planning Proposal which was proposing to identify the site with a mapped FSR of 10:1.
10. On 6 May 2022 Amendment 56 to Parramatta Local Environmental Plan 2011 (PLEP 2011) was notified which confirmed the changes to be brought into effect under the Parramatta CBD Planning Proposal which confirmed the mapped FSR of 10:1 for the site (subject to sliding scale provisions). The changes to PLEP 2011 took effect on 14 October 2022.
11. State Environmental Planning Policy (Parramatta CBD) (No. 2) 2022 was notified on 16 December 2022 which made further amendments to PLEP 2011 by permitting development on certain sites in the Parramatta CBD (including the subject site) to exceed the permitted FSR by 5% provided that the building meets certain criteria, including that it is used for commercial purposes only.
12. Council wrote to the applicant on 21 March 2023 requesting they withdraw the Planning Proposal on the grounds that Amendment 56 had delivered the density being sought. The applicant subsequently advised that they preferred not to withdraw the Planning Proposal until the setback controls for the site were resolved. At that time, the applicant's reference design indicated that a proposal that complied with the recently endorsed DCP setbacks for the CBD would only be able to achieve an FSR of 7.57:1.
13. On 30 March 2023, the applicant submitted a draft site-specific DCP seeking to vary the setbacks. The Council Officer assessment confirmed that the current height control of 72 metres (82.8m including design excellence bonus) does not provide the scope to achieve the permissible FSR of 11.5:1. However, variation of the DCP setbacks to overcome this issue was not considered acceptable due to the impacts on surrounding development, noting the nature of residential development to the north and south of the site. In this regard, it was considered preferable to increase the permissible height control. Council Officers conducted urban design analysis of the building heights in the locality and the cumulative impacts of increasing the height control on the subject site and identified a total height of 119 metres as being acceptable for the site.
14. In December 2023, the applicant submitted a revised Planning Proposal seeking to increase the height control to permit a total height of 103 metres (118.45 metres including the design excellence bonus).

CURRENT PLANNING CONTROLS

15. Under the provisions of the PLEP 2023, the following planning controls apply to the subject site:
 - a. Land Use zoning: MU1 Mixed Use.
 - b. Maximum Height of Buildings: 72 metres (mapped), 82.8 metres (including 15% design excellence bonus).
 - c. Floor Space Ratio: 10:1 (mapped), 11.5:1 (including 15% design excellence bonus).
 - d. Sliding scale provisions under Clause 7.3(2): these provisions apply to sites with a site area below 1,800 sqm and reduce the permissible FSR for the subject site to 8.795:1 (10.295:1 including design excellence bonus). However, there is provision for sites identified as being isolated to be exempt from the sliding scale provisions.
16. The site is not heritage listed. There are two items of local heritage significance located within proximity of the site being 23-25 Hassall Street and 113-115 Wigram Street (Refer to **Figure 4** below).
17. The Harris Park West Heritage Conservation Area is located to the south of the site (Refer to **Figure 5** below) and the Heritage Conservation Area for Experiment Farm Cottage is located to the south-east.

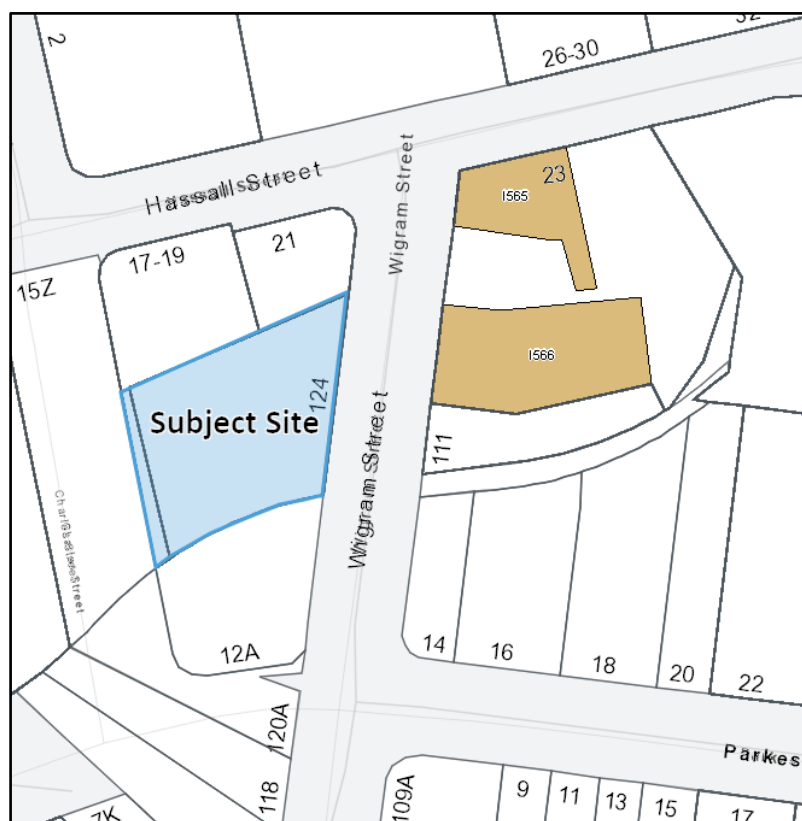


Figure 4: Heritage items within proximity of subject site (shown in brown shading)



Figure 5: Heritage Conservation Areas to the south of subject site (shown in red hatching)

DESCRIPTION OF PLANNING PROPOSAL

18. The Planning Proposal seeks to amend the PLEP 2023 for the subject site by increasing the height control on the Height of Buildings Map as described in **Table 1** below. The intention of the Planning Proposal is to enable the currently permitted floor space ratio for the site to be accommodated in a manner that accords with relevant DCP controls.

Table 1: Existing and proposed height controls

Control	Current control	Proposed control
Height of Buildings (Mapped)	72m (21 storeys mixed use)	103m (32 storeys)
Height of Buildings (Total including 15% Design Excellence bonus)	82.8m (24 storeys mixed use)	118.45m (36 storeys mixed use)

19. **Table 2** below provides the floor areas and indicative dwelling count outlined in the Reference Designs submitted with the Planning Proposal under the proposed height control included in the Planning Proposal. The actual quantum of development provided will be subject to a design excellence competition and assessment at the Development Application stage.

Table 2: Floor Area and Dwelling Count Comparison Between Schemes

Scheme	Floor Area	Mix	FSR
Planning Proposal Reference Design - Mixed Use Scheme	17,243.5sqm*	163 dwellings 1,556 sqm commercial	11.06:1**
Planning Proposal Reference Design - Commercial Scheme	16,656.9sqm*	16,656.9 sqm commercial	10.68:1**

*Subject to a design excellence competition and assessment at DA stage

**Subject to compliance with isolated site requirements and assessment at DA stage

20. The Proposal is accompanied by reference designs for both a mixed use scheme and a commercial scheme. The applicant has verbally indicated a preference to develop the site with a mixed use building. An image from the mixed use reference design is provided in **Figure 6** below. Refer to **Attachments 3 and 4** respectively for reference designs prepared by PTI Architecture for both a commercial and a mixed use scheme.

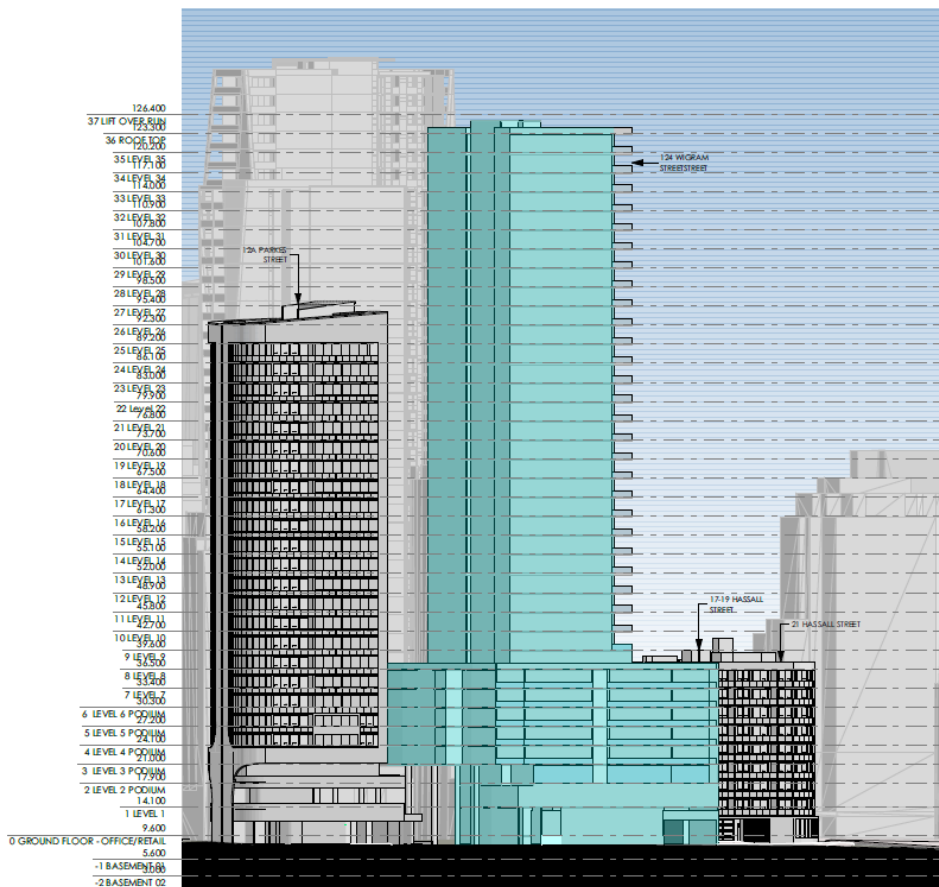


Figure 6: Proposed Mixed Use Building (Source: Applicant’s Reference Design – Residential)

21. The Planning Proposal is also accompanied by a Statement of Heritage Impact prepared by Cracknel and Lonergan (see **Attachment 5**) and a letter from Mance

Arraj Engineers in response to flooding concerns raised by Council (see **Attachment 6**).

SUMMARY OF COUNCIL OFFICER ASSESSMENT

22. The NSW Government Local Environmental Plan Making Guideline 2022 provides that for a Planning Proposal to proceed through Gateway determination, the Minister (or their delegate) must be satisfied that the Proposal has strategic and site-specific merit and that identified potential impacts can be readily addressed during the subsequent plan making stages.
23. With regard to strategic merit, the Planning Proposal is aligned with key state policies including the Greater Sydney Region Plan and the Central City District Plan; and key local policies including the Local Strategic Planning Statement (LSPS), Local Housing Strategy (LHS) and Parramatta CBD Planning Strategy. The Planning Proposal will increase the supply of employment generating commercial floorspace, and additional dwellings should a mixed use development be pursued. It will assist in meeting the dwelling targets within the LSPS and LHS and align with the 30 minute city advocated in the Greater Sydney Region Plan as it would result in jobs and housing concentrated in an area close to public transport infrastructure. This alignment is discussed further in the Local Planning Panel (LPP) report at **Attachment 2**.
24. The site-specific merit of the Planning Proposal is assessed in detail by Council Officers in the LPP report at **Attachment 2**. A key issue for consideration has been the urban design impacts of the proposed change in height which seeks to increase the building height to better align with the floor space ratio (FSR) established by the Parramatta CBD Planning Proposal.
25. Urban design analysis carried out by Council staff has examined the potential impacts on immediate and surrounding areas and confirmed that a built form on the subject site can comfortably achieve the existing mapped FSR (including relevant bonuses) within the proposed building height with a minimal increase in overshadowing of the nearby Harris Park West Heritage Conservation Area as shown in the shadow analysis at **Attachment 7**. In that respect it should be noted that no objection has been raised to any heritage impacts of the proposal by Council's Heritage Advisory Committee and that Council's Senior Heritage Specialist does not raise any objections to the proposal.
26. Another important issue arising during assessment is the management of flood risk due to the sensitive location of the site adjoining Clay Cliff Creek. Whilst the proposal is seeking an increase in building height, which in itself would not change the existing quantum of floorspace that is permissible on the site, and the reference design submitted demonstrates compliance with relevant Council requirements prior to the recently exhibited draft Parramatta River Flood Study 2023, Council's Senior Catchment Engineer considers an updated flood study should be submitted to address the findings of the 2023 Study as the Planning Proposal is based on earlier work, as it was lodged well in advance of the publication of the 2023 Study.
27. It is considered unreasonable to delay progressing the Planning Proposal pending the preparation of a local flood study. Instead it is recommended that in seeking a Gateway determination, Council request that the DPHI considers including a Gateway condition which requires the preparation of an updated local

flood study which addresses flood risk associated with the proposal, in the context of Local Planning Direction 4.1 Flooding, the draft Parramatta River Flood Study 2023 and the Flood Risk Management Manual 2023.

28. The LPP report also contains details of the assessment undertaken by Council Officers on the transport, traffic, parking and access, infrastructure, social, economic and other environmental impacts and concludes that the proposal should be submitted for a Gateway Determination.
29. It should be noted that the Planning Proposal is not accompanied by a draft site-specific Development Control Plan (DCP) as this is not considered necessary as the site is subject to the recently approved Parramatta DCP 2023 for the Parramatta City Centre (Part 9). These controls are comprehensive and will ensure the impacts of any development of the site are adequately considered in the assessment of a development application.

PARRAMATTA LOCAL PLANNING PANEL ADVICE

30. The matter was considered by the Parramatta Local Planning Panel at its Meeting on 20 February 2024 (report at **Attachment 2**) and the Panel provided the following recommendation to Council:
 - “1) *That Council approve, for the purposes of seeking a Gateway Determination from the Department of Planning, Housing and Infrastructure (DPHI), the Planning Proposal for land at 124 Wigram Street, Harris Park (Attachment 1) which seeks to amend the Parramatta Local Environmental Plan 2023 (PLEP 2023) by amending the PLEP 2023 Height of Building Map from 72 metres to a maximum building height of 103 metres (118.45 metres including the design excellence bonus).*
 - 2) *That Council request that the DPHI address the flood matters detailed in this report by a condition on the Gateway Determination so that a full understanding of the flooding constraints on this site are available prior to any public exhibition. The flood study is to inform the built form massing models.*
 - 3) *That Council request the DPHI to provide Council with authorisation to exercise its plan-making delegations for this Planning Proposal.*
 - 4) *That Council authorise the CEO to correct any minor anomalies of a non-policy and administrative nature that arise during the plan-making process.”*
31. The Panel’s advice to Council is consistent with the Council Officer’s recommendation in this report.

PLAN MAKING DELEGATIONS

32. Should Council resolve to endorse the Planning Proposal to proceed, it is recommended that Council request that it exercise its plan-making delegations. This means that once the Planning Proposal has been to Gateway, undergone public exhibition and been adopted by Council, Council officers will deal directly

with the Parliamentary Counsel Office on the legal drafting and mapping of the amendment. The LEP amendment is then signed by the CEO before being notified on the NSW Legislation website.

FINANCIAL IMPLICATIONS FOR COUNCIL

33. Should Council resolve to proceed with the Planning Proposal, the costs incurred in conducting the public exhibition will be covered by the fees associated with the submission of the Planning Proposal.

CONCLUSION AND NEXT STEPS

34. This report recommends that the Planning Proposal for 124 Wigram Street, Harris Park be submitted to the DPHI for Gateway determination to amend the PLEP 2023 Height of Building Map from 72 metres to a maximum building height of 103 metres (118.45 metres when including the 15% Design Excellence bonus).
35. It is recommended that in seeking a Gateway determination, Council note the status of flooding information available for the site and request that the DPHI include a Gateway condition which requires the Planning Proposal to address Local Planning Direction 4.1 Flooding, in the context of the draft Parramatta River Flood Study 2023 and the Flood Risk Management Manual 2023. The Gateway condition should also include a requirement that the reference design be updated to address these criteria and the flood levels associated with the draft Parramatta River Flood Study 2023.
36. If supported by the DPHI, the Planning Proposal for 124 Wigram Street, Harris Park, will be publicly exhibited for a minimum of 28 days and in accordance with the conditions of the relevant Gateway determination. A further report will be prepared for Council on the outcomes of the public exhibition.

Felicity Roberts
Project Officer-Land Use

Naomi L'Oste-Brown
Team Leader Land Use Planning








David Birds
Group Manager, Major Projects and Precincts

Jennifer Concato
Executive Director City Planning and Design

John Angilley
Executive Director Finance & Information

Gail Connolly
Chief Executive Officer

ATTACHMENTS:

1  ↓ Applicant's Planning Proposal	67 Pages
2  ↓ Minutes and Report from Local Planning Panel Meeting held 20 February 2024	20 Pages
3  ↓ Reference Design - Commercial Scheme	26 Pages
4  ↓ Reference Design - Mixed Use	27 Pages
5  ↓ Statement of Heritage Impact	65 Pages
6  ↓ Letter from applicant's flood engineer	2 Pages
7  ↓ Shadow Analysis	1 Page

REFERENCE MATERIAL



Planning Proposal Request to amend Parramatta Local Environmental Plan 2023

124 WIGRAM STREET
HARRIS PARK
FEBRUARY 2024





QUALITY ASSURANCE	
Project:	Planning Proposal Request
Address:	124 Wigram Street, Harris Park
Council:	City of Parramatta
Author:	Think Planners Pty Ltd
Template	Local Environmental Plan Making Guideline (August 2023)

Date	Purpose of Issue	Rev	Author	Authorised
June 2019	Planning Proposal Lodged	OG	AB	AB
November 2023	Internal Review	A	EJ/ BC	AB
December 2023	Submission Issue	B	AB	AB
9 January 2024	Revised Issue	C	EJ/AB	AB
24 January 2024	Final Issue	D	AB	AB
8 February 2024	Updated Submission Issue	E	BC	AB
8 February 2024	Final Issue	F	BC	AB
8 March 2024	Final Issue	G	BC	AB





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INTRODUCTION

This planning proposal request has been prepared by Think Planners on behalf of the landowner Skyblue Developments Pty Ltd.

The purpose of this Planning Proposal Request is to explain the intended effect and justify a proposed amendment to the Parramatta Local Environmental Plan 2023 (PLEP 2023) and demonstrate the strategic merit of the amendment proceeding.

This Planning Proposal seeks to amend the Parramatta LEP 2023 to allow for the redevelopment of the site for the purposes of mixed use and high-density development by:

- Amending the PLEP 2023 Height of Building Map from 72 m to a maximum building height of 103m with 15% Design Competition Bonus available in addition.

The Planning Proposal relates to 124 Wigram Street referred to within this document as the '*subject site*'. The subject site is situated within proximity to the eastern boundary of the Parramatta City Centre and fronts Wigram Street.

The subject land parcel is located toward the south east of Parramatta City Centre. The site is located within proximity to employment opportunities, educational establishments, recreational activities and public transportation including Westfield Parramatta, Arthur Phillip High School, Parramatta Public School, and Macarthur Girls High School as well as Parramatta Transport Interchange, Harris Park Railway Station, Parramatta Ferry Wharf.

The amendments proposed in this Planning Proposal are specific to the site and will facilitate a new high quality mixed use development that will contribute to the vitality and activation of this precinct along with additional housing supply at the edges of the Parramatta City Centre. The Planning Proposal will contribute to the renewal of the CBD and character of Parramatta. The proposed amendments are driven by a desire to deliver a better built form outcome for the site and has been the subject of a design review by PTI Architects.

The proposed amendments are driven by a desire to deliver a superior urban design outcome for the site which addresses Council's vision for height and density within the centre of the CBD and delivering development which is consistent with the desired future character of Parramatta. This Planning Proposal seeks to amend the building height provision over the site to achieve a development that aligns with the permissible FSR and also complies with relevant DCP controls. This will facilitate the delivery of a development which can address Council's vision for the built form for Parramatta CBD.



The proposed amendment will facilitate the delivery of high quality development contributing to much needed housing supply within this strategic centre. The Planning Proposal is supported by –

- Reference Designs for Commercial and Residential Schemes

The Planning Proposal has been prepared in accordance with Section 3.33 of the Environmental Planning and Assessment Act 1979 and the Department of Planning and Environment (DPE) document 'Local Environmental Plan Making Guideline (August 2023).

Support for the Planning Proposal Request is sought, and the subsequent referral to the Department of Planning and Environment for Gateway Determination and public exhibition.





PLANNING PROPOSAL REQUEST MERITS, INFRASTRUCTURE AND COMMUNITY BENEFITS

The Planning Proposal Request seeks to deliver the following key benefits:

- **New commercial floor space at the ground and first floor.** The proposal will deliver a new commercial suite to activate Charles Street as well as an additional commercial suite along Wigram Street. These 2 new commercial suites combined with the first floor which also has 992m² of floor area deliver more than 1,550m² of employment and potential retail service floor space to this part of the City. This will assist with growing a stronger and more competitive Greater Parramatta by growing investment, business opportunities and jobs in this strategic centre.
- **High quality public domain.** The proposal will ensure the delivery of new pedestrian links along both Charles Street and Wigram Street which will enhance the pedestrian environment including the safety of people accessing the site and accessing surrounding land.
- **Housing within the 30-minute city.** The proposal delivers a variety of housing opportunities within 400m of Parramatta train station. This enables the opportunity to create a genuine 30-minute city where housing is well connected to public transport, health services, education services, employment and recreational facilities.
- **Housing supply.** The proposal comprises new housing supply, choice and affordability with access to jobs, services and public transport.

The subject land parcel is ideal to accommodate the proposed development as it is located within an accessible area and is consistent with the evolving character of developments within Parramatta. Furthermore, the development proposes to provide the opportunity to deliver a mixed use development in a location which is experiencing an intensification in terms of development as well as considering the site's proximity to educational establishments, employment opportunities and recreational activities.



BACKGROUND

The following a summary of the key events at 124 Wigram Street, Harris Park:

June 2019	<p>Planning Proposal submitted to the City of Parramatta Council (CoP) that:</p> <ul style="list-style-type: none"> - Deletes the Maximum Height of Building (HOB) under the Incentive HOB Map. - Amends the Maximum Floor Space Ratio of 10:1 which comprises: <ul style="list-style-type: none"> ▪ 9:1 residential ▪ 1:1 commercial. - Allow 15% Design Excellence Competition bonus to FSR to achieve a maximum FSR of 11.5:1
November 2021	CoP advised to follow Design Competition process, rather than a site specific planning proposal given the progression of the Parramatta City Centre. Design Competition Brief provided to the CoP
December 2021	Revised Competition Brief provided to the CoP
May 2022	City Centre LEP published on NSW legislation (6 May 2022)
October 2022	Parramatta LEP 2011 amended on 14 October 2022 to introduce new LEP provisions
November 2022	Final version of Design Competition Brief provided to the CoP
March 2023	Site specific DCP submitted for a commercial development, following CoP advice that this is the preferred pathway.
March 2023	<ul style="list-style-type: none"> - Letter from Council requesting that the site specific planning proposal be withdrawn - Council request for a meeting to discuss a site specific DCP
November 2023	<ul style="list-style-type: none"> - Council advice that a: <ul style="list-style-type: none"> ▪ planning proposal is required for increased height over the subject site ▪ site specific DCP is required.
December 2023	<ul style="list-style-type: none"> - Updated Planning Proposal and DCP submitted
December 2023	<ul style="list-style-type: none"> - Comments received from Council Officers 22 December 2023 requesting amended planning proposal and supporting documents.
January 2024	<ul style="list-style-type: none"> - Updated Planning Proposal, Urban design report and supporting documents submitted.



SITE AND LOCALITY DESCRIPTION

LEGAL DESCRIPTION

The subject site is legally defined as SP19939 though commonly known as 124 Wigram Street, Harris Park.

The location of the subject site is identified in Figure 1.

Figure 1: The subject site is highlighted in yellow (Source: Six Maps)



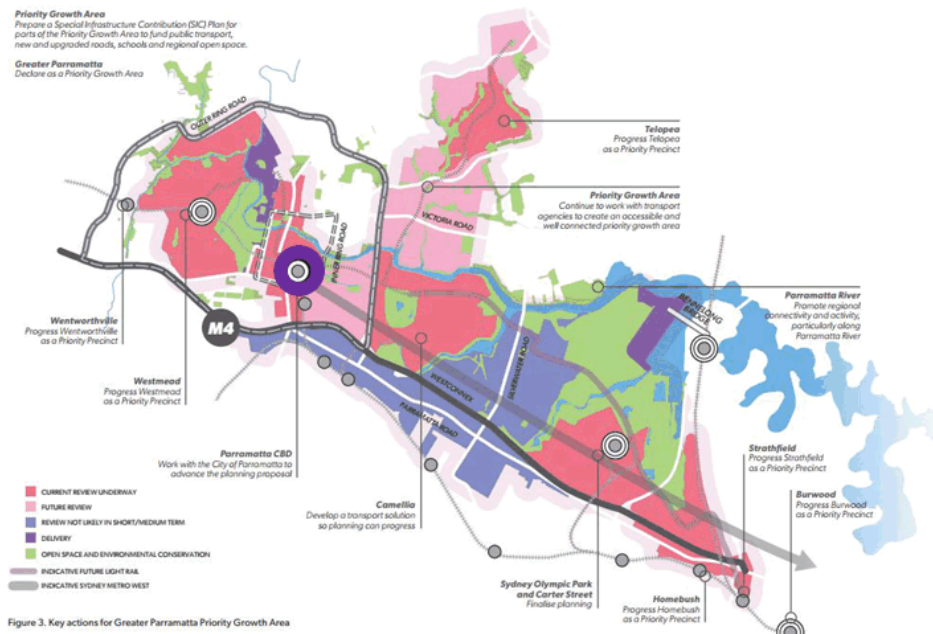


SITE CONTEXT AND SITE ANALYSIS

The subject site, 124 Wigram Street is located within the eastern fringes of Parramatta CBD, which is located approximately 25km west of the Sydney CBD and is the administrative centre and the largest commercial centre within the local government area of the City of Parramatta and the Regional Centre for Western Sydney.

The city centre services the western region of Sydney and surrounding residential areas while provides major employment opportunities and vital services to the local community. It is noted the strategic context map provided below demonstrates the site's location.

Figure 2: Strategic Context Map (source GOP)



Subject Site

The locality is undergoing a significant period of change consistent with its role as Sydney's Central CBD and its purpose as a strategic centre for employment and housing. Parramatta CBD is a major transport node with a well located and well-resourced rail and bus interchange. The CBD also benefits from Rivercat connection to Sydney CBD.

PLANNING PROPOSAL REQUEST
124 Wigram Street, Harris Park
PAGE 10



This location is well serviced by schools, tertiary institutions, childcare centres, community services, recreational and sporting facilities and an established commercial centre. Furthermore, the locality has excellent connectivity with access to several key arterial road networks including George Street, Church Street and the M4 Motorway as well as regular public transport services.

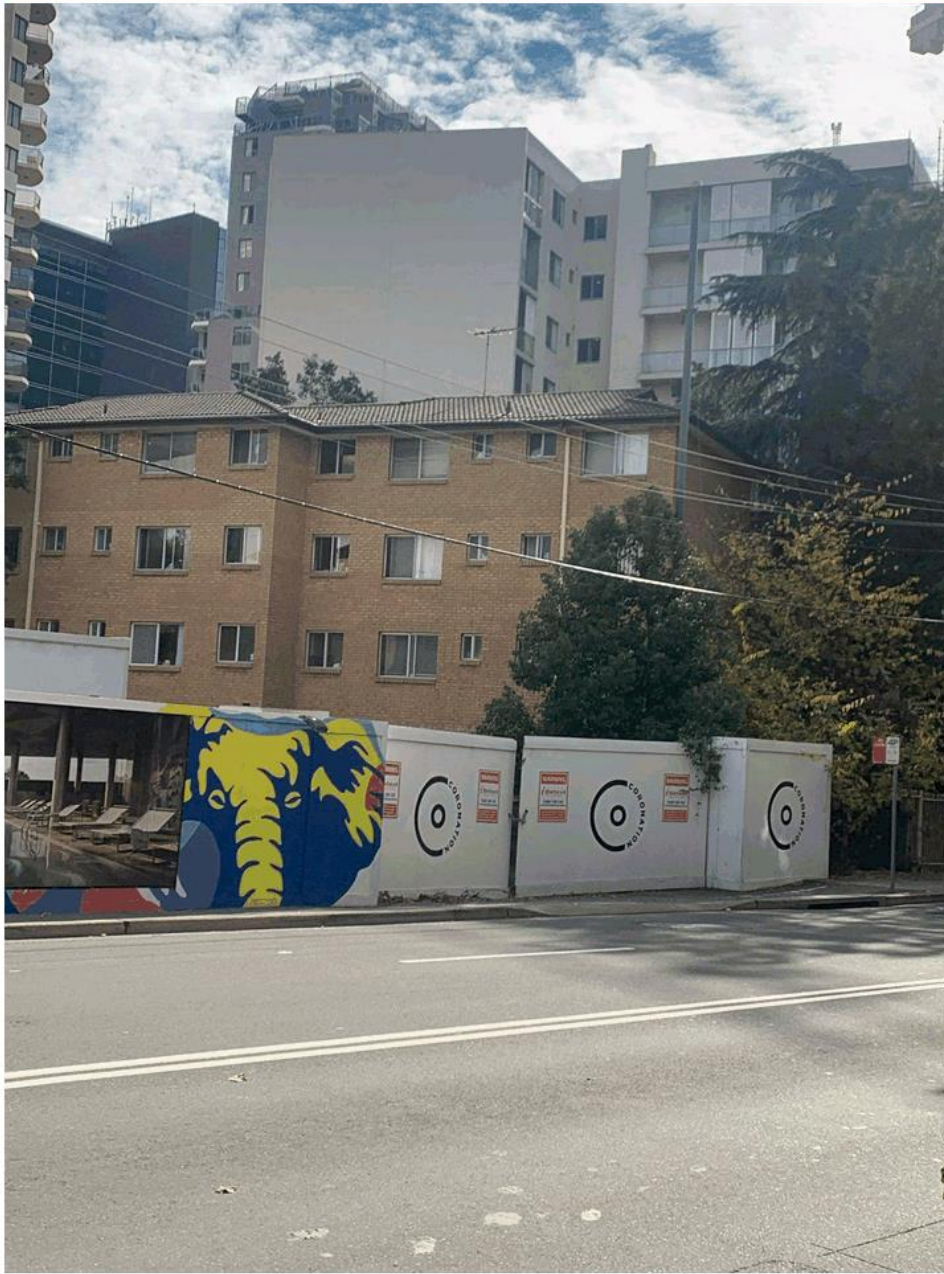
Parramatta is undergoing a momentous transformation into Metropolitan Sydney's Central City resulting from the policy direction from NSW Department of Planning and Environment, Greater Sydney Commission and the City of Parramatta Council. Changes to the planning controls in Parramatta CBD have resulted in several substantial mixed use development proposals which have either been approved by the Council or are under consideration.

Photographs overleaf and in the following pages are provided to illustrate the context of the locality.





Photograph 1: Shows the subject site and Charlie Parker Site as viewed via Wigram Street



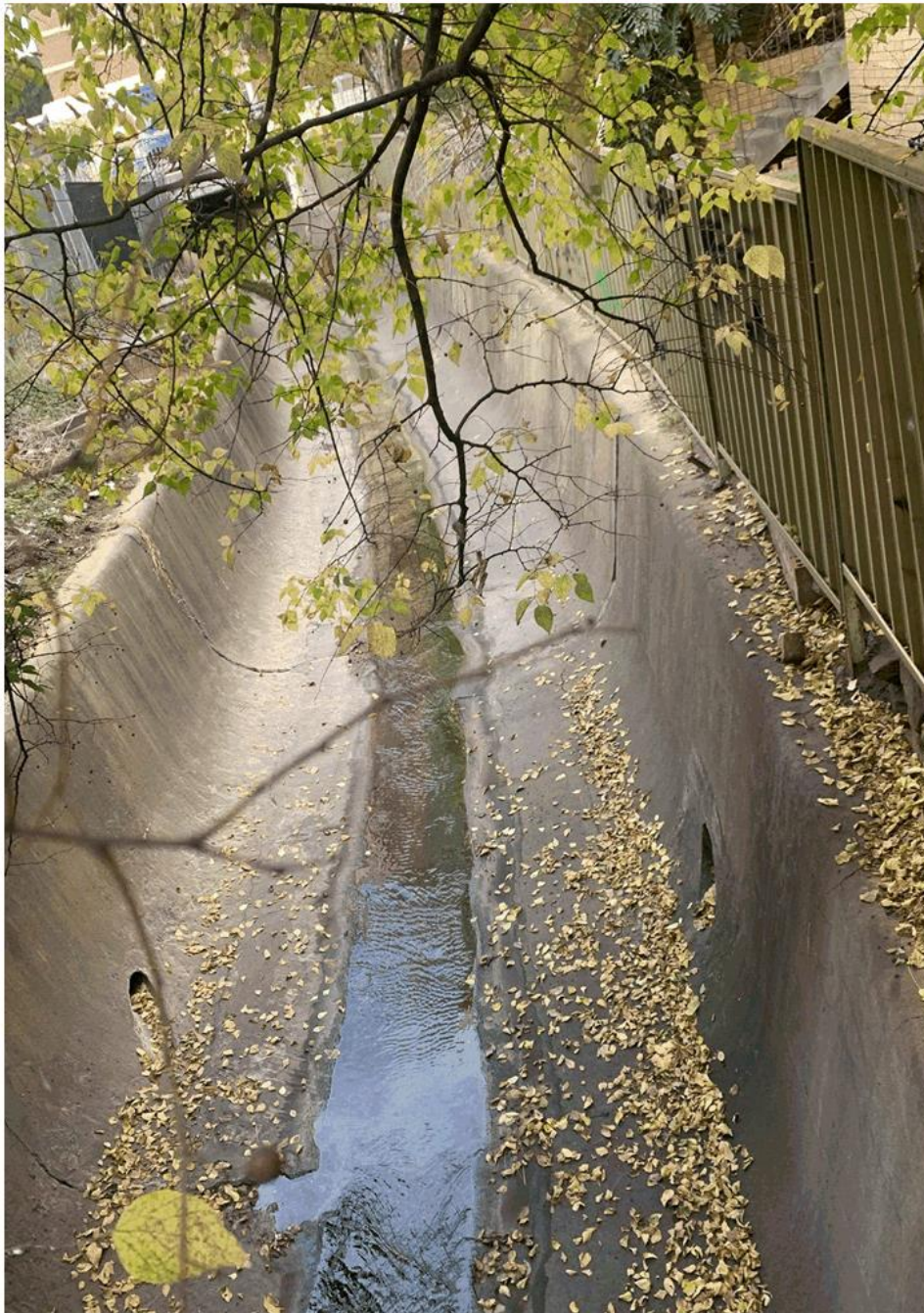


Photograph 2: Shows the built form pattern as viewed from Wigram Street



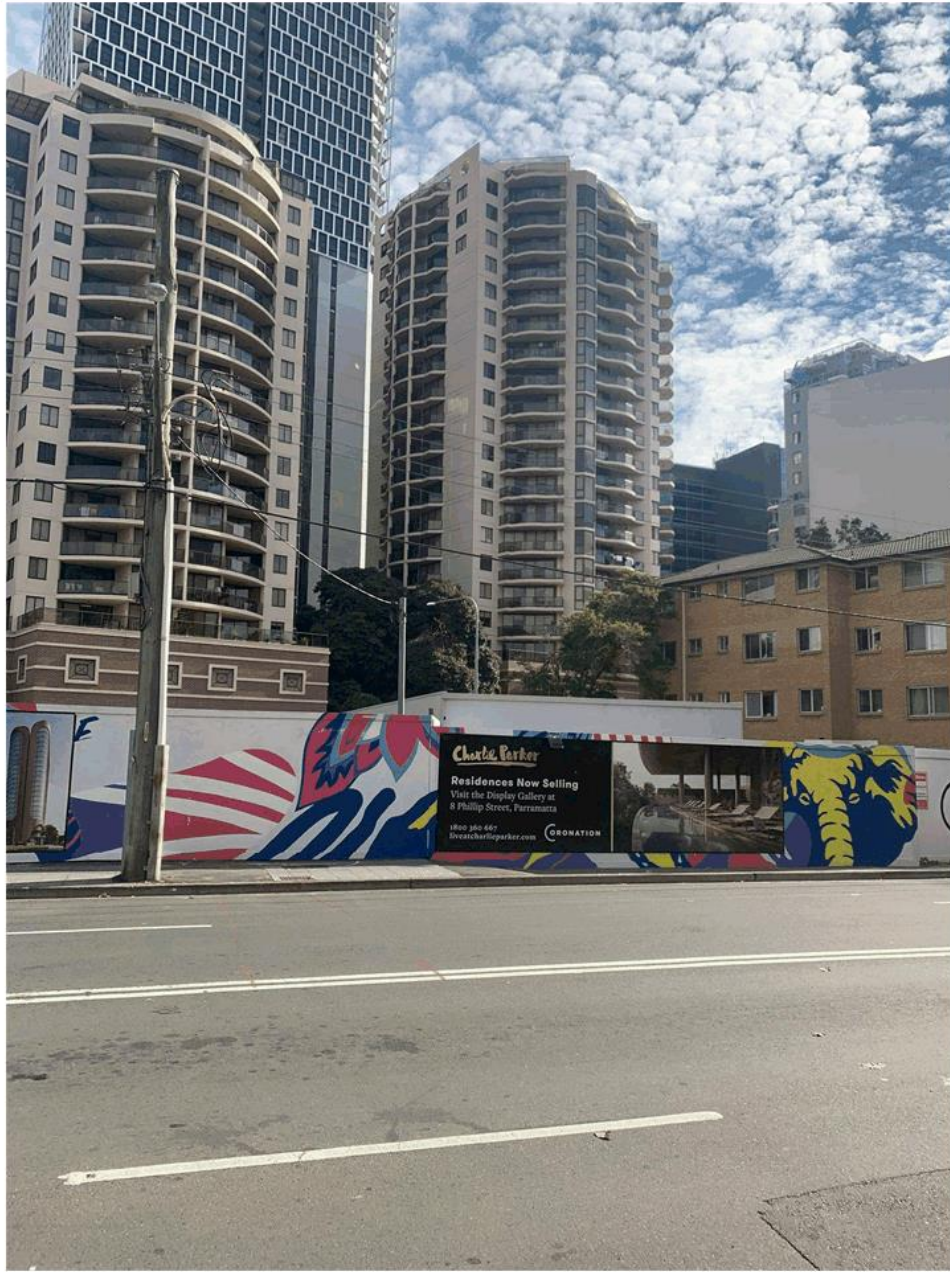


Photograph 3: Shows the concrete channel that runs along the southern site boundary





Photograph 4: Shows the adjoining site 12A Parkes Street, Harris Park





Photograph 5: Mixed Use Development located at No. 111 Wigram Street, Harris Park



PLANNING PROPOSAL REQUEST
124 Wigram Street, Harris Park
PAGE 16



Photograph 6: Earlier construction taking place to the site (No. 21 Hassell St)





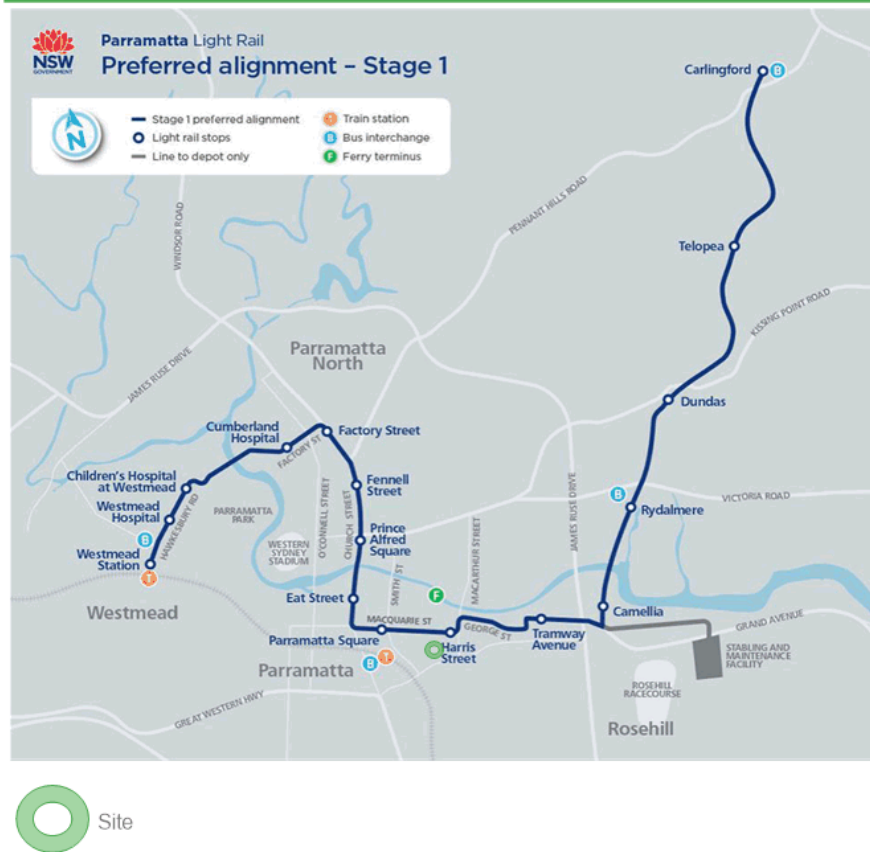
TRANSPORT

Parramatta Light Rail

Parramatta Light Rail is one of the NSW Government's latest major infrastructure projects being delivered to serve a growing Sydney. Stage 1 will connect Westmead to Carlingford via the Parramatta CBD and Camellia with a two-way track spanning 12 kilometres and is expected to open in 2024.

The route will link Parramatta's CBD and train station to the Westmead Precinct, Parramatta North Growth Centre, the new Bankwest Stadium, the Camellia Town Centre, the new Powerhouse Museum and Riverside Theatres, the private and social housing redevelopment at Telopea, Rosehill Gardens Racecourse and three Western Sydney University campuses.

Figure 3: Parramatta Light Rail Stage 1





The site is within proximity to the Stage 1 of the Parramatta Light Rail with a proposed light rail stop to be located at the Corner of Harris and Macquarie Streets which is approximately 600m from the site.

The Parramatta Light Rail is planned to be serviced from 5am to 1am, 7 days a week with services approximately every 7.5 minutes from 7am to 7pm weekdays.

Metro West

The Sydney Metro West is an underground railway project that connects Westmead and the Sydney CBD. This city shaping project is anticipated to significantly enhance rail capacity along with providing more opportunities for housing and jobs that are close to transport infrastructure.

There will be a new metro station in the Parramatta City Centre which will be integrated into the city, with a new green link providing a pedestrian corridor to the Parramatta River. This provides a significant public transport and also active transport benefit for Parramatta. The subject site is within walking distance of the new metro and the associated city shaping public domain projects like the new Civic Link that connects to the River. This close proximity to major transport infrastructure makes it an ideal location for more housing than would currently be possible.

Figure 4: Sydney Metro West (Sydney Metro)



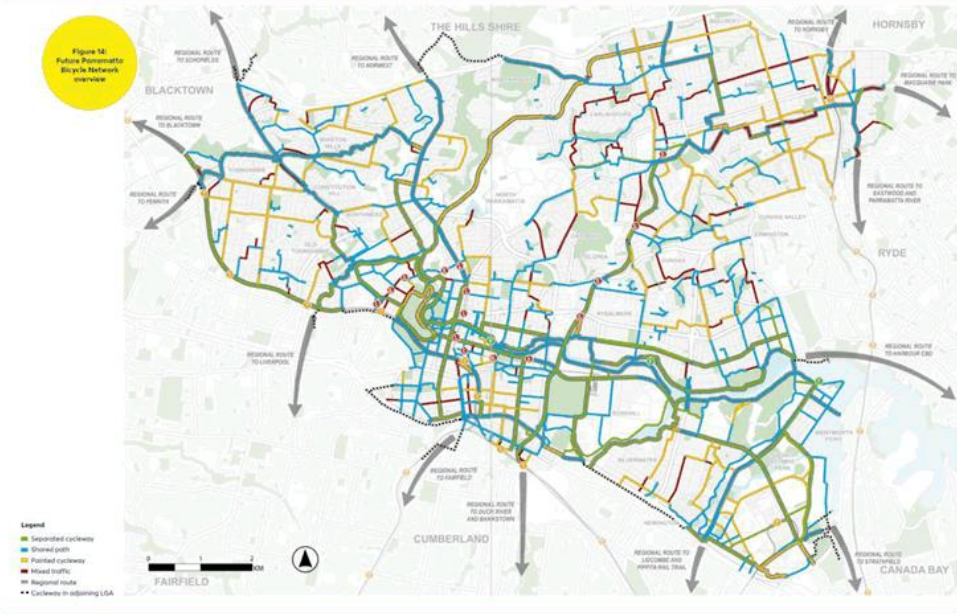


ACTIVE TRANSPORT NETWORK

The subject land achieves optimal access to pedestrian pathways, cycleways as well as light rail. Both the Parramatta Light Rail and new bus and cycleways will deliver truly city shaping infrastructure which will powerfully change the way people live within Parramatta and commute to Parramatta. This will result in a significant lower reliance on private vehicle trips.

In addition, the draft Bike Plan supports the City of Parramatta's Vision to be Sydney's Central City, sustainable, liveable, and productive city. The plan seeks to bring forward the planned and coordinated delivery of cycleway infrastructure to promote multi-modal transport options throughout the locality.

Figure 5: draft Cycle Plan 2023 (City of Parramatta)





SCOPING REPORT

The Local Environmental Plan Making Guidelines (August 2023), prepared by the Department of Planning and Environment, recommend that a proponent submit a scoping proposal to the Council and request a pre-lodgement meeting.

This Planning Proposal updates an existing proposal that was submitted to the CoP in 2019. Since this time there has been numerous meetings with the CoP to facilitate a better outcome on the site including preparation of design competition brief and site specific DCP.

This updated planning proposal responds to advice received by Council on 17 November 2023.



TECHNICAL STUDIES

URBAN DESIGN

PTI Architects have prepared an urban design analysis of the subject site. This is attached with the key elements summarised below.

Situated within the urban block which marks the eastern gateway and arrival into the CBD, the site responds to the rapid transformation, noting Parramatta city centre's skylines evolution is guided by the strategic planning documents and government led initiatives. The urban block within which the subject site is located has seen a significant amount of development activity over recent years since the introduction of the Parramatta CBD planning strategy, with the approved development proposals, approved development under construction, major residential and major commercial development are demonstrated below

Approved / Assessment Development Proposals:

- 39-43 Hassall Street
- 12A Parkes Street (Planning Proposal and DA)
- 14-20 Parkes Street (Planning Proposal and DA)

Approved Development Under Construction on:

- 113-117A Wigram Street & 23-29 Hassall Street
- 22 Parkes Street, Parramatta
- 14-22 Parkes Street, Parramatta

Major Residential Development:

- Altitude Meriton Development- 330 Church Street
- V by Crown- 45 Macquarie Street
- B1 Tower- 118 Church Street
- Focus- 6-10 Charles Street
- Cumberland Media Site
- Albion Hotel Site
- Parkview by Aland
- Charlie Parker by Coronation

The subject site is in a prime public transport corridor where there is an extensive variety of sustainable transport options available, including trains, light rail, rivercat, buses, walking and cycling. It is noted the locality has excellent connectivity with



access to several key arterial road networks including George Street, Church Street and the M4 Motorway as well as regular public transport service.

Already several sites within the urban block have been developed or have planning proposal or development approval. The subject block is demonstrated in the following pages via extracts from PTI Architects.

Solar and Daylight Access

Think Planners have investigated the majority of properties affected by overshadowing. It is evident, the majority of land affected by overshadowing are commercial premises interspersed by residential allotments. It is evident that on June 21st both commercial and residential development are affected by some overshadowing, but that substantial periods of solar access are available to these properties throughout the day.





LOCAL PLANNING FRAMEWORK

PARRAMATTA LOCAL ENVIRONMENTAL PLAN 2023

PLEP 2023 is the principal Environmental Planning Instrument that applies across the City of Parramatta local government area. It controls the land use arrangements over the land (zoning) and other relevant considerations to this planning proposal request, including building height and floor space ratio. For completeness, this planning proposal request also addresses local heritage which is an important consideration under the PLEP 2023.

Zone

The subject site is currently zoned E2, RE1 and R4 under *Parramatta Local Environmental Plan 2023* (LEP 2023). Figure 6 is an extract from the land zoning map from PLEP 2023. This planning proposal request only relates to the lands that is zoned R4 High Density Residential.

Figure 6: Parramatta LEP 2023 Zoning Map extract





The land use table for the MU1 Mixed Use Zone is provided below for context.

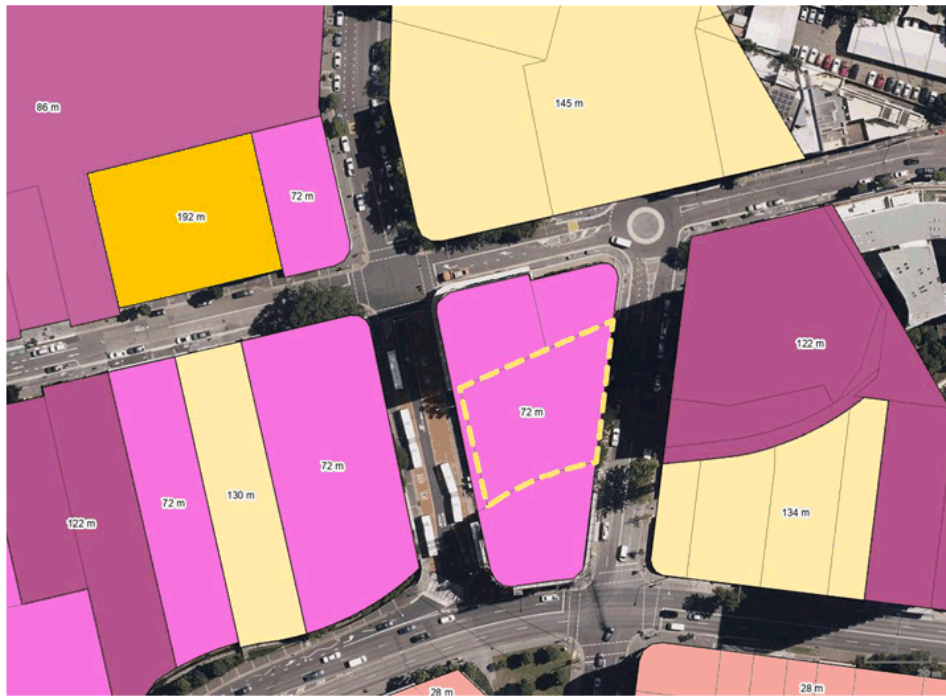
MU1 Mixed Use	
1. Objectives	<ul style="list-style-type: none"> To encourage a diversity of business, retail, office and light industrial land uses that generate employment opportunities. To ensure that new development provides diverse and active street frontages to attract pedestrian traffic and to contribute to vibrant, diverse and functional streets and public spaces. To minimise conflict between land uses within this zone and land uses within adjoining zones. To encourage business, retail, community and other non-residential land uses on the ground floor of buildings. To create opportunities to improve the public domain and pedestrian links. To protect and enhance the unique qualities and character of special character areas in Parramatta City Centre.
2. Permitted without consent	Home occupations
3. Permitted with consent	Amusement centres; Boarding houses; Building identification signs; Business identification signs; Car parks; Centre-based child care facilities; Commercial premises; Community facilities; Entertainment facilities; Function centres; Information and education facilities; Light industries; Local distribution premises; Medical centres; Oyster aquaculture; Passenger transport facilities; Places of public worship; Recreation areas; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Shop top housing; Tank-based aquaculture; Tourist and visitor accommodation; Vehicle repair stations; Water recycling facilities; Any other development not specified in item 2 or 4
4. Prohibited	Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Crematoria; Depots; Dual occupancies; Dwelling houses; Eco-tourist facilities; Electricity generating works; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Port facilities; Recreation facilities (major); Research stations; Rural industries; Rural workers' dwellings; Secondary dwellings; Semi-detached dwellings; Sewerage systems; Sex services premises; Signage; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Water supply systems; Wharf or boating facilities; Wholesale supplies



Height of Buildings

The Height of Buildings Map for the PLEP 2023 indicates that the maximum building height permitted on the subject site is 72m.

Figure 7: Extract from PLEP 2023 Height of Buildings Map (Spatial Viewer)

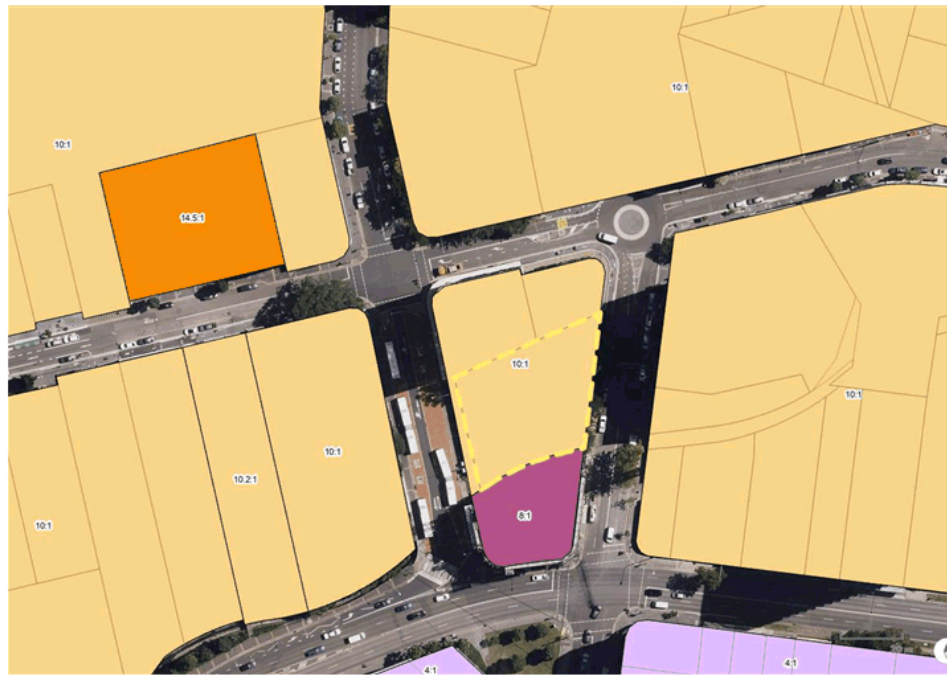




Floor space ratio

The PLEP 2023 Floor Space Ratio Map shows that the subject site has a maximum FSR of 10:1, however Cl.7.3 applies and the achievable FSR is set by a sliding scale.

Figure 8: Extract PLEP 2023 FSR Map (Source, Spatial Viewer)



Cl.7.3 Floor space ratio

Clause 7.3 of the LEP applies to all the Parramatta City Centre, other than particular sites identified on the Special Area Provisions Map. The subject site is identified on the Special Area Provisions Map as shown overleaf, with the clause reproduced below for reference:

- 1) *This clause applies to Parramatta City Centre, other than land identified as "Area A", "Area 8" or "Area 11" on the Special Provisions Area Map.*
- 2) *The maximum floor space ratio for a building on land for which the maximum permissible FSR is specified in the following table is the floor space ratio specified for the site area of the building—*



Maximum permissible FSR	Site area less than 1,000m ²	Site area of at least 1,000m ² but less than 1,800m ²
4:1	3:1	(3 + X):1
6:1	4:1	(4 + 2X):1
7:1	4.5:1	(4.5 + 2.5X):1
8:1	5:1	(5 + 3X):1
10:1	6:1	(6 + 4X):1

3) In the table to subclause (2), X is calculated according to the following formula—

$$X = (\text{site area in m}^2 - 1000) / 800$$

- 4) Subclause (2) does not apply to a building on a site area of at least 1,000m² but less than 1,800m² if—
- a) the consent authority is satisfied the site of the building is an isolated site, and
 - b) the building has been subject to a competitive design process, and
 - c) the consent authority is satisfied the building exhibits design excellence considering the matters specified in clause 6.13(4)(a)–(d).
- 5) If the proposed development is to be carried out on a site area that comprises land identified as “Area 21C” on the Special Provisions Area Map and other land, land identified as “Area 21A” and “Area 21B” on the Special Provisions Area Map is excluded from the calculation of the site area.

No change to Cl.7.3 is proposed.

Figure 9 Extract PLEP 2023 FSR Map (Source, Spatial Viewer)

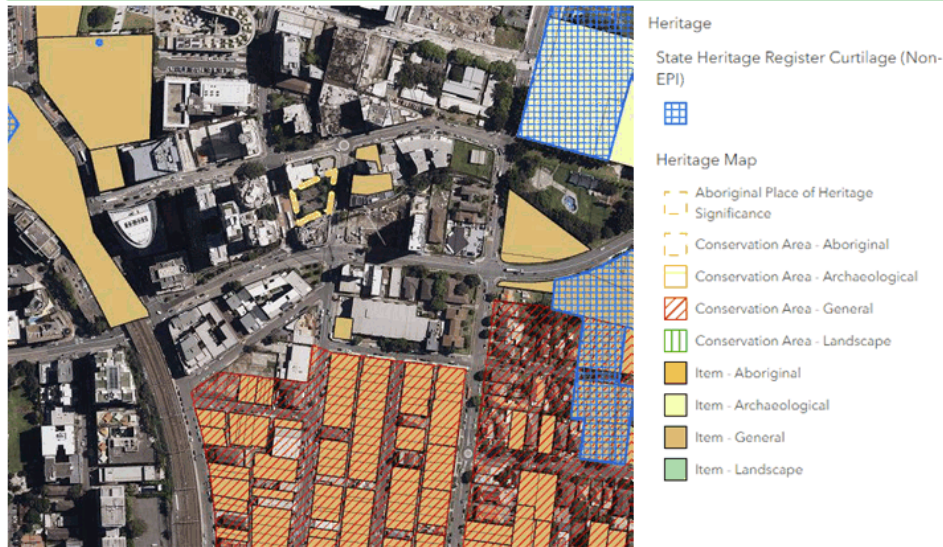




Heritage

There are no heritage items located within the site boundaries however, heritage listed items are within proximity of the site as demonstrated via Figure 11 below. The site is within walking distance of a cluster of heritage sites.

Figure 10: Heritage Map Extract from PLEP 2023 (Source, Spatial Viewer)



A key consideration for height is overshadowing of the Harris Park Heritage Conservation Area. This was an important consideration within the Parramatta City Centre Planning Proposal with the Gateway Determination requiring urban design testing to ensure that 2 hours solar access between 9am and 3 pm was achievable in the heritage conservation areas.

The CoP have acknowledged that site constraints and isolation make it difficult to achieve the mapped FSR and have accordingly recommended that a site specific planning proposal be progressed that increases the height to 118.5m (inclusive of bonuses):

It is agreed that a way to progress the site and accommodate redevelopment is to progress the existing site-specific Planning Proposal (RZ/3/2019) to seek an increase in the height control to accommodate the unrealised FSR.¹

¹ CoP advice to proponent, dated 17 November 2023



This advice from the CoP is based on testing undertaken during the preparation of the City Centre LEP where height and shadow impacts were tested. This analysis confirmed that:

The recent detailed overshadowing analysis considered the likely shadows cast from surrounding development as permitted under the current HOB controls. The testing indicated a total achievable height of 119 metres without compromising solar access to the Harris Park HCA².

Subsequent urban design analysis has been undertaken by PTI Architecture on behalf of the proponent. This testing has confirmed that the Harris Park Heritage Conservation Area will receive at least two hours of solar access between 9am and 3 pm on 21 June. This is further discussed in Part 3 of this Planning Proposal.

² CoP advice to proponent, dated 17 November 2023





PLANNING PROPOSAL REQUEST

The required content of a planning proposal request is set out in Section 3.33 of The Environmental Planning and Assessment Act 1979. To assist with the preparation of a planning proposal request, the DPE have published the Local Environmental Plan Making Guideline (August 2023) which sets out the form and content that is required within the six parts identified below:

- **Part 1 – Objectives and intended outcomes -**
a statement of the objectives of the proposed instrument
- **Part 2 –Explanation of provisions –**
an explanation of the provisions that are to be included in the proposed instrument
- **Part 3 – Justification of strategic and site specific merit –**
justification of strategic and potential site-specific merit, outcomes, and the process for implementation
- **Part 4 - Maps –**
existing and proposed maps, where relevant, to identify the effect of the planning proposal and the area to which it applies
- **Part 5 – Community consultation –**
details of consultation undertaken with Government agencies, council or other authorities, and community consultation that is to be undertaken on the planning proposal post Gateway and during exhibition
- **Part 6 – Project timeline –**
Project timeline to detail the anticipated timeframe for the LEP making process

This Planning Proposal Request has been prepared in a manner consistent with the LEP Plan Making Guidelines, including the specific matters required to be addressed and also the anticipated timeframe.



PART 1 – OBJECTIVES AND INTENDED OUTCOMES

The Planning Proposal Request will provide a land mark tower near the transport interchange. This will facilitate an improved contextual fit with the future character of the Harris Park. The planning proposal request will also activate the area, providing an attractive and safe frontage to the open space, and also for people accessing the transport interchange.

The objective of the Planning Proposal Request is to amend PLEP 2023 to:

- Increase the maximum building height to 103 m (maximum 118.5m with 15% Design Excellence Competition bonus)

The intended outcomes of the Planning Proposal Request are to:

- Deliver additional housing that meets community needs as identified in the Housing Strategy
- Provide a height more consistent with the site's location within the Parramatta City Centre and proximity to transport infrastructure, jobs and services.
- Improve the neighbourhood's overall quality through delivering high-quality public and private domain.
- Complement the economy within the town centre by providing additional opportunities for employment, near a major transit interchange and other public transport modes
- Contribute to a mode shift from private vehicles towards public and active transport modes by linking higher densities with public transport accessibility.
- Support NSW Government strategies and policies that seek to capitalise on existing infrastructure by providing greater housing choice and density near public transport, centres, open space, and employment areas.
- Apply a building height that supports the NSW Government's vision for a more diverse housing mix, leading to greater choice and, ideally, housing affordability.
- Introduce a building height that supports higher building performance and environmental standards, leading to a more sustainable built environment and better living conditions.



PART 2 – EXPLANATION OF PROVISIONS

Part 2 of the Planning Proposal Request provides an explanation of the provisions that are to be included within the Planning Proposal Request. It includes a written explanation that is supported by mapping where relevant.

Intended provisions

To achieve the objectives and intended outcomes of the Planning Proposal Request at 124 Wigram Street, Harris Park, the following amendment to PLEP 2023 is proposed:

- Amend the PLEP 2023 Height of Building Map from 72 m to a maximum building height of 103m.





PART 3 – JUSTIFICATION OF STRATEGIC MERIT AND SITE-SPECIFIC MERIT

The strategic merit test is demonstrated through a series of established questions set out in turn below.

SECTION A – NEED FOR THE PLANNING PROPOSAL

1. Is the planning proposal a result of an endorsed LSPS, strategic study or report?

Yes. A site specific urban design study prepared by PTI has confirmed that the subject site is an isolated site and can comfortably achieve the mapped FSR and building heights of up to 118.5m.

The planning proposal request responds to the context of the site within the Parramatta City Centre, particularly noting its proximity to mass transit infrastructure, public spaces and both Harris Park and the CBD itself.

The proposed amendments facilitated within this Planning Proposal Request are not a specific action within either the Parramatta Local Strategic Planning Statement, Housing Strategy, or other strategy or study, however it is consistent with the long term vision of the Parramatta Local Strategic Planning Statement:

“In 20 years Parramatta will be a bustling, cosmopolitan and vibrant metropolis, the Central City for Greater Sydney. It will be a Smart City that is well connected to the region, surrounded by high quality and diverse residential neighbourhoods with lots of parks and green spaces. It will be innovative and creative and be well supported by strong, productive and competitive employment precincts. It will be a place that people will want to be a part of.”

The Planning Proposal Request is consistent with all relevant strategic plans, with Part B discussing the relationship to the strategic planning framework.

2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Yes. It is considered that the Planning Proposal Request is the best means of achieving the stated objective of urban revitalisation of this land. The Planning Proposal Request is the most efficient mechanism available for stimulating urban renewal and accelerating the delivery of high-density housing in a manner consistent with the strategic directions established in the documents, including A Metropolis of Three Cities – Greater Sydney Region Plan, the Central City District Plan, the LSPS and also the Housing Strategy.



Other options considered include:

- a) Formal submission to a principal LEP

PLEP 2023 is a recently made principal LEP, with its review at least five years away. This pathway is, accordingly, not open.

- b) Submission on Council's Planning Proposal Request

The Council is not preparing a planning proposal and this pathway is accordingly not open.

- c) Cl.4.6 Variation

A Cl.4.6 Variation Request to vary the height to facilitate a 118.5m tall building is not possible.

Accordingly, a proponent-led planning proposal request is the only mechanism for achieving change over the subject site that contributes to providing a building height that meets the FSR capacity of the site, whilst also facilitating a taller and more slender building. Likewise, as the planning proposal confirms that the site is isolated and therefore can benefit from additional height. Overall FSR and height will be dictated by key design considerations such as setbacks, daylight access, solar access, natural ventilation and wind effects. In applying this process, there is no need for the proponent to prosecute why the site is isolated given the surrounding context will not change.

Accordingly, the planning proposal request is the most suitable means of achieving the objectives and intended outcomes for the site.





SECTION B – RELATIONSHIP TO THE STRATEGIC PLANNING FRAMEWORK

3. Will the planning proposal give effect to the objectives and actions of the applicable regional or district plan or strategy (including any exhibited draft plans or strategies)?

Yes

Metropolis of Three Cities

The Central City District Plan sets out the priorities and actions for this District and these are structured around 3 key themes of a Productive City, a Liveable City and a Sustainable City. As relevant to the subject site the importance of Parramatta's CBD and growing this CBD in terms of both jobs and housing are continually emphasised in the District Plan. Particularly with reference to the 30-minute city. The planning proposal seeks to deliver both additional housing but also jobs within a 30-minute city scenario.

Expediting the delivery of housing brings more dwellings to the market which in turn drives prices down. Delivering more dwellings and within shorter timeframes aims to respond to the current housing crisis in Western Sydney where scarcity has resulted in an affordable housing shortage. The planning proposal seeks to deliver housing to the market quickly and in a highly liveable location which is well within the 30-minute city scenario and in fact within walking/cycling distance of the Parramatta CBD.

In summary, this planning proposal seeks to deliver on the vision set forward in the Central City District Plan by:

- Increasing diversity of housing choice.
- Delivering housing to meet both the need for an additional 207,500 homes in the period between 2016 to 2036.
- Expediting the delivery of new housing stock to ease the pressure of demand resulting in a generally more affordable housing product.
- Contribution to energy efficiency through aims to deliver a development that meets environmental performance criteria.
- Reduced emissions through both building environmental performance but also through reduction in reliance on private vehicle travel. Focusing increased housing on the subject site which is highly accessible to local bus and train services means that future residents are more likely to walk, cycle and use integrated public transport systems.
- Enhancing the role of Greater Parramatta as the economic anchor within the Greater Parramatta Olympic Peninsula vision by delivering both jobs and housing.
- The objectives of the planning proposal are considered to align closely with the documented priorities for the Central City District.



DIRECTION	STRATEGIC ALIGNMENT
Infrastructure and collaboration	
1. A city supported by infrastructure	<p>The subject site is located within the Parramatta City Centre. The city Centre has a myriad of social and public transport infrastructure including heavy rail and bus services, with a metro and light rail also under construction. Likewise, the site benefits from access to ferry services. Along with great active transport links for pedestrians and cyclists alike, the subject site is highly accessible and supports the 15 minute city and 30 minute city ideals.</p> <p>Consolidating a population around an existing Metropolitan Centre supports the existing infrastructure within these areas, including its efficient use, leading to more sustainable and better functioning cities and places.</p>
2. A collaborative city	Not relevant to this proposal.
Liveability	
3. A city for people	An indicator of the success of this direction is whether there has been an increase in the number of people who can walk to local centres. The Planning Proposal achieves consistency with this direction by increasing the population within close proximity to the Parramatta metropolitan centre, including the community, social, and employment benefits it offers.
4. Housing the city	The planning proposal will assist the City of Parramatta in achieving its housing targets, in addition to providing living opportunities close to employment, public transport, active transport opportunities and other services that are essential for socially vibrant and cohesive communities.
5. A city of great places	The planning proposal will enhance accessibility to local open space and other areas by active transport modes. This makes efficient use of infrastructure and improves the equitability of the city.
Productivity	
6. A well connected city	<p>A well connected city seeks to ensure that homes are within 30 minutes by public transport to a metropolitan centre or strategic centre. The subject site is highly accessible to a diverse range of centres, including the Parramatta City Centre. With the introduction of the metro, the subject site will be within 30 minutes of the Sydney CBD.</p> <p>The planning proposal therefore is consistent with this direction.</p>
7. Jobs and skills for the city	This direction relates to developing metropolitan and strategic centres that make the economy stronger. The indicator of success is increased jobs in these locations. The planning proposal will facilitate a mixed use development that provides additional jobs in the Parramatta City Centre.



DIRECTION	STRATEGIC ALIGNMENT
Sustainability	
8. A city in its landscape	Future development of the site can make a positive contribution to water management and urban greening, including the enhancement of local canopy cover. This will provide local cooling benefits, in addition to supporting local biodiversity values. Together, this results in a much more liveable community, with exceptional amenity values.
9. An efficient city	<p>The site is within walking distance of bus, ferry and train services. Likewise, it is within walking distance of the soon to commence light rail and the metro which is currently under construction. This accessibility to transport, jobs and services means that efficiency is increased. Furthermore, as investment in public transport infrastructure continues, public transport use is expected to grow which reduces reliance on private vehicles.</p> <p>Likewise, the proximity to the Parramatta City Centre ensures that people do not need to drive, which contributes to a reduction in greenhouse gases.</p>
10. A resilient City	The proposal can provide for housing that is resilient to climatic extremes, whilst also reducing resource uses. Along with being located in an area that is highly accessible by public and active transport modes which reduces the need for private car trips, and is also close to local services and open space, this can assist in creating a city that is more comfortable and resilient for residents.

Central City District Plan

The Central City District Plan sets out the priorities and actions for this District and these are structured around 3 key themes of a Productive City, a Liveable City and a Sustainable City. As relevant to the subject site the importance of Parramatta’s CBD and growing this CBD in terms of both jobs and housing are continually emphasised in the District Plan. Particularly with reference to the 30-minute city. The planning proposal seeks to deliver both additional housing but also jobs within a 30-minute city scenario.

Expediting the delivery of housing brings more dwellings to the market which in turn drives prices down. Delivering more dwellings and within shorter timeframes aims to respond to the current housing crisis in Western Sydney where scarcity has resulted in an affordable housing shortage. The planning proposal seeks to deliver housing to the market quickly and in a highly liveable location which is well within the 30-minute city scenario and in fact within walking/cycling distance of the Parramatta CBD.

In summary, this planning proposal seeks to deliver on the vision set forward in the Central City District Plan by:



- Increasing diversity of housing choice.
- Delivering housing to meet the need for an additional 207,500 homes in the period between 2016 to 2036.
- Expediting the delivery of new housing stock to ease the pressure of demand resulting in a generally more affordable housing product.
- Contribution to energy efficiency through aims to deliver a development that meets environmental performance criteria.
- Reduced emissions through both building environmental performance but also through reduction in reliance on private vehicle travel. Focusing increased housing on the subject site which is highly accessible to local bus and train services means that future residents are more likely to walk, cycle and use integrated public transport systems.
- Enhancing the role of Greater Parramatta as the economic anchor within the Greater Parramatta Olympic Peninsula vision by delivering both jobs and housing.
- The objectives of the planning proposal are considered to align closely with the documented priorities for the Central City District.

PLANNING PRIORITY	STRATEGIC ALIGNMENT
Infrastructure and collaboration	
1. Planning for a city supported by infrastructure	<p>This priority area seeks to ensure that the city maximises its efficient use of existing and planned infrastructure. In doing so, it aims to ensure that residents have the facilities and services to lead productive and healthy lives. Importantly, this includes being within 30 minutes of the nearest strategic centre by public transport.</p> <p>The Planning Proposal facilitates this priority by consolidating growth within the Parramatta Metropolitan Centre. This ensures that all residents, regardless of age or ability, can access services within the City Centre, open spaces and public transport comfortably.</p>
2. Working through collaboration	Not relevant to this planning proposal as it contains actions more relevant to public authorities and councils.
Liveability	
3. Providing services and social infrastructure to meet people's changing needs	The planning proposal facilitates this priority by providing housing within an area that is well suited for expanded social infrastructure. Furthermore, the site is located within the Parramatta City Centre, ensuring that people regardless of age or ability can access the necessary services efficiently, thereby contributing to improved liveability.
4. Fostering healthy, creative, culturally rich and socially	The proposal seeks to increase the density of housing within the Parramatta City Centre. This expands the range of housing choice, opening up greater opportunities for a greater diversity of people to live within the City of Parramatta. Likewise, being located within walking distance to a diversity of public transport services ensures that future residents are connected to



PLANNING PRIORITY	STRATEGIC ALIGNMENT
connected communities	other destinations, ensuring that social connectivity outside of the local area is achieved.
5. Providing housing supply, choice and affordability with access to jobs, services and public transport	The proposal increases the housing supply in the Parramatta City Centre providing local jobs, services and entertainment offerings. In addition, the proposal also enhances public transport use through providing more people within a highly accessible location. It is noted that the subject site has bus and train services to key destinations including the Sydney CBD, Castle Hill, Rouse Hill, Blacktown, Epping and more. Accessibility will be further enhanced with the operation of the light rail, in addition to the metro, which is currently under construction.
6. Creating and renewing great places and local centres, and respecting the District's heritage	The proposal contributes to the renewal of the Harris Park area and a key site within the Parramatta City Centre. As shown within the attached urban design study, the proposal has applied a place making approach and respects heritage values, particularly the nearby Harris Park Heritage Conservation Area.
Productivity	
7. Growing a stronger and more competitive Greater Parramatta	This priority is more focused on economic outcomes. The proposal however assists to facilitate its implementation by providing active employment uses at the street level, in addition to increasing the possibility of people to live and work within the same area.
8. Delivering a more connected and competitive GPOP Economic Corridor	The subject site is located within the Parramatta City Centre, a key location within the GPOP Economic Corridor. It will both benefit from and assist the economic activity and resultant benefits of a more connected and competitive GPOP economic corridor.
9. Delivering integrated land use and transport planning and a 30-minute city	The Planning Proposal facilitates this priority by consolidating growth on land within the Parramatta City Centre. It is within comfortable walking distance of a myriad of transport options including heavy rail, light rail, metro, ferry and bus services. These services provide local and regional connectivity, with the Sydney CBD being within 30 minutes.
10. Growing investment, business opportunities and jobs in strategic centres	The planning proposal increases the population within the Parramatta City Centre. This contributes to activity within the centre, and therefore supports its ongoing and long term viability. A ground level active frontage is provided which facilitates more local business opportunities within the City Centre.



PLANNING PRIORITY	STRATEGIC ALIGNMENT
11. Maximising opportunities to attract advanced manufacturing and innovation in industrial and urban services land	Not relevant to this proposal
12. Support growth of targeted industry sectors	Not relevant to this proposal
Sustainability	
13. Protecting and improving the health and enjoyment of the District's waterways	Future development of the site will include necessary measures to ensure that the water is appropriately treated, including meeting all pollution reduction targets. This will ensure that waterways are not impacted by the site's future development.
14. Creating a Parkland City urban structure and identity, with South Creek as defining spatial element	Not relevant to this proposal
15. Protecting and enhancing bushland, biodiversity and scenic and cultural landscapes	The site is not identified on any natural resource map of the Parramatta LEP 2023. Accordingly, there are no biodiversity impacts as a result of the proposed amendment to PLEP 2023. Regardless, future development of the site can contribute to improved local biodiversity values.
16. Increasing urban tree canopy cover and delivering Green Grid connections	A future development application will provide additional canopy cover and urban greening. This will enhance cooling of the local environment, in addition to providing valuable habitat which enhances overall biodiversity in the area. A concept plan is provided with the Planning Proposal that outlines how landscaped areas can be provided.
17. Delivering high quality open space	This priority is more aligned with the provision of public open space. Regardless, future development of the subject site can provide high quality areas of communal open space and improved public domain.



PLANNING PRIORITY	STRATEGIC ALIGNMENT
18. Better managing rural areas	Not relevant to this proposal.
19. Reducing Carbon emissions and managing energy, water and waste efficiently	A future development proposal will address all requirements of the Sustainable Buildings SEPP 2022.
20. Adapting to the impacts of urban and natural hazards and climate change	This priority can be adequately addressed during the detailed design phase associated with a future Development Application.

Greater Parramatta and the Olympic Peninsula

The GPOP is a significant corridor to drive economic and housing growth within the Central River City. It covers an area of about 6,000 hectares and aims to provide a coordinated growth and infrastructure plan for the city to 2040.

The Parramatta CBD and Westmead Health and Innovation Precinct are key focus precincts within the GPOP where urban renewal is to be concentrated. Again, within this Plan the 30-minute city approach is adopted ensuring that access to all modes of transport connections are optimised. The GPOP advocates a break in the traditional west to east movement to make Parramatta CBD the central city within Greater Sydney.

The Planning Proposal is aligned with the GPOP in that it seeks to deliver a mix of housing, enabling residents of all kinds to settle and move as their needs change from student to entrepreneur, medico or executive. The planning proposal is also closely aligned with the desire to deliver new dwellings within the so called 30-minute city (with the proposed new dwellings within the central core of the Parramatta CBD).

- 4. Is the planning proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or GCC, or another endorsed local strategy or strategic plan?

Parramatta 2038 Community Strategic Plan

PLANNING PROPOSAL REQUEST
 124 Wigram Street, Harris Park
 PAGE 42





Published in 2013, The Parramatta 2038 Community Strategic Plan is a 25 year Plan with six strategic objectives. It seeks to formalise ideas that will shape and transform the local government area by 2038. Ultimately, the plans seek to provide a pathway to manage growth and liveability, whilst providing additional jobs for residents. The Planning Proposal is consistent with the themes identified in the Community Strategic Plan. It will facilitate jobs and activated streets, with housing concentrated in an areas close to key public transport infrastructure.

Parramatta Local Strategic Planning Statement

The Parramatta Local Strategic Planning Statement came into effect on 31 March 2020 and this document sets out the 20-year vision for land use planning for the City of Parramatta. The LSPS contains 16 planning priorities under 4 key themes which are:

- Local planning priorities.
- Liveability planning priorities.
- Productivity planning priorities.
- Sustainability planning priorities

The Parramatta CBD is identified as a Growth Precinct, a key area for the consolidation of growth in the LGA. At the time of writing, the LSPS anticipated about 7,180 dwellings and an additional 34,500 jobs in the Parramatta CBD Growth Area. The LSPS notes that the growth precincts are important in consolidating housing growth in specific areas, rather than expanding into more traditional residential areas, resulting in a change in character.

The planning principles relevant to the proposal are addressed below.

LOCAL STRATEIC PLANNING STATEMENT	
VISION	STRATEGIC ALIGNMENT
<i>In 20 years Parramatta will be a bustling, cosmopolitan and vibrant metropolis, the Central City for Greater Sydney. It will be a Smart City that is well connected to the region, surrounded by high quality and diverse residential neighbourhoods with lots of parks and green spaces. It will be innovative and creative and be well supported by strong, productive and competitive employment precincts. It will be</i>	The planning proposal will assist with the realisation of the vision through providing both jobs and housing within the Parramatta City Centre. A future development on the site will be of high quality and make a significant improvement to both the site's current condition and also the public domain, making streets a more desirable place for interaction and social engagement. It will encourage use of nearby parks and open spaces, along with reducing private vehicle trips though its proximity to ferry, bus, light rail, metro and heavy rail services.



a place that people will want to be a part of.

LOCAL PLANNING PRIORITIES	
PLANNING PRIORITY	STRATEGIC ALIGNMENT
Local	
1. Expand Parramatta's economic role as the Central City of Greater Sydney	The subject site is within the Parramatta City Centre. It will provide additional housing and employment floor space at street level. This will contribute to the strengthening of the Parramatta City Centre by providing jobs and also housing within a highly accessible area.
2. Grow Parramatta as a Smart City	A future development application can incorporate smart technology to improve liveability and sustainability.
3. Advocate for improved public transport connectivity to Parramatta CBD from the surrounding district	The site is close to significant public transport infrastructure including bus, ferry and train services. Likewise, the light rail which will commence in 2024 is within walking distance, as is the Metro which is currently under construction. This high level of public transport accessibility provides future residents and workers exceptional transport opportunities and connections.
4. Focus housing and employment growth in the GOP and Strategic Centres; as well as stage housing release consistent with the Parramatta Local Housing Strategy	The subject site is Phase 1 area of the GOP. It is consistent with this priority by providing both housing and jobs within the Parramatta City Centre growth area.
5. Support and enhance the low- scale character and identity of suburban Parramatta outside of the GOP area and Epping Strategic Centre	The subject site is a Phase 1 area of the GOP, being located in the Parramatta City Centre. This is an area identified as suitable for tall buildings, which is necessary to protect the low scale character of the wider city. Shadow diagrams provided with this Planning Proposal confirm that there is no impact on the low scale Harris Park Heritage Conservation Area.
6. Provide for community infrastructure and recreation opportunities	Not relevant to this proposal, noting that this infrastructure is provided in the Parramatta City Centre.
Livability	
7. Provide for a diversity of housing types and sizes to meet community needs into the future	The proposal will result in about 175 dwellings, with a mix of studio, 1, 2 and 3 bedroom apartments. This will contribute to the diversity of housing available in the LGA.
8. Incentivise affordable rental housing delivery and provide for	The proposal includes a diverse mix of units that can contribute to the range of housing available, therefore increasing affordable options.



permanent affordable housing	
9. Enhance Parramatta's heritage and cultural assets to maintain our authentic identity and deliver infrastructure to meet community needs	The main consideration in terms of heritage is the shadow impact on the Harris Park Heritage Conservation Area. As shown in the attached plans, the resultant shadow cast from the proposal has no significant impacts, with appropriate levels of solar and daylight access retained.
10. Improve active walking and cycling infrastructure and access to public and shared transport	The subject site is close to bus, ferry and train services that are accessible by walking. Likewise, the site is within walking distance to the Parramatta Light Rail and future metro. The proposal shows that a through site link is possible which expands the local active transport network. In addition the site is very close to the existing active transport network in Parramatta, including cycleways.
Productivity	
11. Build the capacity of the Parramatta CBD, Strategic Centres, and Employment Lands to be strong, competitive and productive	The subject site is within the Parramatta City Centre. It will provide additional housing and employment floor space at street level. This will contribute to the strengthening of the Parramatta City Centre by providing jobs and also housing within a highly accessible area.
12. Retain and enhance Local Urban Service Hubs for small industries, local services and last-mile freight and logistics	Not relevant
Sustainability	
13. Protect and improve the health and swimmability of the Parramatta River, its waterways and catchment	The concept plan includes generous areas of deep soil and landscaping. This along with future water treatment measures will enhance the water quality of the Parramatta River and its catchment more broadly.
14. Protect and enhance our trees and green infrastructure to improve liveability and ecological health	The concept plan includes generous areas of deep soil and landscaping.
15. Reduce emissions and manage energy, water, and waste efficiently to create better buildings and precincts and solve city planning challenges	This can be actioned in a future development application.



16. Increase resilience of people and infrastructure against natural and urban hazards	This can be addressed in a future development application. More sustainably designed buildings will provide protection against climatic extremes.
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Parramatta Local Housing Strategy

The Local Housing Strategy (LHS) seeks to provide direction at the local level about when and where future housing growth will occur.

The key findings of the LHS relating to this proposal are reflected below.

Parramatta is one of the fastest-growing LGAs in Greater Sydney

The City's growth rate is a product of sustained strategic planning over many years, and in recent years the LGA has seen some of the most dwelling completions of any LGA in Greater Sydney.

It already has a larger population than the City of Sydney and is expected to grow more than the City of Sydney over the next 20 years, reflecting the growing role of Parramatta as Sydney's second CBD. As the City—particularly the CBD and Westmead Innovation District—continues to strengthen economically, people will be attracted to living close to these important employment agglomerations.

The City of Parramatta is an LGA undergoing unprecedented change and transition. The population of the City is anticipated to grow by between 74% - 77% over the next 20 years (depending upon use of ABS or DPIE forecasts), making it more populous than the City of Sydney.

Not only will the City of Parramatta grow more than the City of Sydney; the population is anticipated to grow the most in absolute numbers by 2036 of any LGA in Greater Sydney - by over 175,000 people to a total of over 416,000 people (DPIE forecast figures, 2016).²⁷ That would make Parramatta the third most populous LGA behind Blacktown and Canterbury-Bankstown.

On the basis of DPIE 2016 demographic projections alone, the City is anticipated to need an additional 77,000 dwellings to accommodate this population growth, which represents an increase of around 3,850 dwellings a year. However, it should be noted, the investigation outcomes of this Strategy indicate that the population is likely to increase even more substantially.

Every age group is set to grow in Parramatta

Unlike the City of Sydney, where the younger working age population is the dominant demographic (which is in a relatively mature state in terms of economic versus



residential function) (see Figure 8), Parramatta's population spans every service age group, and every age group is growing (see Figure 9). The City's anticipated growth to 2036 will include an additional:

- 69,200 additional workers with a 233,200 total workforce – 30% growth
- 12,951 young workforce (25-34) - 21% growth
- 39,546 parents and homebuilders (35-49) and corresponding growth in dependents - 44% growth
- 8,599 tertiary / early career (20-24) - 34% growth
- 34,317 seniors (70-84) and elderly (85+) - 64% growth.

Future housing supply will need to:

- **Accommodate older and less able residents such as seniors and elderly residents.**

The key findings of the LHS show that, by 2036, the population of the City of Parramatta LGA is anticipated by over 175,000 people to a total of over 416,000 people and is expected to need an additional 77,000 dwellings to accommodate this population growth. The LHS notes that the investigation outcomes of this Strategy indicate that the population is likely to increase even more substantially. Furthermore, seniors and elderly are expected to grow by 34,317 or 64%. As a result, the LHS identified that future housing supply needs to be addressed.

The Planning Proposal will encourage diversity and liveability of places and will enhance the status of Harris Park as a village in which people want to reside, work and visit. The Vision, specific actions and priorities that are relevant are addressed in the table below.

OBJECTIVES	JUSTIFICATION
Liveability	
1. Community infrastructure is adequately funded and delivered in alignment with homes	This planning proposal assists the City of Parramatta in achieving its modal shift from private vehicles to public and active transport modes.
2. Housing delivery is aligned and sequenced with existing transport	This planning proposal assists the City of Parramatta in achieving the majority of new housing within walking catchments of public and active transport modes.



OBJECTIVES	JUSTIFICATION
<p>and capacity improvements</p> <p>3. Funding is secured through State and robust local contributions frameworks</p> <p>4. Growth precincts innovate excellence in placed-based outcomes with diverse and affordable housing to suit residents' needs</p> <p>5. Parramatta's low density residential neighbourhoods to retain local character, provide housing diversity and preserve future housing opportunity</p>	<p>A future development application will make appropriate development contributions.</p> <p>The proposal will provide for a diversity of housing that meets the needs of people, regardless of age or ability. It will provide an appropriate mix of dwellings, including adaptable housing. Furthermore, the yield and mix of dwellings can assist affordability by providing a range of homes at various price points.</p> <p>The urban design study submitted within this Planning Proposal confirms that there is no impact on surrounding areas.</p>
<p>Productivity</p>	
<p>1. Housing delivery complements, not compromises, the economic significance of both the Central City and the City of Parramatta</p> <p>2. Additional housing is focused on growth precincts, aligned with transport infrastructure delivery to facilitate residents' access to facilities, services, social connections and jobs</p> <p>3. Housing delivery is efficiently sequenced to best</p>	<p>The planning proposal provides ground level employment as originally envisioned by Council.</p> <p>This planning proposal assists the City of Parramatta in achieving the majority of new housing within walking catchments of public and active transport modes.</p> <p>The planning proposal supports this objective.</p>



OBJECTIVES	JUSTIFICATION
<p>use State and local resources and investments</p> <p>4. Commercial opportunities are enhanced in conjunction with growth precinct delivery</p> <p>5. Housing supports the key essential services in the City of Parramatta through striving for housing affordability</p>	<p>The planning proposal supports ground level employment to activate the public domain.</p> <p>The planning proposal facilitates additional housing supply which supports the services offered in the Parramatta City Centre, in addition to providing a diversity of housing for different price points in the market. Additional supply may also contribute to meeting market demand for housing, thereby potentially contributing to improved affordability.</p>
Sustainability	
<p>1. Advocating for the wholesale improvement of residential built form performance improvement through State frameworks and utilities provision</p> <p>2. Pioneering local mechanisms to improve built form environmental performance and reduce urban heat impacts</p> <p>3. Protect the local character of low density residential neighbourhoods and optimise their environmental performance to benefit the whole of City of Parramatta</p>	<p>Future development can comply with relevant sustainability initiatives in the Sustainable Buildings SEPP 2022.</p> <p>Future development can comply with relevant sustainability initiatives in the Sustainable Buildings SEPP 2022.</p> <p>The urban design study submitted within this Planning Proposal confirms that there is no impact on surrounding areas.</p>



Local Framework Summary

In summary, a significant volume of strategic planning work indicates a growing need for diverse residential apartments within this locality. The proposal will allow for the construction of high-density apartments, which assist with fulfilling the housing needs of the locality as identified by the LHS. Likewise, the planning proposal request is consistent with the overarching objectives of the CBD DCP.

The planning proposal request in summary makes an essential and valuable contribution to meeting not only the demand for housing but also the mix and diversity within Parramatta CBD.

5. Is the planning proposal consistent with any other applicable State and regional studies or strategies?

The planning proposal request is consistent with all relevant studies and strategies prepared by the NSW Government, as discussed in the table below.

Table 7: Consistency with relevant studies and strategies

Document	Discussion
Future Transport Strategy 2056	<p>The Future Transport Strategy sets the direction of the NSW Government to improve the transport system across the State. It intends to make decisions by putting people and places at the centre to ensure that customers, the community and the economy experience maximum benefits.</p> <p>The planning proposal request over the subject site is consistent with key strategic directions within the strategy, including:</p> <ul style="list-style-type: none"> - C1.1 Enhance 30-minute metropolitan cities - C2.1 Support car-free, active, sustainable transport options - C3.1 Provide transport choices for people no matter where they live - P1.2 Support growth around public transport - P2.1 Support thriving and healthy 15-minute neighbourhoods
Staying Ahead: State Infrastructure Strategy 2022 – 2042	<p>The State Infrastructure Strategy provides a 20-year plan for the NSW Government for strategic investment decisions. The strategy aims to provide recommendations that aid the growth and productivity of the State to improve living standards for the community.</p> <p>Chapter 4, Service Growing Communities, is relevant to this Planning Proposal request. Key Strategic directions include:</p> <ul style="list-style-type: none"> - <i>Deliver housing in great neighbourhoods for all parts of the community</i>

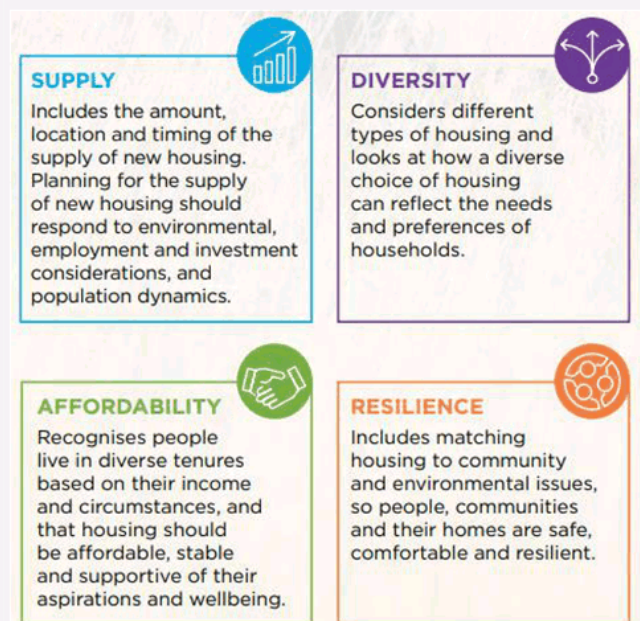


- Improve Access to efficient, quality services through better use of assets and a better mix of physical infrastructure and technology-enabled solutions

The proposal satisfies the above strategic directions by providing housing within a highly accessible location, adjacent to a town centre, and within a location previously identified by Council as suitable for higher-density housing.

Housing Strategy 2041

This strategy establishes the 20-year housing vision for NSW. It aims to provide the framework for greater housing supply, improved housing affordability, and housing diversity and resilience. There are four pillars of housing supply in the strategy, with the diagram reproduced below:



The Planning Proposal Request is consistent with these pillars.

Net Zero Plan

The Net Zero Plan outlines the NSW Government's plan to grow the economy, creating jobs and reducing emissions over the next decade.

A future Development Application will be subject to the provisions within the Sustainable Buildings SEPP 2022, which comes into effect on 1 October 2023. This SEPP will ensure that development over the subject site is sustainable and resilient, making a valuable contribution to NSW being a net zero emitter.



6. Is the planning proposal consistent with applicable State Environmental Planning Policies?

The following table briefly assesses consistency against each State Environmental Planning Policy (SEPP) relevant to the planning proposal request.

Table 8: SEPP compliance table

Consideration of relevant SEPPs	Strategic alignment
State Environmental Planning Policy (Biodiversity and Conservation) 2021	The subject site is within the Sydney Harbour Catchment; however it is located well away from any mapped area of foreshore or waterway area. Regardless, any future development application over the subject site will make a full consideration of the SEPP and include if necessary, any relevant design mitigation measures.
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	Not applicable.
State Environmental Planning Policy (Housing) 2021	Not applicable. The proposal will however contribute to housing diversity and affordability by providing an appropriate mix of unit sizes.
State Environmental Planning Policy (Industry and Employment) 2021	The proposal is consistent with the intent of this SEPP. A future development application can address relevant parts.
State Environmental Planning Policy No. 65 - Design Quality of Residential Apartment Development	The concept plans submitted with this proposal confirm that a future development can be implemented in a manner consistent with SEPP 65. It is noted that the concept plan provided is consistent with the ADG.
State Environmental Planning Policy (Planning Systems) 2021	Not applicable.
State Environmental Planning Policy (Precincts—Central River City) 2021	Not applicable
State Environmental Planning Policy (Precincts—Eastern Harbour City) 2021	Not applicable
State Environmental Planning Policy (Precincts—Regional) 2021	Not applicable
State Environmental Planning Policy (Precincts—Western Parkland City) 2021	Not applicable



State Environmental Planning Policy (Primary Production) 2021	Not applicable
SEPP (Resilience and Hazards) 2021	<p>The subject site is zoned for residential development with this planning proposal seeking to change the height only. The existing uses of the site include residential development which are unlikely to result in contamination of the land. The planning proposal is consistent with the aims and provisions of this SEPP. In any case, future redevelopment of the site will need to address the requirements of the SEPP. The proposal is consistent with the provision of this SEPP.</p> <p>The subject site is not within the vicinity of a coastal area or environment. No further consideration is necessary.</p>
State Environmental Planning Policy (Resources and Energy) 2021	Not applicable
State Environmental Planning Policy (Sustainable Buildings) 2022	Not applicable. Can be addressed in a future development application.
SEPP (Transport and Infrastructure) 2021	Consistent. Any referrals to TfNSW can be appropriately addressed during the development application stage. Likewise any potential noise mitigation measure to dwellings can also be resolved at the DA stage.

Draft State Environmental Planning Policy (Environment SEPP)

The draft Environment SEPP aims to protect and manage the natural environment. Since its exhibition between 31 October 2017 and 31 January 2018, the SEPP has not been finalised and remains in draft form. Since this time, the DPE has consolidated a number of SEPPs, with the Biodiversity and Conservation SEPP consolidating many of the SEPPs that had been addressed in the draft Environment SEPP. Whilst the Environment SEPP status is unknown, it does not appear as if it will be made imminently. Regardless, any future development of the subject site is likely to be consistent with the draft SEPP and a more detailed assessment can occur at the DA stage.

7. Is the planning proposal consistent with applicable Ministerial Directions (section 9.1 Directions) or key government priority?

The following table provides a brief assessment of consistency against each s.9.1 direction that is relevant to the Planning Proposal Request.



Table 9: Consistency with Ministerial Directions

Ministerial Directions	Consistency	Comments
Focus Area 1: Planning Systems		
1.1 Implementation of Regional Plans	Yes	This proposal is consistent with the objectives and strategies of A Metropolis of Three Cities as outlined in the Planning Proposal request. The planning proposal request achieves the overall intent of the Plan. It seeks to implement the achievement of its vision, land use strategy, policies, outcomes or actions.
1.2 Development of Aboriginal Land Council Land	N/A	Aboriginal and archaeological investigations will be completed in the future with detailed design and development application documentation. A review of the Aboriginal Sensitivity Map of the DCP indicates the site is subject to a 'Low Risk' classification.
1.3 Approval and Referral Requirements	N/A	The Planning Proposal Request does not introduce provisions requiring additional concurrence, consultation, or referral.
1.4 Site Specific Provisions	Yes	The Planning Proposal Request does not propose any unnecessarily restrictive site-specific planning controls.
Focus Area 1: Planning Systems – Place-Based	N/A	Not relevant to the subject planning proposal request.
1.7 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Yes	The planning proposal is consistent with the Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan. The land is identified as a potential precinct targeted for growth, particularly within 1km of the new light rail stops. The land is within Parramatta CBD which is within proximity the planned Parramatta Light Rail with swift connections and access to Westmead, Silverwater and Olympic Park.
Focus Area 2: Design and Place	N/A	Directions not made
Focus Area 3: Biodiversity and Conservation		
3.2 Heritage Conservation	Consistent	No heritage items, areas, objects or places of environmental and indigenous heritage significance exist on the subject site. Accordingly, there is no impact on any areas requiring heritage conservation. Shadow diagrams submitted with the planning proposal confirm that the proposed heights are appropriate as there is no impact on the Harris Park Heritage Conservation Area.



3.6 Strategic Conservation Planning	N/A	Not relevant to the subject planning proposal request.
3.7 Public Bushland	Consistent	There are no areas of public bushland on the subject site
Focus Area 4: Resilience and Hazards		
4.1 Flooding	Consistent	<p>The site is flood prone as shown on the draft flood map. The site is within part High, Medium and Low Risk categories. There is no change to existing controls that the City of Parramatta use to manage flood risk. A future development application can provide the detailed flood risk planning for the subject site.</p> <div data-bbox="703 763 1287 1178" style="border: 1px solid black; padding: 5px;"> <p>City of Parramatta Boundary</p> <p>Flood Risk - Properties covered by more than one risk area should consider the highest risk when planning for floods</p> <ul style="list-style-type: none"> ■ High Risk - Frequent flooding is common, this area will see the fastest flowing and deepest water ■ Medium Risk - Flooding will be rare but this area has the potential for deep and fast flowing water ■ Low Risk - Flooding is extremely rare but when this happens flooding will cover a large area with dangerous water in many places ■ Everywhere else - Not expected to flood but there could still be local incidents of water running off of the land and street drainage not coping with rainfall amounts <p>No data provided for this area</p> </div> <p>It is noted that other areas in the Parramatta City Centre are similarly flood affected. The suitability of the site for mixed use development has therefore been appropriately considered and addressed in the CBD planning proposal which was made in December 2022.</p>
4.2 Coastal Management	N/A	Not relevant to the subject planning proposal request.
4.3 Planning for Bushfire Protection	Consistent	The site is not identified as bushfire-prone land.
4.4 Remediation of Contaminated Land	Consistent	<p>The subject site is zoned for residential development with this planning proposal seeking to change the height only. The existing uses of the site include residential development which are unlikely to result in contamination of the land.</p> <p>A future development application can include a PSI to confirm that the site is suitable, noting the age of the existing buildings may cause contamination via asbestos.</p>



4.5 Acid Sulfate Soils	Consistent	Identified on the Acid Sulfate Soils Map as Class 4. Regardless, this can be addressed in a future development application with appropriate management measures identified as necessary.
4.6 Mine Subsidence and Unstable Land	N/A	Not relevant to the subject planning proposal request.
Focus Area 5: Transport and Infrastructure		
5.1 Integrating Land Use and Transport	Consistent	The Planning Proposal is consistent with this Direction and meets the objectives as it: <ul style="list-style-type: none"> • provides new dwellings in close proximity to existing public transportation links on Victoria Avenue • provides new dwellings adjacent to the future Parramatta Light Rail • permits residents to walk or cycle to work if employed within the future Melrose Park Precinct • provides and support additional commercial premises in proximity to existing and future transport links • improves use of space and infrastructure by increasing densities on an underutilised site
5.2 Reserving Land for Public Purposes	N/A	Not relevant to the subject planning proposal request.
5.3 Development Near Regulated Airports and Defence Airfields	N/A	Not relevant to the subject planning proposal request.
5.4 Shooting Ranges	N/A	Not relevant to the subject planning proposal request.
Focus Area 6: Housing		
6.1 Residential Zones	Consistent	The planning proposal request seeks to increase the residential land supply within a highly accessible, transit-oriented centre.
6.2 Caravan Parks and Manufactured Home Estates		Not relevant to the subject planning proposal request.
Focus Area 7: Industry and Employment		
7.1 Employment zones	N/A	The zoning of the subject site will not change, with it remaining MU1 Mixed Use.
7.2 Reduction in non-hosted short-term rental	N/A	Not relevant to the subject planning proposal request.



accommodation period		
7.3 Commercial and Retail Development along the Pacific Highway, North Coast	N/A	Not relevant to the subject planning proposal request.
Focus Area 8: Resources and Energy		Not relevant to the subject planning proposal request.
Focus Area 9: Primary Production		Not relevant to the subject planning proposal request.

SECTION C – ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT

8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?

The subject site does not contain habitat of any description.

There is no likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the planning proposal request. No further assessment is considered necessary at this stage of the planning proposal request.

9. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

The Planning Proposal Request seeks to revise the maximum permitted building height. It is an agreed position that the site is isolated due to the surrounding context, including recent development pattern. These changes aim to facilitate a development of the site for a mixed use building including higher density housing. Importantly, the subject site includes architectural testing that confirms to realise the FSR permitted on the site (10:1), then the height of the buildings must be adjusted accordingly. This testing has confirmed that a slender residential tower up to 118.5m including design competition bonus is possible without impacting on the residential or conservation status of the Harris Park HCA.

It is an agreed position that the site is isolated because of stormwater features and recently developed strata sites within its immediate vicinity. Amalgamation of the site to the south is not “physically possible” as it is separated by a stormwater open culvert.



Similarly, the site cannot be amalgamated with land to its north as both sites have recently been developed and are in strata ownership.

Figure 11: To the northern boundary are recently developed strata sites, with Clay Cliff Creek along the southern boundary.



The Land and Environment Court of NSW has established a practice of setting out general “planning principles” that are intended to be applied to particular cases to promote consistency. The Court suggests that the planning principle assists when making a planning decision including:

- Where there is a void in policy
- Where policies expressed in qualitative terms allow for more than one interpretation
- Where policies lack clarity.

In the case of site amalgamation in the Parramatta CBD, there is no void in policy, nor is there any lack of clarity in the policy. However, as the intent of amalgamation is a qualitative outcome, there is scope for more than one interpretation as to what is the better planning outcome for the development of 124 Wigram Street and the adjoining sites. Therefore, the Planning Principle published by the NSW Land and Environment Court is considered below.

Karavellas v Sutherland Shire Council [2004] NSWLEC 251



In analysing the Karavellas judgment the consideration for site isolation relates only to the subject site and the two land parcels that adjoin the sites northern boundary. The site to the south is separated by a stormwater channel.

17. The general questions to be answered when dealing with amalgamation of sites or when a site is to be isolated through redevelopment are:

- **Firstly, is amalgamation of the sites feasible?**

It is evident the proposed site is of sufficient size and scale to accommodate a high scale development.

Amalgamation of the 21 Hassall St is not feasible currently as the site is recently developed and in strata ownership.

Any short term amalgamation would only be possible by amalgamating 124 Wigram with 17-19 Hassall Street. Such amalgamation is illogical and without urban design merit, given the poor urban form that would result and the long term impact on any redevelopment of 21 Hassall Street.

- **Secondly, can orderly and economic use and development of the separate sites be achieved if amalgamation is not feasible?**

Yes, the subject land parcel does not result in isolating neighbouring developments. It is clear that orderly and economic use and development of the sites can be achieved without amalgamation with 124 Wigram Street.

It is important to note that the Reference Designs for the adjoining sites have been prepared cognisant and compliant with –

- The Parramatta DCP that requires an effective 8 storey street wall; and
- The Apartment Design Guide solar access requirement for 70% to not only 17-21 Hassall, but also to 124 Wigram.

Address	Comment	Amalgamation
17-19 Hassall Street, Harris Park	A contemporary development comprising approximately 42 strata units which are unable to be consolidated with the subject site, and result in an appropriate urban design outcome. Any consolidation with 124 Wigram would compromise the future redevelopment of 21 Hassall Street.	Not possible to amalgamate
21 Hassall Street, Harris Park	Recently completed mixed use development. The development is strata titled and not available for purchasing.	Not possible to amalgamate



12A Parkes Street, Harris Park. This site is commonly known as Charlie Parker which is No physically separated from 124 Wigram Street by the Clay Cliff amalgamation Creek concrete channel. Physically there is no opportunity to potential amalgamate the subject site with this land.

Furthermore, the site is currently undergoing construction meaning that amalgamation is not possible.

The better urban design outcome for this street block is that 124 Wigram Street be developed as a single slender tower, and this will not prejudice the future redevelopment of 17-21 Hassall Street, which is the better and more logical outcome for the block. The site cannot be amalgamated due to the poor outcome that would arise.

The anticipated environmental effects associated with the higher-density development that will be permitted by the amendment are discussed below.

Refer to the attached urban design report for a detailed proposal analysis.

Shadow analysis

The PTI Urban Design Study includes a shadow analysis of a potential 118.5m building over the subject site. The tower floor plates are shallow, leading to a narrow tower form that creates fast-moving shadows. It is evident, the majority of land affected by overshadowing are commercial premises interspersed by residential allotments. It is also evident that on June 21st both commercial and residential development are affected by some overshadowing, but that substantial periods of solar access are available to these properties throughout the day.

Regarding the Harris Park Conservation Area, the attached shadow diagrams provided by PTI confirm that there is no impact on the Harris Park Conservation Area, with daylight and solar access achievable on 21 June and for at least 2 hours. This supports the findings of the City of Parramatta as part of their City Centre LEP.

Transport

The Parramatta CBD Strategy identifies this site as suitable for high density residential development due to its superior access to transport and employment opportunities in the Parramatta CBD. The site is located not only within the Parramatta CBD but also is within 400m walking distance to Parramatta train station and an 700m walking distance to Harris Park Train Station.

Given the proximity of the subject site to public transport services including bus services it is anticipated that a significant proportion of new residents would opt to use public transport rather than private vehicle.



Flooding

Whilst the site is flood affected as shown in the draft flood study, the impacts of flooding have been adequately considered in the CBD Planning Proposal. This confirmed areas that are suitable for residential land uses, with the zoning and heights reflecting this.

A future development application can provide the relevant information to address flooding and safety matters.

10. Has the planning proposal adequately addressed any social and economic effects?

The social and economic effects of the Planning Proposal are most appropriately described in the context of the challenges associated with a growing population as described in the State Government document the Metropolis of Three Cities. Among other things, the Plan explains that to meet the needs of a larger population and to maintain economic growth, urban renewal in combination with infrastructure delivery must occur in strategic urban centres.

As previously described, the objective of the Planning Proposal aligns closely with the strategic direction identified in the Metropolis of Three Cities. The delivery of high-density housing in a location that is well serviced by infrastructure and where there are minimal existing environmental site constraints is considered to represent a positive social outcome.

The Planning Proposal will facilitate future development that will result in higher population densities in Parramatta. In this regard, the Planning Proposal will support the emergence of Parramatta as Sydney's Central City which will in turn contribute to continued economic growth.

SECTION D – INFRASTRUCTURE (LOCAL, STATE AND COMMONWEALTH)

11. Is there adequate public infrastructure for the planning proposal?

Yes, existing public infrastructure can comfortably accommodate the demand generated by this planning proposal request.

The Parramatta CBD Strategy identifies this site as suitable for high density residential development due to its superior access to transport and employment opportunities in the Parramatta CBD. The site is located not only within the Parramatta CBD but also is within 400m walking distance to Parramatta train station and an 700m walking distance to Harris Park Train Station.

Given the proximity of the subject site to public transport services including bus services it is anticipated that a significant proportion of new residents would opt to use public transport rather than private vehicle.



The subject site is within the Parramatta CBD which has a variety of public spaces, open space, health, education and emergency services. In a broader context, the subject site is proximate to Westmead Hospital and the Western Sydney University which are regional institutions.

SECTION E – STATE AND COMMONWEALTH INTERESTS

12. What are the views of the State and Commonwealth public authorities consulted in accordance with the Gateway determination?

The Planning Proposal Request has not yet received Gateway Determination and consultation with the public authorities has not yet commenced.





PART 4 – MAPS

To ensure consistency with standard mapping requirements, the City of Parramatta Council will prepare the maps.

PART 5 – COMMUNITY CONSULTATION

Community consultation will be undertaken following the requirements prescribed by the Gateway determination. The Local Environmental Plan Making Guidelines set recommended exhibition periods for basic, standard, complex and principal planning proposals.

A review of this Guideline indicates that it is a 'major' planning proposal and should be subject to a public exhibition period of minimum 28 days.

PART 6 – PROJECT TIMELINE

A project timeline is yet to be determined. It will be formulated following discussions with Cumberland City Council and confirmation of any additional information required to allow consideration of the Planning Proposal request.

An indicative timeline for the planning proposal includes:

Table 10: Project Timeline

Milestone	Timeframe
Consideration by Council	December 2023
Council decision	February 2024
Gateway determination	April 2024
Pre-exhibition	April 2024
Commencement and completion of public exhibition period	April/May 2024
Consideration of submissions	June 2024
Post-exhibition review and Report to Council	July 2024
Submission to the Department for finalisation (where applicable)	September 2024
Gazettal of LEP amendment	November 2024



CONCLUSION

This Planning Proposal request explains the intended effect and justifies a proposed amendment to the *Parramatta Local Environmental Plan 2023* (PLEP 2023). The Planning Proposal request has been prepared under Section 3.33 of the *Environmental Planning and Assessment Act 1979* and the Department of Planning and Environment's document *Local Environmental Plan Making Guideline* (August 2023).

The Planning Proposal request relates to land at 124 Wigram Street, Harris Park and seeks to amend Parramatta Local Environmental Plan 2023 by:

- Increasing the Height of Building Map from 72 m to a maximum building height of 103 m with 15% Design Competition Bonus available in addition.

The Planning Proposal request describes how the intended outcome of the proposed LEP amendments aligns closely with the strategic directions established in State Government documents, as demonstrated below:

- A Metropolis of Three Cities – Greater Sydney Region Plan,
- The Central City District Plan,
- Parramatta Local Strategic Planning Statement
- Parramatta Housing Strategy

It is considered that the LEP amendments sought by the planning proposal request will allow for the accelerated delivery of high-density residential development in an area well-served by public transport and infrastructure and identified as an area suitable for intensification. The planning proposal request is considered to have substantial merit based on a sound analysis of relevant planning considerations. It is submitted to the City of Parramatta for consideration.

EXTRACT FROM MINUTES

**Parramatta Local Planning Panel
Tuesday, 20 February 2024
3.30pm**

**Level 3, PHIVE
Parramatta Square, Parramatta**

PANEL MEMBERS

Stephen O'Connor (Chairperson)
 Alison McCabe (Expert Member)
 Michael Masson (Expert Member)
 Ian Gilbertson (Community Member)

STAFF MEMBERS

Development Assessment Manager – Claire Stephens, Team Leader,
 Development Assessment - Sara Smith, Team Leader, Development
 Assessment - Jonathan Cleary, Team Leader, Development Assessment
 - Sara Smith, Development Assessment Officer - Cade Tracy, Group
 Manager Major Projects and Precincts - David Birds, Project Officer Land
 Use - Felicity Roberts.

1. ACKNOWLEDGEMENT TO TRADITIONAL OWNERS OF LAND

The Chairperson, acknowledged the Burramattagal people of The Dharug Nation as the traditional land owners of land in Parramatta and paid respect to their ancient culture and to their elders past, present and emerging.

2. WEBCASTING ANNOUNCEMENT

The Chairperson advised that this public meeting is being recorded. The recording will be archived and made available on Council's website.

3. APOLOGIES

There were no apologies made to this Local Planning Panel.

4. DECLARATIONS OF INTEREST

There were no declarations of interest made to this Local Planning Panel.

4A. PUBLIC SPEAKERS

The meeting commenced at 3.30 pm. The Chair invited registered speakers to address the Parramatta Local Planning Panel ('the Panel') on the item listed below:

Speaker	Item number	Title

Adam Byrnes (Think Planners)	Item 6.1	Gateway Request: Planning Proposal for land at 124 Wigram Street, Harris Park
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6. REPORTS – PLANNING PROPOSALS

6.1 **SUBJECT** Gateway Request: Planning Proposal for land at 124
Wigram Street, Harris Park

APPLICANT/S Think Planners

OWNERS Charles Street Nominees Pty Ltd

REPORT OF Project Officer-Land Use

PANEL DECISION

(a) That the Local Planning Panel recommends to Council:

- 1) That Council approve, for the purposes of seeking a Gateway Determination from the Department of Planning, Housing and Infrastructure (DPHI), the Planning Proposal for land at 124 Wigram Street, Harris Park (Attachment 1) which seeks to amend the Parramatta Local Environmental Plan 2023 (PLEP 2023) by amending the PLEP 2023 Height of Building Map from 72 metres to a maximum building height of 103 metres (118.45 metres including the design excellence bonus).
- 2) That Council request that the DPHI address the flood matters detailed in this report by a condition on the Gateway Determination so that a full understanding of the flooding constraints on this site are available prior to any public exhibition. The flood study is to inform the built form massing models.
- 3) That Council request the DPHI to provide Council with authorisation to exercise its plan-making delegations for this Planning Proposal.
- 4) That Council authorise the CEO to correct any minor anomalies of a non-policy and administrative nature that arise during the plan-making process.

VOTING **Unanimous**

The meeting terminated at 4.30 pm.

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PLANNING PROPOSAL

ITEM NUMBER	6.1
SUBJECT	Gateway Request: Planning Proposal for land at 124 Wigram Street, Harris Park
REFERENCE	RZ/3/2019 -
APPLICANT/S	Think Planners
OWNERS	Charles Street Nominees Pty Ltd
REPORT OF	Project Officer-Land Use

**DEVELOPMENT APPLICATIONS CONSIDERED BY SYDNEY CENTRAL CITY
PLANNING PANEL Nil****PURPOSE**

To seek the Local Planning Panel advice on a Planning Proposal for land at 124 Wigram Street, Harris Park for the purposes of seeking a Gateway Determination from the Department of Planning, Housing and Infrastructure (DPHI).

RECOMMENDATION

That the Local Planning Panel consider the following Council Officer recommendation in its advice to Council:

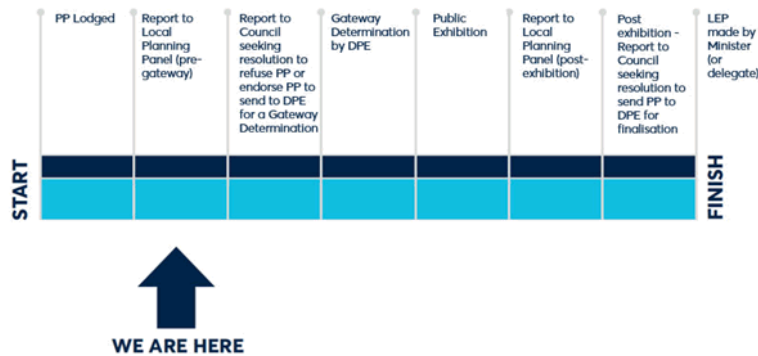
- (a) That Council approve, for the purposes of seeking a Gateway Determination from the Department of Planning, Housing and Infrastructure (DPHI), the Planning Proposal for land at 124 Wigram Street, Harris Park (Attachment 1) which seeks to amend the Parramatta Local Environmental Plan 2023 (PLEP 2023) by amending the PLEP 2023 Height of Building Map from 72 metres to a maximum building height of 103 metres (118.45 metres including the design excellence bonus).
- (b) That Council request that the DPHI address the flood matters detailed in this report by a condition on the Gateway Determination.
- (c) That Council request the DPHI to provide Council with authorisation to exercise its plan-making delegations for this Planning Proposal.
- (d) That Council authorise the CEO to correct any minor anomalies of a non-policy and administrative nature that arise during the plan-making process.

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PLANNING PROPOSAL TIMELINE

Planning Proposal Timeline



SUMMARY

1. This report seeks the advice of the Local Planning Panel on a Planning Proposal for land at 124 Wigram Street, Harris Park for the purposes of seeking a Gateway Determination from the DPHI.
2. The Planning Proposal seeks to amend Parramatta Local Environmental Plan 2023 (PLEP 2023) to increase the height control from 72 metres to a maximum height of 103 metres to facilitate development of the site for high density commercial or mixed-use development.

SITE DESCRIPTION

3. The subject site is located at 124 Wigram Street, Harris Park and has a legal property description of Strata Plan 19939 and part of Strata Plan 80813 (see **Figure 1**). The site includes a narrow section of land fronting Charles Street that is currently part of the adjoining site to the north at 17-19 Hassall Street. The total site area is approximately 1,559 sqm.

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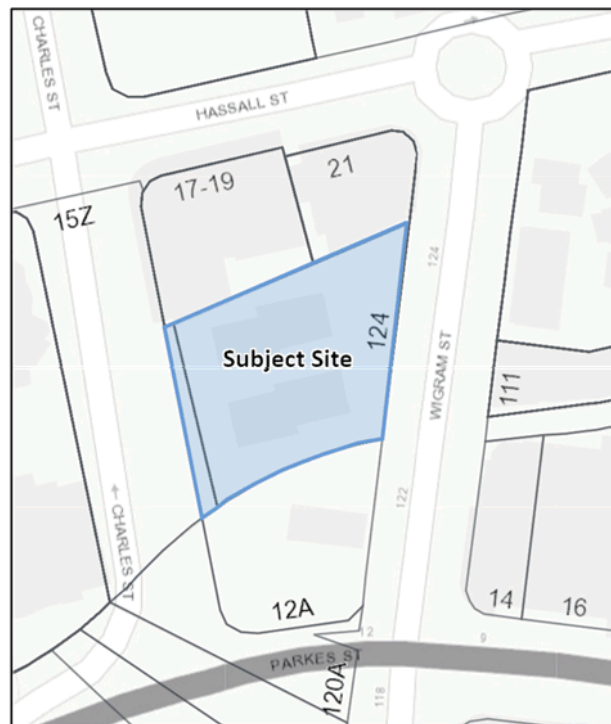


Figure 1: Site location (City of Parramatta GIS)

4. The narrow section of land fronting Charles Street is subject to a development consent (DA/342/2001) for a boundary adjustment between 17-19 Hassall Street and 124 Wigram Street, Harris Park. The consent permits the incorporation of this land within the site boundaries for 124 Wigram Street.
5. While the site address is Harris Park, it is located on the south-eastern edge of the subject area for the recently completed Parramatta CBD Planning Proposal. The site is currently developed with two, three-storey residential flat buildings estimated to have been built in the late 1970s/early 1980s.
6. Clay Cliff Creek runs along the southern boundary of the site and is a fully lined concrete channel for this part of the creek (see **Figure 2** below). Immediately to the south of the site on the other side of the concrete channel, at 12a Parkes Street, is a recently constructed 24 storey residential apartment building marketed as “Charlie Parker”. To the west of the site on Charles Street is a bus layover used by bus services queuing for the Parramatta interchange (see **Figure 3** below). To the north of the site, 17-19 and 21 Hassall Street both contain 9 storey apartment buildings. The land on the northern side of Hassall Street at 2-4 Charles Street is zoned for development to a maximum building height of approximately 50 storeys (166.75 metres).
7. The site is located south-east of Parramatta City Centre within close proximity to employment opportunities, educational establishments, recreational activities, and public transportation. This includes Westfield Parramatta, Arthur Phillip High

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School, Parramatta Public School, Macarthur Girls High School, the Parramatta Transport Interchange, Harris Park Railway Station, and Parramatta Ferry Wharf.

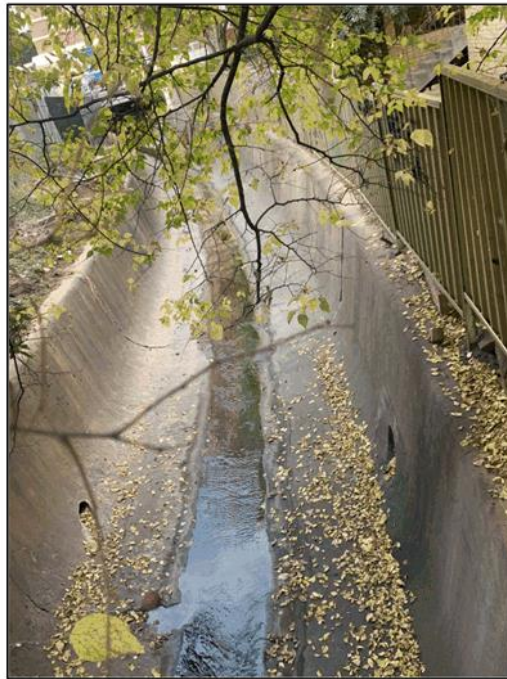


Figure 2: Clay Cliff Creek (Source: Think Planners - Planning Proposal January 2024)



Figure 3: Site aerial (Source: City of Parramatta GIS)

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BACKGROUND

8. In September 2019, Think Planners lodged a Planning Proposal with the City of Parramatta Council for land at 124 Wigram Street, Harris Park seeking to increase the density of development permitted within the MU1 Mixed Use zoning of the site (then B4 Mixed Use). The Planning Proposal sought to increase the floor space ratio (FSR) from 6:1 to 11.5:1 (including the 15% design excellence bonus). It also sought to remove the height control of 72 metres within the Incentive Height of Building Map.
9. Council Officers raised several concerns with the reference design submitted with the Planning Proposal and an assessment of the Proposal indicated that the site would receive similar controls under the Parramatta CBD Planning Proposal which was proposing to identify the site with a mapped FSR of 10:1. As a result, the applicant was advised to commence the preparation of a Design Competition brief noting that the Parramatta CBD Planning Proposal was likely to provide the controls they were seeking.
10. The applicant submitted a draft Design Competition brief in December 2021 but this was not progressed due to non-compliance with the setbacks within the draft Development Control Plan (DCP) for the Parramatta CBD Planning Proposal area.
11. On 6 May 2022 Amendment 56 to Parramatta Local Environmental Plan 2011 (PLEP 2011) was notified which confirmed the changes to be brought into effect under the Parramatta CBD Planning Proposal. The changes to PLEP 2011 took effect on 14 October 2022.
12. State Environmental Planning Policy (Parramatta CBD) (No. 2) 2022 was notified on 16 December 2022 which made further amendments to PLEP 2011 by permitting development on certain sites in the Parramatta CBD (including the subject site) to exceed the permitted FSR by 5% provided that the building meets certain criteria, including that it is used for commercial purposes only.
13. Council wrote to the applicant on 21 March 2023 requesting they withdraw the Planning Proposal on the grounds that Amendment 56 had delivered the density being sought. The applicant subsequently advised that they preferred not to withdraw the Planning Proposal until the setbacks were resolved and the consequent development yield was known. At that time, the applicant's reference design indicated that a proposal that complied with the DCP setbacks for the CBD would only be able to achieve an FSR of 7.57:1.
14. On 30 March 2023, the applicant submitted a draft site-specific DCP seeking to vary the setbacks. The Council Officer assessment confirmed that the current height control of 72 metres (82.8m including design excellence bonus) does not provide the scope to achieve the permissible FSR of 11.5:1. However, variation of the DCP setbacks to overcome this issue was not considered acceptable due to the impacts on surrounding development, noting the nature of residential development to the north and south of the site. In this regard, it was considered preferable to increase the permissible height control. Council Officers conducted urban design analysis of the building heights in the locality and the cumulative impacts of increasing the height control on the subject site and identified a total height of 119 metres as being acceptable for the site.

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15. In December 2023, the applicant submitted a revised Planning Proposal seeking to increase the height control to permit a total height of 103 metres (118.45 metres including the design excellence bonus).

CURRENT PLANNING CONTROLS

16. Under the provisions of the PLEP 2023, the following planning controls apply to the subject site:
- Land Use zoning: MU1 Mixed Use.
 - Maximum Height of Buildings: 72 metres (mapped), 82.8 metres (including 15% design excellence bonus).
 - Floor Space Ratio: 10:1 (mapped), 11.5:1 (including 15% design excellence bonus).
 - Sliding scale provisions under Clause 7.3(2): these provisions apply to sites with a site area below 1,800 sqm and reduce the permissible FSR for the subject site to 8.795:1 (10.295:1 including design excellence bonus). However, there is provision for sites identified as being isolated to be exempt from the sliding scale provisions.
17. The site is not heritage listed. There are two items of local heritage significance located within proximity of the site being 23-25 Hassall Street and 113-115 Wigram Street (Refer to **Figure 4** below).
18. The Harris Park West Heritage Conservation Area is located to the south of the site (Refer to **Figure 5** below) and the Heritage Conservation Area for Experiment Farm Cottage is located to the south-east.

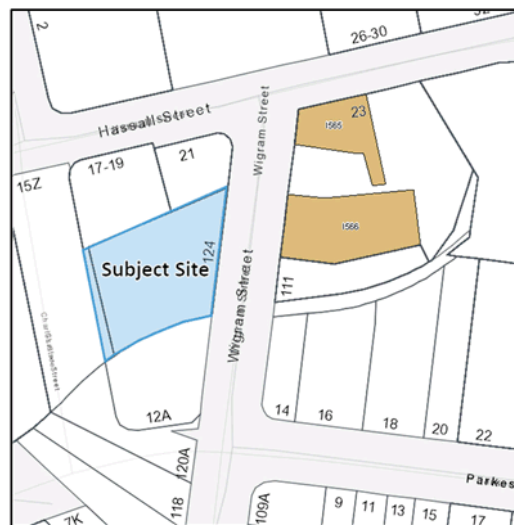


Figure 4: Heritage items within proximity of subject site (shown in brown shading)



Figure 5: Heritage Conservation Areas to the south of subject site (shown in red hatching)

DESCRIPTION OF PLANNING PROPOSAL

- 19. The Planning Proposal seeks to amend the PLEP 2023 for the subject site by increasing the height control within the Height of Buildings Map as described in Table 1 below.

Table 1: Existing and proposed height controls

Control	Current control	Proposed control
Height of Buildings (Mapped)	72m	103m
Height of Buildings (Total including 15% Design Excellence bonus)	82.8m (24 storeys mixed use)	118.45m (36 mixed use storeys)

- 20. Figures 6 and 7 show indicative mixed use and commercial buildings that could be achieved under the proposed height (See also Reference Designs at Attachments 2 and 3). Figure 8 shows an indicative building under the existing height controls of the PLEP 2023.

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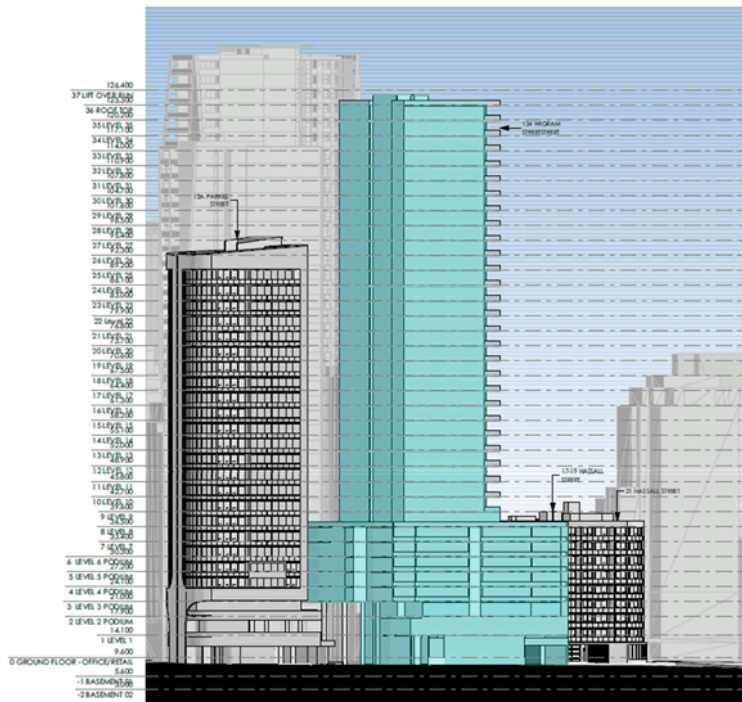


Figure 6: Proposed Mixed Use Building (Source: Applicant's Reference Design – Residential)

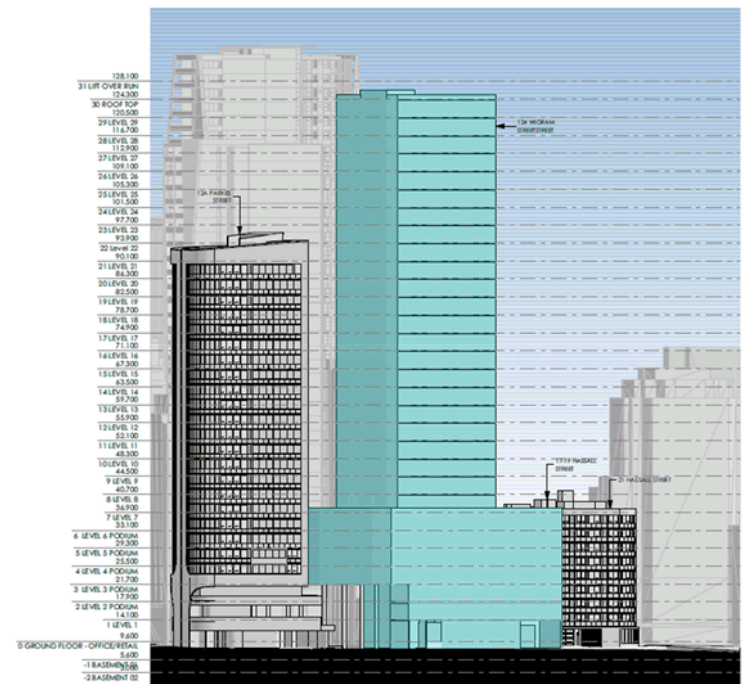


Figure 7: Proposed Commercial Building (Source: Applicant's Reference Design – Commercial)

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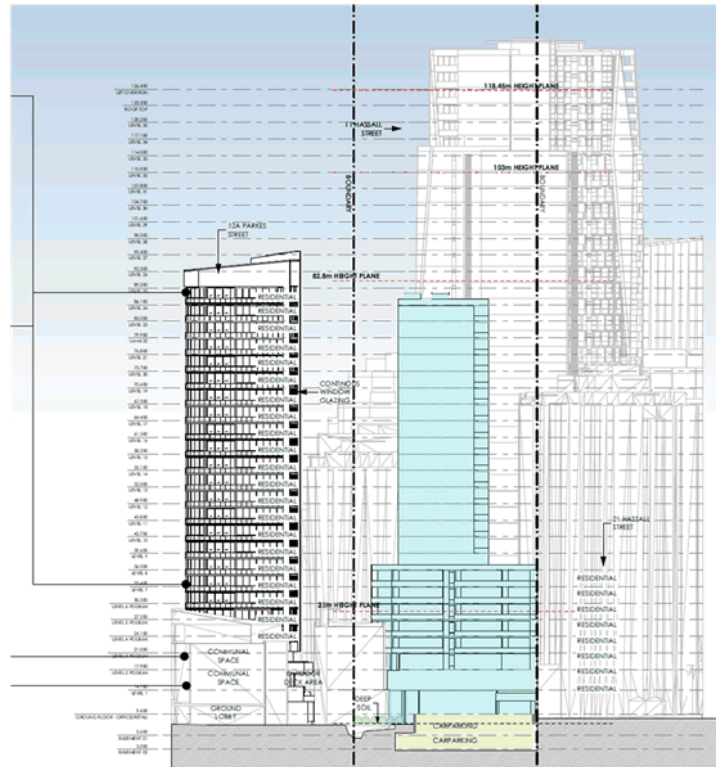


Figure 8: Building Achieved under Existing Height Controls (Source: PTI Architecture on behalf of applicant)

21. The Planning Proposal is accompanied by the following supporting documentation submitted by the applicant:
 - a. Planning Proposal document prepared by Think Planners (see **Attachment 1**);
 - b. Reference Designs prepared by PTI Architecture for both a commercial and a mixed use scheme (see **Attachments 2 and 3** respectively);
 - c. Statement of Heritage Impact prepared by Cracknel and Lonergan (see **Attachment 4**); and
 - d. Letter from Mance Arraj Engineers in response to flooding concerns raised by Council (see **Attachment 5**).

22. **Table 2** below provides the floor areas and indicative dwelling count outlined in the Reference Designs under the proposed height control included in the Planning Proposal. The actual quantum of development provided will be subject to a design excellence competition and assessment at the DA stage.

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Table 2: Floor Area and Dwelling Count Comparison Between Schemes

Scheme	Floor Area	Mix	FSR
Planning Proposal Reference Design - Mixed Use Scheme	17,243.5sqm*	163 dwellings 1,556 sqm commercial	11.06:1**
Planning Proposal Reference Design - Commercial Scheme	16,656.9sqm*	16,656.9 sqm commercial	10.68:1**

*Subject to a design excellence competition and assessment at DA stage

**Subject to compliance with isolated site requirements and assessment at DA stage

PLANNING PROPOSAL ASSESSMENT

23. The NSW Government Local Environmental Plan Making Guideline 2022 provides that for a Planning Proposal to proceed through Gateway determination, the Minister (or their delegate) must be satisfied that the Proposal has strategic and site-specific merit and that identified potential impacts can be readily addressed during the subsequent plan making stages.
24. More recently, the Minister for Planning has written to all councils and planning panels asking them to *'prioritise the delivery of housing when assessing development applications and rezoning schemes, so that the entire planning system is geared to addressing the housing shortfall'*. The Minister further asks that *'...council teams prioritise the opportunity to deliver homes as part of merit considerations where, on balance, dwelling numbers may warrant a scale or built form that is different to or greater than the outcome originally anticipated'*.
25. The Minister has further advised that updated region and cities plans are being prepared by the Greater Cities Commission, and that in the meantime a strategic merit assessment should be applied to Planning Proposals which will be used to confirm if the Proposal can satisfy relevant regional, district, and local strategies.
26. The following sections detail Council Officer assessment of the Planning Proposal based on strategic merit and site-specific planning issues.

Strategic Merit

27. Council Officers agree that the Planning Proposal is aligned with key state policies including the Greater Sydney Region Plan and the Central City District Plan; and key local policies including the Local Strategic Planning Statement, Local Housing Strategy and Parramatta CBD Planning Strategy. This alignment is discussed below.
28. The Planning Proposal detailed in **Attachment 1** provides a full assessment of the Proposal's consistency against relevant State Planning Policies and Ministerial Directions under Clause 9.1 of the Environmental Planning and Assessment Act 1979. Ministerial Direction 4.1 Flooding is of specific relevance to the site and is discussed below.

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Greater Sydney Region Plan and Central City District Plan

29. The Greater Sydney Region Plan: A Metropolis of Three Cities aims to create a city sustained by a well-developed infrastructure. Under Direction 1-Infrastructure Collaboration: A city supported by infrastructure, Objectives 1, 2, 3, and 4 underscore the critical role of adequate infrastructure in fostering resilient communities and aligning with foreseen infrastructure needs of the forecasted growth. The Plan advocates for an integrated planning approach, ensuring the strategic provision of essential services, optimal infrastructure placement, and the creation of employment opportunities.
30. The Planning Proposal is in alignment with these objectives, capitalising on the subject site's strategic proximity to the Parramatta CBD, facilitating convenient access to an array of public transport options, including trains, buses, and ferries, with the added benefit of an upcoming metro line and light rail service. Anticipating a 30-minute connection to the Sydney CBD via the prospective metro line, this integration fits with the existing infrastructure. The proposed consolidation of population around an existing metropolitan centre with numerous public transit options is strategically optimised, effectively supporting the forecasted growth, in accordance with Objective 4.
31. The Central City District Plan (CCDP) identifies priorities for a Productive, Liveable and Sustainable City. Planning Priorities C5 and C7 of the plan are relevant to this Proposal which relate to the provision of *"housing supply, choice and affordability with access to jobs, services and public transport"* and *"growing a stronger and more competitive Greater Parramatta"*. The mixed use scheme (**Attachment 3**) aims to increase housing supply in Parramatta CBD, contributing to economic growth by generating jobs, services, and entertainment options. Emphasising economic outcomes, the scheme also assists by incorporating street level employment spaces, promoting a live-work environment with a potential for individuals to reside and work in the same place. Further, the scheme also helps address the current housing crisis, by offering new housing in a highly liveable location.
32. The Greater Parramatta to Olympic Peninsula (GPOP) is a substantial corridor that envisages economic and housing growth within the Central River City and support establishing Parramatta CBD as a central city in Greater Sydney covering an area of about 6,000 hectares. Advocating the 30-minute approach adopted in the Greater Sydney Region Plan, the mixed-use scheme of the Proposal draws on the transportation connections within the corridor and would deliver dwellings within the Parramatta CBD potentially accommodating a diverse range of residents.

Local Strategies

33. The Local Strategic Planning Statement (LSPS) and the Local Housing Strategy (LHS) identify Parramatta CBD as a Metropolitan Centre, a growing district with an increasing range of jobs and services. The LSPS and LHS anticipate an additional 7,180 dwellings and 34,500 jobs by 2036 in the precinct. The Planning Proposal would contribute towards meeting these targets through the provision of additional employment floorspace, and additional dwellings if the mixed use scheme is pursued.

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34. The Parramatta Community Strategic Plan is a 25-year plan with strategic objectives for the local government area. It seeks to formalise ideas that will shape and transform the area by 2038 and provide a pathway to manage growth and liveability, whilst providing additional jobs for residents. The Planning Proposal is consistent with this, facilitating jobs through commercial floorspace and an activated street frontage. The mixed use scheme is consistent with the Plan as it would result in jobs and housing concentrated in an area close to public transport infrastructure.

Site-Specific Merit

Urban Design

35. Reference designs supporting the Planning Proposal for both commercial and mixed-use schemes (**Attachments 2 and 3**) have been reviewed by Council officers. The review has focused on the impact on immediate and surrounding areas and confirms that a built form on the subject site can comfortably achieve the existing mapped FSR and proposed total mapped building height of 103 metres (118.45 metres including the design excellence bonus).
36. Clause 7.3 of the PLEP 2023 provides a FSR sliding scale control for development in the Parramatta CBD including the site. The intent of this clause is to ensure appropriate built form outcomes for smaller sites. Clause 7.3(4) provides that the sliding scale does not apply to sites that meet certain criteria and relates isolated sites. Any assessment of a development application for the development of 124 Wigram Street would need to consider the criteria when determining whether the site can be considered isolated and exempt from the FSR sliding scale. It could be argued that the subject site may meet the criteria for an isolated site due to the location of Clay Cliff Creek on the southern boundary and the nature of development on the two sites immediately to the north. In this regard, both 17-19 Hassall Street and 21 Hassall Street contain recently built residential apartment buildings of 7 storeys and 9 storeys respectively. Both are under strata title with multiple owners. While this does not prohibit redevelopment of these sites it makes it less likely that they will be redeveloped in the foreseeable future.
37. The solar access impacts on the Harris Park West HCA were considered by Council Officers as the primary basis for identifying the maximum acceptable height for the site. The analysis modelled the likely shadows cast from both existing buildings and likely future development permitted under the existing height controls that currently apply to surrounding sites (See **Attachment 6**).
38. The maximum height that could be achieved on the site while causing only minimal overshadowing on the Harris Park West HCA was calculated at a total of 119 metres. This equates to a mapped height control of 103 metres which permits a total height of 118.45 metres when including the 15 per cent Design Excellence bonus. This height creates minimal overshadowing to the Harris Park West HCA and the shadow length is consistent with shadows from taller towers to the north.
39. To achieve the proposed maximum height, a design excellence competition will need to be undertaken. Design excellence competitions aim to enable the selection of the highest quality architectural and urban design solution for a development site. This will provide an opportunity to further improve on and refine

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one of the built forms shown in the reference designs submitted to support the Planning Proposal, prior to submission of a development application. The final built form will also be subject to further assessment at the development application stage.

40. Another key consideration for the site and resulting urban design is flooding. As discussed below, a local flooding study is required to give better definition to the extent of high hazard and floodway flooding across the site and its interaction with a new building footprint design that meets Council's criteria. This will help to inform any future design competition and development application on the site.

Transport

41. The site is considered suitable for high density commercial or mixed use development including residential due to its accessibility to transport and employment opportunities in the Parramatta CBD. The site is located not only within the Parramatta CBD but also within 400m walking distance to Parramatta Train Station. Due to its CBD location, the site is also highly accessible to existing bus services, pedestrian pathways, and cycleways.
42. The site is also within close proximity to Stage 1 of the Parramatta Light Rail, with a proposed light rail stop to be located at the corner of Harris and Macquarie Streets approximately 350 metres walking distance from the site. Stage 1 will connect Westmead to Carlingford via the Parramatta CBD and Camellia and is expected to open in 2024. The light rail is planned to be serviced from 5am to 1am, 7 days a week with services approximately every 7.5 minutes from 7am to 7pm weekdays.
43. Sydney Metro West is a proposed underground railway project that connects Westmead and the Sydney CBD via Parramatta. The subject site is within 700m walking distance of a new metro station to be located in the Parramatta City Centre.
44. The proximity of the site to existing and future major transport infrastructure makes the site an ideal location for higher density residential and commercial development. Development of the site is also likely to contribute to mode shift away from private vehicles and towards public and active transport.

Traffic, Parking and Access

45. Traffic impacts for the current floor area permitted on the site were assessed as part of the Parramatta CBD Planning Proposal. As no change to the floor space ratio is proposed, traffic impacts were not required to be further assessed as part of this Planning Proposal. Further assessment of traffic impacts will occur at the development application stage.
46. Parking and vehicular access will be required to comply with the provisions of the PLEP 2023 and Council's Development Control Plan for the CBD in any future development application. Vehicular access will also be considered in any design excellence competition.

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Heritage

47. A Statement of Heritage Impact (SoHI) supports the Planning Proposal and is included at **Attachment 4**. The statement details that there are no heritage items located on the site. However, there are heritage listed items within proximity of the site as demonstrated in **Figures 4 and 5** above. The site is also within walking distance of a cluster of heritage items and the Harris Park West and the Experiment Farm HCAs to the south.
48. The SoHI concludes that the Proposal will not adversely impact the heritage items or the HCAs, does not compromise their heritage significance and that the proposed works should not be restricted on the grounds of heritage. This position is supported by Council's Senior Heritage Specialist.
49. The previous proposal was discussed at the Heritage Advisory Committee meeting on 27 November 2019. The Committee at that time expressed concern at the impact of the Proposal on heritage items opposite the site in Wigram Street.
50. The current Proposal was considered by Council's Heritage Advisory Committee on 8 February 2024. Some members of the Committee considered the additional height would not impact the significance of the heritage items. Other Committee members did not support the principle of variations to the newly finalised Parramatta CBD Planning Proposal more broadly. Council Officers at the meeting noted that the subject Planning Proposal was lodged with Council in 2019 well in advance of the finalisation of the Parramatta CBD Planning Proposal and is seeking to increase height in order to better align with the floor space ratio established by the Parramatta CBD Planning Proposal.

Infrastructure, Social and Economic Impacts

51. The delivery of either scheme within the Parramatta CBD will achieve a positive social outcome being well serviced by existing infrastructure. People will be able access necessary transport, education services, open space, health services, community services, employment, and recreation facilities.
52. Council's Community Infrastructure Strategy supports the City of Parramatta's growth by identifying priorities for future community infrastructure and informing planning, funding, delivering, and negotiating for community infrastructure. Council also has a Development Contributions Plan for identified infrastructure for the CBD. Both will be considered as part of any future development application for the site and required contributions towards additional infrastructure will become conditions of any development consent.
53. As discussed above in the strategic merit section, the Proposal will also facilitate development that will assist in the emergence of Parramatta as Sydney's Central City which will in turn contribute to continued economic growth.

Flooding

54. The Planning Proposal and associated reference design as originally lodged, addressed the Upper Parramatta River Flood Study 2005. Since lodgment,

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Council has prepared and exhibited the draft Parramatta River Flood Study 2023. While this draft Study has yet to be endorsed by Council, it is prudent for Council to assess the Planning Proposal against this updated Study due to the sensitive nature of the site which is at risk of severe flooding from Clay Cliff Creek.

55. The Planning Proposal is also required to address Local Planning Direction 4.1 Flooding issued by the Minister for Planning under section 9.1(2) of the Environmental Planning and Assessment Act 1979. Planning Proposals are required to demonstrate that they are consistent with the Direction and any inconsistency is required to be justified.
56. In addition, on 10 November 2023, the NSW Government Flood Risk Management Policy, accompanying Manual and Guidelines were gazetted, replacing the previous Floodplain Development Manual. The new Manual is reflected in Council's DCP 2023 and the Guidelines place emphasis on management and reduction of risk and hazard and avoiding the obstruction of floodways and overland flow paths when planning development.
57. In this regard, Council requires that any high hazard/floodway area not be obstructed at ground level and requires a 4 metre clearance above ground to any overhanging structure with an extent of overhang horizontally of less than 4 metres. This is in addition to the 6 metre setback to the centreline of the Clay Cliff Creek channel with no overhang above it. The reference design submitted by the applicant demonstrates compliance with these requirements, however, this is in relation to the flood levels identified under the Upper Parramatta River Flood Study 2005.
58. Council Officers have requested the applicant submit a local Flood Study and revised reference design which reflects the draft Parramatta River Flood Study 2023 and is consistent with the NSW Flood Risk Management Manual and Guidelines and the Parramatta DCP 2023.
59. In response, the applicant has submitted that the Planning Proposal is seeking an increase in building height which has no bearing with the flooding levels on site. The flooding design requirements for the ground floor will not change because of the subject Planning Proposal and in any case, are subject to consideration when a development application is submitted.
60. To support this position, the applicant has submitted a letter from Mance Arraj Engineers (see **Attachment 5**) which provides an opinion summarised as follows:
 - a. While there is a significant increase in the 1% AEP flood level from the previous flood information, the Probable Maximum Flood (PMF) level remains unchanged. As such, the original report submitted to address the Local Planning Direction 4.1 Flooding (referred to by applicant as a Section 117 Direction which was the equivalent reference under previous legislation) is adequate to progress the Planning Proposal given that the proposal provides flood protection to the PMF level identified in the draft Parramatta River Flood Study 2023.
 - b. Flood modelling will be required at development application stage which will determine the alignment of the basement wall. Any such modelling is not expected to identify a significant change in flows at this location as

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the culverts at Charles Street and Wigram Street are control structures and flows are diverted by these structures.

61. In response, Council's Senior Catchment Engineer has noted that from the information available in the draft Parramatta River Flood Study 2023, it is clear that there is a much larger area of the site subject to high hazard conditions and the presence of the floodway/main and lateral conveyances compared to that described in the 2005 study. Without a local flooding study, there is much uncertainty regarding the design response required on this site. As such, Council's Senior Catchment Engineer is of a view that it is not considered appropriate to defer consideration of flooding matters until the Design Excellence and development application stage.
62. Since the Planning Proposal was lodged well in advance of the public exhibition of the draft Parramatta River Flood Study 2023, it is considered unreasonable to delay progressing the matter pending the preparation of a local flood study. Instead it is recommended that in seeking a Gateway determination, Council note the status of flooding information available for the site and request that the DPHI considers including a Gateway condition which requires the preparation of a local flood study which addresses the concerns raised by Council in this report in the context of Local Planning Direction 4.1 Flooding, the draft Parramatta River Flood Study 2023 and the Flood Risk Management Manual 2023.
63. The Gateway condition should also include a requirement that the reference design be updated to address these criteria and the flood levels associated with the draft Parramatta River Flood Study 2023.

Environment

64. The site does not contain any habitat and therefore there is no likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats could be adversely affected because of the Planning Proposal.
65. Other environmental impacts, including sustainability, will be addressed as part of any future development proposal, including a design excellence competition.

PLAN MAKING DELEGATIONS

66. Should Council resolve to endorse the Planning Proposal to proceed, it is recommended that Council request that it exercise its plan-making delegations. This means that once the Planning Proposal has been to Gateway, undergone public exhibition and been adopted by Council, Council officers will deal directly with the Parliamentary Counsel Office on the legal drafting and mapping of the amendment. The LEP amendment is then signed by the CEO before being notified on the NSW Legislation website.

FINANCIAL IMPLICATIONS FOR COUNCIL

67. Should Council resolve to proceed with the Planning Proposal, the costs incurred in conducting the public exhibition will be covered by the fees associated with the submission of the Planning Proposal.

Local Planning Panel 20 February 2024

Item 6.1

CONCLUSION AND NEXT STEPS

68. This report recommends that the Planning Proposal for 124 Wigram Street, Harris Park be submitted to the DPHI for Gateway determination to amend the PLEP 2023 Height of Building Map from 72 metres to a maximum building height of 103 metres (118.45 metres when including the 15% Design Excellence bonus).
69. It is recommended that in seeking a Gateway determination, Council note the status of flooding information available for the site and request that the DPHI consider including a Gateway condition which requires the Planning Proposal to address Local Planning Direction 4.1 Flooding in the context of the draft Parramatta River Flood Study 2023 and the Flood Risk Management Manual 2023. The Gateway condition should also include a requirement that the reference design be updated to address these criteria and the flood levels associated with the draft Parramatta River Flood Study 2023.
70. Following Local Planning Panel consideration of the Proposal, the Planning Proposal will be considered by Council. Should the Proposal be supported by Council it will be forwarded to the DPHI with a request for a Gateway Determination.

Felicity Roberts
Project Officer-Land Use

Naomi L'Oste-Brown
Team Leader Land Use Planning

David Birds
Group Manager, Major Projects and Precincts

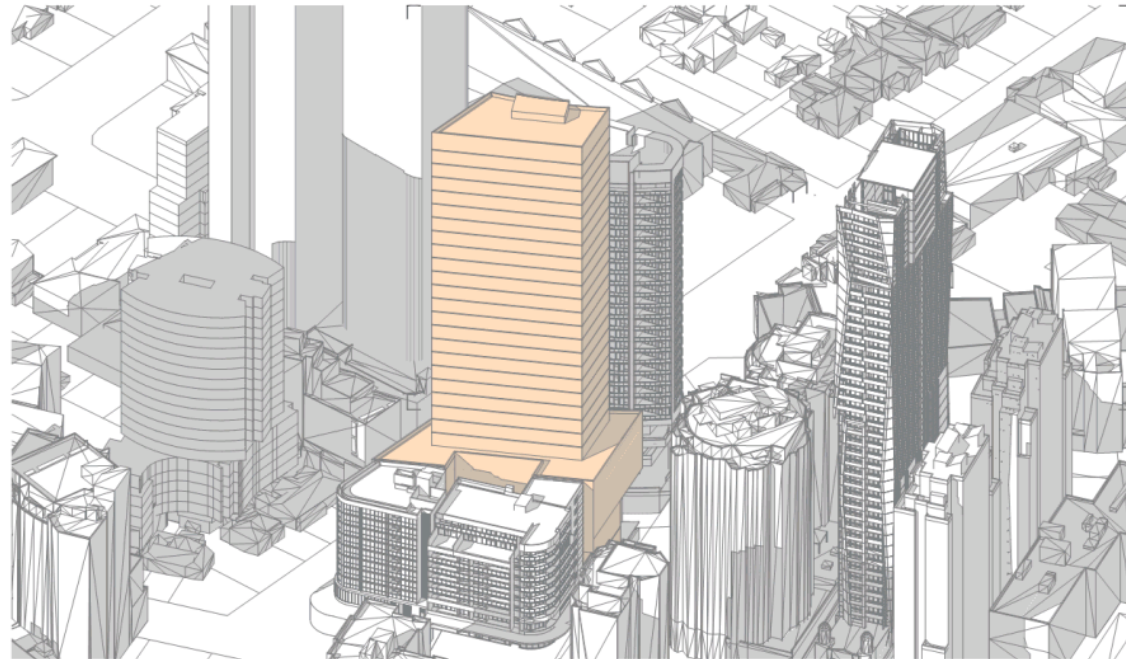
Jennifer Concato
Executive Director City Planning and Design

ATTACHMENTS:

1 Applicant's Planning Proposal	67 Pages
2 Reference Design - Commercial Scheme	26 Pages
3 Reference Design - Mixed Use Scheme	27 Pages
4 Statement of Heritage Impact	65 Pages
5 Letter from Mance Arraj Engineers regarding flooding	2 Pages
6 Shadow analysis	1 Page

REFERENCE MATERIAL

DRAWING LIST	
00	COVER SHEET
01	LOCATION PLAN
02	SITE PLAN
03	SURVEY PLAN
04	BASEMENT 02
05	BASEMENT 01
06	GROUND FLOOR - OFFICE / RETAIL
07	LEVEL 1-2 - COMMERCIAL PODIUM PLAN
08	LEVEL 3-6 - OFFICE PODIUM PLAN
09	LEVEL 7 - PODIUM OFFICE
10	LEVEL 8-29 - TYPICAL OFFICE FLOOR PLAN
11	SECTION A
12	SECTION B
13	SECTION C
14	NORTHERN BOUNDARY ELEVATION
15	STREET SECTION
16	CHARLES STREET ELEVATION
17	HASSALL STREET ELEVATION
18	WIGRAM STREET ELEVATION
19	DEVELOPMENT CALCULATION
20	SHADOW DIAGRAMS 3D: 12 JUNE 10:00AM
21	SHADOW DIAGRAMS 3D: 12 JUNE 11:00AM
22	SHADOW DIAGRAMS 3D: 12 JUNE 12:00PM
23	SHADOW DIAGRAMS 3D: 12 JUNE 1:00PM
24	SHADOW DIAGRAMS 3D: 12 JUNE 2:00PM
25	17-19 HASSALL STREET AGAINST THE CBD DCP CONTROLS

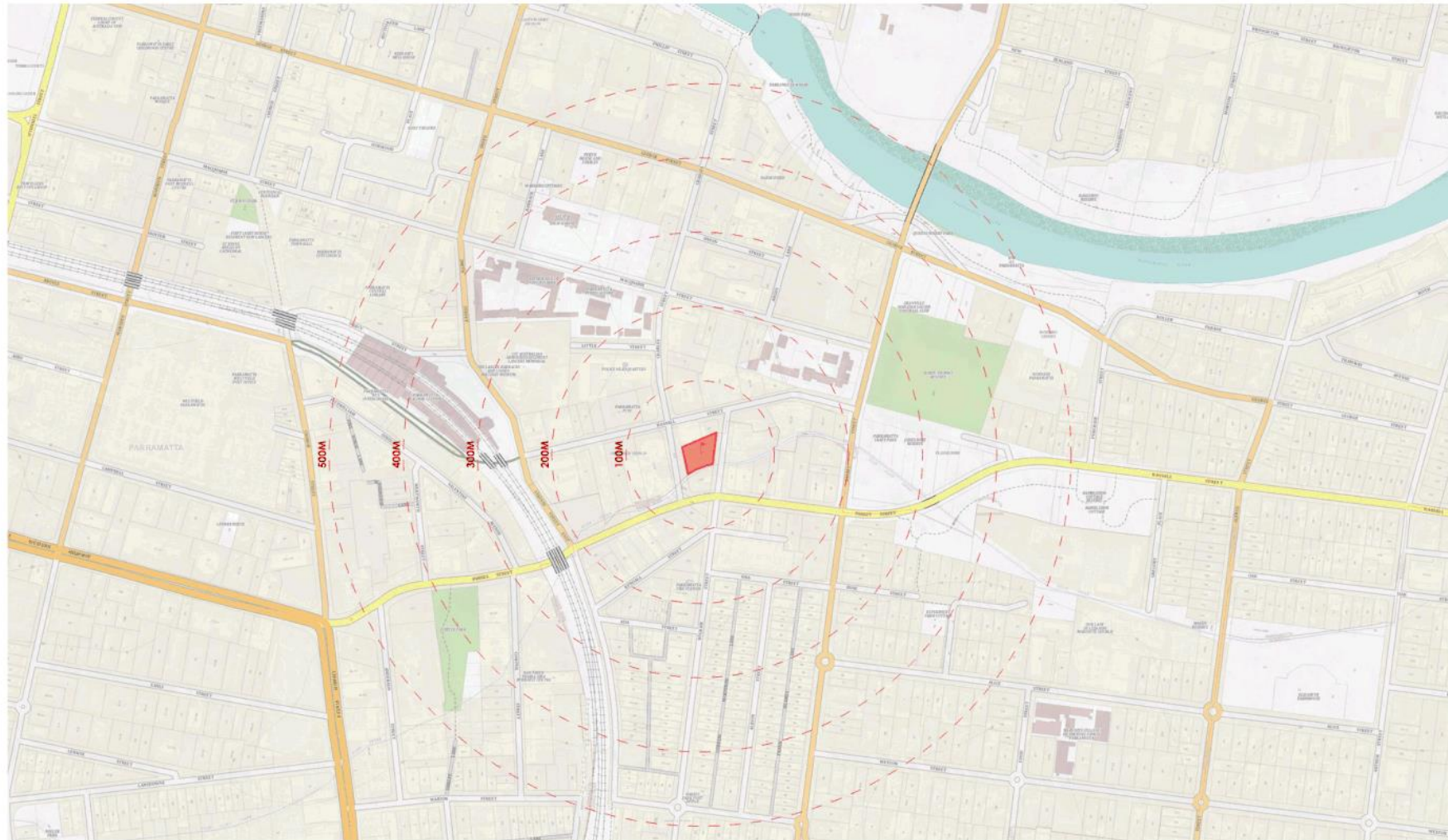


PLANNING PROPOSAL
 124 WIGRAM STREET, PARRAMATTA NSW 2150
 3.8m FLOOR TO FLOOR HEIGHT SCHEME

PREPARED FOR

SKY BLUE DEVELOPMENTS

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1 LOCATION PLAN
1:5000



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Nominated Registered Architect: Peter Israel (reg no 1004)
ABN 90 950 071 022

REV	DESCRIPTION	BY	DATE
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P23.0	CLIENT GIVE	LL	14.03.23
P24.0	CLIENT GIVE	JR	19.03.23
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P28.0	CLIENT GIVE	LZ	26.07.23
P29.0	CLIENT GIVE	LZ	06.09.23
P30.0	CLIENT GIVE	DP	29.11.23
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CLIENT
SKY BLUE DEVELOPMENTS

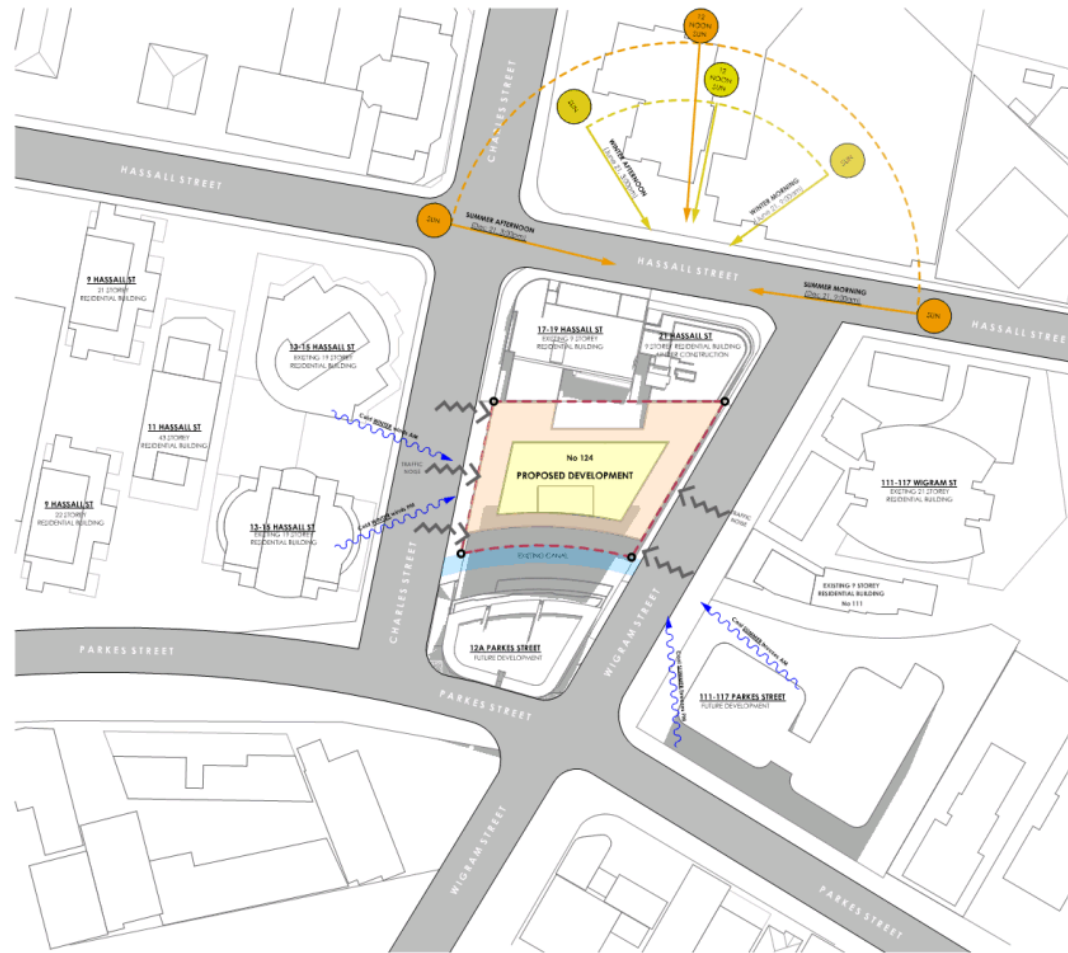
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124 WIGRAM STREET PARRAMATTA NSW 2150
DRAWING TITLE
LOCATION PLAN

NUMBER

DRAWN BY: JW, FW, LZ, JR
CHECKED BY: PI & LL
SCALE: 1:5000 AT A3
PROJECT NO: P530

PP 01 P32.0
stage design make

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1 SITE PLAN & ANALYSIS PLAN
1:1000

INDICATIVE PODIUM ENVELOPE INDICATIVE TOWER ENVELOPE EXISTING CANAL



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Nominated Registered Architect: Peter Israel (reg no 5054)
ABN 90 950 071 022

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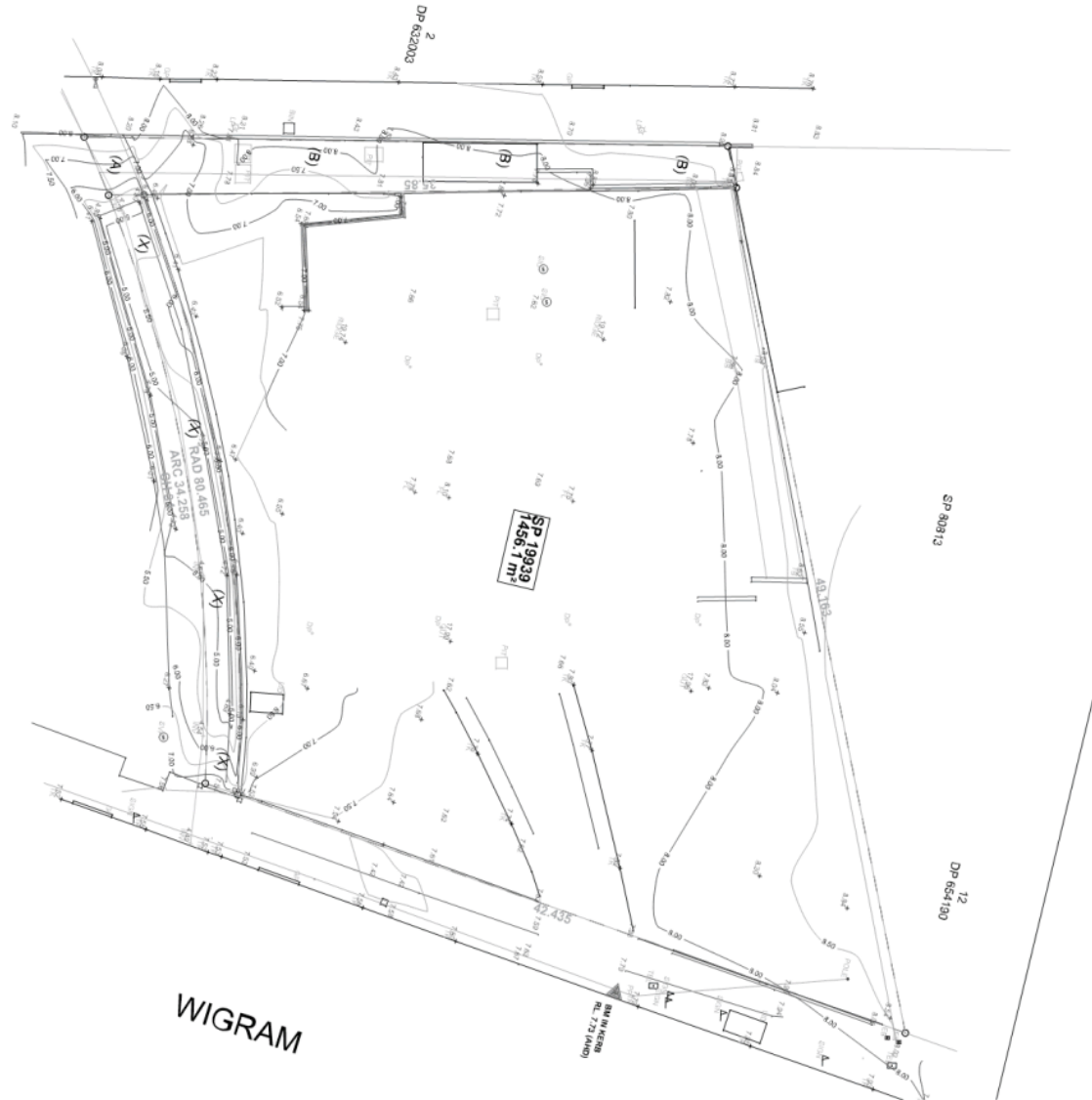
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COMMERCIAL OFFICE DEVELOPMENT PLANNING PROPOSAL - 3.8m FLOOR TO FLOOR HEIGHT SCHEME
124 WIGRAM STREET PARRAMATTA NSW 2150
DRAWING TITLE:
SITE PLAN



DRAWN BY: JW, FW, LZ, JR
CHECKED BY: PI & LL
SCALE: 1:1000 AT A3
PROJECT NO: P530
PP 02 P32.0
stage design embed

© 2019 P32.0 - 124 Wigram Street, Parramatta NSW 2150. DRAWING: SURFACE - 3D/3D PLAN/3D WIGRAM STREET_PP_117M_PP_COMMERCIAL_2401.dwg PLOT: 14/01/2024



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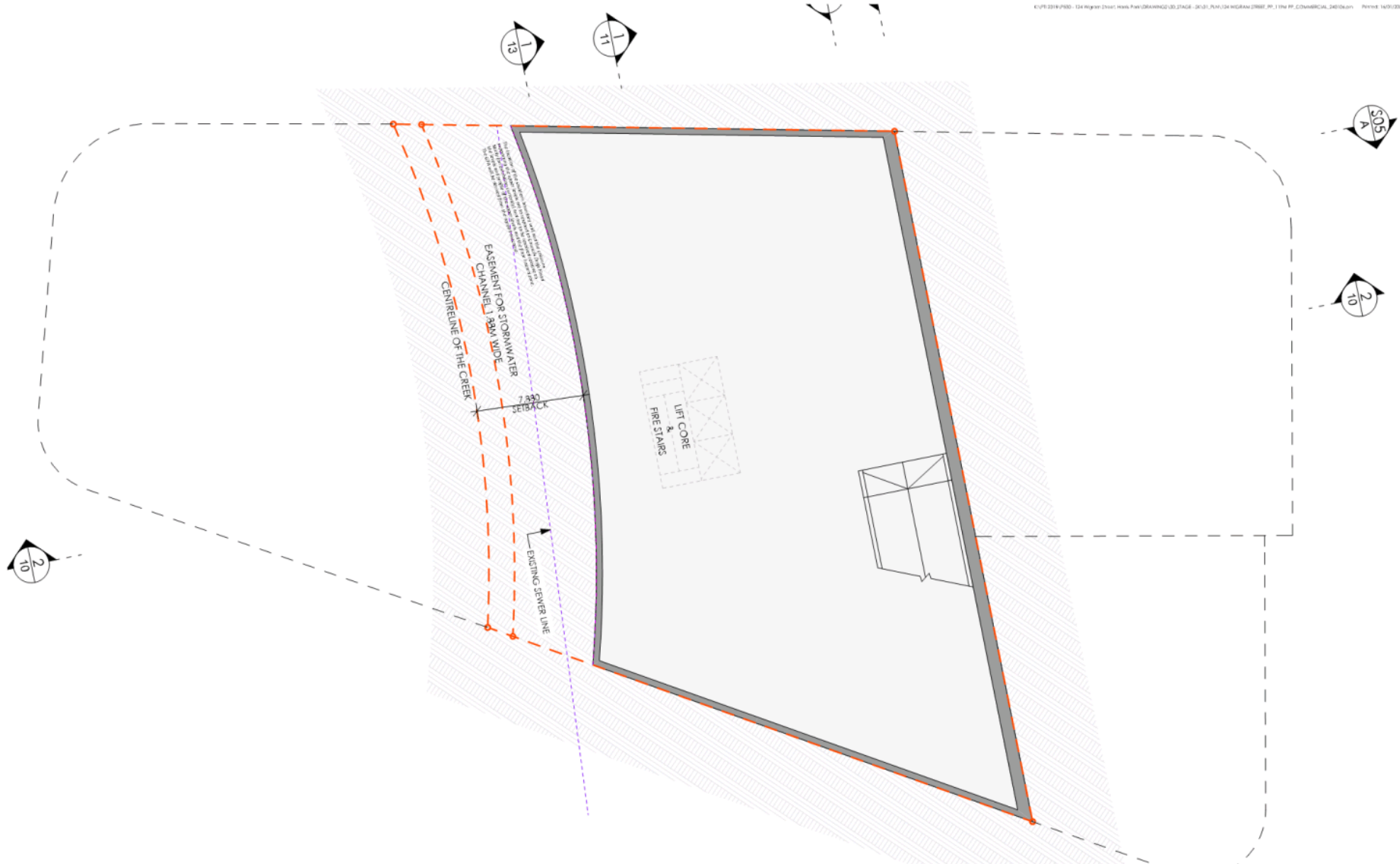
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- 3.8m FLOOR TO FLOOR HEIGHT SCHEME
 124 WIGRAM STREET PARRAMATTA NSW 2150
 DRAWING FILE:
SURVEY PLAN



DRAWN BY: JW, FW, LZ, JR
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 ABN 90 950 071 022

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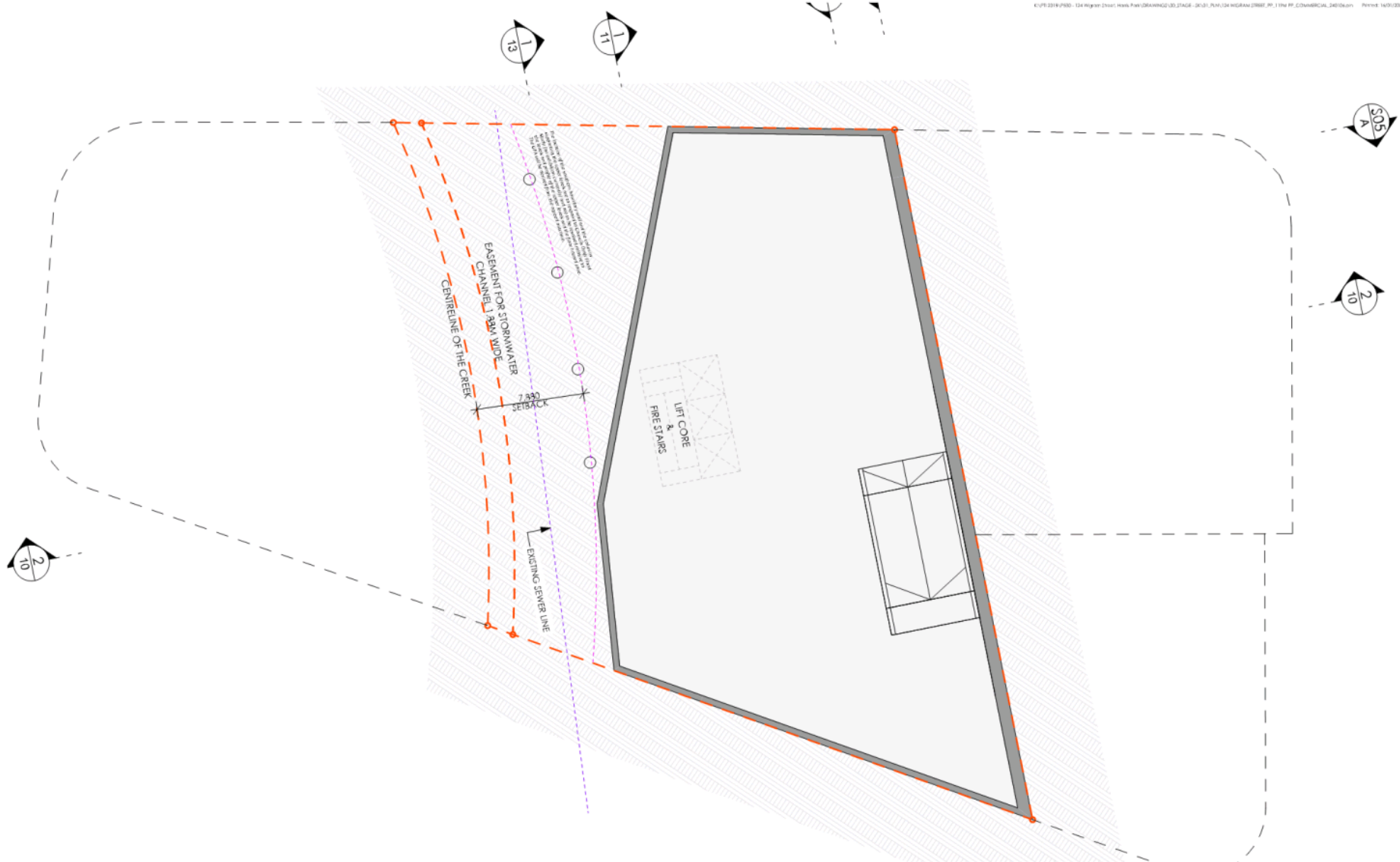
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 124 WIGRAM STREET PARRAMATTA NSW 2150
 DRAWING TITLE:
BASEMENT 02



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 CHECKED BY: PI & LL
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 ABN 90 950 071 022

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CLIENT:
SKY BLUE DEVELOPMENTS

PROJECT FILE:
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 124 WIGRAM STREET PARRAMATTA NSW 2150
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BASEMENT 01



DRAWN BY: JW, FW, LZ, JR
 CHECKED BY: PI & LL
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 PP 05 P32.0
 stage design make



GROUND LEVEL FLOOR PLATE IS INDICATIVE AND IS SUBJECT TO DETAILED OVERLAND FLOOR LEVELS.



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 ABN 90 950 071 022

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CLIENT: SKY BLUE DEVELOPMENTS

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 124 WIGRAM STREET PARRAMATTA NSW 2150
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PROJECT NO: P530
 DRAWN BY: JW, FW, LZ, JR
 CHECKED BY: PI & LL
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 PROJECT NO: P530
 PP 06 P32.0
 Stage design make



LEVELS 1 & 2 FLOOR PLATES ARE INDICATIVE AND ARE SUBJECT TO DETAILED OVERLAND FLOOR LEVELS



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 ABN 90 950 071 022

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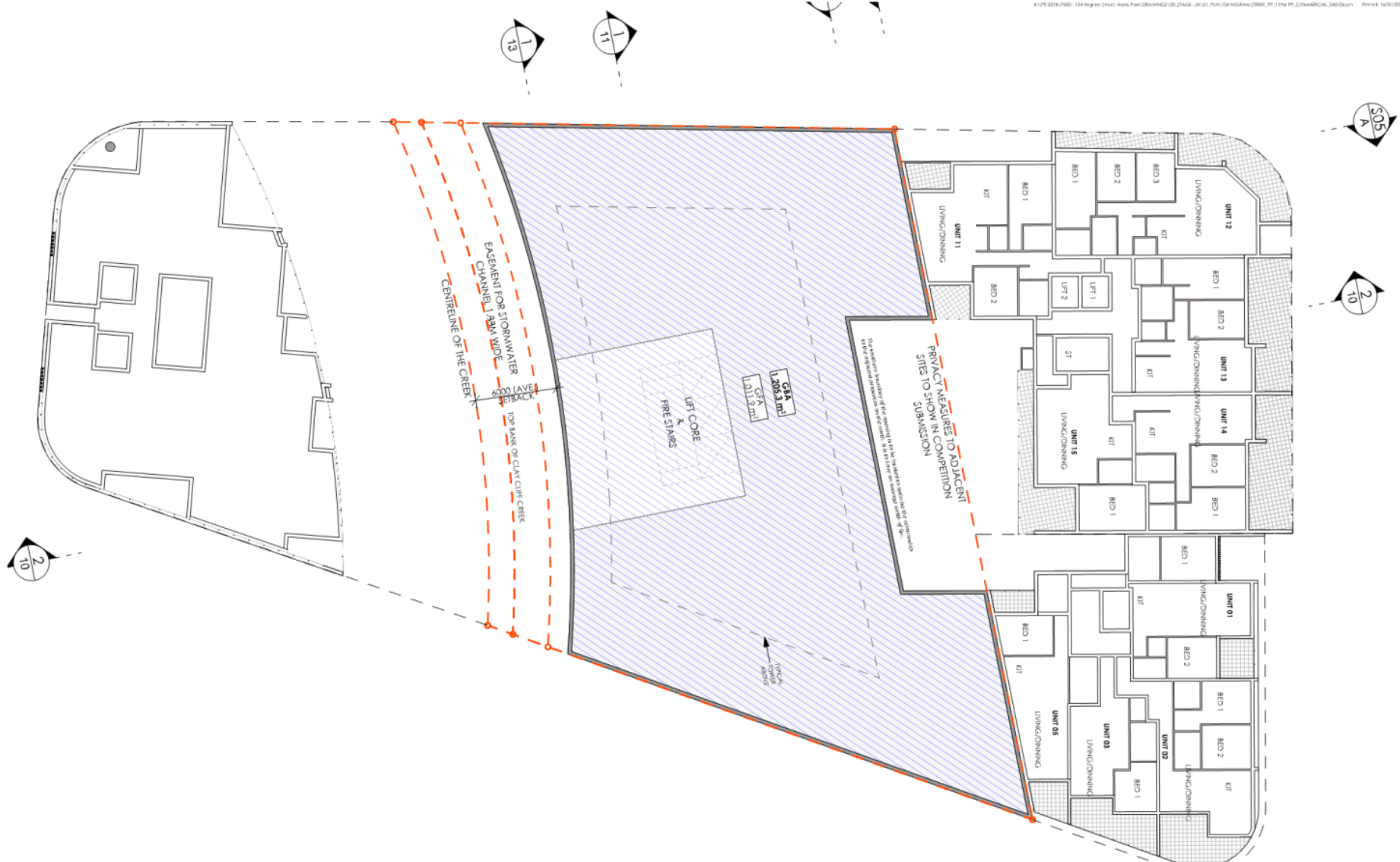
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 124 WIGRAM STREET PARRAMATTA NSW 2150
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LEVEL 1-2 - COMMERCIAL PODIUM PLAN



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P32.0	CLIENT GIVE	LZ	16.01.24				

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CLIENT:
SKY BLUE DEVELOPMENTS

PROJECT FILE:
COMMERCIAL OFFICE DEVELOPMENT PLANNING PROPOSAL - 3.8m FLOOR TO FLOOR HEIGHT SCHEME
 124 WIGRAM STREET PARRAMATTA NSW 2150
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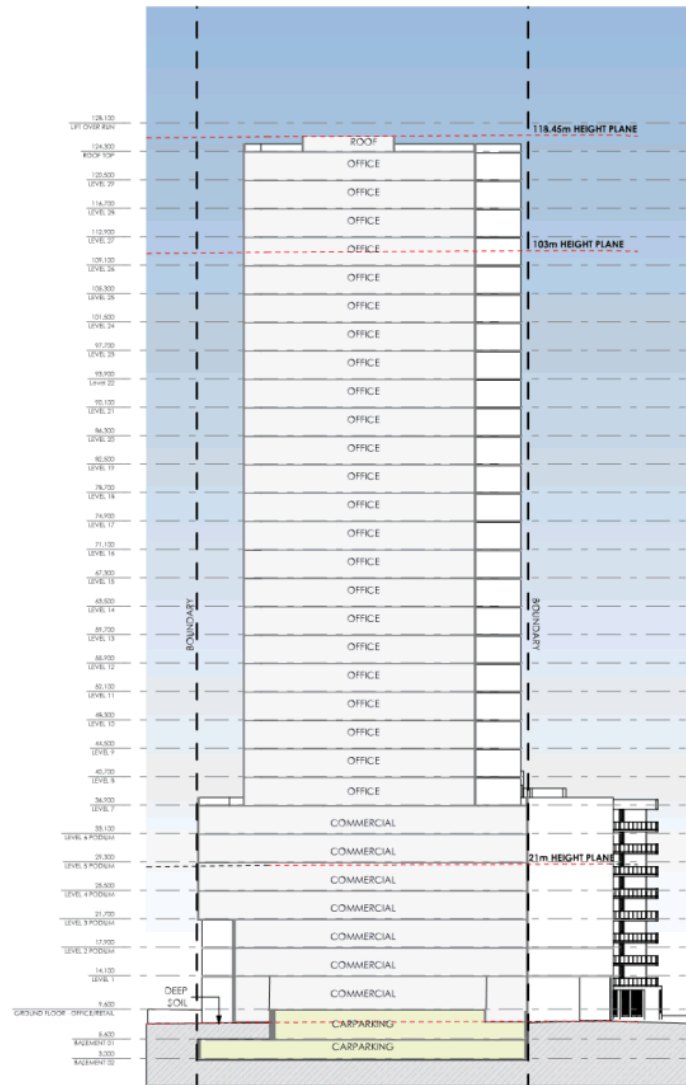


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 PROJECT NO: P530
 PP 09 P32.0
 Stage design make



<p>pti ARCHITECTURE Tourism + Residential</p>	<p>Level 10, 253 Clarence Street, Sydney NSW 2030 +61 2 9253 0880 www.ptiarchitecture.com.au Nominated Registered Architect: Peter Israel (reg no 5054) ABN 90 950 071 022</p>	<p>REV DESCRIPTION</p> <p>P22.0 CLIENT GIVE</p> <p>P23.0 CLIENT GIVE</p> <p>P24.0 CLIENT GIVE</p> <p>P25.0 CLIENT GIVE</p> <p>P26.0 CLIENT GIVE</p> <p>P27.0 CLIENT GIVE</p> <p>P28.0 CLIENT GIVE</p> <p>P29.0 CLIENT GIVE</p> <p>P30.0 CLIENT GIVE</p> <p>P31.0 CLIENT GIVE</p> <p>P32.0 CLIENT GIVE</p>	<p>REV DATE</p> <p>LL 02.03.29</p> <p>LL 14.03.29</p> <p>JR 19.05.23</p> <p>JR 29.05.23</p> <p>JR 31.06.23</p> <p>LZ 29.06.23</p> <p>LZ 26.09.23</p> <p>LZ 06.09.23</p> <p>CP 29.11.23</p> <p>LZ 06.01.24</p> <p>LZ 16.01.24</p>	<p>CLIENT</p> <p>SKY BLUE DEVELOPMENTS</p>	<p>PROJECT FILE:</p> <p>COMMERCIAL OFFICE DEVELOPMENT PLANNING PROPOSAL - 3.8m FLOOR TO FLOOR HEIGHT SCHEME</p> <p>124 WIGRAM STREET PARRAMATTA NSW 2150</p> <p>DRAWING TITLE:</p> <p>LEVEL 8-29 - TYPICAL OFFICE FLOOR PLAN</p>	<p>NO. OF FLOOR:</p> <p>PP 10 P32.0</p> <p>stage design make</p>	<p>DRAWN BY:</p> <p>JW, FW, LZ, JR</p> <p>CHECKED BY:</p> <p>PI & LL</p> <p>SCALE:</p> <p>1:250 AT A3</p> <p>PROJECT No:</p> <p>P530</p>

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SECTION A-A
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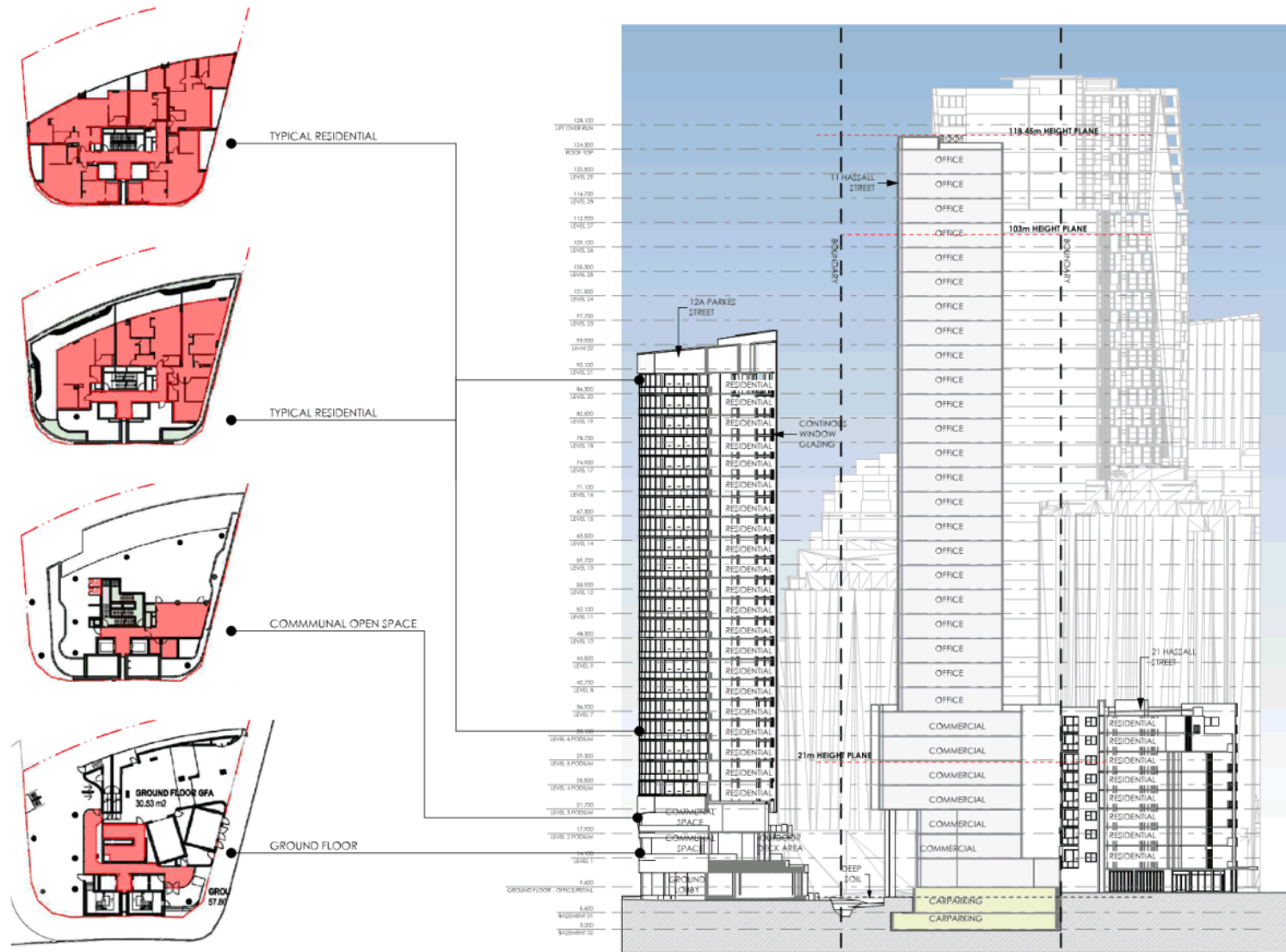


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Nominated Registered Architect: Peter Israel (reg no 5054)
ABN 90 050 071 022

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PROJECT FILE:
COMMERCIAL OFFICE DEVELOPMENT PLANNING PROPOSAL - 3.8m FLOOR TO FLOOR HEIGHT SCHEME
124 WIGRAM STREET PARRAMATTA NSW 2150
DRAWING TITLE:
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NORTH POINT:
DRAWN BY: JW, FW, LZ, JR
CHECKED BY: PI & LL
SCALE: 1:600 AT A3
PROJECT No: P530
PP 11 P32.0
stage design make



SECTION B-B
1:600



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 ABN 90 950 071 022

REV	DESCRIPTION	BY	DATE	CLAS
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SKY BLUE DEVELOPMENTS

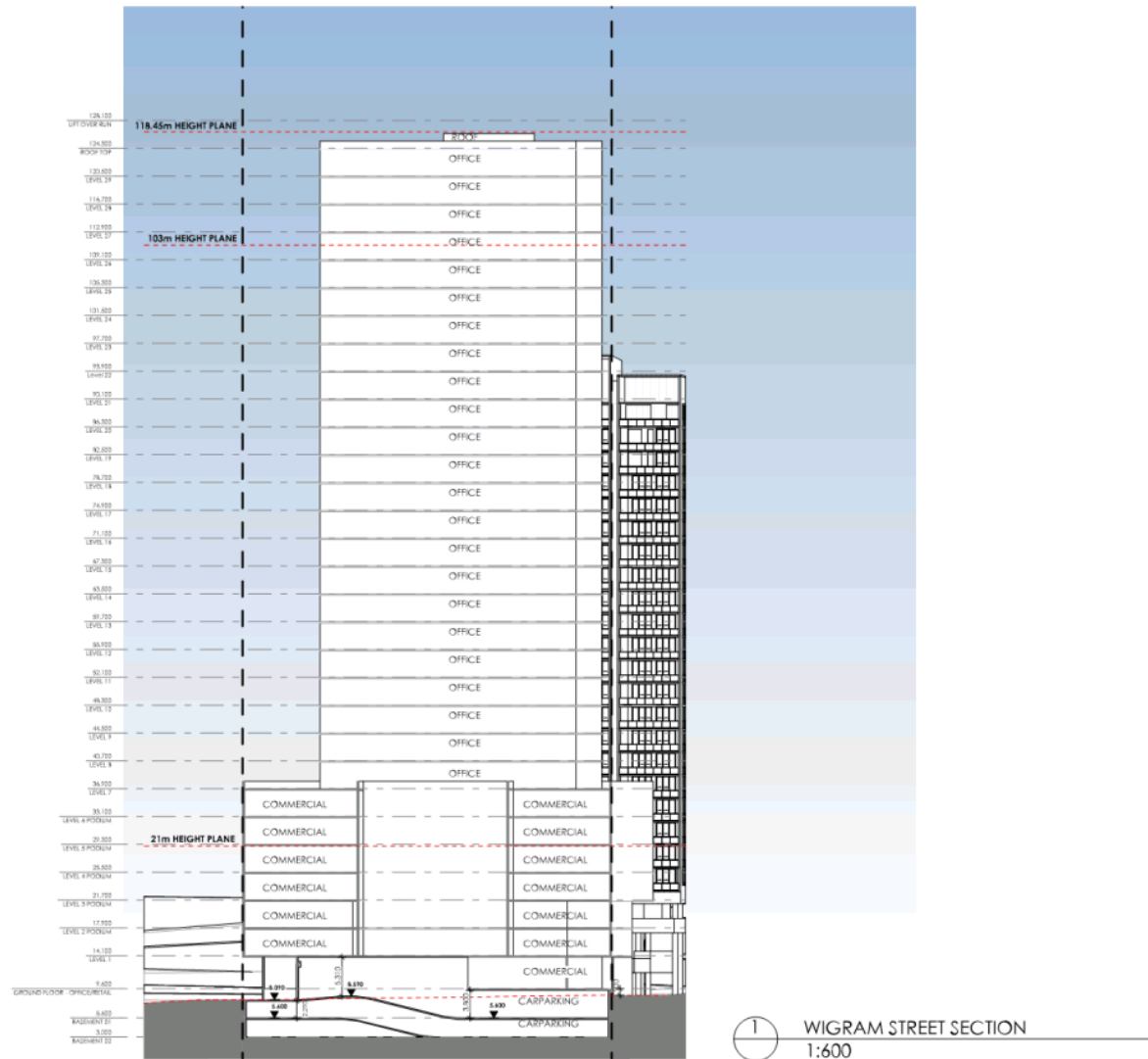
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SECTION B

NORTH POINT

DRAWN BY: JW, FW, LZ, JR
 CHECKED BY: PI & LL
 SCALE: 1:500, 1:600 AT A3
 PROJECT NO: P530

PP 12 P32.0
 stage design make

C:\PS\2019\PS0 - 124 Wigram Street, Parramatta\DRAWING\2D\2\FLOOR - 3D\3D\PLAN\124 WIGRAM STREET_PP_11704_PP_C2\COMMERCIAL_2402.dwg PLOT: 14/01/2024



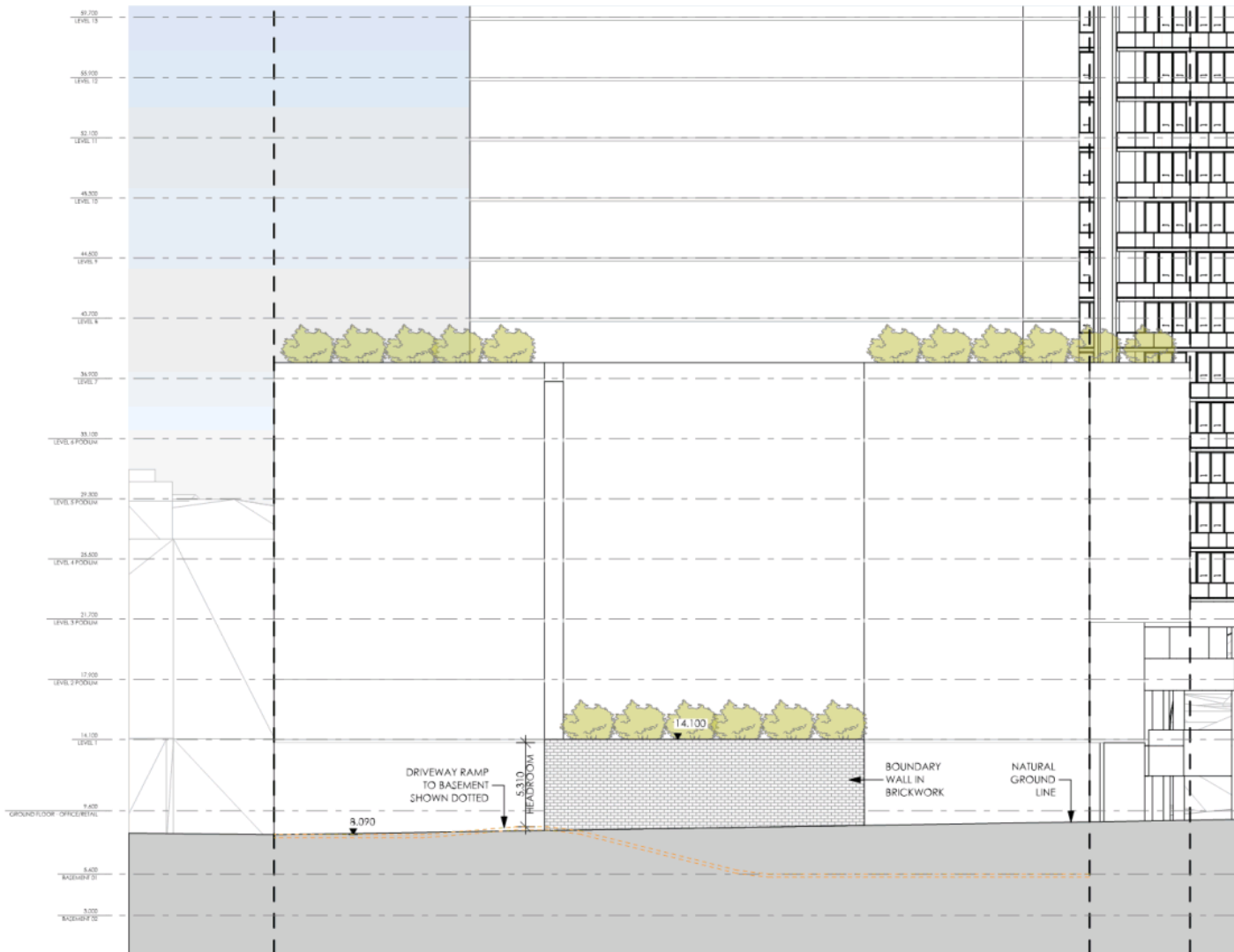
Level 10, 253 Clarence Street, Sydney NSW 2030
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 Nominated Registered Architect: Peter Israel (reg no 5094)
 ABN 90 950 071 022

REV	DESCRIPTION	BY	DATE	CLIENT
P22.0	CLIENT GIVE	LL	02.03.23	SKY BLUE DEVELOPMENTS
P23.0	CLIENT GIVE	LL	14.03.23	
P24.0	CLIENT GIVE	JR	19.03.23	
P25.0	CLIENT GIVE	JR	29.03.23	
P26.0	CLIENT GIVE	JR	31.03.23	
P27.0	CLIENT GIVE	LZ	29.03.23	
P28.0	CLIENT GIVE	LZ	26.09.23	
P29.0	CLIENT GIVE	LZ	06.09.23	
P30.0	CLIENT GIVE	DP	29.11.23	
P31.0	CLIENT GIVE	LZ	06.01.24	
P32.0	CLIENT GIVE	LZ	16.01.24	

PROJECT TITLE:
COMMERCIAL OFFICE DEVELOPMENT PLANNING PROPOSAL
- 3.8m FLOOR TO FLOOR HEIGHT SCHEME
 124 WIGRAM STREET PARRAMATTA NSW 2150
 DRAWING TITLE:
SECTION C

NORTH POINT:
 DRAWN BY: JW, FW, LZ, JR
 CHECKED BY: PI & LL
 SCALE: 1:600 AT A3
 PROJECT NO: P530
 PP 13 P32.0
 Stage design make

K:\PS 2019\PS0 - 124 Wigram Street, Parramatta\DRAWING\2D\2\FACE - 20\21_Plan\124 WIGRAM STREET_PP_11704_PP_CD\COMMERCIAL_2401.dwg PLOT: 14/01/2024



1 NORTHERN BOUNDARY ELEVATION
1:250



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 Nominated Registered Architect: Peter Israel (reg no 5094)
 ABN 90 950 071 022

REV	DESCRIPTION	BY	DATE
P22.0	CLIENT GDG	LL	02.03.23
P23.0	CLIENT GDG	LL	14.03.23
P24.0	CLIENT GDG	JR	19.03.23
P25.0	CLIENT GDG	JR	29.03.23
P26.0	CLIENT GDG	JR	31.03.23
P27.0	CLIENT GDG	LZ	29.03.23
P28.0	CLIENT GDG	LZ	26.09.23
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P30.0	CLIENT GDG	DP	29.11.23
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CLIENT
SKY BLUE DEVELOPMENTS

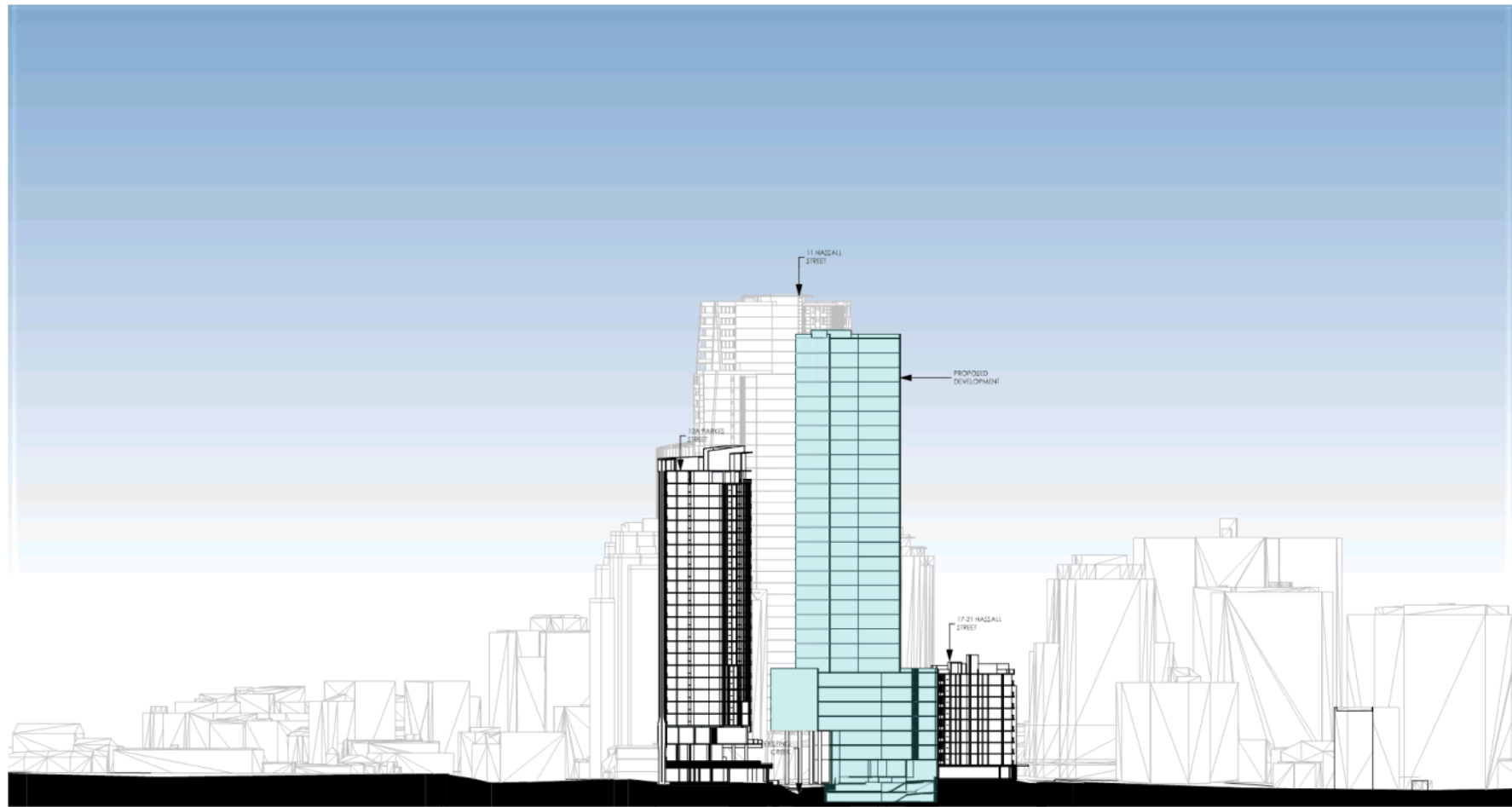
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**COMMERCIAL OFFICE DEVELOPMENT PLANNING PROPOSAL
 - 3.8m FLOOR TO FLOOR HEIGHT SCHEME**
 124 WIGRAM STREET PARRAMATTA NSW 2150
 DRAWING TITLE
NORTHERN BOUNDARY ELEVATION

NORTH POINT

DRAWN BY: JW, FW, LZ, JR
 CHECKED BY: PI & LL
 SCALE: 1:250 AT A3
 PROJECT NO: P530

PP 14 P32.0
 Stage design make

C:\PS\2018\PSD - 124 Wigram Street - Work Path\DRAWING\2D\2\FACE - 20131_Plan\124 WIGRAM STREET_PP_11104_PP_CD\COMMERCIAL_2401.dwg Print: 14/01/2024



1 WIGRAM STREET SECTION
1:1000



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Nominated Registered Architect: Peter Israel (reg no 5064)
ABN 90 950 071 022

REV	DESCRIPTION	BY	DATE
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CLIENT
SKY BLUE DEVELOPMENTS

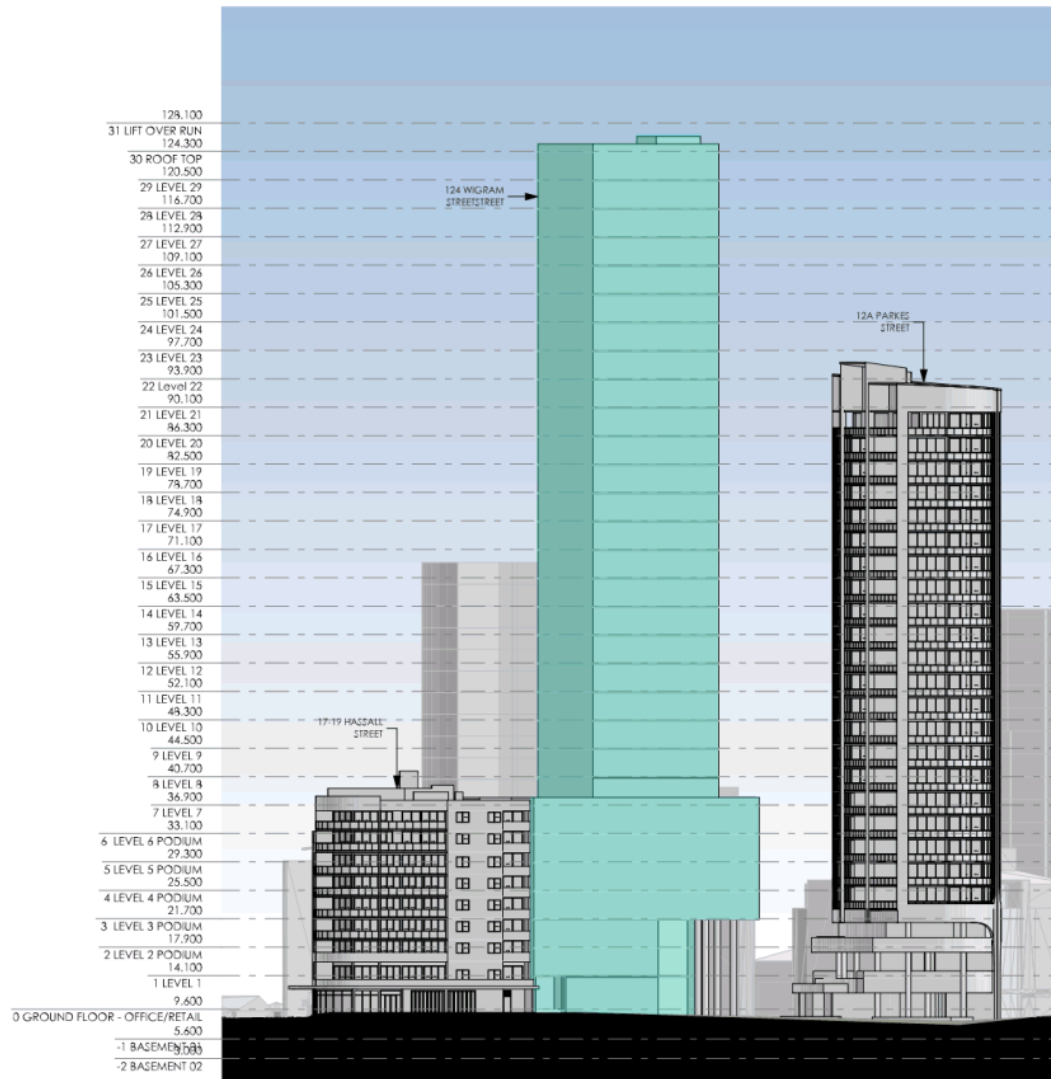
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124 WIGRAM STREET PARRAMATTA NSW 2150
DRAWING TITLE
STREET SECTION

NORTH POINT

DRAWN BY: JW, FW, LZ, JR
CHECKED BY: PI & LL
SCALE: 1:1000 AT A3
PROJECT No: P530

PP 15 P32.0
stage design make

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1 CHARLES STREET ELEVATION
1:600



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Nominated Registered Architect: Peter Israel (reg no 5094)
ABN 90 950 071 022

REV	DESCRIPTION	BY	DATE
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P30.0	CLIENT GIVE	DP	29.11.23
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CLIENT
SKY BLUE DEVELOPMENTS

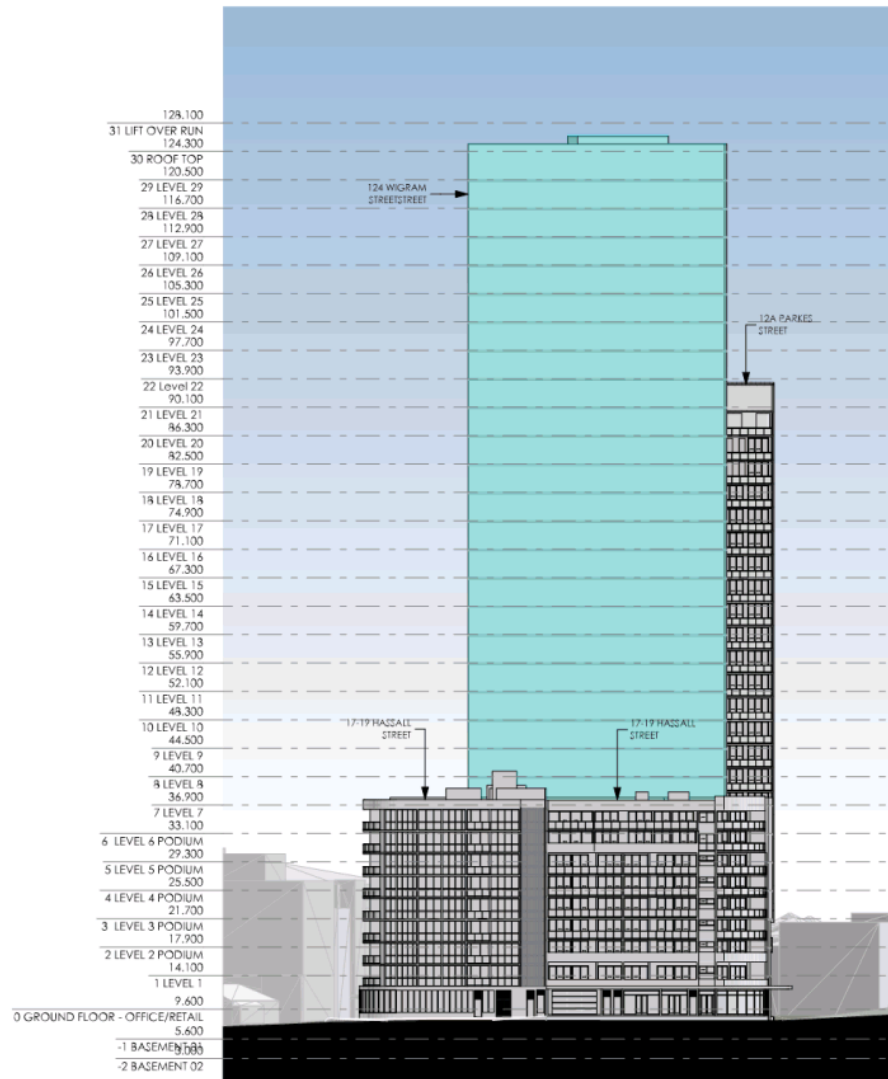
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124 WIGRAM STREET PARRAMATTA NSW 2150

DRAWING TITLE
CHARLES STREET ELEVATION

DRAWN BY: JW, FW, LZ, JR
CHECKED BY: PI & LL
SCALE: 1:600 AT A3
PROJECT NO: P530

PP 16 P32.0
stage design make

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1 HASSALL STREET ELEVATION
1:600



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Nominated Registered Architect: Peter Israel (reg no 5064)
ABN 90 950 071 022

REV	DESCRIPTION	BY	DATE
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SKY BLUE DEVELOPMENTS

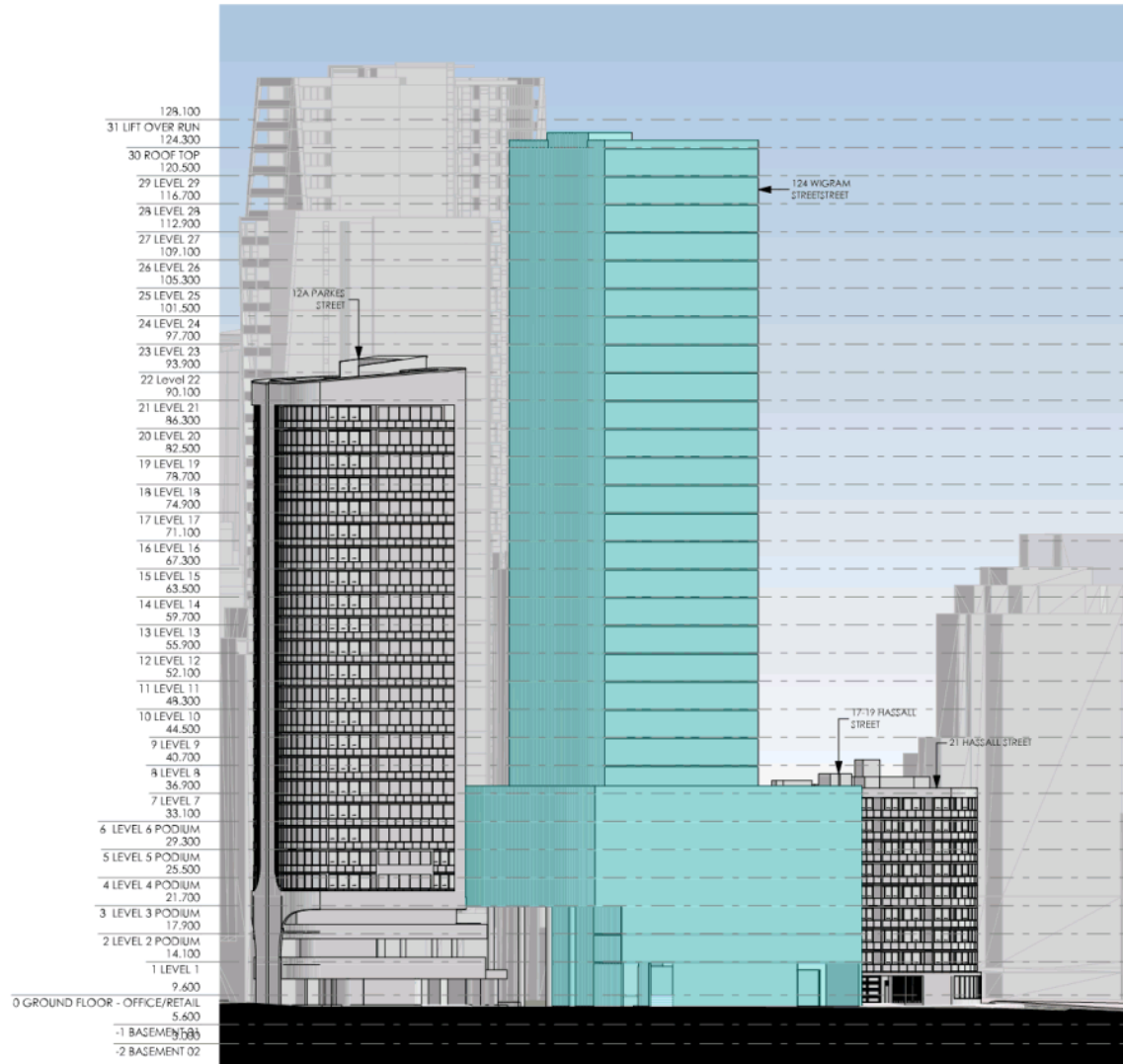
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COMMERCIAL OFFICE DEVELOPMENT PLANNING PROPOSAL
- 3.8m FLOOR TO FLOOR HEIGHT SCHEME
124 WIGRAM STREET PARRAMATTA NSW 2150
DRAWING FILE:
HASSALL STREET ELEVATION

NORTH POINT

DRAWN BY: JW, FW, LZ, JR
CHECKED BY: PI & LL
SCALE: 1:600 AT A3
PROJECT No: P530

PP 17 P32.0
Stage design make

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1 WIGRAM STREET ELEVATION
1:600



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ABN 90 050 071 022

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P31.0	CLIENT GDD	LZ	06.01.24
P32.0	CLIENT GDD	LZ	16.01.24

CLIENT
SKY BLUE DEVELOPMENTS

PROJECT FILE:
COMMERCIAL OFFICE DEVELOPMENT PLANNING PROPOSAL - 3.8m FLOOR TO FLOOR HEIGHT SCHEME
124 WIGRAM STREET PARRAMATTA NSW 2150
DRAWING TITLE:
WIGRAM STREET ELEVATION

NORTH POINT

DRAWN BY: JW, FW, LZ, JR
CHECKED BY: PI & LL
SCALE: 1:600 AT A3
PROJECT NO: P530

PP 18 P32.0
stage design make

DEVELOPMENT CALCULATION

FSR CALCULATION

SITE AREA	1559m ²
FSR PERMITTED	11.5:1 (17 928.5 m²)
FSR PROPOSED	10.68:1 (16 656.9 m²)
<p>An area schedule should be provided showing how the GFA is arrived at. For GFA yield calculations, assume:</p> <ul style="list-style-type: none"> Residential GFA = 75% of GBA (GBA includes external walls, internal voids and balconies). Commercial GFA = 85% of GBA. 	

NO. OF LEVELS

BASEMENTS	2 LEVELS
GROUND LEVEL	1 LEVEL
NO. OF PODIUM OFFICE LEVELS	6 LEVELS
NO. OF TYPICAL OFFICE LEVELS	23 LEVELS
TOTAL	30 LEVELS + 2 BASEMENTS

DEEP SOIL AREA CALCULATION

PROPOSED DEEP SOIL AREA	159m ² (10% SITE AREA)
--------------------------------	-----------------------------------



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REV	DESCRIPTION
P22.0	CLIENT GDU
P23.0	CLIENT GDU
P24.0	CLIENT GDU
P25.0	CLIENT GDU
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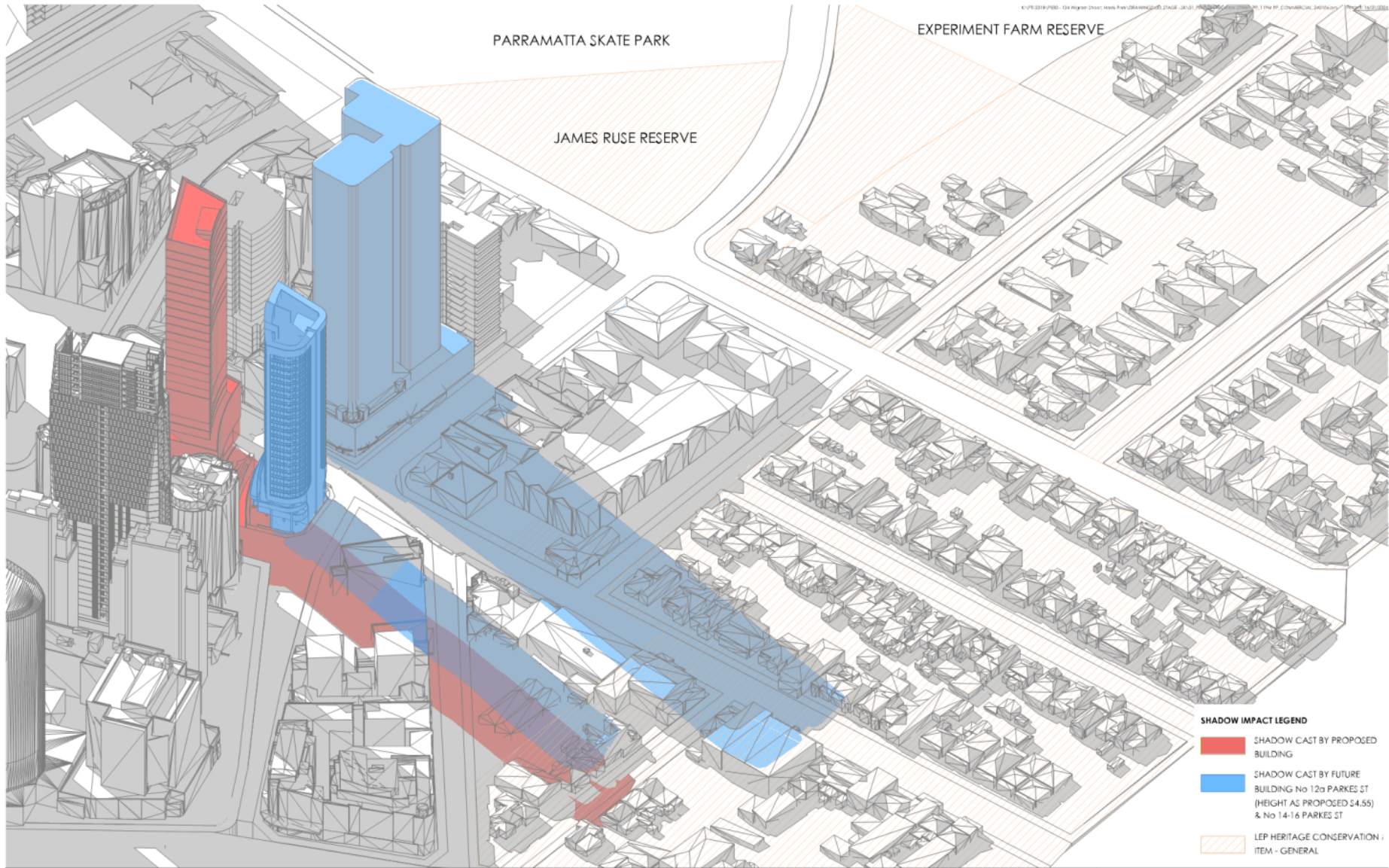
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LZ	06.01.24
LZ	16.01.24

CLIENT
SKY BLUE DEVELOPMENTS

PROJECT FILE:
COMMERCIAL OFFICE DEVELOPMENT PLANNING PROPOSAL - 3.8m FLOOR TO FLOOR HEIGHT SCHEME
 124 WIGRAM STREET PARRAMATTA NSW 2150
 DRAWING FILE:
DEVELOPMENT CALCULATION

DRAWN BY: JW, FW, LZ, JR
 CHECKED BY: PI & LL
 SCALE: AT A3
 PROJECT NO: P530

PP 19 P32.0
stage design make



REV	DESCRIPTION	BY	DATE
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P30.0	CLIENT GDU	DP	29.11.23
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P32.0	CLIENT GDU	LZ	16.01.24

CLIENT:
SKY BLUE DEVELOPMENTS

PROJECT TITLE:
COMMERCIAL OFFICE DEVELOPMENT PLANNING PROPOSAL - 3.8m FLOOR TO FLOOR HEIGHT SCHEME
124 WIGRAM STREET PARRAMATTA NSW 2150

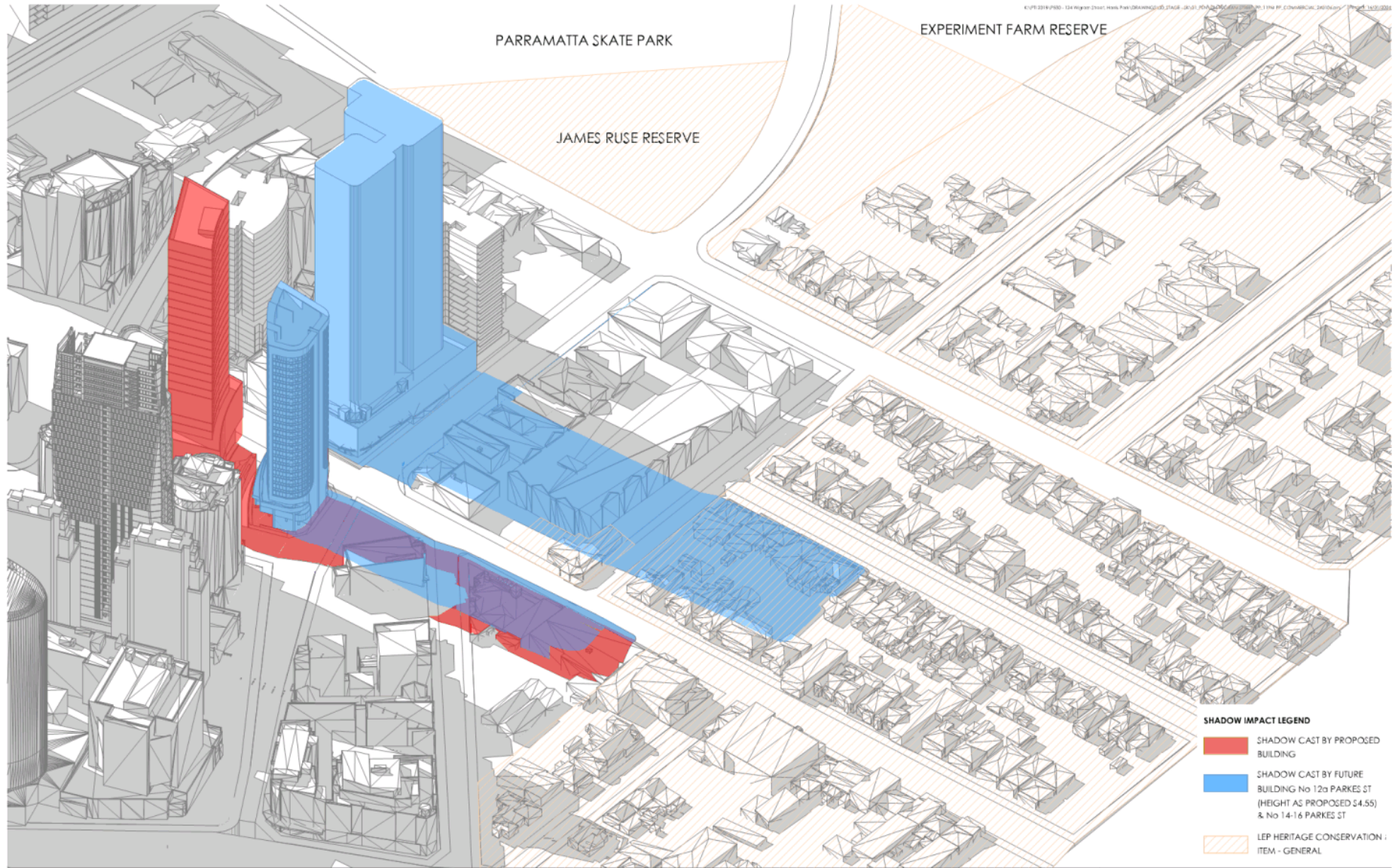
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DRAWN BY: JW, FW, LZ, JR
CHECKED BY: PI & LL
SCALE: 1:1200, 1:100 AT A3
PROJECT NO: P530

PP 20 P32.0
stage design scheme



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ABN 90 950 071 022



SHADOW IMPACT LEGEND

- SHADOW CAST BY PROPOSED BUILDING
- SHADOW CAST BY FUTURE BUILDING No 12a PARKES ST (HEIGHT AS PROPOSED S4.55) & No 14-16 PARKES ST
- LEP HERITAGE CONSERVATION ITEM - GENERAL

REV	DESCRIPTION	BY	DATE
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P32.0	CLIENT GDU	LZ	16.01.24

CLIENT:
SKY BLUE DEVELOPMENTS

PROJECT TITLE:
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124 WIGRAM STREET PARRAMATTA NSW 2150

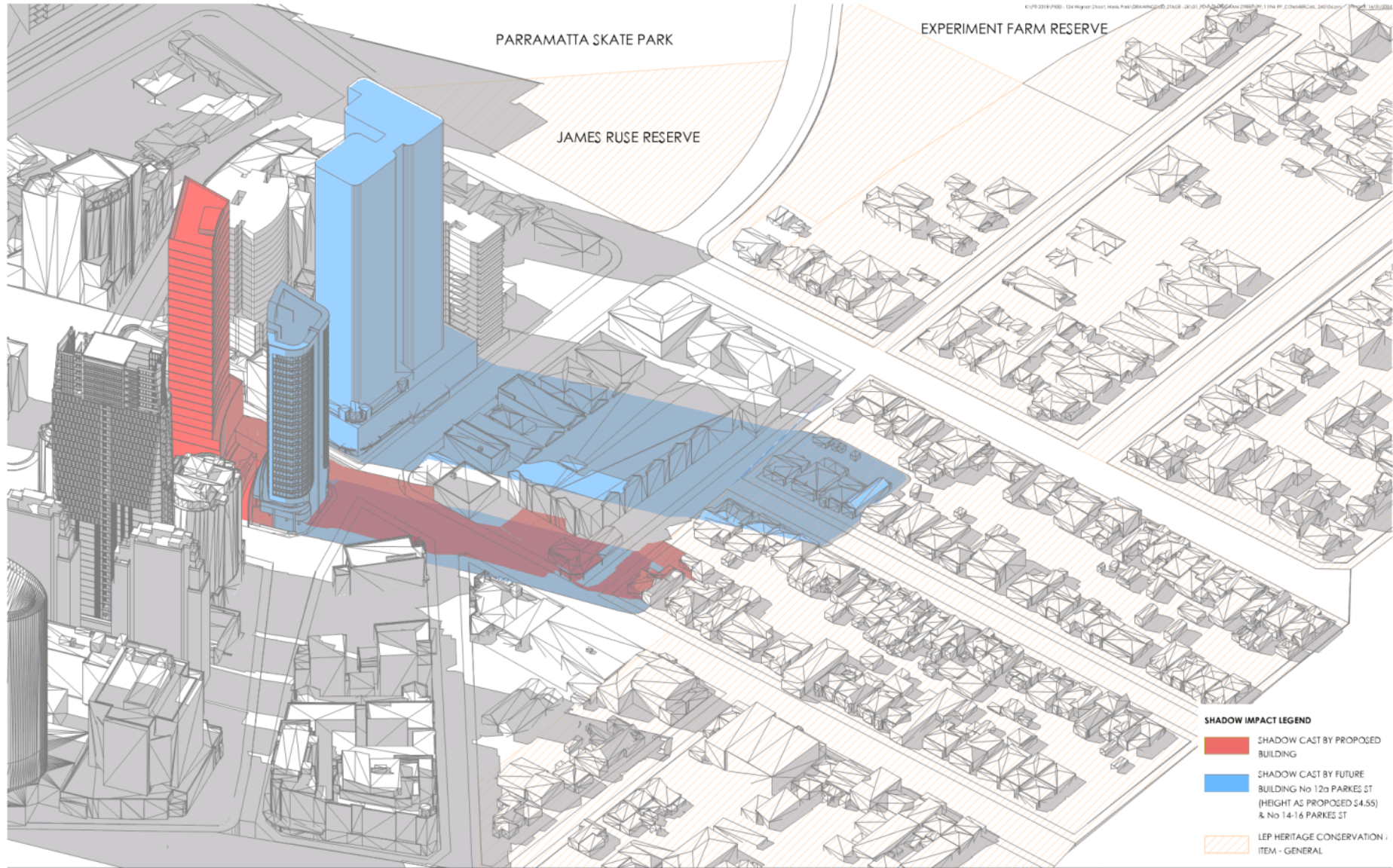
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PROJECT NO: P530

PP 21 P32.0
stage design review

pti ARCHITECTURE
Tourism + Residential

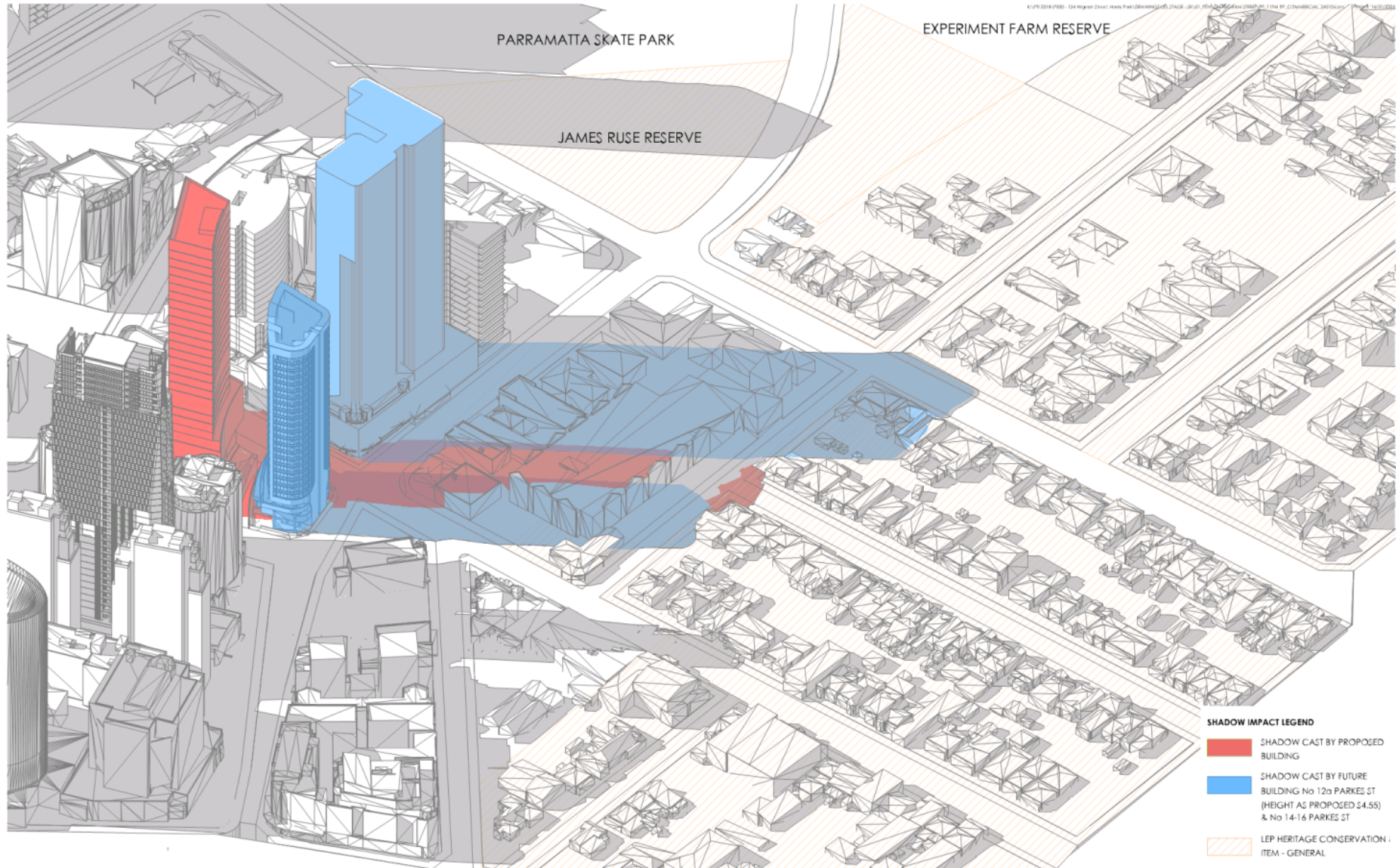
Level 10, 263 Clarence Street, Sydney NSW 2000
+61 2 9253 0880 | www.ptiarchitecture.com.au
Nominated Registered Architect: Peter Israel (reg no 5004)
ABN 90 050 071 022



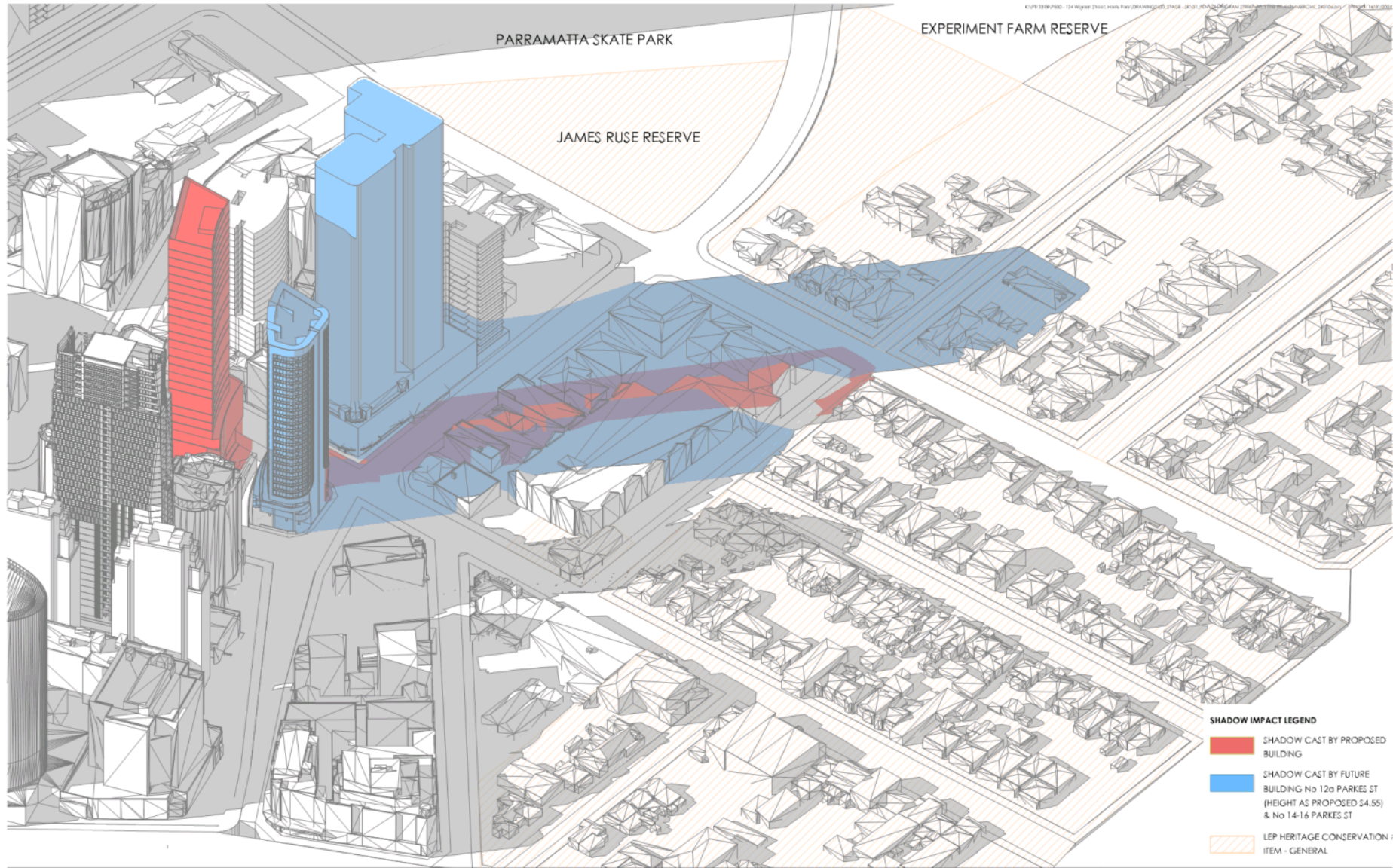
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P23.0	CLIENT GUIDE	LL	14.03.23			PI & LL
P24.0	CLIENT GUIDE	JR	19.03.23			ICAR: 1:1200, 1:100 AT A3
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P27.0	CLIENT GUIDE	LZ	29.03.23			stage design sketch
P28.0	CLIENT GUIDE	JR	26.03.23			
P29.0	CLIENT GUIDE	LZ	06.09.23			
P30.0	CLIENT GUIDE	DP	29.11.23			
P31.0	CLIENT GUIDE	LZ	06.01.24			
P32.0	CLIENT GUIDE	LZ	16.01.24			

pti ARCHITECTURE
Tourism + Residential

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Nominated Registered Architect: Peter Israel (reg no 5094)
ABN 90 950 071 022



<p>Level 10, 263 Clarence Street, Sydney NSW 2000 +61 2 9263 0880 www.ptiarchitecture.com.au Nominated Registered Architect: Peter Israel (reg no 5064) ABN 90 950 071 022</p>	REV DESCRIPTION P22.0 CLIENT GDU P23.0 CLIENT GDU P24.0 CLIENT GDU P25.0 CLIENT GDU P26.0 CLIENT GDU P27.0 CLIENT GDU P28.0 CLIENT GDU P29.0 CLIENT GDU P30.0 CLIENT GDU P31.0 CLIENT GDU P32.0 CLIENT GDU	BY DATE LL 02.03.23 LL 14.03.23 JR 19.03.23 JR 29.03.23 JR 31.03.23 LZ 29.03.23 LZ 26.03.23 LZ 06.09.23 DP 29.11.23 LZ 06.01.24 LZ 16.01.24	CLIENT SKY BLUE DEVELOPMENTS	PROJECT TITLE COMMERCIAL OFFICE DEVELOPMENT PLANNING PROPOSAL - 3.8m FLOOR TO FLOOR HEIGHT SCHEME 124 WIGRAM STREET PARRAMATTA NSW 2150 DRAWING TITLE SHADOW DIAGRAMS 3D: 12 JUNE 1:00PM	DRAWN BY: JW, FW, LZ, JR CHECKED BY: PI & LL SCALE: 1:1200, 1:100 AT A3 PROJECT NO: P530 PP 23 P32.0 stage design scheme
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 <p>ARCHITECTURE Tourism + Residential</p>	<p>Level 10, 263 Clarence Street, Sydney NSW 2000 +61 2 9253 0880 www.ptiarchitecture.com.au Nominated Registered Architect: Peter Israel (reg no 5004) ABN 90 950 071 022</p>	<table border="0"> <tr><th>REV</th><th>DESCRIPTION</th><th>BY</th><th>DATE</th></tr> <tr><td>P22.0</td><td>CLIENT GUIDE</td><td>LL</td><td>02.03.23</td></tr> <tr><td>P23.0</td><td>CLIENT GUIDE</td><td>LL</td><td>14.03.23</td></tr> <tr><td>P24.0</td><td>CLIENT GUIDE</td><td>JR</td><td>19.03.23</td></tr> <tr><td>P25.0</td><td>CLIENT GUIDE</td><td>JR</td><td>29.03.23</td></tr> <tr><td>P26.0</td><td>CLIENT GUIDE</td><td>JR</td><td>31.03.23</td></tr> <tr><td>P27.0</td><td>CLIENT GUIDE</td><td>LZ</td><td>29.03.23</td></tr> <tr><td>P28.0</td><td>CLIENT GUIDE</td><td>LZ</td><td>26.09.23</td></tr> <tr><td>P29.0</td><td>CLIENT GUIDE</td><td>LZ</td><td>06.09.23</td></tr> <tr><td>P30.0</td><td>CLIENT GUIDE</td><td>DP</td><td>29.11.23</td></tr> <tr><td>P31.0</td><td>CLIENT GUIDE</td><td>LZ</td><td>06.01.24</td></tr> <tr><td>P32.0</td><td>CLIENT GUIDE</td><td>LZ</td><td>16.01.24</td></tr> </table>	REV	DESCRIPTION	BY	DATE	P22.0	CLIENT GUIDE	LL	02.03.23	P23.0	CLIENT GUIDE	LL	14.03.23	P24.0	CLIENT GUIDE	JR	19.03.23	P25.0	CLIENT GUIDE	JR	29.03.23	P26.0	CLIENT GUIDE	JR	31.03.23	P27.0	CLIENT GUIDE	LZ	29.03.23	P28.0	CLIENT GUIDE	LZ	26.09.23	P29.0	CLIENT GUIDE	LZ	06.09.23	P30.0	CLIENT GUIDE	DP	29.11.23	P31.0	CLIENT GUIDE	LZ	06.01.24	P32.0	CLIENT GUIDE	LZ	16.01.24	<p>CLIENT: SKY BLUE DEVELOPMENTS</p>	<p>PROJECT FILE: COMMERCIAL OFFICE DEVELOPMENT PLANNING PROPOSAL - 3.8m FLOOR TO FLOOR HEIGHT SCHEME 124 WIGRAM STREET PARRAMATTA NSW 2150 DRAWING TITLE: SHADOW DIAGRAMS 3D: 12 JUNE 2:00PM</p>	<p>SHADOW IMPACT LEGEND</p> <ul style="list-style-type: none"> SHADOW CAST BY PROPOSED BUILDING SHADOW CAST BY FUTURE BUILDING No 12a PARKES ST (HEIGHT AS PROPOSED S4.55) & No 14-16 PARKES ST LEP HERITAGE CONSERVATION ITEM - GENERAL 	<p>DRAWN BY: JW, FW, LZ, JR CHECKED BY: PI & LL SCALE: 1:1200, 1:100 AT A3 PROJECT NO: P530</p> <p>PP 24 P32.0 stage design scheme</p>
REV	DESCRIPTION	BY	DATE																																																			
P22.0	CLIENT GUIDE	LL	02.03.23																																																			
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P32.0	CLIENT GUIDE	LZ	16.01.24																																																			

K:\PS 2019\PS0 - 124 Wigram Street, Parramatta\DRAWING\2023\FACE - 2023\PLAN\124 WIGRAM STREET_PP_11704_PP_CD\COMMERCIAL_S460.dwg PLOT: 14/01/2024



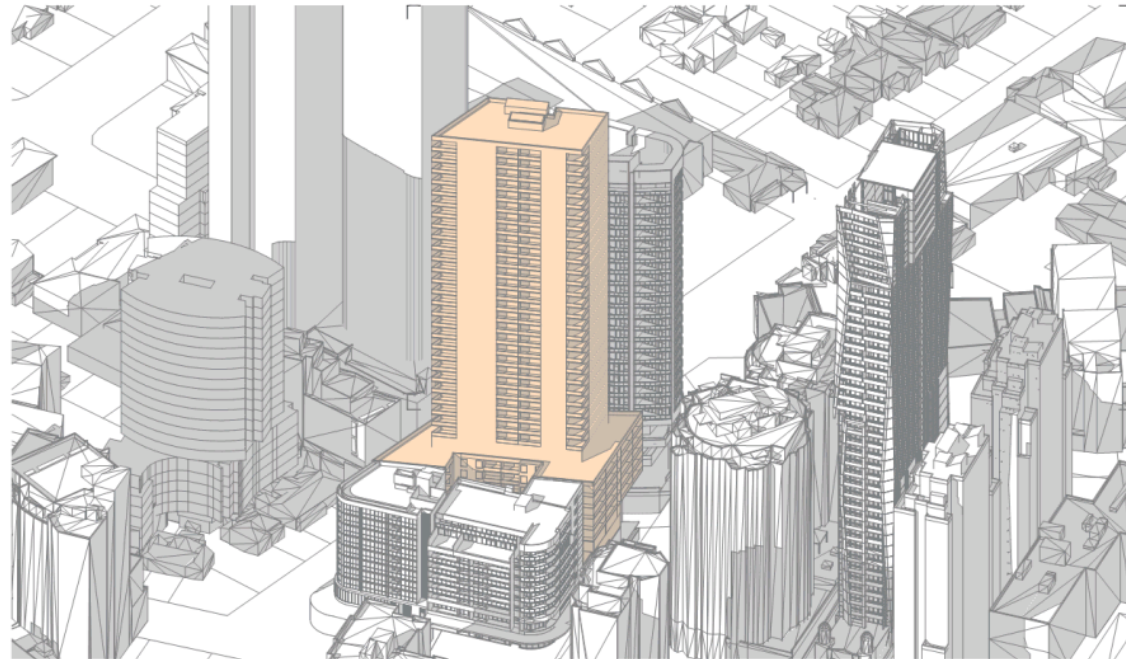
Level 10, 253 Clarence Street, Sydney NSW 2000
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 Nominated Registered Architect: Peter Israel (reg no 5054)
 ABN 90 950 071 022

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P23.0	CLIENT GDU	LL	14.03.23	
P24.0	CLIENT GDU	JR	19.05.23	
P25.0	CLIENT GDU	JR	29.05.23	
P26.0	CLIENT GDU	JR	01.06.23	
P27.0	CLIENT GDU	LZ	29.06.23	
P28.0	CLIENT GDU	LZ	26.09.23	
P29.0	CLIENT GDU	LZ	06.09.23	
P30.0	CLIENT GDU	DP	29.11.23	
P31.0	CLIENT GDU	LZ	06.01.24	
P32.0	CLIENT GDU	LZ	16.01.24	

PROJECT TITLE:
COMMERCIAL OFFICE DEVELOPMENT PLANNING PROPOSAL
- 3.8m FLOOR TO FLOOR HEIGHT SCHEME
 124 WIGRAM STREET PARRAMATTA NSW 2150
 DRAWING TITLE:
17-19 HASSALL STREET AGAINST THE
CBD DCP CONTROLS

NO.	NAME	DATE
1	JW, FW, LZ, JR	
2	PI & LL	
3	1:300 AT A3	
4	P530	
5	PP 25 P32.0	
6	stage design submit	

DRAWING LIST	
00	COVER SHEET
01	LOCATION PLAN
02	SITE PLAN
03	SURVEY PLAN
04	BASEMENT 02
05	BASEMENT 01
06	GROUND FLOOR - COMMERCIAL
07	LEVEL 1 - COMMERCIAL PODIUM PLAN
08	LEVEL 2 - RESIDENTIAL LEVEL PODIUM PLAN
09	LEVEL 3-7 - RESIDENTIAL PODIUM PLAN
10	LEVEL 8 - RESIDENTIAL PODIUM PLAN
11	LEVEL 9 - 35- TYPICAL RESIDENTIAL FLOOR PLAN
12	SECTION A
13	SECTION B
14	SECTION C
15	NORTHERN BOUNDARY ELEVATION
16	STREET SECTION
17	CHARLES STREET ELEVATION
18	HASSALL STREET ELEVATION
19	WIGRAM STREET ELEVATION
20	DEVELOPMENT CALCULATION
21	SHADOW DIAGRAMS 3D: 12 JUNE 10:00AM
22	SHADOW DIAGRAMS 3D: 12 JUNE 1:00PM
22	SHADOW DIAGRAMS 3D: 12 JUNE 11:00AM
23	SHADOW DIAGRAMS 3D: 12 JUNE 12:00PM
23	SHADOW DIAGRAMS 3D: 12 JUNE 2:00PM
26	17-19 HASSALL STREET AGAINST THE CBD DCP CONTROLS

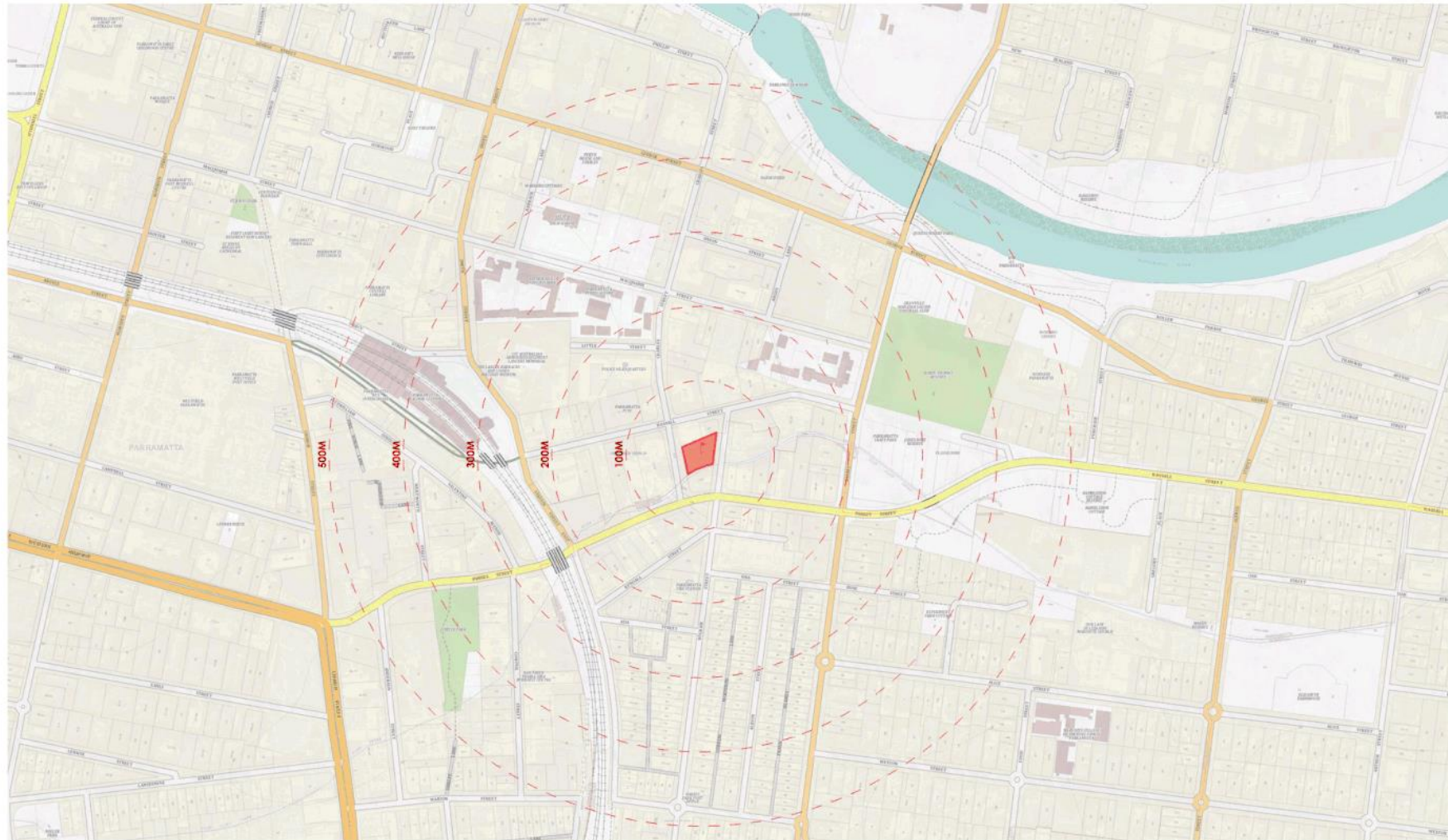


PLANNING PROPOSAL
 124 WIGRAM STREET, PARRAMATTA NSW 2150
 MIXED USE PODIUM WITH RESIDENTIAL TOWER SCHEME

PREPARED FOR

SKY BLUE DEVELOPMENTS

K:\P330\REF\124 Wigram Street Parramatta\DWG\REF\124_P330_PP\REF\124_P330_PP_RESIDENTIAL_TOWER_P3401.dwg - Print: 14/01/2024



1 LOCATION PLAN
1:5000



Level 10, 255 Clarence Street, Sydney NSW 2000
+61 2 9263 0880 | www.ptiarchitecture.com.au
Nominated Registered Architect: Peter Israel (reg no 5056)
ABN 90 050 071 022

REV	DESCRIPTION
P24.0	CLIENT GDU
P25.0	CLIENT GDU
P26.0	CLIENT GDU
P27.0	CLIENT GDU
P28.0	CLIENT GDU
P29.0	CLIENT GDU
P30.0	CLIENT GDU - COMMERCIAL
P31.0	CLIENT GDU - RESIDENTIAL
P32.0	CLIENT GDU - RESIDENTIAL
P33.0	CLIENT GDU - RESIDENTIAL
P34.0	CLIENT GDU - RESIDENTIAL

REV	DATE
JR	19.05.23
JR	20.05.23
JR	01.06.23
LZ	29.06.23
LZ	06.07.23
LZ	08.07.23
DP	20.11.23
DP	30.11.23
DP	06.12.23
LZ	09.01.24
LZ	16.01.24

CLIENT
SKY BLUE DEVELOPMENTS

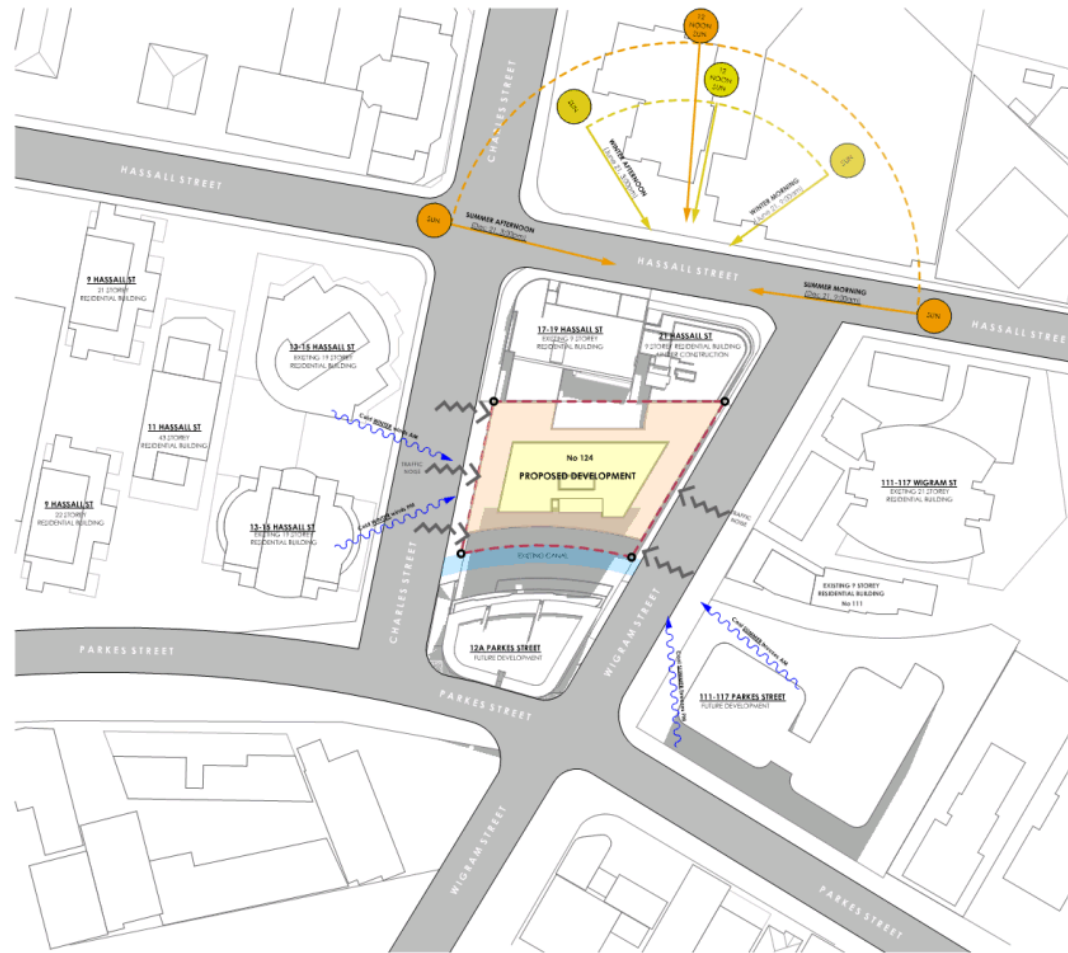
PROJECT FILE:
PROPOSED MIXED USE DEVELOPMENT PLANNING PROPOSAL - MIXED USE PODIUM WITH RESIDENTIAL TOWER
124 WIGRAM STREET PARRAMATTA NSW 2150
DRAWING TITLE:
LOCATION PLAN

NUMBER:

DRAWN BY: JW, FW, LZ, JR
CHECKED BY: PI & LL
SCALE: 1:5000 AT A3
PROJECT NO: P530

PP 01 P34.0
stage design make

K:\P3\2018\P303 - 124 Wigram Street - Mixed Use Development\CD_21AC68 - 20.01_Plan\P303 - 124 Wigram Street_V04_PP_1104-PP-RESIDENTIAL TOWER_240116.dwg PLOT: 14/01/2024



1 SITE PLAN & ANALYSIS PLAN
1:1000

INDICATIVE PODIUM ENVELOPE INDICATIVE TOWER ENVELOPE EXISTING CANAL



Level 10, 253 Clarence Street, Sydney NSW 2030
+ 61 2 9253 0880 | www.ptiarchitecture.com.au
Nominated Registered Architect: Peter Israel (reg no 5054)
ABN 90 950 071 022

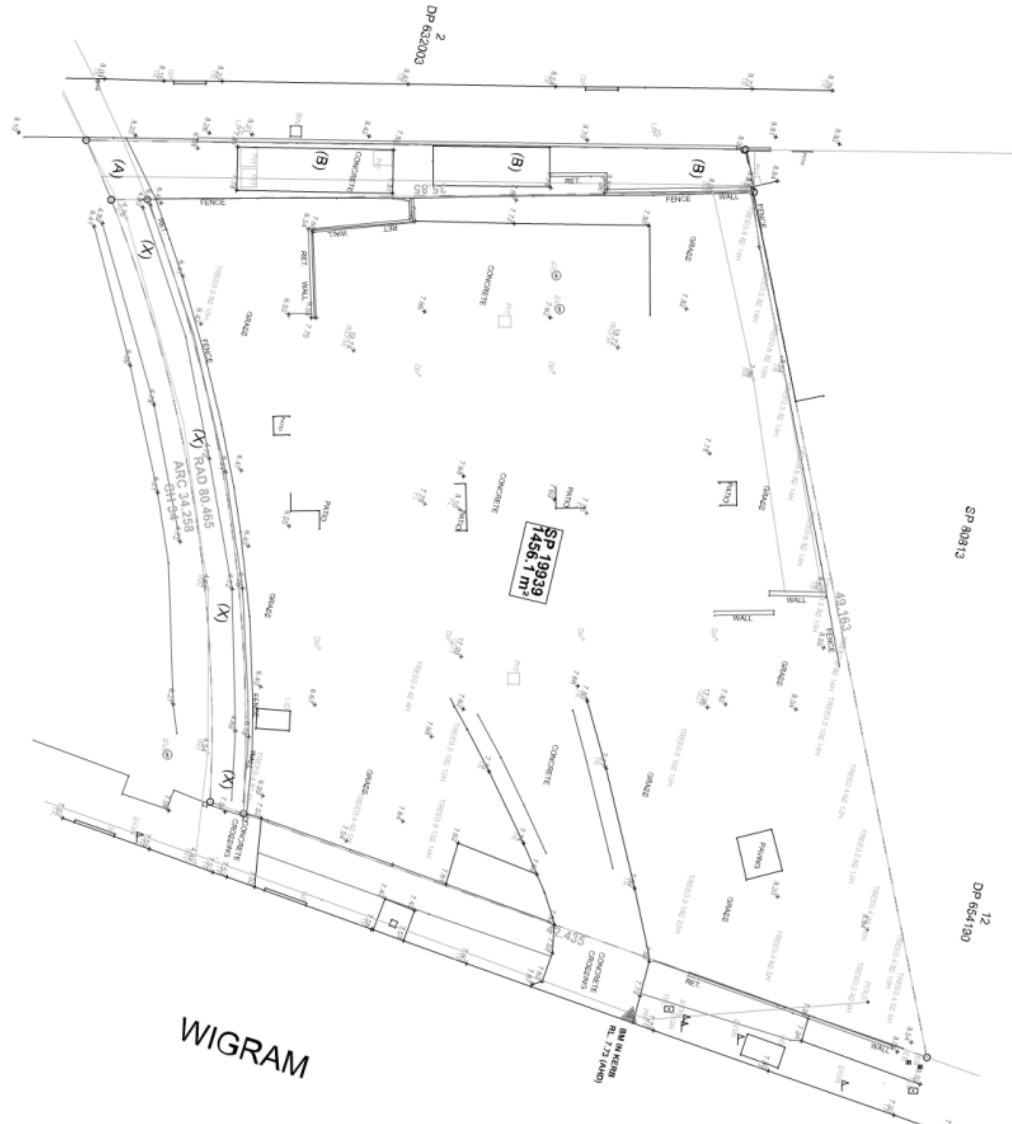
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P27.0	CLIENT GDU	LZ	29.06.23
P28.0	CLIENT GDU	LZ	06.07.23
P29.0	CLIENT GDU	LZ	08.07.23
P30.0	CLIENT GDU - COMMERCIAL	DP	29.11.23
P31.0	CLIENT GDU - RESIDENTIAL	DP	30.11.23
P32.0	CLIENT GDU - RESIDENTIAL	DP	06.12.23
P33.0	CLIENT GDU - RESIDENTIAL	LZ	09.01.24
P34.0	CLIENT GDU - RESIDENTIAL	LZ	16.01.24

CLIENT
SKY BLUE DEVELOPMENTS

PROJECT TITLE:
PROPOSED MIXED USE DEVELOPMENT PLANNING PROPOSAL - MIXED USE PODIUM WITH RESIDENTIAL TOWER
124 WIGRAM STREET PARRAMATTA NSW 2150
DRAWING TITLE:
SITE PLAN



PROJECT NO:
DRAWN BY: JW, FW, LZ, JR
CHECKED BY: PI & LL
SCALE: 1:1000 AT A3
PROJECT NO: P530
PP 02 P34.0
stage design make



Level 10, 253 Clarence Street, Sydney NSW 2030
 • St 2 9253 0880 | www.ptiarchitecture.com.au
 Nominated Registered Architect: Peter Israel (reg no 5054)
 ABN 90 950 071 022

REV	DESCRIPTION
P24.0	CLIENT GDU
P25.0	CLIENT GDU
P26.0	CLIENT GDU
P27.0	CLIENT GDU
P28.0	CLIENT GDU
P29.0	CLIENT GDU
P30.0	CLIENT GDU - COMMERCIAL
P31.0	CLIENT GDU - RESIDENTIAL
P32.0	CLIENT GDU - RESIDENTIAL
P33.0	CLIENT GDU - RESIDENTIAL
P34.0	CLIENT GDU - RESIDENTIAL

REV	DATE
01	19.05.23
02	29.06.23
03	01.08.23
04	29.09.23
05	09.10.23
06	29.11.23
07	08.12.23
08	09.01.24
09	30.11.23
10	06.12.23
11	09.01.24
12	16.01.24

CLIENT:
SKY BLUE DEVELOPMENTS

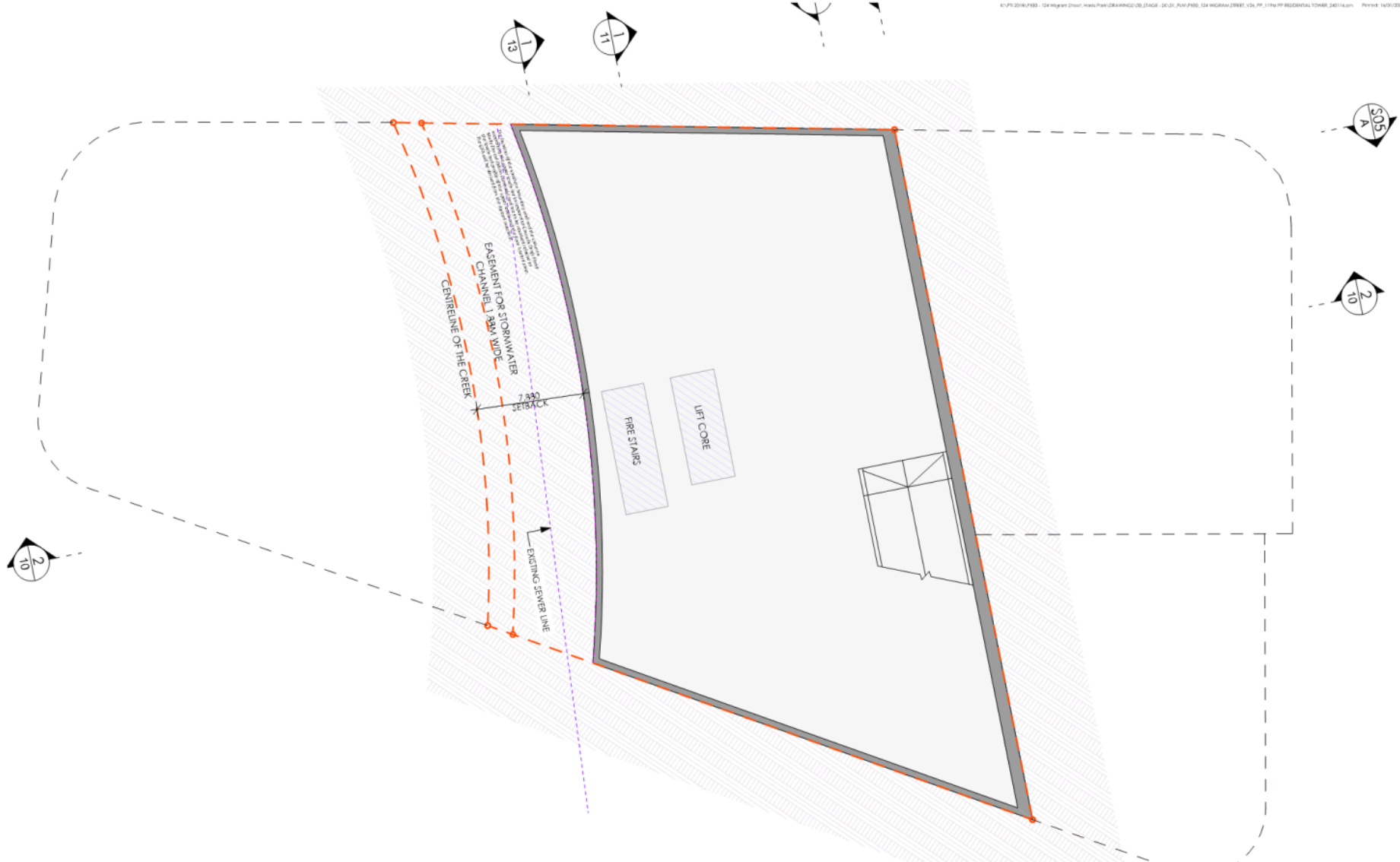
PROJECT FILE:
PROPOSED MIXED USE DEVELOPMENT PLANNING PROPOSAL - MIXED USE PODIUM WITH RESIDENTIAL TOWER
 124 WIGRAM STREET PARRAMATTA NSW 2150
 DRAWING TITLE:
SURVEY PLAN



DRAWN BY: JW, FW, LZ, JR
 CHECKED BY: PI & LL
 SCALE: 1:250 AT A3
 PROJECT NO: P530

PP 03 P34.0
 Stage design make

K:\P3\2018\P303 - 124 Wigram Street - Mixed Use\Drawings\02_BASIS - 02_01_Plan_P303_124 Wigram Street_V04_PP_1184 PP Residential Tower_240116.dwg Plot No: 14010304



Level 10, 253 Clarence Street, Sydney NSW 2030
 +61 2 9253 0800 | www.ptiarchitecture.com.au
 Nominated Registered Architect: Peter Israel (reg no 5004)
 ABN 90 950 071 022

REV	DESCRIPTION
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P25.0	CLIENT ISSUE
P26.0	CLIENT ISSUE
P27.0	CLIENT ISSUE
P28.0	CLIENT ISSUE
P29.0	CLIENT ISSUE
P30.0	CLIENT ISSUE - COMMERCIAL
P31.0	CLIENT ISSUE - RESIDENTIAL
P32.0	CLIENT ISSUE - RESIDENTIAL
P33.0	CLIENT ISSUE - RESIDENTIAL
P34.0	CLIENT ISSUE - RESIDENTIAL

BY	DATE
JR	19.05.23
JR	29.06.23
JR	01.06.23
LZ	29.06.23
LZ	06.07.23
LZ	08.07.23
DP	29.11.23
DP	30.11.23
DP	06.12.23
LZ	09.01.24
LZ	16.01.24

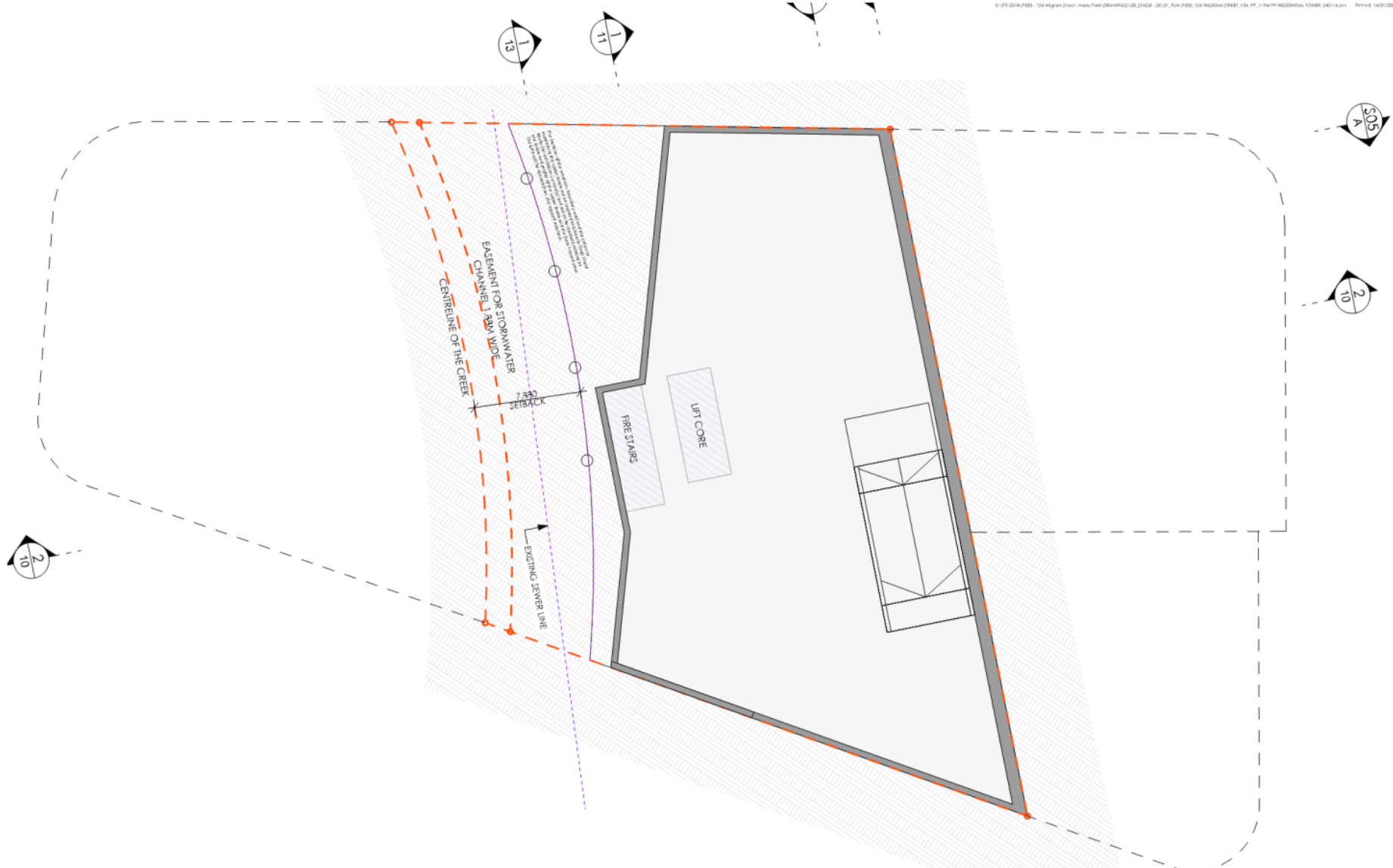
CLIENT:
SKY BLUE DEVELOPMENTS

PROJECT FILE:
PROPOSED MIXED USE DEVELOPMENT PLANNING PROPOSAL - MIXED USE PODIUM WITH RESIDENTIAL TOWER
 124 WIGRAM STREET PARRAMATTA NSW 2150
 DRAWING TITLE:
BASEMENT 02



DRAWN BY: JW, FW, LZ, JR
 CHECKED BY: PI & LL
 SCALE: 1:250 AT A3
 PROJECT No: P530
 PP 04 P34.0
 Stage: design sketch

K:\P3\2018\P303 - 124 Wigram Street - Mixed Use Development\CD_21AC6 - 20.01_Plan_P303_124 Wigram Street_V04_PP_1184 PP Residential Tower_240116.dwg Plot No: 14010304



Level 10, 263 Clarence Street, Sydney NSW 2030
 +61 2 9263 0800 | www.ptiarchitecture.com.au
 Nominated Registered Architect: Peter Israel (reg no 5004)
 ABN 90 950 071 022

REV	DESCRIPTION	BY	DATE
P24.0	CLIENT ISSUE	JR	19.05.23
P25.0	CLIENT ISSUE	JR	29.06.23
P26.0	CLIENT ISSUE	JR	01.06.23
P27.0	CLIENT ISSUE	LZ	29.06.23
P28.0	CLIENT ISSUE	LZ	06.07.23
P29.0	CLIENT ISSUE	LZ	08.07.23
P30.0	CLIENT ISSUE - COMMERCIAL	DP	29.11.23
P31.0	CLIENT ISSUE - RESIDENTIAL	DP	30.11.23
P32.0	CLIENT ISSUE - RESIDENTIAL	DP	06.12.23
P33.0	CLIENT ISSUE - RESIDENTIAL	LZ	09.01.24
P34.0	CLIENT ISSUE - RESIDENTIAL	LZ	16.01.24

CLIENT:
SKY BLUE DEVELOPMENTS

PROJECT FILE:
PROPOSED MIXED USE DEVELOPMENT PLANNING PROPOSAL - MIXED USE PODIUM WITH RESIDENTIAL TOWER
 124 WIGRAM STREET PARRAMATTA NSW 2150
 DRAWING TITLE:
BASEMENT 01



DRAWN BY: JW, FW, LZ, JR
 CHECKED BY: PI & LL
 SCALE: 1:250 AT A3
 PROJECT NO: P530
 PP 05 P34.0
 Stage design make



GROUND LEVEL FLOOR
PLATE IS INDICATIVE AND IS
SUBJECT TO DETAILED
OVERLAND FLOOR LEVELS



Level 10, 253 Clarence Street, Sydney NSW 2030
+ 61 2 9263 0880 | www.ptiarchitecture.com.au
Nominated Registered Architect: Peter Israel (reg no 5004)
ABN 90 050 071 022

REV	DESCRIPTION
P24.0	CLIENT GUE
P25.0	CLIENT GUE
P26.0	CLIENT GUE
P27.0	CLIENT GUE
P28.0	CLIENT GUE
P29.0	CLIENT GUE
P30.0	CLIENT GUE - COMMERCIAL
P31.0	CLIENT GUE - RESIDENTIAL
P32.0	CLIENT GUE - RESIDENTIAL
P33.0	CLIENT GUE - RESIDENTIAL
P34.0	CLIENT GUE - RESIDENTIAL

REV	DATE
01	19.05.23
02	29.06.23
03	01.08.23
04	01.08.23
05	29.09.23
06	09.10.23
07	29.11.23
08	06.12.23
09	09.01.24
10	16.01.24

SKY BLUE
DEVELOPMENTS

PROJECT TITLE:
**PROPOSED MIXED USE DEVELOPMENT PLANNING PROPOSAL
- MIXED USE PODIUM WITH RESIDENTIAL TOWER**
124 WIGRAM STREET PARRAMATTA NSW 2150
DRAWING TITLE:
GROUND FLOOR - COMMERCIAL



PROJECT NO: P530
DRAWN BY: JW, FW, LZ, JR
CHECKED BY: PI & LL
SCALE: 1:250 AT A3

PP 06 P34.0
stage design make



LEVELS 1 & 2 FLOOR PLATES ARE INDICATIVE AND ARE SUBJECT TO DETAILED OVERLAND FLOOR LEVELS



Level 10, 253 Clarence Street, Sydney NSW 2030
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 Nominated Registered Architect: Peter Israel (reg no 5004)
 ABN 90 950 071 022

REV	DESCRIPTION
P24.0	CLIENT GDU
P25.0	CLIENT GDU
P26.0	CLIENT GDU
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P34.0	CLIENT GDU - RESIDENTIAL

REV	DATE
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WR	29.06.23
JR	01.06.23
LZ	29.06.23
LZ	06.09.23
OP	29.11.23
OP	30.11.23
OP	06.12.23
LZ	09.01.24
LZ	16.01.24

CLIENT:
SKY BLUE DEVELOPMENTS

PROJECT TITLE:
PROPOSED MIXED USE DEVELOPMENT PLANNING PROPOSAL - MIXED USE PODIUM WITH RESIDENTIAL TOWER
 124 WIGRAM STREET PARRAMATTA NSW 2150
 DRAWING TITLE:
LEVEL 1 - COMMERCIAL PODIUM PLAN



DRAWN BY: JW, FW, LZ, JR
 CHECKED BY: PI & LL
 SCALE: 1:250 AT A3
 PROJECT NO: P530

PP 07 P34.0
 stage design make



LEVELS 1 & 2 FLOOR PLATES ARE INDICATIVE AND ARE SUBJECT TO DETAILED OVERLAND FLOOR LEVELS



Level 10, 253 Clarence Street, Sydney NSW 2030
 +61 2 9253 0880 | www.ptiarchitecture.com.au
 Nominated Registered Architect: Peter Israel (reg no 5094)
 ABN 90 950 071 022

REV	DESCRIPTION	BY	DATE
P24.0	CLIENT GDU	JR	19.05.23
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P27.0	CLIENT GDU	LZ	29.08.23
P28.0	CLIENT GDU	LZ	06.09.23
P29.0	CLIENT GDU	LZ	08.09.23
P30.0	CLIENT GDU - COMMERCIAL	OP	20.11.23
P31.0	CLIENT GDU - RESIDENTIAL	OP	30.11.23
P32.0	CLIENT GDU - RESIDENTIAL	OP	06.12.23
P33.0	CLIENT GDU - RESIDENTIAL	OP	09.01.24
P34.0	CLIENT GDU - RESIDENTIAL	LZ	16.01.24

CLIENT:
SKY BLUE DEVELOPMENTS

PROJECT FILE:
PROPOSED MIXED USE DEVELOPMENT PLANNING PROPOSAL - MIXED USE PODIUM WITH RESIDENTIAL TOWER
 124 WIGRAM STREET PARRAMATTA NSW 2150
 DRAWING FILE:
LEVEL 2 - RESIDENTIAL LEVEL PODIUM PLAN

DRAWN BY: JW, FW, LZ, JR
 CHECKED BY: PI & LL
 SCALE: 1:250 AT A3
 PROJECT NO: P530
 PP 08 P34.0
 Stage design make



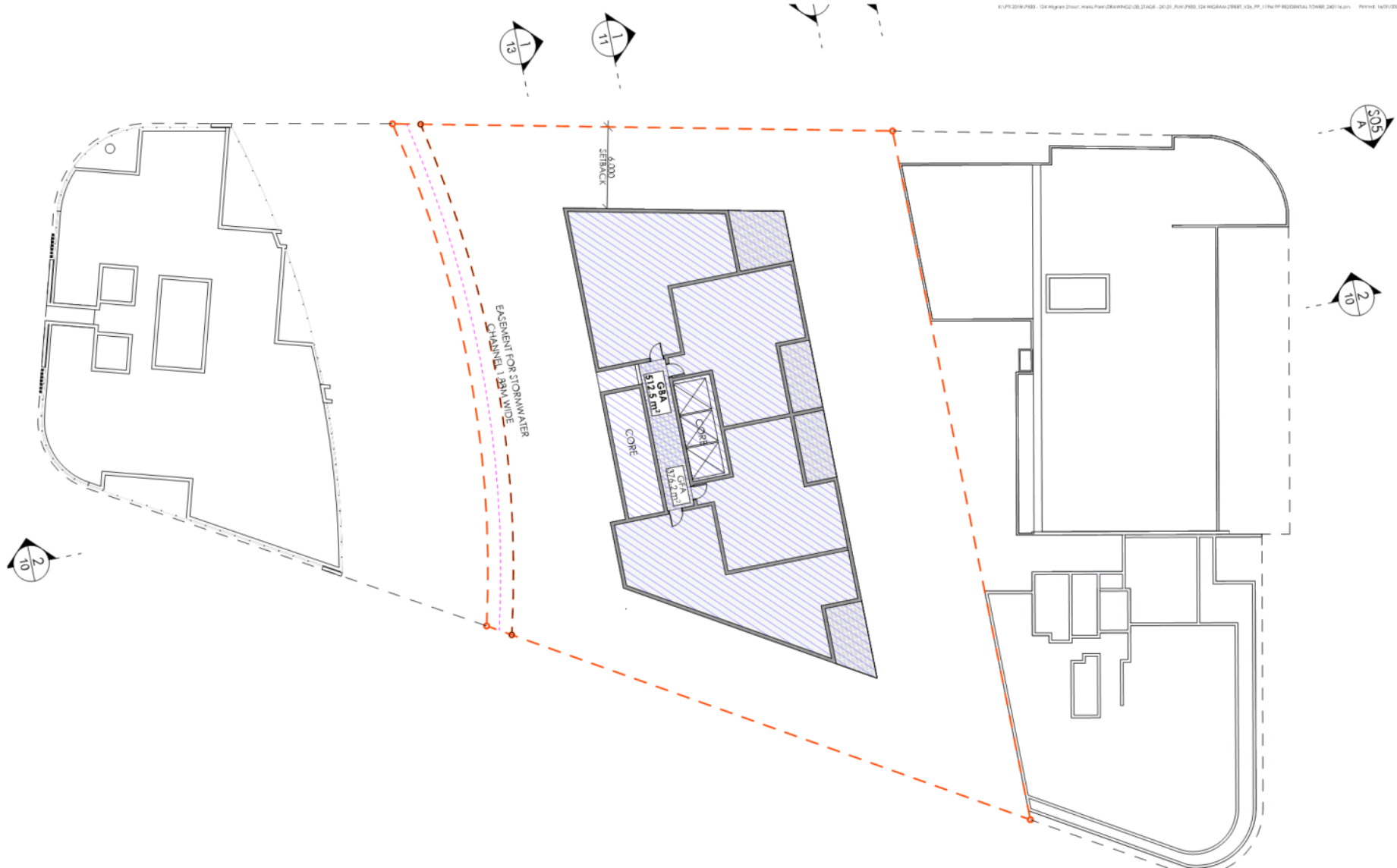
Level 10, 253 Clarence Street, Sydney NSW 2000
 +61 2 9263 0880 | www.ptiarchitecture.com.au
 Nominated Registered Architect: Peter Israel (reg no 5004)
 ABN 90 950 071 022

REV	DESCRIPTION	BY	DATE
P24.0	CLIENT GIVE	JR	19.05.23
P25.0	CLIENT GIVE	JR	29.06.23
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P27.0	CLIENT GIVE	LZ	29.09.23
P28.0	CLIENT GIVE	LZ	06.09.23
P29.0	CLIENT GIVE	LZ	08.09.23
P30.0	CLIENT GIVE - COMMERCIAL	OP	29.11.23
P31.0	CLIENT GIVE - RESIDENTIAL	OP	30.11.23
P32.0	CLIENT GIVE - RESIDENTIAL	OP	06.12.23
P33.0	CLIENT GIVE - RESIDENTIAL	LZ	09.01.24
P34.0	CLIENT GIVE - RESIDENTIAL	LZ	16.01.24

CLIENT:
SKY BLUE DEVELOPMENTS

PROJECT REF:
PROPOSED MIXED USE DEVELOPMENT PLANNING PROPOSAL - MIXED USE PODIUM WITH RESIDENTIAL TOWER
 124 WIGRAM STREET PARRAMATTA NSW 2150
 DRAWING TITLE:
LEVEL 8 - RESIDENTIAL PODIUM PLAN

NO. OF SHEETS: 10
 SHEET NO: P34.0
 DRAWN BY: JW, FW, LZ, JR
 CHECKED BY: PI & LL
 SCALE: 1:250 AT A3
 PROJECT NO: P530
 PP 10 P34.0
 Stage: design make



Level 10, 253 Clarence Street, Sydney NSW 2030
 +61 2 9263 0860 | www.ptiarchitecture.com.au
 Nominated Registered Architect: Peter Israel (reg no 5054)
 ABN 90 050 071 022

REV	DESCRIPTION	BY	DATE
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P25.0	CLIENT GIVE	JR	29.05.23
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P28.0	CLIENT GIVE	LZ	06.07.23
P29.0	CLIENT GIVE	LZ	08.07.23
P30.0	CLIENT GIVE - COMMERCIAL	DP	29.11.23
P31.0	CLIENT GIVE - RESIDENTIAL	DP	30.11.23
P32.0	CLIENT GIVE - RESIDENTIAL	DP	06.12.23
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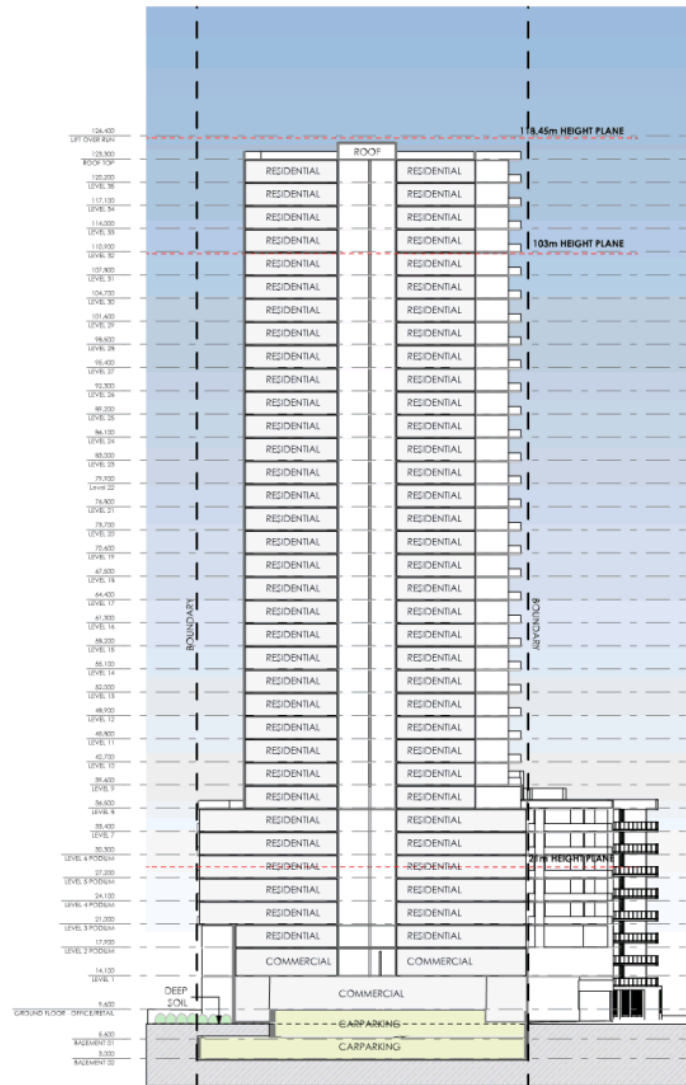
CLIENT:
SKY BLUE DEVELOPMENTS

PROJECT TITLE:
PROPOSED MIXED USE DEVELOPMENT PLANNING PROPOSAL - MIXED USE PODIUM WITH RESIDENTIAL TOWER
 124 WIGRAM STREET PARRAMATTA NSW 2150
 DRAWING TITLE:
LEVEL 9 - 35- TYPICAL RESIDENTIAL FLOOR PLAN



DRAWN BY: JW, FW, LZ, JR
 CHECKED BY: PI & LL
 SCALE: 1:250 AT A3
 PROJECT NO: P530
 PP 11 P34.0
 Stage design make

K:\P3\2018\P303 - 124 Wigram Street - Mixed Use Development\CD_21AC6 - 20.01_Plan_P303_124 Wigram Street_V04.rvt_1184.rvt (RESIDENTIAL TOWER_2401.rvt) - PLOT14_14031204



SECTION A-A
1:600



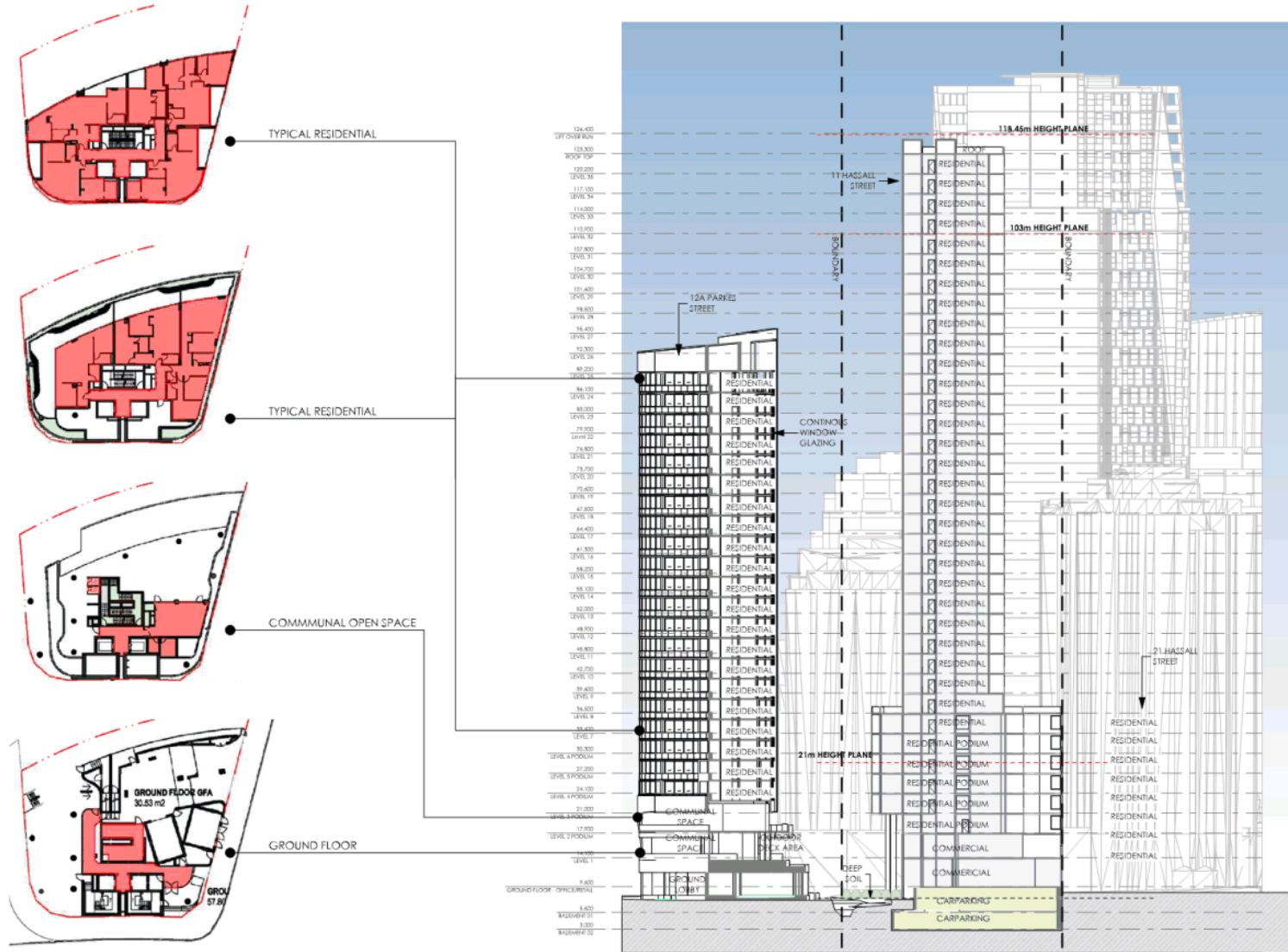
Level 10, 253 Clarence Street, Sydney NSW 2030
+ 61 2 9251 0880 | www.ptiarchitecture.com.au
Nominated Registered Architect: Peter Israel (reg no 5054)
ABN 90 950 071 022

REV	DESCRIPTION	BY	DATE	CLIENT
P240	CLIENT GIVE	JR	19.05.23	SKY BLUE DEVELOPMENTS
P250	CLIENT GIVE	JR	21.05.23	
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P340	CLIENT GIVE - RESIDENTIAL	LZ	16.01.24	

PROJECT TITLE:
**PROPOSED MIXED USE DEVELOPMENT PLANNING PROPOSAL
- MIXED USE PODIUM WITH RESIDENTIAL TOWER**
124 WIGRAM STREET PARRAMATTA NSW 2150
DRAWING TITLE:
SECTION A

NORTH POINT:
DRAWN BY: JW, FW, LZ, JR
CHECKED BY: PI & LL
SCALE: 1:600 AT A3
PROJECT NO: P530
PP 12 P34.0
stage design make

K:\PJ\2016\P530 - 124 Wigram Street - Mass Plan (DRAWING) 02_21A3.dwg - 20/01/2016/PJ/P530_124 WIGRAM STREET_124_P1_1184.PP (RESIDENTIAL TOWER_240116.rvt) - PLOT: 14/01/2016



SECTION B-B
1:600



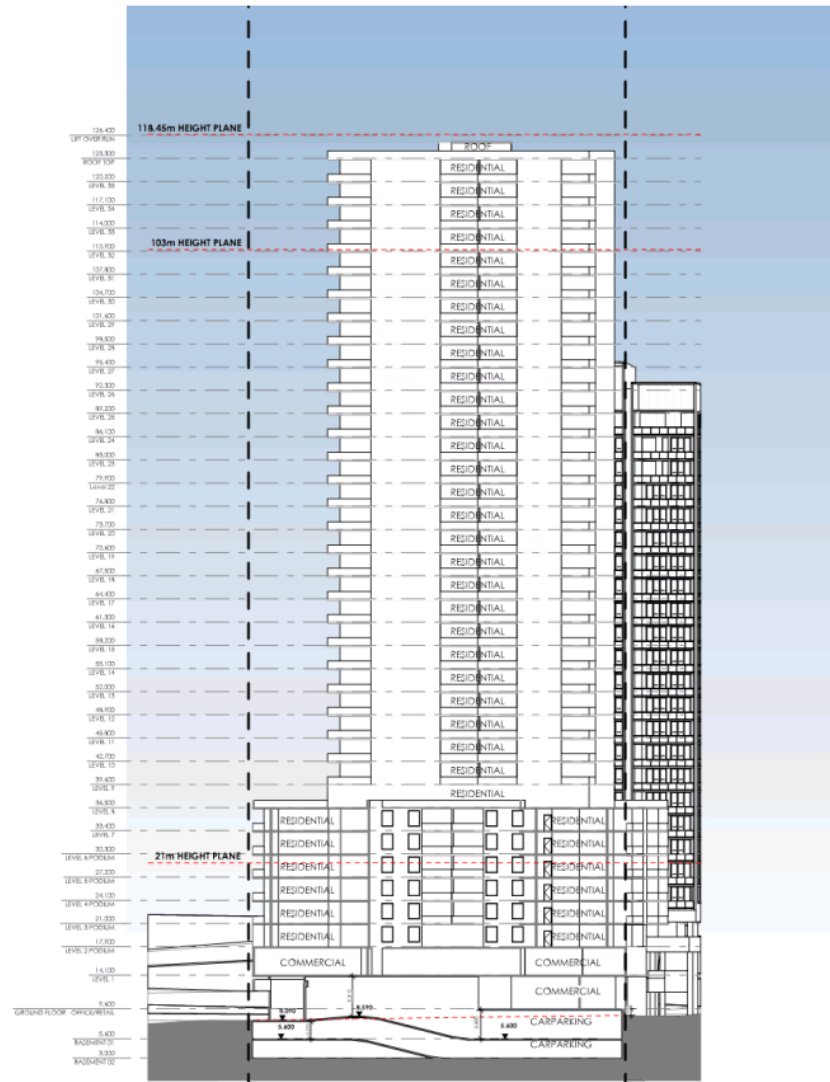
Level 10, 263 Clarence Street, Sydney NSW 2000
 +61 2 9263 0880 | www.ptiarchitecture.com.au
 Nominated Registered Architect: Peter Israel (reg no 5004)
 ABN 90 950 071 022

REV	DESCRIPTION	BY	DATE	CLIENT
P243	CLIENT GUE	JR	19.05.23	SKY BLUE DEVELOPMENTS
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P270	CLIENT GUE	LZ	29.06.23	
P283	CLIENT GUE	LZ	06.07.23	
P293	CLIENT GUE	DP	08.07.23	
P300	CLIENT GUE - COMMERCIAL	DP	29.11.23	
P310	CLIENT GUE - RESIDENTIAL	DP	30.11.23	
P320	CLIENT GUE - RESIDENTIAL	DP	06.12.23	
P330	CLIENT GUE - RESIDENTIAL	LZ	09.01.24	
P340	CLIENT GUE - RESIDENTIAL	LZ	16.01.24	

PROJECT TITLE:
PROPOSED MIXED USE DEVELOPMENT PLANNING PROPOSAL - MIXED USE PODIUM WITH RESIDENTIAL TOWER
 124 WIGRAM STREET PARRAMATTA NEW 2150
 DRAWING TITLE:
SECTION B

DRAWN BY:	JW, FW, LZ, JR
CHECKED BY:	PI & LL
SCALE:	1:600 AT A3
PROJECT NO:	P530
PP	13 P34.0
stage	design sketch

K:\P3 2016\P30 - 124 Wigram Street - Mixed Use Development\02_21ACR - 2D\01_Plan\P30_124 Wigram Street_V04_P3_1104 PP Residential Tower_240116.rvt - Print: 14/01/2024



SECTION C-C
1:600



Level 10, 263 Clarence Street, Sydney NSW 2000
 + 61 2 9263 0880 | www.ptiarchitecture.com.au
 Nominated Registered Architect: Peter Israel (reg no 5004)
 ABN 90 050 071 022

REV	DESCRIPTION	BY	DATE	CLIENT
P24.0	CLIENT GIVE	JR	19.05.23	SKY BLUE DEVELOPMENTS
P25.0	CLIENT GIVE	JR	29.05.23	
P26.0	CLIENT GIVE	JR	01.06.23	
P27.0	CLIENT GIVE	LZ	29.06.23	
P28.0	CLIENT GIVE	LZ	06.07.23	
P29.0	CLIENT GIVE	LZ	08.07.23	
P30.0	CLIENT GIVE - COMMERCIAL	DP	29.11.23	
P31.0	CLIENT GIVE - RESIDENTIAL	DP	30.11.23	
P32.0	CLIENT GIVE - RESIDENTIAL	DP	06.12.23	
P33.0	CLIENT GIVE - RESIDENTIAL	LZ	09.01.24	
P34.0	CLIENT GIVE - RESIDENTIAL	LZ	16.01.24	

PROJECT FILE:
PROPOSED MIXED USE DEVELOPMENT PLANNING PROPOSAL
- MIXED USE PODIUM WITH RESIDENTIAL TOWER
 124 WIGRAM STREET PARRAMATTA NSW 2150

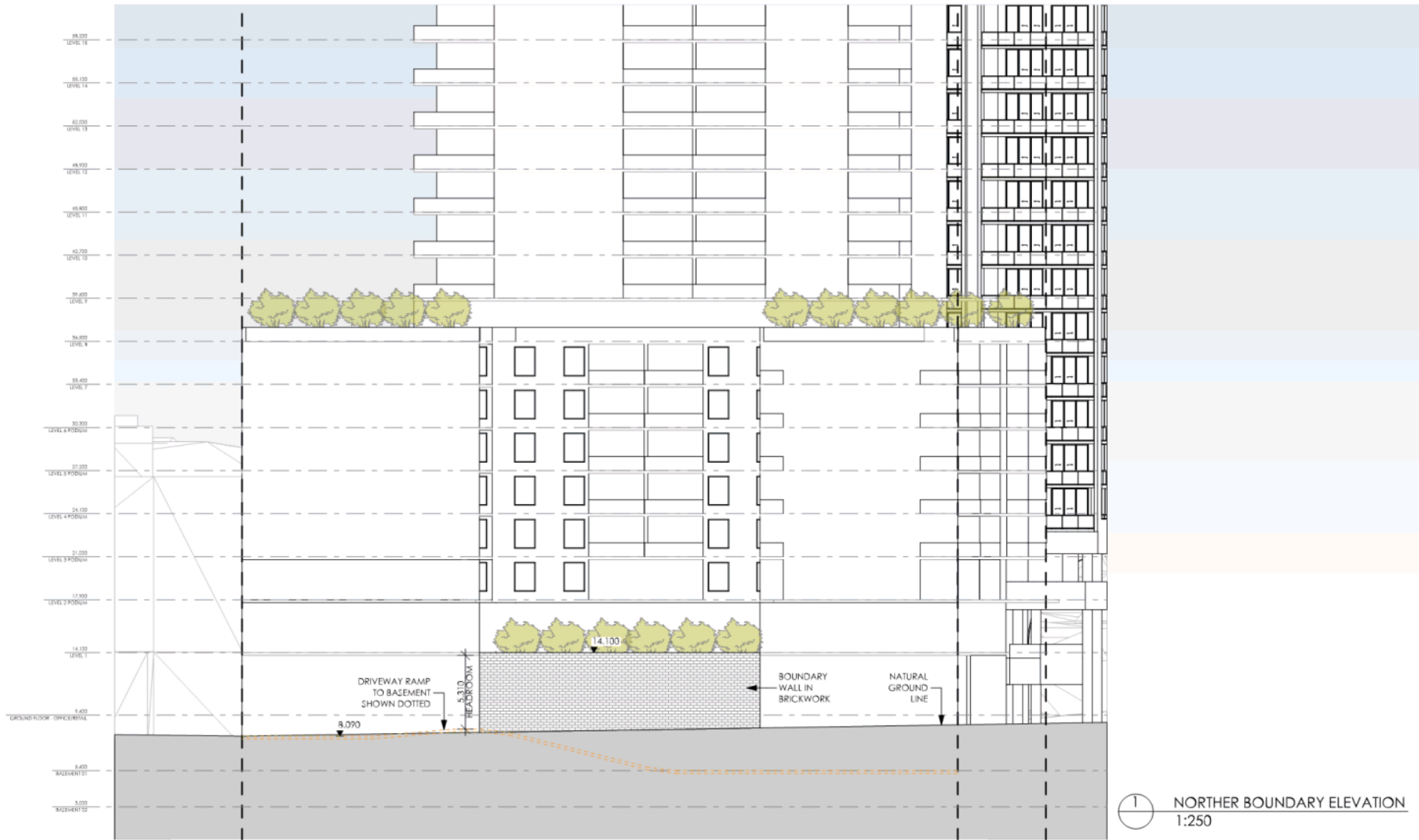
SECTION C

NORTH POINT

DRAWN BY: JW, FW, LZ, JR
 CHECKED BY: PI & LL
 SCALE: 1:600 AT A3
 PROJECT No: P530

PP 14 P34.0
 stage design make

K:\P3\2016\P30 - 124 Wigram Street - New Park\DRAWING\02_21A04 - 2D\01_Plan\P30_124 Wigram Street_V04_PP_115m PP Residential Tower_240116.rvt - Printw: 14/01/2014



NORTHERN BOUNDARY ELEVATION
1:250



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Nominated Registered Architect: Peter Israel (reg no 5004)
ABN 90 950 071 022

REV	DESCRIPTION	BY	DATE
P240	CLIENT GDU	JR	19.05.23
P250	CLIENT GDU	JR	29.06.23
P260	CLIENT GDU	JR	01.04.23
P270	CLIENT GDU	LZ	29.09.23
P280	CLIENT GDU	LZ	06.09.23
P290	CLIENT GDU	DP	08.09.23
P300	CLIENT GDU - COMMERCIAL	DP	29.11.23
P310	CLIENT GDU - RESIDENTIAL	DP	30.11.23
P320	CLIENT GDU - RESIDENTIAL	DP	06.12.23
P330	CLIENT GDU - RESIDENTIAL	LZ	09.01.24
P340	CLIENT GDU - RESIDENTIAL	LZ	16.01.24

CLIENT
SKY BLUE DEVELOPMENTS

PROJECT FILE:
PROPOSED MIXED USE DEVELOPMENT PLANNING PROPOSAL - MIXED USE PODIUM WITH RESIDENTIAL TOWER
124 WIGRAM STREET PARRAMATTA NSW 2150

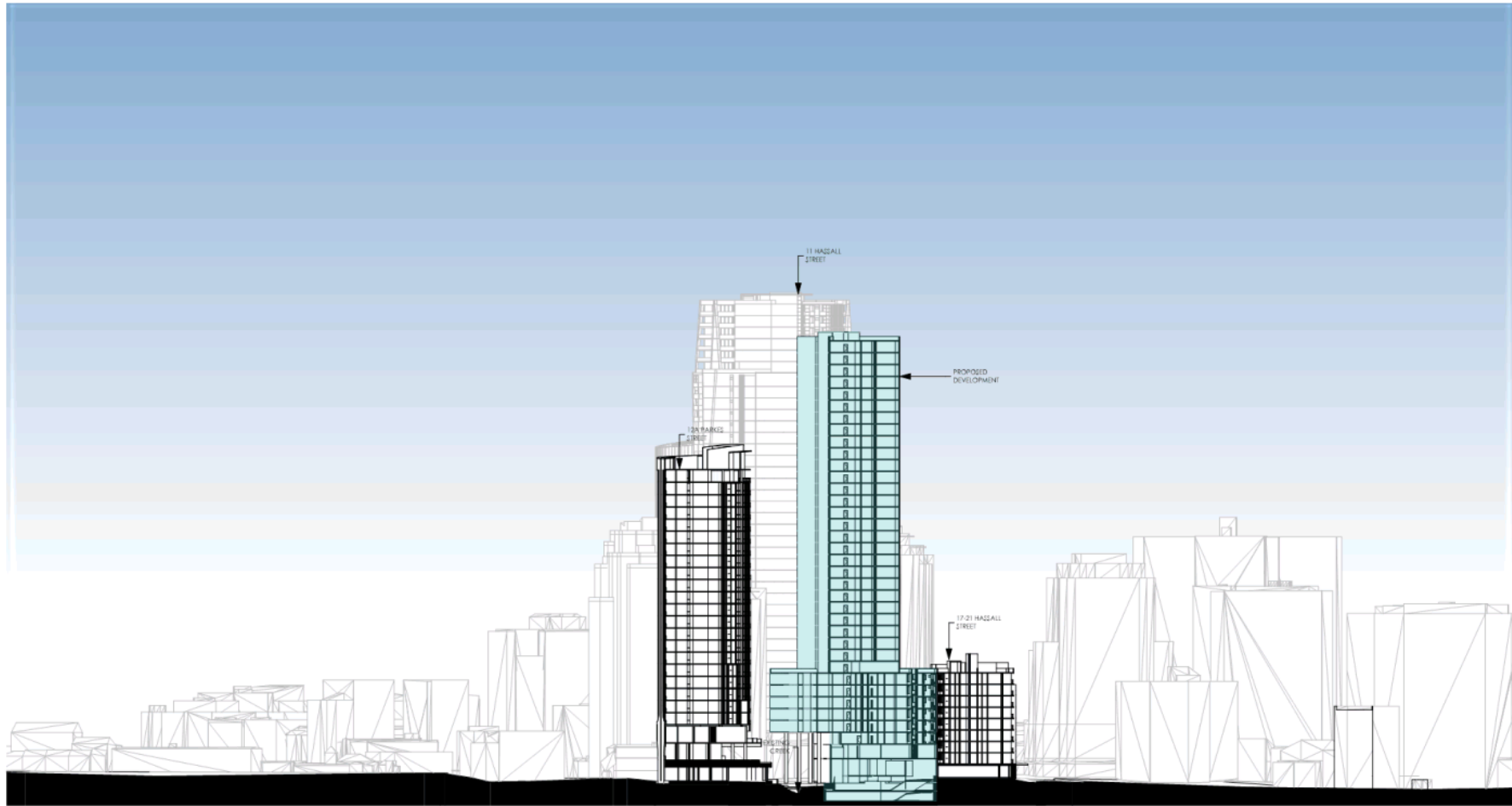
DRAWING FILE:
NORTHERN BOUNDARY ELEVATION

NORTH POINT

DRAWN BY: JW, FW, LZ, JR
CHECKED BY: PI & LL
SCALE: 1:250 AT A3
PROJECT NO: P530

PP 15 P34.0
stage design make

K:\P3\2016\P30 - 124 Wigram Street - Main Plan\DRAWING\02_SECTION - 02_01_Plan_P30_124 WIGRAM STREET_V04_PP_11364 PP RESIDENTIAL TOWER_240116.dwg PLOT: 14/01/2014



1 WIGRAM STREET SECTION
1:1000



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Nominated Registered Architect: Peter Israel (reg no 5094)
ABN 90 050 071 022

REV	DESCRIPTION	BY	DATE
P24.0	CLIENT GDU	JR	19.05.23
P25.0	CLIENT GDU	JR	29.05.23
P26.0	CLIENT GDU	JR	01.06.23
P27.0	CLIENT GDU	LZ	29.06.23
P28.0	CLIENT GDU	LZ	06.07.23
P29.0	CLIENT GDU	LZ	08.07.23
P30.0	CLIENT GDU - COMMERCIAL	DP	29.11.23
P31.0	CLIENT GDU - RESIDENTIAL	DP	30.11.23
P32.0	CLIENT GDU - RESIDENTIAL	DP	06.12.23
P33.0	CLIENT GDU - RESIDENTIAL	LZ	09.01.24
P34.0	CLIENT GDU - RESIDENTIAL	LZ	16.01.24

CLIENT
SKY BLUE DEVELOPMENTS

PROJECT TITLE
PROPOSED MIXED USE DEVELOPMENT PLANNING PROPOSAL - MIXED USE PODIUM WITH RESIDENTIAL TOWER
124 WIGRAM STREET PARRAMATTA NSW 2150

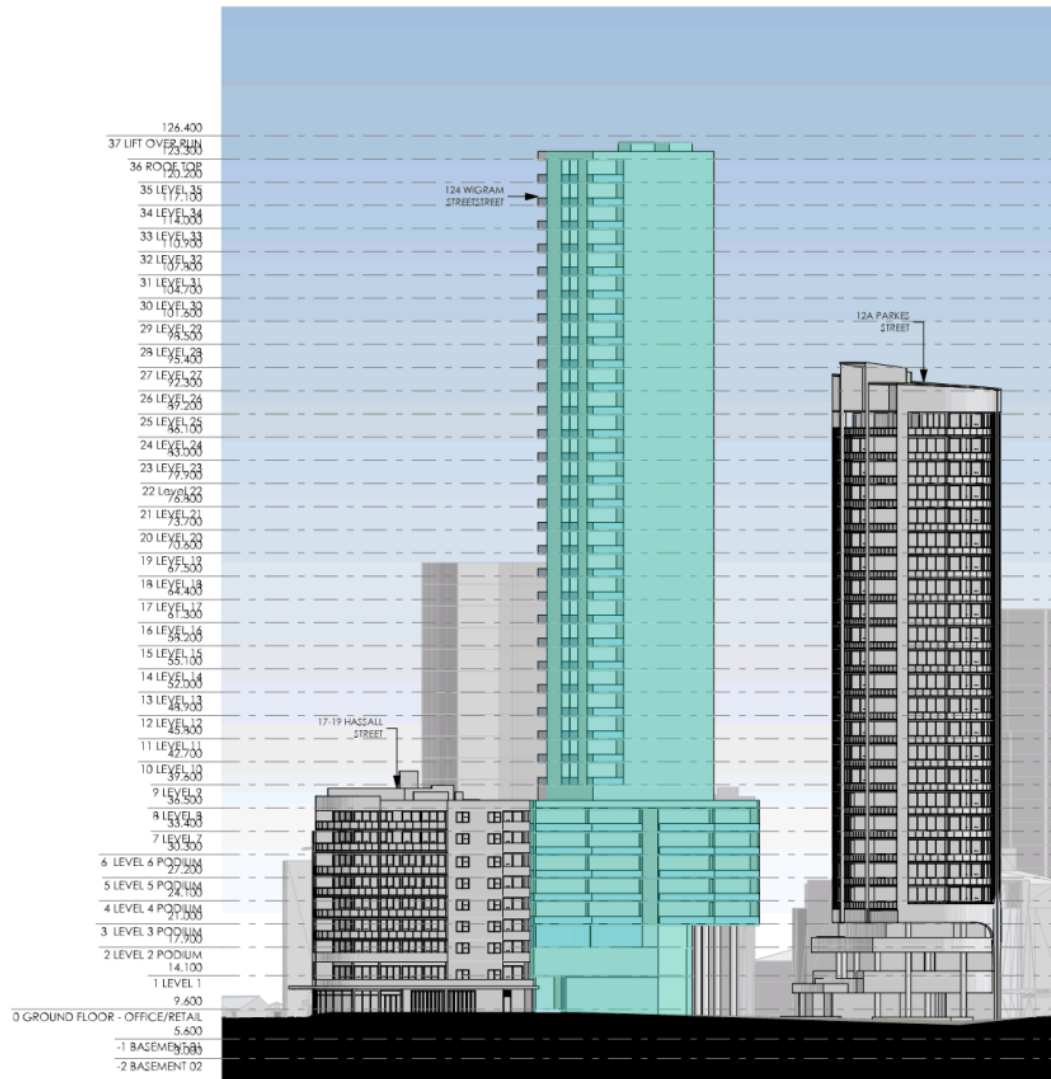
DRAWING TITLE
STREET SECTION

NORTH POINT

DRAWN BY: JW, FW, LZ, JR
CHECKED BY: PI & LL
SCALE: 1:1000 AT A3
PROJECT No: P530

PP 16 P34.0
stage design make

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① CHARLES STREET ELEVATION
1:600



Level 10, 253 Clarence Street, Sydney NSW 2030
+61 2 9253 0880 | www.ptiarchitecture.com.au
Nominated Registered Architect: Peter Israel (reg no 5054)
ABN 90 950 071 022

REV	DESCRIPTION
P040	CLIENT GDU
P050	CLIENT GDU
P060	CLIENT GDU
P070	CLIENT GDU
P080	CLIENT GDU
P090	CLIENT GDU
P100	CLIENT GDU - COMMERCIAL
P110	CLIENT GDU - RESIDENTIAL
P120	CLIENT GDU - RESIDENTIAL
P130	CLIENT GDU - RESIDENTIAL
P140	CLIENT GDU - RESIDENTIAL

REV	DATE
JR	19.05.23
JR	29.05.23
JR	01.06.23
LZ	29.09.23
LZ	06.09.23
DP	08.09.23
DP	29.11.23
DP	30.11.23
DP	06.12.23
LZ	09.01.24
LZ	16.01.24

CLIENT
SKY BLUE DEVELOPMENTS

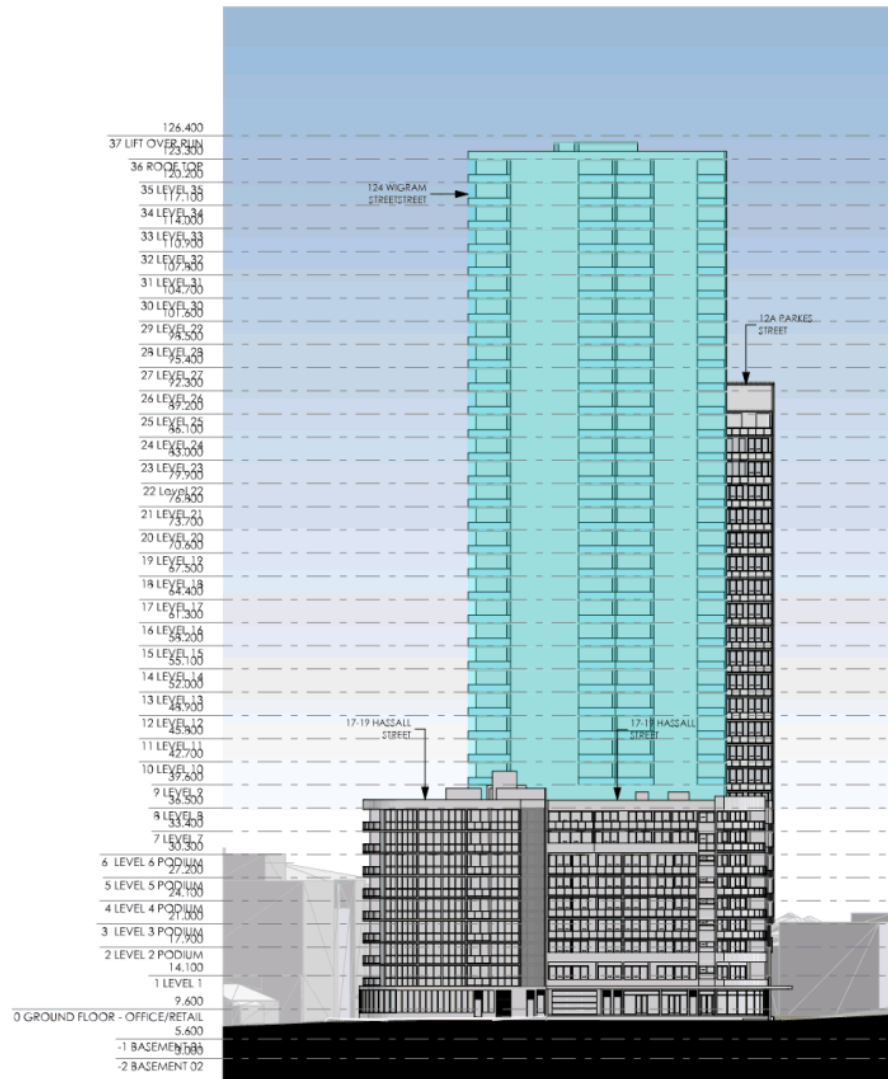
PROJECT FILE:
PROPOSED MIXED USE DEVELOPMENT PLANNING PROPOSAL - MIXED USE PODIUM WITH RESIDENTIAL TOWER
124 WIGRAM STREET PARRAMATTA NSW 2150
DRAWING TITLE:
CHARLES STREET ELEVATION

NORTH POINT

DRAWN BY: JW, FW, LZ, JR
CHECKED BY: PI & LL
SCALE: 1:600 AT A3
PROJECT NO: P530

PP 17 P34.0
stage design make

K:\P3\2019\P303 - 124 Wigram Street - Mixed Use Development\CD_21AG6 - 20.01_Plan\P303 - 124 Wigram Street_V04_PP_1104-PP-RESIDENTIAL TOWER_240116.rvt - Printw: 14/01/2024



1 HASSALL STREET ELEVATION
1:600



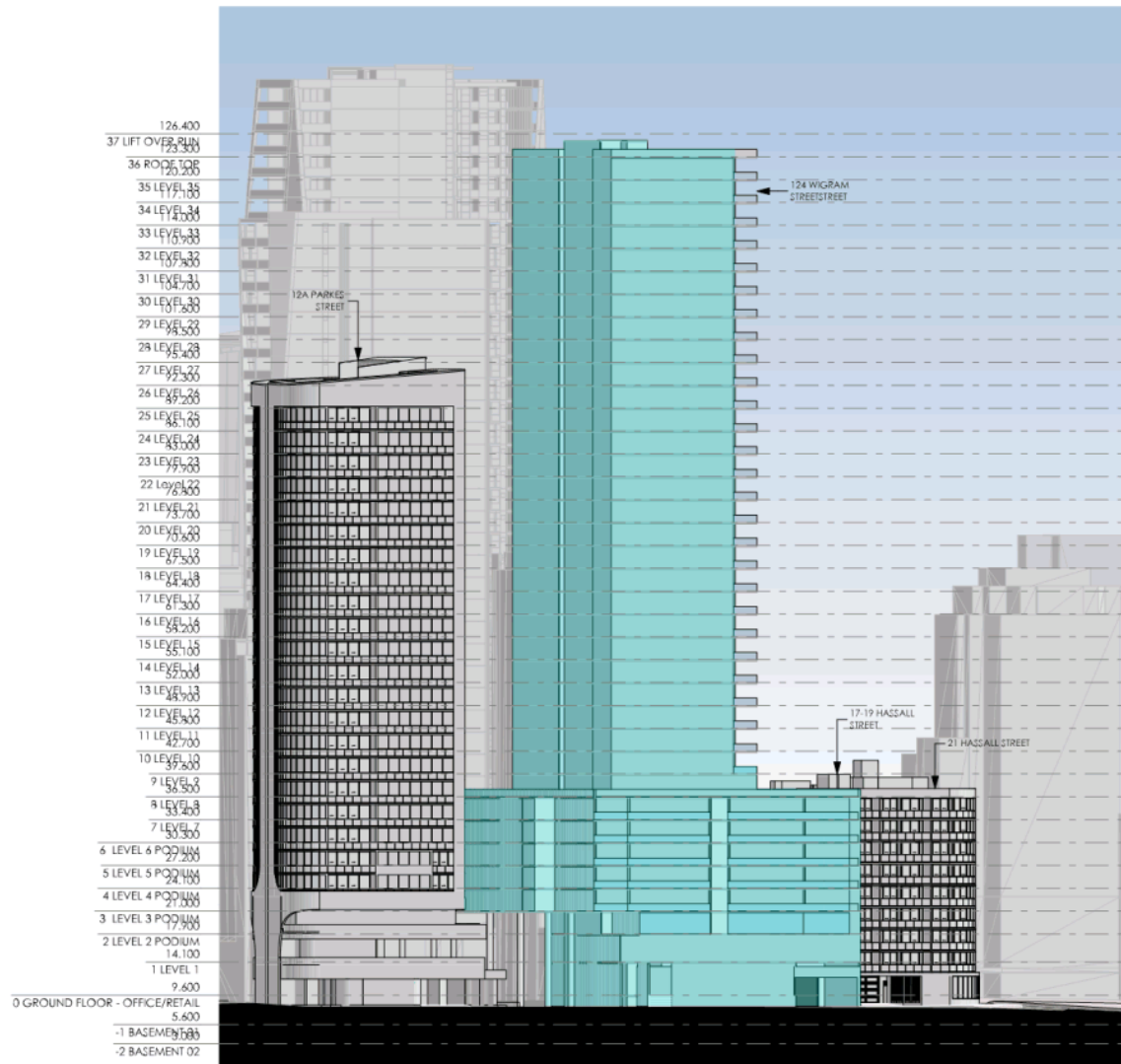
Level 10, 253 Clarence Street, Sydney NSW 2000
 +61 2 9253 0800 | www.ptiarchitecture.com.au
 Nominated Registered Architect: Peter Israel (reg no 5094)
 ABN 90 950 071 022

REV	DESCRIPTION	BY	DATE	CLIENT
P040	CLIENT GUE	JR	19.05.23	SKY BLUE DEVELOPMENTS
P050	CLIENT GUE	JR	29.05.23	
P060	CLIENT GUE	JR	01.06.23	
P070	CLIENT GUE	LZ	29.06.23	
P080	CLIENT GUE	LZ	06.07.23	
P090	CLIENT GUE	LZ	08.07.23	
P090	CLIENT GUE - COMMERCIAL	DP	29.11.23	
P320	CLIENT GUE - RESIDENTIAL	DP	30.11.23	
P330	CLIENT GUE - RESIDENTIAL	DP	06.12.23	
P340	CLIENT GUE - RESIDENTIAL	LZ	09.01.24	
P340	CLIENT GUE - RESIDENTIAL	LZ	16.01.24	

PROJECT FILE:
PROPOSED MIXED USE DEVELOPMENT PLANNING PROPOSAL - MIXED USE PODIUM WITH RESIDENTIAL TOWER
 124 WIGRAM STREET PARRAMATTA NSW 2150
 DRAWING FILE:
HASSALL STREET ELEVATION

DRAWN BY: JW, FW, LZ, JR
 CHECKED BY: PI & LL
 SCALE: 1:600 AT A3
 PROJECT No: P530
 PP 18 P34.0
 Stage: design sketch

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1 WIGRAM STREET ELEVATION
1:600



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Nominated Registered Architect: Peter Israel (reg no 5054)
ABN 90 950 071 022

REV	DESCRIPTION	BY	DATE
P040	CLIENT GDU	JR	19.05.23
P050	CLIENT GDU	JR	29.05.23
P060	CLIENT GDU	JR	01.06.23
P070	CLIENT GDU	LZ	29.06.23
P080	CLIENT GDU	LZ	06.07.23
P090	CLIENT GDU	LZ	08.07.23
P080	CLIENT GDU - COMMERCIAL	DP	29.11.23
P910	CLIENT GDU - RESIDENTIAL	DP	30.11.23
P920	CLIENT GDU - RESIDENTIAL	DP	06.12.23
P930	CLIENT GDU - RESIDENTIAL	LZ	09.01.24
P940	CLIENT GDU - RESIDENTIAL	LZ	16.01.24

CLIENT
SKY BLUE DEVELOPMENTS

PROJECT TITLE
PROPOSED MIXED USE DEVELOPMENT PLANNING PROPOSAL - MIXED USE PODIUM WITH RESIDENTIAL TOWER
124 WIGRAM STREET PARRAMATTA NSW 2150

DRAWING TITLE
WIGRAM STREET ELEVATION

NORTH POINT

DRAWN BY: JW, FW, LZ, JR
CHECKED BY: PI & LL
SCALE: 1:600 AT A3
PROJECT No: P530

PP 19 P34.0
stage design make

APARTMENTS (qty)

LEVEL	STUDIO	1 BED	2 BED	3 BED	TOTAL
GF	-	-	-	-	-
L1	-	-	-	-	-
L2	-	1	4	-	5
L3	-	4	5	1	10
L4	-	4	5	1	10
L5	-	4	5	1	10
L6	-	4	5	1	10
L7	-	4	5	1	10
L8	-	-	-	-	-
L9	-	-	2	2	4
L10	-	-	2	2	4
L11	-	-	2	2	4
L12	-	-	2	2	4
L13	-	-	2	2	4
L14	-	-	2	2	4
L15	-	-	2	2	4
L16	-	-	2	2	4
L17	-	-	2	2	4
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L19	-	-	2	2	4
L20	-	-	2	2	4
L21	-	-	2	2	4
L22	-	-	2	2	4
L23	-	-	2	2	4
L24	-	-	2	2	4
L25	-	-	2	2	4
L26	-	-	2	2	4
L27	-	-	2	2	4
L28	-	-	2	2	4
L29	-	-	2	2	4
L30	-	-	2	2	4
L31	-	-	2	2	4
L32	-	-	2	2	4
L33	-	-	2	2	4
L34	-	-	2	2	4
L35	-	-	2	2	4
ROOF	-	-	-	-	-
TOTAL UNITS (qty)	-	21	83	59	163
UNIT MIX (%)	0%	13%	51%	36%	100%

DEVELOPMENT CALCULATION

FSR CALCULATION

SITE AREA	1559m ²
FSR PERMITTED	11.5:1 (17 928.5 m ²)
FSR PROPOSED	11.06:1 (17243.5m ²)
An area schedule should be provided showing how the GFA is arrived at. For GFA yield calculations, assume: • Residential GFA = 75% of GBA (GBA includes external walls, internal voids and balconies). • Commercial GFA = 85% of GBA.	

DEEP SOIL AREA CALCULATION

PROPOSED DEEP SOIL AREA	159m ² (10% SITE AREA)
-------------------------	-----------------------------------

NO. OF LEVELS

BASEMENTS	2 LEVELS
GROUND LEVEL - COMMERCIAL	1 LEVEL
NO. OF PODIUM COMMERCIAL LEVELS	1 LEVELS
NO. OF PODIUM RESIDENTIAL LEVELS	6 LEVELS
NO. OF TYPICAL RESIDENTIAL LEVELS	28 LEVELS

TOTAL 36 LEVELS + 2 BASEMENTS



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 ABN 90 050 071 022

REV DESCRIPTION
 P240 CLIENT GDU
 P250 CLIENT GDU
 P260 CLIENT GDU
 P270 CLIENT GDU
 P280 CLIENT GDU
 P290 CLIENT GDU
 P300 CLIENT GDU - COMMERCIAL
 P310 CLIENT GDU - RESIDENTIAL
 P320 CLIENT GDU - RESIDENTIAL
 P330 CLIENT GDU - RESIDENTIAL
 P340 CLIENT GDU - RESIDENTIAL

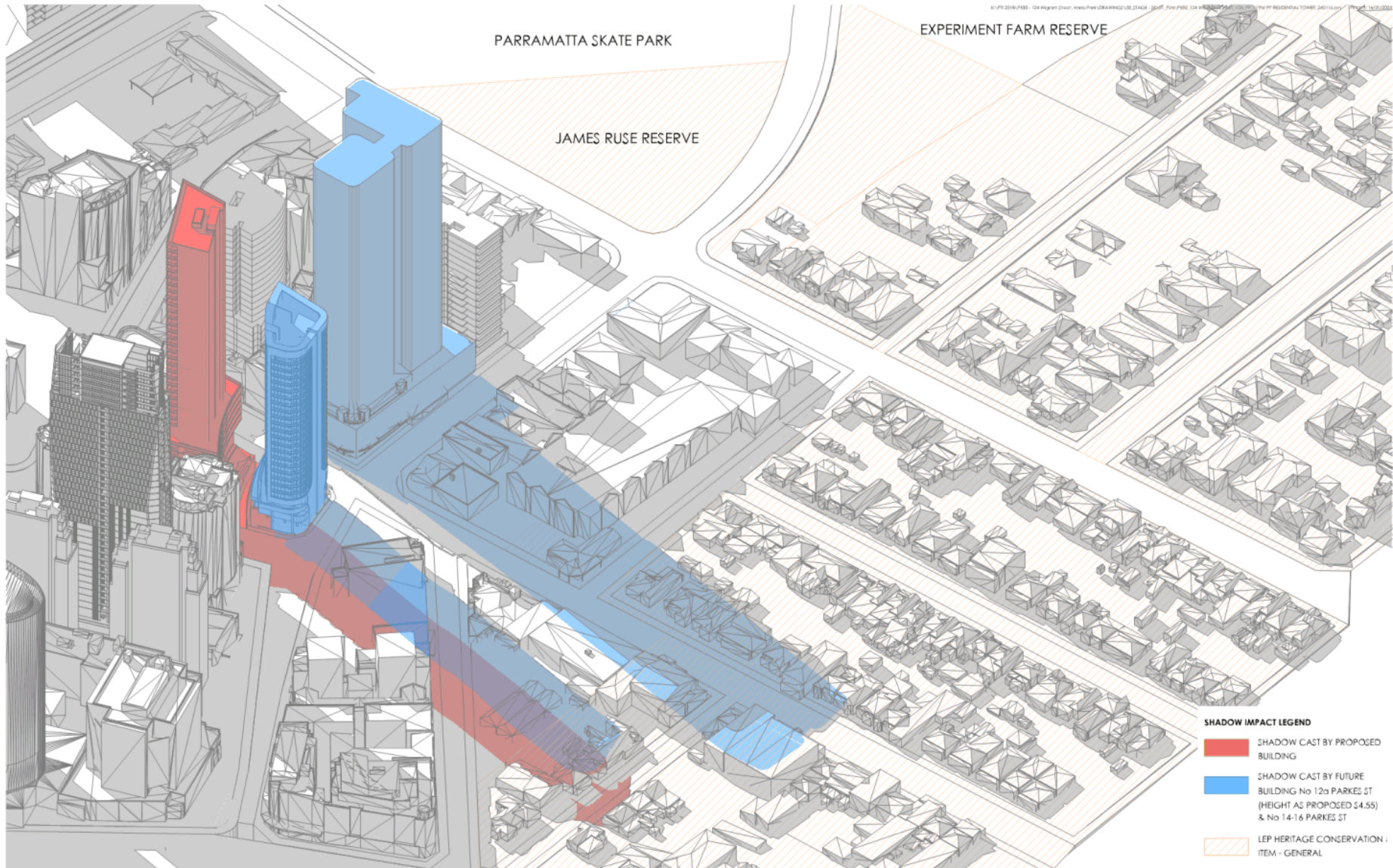
BY DATE
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 JR 29.05.23
 JR 01.06.23
 LJ 29.05.23
 LJ 06.09.23
 DP 08.09.23
 DP 29.11.23
 DP 30.11.23
 DP 06.12.23
 LJ 09.01.24
 LJ 16.01.24

CLIENT
 SKY BLUE
 DEVELOPMENTS

PROJECT FILE:
**PROPOSED MIXED USE DEVELOPMENT PLANNING PROPOSAL
 - MIXED USE PODIUM WITH RESIDENTIAL TOWER**
 124 WIGRAM STREET PARRAMATTA NSW 2150
 DRAWING FILE:
 DEVELOPMENT CALCULATION

DRAWN BY: JW, FW, LZ, JR
 CHECKED BY: PI & LL
 SCALE: 1:1 AT A3
 PROJECT NO: P530

PP 20 P34.0
 stage design make



SHADOW IMPACT LEGEND

- SHADOW CAST BY PROPOSED BUILDING
- SHADOW CAST BY FUTURE BUILDING No 12a PARKES ST (HEIGHT AS PROPOSED S4.55) & No 14-16 PARKES ST
- LEP HERITAGE CONSERVATION ITEM - GENERAL

REV	DESCRIPTION	BY	DATE
P243	CLIENT GUIDE	JR	19.05.23
P250	CLIENT GUIDE	JR	29.05.23
P263	CLIENT GUIDE	JR	01.06.23
P270	CLIENT GUIDE	LZ	29.06.23
P280	CLIENT GUIDE	LZ	06.07.23
P290	CLIENT GUIDE	LZ	08.07.23
P300	CLIENT GUIDE - COMMERCIAL	DP	29.11.23
P310	CLIENT GUIDE - RESIDENTIAL	DP	30.11.23
P320	CLIENT GUIDE - RESIDENTIAL	DP	06.12.23
P330	CLIENT GUIDE - RESIDENTIAL	LZ	09.01.24
P340	CLIENT GUIDE - RESIDENTIAL	LZ	16.01.24

SKY BLUE DEVELOPMENTS

PROJECT TITLE:
PROPOSED MIXED USE DEVELOPMENT PLANNING PROPOSAL - MIXED USE PODIUM WITH RESIDENTIAL TOWER
 124 WIGRAM STREET PARRAMATTA NSW 2150

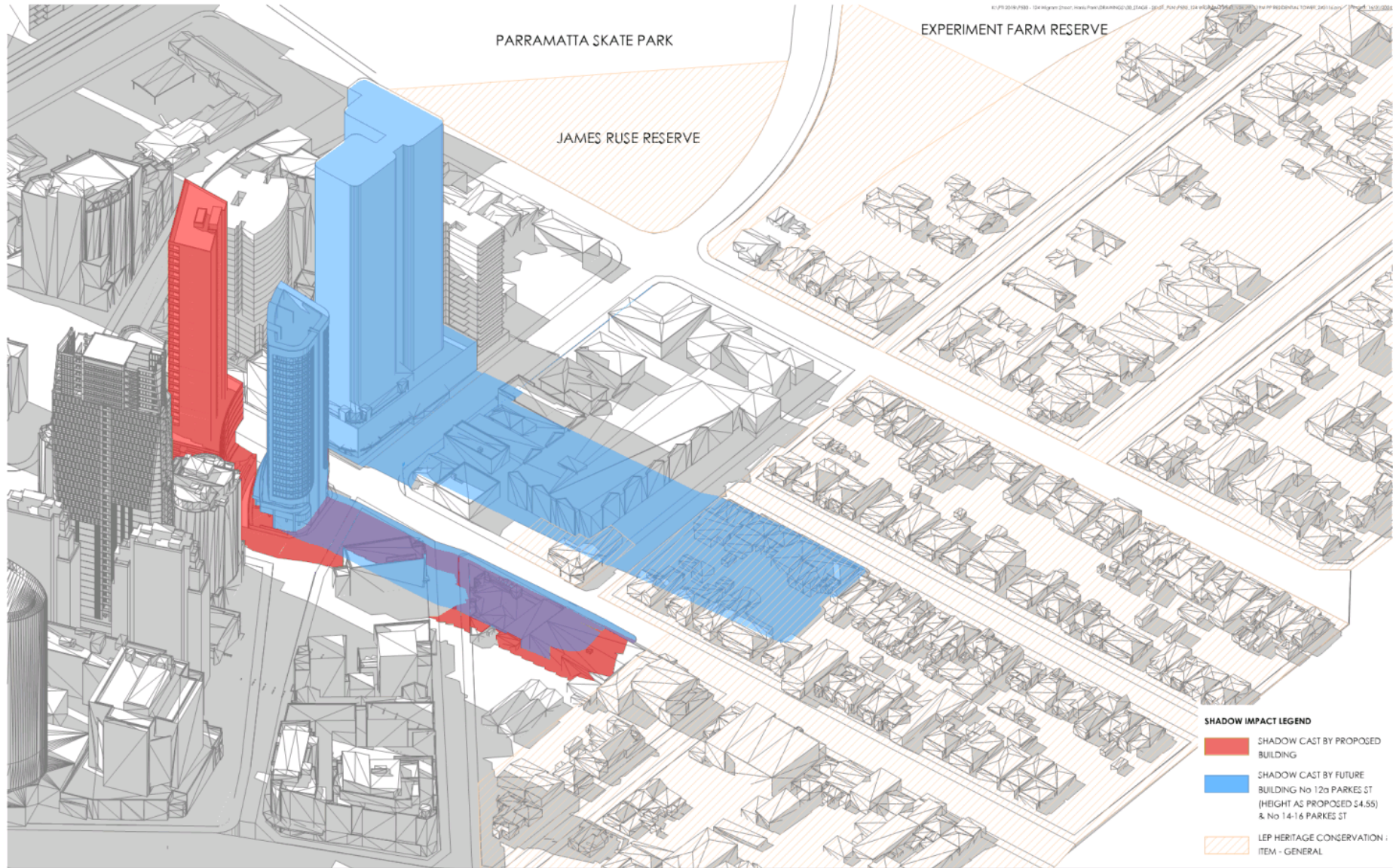
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DRAWN BY: JW, FW, LZ, JR
CHECKED BY: PI & LL
SCALE: 1:1200, 1:100 AT A3
PROJECT NO.: P530

PP 21 P34.0
stage design outline

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 Tourism + Residential

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 Nominated Registered Architect: Peter Israel (reg no 5004)
 ABN 90 050 071 022



SHADOW IMPACT LEGEND

- SHADOW CAST BY PROPOSED BUILDING
- SHADOW CAST BY FUTURE BUILDING No 12a PARKES ST (HEIGHT AS PROPOSED S4.55) & No 14-16 PARKES ST
- LEP HERITAGE CONSERVATION ITEM - GENERAL



ARCHITECTURE
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REV	DESCRIPTION	BY	DATE
P040	CLIENT GDD	JR	19.05.23
P050	CLIENT GDD	JR	29.05.23
P060	CLIENT GDD	JR	01.06.23
P070	CLIENT GDD	LZ	29.06.23
P080	CLIENT GDD	LZ	06.07.23
P090	CLIENT GDD	LZ	08.07.23
P100	CLIENT GDD - COMMERCIAL	DP	29.11.23
P110	CLIENT GDD - RESIDENTIAL	DP	30.11.23
P120	CLIENT GDD - RESIDENTIAL	DP	06.12.23
P130	CLIENT GDD - RESIDENTIAL	LZ	09.01.24
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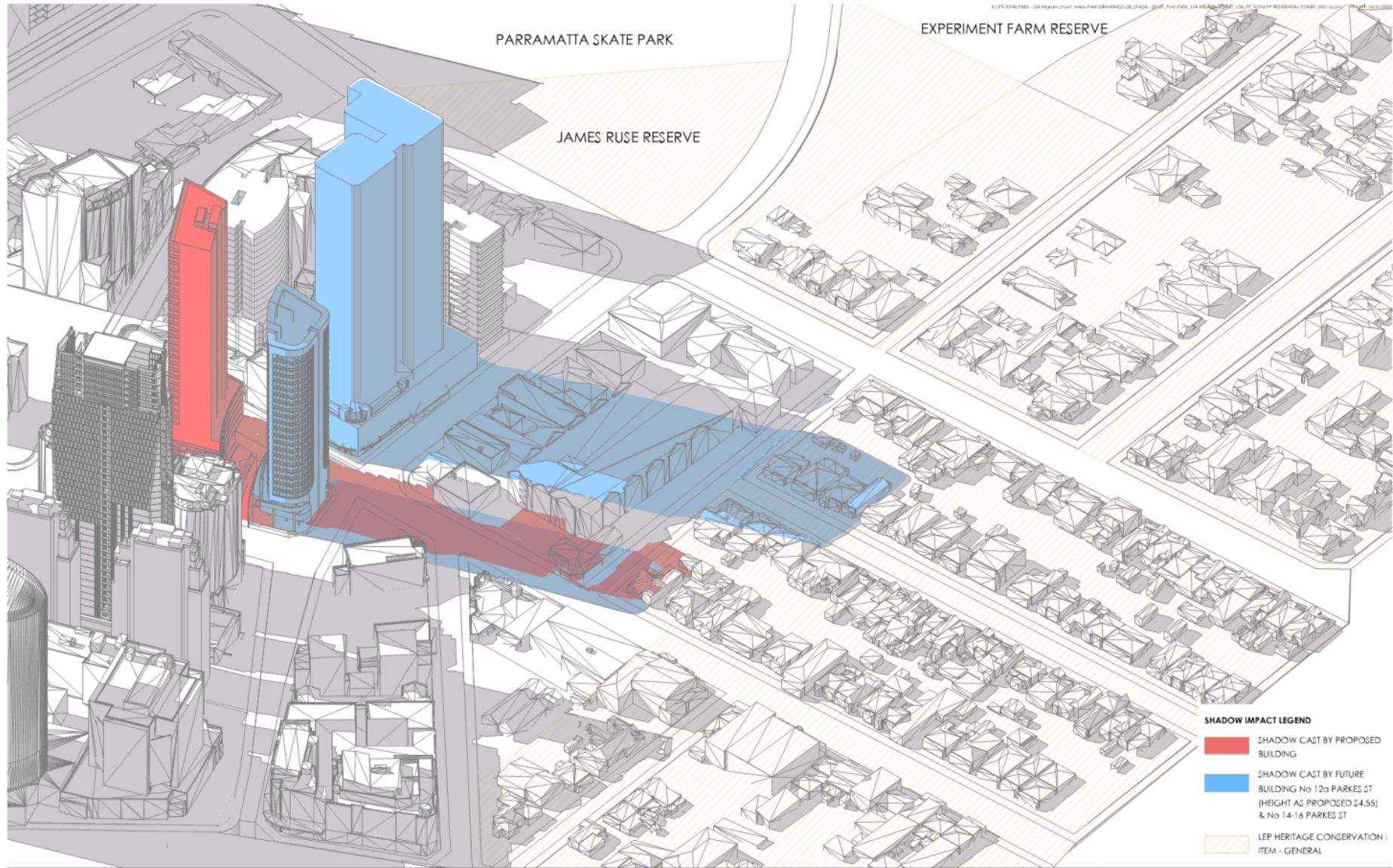
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PROJECT REF:
PROPOSED MIXED USE DEVELOPMENT PLANNING PROPOSAL - MIXED USE PODIUM WITH RESIDENTIAL TOWER
124 WIGRAM STREET PARRAMATTA NSW 2150

DRAWING TITLE:
SHADOW DIAGRAMS 3D: 12 JUNE 11:00AM

DRAWN BY: JW, FW, LZ, JR
CHECKED BY: PI & LL
SCALE: 1:1200, 1:100 AT A3
PROJECT NO: P530

PP 22 P34.0
stage design outline



SHADOW IMPACT LEGEND

- SHADOW CAST BY PROPOSED BUILDING
- SHADOW CAST BY FUTURE BUILDING No 12a PARKES ST (HEIGHT AS PROPOSED \$4.55) & No 14-16 PARKES ST
- LEP HERITAGE CONSERVATION ITEM - GENERAL

REV	DESCRIPTION	BY	DATE
P240	CLIENT GUIDE	JR	19.05.23
P250	CLIENT GUIDE	JR	29.05.23
P260	CLIENT GUIDE	JR	01.06.23
P270	CLIENT GUIDE	LZ	29.06.23
P280	CLIENT GUIDE	LZ	06.07.23
P290	CLIENT GUIDE	LZ	08.07.23
P300	CLIENT GUIDE - COMMERCIAL	DP	29.11.23
P310	CLIENT GUIDE - RESIDENTIAL	DP	30.11.23
P320	CLIENT GUIDE - RESIDENTIAL	DP	06.12.23
P330	CLIENT GUIDE - RESIDENTIAL	LZ	09.01.24
P340	CLIENT GUIDE - RESIDENTIAL	LZ	16.01.24

SKY BLUE DEVELOPMENTS

PROJECT TITLE:
PROPOSED MIXED USE DEVELOPMENT PLANNING PROPOSAL - MIXED USE PODIUM WITH RESIDENTIAL TOWER
 124 WIGRAM STREET PARRAMATTA NSW 2150

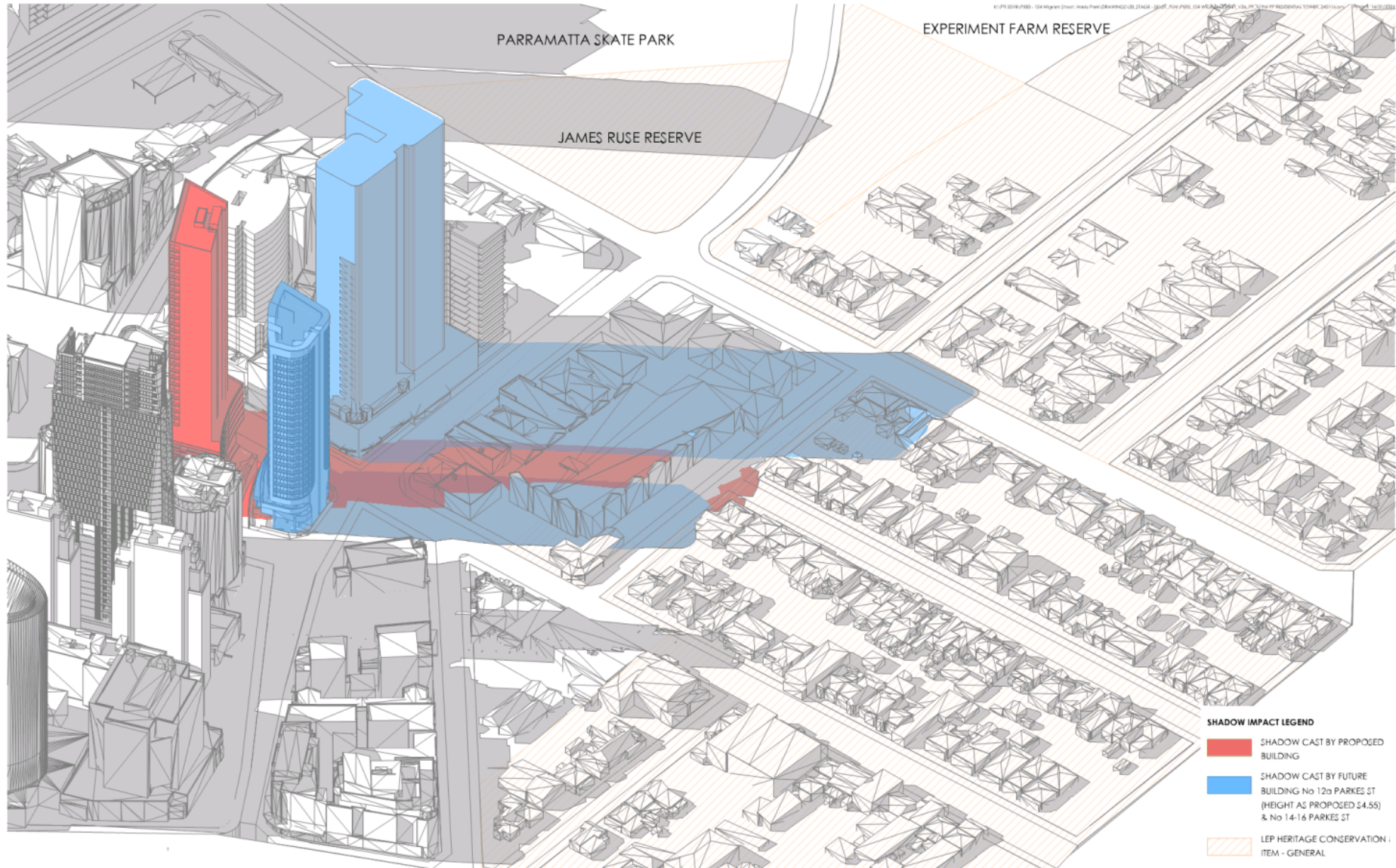
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PROJECT NO.: P530

PP 23 P34.0
stage design outline

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 Tourism + Residential

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ARCHITECTURE
Tourism + Residential

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ABN 93 050 071 022

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P040	CLIENT GDD	JR	19.05.23
P050	CLIENT GDD	JR	29.05.23
P060	CLIENT GDD	JR	01.06.23
P070	CLIENT GDD	LZ	29.06.23
P080	CLIENT GDD	LZ	06.07.23
P090	CLIENT GDD	LZ	08.07.23
P000	CLIENT GDD - COMMERCIAL	DP	29.11.23
P010	CLIENT GDD - RESIDENTIAL	DP	30.11.23
P020	CLIENT GDD - RESIDENTIAL	DP	06.12.23
P030	CLIENT GDD - RESIDENTIAL	LZ	09.01.24
P040	CLIENT GDD - RESIDENTIAL	LZ	16.01.24

CLIENT:
SKY BLUE DEVELOPMENTS

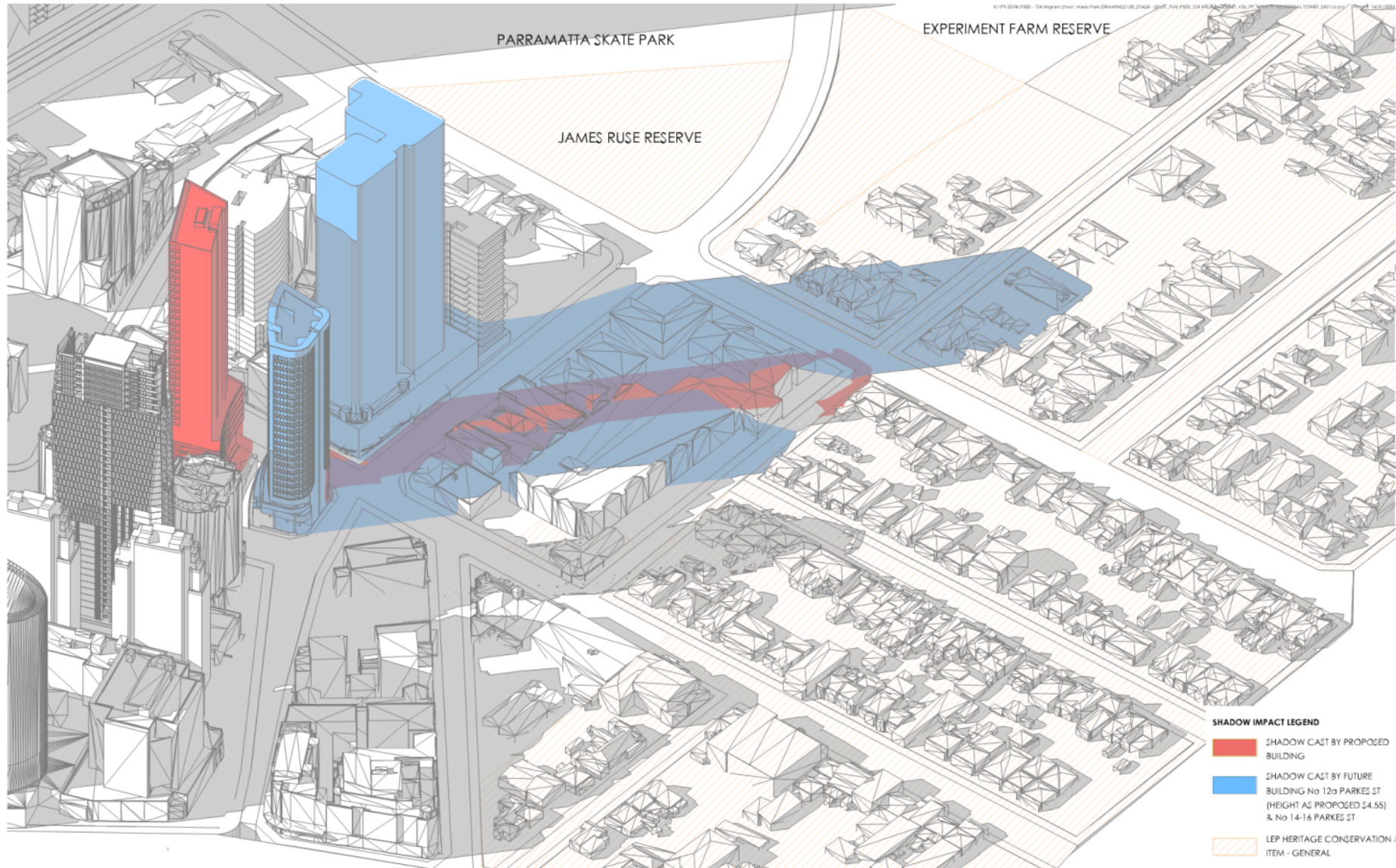
PROJECT REF:
PROPOSED MIXED USE DEVELOPMENT PLANNING PROPOSAL - MIXED USE PODIUM WITH RESIDENTIAL TOWER


124 WIGRAM STREET PARRAMATTA NSW 2150

DRAWING TITLE:
SHADOW DIAGRAMS 3D: 12 JUNE 1:00PM

DRAWN BY: JW, FW, LZ, JR
CHECKED BY: PI & LL
SCALE: 1:1200, 1:100 AT A3
PROJECT NO: P530

PP 22 P34.0
stage design outline



 <p>ARCHITECTURE Tourism + Residential</p>	<p>Level 10, 263 Clarence Street, Sydney NSW 2000 +61 2 9263 0880 www.ptiarchitecture.com.au Nominated Registered Architect: Peter Israel (reg no 5004) ABN 90 950 071 022</p>	<p>REV DESCRIPTION</p> <p>P040 CLIENT GDU P050 CLIENT GDU P060 CLIENT GDU P070 CLIENT GDU P080 CLIENT GDU P090 CLIENT GDU P100 CLIENT GDU - COMMERCIAL P110 CLIENT GDU - RESIDENTIAL P120 CLIENT GDU - RESIDENTIAL P130 CLIENT GDU - RESIDENTIAL P140 CLIENT GDU - RESIDENTIAL</p>	<p>REV DATE</p> <p>JR 19.05.23 JR 29.06.23 JR 01.04.23 LJ 29.04.23 LJ 06.07.23 DP 08.09.23 DP 29.11.23 DP 30.11.23 DP 04.12.23 LJ 09.01.24 LJ 14.01.24</p>	<p>CLIENT</p> <p>SKY BLUE DEVELOPMENTS</p>	<p>PROJECT FILE:</p> <p>PROPOSED MIXED USE DEVELOPMENT PLANNING PROPOSAL - MIXED USE PODIUM WITH RESIDENTIAL TOWER 124 WIGRAM STREET PARRAMATTA NSW 2150</p> <p>DRAWING TITLE:</p> <p>SHADOW DIAGRAMS 3D: 12 JUNE 2:00PM</p>	<p>DRAWN BY: JW, FW, LZ, JR CHECKED BY: PI & LL SCALE: 1:1200, 1:100 AT A3 PROJECT No: P530</p> <p>PP 23 P34.0 stage design outline</p>
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K:\P\2016\P530 - 124 Wigram Street - Main Plan\DRAWING\CD_21ACR - 20.01_Plan_P530_124 WIGRAM STREET_V04_PP_11364 PP RESIDENTIAL TOWER_240116.dwg PLOT: 14/01/2024



Level 10, 253 Clarence Street, Sydney NSW 2030
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 Nominated Registered Architect: Peter Israel (reg no 5054)
 ABN 90 950 071 022

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P24.0	CLIENT GDU	JR	19.05.23	SKY BLUE DEVELOPMENTS
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P33.0	CLIENT GDU - RESIDENTIAL	LZ	09.01.24	
P34.0	CLIENT GDU - RESIDENTIAL	LZ	16.01.24	

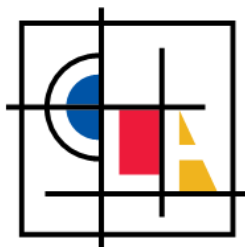
PROJECT TITLE:
**PROPOSED MIXED USE DEVELOPMENT PLANNING PROPOSAL
 - MIXED USE PODIUM WITH RESIDENTIAL TOWER**
 124 WIGRAM STREET PARRAMATTA NSW 2150
 DRAWING TITLE:
**17-19 HASSALL STREET AGAINST THE
 CBD DCP CONTROLS**

NO.	NAME	DATE
DRAWN BY:	JW, FW, LZ, JR	
CHECKED BY:	PI & LL	
SCALE:	1:300 AT A3	
PROJECT NO.:	P530	
PP	26	P34.0
stage	design	submit

Statement of Heritage Impact

**124 Wigram Street
Harris Park**

**Proposal:
New Residential and
Commercial Development**



**CRACKNELL
&
LONERGAN**
ARCHITECTS PTY LTD

REV. B

Prepared on 17 January 2024
Prepared for PTI Architecture

CRACKNELL
&
LONERGAN
ARCHITECTS PTY LTD

ABN 55 100 940 501
Nominated Architect: Peter J Lonergan
NSW Architects Registration No. 5983

156a Church Street
Newtown NSW 2042
(02) 9565 1554
email@cracknellonergan.com.au
www.cracknellonergan.com.au



Contents

1.0	Introduction	01
2.0	Setting and Context	04
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1.0 Introduction

Prepared On:

16 September 2019 [DRAFT]
26 September 2019 [DA-ISSUE]
17 January 2023 [REVISED]

Project Address:

124 Wigram Street
Harris Park

Prepared For:

PTI Architecture

Prepared By:

Cracknell & Lonergan
Architects Pty Ltd

1.1 Project Summary

The development relevant to this Statement of Heritage Impact is located at 124 Wigram Street, Harris Park, and the proposal seeks to construct a residential and commercial development building with 36 storey, 2 level basement car parking and 171 residential apartments. The proposed development is within the Parramatta CBD Planning Proposal and the proposal seeks to align with the controls of the Parramatta Planning Proposal. Land use, Height of Building and FSR are consistent with the objectives of the principal development standards pursuant to the Parramatta LEP 2023.

The subject site is in the vicinity of the Harris Park West and Experiment Farm Heritage Conservation Areas and within the vicinity of Local LEP listed heritage items at No.113- 155 Wigram Street - Item I750 and Nos. 23 and 25 Hassal Street - Item I708. The proposed development is located in the South East Parramatta Interface Area and the Special Interest Area No.10- 'Parramatta CBD Apartment Zone' which is examined in the Hector Abrahams Assessment Report.

1.2 Research Methodology

Cracknell and Lonergan Architects Pty Ltd have been commissioned to assess the impact of the proposed works. The report has been authored by Peter Lonergan, Registered Architect and Director, Cracknell and Lonergan Architects Pty Ltd. He has been assisted by other staff at the office: Ms Julie Cracknell (Practice Director), Ms Paula Valsamis (Coordinator, Planning & Heritage) and Miss Kimberley Tonkin (Architectural Assistant).

The Statement of Heritage Impact follows the guidelines contained in the NSW Government Office of Environment and Heritage (<https://www.environment.nsw.gov.au/resources/heritagebranch/heritage/hmstatementsofhi.pdf>) and it has aimed to ascertain: 1) why the item is of heritage significance; 2) what impact the proposed works will have on that significance; 3) what measures are proposed to mitigate negative impacts; 4) why more sympathetic solutions are not viable.

The report is structured as follows: 1) It considers the setting and context of the subject site (immediate and locality), 2) It considers the proposed works in the context of the cultural significance of the subject site/item, 3) It considers the statutory controls and development constraints 4) It makes recommendations on the suitability of the proposed works for subject site.

After assessing the significance of the site, impact on the significance of the site, as well statutory and development controls (LEP and DCP), the Statement of Heritage Impact concludes that the proposed works do not have an adverse impact on the significance of the heritage item, and development should not be restricted on the grounds of heritage.



Peter Lonergan

Director
Cracknell Lonergan Architects Pty Limited
NSW Architects Registration No. 5983

2.0 Setting and Context

2.1 Setting and Context

The subject site is named as no. 124 Wigram Street, Harris Park, or known formally as SP19939 with various lot numbers. The existing building is a private four storey, 1970s face brick flat building with hipped tiled roof.

Located in the local government area of Parramatta and within the proposed Parramatta CBD Planning Proposal, the site is within a locality of mixed character, containing low to medium residential dwellings, some 4- 5 storey apartments and commercial premises. Directly opposite the site are the Local LEP listed heritage items at No.113- 155 Wigram Street - Item I750 and Nos. 23 and 25 Hassal Street - Item I708. The heritage items are conjoined cottages built in the 1880s and both groups occupy the corner of Wigram Street and Hassal Street. The simple and modest brick and corrugated iron roofed cottages contrast greatly with the multi storey apartments that surround them.

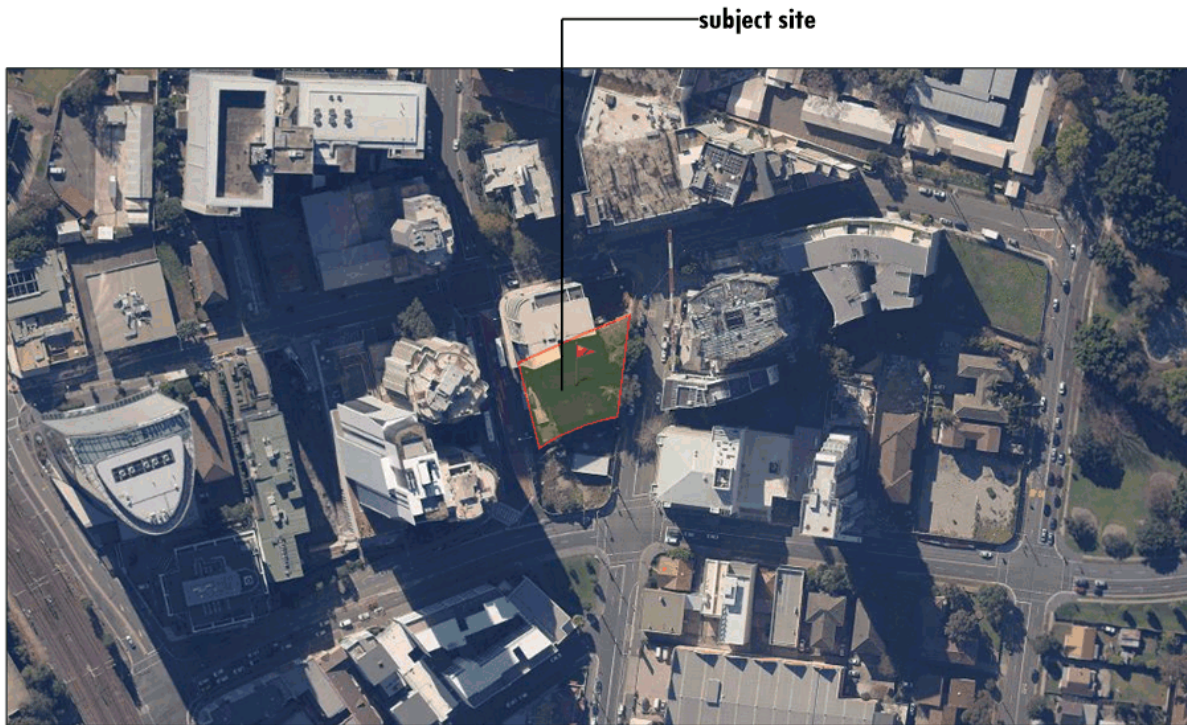
The impact of the proposed development on the cottages is assessed in this report- Section 7.3., in the Hector Abrahams Assessment Report, as well as methods to mitigate the heritage interface impacts.

The site is within an area known as the Parramatta CBD Apartment Zone and the urban locale of this precinct is described as follows in Hector Abrahams, Parramatta CBD Study.

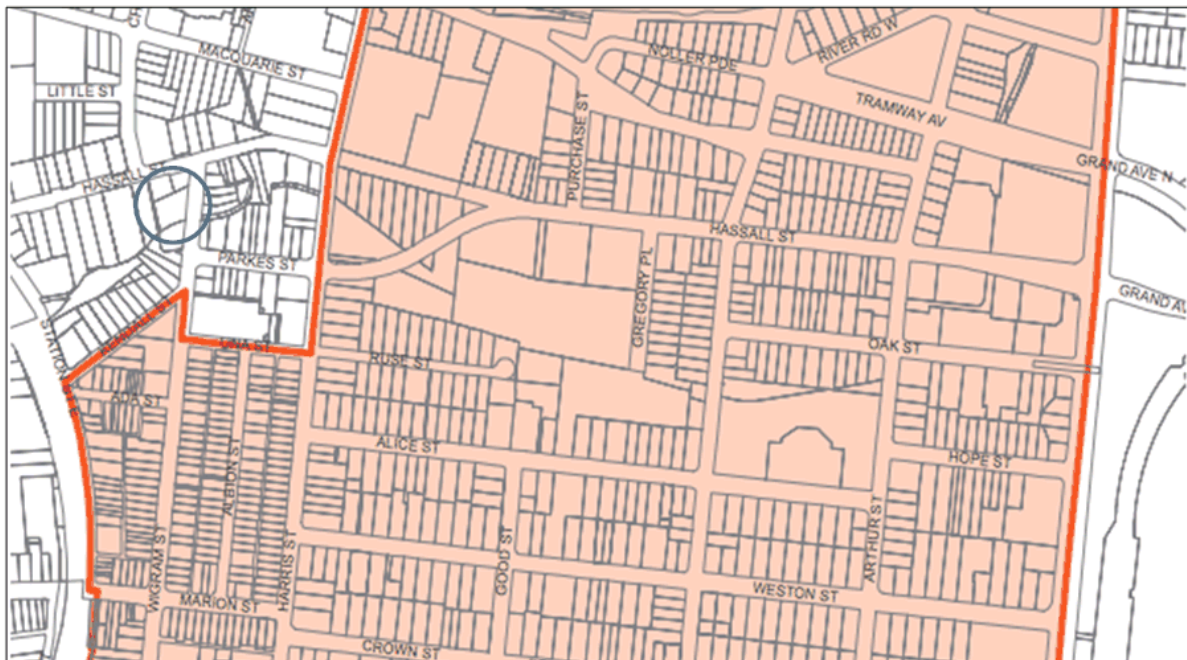
'originating as the rear allotments of streets set out on the line of the creek. A central identity node is found at the intersection of Hassall and Charles Streets, where there is a large Port Jackson Fig, a small cluster of shops, and a street view to the wooded horizon at the rise above the Harris Park Suburb. In and around the precinct there are to isolated heritage places, including Lancer Barracks and Commercial Hotel, and two houses in Wigram Street'

Sourced: <https://www.cityofparramatta.nsw.gov.au/sites/council/files/inline-files/pdf%2028%20-%20Heritage>

2.0 Setting and Context



NSW SIX Maps Imagery - Aerial Map of Site Location



City of Parramatta Council DCP Map of the Locality of Harris Park. Subject site is situated just on the outskirts of this outline, highlighted in blue.

2.0 Setting and Context

2.2 Locality & Neighbourhood Condition

Harris Park is bounded by the Parramatta River to the north, James Ruse Drive to the east, A'Beckett's Creek, the M4 motorway to the south, and the railway line to the west. It lies immediately to the east of the commercial centre of Parramatta, with the northern and western parts of the suburb within easy walking distance of the CBD.

Harris Park contains some of the most important parts of Parramatta's heritage. It has an extensive collection of nineteenth and early twentieth century houses, shops, public buildings and landscapes. Of particular note are Australia's first land grant and oldest European building, Elizabeth Farm House, as well as two other important colonial houses, Experiment Farm and Hambleton Cottage.

The preservation and enhancement of Harris Park's historic fabric is essential. The area also has an important strategic role in providing residential development because of its location on the fringe of the Parramatta CBD. All new development will need to be at a scale that is consistent with the existing character of the streets, not impede view corridors to major landscapes and the escarpment north of the Parramatta River, and provide opportunities to connect with the foreshore. Future development along James Ruse Drive will need to have a strong, unified, and visually attractive presence to reflect its status as a "gateway" to the Parramatta CBD.

[Sourced: Parramatta DCP - 4.3.2 Harris Park]



Apartments within the vicinity Photograph Cracknell & Lonergan Photograph

2.0 Setting and Context

subject site

Streetscape looking north and towards Parramatta River



Streetscape looking south and towards the Western Motorway Photo Google Maps



Surrounding apartments
Photo Google Maps



2.0 Setting and Context

2.3 Subject Site Conditions

The subject site is No. 124 Wigram Street Harris Park, or known formally as CP/-/SP19939. The existing subject site comprises a four storey, 1970s face brick flat building with hipped tiled roof. It is unremarkable, though in fair condition. The existing flats at No. 124 Wigram Street as sourced from real estate photos shows simple modest interiors.

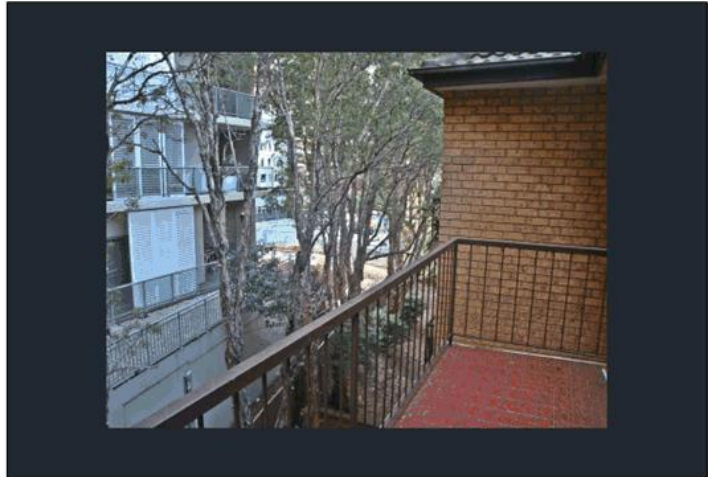
It is evident that the streetscape is changing within the Apartment Zone of the Parramatta CBD and the apartments appear out dated..



Real Estate Photography of the subject site's facade

2.0 Setting and Context

Apartment 11 Real Estate Imagery



Apartment 3 Real Estate imagery



Apartment 7 Real estate imagery

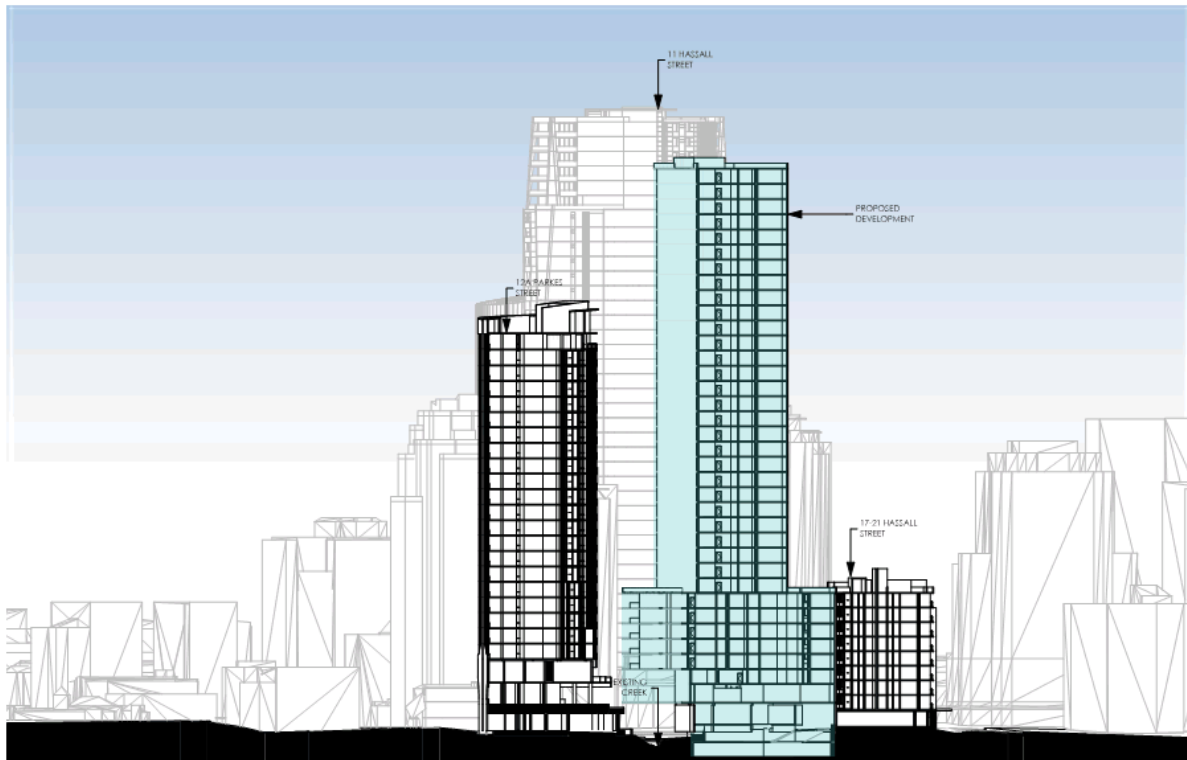


3.0 Proposal

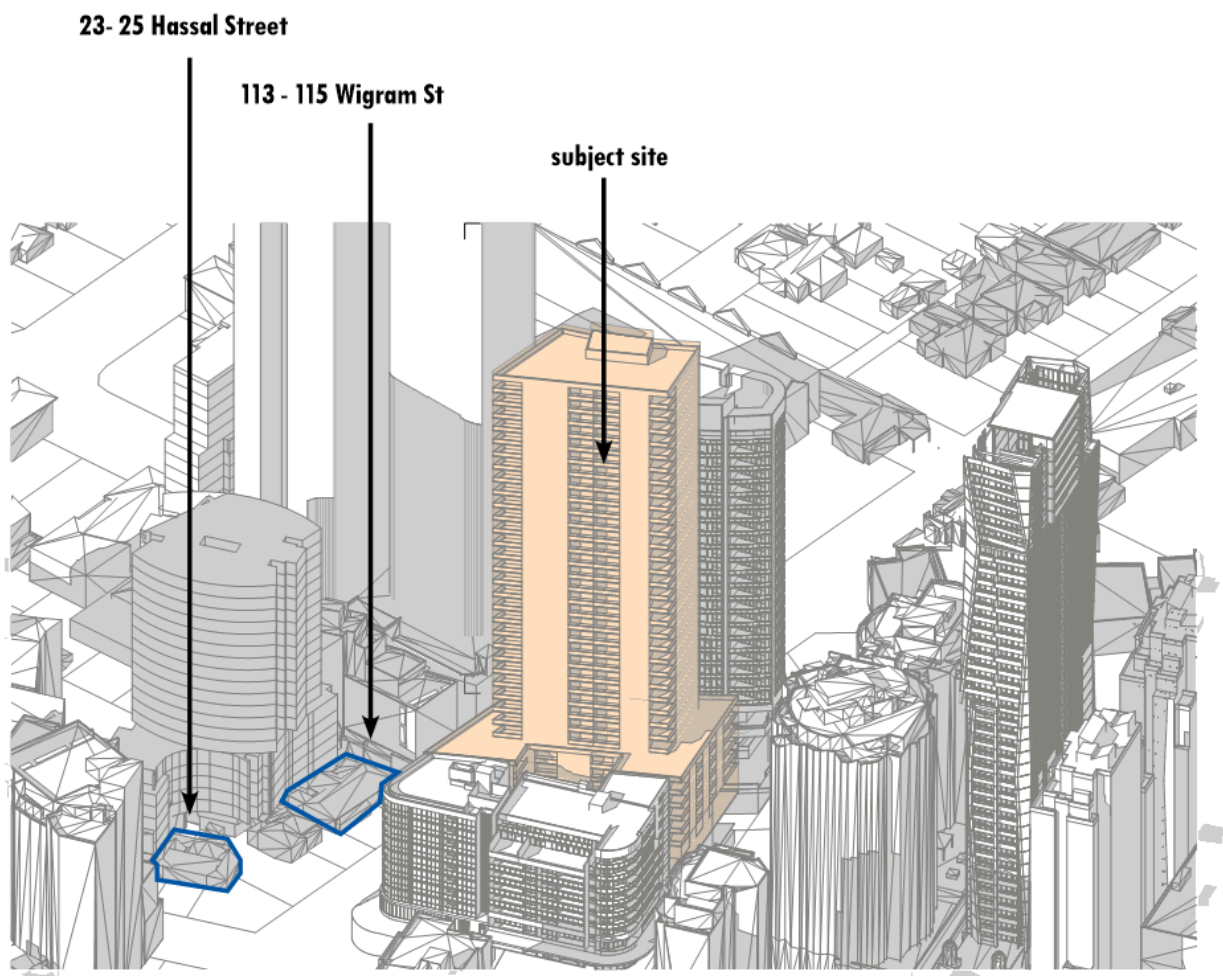
3.1 Proposal

The subject site, bounded by Wigram Street, Charles Street to the west and Hassall Street to the north, is in an area within the Parramatta CBD Proposal, that is dominated by tall apartment buildings. Future development proposed, within this precinct constitutes apartment buildings, as evident in the 3D modelling diagram drawn by Pti Architecture.

DEVELOPMENT CALCULATION	
FSR CALCULATION	
SITE AREA	1557m ²
FSR PERMITTED	11.5:1 (17 928.5 m ²)
FSR PROPOSED	11.307:1 (17627.86 m ²)
<small>An area schedule should be provided showing how the GFA is arrived at. For GFA yield calculations, assume: • Residential GFA = 75% of GBA (GBA includes external walls, internal voids and balconies). • Commercial GFA = 85% of GBA.</small>	
DEEP SOIL AREA CALCULATION	
PROPOSED DEEP SOIL AREA	159m ² (10% SITE AREA)
NO. OF LEVELS	
BASEMENTS	2 LEVELS
GROUND LEVEL - COMMERCIAL	1 LEVEL
NO. OF PODIUM COMMERCIAL LEVELS	1 LEVELS
NO. OF PODIUM RESIDENTIAL LEVELS	6 LEVELS
NO. OF TYPICAL RESIDENTIAL LEVELS	28 LEVELS
TOTAL	38 LEVELS + 2 BASEMENTS

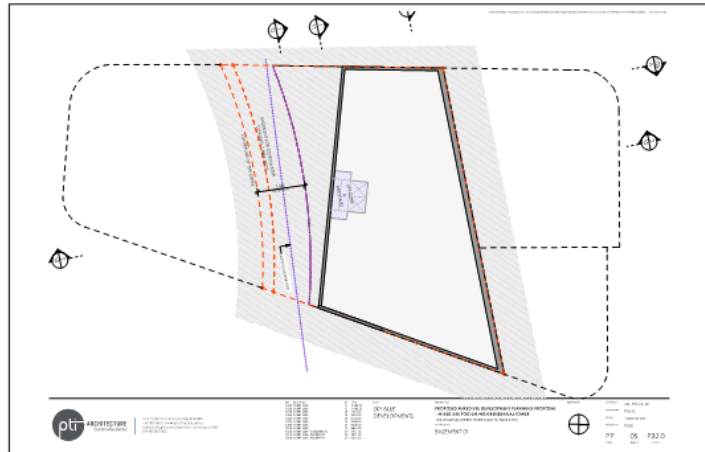


3.0 Proposal

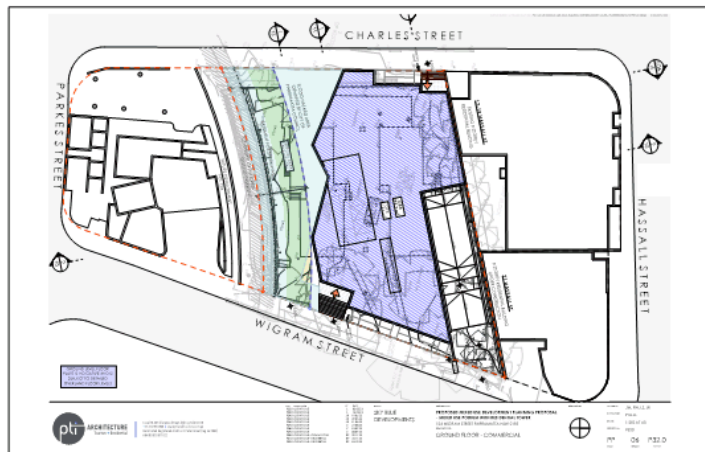


3.0 Proposal

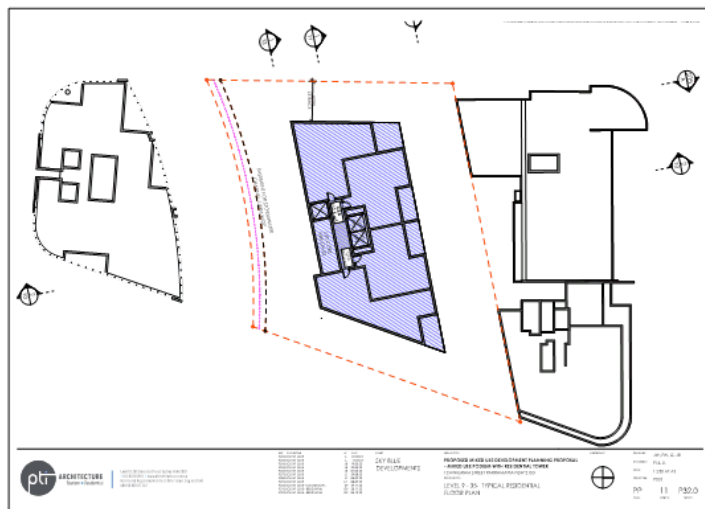
Basement Level Plan
Pti Architecture



Ground Floor/ Commercial Retail Plan
Pti Architecture



Typical Residential Plan
Pti Architecture



4.0 Assessment of Historical Significance

4.1 Historic

The history of the area has been sourced entirely from the NSW OEH Heritage Inventory for the Heritage Items and Parramatta City Council's Heritage DCP. The record provides a detailed assessment of the historic cultural and social significance of the area.

The NSW OEH Inventory provides the following historical summary for the heritage items:

Semi-detached Cottages

The pair of conjoined residences at 23 and 25 Hassall Street is of significance for the local area for historical reasons and as a representative example of residential architecture of the Victorian period in this area, created as speculative housing for less wealthy workers. Built c. 1880, the pair of conjoined houses is readily identifiable as part of historic building stock and still contributes to the streetscape

The DCP provides the following historical summary for the locality:

The building of the railway from Sydney to Blacktown (completed in 1860), including a station at Harris Park, stimulated subdivision and closer settlement of this area which had been used for many years for pastoral purposes. The area close to the railway station at Harris Park was privately subdivided in the 1870s and 1880s, with lots narrower and smaller than those in the government subdivided town area. The majority of houses in this area were built before 1895.

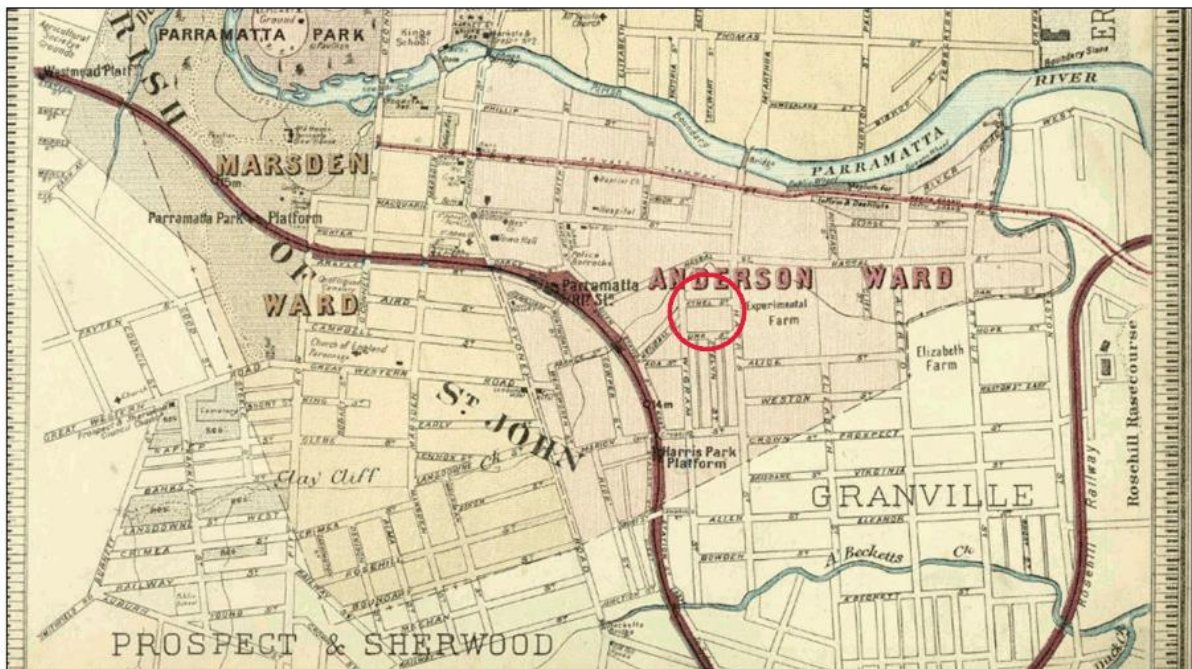
Distinctive Characteristics

- intimate scale of the area -allotments are mostly 30ft, compared to the wider allotments east of Harris Street
- predominance of small cottages (mostly single storey) with some terrace houses and other dwellings
- age of buildings - mostly developed in the late 19th century, with a few early 20th century dwellings and shops, and some flats from the 1960s

4.0 Assessment of Historical Significance



1943 Aerial Site Imagery - Site Location Highlighted in Red



County of Cumberland Plan - Approximate Site Location Highlighted in Red

5.0 Statement of Significance

5.1 NSW Office of Environment and Heritage, Statement of Significance

The NSW Office of Heritage and Environment's Heritage Inventory provides the following statement of significance for the heritage items located adjacent to the subject site:

The pair of conjoined residences at 23 and 25 Hassall Street is of significance for the local area for historical reasons and as a representative example of residential architecture of the Victorian period in this area, created as speculative housing for less wealthy workers. Built c. 1880, the pair of conjoined houses is readily identifiable as part of historic building stock and still contributes to the streetscape.

The proposed site and locality itself are not listed within the NSW Office of Heritage and Environment's Heritage Inventory and as such there is no applicable statement of significance for the site.

5.2 Locality Statement (City of Parramatta DCP)

The Council DCP provides the following statement of significance for the locality:

The area demonstrates an early 1870s-90s subdivision and speculation of modest residential development part of colonial surgeon John Harris' land grant, made in response to the railway. Many of the original houses remain and it retains a consistency of development with narrow lots, back lanes and small scale, simple form timber and brick cottages, built close together. The use of timber was typical in many parts of Sydney but is now rare. This area is important because it provides evidence of mid 19th century subdivisional and surveying practice and with the relative absence of modern development is the most consistent historical urban area in central Parramatta.

[Sourced - 4.4.3.3 Harris Park West Heritage Conservation Area]

6.0 Statutory Controls and Development Controls

6.1 Council - Local Environmental Plan 2023

Clause 4.3 Height

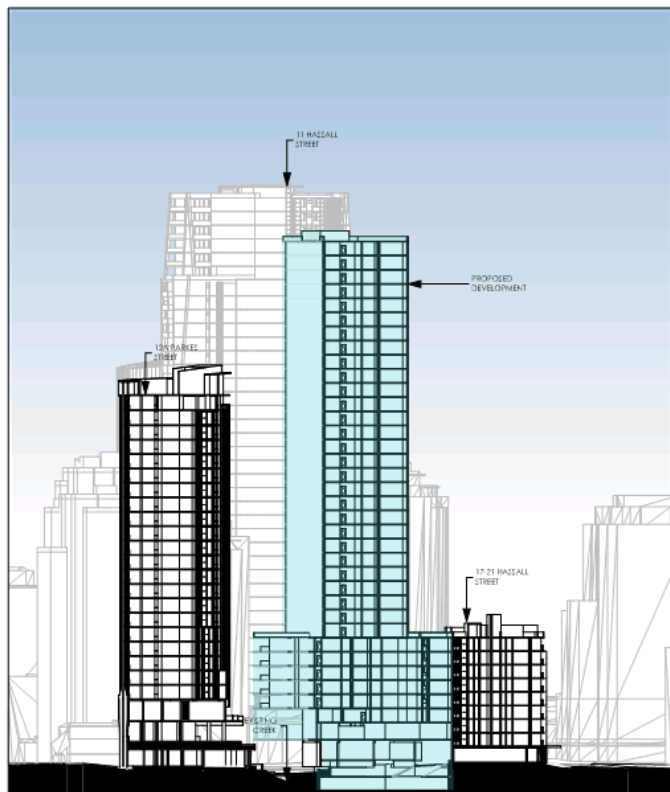
The subject site is classed with a permissible maximum building height of 72 metres.



The Parramatta LEP2023 prescribes that:

1. The maximum height of a building will be influenced by proposed controls for height of buildings, sun access protection and airspace orientations.
2. All land within the CBD Planning Proposal boundary will have two height controls, one being a base height control, and the other being an incentive height control.
3. The base maximum height control: Can be increased by 15% provided design excellence is achieved. The 15% bonus can only be applied once, either to the base or incentive height - but not both.

The proposal seeks to increase the height of the final proposal to 119m, as shown in the proposed drawings.



6.0 Statutory Controls and Development Controls

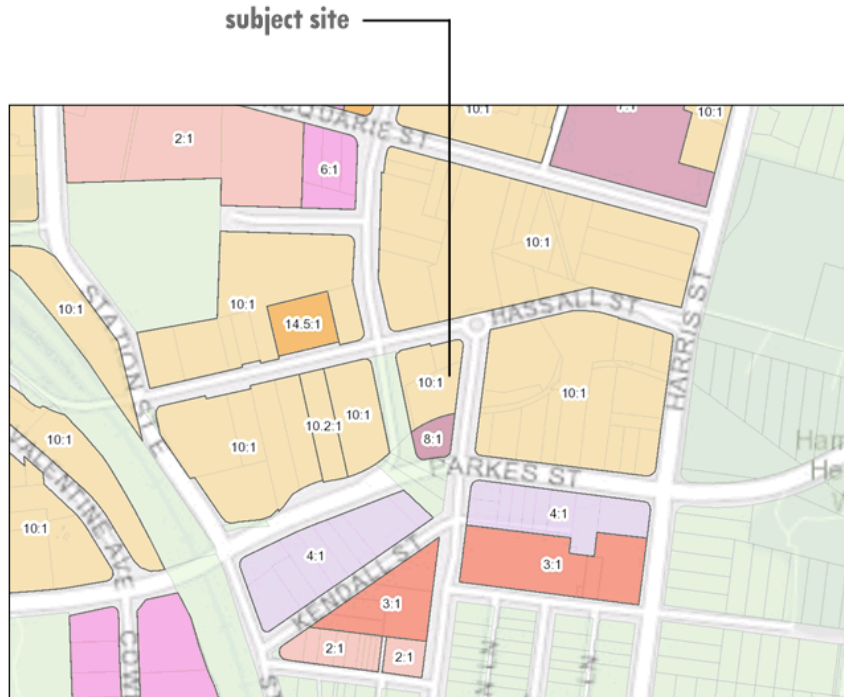
6.1 Council - Local Environmental Plan 2023 Clause 4.3 Height

Objectives	Compliance	Response
4.3 Height of buildings		
(1) The objectives of this clause are as follows— (a) to provide appropriate height transitions between buildings,	COMPLIES	The proposed height of the development continues to maintain an appropriate height transition between higher density CBD precinct areas and the low density Parramatta and Harris Park surrounds. The proposed podium articulation further assists in breaking up the overall form of the tower to reduce the visual bulk and scale of the development along the street.
(b) to ensure the height of buildings is compatible with the height of existing and desired future development in the surrounding area,	COMPLIES	The proposed development is consistent with other developments within the same urban precinct. As the streetscape elevations demonstrate, adjoining developments within the Harris Park area are currently undergoing redevelopment with heights and scales comparable to the development subject of this application.
(c) to require the height of future buildings to be appropriate in relation to heritage sites and their settings,	COMPLIES	The proposed development is accompanied by a solar analysis which demonstrates that the impact upon the heritage conservation area to the south has been minimised. The podium form and articulation has been designed in a manner which responds to the fine grain human scale of Wigram street and will not adversely impact the heritage items across the road.
(d) to reinforce and respect the existing character and scale of low density residential areas,	COMPLIES	The proposal is not located in an area of low density residential development.
(e) to minimise visual impact, disruption of views, loss of privacy and loss of solar access to existing development,	COMPLIES	The proposed development has been designed in a way which does not interfere with existing street or curtilage corridors. The proposed development, particularly the tower form, has been designed to minimise impacts upon the broader local views. Street views are protected and defended by appropriate setbacks from boundaries and a relationship to adjoining buildings.
(f) to preserve historic views,	COMPLIES	As per the discussion above.
(g) to maintain satisfactory sky exposure and daylight to— (i) existing buildings in commercial centres, and (ii) the sides and rear of tower forms, and (iii) key areas of the public domain, including parks, streets and lanes.	COMPLIES	The proposed development is accompanied by a solar analysis which demonstrates that the impact upon the heritage conservation area to the south has been minimised.

6.0 Statutory Controls and Development Controls

6.1 Council - Local Environmental Plan 2023 Clause 4.4 FSR

The permissible FSR for the subject site is identified as being 10:1.



The Parramatta LEP2023 prescribes that:

1. The maximum floor space ratio of a building will be influenced by proposed controls for density of buildings, sun access protection and airspace orientations.
2. All land within the CBD Planning Proposal boundary will have two floor space controls, one being a base floor space control, and the other being an incentive floor space control.
3. The base maximum height control: Can be increased by 15% provided design excellence is achieved. The 15% bonus can only be applied once, either to the base or incentive height - but not both.

The proposal seeks to increase the floor space ratio of the subject site to 11.307:1, which sits within the permissible bonus of 15%, that is, 10:1 + 1.5:1 = 11.5:1

DEVELOPMENT CALCULATION	
FSR CALCULATION	
SITE AREA	1559m ²
FSR PERMITTED	11.5:1 (17 928.5 m ²)
FSR PROPOSED	11.307:1 (17627.86 m ²)
<small>An area schedule should be provided showing how the GFA is arrived at. For GFA yield calculations, assume: * Residential GFA = 75% of GBA (GBA includes external walls, internal voids and balconies). * Commercial GFA = 85% of GBA.</small>	
DEEP SOIL AREA CALCULATION	
PROPOSED DEEP SOIL AREA	159m ² (10% SITE AREA)
NO. OF LEVELS	
BASEMENTS	2 LEVELS
GROUND LEVEL - COMMERCIAL	1 LEVEL
NO. OF PODIUM COMMERCIAL LEVELS	1 LEVELS
NO. OF PODIUM RESIDENTIAL LEVELS	6 LEVELS
NO. OF TYPICAL RESIDENTIAL LEVELS	28 LEVELS
TOTAL	38 LEVELS + 2 BASEMENTS

6.0 Statutory Controls and Development Controls

6.1 Council - Local Environmental Plan 2023 Clause 4.4 FSR

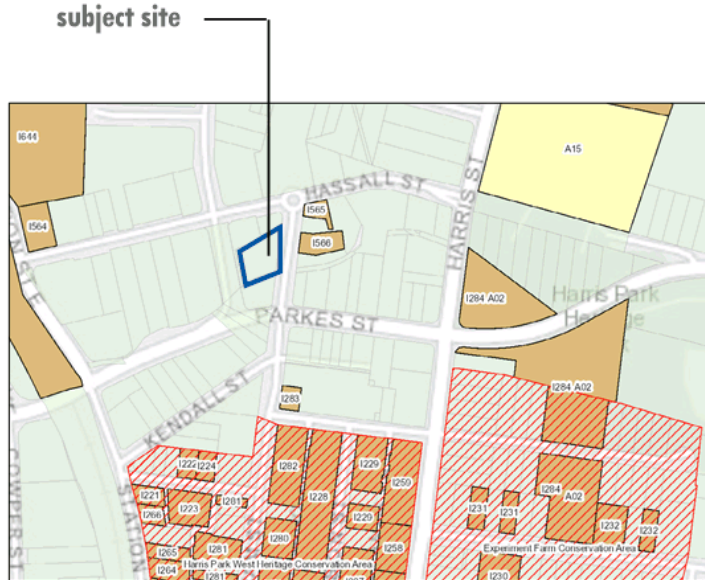
Objectives	Compliance	Response
4.3 Height of buildings		
(1) The objectives of this clause are as follows—		
(a) to ensure buildings are compatible with the bulk, scale and character of existing and desired future development in the surrounding area,	COMPLIES	The proposed development scale will be appropriate in its context and is substantially below the permissible floor space ratio for the site. The use of the bonus requiring design excellence will be demonstrated through a future detailed design resolution process, but the current planning proposal scheme demonstrates reference points in terms of adequate bulk, height, form, scale and setbacks which will inform a positive design outcome for the site, and which will enable a compatible development where the height and floor space are appropriately correlated, to be developed.
(b) to regulate density of development and generation of vehicular and pedestrian traffic,	COMPLIES	The proposed development achieves a compliant density for the subject site which adequately addresses the future density and foreshadowed population of the site.
(c) to provide a transition in built form and land use intensity,	COMPLIES	The proposal has been divided between a lower level podium articulation and a taller tower form, defined by separation of setbacks, materials, bulk and scale, these assist in providing an appropriate transition in height and scale. The proposal further complements an approved adjoining development to the south, where the FSR and height are lower. The subject site is therefore foreshadowed in planning instruments to be an uplift from its neighbour, providing an increase in scale as the site steps northward toward Parramatta CBD.
(d) to require the bulk and scale of future buildings to be appropriate in relation to heritage sites and their settings,	COMPLIES	The solar analysis and assessment of curtilage demonstrates that the proposal is compliant and consistent in terms of bulk and scale, in relation to surrounding heritage items and the broader heritage conservation areas and special character areas to the south and east of the property.
(e) to reinforce and respect the existing character and scale of low density residential areas.	COMPLIES	The proposal is reflective of other approved developments in the area as demonstrated in the urban sections and elevations which shows the anticipated, built and under construction scales of development which surround the site.

6.0 Statutory Controls and Development Controls

6.1 Council - Local Environmental Plan 2011 Clause 5.10 Heritage

The subject site is not situated within a Heritage Conservation Area, nor is it a locally or state listed Heritage Item.

The subject site is in the vicinity of the Harris Park West and Experiment Farm Heritage Conservation Areas and within the vicinity of Local LEP listed heritage items at No.113-155 Wigram Street - Item I566 and "Semi-detached Cottages" Nos. 23 and 25 Hassall Street - Item I565.



Heritage Map (LEP) - Subject site is highlighted in BLUE

Objectives / Provision	Compliance	Response
5.10 Heritage Conservation		
<p>(1) Objectives</p> <p>The objectives of this clause are as follows:</p> <ul style="list-style-type: none"> (a) to conserve the environmental heritage of Parramatta, (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views, (c) to conserve archaeological sites, (d) to conserve Aboriginal objects and Aboriginal places of heritage significance. 	COMPLIES	<ul style="list-style-type: none"> (a) The proposal successfully improves the streetscape by converting an unremarkable 1970s residential flats into a contemporary high residential development. Heritage items authenticity is not compromised. (b) The contemporary design solution which will reinvigorate the urban locale and improve the significance of the items located opposite the subject site. (c) Given that there are possible archaeological objects or relics on subject site some further investigation may be warranted. (d) N/A
<p>(2) Requirement for consent</p> <p>Development consent is required for any of the following:</p> <ul style="list-style-type: none"> (a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance): <ul style="list-style-type: none"> (i) a heritage item, (ii) an Aboriginal object, (iii) a building, work, relic or tree within a heritage conservation area, 	COMPLIES	<p>The proposal provides for a statement of heritage impact as the proposal is adjacent to heritage items and is of a scale where heritage conservation areas to the south of the subject site may be impacted by the proposed development. An assessment of heritage is therefore conducted to assess and mitigate potential adverse impacts of the development.</p>
<ul style="list-style-type: none"> (b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item, 	N/A	

6.0 Statutory Controls and Development Controls

6.1 City of Parramatta Council - Local Environmental Plan 2011 Clause 5.10 Heritage

Objectives / Provision	Compliance	Response
(c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,	N/A	
(d) disturbing or excavating an Aboriginal place of heritage significance,	N/A	
(e) erecting a building on land: (i) on which a heritage item is located or that is within a heritage conservation area, or (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance,	N/A	
(f) subdividing land: (i) on which a heritage item is located or that is within a heritage conservation area, or (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.	N/A	
Clause (3) is not applicable to this development	N/A	
(4) Effect of proposed development on heritage significance The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned. This subclause applies regardless of whether a heritage management document is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).	APPLIES	This report satisfies the requirement for a detailed heritage assessment to be conducted for assessment by the consent authority. Relevant assessments are addressed in the Hector Abrahams Architects Heritage Study of Interface Areas, in reference to the proposed development at 124 Wigram Street Harris Park as tabled in Section 7.3 of this report and if followed, provides a useful test of the criteria to ensure heritage values are maintained.
(5) Heritage assessment The consent authority may, before granting consent to any development: (a) on land on which a heritage item is located, or (b) on land that is within a heritage conservation area, or (c) on land that is within the vicinity of land referred to in paragraph (a) or (b), require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.	APPLIES	This report satisfies the requirement for a detailed heritage assessment to be conducted for assessment by the consent authority. Relevant assessments are addressed in the Hector Abrahams Architects Heritage Study of Interface Areas, in reference to the proposed development at 124 Wigram Street Harris Park as tabled in Section 6.3 of this report and if followed, provides a useful test of the criteria to ensure heritage values are maintained. The proposed development is also within the vicinity of the Harris Park West HCA and is assessed in Section 4.3.2 .
Clause (6) - (10) are not applicable to this development.	N/A	

6.0 Statutory Controls and Development Controls

6.2 City of Parramatta Council - Development Control Plan 2023

Parramatta Development Control Plan 2023		
Objective / Provision	Compliance	Response
7.4 General Provisions		
O.01 Ensure the appropriate management of heritage in the City.	COMPLIES	<p>Assessment of the proposal against relevant provisions of the DCP, the heritage interface study by Hector Abrahams Architects and the Urbis Heritage Study provides for appropriate consideration of potential heritage matters which may be impacted by the development.</p> <p>A key challenge for Parramatta in the immediate future is to retain the authenticity and setting of its heritage amidst very large scale development. The best and highest result is that heritage in Parramatta be not sidelined, isolated, swamped or ignored, but rather integrated with the new fabric of a bustling city environment.</p> <p>Directly opposite the site are the Local LEP listed heritage items at No.113- 155 Wigram Street - Item I750 and Nos. 23 and 25 Hassal Street - Item I708. The heritage items are conjoined cottages built in the 1880s and both groups occupy the corner of Wigram Street and Hassal Street.</p>
O.02 Retention and reinforcement of the attributes that contribute to the heritage significance of items, areas and their settings.	COMPLIES	<p>The proposal, which includes a podium and tower component is appropriately articulated at the ground level scale to provide for an appropriate transition, both in terms of newer development in the area, and the single storey heritage dwellings located across the street. The proposal provides for an adequate separation between the vertical tower, and the horizontally expressed ground level datum.</p>
O.03 Ensure development is compatible with the significance and character of the area so that the new work does not detract from the historic buildings and their amenity to/from the streetscape.	COMPLIES	<p>The precinct area is identified as not being within a heritage conservation area, but is located within a special character area which may impact on heritage conservation areas to the south. As the solar analysis demonstrates (prepared by PTI), the proposed development does not result in substantial overshadowing of development in the vicinity of the locality which would adversely impact the interface between areas of higher development, and the Harris Park Heritage conservation area. The overall amenity of adjoining areas is minimally impacted by the proposal.</p>

6.0 Statutory Controls and Development Controls

6.2 City of Parramatta Council - Development Control Plan 2023

Parramatta Development Control Plan 2023		
Objective / Provision	Compliance	Response
<p>Scale</p> <p>O.04 The scale and bulk of any new work is the most important issue to get right. In the case of infill work in a conservation area, the scale of the new building needs to be similar to those surrounding it. In the case of renovations and extensions, the new work should not overwhelm the original building, and would almost certainly need to be no larger in size than the original building.</p>	COMPLIES	The proposed development is of a bulk and scale which is suitable for the site and will appropriately complement the surrounding existing development and future development.
<p>Siting</p> <p>O.05 In the case of infill work in a conservation area, the new building needs to have a similar orientation on the block and similar setbacks as those around. In the case of renovations and extensions, new work is best located to the rear or possibly the side of the building in order to minimise changes to the appearance of the building from the street.</p>	COMPLIES	The new development is appropriately sited.
<p>Architectural Form</p> <p>O.06 The basic architectural form of any new work needs to respect that which exists. Issues to consider include the pitch and form of the roof, and the size, proportion and location of windows and doors.</p>	COMPLIES	The proposals height and roof scape is similar to future surrounding development.
<p>Architectural Detailing</p> <p>O.07 Applicants need to be aware of the particular era and architectural style of the building or buildings, and make sure that any proposed changes respect this. For example, it is not appropriate to mix Victorian features with say California Bungalow and overuse of historical architectural details on new work should be avoided.</p>	COMPLIES	It provides for a new contemporary residential development that allows heritage items within its vicinity to be retained and enhanced.
<p>Materials and Finishes</p> <p>O.08 New materials need not always match the existing exactly but need to be compatible, with consideration being given to the colour, texture, and type of materials and finishes.</p>	COMPLIES	Materiality employed is designed to complement the architectural character of the neighbourhood.
<p>Use</p> <p>O.09 The best use for a building is usually the one for which it was built. Where this is not possible, a use which requires minimal alterations will be more compatible.</p>	COMPLIES	The proposed development is situated in the designated Apartment Zone of the Parramatta CBD.

6.0 Statutory Controls and Development Controls

6.2 City of Parramatta Council - Development Control Plan 2023

Parramatta Development Control Plan 2023		
Objective / Provision	Compliance	Response
<p>Original Fabric</p> <p>O.10 It is important to minimise alterations to the original fabric. Where possible, it is preferable to repair rather than replace individual elements such as windows and doors.</p>	COMPLIES	The simple and modest brick and corrugated iron roofed cottages retain all their key attributes and their distinct patina remain as in.
<p>The Aging Process</p> <p>O.11 The 'patina' of age on a building adds much to its character and significance. A worn step, for example, demonstrates the many years of feet crossing a threshold. Such features add to the uniqueness and character of the place and should be retained.</p>	Not Applicable.	Not Applicable. The subject site does not contain buildings or fabric of heritage significance where the aging process needs to be considered.
<p>Curtilage</p> <p>O.12 The majority of built heritage items in the City are listed with their curtilage contained within the lot boundary containing the item. In some cases, there is a reduced curtilage where the significance of the item and its interpretation is not dependant on having a large curtilage extending to the lot boundary. In such cases it is necessary to identify a curtilage that enables the heritage significance of the item to be retained. It is also possible that there will be an expanded curtilage for some items where the curtilage is greater than the property boundary. An expanded curtilage may be required to protect the landscape setting or visual catchment of an item. For example, the significance of some properties includes a visual link between the property itself and a river or topographical feature.</p>	COMPLIES	The new development will not destroy the setting, curtilage and architectural significance of the heritage items.
<p>Siting</p> <p>O.13 An infill building adjacent to a heritage item should not precisely imitate its neighbour but use recognisable tools such as massing, scale, setback and orientation, details and materials, roof forms and coursing lines to complement adjacent heritage items.</p>	COMPLIES	The new development is appropriately sited.
<p>New Buildings</p> <p>C.25 New developments on a site that is individually heritage listed, in a heritage conservation area, or is located in the vicinity of a heritage listed item or heritage significant area is to be designed and constructed in a manner that does not detract from the historic significance of that item or the area. Refer to Figure 7.4.5.</p>	COMPLIES	The new development will not have negative effect on the cottages and the contemporary development allows the heritage items to be retained and enhanced.

6.0 Statutory Controls and Development Controls

6.2 City of Parramatta Council - Development Control Plan 2023

Parramatta Development Control Plan 2023		
Objective / Provision	Compliance	Response
<p>C.26 Applicants should concentrate on suitable design solutions that would adequately address the height, siting, shape and materials sympathetically to blend the new buildings with its heritage or significant context without pursuing imitation of period details. Design in context considerations include:</p> <ul style="list-style-type: none"> the proposed heights of the new building compared to those nearby – the new building should be no higher than the majority of the buildings in its vicinity; the proposed setbacks of the new building from the street and from its side and rear boundaries compared to its neighbours on either side; whether the proposed building's massing and features has a similar shape of the other buildings in its vicinity – in a street with hipped or gable roofs, in a street of commercial buildings, a parapet roof form might help the new building fit better within its neighbourhood; and whether the proposed building materials will complement those material used nearby - most houses in the City are of brick or weatherboard so bagged and painted brick walls might not be suitable for proposed new buildings within the same district. 	COMPLIES	<p>The revised bulk and scale for the proposal demonstrates that a suitable design solution, subject to future detailed design resolution, will be capable of sympathetically addressing the broader heritage context, whilst also providing a meritorious, appropriate and suitable development on the site.</p> <p>The proposed development plans demonstrates the ability to provide for a residential project where appropriate massing, orientation, materiality, bulk, scale and form is capable of being achieved without compromising the amenity of neighbouring developments, without compromising the scale of the streetscape and without compromising the solar access amenity of the adjoining heritage conservation areas.</p>
<p>C.27 In some areas including conservation area and special character areas the pattern of development is an important element which plays a role in the history and heritage significance of the place. New development which would alter this distinctive pattern of development is unlikely to be supported, even if the proposed development is designed low and not visible from the street.</p>	COMPLIES	<p>The proposed development, including an articulated podium level and recessed tower form is consistent in terms of the address at street level and also provision of increased setbacks for upper levels of the proposal. The proposal's form is appropriately articulated and mitigates impacts to adjoining development and the heritage context.</p>
<p>C.28 In areas where the lots pattern of development is not part of the heritage significance of the place, new buildings at the rear of old buildings might be considered if the proposal is designed and sited successfully to not disrupt the streetscape, affect the setting of the heritage item or undermine the amenity of the area.</p>	Not Applicable.	<p>Not applicable. The site is not situated behind any heritage items.</p>

6.0 Statutory Controls and Development Controls

6.2 City of Parramatta Council - Development Control Plan 2023

Parramatta Development Control Plan 2023		
Objective / Provision	Compliance	Response
<p>C.29 The important design principles to consider when designing a new building in a heritage sensitive context are:</p> <ul style="list-style-type: none"> • Repeat the same size of driveways and pattern of openings. • Avoid large, impermeable paved areas. • Keep new buildings bulk low so it can be screened by the existing building, and supplemented by existing or new trees to mitigate its visual prominence. • Consider new planting in suitable locations adjacent to driveways to help screen views between buildings. • Adequately position the building to achieve a better relationship between old and new buildings. • Site new building to minimise adversely impacting sunlight and views enjoyed by neighbours. • Consider all site potential and constraints, such as archaeological deposits that might exist within the site. • Avoid introducing new large buildings that cannot be screened and which would overwhelm old buildings and detract from their setting. 	COMPLIES	<p>The proposed development is opposite the heritage items. The development is setback appropriately and its articulated facade along Wigram Street allows for differentiation and distance between it and the cottages.</p> <p>The proposal aims to improve the area by removing unsympathetic and outdated fabric of existing 1970s flats by proposing a contemporary design solution which reinvigorates the urban locale- especially it being a designated Apartment Zone within the Parramatta CBD. Design excellence is of paramount importance.</p>
<p>C.30 Buildings with wall heights below 9m can be screened by trees and this helps new and old blend better together.</p>	Not Applicable	The overall built form will exceed 9 metres.
<p>C.31 New buildings need to conform to existing subdivision patterns.</p>	COMPLIES	The proposal conforms to an existing pattern of subdivision.
<p>C.32 Buildings which cut across lots or cover a large amalgamated lot will be at odds with the regular subdivision pattern in conservation areas. Such outcomes will be obvious from the street and will most likely not be supported by Council.</p>	COMPLIES	The proposal does not result in a development which will cut across lots or cover a large amalgamated lot in a manner which would be inconsistent or incompatible with the preexisting urban character. The proposed podium form of the development for the lower levels responds to existing approved and other development along this section of Wigram Street and is contextually appropriate.
<p>C.33 New development near a heritage item needs to be carefully designed to not compete with it. The new building must align with the character of the surrounding neighbourhood, allowing the heritage item to preserve its visual and spatial curtilage.</p>	COMPLIES	The proposed development is opposite the heritage items. The development is setback appropriately and its articulated facade along Wigram Street allows for differentiation and distance between it and the cottages.

6.0 Statutory Controls and Development Controls

6.2 City of Parramatta Council - Development Control Plan 2023

Parramatta Development Control Plan 2023		
Objective / Provision	Compliance	Response
C.34 A new building in heritage context needs to follow or establish the same front and side setbacks as the existing adjoining buildings. If the neighbour items are heritage listed or contributory to the streetscape, the new building should be of a similar scale and built form and utilise sympathetic materials which fit in with those already in the street.	COMPLIES	The proposed development is not located within a heritage conservation area and there are no established setback patterns related to heritage. There are however, visual curtilage and setting considerations which are of relevance and which relate to the listed local items across the street. The proposed podium form, which is expressed in a horizontal manner and articulates the street level adequately responds to the buildings across the street by presenting a lower scale and density at eye level. The proposed setbacks on the site are aligned to other developments along Wigram street and will present a consistent setback pattern along the streetscape without adversely affecting the amenity of the heritage items opposite.
C.35 Large openings such as glass windows or glazed walls are not appropriate in a heritage context.	COMPLIES	The subject site is not located in a heritage conservation area, and furthermore, the building has been articulated in a manner where there will not be large expansive, unarticulated areas of glass windows or glazed walls. Windows and openings are appropriately scaled, sized and oriented to provide depth of articulation to minimise adverse bulk and scale impacts upon the neighbourhood.
Garages, carports and other ancillary buildings	Not Applicable	Not applicable. Whilst a carpark is provided, the provisions here relate to single dwelling garages which is not part of this development.
Driveways C.41 Driveways should be constructed of a non-obtrusive material such as concrete, bitumen, gravel, or common or dark bricks.	COMPLIES	The proposed driveway will be constructed of a non-obtrusive material.
C.42 Two wheel tracks with planting (e.g. lawn) in between are preferable to a full-width driveway.	Not Applicable.	Not Applicable. As the driveway traverses a pedestrian footpath and is required to comply with the Australian Standards for a basement carpark, two wheel tracks on grass is not an appropriate solution.
C.43 Driveways are to be no greater than the width needed for a single vehicle and any necessary turning space.	COMPLIES	The proposed driveway is consistent with requirements for apartment development and the Australian Standards.

6.0 Statutory Controls and Development Controls

6.2 City of Parramatta Council - Development Control Plan 2023

Parramatta Development Control Plan 2023		
Objective / Provision	Compliance	Response
C.44 Existing sandstone kerbs are considered highly significant and part of the street character and/or complement the siting of heritage listed sites. These road features and elements, including guttering and stone kerbs, are often impacted by public domain or development works.	Not Applicable	The street does not contain significant sandstone kerbs which are to be restored or conserved as part of this particular project.
• Original and well-preserved sandstone elements should be retained and protected, especially if a large section is still visible and intact. Where only small sections are remaining in situ or when it is not possible to reinstate a consistent portion of these sandstone features, a salvaging procedure should allow its re-use on site or elsewhere.	Not Applicable	The street does not contain significant sandstone kerbs which are to be restored or conserved as part of this particular project.
• Avoid changes to existing stone kerbs and gutters in areas that are not required. If repairs are needed, maintain and restore (where they remain beneath the bitumen) or reuse the sandstone for both kerbs and gutters.	Not Applicable	The street does not contain significant sandstone kerbs which are to be restored or conserved as part of this particular project.
• Reuse of significant sandstone kerbing must always be considered in the upgrading and cut existing stone to install new stormwater kerb's outlet connection. As part of the proposed upgrading works, it is recommended that adverse impacts on the existing adjoining kerb stones and gutters (i.e. the stones get disconnected from its bed), is mitigated with a cautious approach. This means changing as much as necessary but as little as possible, with surrounding areas repaired using suitable materials (such as lime mortar).	Not Applicable	The street does not contain significant sandstone kerbs which are to be restored or conserved as part of this particular project.
Fences	Not Applicable	Not Applicable. Provisions are related predominately to the development of single dwelling houses.
General Maintenance	Not Applicable	Not Applicable. Related to heritage items or contributory buildings.
Maintenance of Roof	Not Applicable	Not Applicable. Related to heritage items or contributory buildings.
Maintenance of Walls	Not Applicable	Not Applicable. Related to heritage items or contributory buildings.
Maintenance of Doors and Windows	Not Applicable	Not Applicable. Related to heritage items or contributory buildings.
Landscaping and Gardens	Not Applicable	Not Applicable. Related to heritage items or contributory buildings.
Civic, Commercial Development and Adaptive Reuse	Not Applicable	Not Applicable. Development is not a civic, commercial or adaptive reuse development.

6.0 Statutory Controls and Development Controls

6.2 City of Parramatta Council - Development Control Plan 2023

Parramatta Development Control Plan 2023		
Objective / Provision	Compliance	Response
7.5 DEVELOPMENT IN THE VICINITY OF HERITAGE		
O.01 Ensure that new work is sympathetic to the heritage significance of nearby heritage items, or adjoining heritage conservation area, and their settings.	COMPLIES	The proposed development plans demonstrates the ability to provide for a residential project where appropriate massing, orientation, materiality, bulk, scale and form is capable of being achieved without compromising the amenity of neighbouring developments, without compromising the scale of the streetscape and without compromising the solar access amenity of the adjoining heritage conservation areas.
Development in the Vicinity of Heritage Items		
C.01 Design and siting of new work should complement the form, orientation, scale, and style of the heritage item.	COMPLIES	The revised bulk and scale for the proposal demonstrates that a suitable design solution, subject to future detailed design resolution, will be capable of sympathetically addressing the broader heritage context, whilst also providing a meritorious, appropriate and suitable development on the site.
C.02 Adequate space should be provided around the heritage item to allow for its interpretation.	COMPLIES	The heritage items assessed as part of this application are located across the street and are not developed or altered as part of this proposal. As previously discussed, adequate expression and articulation of the podium form has been considered to ensure that the curtilage of the heritage items are not adversely affected by the proposal.
C.03 Development should maintain significant or historic public domain view to and from the heritage item.	COMPLIES	The proposal does not result in adverse view impacts and is not part of a major view corridor or curtilage view corridor. The subject site's podium design has been built to align to existing street boundaries and neighbouring development proposals which ensures the consistency of the Wigram Street curtilage.
C.04 Original or significant landscape features that are associated with the heritage item and which contribute to its setting should be retained.	COMPLIES	The proposal has been appropriately set back from the Clay Cliff Creek area. The proposed form of the podium floors is articulated to provide an interpreted boundary and setback separation which can form the basis of a future detailed design to highlight, interpret and acknowledge the site's adjacency to the historic Clay Cliff Creek. The subject site itself does not contain any heritage landscapes or landscape features which are categorised as significant.

6.0 Statutory Controls and Development Controls

6.2 City of Parramatta Council - Development Control Plan 2023

Parramatta Development Control Plan 2023		
Objective / Provision	Compliance	Response
Development in the Vicinity of Heritage Conservation Areas		
C.05 Development in the vicinity must respect the curtilage and setting of the HCA and protect views into and from the HCA.	COMPLIES	The proposed development has been designed in a way which does not interfere with existing street or curtilage corridors. The proposed development, particularly the tower form, has been designed to minimise impacts upon the broader local views. Street views are protected and defended by appropriate setbacks from boundaries and a relationship to adjoining buildings.
C.06 Development is to be sympathetic to the primary characteristics and heritage values of the HCA with regards to proposed a) Context, including backdrop to places in the HCA, b) Bulk, height alignment form and roofline of new development, c) Proportions such as windows and door openings (number and location) and balconies, d) Interface facade materials, treatments and palette, e) Compatible fencing and screening.	COMPLIES	The proposed development scale will be appropriate in its context and is substantially below the permissible floor space ratio for the site. The use of the bonus requiring design excellence will be demonstrated through a future detailed design resolution process, but the current planning proposal scheme demonstrates reference points in terms of adequate bulk, height, form, scale and setbacks which will inform a positive design outcome for the site, and which will enable a compatible development where the height and floor space are appropriately correlated, to be developed.
C.07 Development Applications for multi-unit developments adjacent to HCAs must include a construction impact report demonstrating that the construction process will not detrimentally or indirectly adversely impact places in the HCA at the time of construction or over time.	Not Applicable	The proposed development is not immediately adjacent to a heritage item or a heritage conservation area which would require assessment of structural impacts for excavation.
7.10.3 Harris Park West Conservation Area		
O.01 Protect all the attributes which contribute to the heritage value and character of the Harris Park West Conservation Area, and to maintain and improve its residential amenity.	COMPLIES	The proposed development will not result in adverse impacts upon the Harris Park Conservation Area. The proposed tower form has been appropriately articulated and designed to minimise visual curtilage impacts and minimise impacts in terms of solar access to the properties within the HCA.
Subdivision C.01 Maintain the subdivision pattern characterised by narrow allotments of a generally regular width, and back lanes.	COMPLIES	The proposal conforms to an existing pattern of subdivision.

6.0 Statutory Controls and Development Controls

6.2 City of Parramatta Council - Development Control Plan 2023

Parramatta Development Control Plan 2023		
Objective / Provision	Compliance	Response
New Development C.02 Wall height for new buildings and extensions to existing buildings should not exceed 3.6 metres or higher than the ridge line of the existing house.	Not Applicable	The subject site is not located within the HCA and is not for a single dwelling to which this control would apply.
C.03 Hipped and/or gabled roofs should have a pitch not greater than 45 degrees.	Not Applicable	The subject site is not located within the HCA and is not for a single dwelling to which this control would apply.
C.04 Additional rooms above the main body of the house are not permitted where alteration to the existing roof shape would be needed.	Not Applicable	The subject site is not located within the HCA and is not for a single dwelling to which this control would apply.
C.05 Avoid use of dormer windows and mansard roofs. Rooms in the roof may be considered only where they are ventilated by flat in-plane skylights on the rear face of the roof.	Not Applicable	The subject site is not located within the HCA and is not for a single dwelling to which this control would apply.
C.06 For extensions, the same material as the existing house, or lighter weight materials, such as painted timber, fibro or corrugated iron should be used.	Not Applicable	The subject site is not located within the HCA and is not for a single dwelling to which this control would apply.
Utilities C.07 Aerials, antennae, air conditioning units, hot water systems, communication devices, rainwater tanks, roof vents, skylights, solar panels and the like should not be visible from the streetscape or a public place.	CAPABLE OF COMPLIANCE	Subject to future detailed design and documentation, provision for utilities and other services can be integrated into the building in a manner such that it will not be visible from the streetscape or a public place.
Garages	Not Applicable	Not Applicable. The provisions relating to garages generally references designs and attributes associated with single dwelling houses which is not a relevant consideration for this project.
Fences	Not Applicable	Not Applicable. The provisions relating to fences and detailing relate to single dwelling and landscape scenarios which are not relevant to the development type subject of this application.

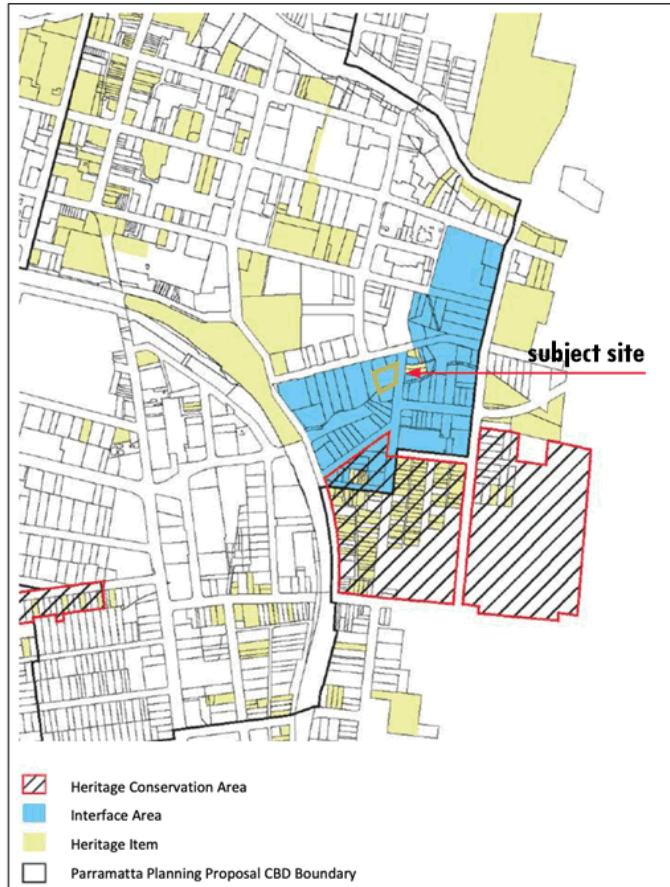
6.0 Statutory Controls and Development Controls

6.3 Parramatta CBD Planning Proposal: South East Parramatta

The proposed development is located in the South East Parramatta Interface area as anticipated by the Parramatta CBD Planning Proposal and as assessed by the Hector Abrahams Architects.


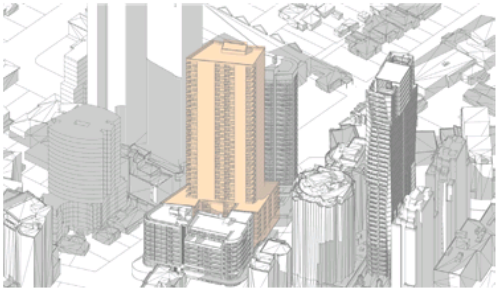
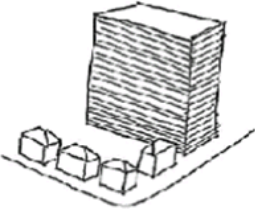
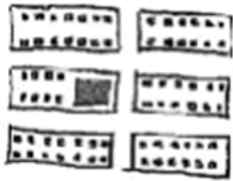
The City of Parramatta Council engaged Hector Abrahams Architects to prepare a Heritage Study of Interface Areas. Relevant assessments are addressed in reference to the proposed development at 124 Wigram Street Harris Park as tabled below and if followed, provides a useful test of the criteria to ensure heritage values are maintained, relative to the proposed development.

The South-East Parramatta Interface Area is situated between the most built up part of the Parramatta CBD and its eastern and southern edges. These edges have been in place since the early twentieth century and are comprised of the river, Queens Wharf reserve, and Harris Park suburb. Beyond the reserve to the east and across the river to the north are important colonial sites, including Hambleton, Experiment Farm and Elizabeth Farm and more reserves.



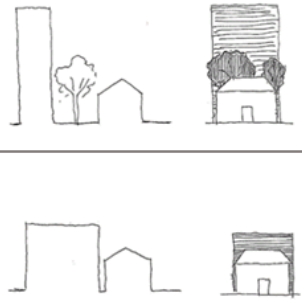

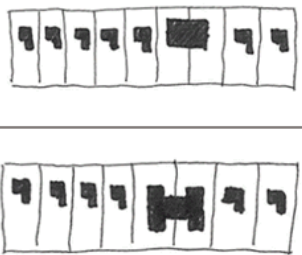
6.0 Statutory Controls and Development Controls

6.3 Hector Abrahams Architects Heritage Interface Study - Diagrammatic Controls

Guidance Diagram	Design Principle	Response
Built Form Relationships		
	<p>Immediate Relationship</p> <p>This is impact upon the built fabric or within or adjacent to the lot of that heritage item, or impact upon a property located within a conservation area.</p>	<p>Complies.</p> <p>Heritage items are opposite the proposed development and not immediately adjacent to the proposal. The development is located within a designated Parramatta CBD Apartment Zone and heritage items in their 'forecourt' retain their visibility.</p> 
	<p>Street Relationship</p> <p>This includes development that is visible from the street elevation. If the site is a corner location (or adjacent to a corner) then the impact upon both streets must be considered.</p>	<p>Complies.</p> <p>The subject site is opposite the heritage items which are situated on a corner. Heritage items on the corner retain their heritage significance and are not compromised by the development. The two lane road and wide footpaths allow distance between the development and the heritage items. Furthermore the heritage items contrast greatly in scale and architectural style.</p>
	<p>Area Relationship</p> <p>Where a development is of a certain height and is adjacent to a conservation area or cluster of individually listed heritage items, then the impact of that development upon the significance of the conservation area must be considered.</p>	<p>Complies.</p> <p>Distance between old and new buildings is maximised.</p>

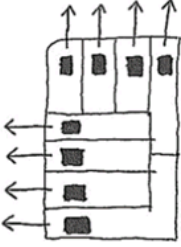
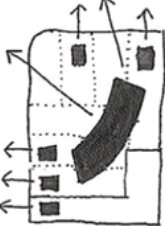

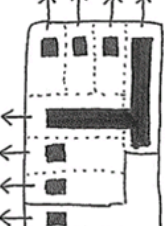
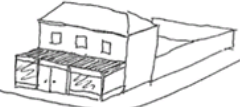

6.0 Statutory Controls and Development Controls

6.3 Hector Abrahams Architects Heritage Interface Study - Diagrammatic Controls

Guidance Diagram	Design Principle	Response
Setting & Space		
	<p>Figure 15: A building of greater height but which preserves a more appropriate setting to a house (above) is preferable to a building of greater bulk that reduces the setting (below).</p>	<p>Complies. The footprint of the proposed development is set back appropriately.</p>
Rhythm of the street and Subdivision pattern		
	<p>Figure 16: New developments should avoid long linear podiums that conceal street rhythm (top) and instead should conserve the existing pattern and rhythm of a street (bottom).</p>	<p>Complies. The podium component of the development includes proposed articulations to express entries, carparking garage access, services and other visual elements which will contribute to an articulated rhythm so that the building does not read as a long linear building and will be capable of complementing a smaller, fine grain streetscape of Wigram st.</p>
Setback Patterns		
	<p>Figure 17: Inappropriate setbacks may affect the character and rhythm of a street (top). New developments can return character and setting to a street and reconnect isolated heritage items with their context (bottom)</p>	<p>The footprint of the proposed development is set back appropriately.</p>


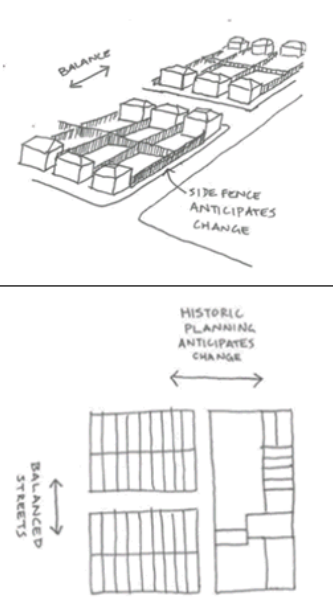
6.0 Statutory Controls and Development Controls

6.3 Hector Abrahams Architects Heritage Interface Study - Diagrammatic Controls

Guidance Diagram	Design Principle	Response
Setting & Space		
	<p>New developments should be provided with positive and direct access that is in keeping with the existing mode of address of a building to a street. In the case of a corner site it may be appropriate for the building to address two streets, but it may not.</p>	<p>Complies. The proposed development addresses Wigram Street, entry to the Residential lobby is from Wigram St and retains the historic mode of the street.</p>
	<p>Figure 18: Existing historic direct mode of address to the street (top) can be lost through amalgamation and radical building siting (middle). New developments should maintain historic modes of street address (bottom)</p>	
		
Recovery of setting		
	<p>Figure 19: New developments may be provided with incentives or conditions to remove intrusive elements and guide the restoration of a historic building as a condition of consent.</p>	<p>Not Applicable. The proposal is not sited upon any heritage items which are retained as part of the development. The proposed development is merely adjacent to heritage items which are addressed through curtilage protection controls.</p>
		

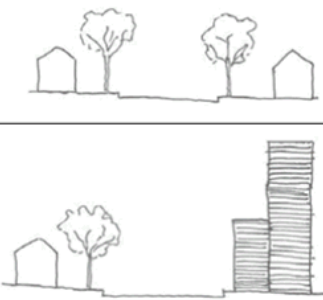
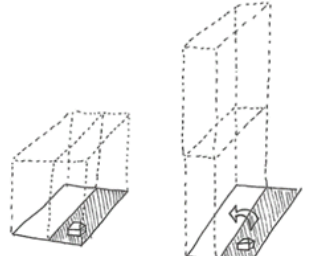
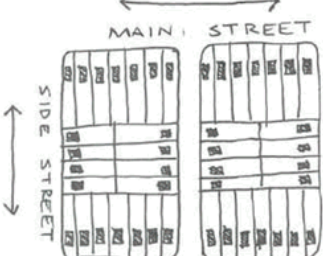
6.0 Statutory Controls and Development Controls

6.3 Hector Abrahams Architects Heritage Interface Study - Diagrammatic Controls

Guidance Diagram	Design Principle	Response
Isolation		
	<p>Figure 20: Developments without a buffer to new development, and which ignore historic subdivision patterns have a detrimental effect upon the setting of historic houses, and can result in further isolation (Marion Street, at top). Where trees have been retained, a setting for the historic house remains (Albert Street, at bottom).</p>	<p>Complies. The proposal comprises buffers along Wigram Street such as recessed lobby and articulated facade. Its siting is within the subdivision pattern and faces the heritage items opposite.</p>
Historic Building Alignments		
	<p>Figure 21: Some historic building alignments and subdivision patterns anticipate change in balance</p>	<p>Complies. The heritage items have undergone a change in their relationship with surrounding proposed future development, which is for high rise residential. The balance will change to a certain degree.</p>

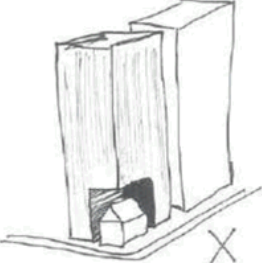

6.0 Statutory Controls and Development Controls

6.3 Hector Abrahams Architects Heritage Interface Study - Diagrammatic Controls

Guidance Diagram	Design Principle	Response
	<p>Figure 22: The existing balanced nature of a street (top) can be eroded as a result of mismatched development resulting in a poor relationship (bottom).</p>	<p>Complies. Some balance is integrated, as the new development is set back, there is fair road distance between the cottages and development and some curtilage around the cottages.</p>
Development Adjacent to a Heritage Item		
	<p>Figure 23: The effect of floor space transfer adjacent to a heritage item</p>	<p>Not Applicable. The proposal is not sited upon any heritage items which are retained as part of the development. The proposed development is merely adjacent to heritage items which are addressed through curtilage protection controls.</p>
Street hierarchy		
	<p>The Parramatta CBD is characterised by relatively small lots, a historical pattern which should be reflected in any redevelopment but nonetheless often required to be amalgamated to appropriately accommodate buildings of the scale anticipated for this CBD.</p>	<p>Not Applicable. This particular precinct is not defined by a pattern of small lots and the subject site is part of a preexisting historical subdivision which is not adversely impacted by the proposed development. The proposed lot and construction on the site does not prevent continued interpretation of the subdivision pattern. The site lots are orderly, consistent and grouped in an appropriate manner.</p>

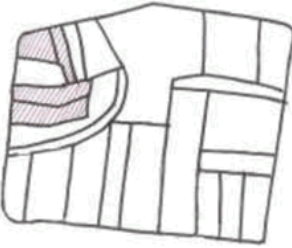

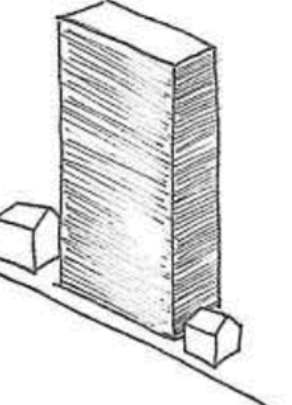
6.0 Statutory Controls and Development Controls

6.3 Hector Abrahams Architects Heritage Interface Study - Diagrammatic Controls

Guidance Diagram	Design Principle	Response
Overhanging of Heritage Items		
<p><i>Building over a heritage item</i></p> 	<p>Retention of a historic building should be considered one of the primary motivating factors in a development, and not as an afterthought. To that end, development that "overhangs" a heritage item is deemed to reduce the significance of that item and is unacceptable and should not be permitted. A connection to the sky is an important element of a historic building and this must be preserved.</p>	<p>Not Applicable. The proposal is not sited upon any heritage items which are retained as part of the development. The proposed development is merely adjacent to heritage items which are addressed through curtilage protection controls.</p>
 <p><i>NOT ACCEPTABLE</i></p>	<p>Figure 25: Development that overhangs a heritage item is not permitted</p>	

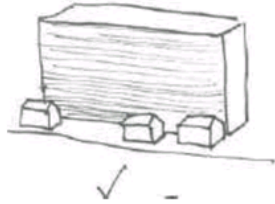
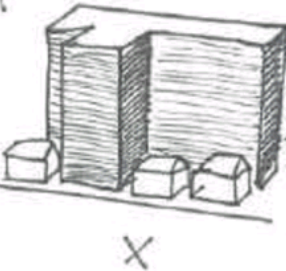
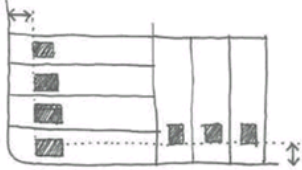
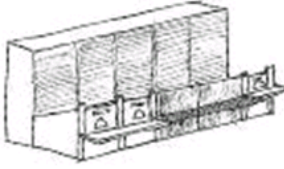
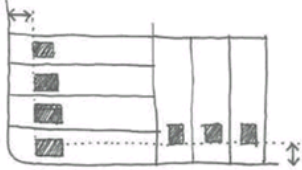
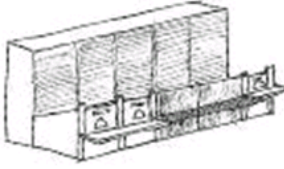
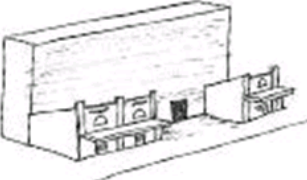
6.0 Statutory Controls and Development Controls

6.3 Hector Abrahams Architects Heritage Interface Study - Diagrammatic Controls

Guidance Diagram	Design Principle	Response
Isolation of Heritage Items and Widowing of Sites		
	<p>Figure 26: Buildings allow subdivisions to be understood. Amalgamations should preserve this intrinsic character of the city.</p>	<p>Complies. The proposed lot and construction on the site does not prevent continued interpretation of the subdivision pattern. The site lots are orderly, consistent and grouped in an appropriate manner.</p>
	<p>Figure 27: Individual heritage items can have a positive relationship to each other (left) or become isolated (right) as a result of new development.</p>	<p>Complies. Heritage items still retain their heritage mode of address in the vicinity of the proposed development. They are clustered and situated on a corner. They relate to one another and read as a group and unique within the area. They retain their environmental heritage.</p>
		

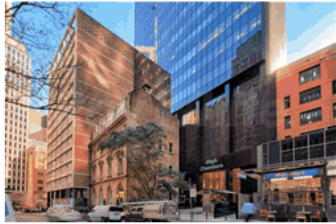

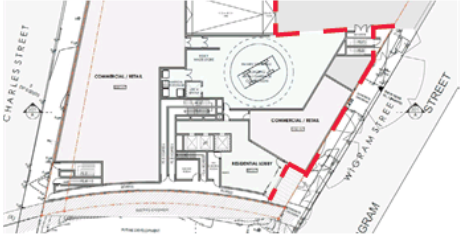
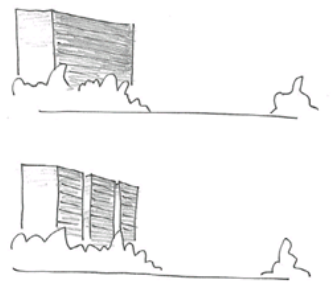
6.0 Statutory Controls and Development Controls

6.3 Hector Abrahams Architects Heritage Interface Study - Diagrammatic Controls

Guidance Diagram	Design Principle	Response							
	<p>Figure 28: In the context of a row of detached houses, the significance may be better preserved by retaining a gap, than by attempting to ensure a consistent setback to the street.</p>	<p>Complies. The row of cottages along Wigram Street heritage read as a group, visually. Their setting has not been diminished.</p>							
			<p>Potential negative impact from treatment of Corner Sites</p>				<p>Figure 29: Setbacks at corner sites can be important indicators of street hierarchy and subdivision patterns, and should be maintained.</p>	<p>Not Applicable. The subject site is not a corner site and is not considered to be part of a commercial street precinct where heritage shopfronts are being retained.</p>	
<p>Potential negative impact from treatment of Corner Sites</p>									
	<p>Figure 29: Setbacks at corner sites can be important indicators of street hierarchy and subdivision patterns, and should be maintained.</p>	<p>Not Applicable. The subject site is not a corner site and is not considered to be part of a commercial street precinct where heritage shopfronts are being retained.</p>							
	<p>Figure 31: Commercial streets should retain their mode of address to the street (top) and not create "gaps" as a result of new development (bottom)</p>								
									

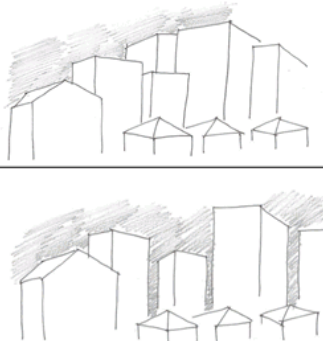


6.0 Statutory Controls and Development Controls

6.3 Hector Abrahams Architects Heritage Interface Study - Diagrammatic Controls

Guidance Diagram	Design Principle	Response
	<p>Figure 32: Sometimes a setback can be of benefit in providing a setting for a historic building within a CBD context (Example shown: 25 Bligh Street, Sydney)</p>	<p>Complies. The development is setback appropriately and its articulated facade along Wigram Street allows for differentiation and distance between it and the cottages.</p>
<p>Potential negative impact arising from treatment of Subdivision patterns</p>		
	<p>Figure 33: The podium of Regent Place reproduces subdivision patterns in George Street, Sydney</p>	<p>Complies. The development incorporates a lobby that is set back from its main facade, corner driveway and further articulation of the facade are positive design factors towards the fine grain scale.</p> 
<p>Potential negative impact arising from Overlooking and Alienation</p>		
	<p>Figure 35: The modulation of a building facade can have a dramatic effect on its bulk.</p>	<p>Complies. The reference scheme demonstrates the proposal to introduce both a series of well-defined setbacks and articulated elements to break up the tower form of the proposed development. Along the street datum, this is further enhanced by the provision of separated podium forms and the entry structure, further breaking up the overall scale of the form such that the street datum remains firmly 'grounded' and appropriate in terms of its scale and relationship to the single storey heritage items in the vicinity.</p>

6.0 Statutory Controls and Development Controls

6.3 Hector Abrahams Architects Heritage Interface Study - Diagrammatic Controls

Guidance Diagram	Design Principle	Response
	<p>Figure 36: New developments must be assessed from multiple angles to prevent the creation of a "wall" of development.</p>	<p>Complies. A number of setbacks are provided at various datum levels to ensure that the tower form is read independently of future potential development in other areas, reducing the perception of a 'wall' of development.</p>
<p>Potential negative impact arising from Overshadowing of outer Conservation Areas (solar access)</p>		
	<p>Figure 37: Experiment Farm Cottage</p>	<p>Complies. Shadow Diagrams show that there is no overshadowing impact from the site to Experiment Farm.</p>
<p>Potential negative impact arising from treatment of Views</p>		
	<p>Views from historic properties exist in the interface areas. A number of historic properties exist in the interface areas. Much consideration is given in planning in an attempt to consider views towards these properties, but equal consideration should be given to views from the site, particularly in the context of housing. The setting of a property can be significantly diminished by inappropriate adjacent development. The examples below of views both to and from the "Judge's House" in Kent Street Sydney show this effect clearly.</p>	<p>Complies. This report provides a key views analysis and curtilage identification to determine the potential impact of the development upon the views to and from the adjoining heritage items and the broader neighbouring heritage conservation areas.</p>

6.0 Statutory Controls and Development Controls

6.3 Hector Abrahams Architects Heritage Interface Study - Diagrammatic Controls

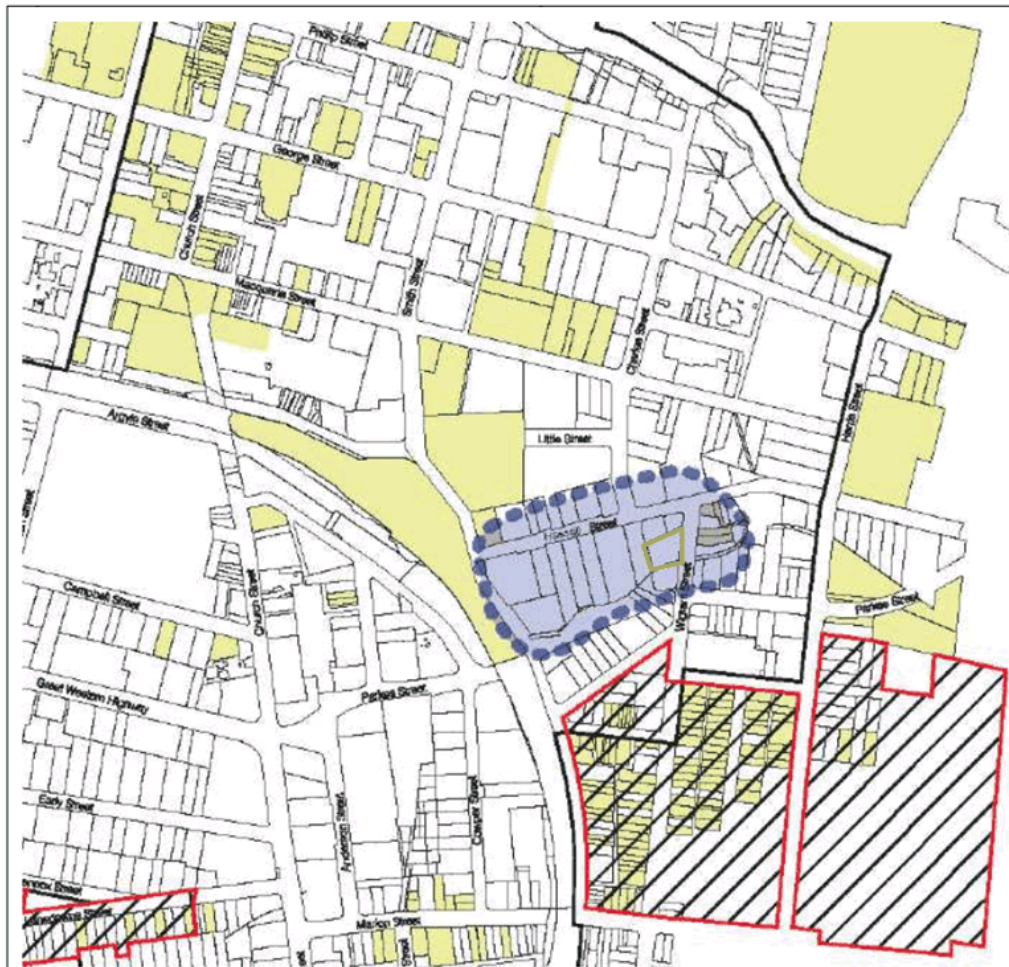







Figure 76: Special Interest Area 10, Parramatta CBD Apartment Zone (Source: HAA)

A major street between the two street grids

-  Heritage Conservation Area
-  Special Interest Area
-  Heritage Item
-  Parramatta Planning Proposal CBD Boundary


6.0 Statutory Controls and Development Controls

6.3 Hector Abrahams Architects Heritage Interface Study - Diagrammatic Controls

Area Principle	Compliance	Response
Special Interest Area 10: Parramatta CBD Apartment Zone		
	<p>Figure 77: Recent development near Hassell Street</p>	<p>Reference image of area provided in HAA Report.</p>
<p>a) Boundaries Parkes Street between Station Street East and the western boundary of Special Interest Area 8 Station Street East, northern allotments of Hassall Street, Charles Street to Little Street, then to Macquarie Street, east to Rowland Hassall School, to Parkes Street.</p>	<p>Noted</p>	<p>Description of special interest area. Subject site is located within the Parramatta CBD Apartment zone special interest area along Wigram street.</p>
<p>b) Description Special Interest Area 10 is an area where two distinct town grids meet, leading to a series of irregular subdivisions and street patterns. It is dominated by tall Apartment buildings, which do not align with streets, the alignment of which follow the Clay Cliff Creek. This area has a loose urban form, and always has, originating as the rear allotments of streets set out on the line of the creek. A central identity node is found at the intersection of Hassall and Charles Streets, where there is a large Port Jackson Fig, a small cluster of shops, and a street view to the wooded horizon at the rise above the Harris Park Suburb. In and around the precinct there are isolated heritage places, including Lancer Barracks and Commercial Hotel, and two houses in Wigram Street.</p>	<p>Complies</p>	<p>The proposal takes into consideration the existing character of the area. As previously identified, appropriate setbacks from Clay Cliff Creek provide the opportunity for further landscape and heritage interpretation. The proposed building has appropriate visual and physical setbacks to enable the creation of a loose interpretation of the creek and its 'breaking' of the standardised subdivision pattern. The built form and its articulation remains consistent with the general bulk, scale, development and setbacks of the area and provides an adequate transition in scale to the heritage conservation areas to the south and east of the site.</p>
<p>c) Typology Statement A meeting point of distinct town grids. High rise buildings set off bent streets comprising the landscape of a natural creek. Network of isolated heritage items. Central intersection with important views, intimacy and big tree.</p>	<p>Complies</p>	<p>The proposed development appropriately interprets the various visual and landscape elements to provide for a bulk and scale which is appropriately proportioned and set back from the street, rear and Clay cliff creek. The design offers an opportunity to express this unique part of Harris Park as a meeting of distinctive town grids.</p>

6.0 Statutory Controls and Development Controls

6.3 Hector Abrahams Architects Heritage Interface Study - Diagrammatic Controls

Area Principle	Compliance	Response
<p>d) Current Planning Controls</p> <p>This area is considered by its bulk and height to be part of the CBD, be it as a residential apartment zone. The retention of certain heritage listed houses in a new development at the corner of Wigram and Hassell Streets is questionable – the properties have all lost their sense of space to the rear, while the new building has a diminished street address as a result.</p>	<p>Noted</p>	<p>The heritage items are described here as 'have all lost their sense of space to the rear', though still discernible as evident below.</p> 
<p>e) Heritage Priorities</p> <p>Development could further obscure the topography and watercourse of the Clay Cliff Creek. It could fail to address it.</p> <p>The key view to Harris Park from the intersection of Hassall and Charles Streets should be preserved. Heritage items threaten to be isolated by large scale development. Attempts should be made to connect these items to each other in a meaningful way, and to prevent their isolation.</p>	<p>Complies</p>	<p>The proposal has been appropriately set back from the Clay Cliff Creek area. The proposed form of the podium floors is articulated to provide an interpreted boundary and setback separation which can form the basis of a future detailed design to highlight, interpret and acknowledge the site's adjacency to the historic Clay Cliff Creek.</p>
<p>f) Impacts on Heritage</p> <p>Subdivision Patterns and Amalgamation of lots</p> <p>Amalgamation of lots is an inevitable outcome of the Planning Proposal. Recent developments have affected the legibility of original subdivision patterns, particularly at the corner of Wigram and Hassall Streets. These developments threaten the essential grain of the Precinct by eroding the subdivision patterns in the Parramatta CBD area. Amalgamation of lots should not "widow" or "sandwich" heritage items, and corner lots should not be "surrounded" as a result of amalgamation.</p>	<p>Complies</p>	<p>The subdivision pattern is inconsistent and not historic and is not part of the fine grain of the 19C patterns. It is haphazard and more likely co-incident.</p>
<p>Views</p> <p>The key view to Harris Park from the intersection of Hassall and Charles Streets should be preserved.</p>	<p>Complies</p>	<p>The proposal does not result in adverse view impacts and is not part of a major view corridor or curtilage view corridor. The subject site's podium design has been built to align to existing street boundaries and neighbouring development proposals which ensures the consistency of the Wigram Street curtilage.</p>

6.0 Statutory Controls and Development Controls

6.3 Hector Abrahams Architects Heritage Interface Study - Diagrammatic Controls

Area Principle	Compliance	Response
<p>Clay Cliff Creek</p> <p>A specific study of the Clay Cliff Creek should be made in order to save and fully interpret this creek basin within the newly-developed Parramatta CBD. The basin of the Clay Cliff Creek is the basis of the alignment of streets historically along its entire length. It is a conduit of water under, on and above ground, as well as a conduit of ventilation through the Parramatta CBD. One of the only natural landscape features of the core of southern Parramatta CBD, it is the obvious pedestrian cross route through from Parramatta west to the Parramatta River.</p> <p>Clay Cliff Creek should not be built upon. Its alignment should be expressed in new adjacent development, regardless of height or scale. It should be made a publically accessible corridor of land adjacent to the creek, with a view towards using the creek as a connecting element between existing green spaces in the city.</p>	<p>Complies</p>	<p>The proposal has been appropriately set back from the Clay Cliff Creek area. The proposed form of the podium floors is articulated to provide an interpreted boundary and setback separation which can form the basis of a future detailed design to highlight, interpret and acknowledge the site's adjacency to the historic Clay Cliff Creek.</p>

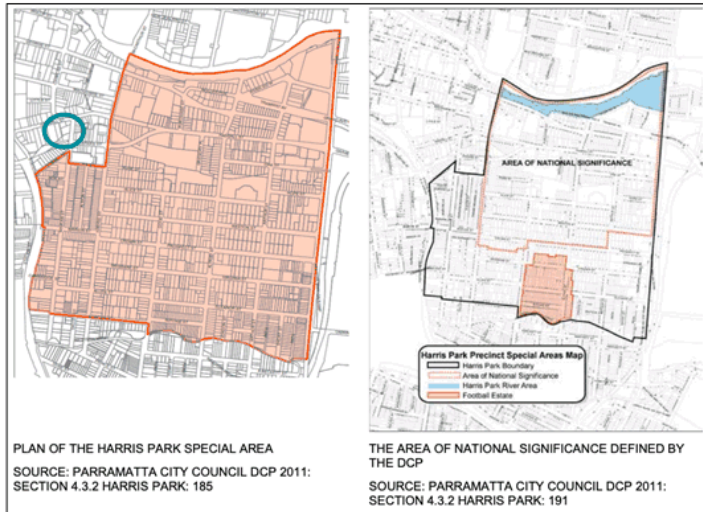
6.0 Statutory Controls and Development Controls

6.4 Urbis Heritage Study - Parramatta - Harris Park Special Character Area

The Urbis heritage study of December 2015 identified the site as being situated just north of the Harris Park Special Area which is considered to possess national significance. This area encompasses two now listed Heritage Conservation Areas, being the Harris Park West Conservation Area and Experiment Farm Heritage Conservation Area.

The study at the time provided a number of general principles to guide future urban densification and development in adjoining areas to mitigate potential adverse heritage impacts upon this Harris Park special area. These are addressed in the subsequent table on the next page.

The shadow diagrams which accompany this proposal demonstrates that consideration has been given to the overshadowing impacts potentially experienced by this development and a series of hourly diagrams have been provided to illustrate that the impacts are minimal and will not adversely affect the overall significance of Harris Park and that the solar impacts upon the area are kept at a minimum.



6.0 Statutory Controls and Development Controls

6.4 Urbis Heritage Study - Parramatta - Harris Park Special Character Area

Guiding Principle	Compliance	Response
There is considerable potential for adverse heritage impacts to individual items, conservation areas, and significant views and to the significance and character of Parramatta generally with the proposed intensification of development within the Study Area, not only affecting individual sites, but considering the potential cumulative impacts. Adverse impacts are generally associated with:	---	
Infill or new development that does not appropriately respond to heritage items, precincts, curtilages or views;	COMPLIES	The proposed new development does not result in adverse impacts upon nearby heritage items or heritage conservation areas. As discussed within the previous sections of this report, the proposed impacts are mitigated through a number of design measures. Namely, the design of a podium form to reduce the visual bulk and scale of lower floors of the development so that there is a relationship with the street and the human scale. Further afield, the tower form has been articulated with a number of setbacks and openings to reduce the overall impact of overshadowing upon the Harris Park West Heritage Conservation Area to the south.
Cumulative impacts of development and increased scale in the vicinity of heritage items and precincts (which is already apparent in certain areas of the CBD);	COMPLIES	The proposal does increase the scale of development on the site, but within permissible and foreshadowed constraints coupled with further detailed controls (contained in this application) related to setbacks, bulk and form.
Potential impacts of subdivision or site amalgamation on historic curtilages and settings;	COMPLIES	The proposal does not result in any site amalgamation or lot changes which would adversely affect the historical curtilage or setting of the area. The pattern of subdivision is maintained by the proposed development.
Potential impacts to 'isolated' heritage items particularly through compromised settings;	COMPLIES	The proposal does not result in the site isolation of any heritage items.
Potential redevelopment of heritage sites in a manner which does not appropriately respond to heritage items; and	COMPLIES	The proposal does not involve the redevelopment of a heritage site, but the proposed development does take into consideration the curtilage impacts of the neighbouring heritage items across the street. This has been achieved by providing a podium articulation at the base of the building to reduce the visual scale of the development along the street level.

6.0 Statutory Controls and Development Controls

6.4 Urbis Heritage Study - Parramatta - Harris Park Special Character Area

Guiding Principle	Compliance	Response
Control over quality of design to ensure sympathetic design outcomes.	CAPABLE OF COMPLIANCE	The proposal will be subject to design excellence provisions to ensure a quality design outcome is achieved at the end of the project.
With consideration for the identified potential impacts, outlined above, the following principles were applied in developing the recommendations for the Study Area.	---	
Retention and conservation of identified heritage items, conservation areas, and views and vistas.	COMPLIES	The proposal successfully improves the streetscape by converting an unremarkable 1970s residential flats into a contemporary high residential development. Heritage items authenticity is not compromised. The contemporary design solution which will reinvigorate the urban locale and improve the significance of the items located opposite the subject site. The proposed development has been designed in a way which does not interfere with existing street or curtilage corridors. The proposed development, particularly the tower form, has been designed to minimise impacts upon the broader local views. Street views are protected and defended by appropriate setbacks from boundaries and a relationship to adjoining buildings.
The implementation plan within the Parramatta CBD Planning Strategy envisages that the existing FSRs within the Study Area will generally be increased subject to built form testing and urban design refinement of specific areas.	COMPLIES	The proposal has been designed with an acknowledgement of the now legislated Parramatta LEP2023 floor space and bonus incentives and takes into consideration the height for the area and neighbouring buildings.
Tailored recommendations/solutions are required for the heritage items and conservation areas impacted by the proposed planning proposal amendment to ensure that significance is conserved. In particular recommendations/solutions are required for 'isolated' heritage items within the study area, with general provisions for conservation areas.	COMPLIES	The proposal has undertaken a detailed review of heritage related controls, including the Hector Abrahams Heritage Interface Study which addresses questions around how to develop high-density development adjacent to low-density heritage contexts. The proposed development was assessed against these provisions in a previous section of this report.
Retention and respect of significant vistas and heritage items particularly to reinforce/conservate formal layout of the Georgian town plan.	COMPLIES	The proposed development has been designed in a way which does not interfere with existing street or curtilage corridors. The proposed development, particularly the tower form, has been designed to minimise impacts upon the broader local views. Street views are protected and defended by appropriate setbacks from boundaries and a relationship to adjoining buildings.

6.0 Statutory Controls and Development Controls

6.4 Urbis Heritage Study - Parramatta - Harris Park Special Character Area

Guiding Principle	Compliance	Response
Consideration of the cumulative impact of the proposed planning control changes on the heritage items and conservation areas and how these should be mitigated.	COMPLIES	The proposed new development does not result in adverse impacts upon nearby heritage items or heritage conservation areas. As discussed within the previous sections of this report, the proposed impacts are mitigated through a number of design measures. Namely, the design of a podium form to reduce the visual bulk and scale of lower floors of the development so that there is a relationship with the street and the human scale. Further afield, the tower form has been articulated with a number of setbacks and openings to reduce the overall impact of overshadowing upon the Harris Park West Heritage Conservation Area to the south.
Consideration of general settings, context, setbacks, massing, height and scale of heritage items.	COMPLIES	The proposed development plans demonstrates the ability to provide for a residential project where appropriate massing, orientation, materiality, bulk, scale and form is capable of being achieved without compromising the amenity of neighbouring developments, without compromising the scale of the streetscape and without compromising the solar access amenity of the adjoining heritage conservation areas.
Consideration of the Aboriginal and historical archaeology within the study area.	COMPLIES	The development is accompanied by assessments of archaeological potential for the site and local area which addresses this aspect of the proposal.
Consideration of the Commonwealth and State Heritage Register listed items within the study area and in the vicinity.	COMPLIES	Consideration has been given to the national and state significance of the items which may be impacted by the proposed development. It is concluded that the development will not have an adverse impact upon nationally significant heritage places.
The achievement of design excellence to not only contribute to the overall architectural quality of the city, but also to provide buildings that are appropriate to their context, respecting and responding to the form, mass and setting of the heritage places within the study area and their significance.	CAPABLE OF COMPLIANCE	Design excellence will be subject to a detailed design proposition in accordance with the requirements of the LEP2023 to ensure that the final detailed design for the site is capable of exhibiting excellence in building quality, respecting its context, the locality and providing a desirable and articulate mass, form and bulk for the site.

7.0 Recommendations

There are no further recommendations to be made in this report.

8.0 Statement of Heritage Impact

In considering the proposed 33 storey mixed use building, containing ground and first floor retail and commercial use, 200 residential apartments and 5 basement levels, within 124 Wigram Street Harris Park, it is noted that the proposal is necessary to improve the amenity afforded to future occupants and users of the subject site.

The subject site is in the vicinity of the Harris Park West and Experiment Farm Heritage Conservation Areas and within the vicinity of Local LEP listed heritage items at No.113- 155 Wigram Street and Nos. 23 and 25 Hassal Street.

The proposed development is located in the South East Parramatta Interface Area of the Parramatta CBD and in a designated zone known as the Parramatta CBD Apartment Zone. This area is considered by its bulk and height to be part of the CBD, be it as a residential apartment zone and includes the retention of the heritage listed houses at the corner of Wigram and Hassell Streets.

Land use, Height of Building and FSR of the proposed development are consistent with the Parramatta CBD Planning Proposal.

The predominant characteristic of the area is to have heritage items interspersed with high density new developments, which surpass their scale and typology. The heritage items at No.113- 155 Wigram Street and Nos. 23 and 25 Hassal Street retain all their key attributes as the proposed development does not adversely impact the heritage items and does not compromise their heritage significance.

In light of this conclusion and following review of proposed plans provided to us by Pti Architecture and assessment of the proposed development, in relation to relative criteria covered in the Hector Abrahams Heritage Study of Interface Areas for City of Parramatta, it is concluded that heritage values of the heritage items are maintained and enhanced.

In light of this conclusion, the Statement of Heritage Impact recommends that the proposed works should not be restricted on the grounds of heritage.

9.0 Appendix A: Select Bibliography of Sources

The following list provides details to some of the resources used in the investigation into the Aboriginal and the history of the locality.

- Colonial history of Sydney, as well as specific details regarding the development of the area.
- Apperly, R, Irving, R, Reynolds, P. 1989, A Pictorial Guide to Identifying Australian Architecture – Styles and Terms from 1788 to the Present.
- Attenbrow, V. 2002, 'The People and their country: numbers, names and languages' in Sydney's
- Aboriginal Past: Investigating the archaeological and historical records
- Attenbrow, V. 2003, Sydney's Aboriginal Past, University of New South Wales Press, Kensington NSW.
- The Dictionary of Sydney
- The Australian Dictionary of Biography

10.0 Appendix B: NSW Office of Environment and Heritage Inventory

Item Details

Name

Attached houses

SHR/LEP/S170

LEP #1750

Address

113 and 115 Wigram Street PARRAMATTA NSW 2150

Local Govt Area

City of Parramatta

Local Aboriginal Land Council

Unknown

Item Type

Built

Group/Collection

Residential buildings (private)

Category

House

All Addresses

Addresses

Records Retrieved: 1

Street No	Street Name	Suburb/Town/Postcode	Local Govt. Area	LALC	Parish	County	Electorate	Address Type
113 and 115	Wigram Street	PARRAMATTA/NSW /2150	City of Parramatta	Unknown			Unknown	Primary Address

Significance

Statement Of Significance

Conjoined residences at 113-115 Wigram Street are of significance for the local area for historical and representativeness reasons. Built c.1880, they are readily identifiable as part of historic building stock and are contributing to the streetscape character. The pair is also significant as a relatively intact survivor of speculative housing erected in the 1880s for less affluent workers. There site has a high archaeological potential.

Criteria a)

Historical Significance

This item has historical significance because the cottage is a relatively intact survivor of speculative housing erected in the 1880s for less affluent workers.

Owners

10.0 Appendix B: NSW Office of Environment and Heritage Inventory

Records Retrieved: 0

Organisation	Stakeholder Category	Date Ownership Updated
No Results Found		

Description

Designer **Builder/Maker**

Physical Description

Updated

Single storey Victorian attached houses with corrugated iron roof on painted bond brick walls. Roof is gable with fibro infill on the No.115 side and hip on No.113 side. There is one central brick chimney with corbels for both cottages. Verandah across front on No.115 is with ogee corrugated iron roof with hip corner, supported by timber posts. Verandah is removed from No. 113. Verandah floor is concrete. There is no verandah decoration. Windows have sandstone sills. Front doors are flush modern doors with a painted beaded panel. Front fences are new metal fences and gates.

Physical Condition

Updated 05/13/1998

fair. High archaeological potential. National Trust (Parramatta Branch): Good.

Modifications And Dates

Further Comments

Current Use

Residence

Former Use

Listings

Listings

Records Retrieved: 3

Heritage Listing	Listing Title	Listing Number	Gazette Date	Gazette Number	Gazette Page
Local Environmental Plan	Parramatta Local Environmental Plan 2011	1750	10/7/2011 12:00:00 AM		
State Environmental Planning Policy	REP No 28		8/20/1999 12:00:00 AM	95	6161
Local Environmental Plan	Parramatta Local Environmental Plan 2011	1750	10/7/2011 12:00:00 AM		

Procedures/Exemptions

Records Retrieved: 0

10.0 Appendix B: NSW Office of Environment and Heritage Inventory

Section of Act	Description	Title	Comments	Action Date	Outcome
No Results Found					

History

Historical Notes or Provenance

The land on the east side of Wigram Street was still undeveloped in 1877. By 1882 (there is a gap in the Rate Books) the owner, John Cooper, had erected a brick house for himself, the present nos 113-5. In 1884 Cooper leased the premises to JR Coltanach but resumed personal occupation from 1886 until 1889. He then leased the building in 1891 to brothers called Baker and sold it to Charles Furzen in the following year. Furzen separated the houses, each with a new valuation of 26 pounds (as against 52 pounds for the whole duplex) in 1891. There was a rapid turnover of tenants in both houses: in no 113 between 1892 and 1901 there were successively Sarah Gamble, Frank Kelly, Charles Groves and Oliver Wilson. By 1908 the tenant was a 'freezer', Arthur MacArthy. In no 115 between 1892 and 1901 there were successively John Baker, William Smith, James Lennox and Adam Holdsworth. By 1908 a relative of the owner was leasing the house, Gloucester Furzer, a telegraph operator. Furzer sold both houses sometime between 1916 and 1926 no 113 to a fruiterer of Church Street, Leslie Batchelor, who in turn sold them separately by 1930, 113 to Harry Beresford and no 115 to C Ashe. National Trust (Parramatta Branch): SD 1932: NO. 113 Harry Beresford NO.115 Mrs S. Roughley | SD 1930: NO.113 Harry Beresford NO.115 C. Ashe | SD 1929: NO.113 Harry Beresford NO.115 C. Ashe | SD 1924: NO.113 Harry Beresford NO.115 Albert W. Fuller | SD 1920: NO.113 Harry Beresford NO.115 William J. Browne | SD 1918: NO.113 Harry Beresford NO.115 Albert E. McCarthy | SD 1915: NO.113 Miss Ella Jenkins NO.115 Albert E. McCarthy | SD 1914: NO.113 Miss Ella Jenkins NO.115 Albert E. McCarthy | PCC RB 1915: NO. 592 Improv. Cap. Val.: 320 and 325 pounds C. Furzer | PCC RO 1914: NO. 592, to 594 Sec3 lot pt. 1,2. Charles Furzer, freeholder Parra | SD 1914: NO.113 Miss Ella Jenkins NO.115 Albert E. McCarthy | SD 1910: NO.113 Gloucester H. Furzer NO.115 John G. Drummond | SD 1910: NO.113 Chas. W.G. Weekes NO.115 John G. Drummond SD 1910: SD 1900: NO.113 Chas.G. Grove NO.115 James T. Lennon | SD 1895: NO ENTRY

Updated

Historic Themes

Records Retrieved: 4

National Theme	State Theme	Local Theme
4. Settlement	Land tenure	Land Tenure
4. Settlement	Accommodation	Housing
4. Settlement	Mining	Land Tenure
4. Settlement	Agriculture	Housing

Recommended Management

Management Summary

Management

Records Retrieved: 0

Management Category	Management Name	Date Updated
No Results Found		

Report/Study

10.0 Appendix B: NSW Office of Environment and Heritage Inventory

Heritage Studies

Records Retrieved: 3

Report/Study Name	Report/Study Code	Report/Study Type	Report/Study Year	Organisation	Author
Parramatta Heritage Review			2004		National Trust (Parramatta Branch)
Assessment of Potential Heritage Items in Parramatta City Centre & Harris Park			1998		Graham Edds & Associates in conjunction with Prof Ian Jack
City of Parramatta Heritage Study			1993		Meredith Walker

Reference & Internet Links

References

Records Retrieved: 5

Type	Author	Year	Title	Link
Written	J Sands	1930	Sydney Directories	
Written		1927	Valuation List	
Written			Register of owners, 1914-16	
Written			Valuation book; 1908-10	
Written	Parramatta City Archives		Rate Books, 1877-1901	

Data Source

The information for this entry comes from the following source:

Data Source	Record Owner	Heritage Item ID
Local Government	City of Parramatta Council	2241034

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10.0 Appendix B: NSW Office of Environment and Heritage Inventory

Item Details

Name

Semi-detached cottages

SHR/LEP/S170

LEP #1565

Address

23 and 25 Hassall Street PARRAMATTA NSW 2150

Local Govt Area

City of Parramatta

Local Aboriginal Land Council

Unknown

Item Type

Built

Group/Collection

Residential buildings (private)

Category

Semi-Detached House

All Addresses

Addresses

Records Retrieved: 1

Street No	Street Name	Suburb/Town/Postcode	Local Govt. Area	LALC	Parish	County	Electorate	Address Type
23 and 25	Hassall Street	PARRAMATTA/NSW /2150	City of Parramatta	Unknown			Unknown	Primary Address

Significance

Statement Of Significance

The pair of conjoined residences at 23 and 25 Hassall Street is of significance for the local area for historical reasons and as a representative example of residential architecture of the Victorian period in this area, created as speculative housing for less wealthy workers. Built c. 1880, the pair of conjoined houses is readily identifiable as part of historic building stock and still contributes to the streetscape.

Criteria a)

Historical Significance

This item is of historical significance because it is a relatively intact survivor of speculative housing in the 1880s for less wealthy workers.

Owners

Records Retrieved: 0

Organisation	Stakeholder Category	Date Ownership Updated
No Results Found		

10.0 Appendix B: NSW Office of Environment and Heritage Inventory

Description

Designer Builder/Maker

Physical Description

Updated

A pair of single storey conjoined residences with "H" plan form, built to fence line. At front cottages have gabled roof, central chimney and bellcast verandah roof between gabled ends only, formerly supported on a single cast iron post (replaced with privacy wall). Modifications include unsympathetic window and door proportions. One of the pair has been cement rendered, the other has cement pointing to sandstock brick walls. Simple bargeboards survive. Central brick chimney serving both cottages has a three courses corbel top. Roof line extended at rear also with skillions. Verandah floor is concrete (No. 23 has Pebblecrete). Front doors are flush timber.

Physical Condition

Updated 05/12/1998

fair. High potential. National Trust (Parramatta Branch): Fair.

Modifications And Dates

Further Comments

Current Use

Commercial

Former Use

Residence

Listings

Listings

Records Retrieved: 2					
Heritage Listing	Listing Title	Listing Number	Gazette Date	Gazette Number	Gazette Page
State Environmental Planning Policy	REP No 28		8/20/1999 12:00:00 AM	95	6161
Local Environmental Plan	Parramatta Local Environmental Plan 2023	I565	10/7/2011 12:00:00 AM		

Procedures/Exemptions

Records Retrieved: 0

Section of Act	Description	Title	Comments	Action Date	Outcome
No Results Found					

History

10.0 Appendix B: NSW Office of Environment and Heritage Inventory

Historical Notes or Provenance

Updated

The site of the cottages now 25 and 27 Hassall Street was unenclosed land up to 1886. Isaac Scott then built the cottages and in 1888 leased them. There were many occupancies of No 25: successively between 1888 and 1901 John Wicks, Joseph Condon, J Nolan, Robert Baker, Axel Holmstrom and Henry Sprowles. There had also been a rapid turnover of tenants in no 27: successively between 1888 and 1901 Thomas Jarvis, Daniel Talbot, N Fines, W Tuckwell, Anne Rutherford, Sarah Rutherford. By 1908 Scott had sold both cottages to a widow, Mrs Emily Carpenter, who lived in Ethel Street nearby. She leased no 25 first to a carpenter, Joseph Beresford then to a carter, Michael McNamara and leased no 27 to Henry Beresford, a carriage builder. By 1924 each cottage had changed hands, no 25 to its first owner-occupier Mrs AM Underwood who was succeeded before 1930 by Charles Lowe; and no 27 to Sydney CH Wyse and then to Miss Catherine Cummins, neither of whom occupied the house. By 1930 ownership had been transferred to Ernest Keepence. The cottage has been consistently occupied by people of modest means whose lives are largely unsung. The premises are now used as legal offices by Countouris Andreasakis some of whose principals are members of the partnership of six which owns nos 25 and 27. National Trust (Parramatta Branch): SD 1932: No entry for 23 NO. 25 Mrs Eileen Jefferay | SD 1930: No. 23 Mrs Annie H. Young, No. 25 Charles Lowe | SD 1929: No. 23 Mrs Annie H. Young, No. 25 Mrs Martha Neilson | SD 1920: No. 23 Mrs Annie H. Young, No. 25 Mrs Martha Neilson | SD 1918: No. 23 Mrs Annie H. Young, No. 25 Jack Powell | SD 1917: No. 23 David Young, No. 25 Sydney Gazzard | SD 1915: No. 23 David Young, No. 25 Sydney Gazzard | PCC RB 1915: NO. 763/4 Improv. Cap. Val. 225 and 200 pounds respective. Mary E. Carpenter | PCC RO 1914: NO. 591/763/766 Sec 3 lot 1 & 2 Mary Emily Carpenter | SD 1914: No. 23 M.J. Day, No. 25 Michael McNamara | SD 1912: No. 23 George Green, No. 25 Michael McNamara | SD 1909: No. 23 George Green, No. 25 Joseph Beresford | SD 1904: No. 23 Thomas Perry, No. 25 Richard Cummings | SD 1900: No. 23 A. Holmstrom No. 25 Mrs S. Rutherford?? |

Historic Themes

Records Retrieved: 4

National Theme	State Theme	Local Theme
4. Settlement	Land tenure	Land Tenure
4. Settlement	Accommodation	Housing
4. Settlement	Mining	Land Tenure
4. Settlement	Agriculture	Housing

Recommended Management

Management Summary

Management

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Report/Study

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Assessment of Potential Heritage Items in Parramatta City Centre & Harris Park			1998		Graham Edds & Associates in conjunction with Prof Ian Jack
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Reference & Internet Links

References

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Written	Parramatta City Archives		Register of Owners 1914-16	
Written	Parramatta City Archives		Valuation Book, 1908-10	
Written	Parramatta City Archives		Rate Books 1886-1900	
Written	J Sands		Sydney Directories, 1900-30	

Data Source

The information for this entry comes from the following source:

Data Source	Record Owner	Heritage Item ID
Local Government	City of Parramatta Council	2241024

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11.0 Appendix E: Curriculum Vitae of Peter Lonergan

Peter Lonergan

Director, Cracknell & Lonergan Architects Pty Ltd

Introduction

Peter J. Lonergan is the director of practice and nominated architect (NSW Registration No. 5983) of Cracknell & Lonergan Architects (CLA) Pty Ltd, a private practice established with Julie Cracknell in 1984. Together, Peter and Julie have accumulated over thirty years of experience in the fields of architecture, interior design, heritage conservation, exhibition design and expert consultancy in town planning. As director of practice, Peter has not only been involved in the design of multiple works, but also served as a heritage consultant and consultant in the fields of SEPP65, SEPPARH, Clause 4.6, and various other planning advisory bodies. Today, Peter continues to serve as director of architectural design at CLA, overseeing a diverse range of projects throughout the Sydney Metropolitan Area, with a combined contract value exceeding AUD\$50 Million.

Formal Qualifications

BArchitecture University of New South Wales (UNSW) BScArchitecture (Hons) UNSW

MBEnv (Building Conservation) UNSW

Certificate Sustainable Design University of Sydney (USYD)

Architecture – Key Examples

Miller Street, Cammeray, Residential Flat Building

Premier Street, Neutral bay, Residential Flat Building

Lavoni Street, Mosman, Residential Development

Restoration of Jarjum College, Redfern, Sydney, for the Jesuit Fathers, St. Aloysius College

The Pemulwuy Project. Redevelopment of "The Block", Redfern, Sydney, for the Aboriginal Housing Corporation

Heritage Conservation – Key Examples

Heritage Consultant & Supervision, Mechanics School of Arts (The Arthouse Hotel), Pitt Street, Sydney

Heritage Consultant & Supervision, Masonic Temple, North Sydney

Heritage Supervision and Heritage Architect, St. Clements Church, Marrickville

Heritage Consultant & Conservation Management Plan, Redfern's Cottage, Minto

Heritage Consultant, Rosebank College, Five Dock

Public Art and Exhibition Design – Key Examples

Yininmadyemi - Thou didst let fall (by artist Tony Albert), Hyde Park, Sydney, Australia

Always was, Always will Be (by artist Reko Rennie), Oxford Street, Sydney, Australia

Murri Totem Pols (by artist Reko Rennie), La Trobe University, Melbourne, Australia

Papunya Tula, Central Termini, Rome, for the Art Gallery of NSW, Sydney, Australia

Gabriel Pizzi, Australian Embassy, Paris, France

Musee du quai Branly at the Australian Embassy in Paris, for the Australia Council for the Arts, Paris, France

Design and project management of Indigenous Art Commission at Musee du quai Branly (2500m² of permanent public art in the current Presidential Project (with Ateliers Jean Nouvel), Paris, France

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General Manager
City of Parramatta Council
P O Box 32
PARRAMATTA NSW 2150

January 23, 2024

Attn: Mr David Birds

PROJECT: **124 WIGRAM STREET, HARRIS PARK**
RE: **PLANNING PROPOSAL**

Dear Sir,

I refer to your email correspondence dated January 18, 2024 and the provision of a Flood Report in support of the Planning Proposal for the above site.

Council's Engineers refer to the draft study that Council exhibited in September-October 2023.

You have advised that *"We are currently considering releasing the quantitative data from Council's Draft Flood Study to you to assist with the preparation of a Flood Study."*

I have reviewed the flood maps from the draft study and conclude that there is a significant increase in the 1%AEP flood level from the previously issued flood information for the site. The PMF level appears to be unchanged.

In 2019, Mance Arraj submitted a Section 117 Report for the Planning Proposal at the time addressing flood related matters. The flood levels previously applicable were:

- R.L. 7.75m AHD as the 100-year flood level (1%AEP)
- R.L. 9.59m AHD as the PMF level.

Council at this point of time is not able to provide the updated flood levels for review.

From the flood mapping in the draft report, the PMF appears to be the same as the previous modelling (RL 9.59m AHD). The 1% AEP level appears to have increased due to the application of a climate change factor.

Rhiannon Garret from Water Technology Pty Ltd has advised as follows:

"An estimate of 1% AEP flood level: between 8 and 9 m AHD"

1st Floor, 278-282 Church Street
Parramatta NSW 2150

P.O. Box 2555
North Parramatta, NSW 1750

P: +612 8897 8800

www.maengineers.com.au



The previous Section 117 Report addresses the key factors and recognises that all building elements are designed for protection to the PMF level. That is, the podium level the driveway crest protection and the access ramps and stairs to the building.

Accordingly, the podium and basement flood protection is set at RL 9.60m AHD, that places it more than 500mm above the worst case 1% AEP level (RL 9.0m AHD)

Therefore, as the flood protection to the basement and the podium level are proposed to protect the building from the PMF event, this also ensures the protection accommodates the Flood Planning Level of 1%AEP + 500mm.

With regard to the Hazard areas, the built form eradicates the hazard over the building footprint. The hazard is subsequently confined to the area of land directly adjacent to Caly Cliff Creek. This area will be designated as a passive landscape zone and will not be accessible to occupants of the property.

Flood modelling will be required as part of any Development Application submission. The affected zone is parallel to Clay Cliff Creek and the only part of the structure that adjoins this zone is the car park wall to the upper basement (below the podium level).

Any detrimental impacts of the flow through this area can be resolved by adjusting the alignment of this particular basement wall at the DA stage.

It should be noted that the expected flows at this location are not expected to significantly change as the culverts at Charles Street and Wigram Street are control structures and flows are diverted to Hassall Street and then through 122 Wigram Street and back into Clay Cliff Creek. Nevertheless, tis will be confirmed by Flood modelling with the Development Application submission.

Accordingly, the attached Section 117 Report is considered applicable to progress the Planning Proposal for the site given that the proposal provides flood protection to the PMF level as per *Council's Draft Flood Study 2023*.

I trust explains our position regarding this application, if you have any queries, please do not hesitate to contact me on (02) 8897-8800

Sincerely Yours,



Steve Arraj
Director – Civil Engineering

1st Floor, 278-282 Church Street
Parramatta NSW 2150

P: +612 8897 8800

P.O. Box 2555
North Parramatta, NSW 1750

www.maengineers.com.au

SHADOW ANALYSIS

124 Wigram St / 2-4 Charles St / 12A Parkes St



9 am



10 am



11 am



12 pm



1 pm



2 pm



3 pm

REPORTS TO COUNCIL - FOR COUNCIL DECISION

ITEM NUMBER	13.6
SUBJECT	Planning Agreement Amendments: 20-22 Macquarie Street, Parramatta and 197-207 Church Street/89 Marsden Street, Parramatta
REFERENCE	F2024/00282 - D09351614
REPORT OF	Team Leader Infrastructure Planning
CSP THEME:	Fair

WORKSHOP/BRIEFING DATE: Nil

PURPOSE:

To seek Council's in-principle endorsement to amend two Planning Agreements relating to land at 20-22 Macquarie Street, Parramatta and 197-207 Church Street/89 Marsden Street, Parramatta, and to publicly exhibit draft Deeds of Variation to the Planning Agreements. (The variations relate to the removal of a 2 metre wide easement for public access along the boundary of the lands adjacent to their Marsden Street frontages).

RECOMMENDATION

- (a) That Council endorse in-principle amendments to existing Planning Agreements relating to land at 20-22 Macquarie Street and 197-207 Church Street and 89 Marsden Street, Parramatta to delete the obligations relating to *Public Access & Easements*, including any ancillary amendments.
- (b) That delegated authority be granted to the CEO to prepare the draft Deeds of Variation to the Planning Agreements for public exhibition purposes.
- (c) That the draft Deeds of Variation to the Planning Agreements be publicly exhibited for 28 days.
- (d) That, the outcomes of the public exhibition be detailed in a further report to Council.

BACKGROUND

Planning Agreement

1. On 23 March and 15 June 2021 respectively, Council executed Planning Agreements with Praxis Capital Pty Ltd & M20 Pty Ltd relating to land at 20-22 Macquarie Street, Parramatta; and with Holdmark Properties Pty Ltd relating to land at 197-207 Church Street and 89 Marsden Street, Parramatta (see **Attachments 1 and 2**).
2. Both Planning Agreements required the provision of:
 - (a) a monetary contribution (toward Parramatta CBD public domain improvements for 197 Church Street and toward Parramatta CBD public

domain improvement, affordable housing, and Council’s Cultural Plan for 20-22 Macquarie Street) but only payable in the event of an approval including residential development on the site; and

- (b) a 2-metre-wide easement for public access along the boundary of the land adjacent to the Marsden Street frontages (refer Figure 1). Covenants prohibiting structures in this location were also required. The purpose of these public access easements was to enable a future bicycle path along the eastern side of Marsden Street and was required at the time in accordance with a DCP control.

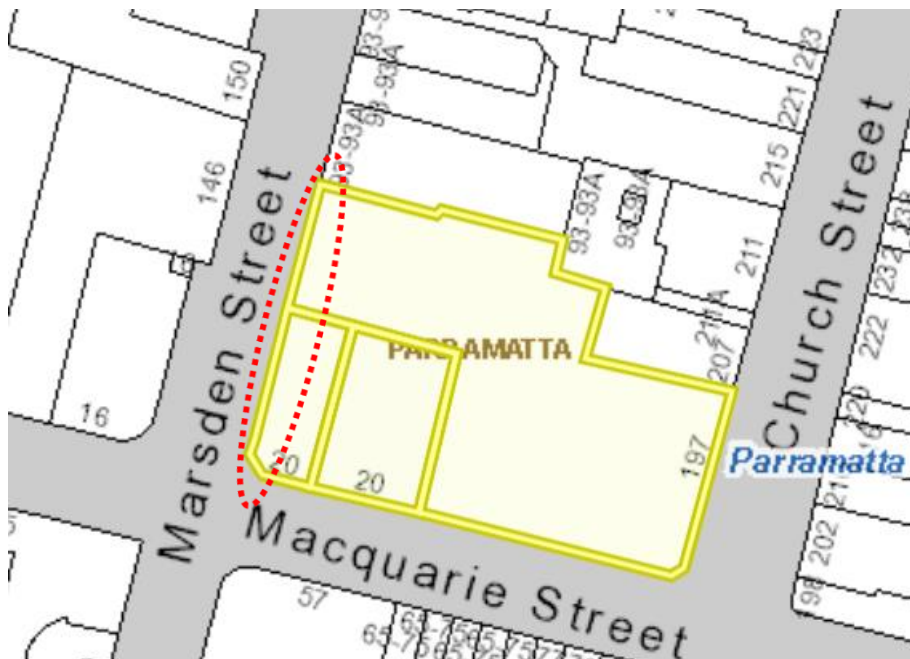


Figure 1 – Site location map

Parramatta CBD Integrated Transport Plan

- 3. At its meeting of 26 July 2021, Council considered the outcomes of the public exhibition of the revised *Parramatta CBD Integrated Transport Plan* (ITP).
- 4. The ITP included concept design plans for the Marsden Street Cycleway which relocated the cycleway to the western side of Marsden Street (opposite the sites) as shown in bright green on Figures 2 and 3 below.

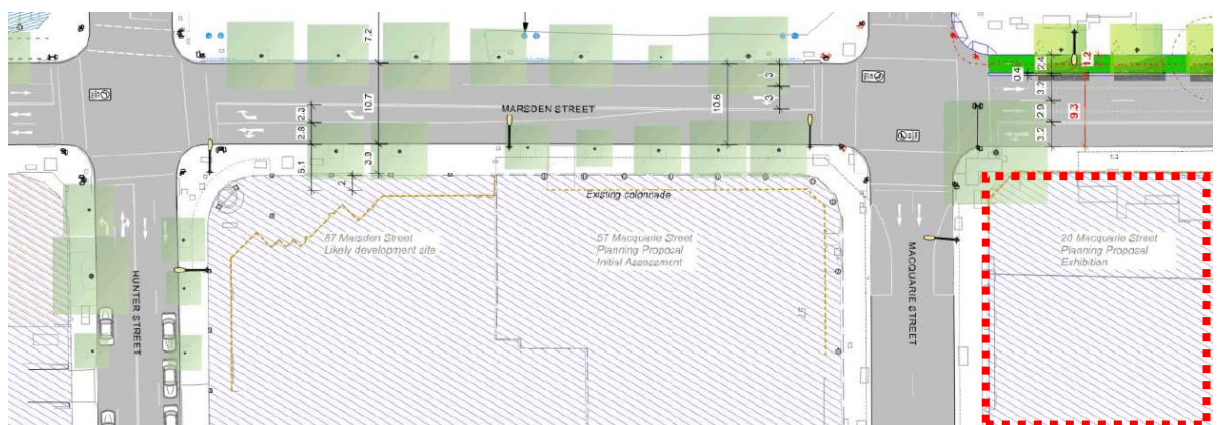


Figure 2: Marsden Street Cycleway Concept Design – opposite 20-22 Macquarie Street, Parramatta

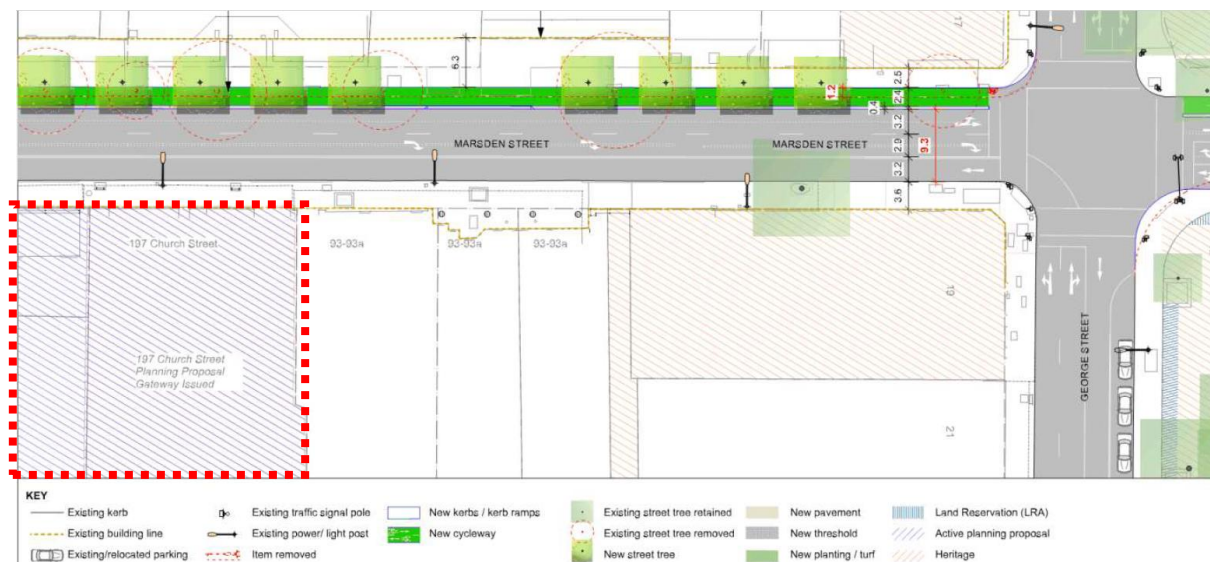


Figure 3: Marsden Street Cycleway Concept Design – opposite 197-207 Church Street and 89 Marsden Street, Parramatta

5. At that meeting, Council resolved to endorse the revised ITP and forward it to the State Government to support finalisation of the CBD Planning Proposal.
6. Council also resolved at the same meeting to approve further investigation into a number of amendments to the land reservation acquisition (LRA) maps, including removal of the LRA along Marsden Street between George Street and Campbell Street (part (b)(6) below) which adjoins the subject sites, viz:

(b) That Council approve further investigation of the following changes to the CBD Planning Proposal recommended by the Integrated Transport Plan:

- 1 Remove LRA on O'Connell St / Victoria Rd
- 2 Remove LRA on Smith St between George St and Macquarie St (east)
- 3 Remove LRA on Smith St north of Phillip St (west side)
- 4 Remove LRA on Wilde Ave / Victoria Rd
- 5 Remove LRA southern side George Street
- 6 Remove LRA on Marsden Street between George St and Campbell St east side**
- 7 Change residential parking rates to 'B' rates for locations over 800 m from Parramatta Train Station, planned Parramatta Metro Station and over 400 m from the Harris Park Train Station,

and that these be added to list of items in the Changes that have merit for further investigation (via Decision Pathway 3 - Orange) in Group 1, as resolved by Council on 15 June 2021 (Item 17.1) for the CBD Planning Proposal and noting that further consultation with Transport for NSW will occur as part of any statutory requirement associated with the LEP amendment process.

7. Parramatta Local Environmental Plan 2023 (including the CBD Planning Proposal amendments that came into effect October 2022) have removed the LRA from the eastern side of Marsden Street as outlined in Figure 4 below.

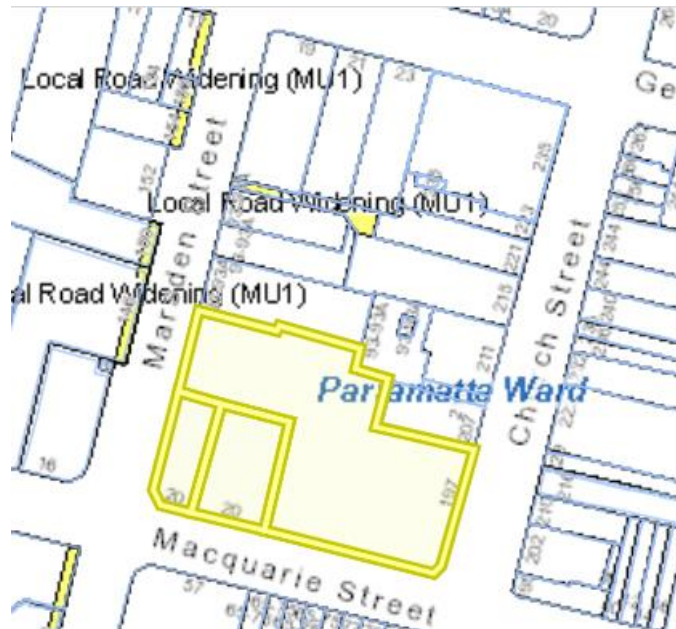


Figure 4: Land Reservation Acquisition Map – Marsden Street, Parramatta (between Macquarie Street and George Street)

Planning Application History

8. In respect of 20-22 Macquarie Street, Parramatta, there are no current development applications lodged, however a previous Design Competition exists for a hotel at this location (DC/10/2021). The reference design does include a two (2) metre setback at ground level.
9. In respect of 197-207 Church Street & 89 Macquarie Street, Development Application (DA) No. DA/16/2022 was lodged with Council in 2022 for the construction of a two (2) tower mixed use development comprising a two (2) storey retail podium and 25-storey commercial office tower; and a 32-storey hotel accommodation tower over basement parking. Remaining unresolved issues relating to this DA/16/2022 include landowner consent and concurrence from Sydney Metro in respect of stratum space below the site.
10. Given the decision to relocate the cycleway to the opposite side of Marsden Street, the buildings (on both sites) must align to all street frontages, including Marsden Street. For 197-207 & 89 Marsden Street, this is reflected in the current DA Plans in DA/16/2022. For 20-22 Macquarie Street, any future development application would also need to align to all street frontages.

ISSUES

11. While Council no longer requires the public access areas and easements adjacent to the Marsden Street frontages of each site, the obligation is still required under each Planning Agreement.
12. Legal advice received suggests that the removal of the obligation can only be achieved via an amendment to the Planning Agreements to delete the obligation.

13. Councils in principle endorsement is sought to delete the relevant components of each Planning Agreement that relate to the public access and easement obligations, including:
 - Clause 6.2 (*Public Access & Easements*)
 - Schedule 1 (Public Access & Easement Terms);
 - Annexure A (Setback Area), and
 - any other associated changes such as *Definitions* and *Schedule 2* Summary of Obligations, and the like.
14. Section 208 of the Environmental Planning and Assessment Regulation requires that where a planning authority proposes to enter into, amend or revoke a planning agreement, in connection with a development application or a change to a local environmental plan, notice of the planning authority's proposal must be given. It is recommended that the draft Deed of Variation to amend the Planning Agreement be publicly exhibited for 28 days before reporting back to Council.
15. Following exhibition, the matter will be reported to Council seeking endorsement to adopt the Deeds of Variation to the Planning Agreements which will then be required to be registered on the land title by each Developer.
16. The proposed amendments to the Planning Agreements do not affect the public value attributed by the VPAs as there is no longer a need for this land or access. Had Council still had LRAs in place on the eastern side of Marsden Street, any public access or land acquisition cost would have created a financial liability for Council. However, as this has now been removed the requirement is voided. Furthermore, at the time of negotiating the Planning Agreements, the easements would have been given a negligible value as the FSR entitlement for the entire site would not have been reduced as a result of the easement for access.

CONSULTATION & TIMING

Stakeholder Consultation

17. Council previously publicly exhibited the ITP in 2021 including the Marsden Street bicycle path and recommended deletion of LRAs on the eastern side of Marsden Street. Furthermore, the CBD Planning Proposal which included the deletion of the LRAs on the eastern side of Marsden Street was also publicly exhibited as a requirement of Gateway Determination.
18. Should Council endorse the amendment to the Planning Agreements to delete the obligations relating to public easements along this part of Marsden Street, the draft Deeds of Variation to each Planning Agreement will be publicly exhibited for 28 days.
19. The following stakeholder consultation has been undertaken in relation to this report.

Date	Stakeholder	Stakeholder Comment	Council Officer Response	Responsibility
14 March 2024	VPA Parties of each agreement have been advised of the proposed amendment	VPA parties raise no objection to the amendment	Following in-principle endorsement by Council to amend the Planning Agreements, Council officers will work with each VPA Party to agree on a Deed of Variation to the Planning Agreement before public exhibition occurs.	Group Manager Infrastructure Planning & Design

Councillor Consultation

20. Councillors were previously consulted on the changes to the Marsden Street bicycle path and removal of the LRA on the eastern side of Marsden Street, as part of consultation on the ITP and CBD Planning Proposal, including outcomes of related public exhibition matters (between 2020 and 2021).
21. The following Councillor consultation will be undertaken in relation to this report.

Date	Councillor	Councillor Comment	Council Officer Response	Responsibility
TBA	All Councillors invited	Report finalised prior to briefing session	Report finalised prior to briefing session	Group Manager Infrastructure Planning and Design

LEGAL IMPLICATIONS FOR COUNCIL

22. As the Planning Agreements are legal documents, any variation to the Agreements must be formally made through a Deed of Variation prepared and reviewed by both Council's and the other party's solicitors.
23. The Deed of Variation will then be required to be registered on the land title of the relevant property once executed by Council and the Developer.

FINANCIAL IMPLICATIONS FOR COUNCIL

24. There are no financial implications for Council as it no longer requires the easements for public access in these locations. Council has removed the land reservation acquisition from this site and as such there is no future burden on Council to acquire this land.

	FY 22/23	FY 23/24	FY 24/25	FY 25/26
Revenue				
Internal Revenue				
External Revenue				
Total Revenue	N/A	N/A	N/A	N/A
Funding Source	N/A	N/A	N/A	N/A
Operating Result				
External Costs				
Internal Costs				
Depreciation				
Other				
Total Operating Result	N/A	N/A	N/A	N/A
Funding Source				
CAPEX				
CAPEX				
External				
Internal				
Other				
Total CAPEX	N/A	N/A	N/A	N/A

Diane Galea
Team Leader Infrastructure Planning

Anthony Newland
Group Manager Infrastructure Planning & Design

Jennifer Concato
Executive Director City Planning and Design

John Angilley
Executive Director Finance & Information

Gail Connolly
Chief Executive Officer

ATTACHMENTS:

1	Existing Planning Agreement 197-207 Church Street & 89 Marsden Street, Parramatta	30 Pages
2	Existing Planning Agreement 20-22 Macquarie Street, Parramatta	29 Pages


REFERENCE MATERIAL

Voluntary Planning Agreement

Date:

City of Parramatta Council
ABN 49 907 174 773

Holdmark Properties Pty Ltd
ABN 11 125 227 429


15/6/2021



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Agreement

Date

Parties

First party

Name	City of Parramatta Council (Council)
ACN	49 907 174 773
Contact	Manager, Land Use Planning
Telephone	(02) 9806 5050

Second party

Name	Holdmark Properties Pty Ltd (Landowner)
ABN	11 125 227 429
Contact	Chief Executive Officer
Telephone	(02) 9989 5540

Background

- A. The Landowner owns the Land. The Landowner through its agent, Holdmark NSW Pty Ltd (**Developer**) has sought a change to an environmental planning instrument applying to the Land and proposes to make a Development Application for Development Consent to carry out the Development on the Land.
- B. In or around 2016, the Planning Proposal was submitted to the Department of Planning, Industry and Environment for gateway determination.
- C. A gateway determination was issued on 13 July 2017 for the Planning Proposal.
- D. The Developer submitted a revised Planning Proposal altering the intended use of the Land so that the Development complies with clause 7.4(2) of the *Parramatta Local Environmental Plan 2011*.
- E. On 11 May 2020, Council resolved to endorse the amended Planning Proposal, provided it complies with the conditions of the gateway determination.
- F. On 29 May 2020, Council submitted a request to the Department of Planning, Industry and Environment for alteration and extension of the gateway determination.
- G. The Instrument Change application was accompanied by an offer to enter into this agreement to make contributions for public purposes associated with the Instrument Change and the Development.

Operative part

1 Definitions

In this agreement, unless the context indicates a contrary intention:

Act means the *Environmental Planning and Assessment Act 1979* (NSW);

Additional GFA means any additional floor space permitted under the LEP or the Affordable Rental Housing SEPP by reason of building height that exceeds the maximum height shown for the Land on the height of buildings map in the LEP or an amount of floor space that exceeds the maximum floor space ratio for the Land on the floor space ratio map in the LEP;

Address means a party's address set out in the Notices clause of this agreement;

Affordable Rental Housing SEPP means *State Environmental Planning Policy (Affordable Rental Housing) 2009* and any future environmental planning instrument that provides for affordable housing;

Approval means any certificate, licence, consent, permit, approval or other requirement of any Authority having jurisdiction in connection with the activities contemplated by this agreement;

Approved GFA means the total GFA approved, excluding any Additional GFA, for the Development under a Development Consent, including any Modification of a Development Consent;

Authority means any government, semi-governmental, statutory, administrative, fiscal or judicial body, department, commission, authority, tribunal, public or other person;

Bank Guarantee means an irrevocable and unconditional undertaking that is not limited in time and does not expire by one of the following trading banks:

- (a) Australia and New Zealand Banking Group Limited,
- (b) Commonwealth Bank of Australia,
- (c) Macquarie Bank,
- (d) National Australia Bank,
- (e) St George Bank Limited,
- (f) Westpac Banking Corporation, or
- (g) Other financial institution approved by the Council,

to pay an amount or amounts of money to the Council on demand and containing terms and conditions reasonably acceptable to the Council;

Base GFA means the gross floor area of residential development able to be achieved on the Land under the planning controls applicable prior to the Instrument Change, being 16,253.8sqm;

Business Day means a day on which banks are open for general banking business in Sydney, excluding Saturdays and Sundays;

CI Rate is \$150 per square metre or the dollar per square metre rate determined by any Community Infrastructure Policy adopted by Council as at the time of execution of this agreement, whichever is the greater;

Claim means any claim, loss, liability, damage, proceeding, order, judgment or expense arising out of the operation of this agreement;

Construction Certificate means a construction certificate as defined under section 6.4 of the Act;

CPI means the All Groups Consumer Price Index applicable to Sydney published by the Australian Bureau of Statistics;

Dealing, in relation to the Land, means, without limitation, selling, transferring, assigning, mortgaging, charging, encumbering or otherwise dealing with the Land;

Development means redevelopment of the Land for either a mixed use development incorporating a residential component, or a wholly commercial development;

Development Application has the same meaning as in the Act;

Development Consent has the same meaning as in the Act;

Easement Terms means the terms of a public access easement as set out in Schedule 1;

GFA means gross floor area, as defined in the LEP;

GST has the same meaning as in the GST Law;

GST Law has the meaning given to that term in *A New Tax System (Goods and Services Tax) Act 1999* (Cth) and any other Act or regulation relating to the imposition of or administration of the GST;

Insolvent means, in relation to a party:

- (a) that party makes an arrangement, compromise or composition with, or assignment for, the benefit of its creditors or a class of them;
- (b) a receiver, receiver and manager, administrator, provisional liquidator, trustee, controller, inspector or analogous person is appointed in relation to, or over, all or any part of that party's business, assets or securities;
- (c) a presumption of insolvency has arisen under legislation because of the party's failure to comply with a statutory demand or analogous process;
- (d) an application for the winding up of, or for the appointment of a receiver to, that party, other than winding up for the purpose of solvent reconstruction or re amalgamation, is presented and not withdrawn or dismissed within 21 days (or such longer period agreed to by the parties), or an order is made or an effective resolution is passed for the winding up of, or for the appointment of a receiver to, that party, or any analogous application is made or proceedings initiated;
- (e) any shareholder or director of that party convenes a meeting for the purpose of considering or passing any resolution for the winding up or administration of that party;
- (f) that is an individual, a creditor's petition or a debtor's petition is presented to the Official Receiver or analogous authority in relation to that party;
- (g) an execution or analogous process is levied or enforced against the property of that party;
- (h) that party ceases or suspends, or threatens to cease or suspend, the conduct of all or a substantial part of its business;
- (i) that party disposes of, or threatens to dispose of, a substantial part of its assets;
- (j) that party stops or suspends, or threatens to stop or suspend, payment of all or a class of its debts; or
- (k) that party is unable to pay the party's debts as and when they become due and payable.

Instrument Change means the amendments to the LEP in response to the Planning Proposal;

Land means Lot 1 DP 710335 and Lot 1 DP233150, known as 197-207 Church Street and 89 Marsden Street Parramatta NSW;

Law means:

- (a) any law applicable including legislation, ordinances, regulations, by-laws and other subordinate legislation;

- (b) any Approval, including any condition or requirement under it; and
- (c) any fees and charges payable in connection with the things referred to in paragraphs (a) and (b);

LEP means the *Parramatta Local Environmental Plan 2011*;

Modification Application means any application to modify the Development Consent under section 4.55 of the Act;

Monetary Contribution means the monetary contribution payable by the Landowner under clause 6 of this agreement;

Non-Residential GFA means the total GFA approved as part of the Development for any purposes other than Residential Accommodation;

Occupation Certificate means an occupation certificate as defined under section 6.4 of the Act and includes a partial Occupation Certificate;

Planning Proposal means the planning proposal numbered PP_2016_COPAR_015_00 (as modified) seeking to amend provisions of LEP applying to the Land including to:

- (a) apply a maximum floor space ratio of 10:1;
- (b) apply a maximum building height of part 105m and part 12m;
- (c) require a minimum 1:1 commercial floor space in any redevelopment and allow for unlimited commercial floor space to be provided; and
- (d) apply car parking rates under clause 7.14 of the LEP; and
- (e) provide a satisfactory arrangements clause to enable contributions to be levied for State public infrastructure.

Register means the Torrens title register maintained under the *Real Property Act 1900* (NSW);

Regulation means the *Environmental Planning and Assessment Regulation 2000*;

Related Body Corporate has the meaning given to that term in s 9 of the *Corporations Act 2001* (Cth);

Residential Accommodation has the same meaning as in the LEP except that it does not include boarding houses and affordable housing (as defined in the LEP);

Setback Area means an area along the length of the boundary of the Land adjacent to Marsden Road, 2m wide, and limited in depth to 100mm to accommodate tiling and bedding, and limited in height to 4.2m as shown on the diagram in Annexure A; and

Transferee has the meaning given in clause 12.3.

2 Interpretation

In this agreement, unless the context indicates a contrary intention:

- (a) **(documents)** a reference to this agreement or another document includes any document which varies, supplements, replaces, assigns or novates this agreement or that other document;
- (b) **(references)** a reference to a party, clause, paragraph, schedule or annexure is a reference to a party, clause, paragraph, schedule or annexure to or of this agreement;
- (c) **(headings)** clause headings and the table of contents are inserted for convenience only and do not affect interpretation of this agreement;

- (d) **(person)** a reference to a person includes a natural person, corporation, statutory corporation, partnership, the Crown and any other organisation or legal entity and their personal representatives, successors, substitutes (including persons taking by novation) and permitted assigns;
- (e) **(party)** a reference to a party to a document includes that party's personal representatives, executors, administrators, successors, substitutes (including persons taking by novation) and permitted assigns;
- (f) **(president, CEO, general manager or managing director)** the president, CEO, general manager or managing director of a body or Authority includes any person acting in that capacity;
- (g) **(requirements)** a requirement to do any thing includes a requirement to cause that thing to be done, and a requirement not to do any thing includes a requirement to prevent that thing being done;
- (h) **(including)** including and includes are not words of limitation, and a list of examples is not limited to those items or to items of a similar kind;
- (i) **(corresponding meanings)** a word that is derived from a defined word has a corresponding meaning;
- (j) **(singular)** the singular includes the plural and vice-versa;
- (k) **(gender)** words importing one gender include all other genders;
- (l) **(parts)** a reference to one or more things includes each part and all parts of that thing or group of things but nothing in this clause implies that part performance of an obligation constitutes performance of that obligation;
- (m) **(rules of construction)** neither this agreement nor any part of it is to be construed against a party on the basis that the party or its lawyers were responsible for its drafting;
- (n) **(legislation)** a reference to any legislation or provision of legislation includes all amendments, consolidations or replacements and all regulations or instruments issued under it;
- (o) **(time and date)** a reference to a time or date in connection with the performance of an obligation by a party is a reference to the time and date in Sydney, Australia, even if the obligation is to be performed elsewhere;
- (p) **(joint and several)** an agreement, representation, covenant, right or obligation:
 - (i) in favour of two or more persons is for the benefit of them jointly and severally; and
 - (ii) on the part of two or more persons binds them jointly and severally;
- (q) **(writing)** a reference to a notice, consent, request, approval or other communication under this agreement or an agreement between the parties means a written notice, request, consent, approval or agreement;
- (r) **(replacement bodies)** a reference to a body (including an institute, association or Authority) which ceases to exist or whose powers or functions are transferred to another body is a reference to the body which replaces it or which substantially succeeds to its power or functions;
- (s) **(Australian currency)** a reference to dollars or \$ is to Australian currency;
- (t) **(month)** a reference to a month is a reference to a calendar month; and
- (u) **(year)** a reference to a year is a reference to twelve consecutive calendar months.

3 Planning Agreement under the Act

- (a) The parties agree that this agreement is a planning agreement within the meaning of section 7.4 of the Act.
- (b) Schedule 2 of this agreement summarises the requirements for planning agreements under section 7.4 of the Act and the way this agreement addresses those requirements.

4 Application of this agreement

This agreement applies to:

- (a) the Instrument Change, and
- (b) the Development, and
- (c) the Land.

5 Operation of this agreement

- (a) This agreement commences on and from the date it is executed by all parties.
- (b) For the avoidance of doubt, the obligations under clause 6 do not take effect unless and until the Instrument Change occurs.

6 Contributions to be made under this agreement

6.1 Monetary Contributions

- (a) This clause 6.1 applies only if Development Consent is granted for Development that includes use of the Land or any part of the Land for residential purposes.
- (b) The Landowner must pay to Council a Monetary Contribution calculated in accordance with this clause (**Monetary Contribution**).
- (c) If the Non-Residential GFA is less than or equal to the Base GFA, the Monetary Contribution payable under this clause is to be calculated in accordance with the following formula:

$$\text{Monetary Contribution} = \text{CI Rate} \times (\text{Approved GFA} - \text{Base GFA}).$$
- (d) If the Non-Residential GFA is greater than the Base GFA, the Monetary Contribution payable under this clause is to be calculated in accordance with the following formula:

$$\text{Monetary Contribution} = \text{CI Rate} \times (\text{Approved GFA} - \text{Non-Residential GFA}).$$
- (e) The Monetary Contribution payable under this clause is to be adjusted in accordance with CPI on the basis of the following formula:

$$\begin{array}{r} \text{Monetary Contribution} \\ (\$) \end{array} \times \frac{\text{The CPI at the time of payment}}{\text{The CPI at the date of this agreement}}$$

- (f) The Monetary Contribution must be paid to Council in instalments as follows:
 - (i) 25% of the Monetary Contribution within 5 Business Days of the grant of Development Consent for the Development that includes a residential component;
 - (ii) 50% of the Monetary Contribution prior to the issue of a Construction Certificate for the Development; and

- (iii) 25% of the Monetary Contribution prior to the issue of an Occupation Certificate for the Development, or prior to the registration of any Strata Plan, whichever is earlier.
- (g) The Landowner is not required to pay the instalments of the Monetary Contribution specified in clauses 6.1(f)(i) and (ii) if the Landowner provides to the Council Bank Guarantees in accordance with clause 11.2 as security for those payments, in which case the Landowner must pay the full amount of the Monetary Contribution prior to the issue of an Occupation Certificate for the Development.
- (h) The Monetary Contribution must be paid by way of bank cheque in favour of Council or by deposit by means of electronic funds transfer into an account specified by Council.
- (i) The Monetary Contribution will be taken to have been made when the Council notifies the Landowner in writing that the bank cheque has been received and cleared funds or electronic funds have been deposited in the Council's bank account.
- (j) The parties agree and acknowledge that the Monetary Contribution will be used by the Council towards public domain improvement works within the Parramatta CBD.

6.2 Public Access and Easements

- (a) The Landowner will, at no cost to Council, register against the title to the Land:
 - (i) a covenant prohibiting any building or structures, including pillars, other than structures approved by the Council (acting reasonably) for the purposes of enhancing public domain areas or temporary structures required for the construction of the Development that will be removed prior to the issue of an Occupation Certificate for any part of the Development, to be constructed on the Setback Area; and
 - (ii) an easement in gross burdening that part of the Land on which the Setback Area is located in favour of the Council permitting public access to the Setback Area and generally in accordance with the Easement Terms.
- (b) Any requirement to register an easement, covenant or other instrument against the title to the Land will be satisfied when the Landowner provides to the Council a copy of the relevant title search showing the registration of the instrument.
- (c) Any covenant required under clause 6.2(a) must be registered prior to the issue of the first Construction Certificate for any building on the Land forming part of the Development.
- (d) Any easement, required under clause 6.2(a) must be registered prior to the issue of an Occupation Certificate for any building on the Land forming part of the Development.
- (e) The parties agree that the proposed covenant and easement under this clause will serve the public purposes of improving pedestrian circulation and amenity in the vicinity of the Land.
- (f) The Landowner agrees and acknowledges that:
 - (i) Council may require, under any Development Consent, works to construct a public domain area, erect structures or enhance the Setback Area to meet Council's reasonable standards and specifications for public domain areas; and
 - (ii) the Landowner will not object to a requirement to carry out works in accordance with clause 6.2(f)(i), or appeal the imposition of any condition of Development Consent requiring those works; and
 - (iii) the obligations under this clause 6.2 are relevant considerations for the Council or any other consent authority when determining a Development Application or Modification Application relating to the Land and that a failure to comply with those obligations or

any inconsistency with the requirements in those clauses may constitute a reason for refusal of such a Development Application or Modification Application.

7 Application of s 7.11, s 7.12 and s 7.24 of the Act to the Development

- (a) This agreement does not exclude the application of section 7.11 of the Act to the Development.
- (b) This agreement does not exclude the application of section 7.12 of the Act to the Development.
- (c) This agreement does not exclude the application of section 7.24 of the Act to the Development.
- (d) The benefits under this agreement are not to be taken into consideration in determining a development contribution under section 7.11 of the Act.

8 Registration of this agreement

8.1 Landowner Interest

The Landowner represents and warrants to the Council that on the date of this agreement the Landowner is the registered proprietor of the Land.

8.2 Registration of this agreement

- (a) The Landowner agrees to procure the registration of this agreement under the *Real Property Act 1900* (NSW) in the relevant folios of the Register of the Land in accordance with section 7.6 of the Act.
- (b) The Landowner, at its own expense, must:
 - (i) procure the lodgement of this agreement with the Registrar-General as soon as reasonably practicable after this agreement comes into operation, but in any event, no later than 20 Business Days after that date;
 - (ii) procure the registration of this agreement by the Registrar-General in the relevant folios of the Register for the Land as soon as reasonably practicable after this agreement is lodged for registration; and
 - (iii) provide documentary evidence that the registration of this agreement has been completed to Council within 5 Business Days of receiving confirmation that the registration has occurred.
- (c) The Landowner at its own expense will take all practical steps, and otherwise do anything that the Council reasonably requires to procure:
 - (i) The consent of each person who:
 - (A) has an estate or interest in the Land registered under the *Real Property Act 1900* (NSW); or
 - (B) is seized or possessed of an estate or interest in the Land,
 - (ii) An acceptance of the terms of this agreement and an acknowledgement in writing from any existing mortgagee in relation to the Land that the mortgagee will adhere to the provisions of this agreement if it takes possession of the Land as mortgagee in possession,
 - (iii) The execution of any documents; and

(iv) The production of the relevant duplicate certificates of title,
to enable the registration of this agreement in accordance with this clause 8.2.

(d) The Landowner consents to the registration of the agreement in accordance with this clause 8.2.

8.3 Removal from Register

(a) The Council will provide a release and discharge of this agreement so that it may be removed from the folios of the Register for the Land (or any part of it) provided the Council is satisfied the Landowner has duly fulfilled its obligations under this agreement, and is not otherwise in default of any of the obligations under this agreement.

(b) The Council agrees that obligations of the Landowner will be taken to have been satisfied when:

(i) the Monetary Contribution has been paid in full, or an Occupation Certificate has been sought for a wholly commercial development on the Land and the Council considers, acting reasonably and having regard to the maximum floor space ratio control applying to the Land under the LEP, that the Development will not include a residential component; and

(ii) Council has received written confirmation of the registration of the easement and restrictive covenant under clause 6.2(a).

8.4 Caveat

(a) The Landowner acknowledges and agrees that:

(i) when this agreement is executed, the Council is deemed to have acquired and the Landowner is deemed to have granted, an equitable estate and interest in the Land for the purposes of section 74F(1) of the *Real Property Act 1900* (NSW) and consequently the Council will have a sufficient interest in the Land in respect of which to lodge a caveat over the Land notifying that interest;

(ii) it will not object to the Council lodging a caveat in the relevant folios of the Register for the Land nor will it seek to remove any caveat lodged by the Council provided the caveat does not prevent registration of any plan or dealing other than a transfer.

(b) The Council must, at the Council's cost, register a withdrawal of its caveat in respect of the Land immediately upon request by the Landowner to enable the registration of this agreement if requested by the Landowner and must not lodge any other caveats on the titles to any of the Land.

9 Review of this agreement

9.1 Review by agreement

(a) This agreement may be reviewed or modified by agreement between the parties using their best endeavours and acting in good faith.

(b) For the purposes of clause 9.1 of this agreement and subject to clause 9.2, no modification or review of this agreement will be of any force or effect unless it is in writing and signed by the parties to this agreement.

(c) For the purposes of clause 9.1 of this agreement and subject to clause 9.2, a party is not in breach of this agreement if it does not agree to an amendment to this agreement requested by a party in, or as a consequence of, a review.

9.2 Change to Development Contributions

- (a) The parties acknowledge that as at the date of this agreement:
- (i) Council is proposing to amend the LEP to address the provision of community infrastructure within the Parramatta CBD and to adopt an accompanying Infrastructure Strategy and Development Guideline;
 - (ii) the Monetary Contribution for this agreement has been calculated on the basis of a monetary rate per square metre of land (**Community Infrastructure Rate**), being a percentage of land value uplift (as defined in the Council's Planning Agreements Policy); and
 - (iii) the Community Infrastructure Rate is being applied by Council at the date of this agreement, but may change when the planning proposal for the Parramatta CBD is finalised.
- (b) If, at the time the first instalment of the Monetary Contribution becomes payable (**Payment Date**):
- (i) the Community Infrastructure Rate adopted by Council is less than the lowest rate that can be applied under this agreement (being \$150 per square metre); and
 - (ii) as a consequence of the reduction of the Community Infrastructure Rate, Council amends the Development Contributions Plan, or adopts a new Development Contributions Plan that applies to the Land, so that the Development Contributions payable for the Development are higher, per square metre or other basis of measurement used to determine the quantum of contributions, than they would otherwise have been as at the date of this agreement;
- then, within 20 Business Days of either party making a request for review, the Council and the Landowner must meet to review this agreement in accordance with the principles in clause 9.2(c) and using their best endeavours and in good faith.
- (c) If a review of this agreement is carried out under clause 9.2(b) the parties must consider during that review process, the quantum of Monetary Contribution payable by the Landowner to the Council under this agreement and a reduction of the Monetary Contribution by an amount equivalent to the difference between:
- (i) the Development Contributions calculated as at the date of this agreement, indexed in accordance with increases in CPI from the date of this agreement to the Payment Date; and
 - (ii) the Development Contributions calculated as at the Payment Date.
- (d) Any agreement reached during a review under this clause 9.2 will not constitute an amendment to this agreement until the amendment has been:
- (i) confirmed in writing as a proposed amendment to this agreement;
 - (ii) publicly notified in accordance with the Regulation;
 - (iii) approved by Council after consideration of any public submissions; and
 - (iv) signed by the parties.
- (e) A failure by a party to agree to participate in a review under this clause 9.2 is taken to be a dispute for the purposes of clause 10.

- (f) If the parties cannot agree to the terms of any amendment to this agreement following a review under clause 9.2, either party may refer the matter to dispute resolution under clause 10.
- (g) Nothing in this clause 9.2:
 - (i) affects the obligation under the Act to pay contributions in accordance with section 7.11 or section 7.12 of the Act; or
 - (ii) requires the Council to pay any money to the Landowner or to refund to the Landowner or any other entity, any amount paid to it under this agreement or for any other purpose.

10 Dispute Resolution

10.1 Reference to Dispute

If a dispute arises between the parties in relation to this agreement, the parties must not commence any court proceedings relating to the dispute unless the parties have complied with this clause, except where a party seeks urgent interlocutory relief.

10.2 Notice of Dispute

The party wishing to commence the dispute resolution process must give written notice (**Notice of Dispute**) to the other parties of:

- (a) The nature of the dispute,
- (b) The alleged basis of the dispute, and
- (c) The position which the party issuing the Notice of Dispute believes is correct.

10.3 Representatives of Parties to Meet

- (a) The representatives of the parties must promptly (and in any event within 20 Business Days of the Notice of Dispute) meet in good faith to attempt to resolve the notified dispute.
- (b) The parties may, without limitation:
 - (i) resolve the dispute during the course of that meeting,
 - (ii) agree that further material or expert determination in accordance with clause 10.6 about a particular issue or consideration is needed to effectively resolve the dispute (in which event the parties will, in good faith, agree to a timetable for resolution); or
 - (iii) agree that the parties are unlikely to resolve the dispute and, in good faith, agree to a form of alternative dispute resolution (including expert determination, arbitration or mediation) which is appropriate for the resolution of the relevant dispute.

10.4 Further Notice if Not Settled

If the dispute is not resolved within 10 Business Days after the nominated representatives have met, either party may give to the other a written notice calling for determination of the dispute (**Determination Notice**) by mediation under clause 10.5 or by expert determination under clause 10.6.

10.5 Mediation

If a party gives a Determination Notice calling for the dispute to be mediated:

- (a) The parties must agree to the terms of reference of the mediation within 15 Business Days of the receipt of the Determination Notice (the terms shall include a requirement that the mediation rules of the Institute of Arbitrators and Mediators Australia (NSW Chapter) apply);

- (b) The mediator will be agreed between the parties, or failing agreement within 15 Business Days of receipt of the Determination Notice, either Party may request the President of the Institute of Arbitrators and Mediators Australia (NSW Chapter) to appoint a mediator;
- (c) The mediator appointed pursuant to this clause 10.5 must:
 - (i) Have reasonable qualifications and practical experience in the area of the dispute; and
 - (ii) Have no interest or duty which conflicts or may conflict with his or her function as a mediator he or she being required to fully disclose any such interest or duty before his or her appointment;
- (d) The mediator shall be required to undertake to keep confidential all matters coming to his or her knowledge by reason of his or her appointment and performance of his or her duties;
- (e) The parties must within 15 Business Days of receipt of the Determination Notice notify each other of their representatives who will be involved in the mediation (except if a resolution of the Council is required to appoint a representative, the Council must advise of the representative within 5 Business Days of the resolution);
- (f) The parties agree to be bound by a mediation settlement and may only initiate judicial proceedings in respect of a dispute which is the subject of a mediation settlement for the purpose of enforcing that mediation settlement; and
- (g) In relation to costs and expenses:
 - (i) Each party will bear its own professional and expert costs incurred in connection with the mediation; and
 - (ii) The costs of the mediator will be shared equally by the parties unless the mediator determines that a party has engaged in vexatious or unconscionable behaviour in which case the mediator may require the full costs of the mediation to be borne by that party.

10.6 Expert determination

If the dispute is not resolved under clause 10.3 or clause 10.5, or the parties otherwise agree that the dispute may be resolved by expert determination, the parties may refer the dispute to an expert, in which event:

- (a) The dispute must be determined by an independent expert in the relevant field:
 - (i) Agreed upon and appointed jointly by the parties; and
 - (ii) In the event that no agreement is reached or no appointment is made within 20 Business Days of the agreement to refer the dispute to an expert, appointed on application of a party by the then President of the Law Society of New South Wales;
- (b) The expert must be appointed in writing and the terms of the appointment must not be inconsistent with this clause;
- (c) The determination of the dispute by such an expert will be made as an expert and not as an arbitrator and will be in writing and contain the reasons for the determination;
- (d) The expert will determine the rules for the conduct of the process but must conduct the process in accordance with the rules of natural justice;
- (e) Each party will bear its own costs in connection with the process and the determination by the expert and will share equally the expert's fees and costs; and

- (f) Any determination made by an expert pursuant to this clause is final and binding upon the parties except unless:
 - (i) Within 20 Business Days of receiving the determination, a party gives written notice to the other party that it does not agree with the determination and commences litigation; or
 - (ii) The determination is in respect of, or relates to, termination or purported termination of this agreement by any party, in which event the expert is deemed to be giving a non-binding appraisal.

10.7 Litigation

If the dispute is not *finally* resolved in accordance with this clause 10, then either party is at liberty to litigate the dispute.

10.8 No suspension of contractual obligations

Subject to any interlocutory order obtained under clause 10.1, the referral to or undertaking of a dispute resolution process under this clause 10 does not suspend the parties' obligations under this agreement.

11 Enforcement

11.1 Default

- (a) In the event a party considers another party has failed to perform and fulfil an obligation under this agreement, it may give notice in writing to the other party (**Default Notice**) giving all particulars of the matters in respect of which it considers default has occurred and by such notice require the default to be remedied within a reasonable time not being less than 21 days.
- (b) In determining a reasonable time, regard must be had to both the nature of the default and the work or other action required to remedy it and whether or not the continuation of the default constitutes a public nuisance or raises other circumstances of urgency or emergency.
- (c) If a party disputes the Default Notice it may refer the dispute to dispute resolution under clause 10 of this agreement.

11.2 Bank Guarantee

- (a) If the Landowner elects to provide Bank Guarantees instead of paying the first two instalments of the Monetary Contribution in accordance with clause 6.1(g), the Landowner must provide to the Council:
 - (i) a Bank Guarantee in an amount equivalent to 25% of the Monetary Contribution within 5 Business Days of the grant of Development Consent for any Development that includes a residential component; and
 - (ii) a Bank Guarantee in an amount equivalent to 50% of the Monetary Contribution prior to the issue of a Construction Certificate for the Development,
- (b) The Council may reject any Bank Guarantee that contains errors, or if it has received the Bank Guarantee, require at any time the Landowner to obtain a replacement Bank Guarantee that rectifies any such errors or otherwise obtain rectification of the errors. The Landowner must provide the replacement Bank Guarantee, or otherwise obtain rectification of the errors, within five Business Days of receiving the Council's request.
- (c) The Council may call on a Bank Guarantee provided under this clause if:

- (i) the Landowner is in material or substantial breach of this agreement and have failed to rectify the breach within a reasonable period of time after having been given reasonable notice (which must not be less than 21 Business Days) in writing to do so in accordance with clause 11.1 of this agreement; or
 - (ii) the Landowner becomes Insolvent.
- (d) Within 20 Business Days of each anniversary of a Bank Guarantee provided under clause 11.2(a), the Landowner must provide Council with either a supplemental Bank Guarantee or a replacement Bank Guarantee (**Replacement Bank Guarantee**) in an amount calculated in accordance with the following:

$$A = \frac{B \times D}{C}$$

Where:

A is the amount of the Replacement Bank Guarantee,

B is the amount of the Bank Guarantee to be replaced,

C is the CPI for the quarter ending immediately before the date of the Bank Guarantee to be replaced,

D is the CPI for the quarter ending immediately before the date of the Replacement Bank Guarantee,

provided A is greater than B.

- (e) On receipt of a Replacement Bank Guarantee provided under clause 11.2(d), the Council must release and return to the Landowner, as directed, the Bank Guarantee that has been replaced as soon as reasonably practicable.
- (f) At any time following the provision of a Bank Guarantee under this clause 11.2, the Landowner may provide the Council with one or more replacement Bank Guarantees totalling the amount of all Bank Guarantees required to be provided under this clause for the time being. On receipt of such replacement Bank Guarantee, the Council must release and return to the Landowner, as directed, the Bank Guarantee(s) which it holds that have been replaced as soon as reasonably practicable.
- (g) Subject to clause 11.2(c), the Council may apply the proceeds of a Bank Guarantee in satisfaction of:
 - (i) any obligation of the Landowner under this agreement that is secured by the Bank Guarantee in accordance with clause 11.2(a); and
 - (ii) any associated liability, loss, cost, charge or expense directly or indirectly incurred by the Council because of the failure by the Landowner to comply with this agreement.
- (h) Nothing in this clause 11.2 prevents or restricts the Council from taking any enforcement action in relation to:
 - (i) any obligation of the Landowner under this agreement; or
 - (ii) any associated liability, loss, cost, charge or expense directly or indirectly incurred by the Council because of the failure by the Landowner to comply with this agreement, that is not or cannot be satisfied by calling on a Bank Guarantee.
- (i) On full and final satisfaction of the Monetary Contributions, Council must promptly release and return any Bank Guarantee(s) which it holds to the Landowner, as directed.

11.3 Compulsory Acquisition

- (a) If the Landowner does not register the easement required under clause 6.2, the Council may compulsorily acquire the relevant interest in the Land, in which case the Landowner consents to the Council compulsorily acquiring that interest for compensation in the amount of \$1.00 without having to follow the pre-acquisition procedures in the *Land Acquisition (Just Terms Compensation) Act 1991*.
- (b) Clause 11.3(a) constitutes an agreement for the purposes of section 30 of the *Land Acquisition (Just Terms Compensation) Act 1991*.
- (c) The Landowner must not create any interest in the Land subject to the Setback Area or do or omit to do anything, which is likely to vitiate, impair, derogate from or prejudice the rights of the public to use the Setback Area in accordance with the Easement Terms.
- (d) The Landowner indemnifies and keeps indemnified the Council against:
 - (i) all costs, including legal costs, incurred by the Council; and
 - (ii) all Claims made against the Council,as a result of any acquisition by the Council of the whole or any part of the interest in the Easement Land under clause 11.3(a).

11.4 Restriction on the issue of Certificates

- (a) In accordance with section 6.8 of the Act and clause 146A of the Regulation any obligations (if applicable) to:
 - (i) pay the first two instalments of the Monetary Contribution under clause 6.1(f)(i) and (ii), or lodge a bank guarantee in lieu of those payments in accordance with clause 6.1(g); and
 - (ii) register the covenant required under clause 6.2(a)(i),must be satisfied prior to the issue of a Construction Certificate for the Development or any part of the Development.
- (b) In accordance with section 6.10 of the Act and clause 154E of the Regulation the obligation to pay the whole of the Monetary Contribution (if applicable) and register the easement required under clause 6.2(a)(ii) must be satisfied prior to the issue of an Occupation Certificate for the Development or any part of the Development.

11.5 General Enforcement

- (a) Without limiting any other remedies available to the parties, this agreement may be enforced by any party in any Court of competent jurisdiction.
- (b) Nothing in this agreement prevents:
 - (i) a party from bringing proceedings in the Land and Environment Court to enforce any aspect of this agreement or any matter to which this agreement relates; and
 - (ii) the Council from exercising any function under the Act or any other Act or law relating to the enforcement of any aspect of this agreement or any matter to which this agreement relates.

12 Assignment and Dealings

12.1 Assignment

- (a) A party must not assign or deal with any right under this agreement without the prior written consent of the other parties.

- (b) Any change of ownership or control (as defined in section 50AA of the *Commonwealth Corporations Act 2001*) of a party (excluding the Council) shall be deemed to be an assignment of this agreement for the purposes of this clause.
- (c) Any purported dealing in breach of this clause is of no effect.

12.2 Arrangements with Mortgagee

- (a) The Landowner agrees with the Council that if the Landowner mortgages the Land after this agreement is entered into it must use all reasonable efforts at that time to arrange a multiple party deed of agreement between the Council, the Landowner, and the mortgagee so that the mortgagee accepts that the responsibilities set out in this agreement are binding upon the mortgagee in the event that the Landowner defaults on the mortgage and the mortgagee takes possession of the Land.
- (b) The terms of the adoption of the obligations of the Landowner by the mortgagee shall be as reasonably required by the Council. The agreement shall be prepared at the cost of the Landowner.

12.3 Transfer of Land

- (a) The Landowner may not transfer, assign or dispose of the whole or any part of its right, title or interest in the Land (present or future) or in the Development to another person (**Transferee**) unless before it sells, transfers or disposes of that right, title or interest:
 - (i) The Landowner satisfies the Council that the proposed Transferee is financially capable of complying with the obligations of the Landowner under this agreement;
 - (ii) The Landowner satisfies the Council that the rights of the Council will not be diminished or fettered in any way;
 - (iii) The Transferee delivers to the Council a novation deed signed by the Transferee in a form and of such substance as is acceptable to the Council containing provisions under which the Transferee agrees to comply with all the outstanding obligations of the Landowner under this agreement;
 - (iv) The Transferee delivers to the Council replacement Bonds or Bank Guarantees as required by this agreement;
 - (v) Any default under any provisions of this agreement has been remedied or waived by the Council, on such conditions as the Council may determine, and
 - (vi) The Landowner and the Transferee pay the Council's reasonable costs in relation to the assignment.

13 Approvals and consents

Except as otherwise set out in this agreement, and subject to any statutory obligations, a party may give or withhold an approval or consent to be given under this agreement in that party's absolute discretion and subject to any conditions determined by the party. A party is not obligated to give its reasons for giving or withholding consent or for giving consent subject to conditions.

14 No fetter

14.1 Discretion

This agreement is not intended to operate to fetter, in any manner, the exercise of any statutory power or discretion of the Council, including, but not limited to, any statutory power or discretion of the Council relating to the Development Application or any other application for Development Consent (all referred to in this agreement as a "**Discretion**").

14.2 No fetter

No provision of this agreement is intended to constitute any fetter on the exercise of any Discretion. If, contrary to the operation of this clause, any provision of this agreement is held by a court of competent jurisdiction to constitute a fetter on any Discretion, the parties agree:

- (a) They will take all practical steps, including the execution of any further documents, to ensure the objective of this clause is substantially satisfied,
- (b) In the event that (a) cannot be achieved without giving rise to a fetter on the exercise of a Discretion, the relevant provision is to be severed and the remainder of this agreement has full force and effect, and
- (c) To endeavour to satisfy the common objectives of the parties in relation to the provision of this agreement which is to be held to be a fetter on the extent that is possible having regard to the relevant court judgment.

14.3 Planning Certificates

The Landowner acknowledges that Council may, at its discretion, include advice on any planning certificate issued under section 10.7 of the Act that this agreement affects the Land.

15 Notices**15.1 Notices**

Any notice given under or in connection with this agreement (**Notice**):

- (a) must be in writing and signed by a person duly authorised by the sender;
- (b) must be addressed as follows and delivered to the intended recipient by hand, by prepaid post or by email or fax at the address or fax number below, or at the address or fax number last notified by the intended recipient to the sender after the date of this agreement:
 - (i) to City of Parramatta Council: PO Box 32, Parramatta, NSW 2124
Fax: 02 9806 5917
Email: council@cityofparramatta.nsw.gov.au
Attention: Manager, Land Use Planning
 - (ii) to Landowner: Suite 2, 2-4 Giffnock Avenue
Macquarie Park NSW 2113
Email: sue.tan@holdmark.com.au
Attention: General Counsel
- (c) is taken to be given or made:
 - (i) in the case of hand delivery, when delivered;
 - (ii) in the case of delivery by post, three Business Days after the date of posting (if posted to an address in the same country) or seven Business Days after the date of posting (if posted to an address in another country); and
 - (iii) in the case of a fax, on production of a transmission report by the machine from which the fax was sent that indicates the fax was sent in its entirety to the recipient's fax number; and
- (d) if under clause (c) a Notice would be taken to be given or made on a day that is not a Business Day in the place to which the Notice is sent, or later than 4.00 pm (local time), it is

- (b) A party cannot in any way or for any purpose:
 - (i) bind another party; or
 - (ii) contract in the name of another party.
- (c) If a party must fulfil an obligation and that party is dependent on another party, then that other party must do each thing reasonably within its power to assist the other in the performance of that obligation.

16.2 *Time for doing acts*

- (a) If the time for doing any act or thing required to be done or a notice period specified in this agreement expires on a day other than a Business Day, the time for doing that act or thing or the expiration of that notice period is extended until the following Business Day.
- (b) If any act or thing required to be done is done after 5.00 pm on the specified day, it is taken to have been done on the following Business Day.

16.3 *Further assurances*

Each party must promptly execute all documents and do all other things reasonably necessary or desirable to give effect to the arrangements recorded in this agreement.

16.4 *Joint and individual liability and benefits*

Except as otherwise set out in this agreement, any agreement, covenant, representation or warranty under this agreement by two or more persons binds them jointly and each of them individually, and any benefit in favour of two or more persons is for the benefit of them jointly and each of them individually.

16.5 *Variations and Amendments*

A provision of this agreement can only be varied by a later written document executed by or on behalf of all parties and in accordance with the provisions of the Act.

16.6 *Counterparts*

This agreement may be executed in any number of counterparts. All counterparts taken together constitute one instrument.

16.7 *Legal expenses and stamp duty*

- (a) The Landowner must pay the Council's legal costs and disbursements in connection with the negotiation, preparation, execution, carrying into effect, enforcement and release and discharge of this agreement, including the reasonable costs of obtaining any legal advice in connection with this agreement, no later than 10 Business Days after receiving a demand from the Council to pay such costs.
- (b) The Landowner agrees to pay or reimburse the costs and expenses incurred by Council in connection with the advertising and exhibition of this agreement in accordance with the Act.
- (c) The Landowner agrees to pay Council any administrative fees as required by Council, acting reasonably, in connection with the administration of this agreement.

16.8 *Entire agreement*

The contents of this agreement constitute the entire agreement between the parties and supersede any prior negotiations, representations, understandings or arrangements made between the parties regarding the subject matter of this agreement, whether orally or in writing.

16.9 Representations and warranties

The parties represent and warrant that they have the power and authority to enter into this agreement and comply with their obligations under the agreement and that entry into this agreement will not result in the breach of any law.

16.10 Severability

If a clause or part of a clause of this agreement can be read in a way that makes it illegal, unenforceable or invalid, but can also be read in a way that makes it legal, enforceable and valid, it must be read in the latter way. If any clause or part of a clause is illegal, unenforceable or invalid, that clause or part is to be treated as removed from this agreement, but the rest of this agreement is not affected.

16.11 Invalidity

- (a) A word or provision must be read down if:
 - (i) this agreement is void, voidable, or unenforceable if it is not read down;
 - (ii) this agreement will not be void, voidable or unenforceable if it is read down; and
 - (iii) the provision is capable of being read down.
- (b) A word or provision must be severed if:
 - (i) despite the operation of clause (a), the provision is void, voidable or unenforceable if it is not severed; and
 - (ii) this agreement will be void, voidable or unenforceable if it is not severed.
- (c) The remainder of this agreement has full effect even if clause 16.11(b) applies.

16.12 Waiver

- (a) A right or remedy created by this agreement cannot be waived except in writing signed by the party entitled to that right. Delay by a party in exercising a right or remedy does not constitute a waiver of that right or remedy, nor does a waiver (either wholly or in part) by a party of a right operate as a subsequent waiver of the same right or of any other right of that party.
- (b) The fact that a party fails to do, or delays in doing, something the party is entitled to do under this agreement, does not amount to a waiver of any obligation of, or breach of obligation by, another party. A waiver by a party is only effective if it is in writing. A written waiver by a party is only effective in relation to the particular obligation or breach in respect of which it is given. It is not to be taken as an implied waiver of any other obligation or breach or as an implied waiver of that obligation or breach in relation to any other occasion.

16.13 GST

- (a) Words and expressions which are not defined in this agreement but which have a defined meaning in GST Law have the same meaning as in the GST Law.
- (b) Unless otherwise expressly stated, all prices or other sums payable or consideration to be provided under this agreement are exclusive of GST.
- (c) If GST is imposed on any supply made under or in accordance with this agreement, the Landowner must pay the GST or pay to the Council an amount equal to the GST payable on or for the taxable supply, whichever is appropriate in the circumstances.

- (d) If the Council is obliged to pay any GST on any supply made under or in accordance with this agreement, the Landowner indemnifies the Council for the amount of any such payment is required to make.

16.14 *Governing law and jurisdiction*

- (a) The laws applicable in New South Wales govern this agreement.
- (b) The parties submit to the non-exclusive jurisdiction of the courts of New South Wales and any courts competent to hear appeals from those courts.

Schedule 1 Public Access and Easement Terms

In this Schedule:

Easement Land means that part of the Land the subject of the Setback Area.

- 1 The owner of the Easement Land grants to the Council and members of the public full and free right to go, pass and repass over the Easement Land at all times:
 - (a) with or without animals; and
 - (b) on foot without vehicles (other than wheelchairs or other disabled access aids);for all lawful purposes.
- 2 The owner of the Easement Land must, to the satisfaction of Council, acting reasonably:
 - (a) keep the Easement Land in good repair and condition, including ensuring that damage is not caused to services in, on or under the Easement Land;
 - (b) maintain and repair the Easement Land and all improvements on the Easement Land (excluding any improvement installed by Council);
 - (c) keep the Easement Land clean and free from rubbish;
 - (d) maintain sufficient public liability insurance covering the use of the Easement Land in accordance with these terms; and
 - (e) rectify any defects in structures, embellishment works, landscaping or any other improvements on the Easement Land except for any structure, embellishment works, landscaping or any improvements erected by Council.
- 3 If the owner of the Easement Land does not perform any obligation under clause 2 then the Council may, acting reasonably, undertake the required work and recover the costs of all such work from the owner of the Easement Land as a liquidated debt.
- 4 The owner of the Easement Land must ensure that any rules made by an Owner's Corporation relating to the Easement Land have been approved by the Council, acting reasonably.
- 5 If any member or members of the public loiter or congregate, for any purpose which the owner of the Easement Land, acting reasonably, considers to be a nuisance or a safety risk, the owner may either remove those members of the public, or arrange for their removal by an appropriate authority.
- 6 The owner of the Easement Land may erect safety signage and any other appropriate signage and may erect CCTV cameras in the Easement Land.
- 7 The owner of the Easement Land may engage security personnel to monitor and control the behaviour of the public using the Easement Land, including but not limited to prohibiting smoking, consumption of alcohol (except within licensed areas), passage of animals, bicycles and skateboards and the like in accordance with any rules made by an Owner's Corporation relating to the Easement Land.
- 8 The owner of the Easement Land may with the Council's prior written consent (which consent must not be unreasonably delayed or withheld, except in the case of an emergency, in which case the Council's prior written consent is not required) temporarily close or restrict access through all or part of the Easement Land for the time and to the extent necessary but only on reasonable grounds for the purposes of:

- (a) construction, construction access, repairs, maintenance, replacement and alteration to the Easement Land or any improvements in, on or under the Easement Land; or
 - (b) security, public safety or evacuation of the Easement Land and adjoining buildings
- 9 Subject to ensuring the provision of access in accordance with above clause 1 of this Schedule, the owner of the Easement Land may, provided any necessary planning approvals are obtained:
- (a) Install or erect works of art, street furniture, awnings, tables and chairs associated with ground floor commercial premises, notice boards or any other similar improvements at ground level on the Easement Land; and
 - (b) Use the Easement Land,
in a manner consistent with Parramatta City Council Outdoor Dining Policy approved on 25 February 2019, or any such policy of the Council that replaces that policy.
- 10 The Council is solely empowered to release this easement.
- 11 This easement may only be varied by written agreement between the Council and the owner of the Easement Land.

Schedule 2 Summary of requirements (section 7.4)

Subject and subsection of the Act	Planning Agreement
<p>Planning instrument and/or Development Application – Section 7.4(1)</p> <p>The Landowner has:</p> <p>(a) Sought a change to an environmental planning instrument</p> <p>(b) Made, or propose to make a Development Application</p> <p>(c) Entered into an agreement with, or are otherwise associated with, a person to whom paragraph (a) or (b) applies</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
<p>Description of the land to which the planning Agreement applies – Section 7.4(3)(a)</p>	<p>See the definition of Land in clause 1: Lot 1 DP 710335 and Lot 1 DP233150, known as 197-207 Church Street and 89 Marsden Street Parramatta NSW.</p>
<p>Description of the application – Section 7.4(3)(b)</p>	<p>See the definitions of Development and Planning Proposal in clause 1.</p>
<p>The scope, timing and manner of delivery of contribution required by the Planning Agreement – Section 7.4(3)(c)</p>	<p>See clause 6.</p>
<p>Applicability of section 7.11 of the Act – Section 7.4(3)(d)</p>	<p>This section is not excluded by this agreement. See clause 7. Contributions under this agreement are not to be taken into account when determining any section 7.11 contribution.</p>
<p>Applicability of section 7.12 of the Act – Section 7.4(3)(d)</p>	<p>This section is not excluded by this agreement. See clause 7.</p>
<p>Applicability of section 7.24 of the Act – Section 7.4(3)(d)</p>	<p>This section is not excluded by this agreement. See clause 7.</p>
<p>Mechanism for dispute resolution – Section 7.4(3)(f)</p>	<p>See clause 10.</p>
<p>Enforcement of the Planning Agreement – Section 7.4(3)(g)</p>	<p>See clause 11 requiring bank guarantees for deferred payment of development contributions, compulsory acquisition of interests in land and restrictions on the issue of certificates under Part 6 of the Act.</p>

Subject and subsection of the Act	Planning Agreement
Registration of the Planning Agreement – Section 7.6	See clause 8.2.
No obligation to grant consent or exercise functions – Section 7.4(9)	See clause 14 (no fetter).

Executed as an agreement

Signed on behalf of **City of Parramatta Council** (ABN 49 907 174 773) by its authorised delegate pursuant to section 377 of the *Local Government Act 1993* and a resolution of Council dated 26 April 2021 in the presence of:



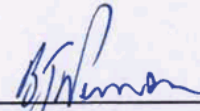
Signature of witness

Katherine Littlewood

Name of witness

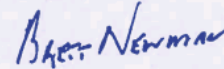
126 CHURCH STREET PARRAMATTA

Address of witness N.S.W 2150

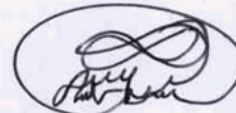


Signature of Chief Executive Officer

~~Ken Gouldthorp~~



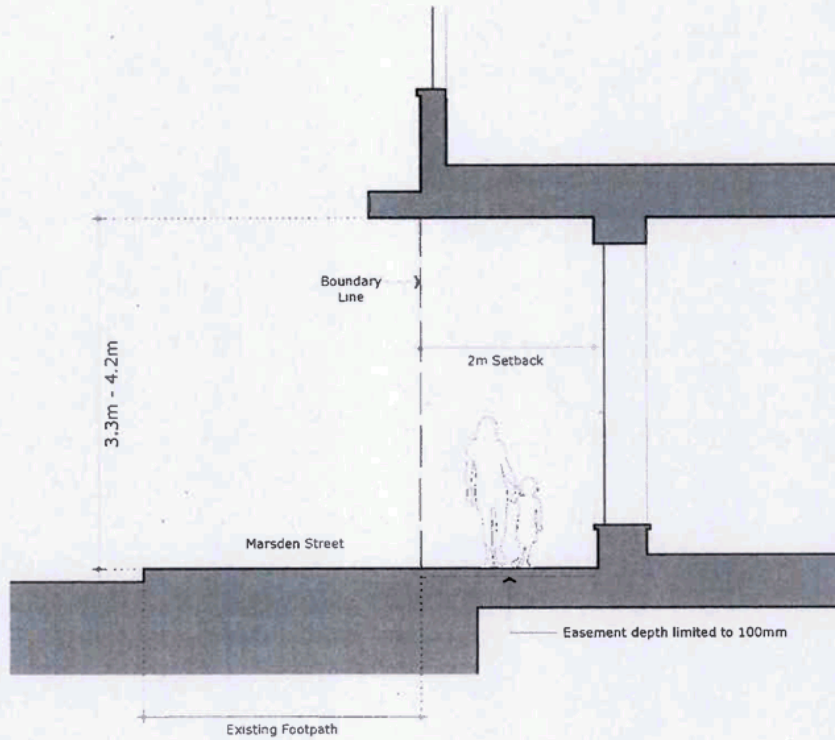
Executed by Holdmark Properties Pty Ltd
ABN 11 125 227 429 in accordance with
section 127(1) of the Corporations Act
2001 (Cth) by:



Signature of Sole Director & Secretary

Sarkis Nassif

Annexure A Diagram showing Setback Area



[Signature] 15/6/2021

[Signature]

Voluntary Planning Agreement

City of Parramatta Council
ABN 49 907 174 773

Praxis Capital Pty Ltd
ACN 166 624 031

M20 Pty Ltd
ACN 165 901 333

Dly 23/5/21
25/3/21

Bjuma 23/5/21
25/3/21



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Agreement

Date: March 1 2021

Parties

First party

Name City of Parramatta Council (**Council**)
ABN 49 907 174 773
Contact Manager, Land Use Planning
Telephone (02) 9806 5050

Second party

Name Praxis Capital Pty Ltd (**Proponent**)
ACN 166 624 031
Contact Dennis He
Telephone 02 8837 6444

Third party

Name M20 Pty Ltd (**Landowner**)
ACN 165 901 333
Contact Dr Lionel M Chang
Telephone 02 8837 6444

Background

- A. The Developer Parties have lodged an application for the Instrument Change for the purpose of making a Development Application to the Council for Development Consent to carry out the Development on the Land.
- B. The Developer Parties have offered to enter into this agreement to make contributions for public purposes associated with the Instrument Change and the Development.

Operative part

1 Definitions

In this agreement, unless the context indicates a contrary intention:

Act means the Environmental Planning and Assessment Act 1979 (NSW);

Address means a party's address set out in the Notices clause of this agreement;

Approval means any certificate, licence, consent, permit, approval or other requirement of any Authority having jurisdiction in connection with the activities contemplated by this agreement;

Authority means any government, semi-governmental, statutory, administrative, fiscal or judicial body, department, commission, authority, tribunal, public or other person;

Bank Guarantee means an irrevocable and unconditional undertaking that is not limited in time and does not expire by one of the following trading banks:

- (a) Australia and New Zealand Banking Group Limited,
- (b) Commonwealth Bank of Australia,
- (c) Macquarie Bank,
- (d) National Australia Bank,
- (e) St George Bank Limited,
- (f) Westpac Banking Corporation, or
- (g) Other financial institution approved by the Council,

to pay an amount or amounts of money to the Council on demand and containing terms and conditions reasonably acceptable to the Council;

Business Day means a day on which banks are open for general banking business in Sydney, excluding Saturdays and Sundays;

Claim means any claim, loss, liability, damage, proceeding, order, judgment or expense arising out of the operation of this agreement;

Construction Certificate means a construction certificate as defined under section 6.4 of the Act;

CPI means the All Groups Consumer Price Index applicable to Sydney published by the Australian Bureau of Statistics;

Dealing, in relation to the Land, means, without limitation, selling, transferring, assigning, mortgaging, charging, encumbering or otherwise dealing with the Land;

Developer Parties means the Proponent and the Landowner, jointly and severally;

Development means redevelopment of the Land for either a mixed use development incorporating a residential component, or a wholly commercial development;

Development Application has the same meaning as in the Act;

Development Consent has the same meaning as in the Act;

Development Contributions means the development contributions payable for the Development in accordance with section 7.11 or section 7.12 of the Act;

Development Contributions Plan means a contributions plan as defined in section 7.1 of the Act that applies to the Land;

Easement Terms means the terms of a public access easement as set out in Schedule 1;

GST has the same meaning as in the GST Law;

GST Law has the meaning given to that term in *A New Tax System (Goods and Services Tax) Act 1999* (Cth) and any other Act or regulation relating to the imposition of or administration of the GST;

Insolvent means, in relation to a party:

- (a) that party makes an arrangement, compromise or composition with, or assignment for, the benefit of its creditors or a class of them;

- (b) a receiver, receiver and manager, administrator, provisional liquidator, trustee, controller, inspector or analogous person is appointed in relation to, or over, all or any part of that party's business, assets or securities;
- (c) a presumption of insolvency has arisen under legislation because of the party's failure to comply with a statutory demand or analogous process;
- (d) an application for the winding up of, or for the appointment of a receiver to, that party, other than winding up for the purpose of solvent reconstruction or re-amalgamation, is presented and not withdrawn or dismissed within 21 days (or such longer period agreed to by the parties), or an order is made or an effective resolution is passed for the winding up of, or for the appointment of a receiver to, that party, or any analogous application is made or proceedings initiated;
- (e) any shareholder or director of that party convenes a meeting for the purpose of considering or passing any resolution for the winding up or administration of that party;
- (f) that is an individual, a creditor's petition or a debtor's petition is presented to the Official Receiver or analogous authority in relation to that party;
- (g) an execution or analogous process is levied or enforced against the property of that party;
- (h) that party ceases or suspends, or threatens to cease or suspend, the conduct of all or a substantial part of its business;
- (i) that party disposes of, or threatens to dispose of, a substantial part of its assets;
- (j) that party stops or suspends, or threatens to stop or suspend, payment of all or a class of its debts; or
- (k) that party is unable to pay the party's debts as and when they become due and payable;

Instrument Change means an amendment to the LEP in response to the planning proposal submitted by the Developer Parties known as RZ/21/2015 seeking to (among other matters):

- (a) increase the maximum floor space ratio for the Land from 4:1 to 10:1; and
- (b) increase the maximum building height for the Land from 36m to 90m;

Land means Lot 1 DP 503651 and Lot 1 DP 501663, known as 20-22 Macquarie St Parramatta NSW;

Law means:

- (a) any law applicable including legislation, ordinances, regulations, by-laws and other subordinate legislation;
- (b) any Approval, including any condition or requirement under it; and
- (c) any fees and charges payable in connection with the things referred to in paragraphs (a) and (b);

LEP means the Parramatta Local Environmental Plan 2011;

Modification Application means any application to modify the Development Consent under section 4.55 of the Act;

Monetary Contribution means the monetary contribution payable by the Developer Parties under clause 6 of this agreement;

Occupation Certificate means an occupation certificate as defined under section 6.4 of the Act, and includes a partial Occupation Certificate;

Register means the Torrens title register maintained under the *Real Property Act 1900* (NSW);

Regulation means the *Environmental Planning and Assessment Regulation 2000*;

Related Body Corporate has the meaning given to that term in s 9 of the *Corporations Act 2001* (Cth);

Setback Area means an area along the length of the boundary of the Land adjacent to Marsden Road 2m wide, and limited in depth to 100mm below ground to accommodate tiling and bedding, and limited in height to 4m as shown on the plan at Annexure A;

Strata Plan means a strata plan, a strata plan of subdivision or a strata plan of consolidation that is registered in accordance with the *Strata Schemes (Freehold Development) Act 1973* or the *Strata Schemes (Leasehold Development) Act 1986*; and

Transferee has the meaning given in clause 12.3.

2 Interpretation

In this agreement, unless the context indicates a contrary intention:

- (a) **(documents)** a reference to this agreement or another document includes any document which varies, supplements, replaces, assigns or novates this agreement or that other document;
- (b) **(references)** a reference to a party, clause, paragraph, schedule or annexure is a reference to a party, clause, paragraph, schedule or annexure to or of this agreement;
- (c) **(headings)** clause headings and the table of contents are inserted for convenience only and do not affect interpretation of this agreement;
- (d) **(person)** a reference to a person includes a natural person, corporation, statutory corporation, partnership, the Crown and any other organisation or legal entity and their personal representatives, successors, substitutes (including persons taking by novation) and permitted assigns;
- (e) **(party)** a reference to a party to a document includes that party's personal representatives, executors, administrators, successors, substitutes (including persons taking by novation) and permitted assigns;
- (f) **(president, CEO, general manager or managing director)** the president, CEO, general manager or managing director of a body or Authority includes any person acting in that capacity;
- (g) **(requirements)** a requirement to do anything includes a requirement to cause that thing to be done, and a requirement not to do anything includes a requirement to prevent that thing being done;
- (h) **(including)** including and includes are not words of limitation, and a list of examples is not limited to those items or to items of a similar kind;
- (i) **(corresponding meanings)** a word that is derived from a defined word has a corresponding meaning;

- (j) **(singular)** the singular includes the plural and vice-versa;
- (k) **(gender)** words importing one gender include all other genders;
- (l) **(parts)** a reference to one or more things includes each part and all parts of that thing or group of things but nothing in this clause implies that part performance of an obligation constitutes performance of that obligation;
- (m) **(rules of construction)** neither this agreement nor any part of it is to be construed against a party on the basis that the party or its lawyers were responsible for its drafting;
- (n) **(legislation)** a reference to any legislation or provision of legislation includes all amendments, consolidations or replacements and all regulations or instruments issued under it;
- (o) **(time and date)** a reference to a time or date in connection with the performance of an obligation by a party is a reference to the time and date in, Australia, even if the obligation is to be performed elsewhere;
- (p) **(joint and several)** an agreement, representation, covenant, right or obligation:
 - (i) in favour of two or more persons is for the benefit of them jointly and severally; and
 - (ii) on the part of two or more persons binds them jointly and severally;
- (q) **(writing)** a reference to a notice, consent, request, approval or other communication under this agreement or an agreement between the parties means a written notice, request, consent, approval or agreement;
- (r) **(replacement bodies)** a reference to a body (including an institute, association or Authority) which ceases to exist or whose powers or functions are transferred to another body is a reference to the body which replaces it or which substantially succeeds to its power or functions;
- (s) **(Australian currency)** a reference to dollars or \$ is to Australian currency;
- (t) **(month)** a reference to a month is a reference to a calendar month; and
- (u) **(year)** a reference to a year is a reference to twelve consecutive calendar months.

3 Planning Agreement under the Act

- (a) The parties agree that this agreement is a planning agreement within the meaning of section 7.4 of the Act.
- (b) Schedule 2 of this agreement summarises the requirements for planning agreements under s 7.4 of the Act and the way this agreement addresses those requirements.

4 Application of this agreement

This agreement applies to:

- (a) the Instrument Change, and
- (b) the Development; and
- (c) the Land.

5 Operation of this agreement

This agreement commences on and from the date it is executed by all parties.

6 Contributions to be made under this agreement

6.1 Monetary Contribution

- (a) The Developer Parties will pay to Council a monetary contribution of \$1,107,000.00 indexed in accordance with any increases in the CPI from the date of this agreement to the date of payment, but only if Development Consent is granted for Development that includes use of the Land or any part of the Land for residential purposes.
- (b) Subject to clause 6.1(c), the Monetary Contribution must be paid to Council in instalments as follows:
 - (i) 25% of the Monetary Contribution within 5 Business Days of the grant of Development Consent for any Development that includes a residential component;
 - (ii) 50% of the Monetary Contribution prior to the issue of a Construction Certificate for the Development; and
 - (iii) 25% of the Monetary Contribution prior to the issue of an Occupation Certificate for the Development, or prior to the registration of any Strata Plan, whichever is earlier.
- (c) The Developer Parties are not required to pay the instalments of the Monetary Contribution specified in clauses 6.1(b)(i) and (ii) if the Developer Parties provide to the Council Bank Guarantees in accordance with clause 11.2 as security for those payments, in which case the Developer Parties must pay the full amount of the Monetary Contribution prior to the issue of an Occupation Certificate for the Development.
- (d) The Monetary Contribution must be paid by way of bank cheque in favour of Council or by deposit by means of electronic funds transfer into an account specified by Council.
- (e) The Monetary Contribution will be taken to have been made when the Council notifies the Developer Parties in writing that the bank cheque has been received and cleared funds or electronic funds have been deposited in the Council's bank account.
- (f) The parties agree and acknowledge that the Monetary Contribution will be used by the Council towards public domain improvement works within the Parramatta CBD, the provision of affordable housing (to the value of 10% of the value uplift) and towards Council's Cultural Plan ("Culture and Our City: A Cultural Plan for Parramatta's CBD 2017-2022") as determined by Council to be necessary to accommodate the anticipated population growth in the Parramatta Central Business District.

6.2 Public Access and Easements

- (a) The Developer Parties will, at no cost to Council, register against the title to the Land:
 - (i) a covenant prohibiting any building or structures, including pillars, other than structures approved by the Council (acting reasonably) for the purposes of enhancing public domain areas, to be constructed on the Setback Area; and

- (ii) an easement in gross burdening that part of the Land on which the Setback Area is located in favour of the Council to permit public access to the Setback Area generally in accordance with the Easement Terms.
- (b) Any requirement to register an easement, covenant or other instrument on the title to the Land will be satisfied when the Developer Parties provide to the Council a copy of the relevant title search showing the registration of the instrument.
- (c) Any covenant required under clause 6.2(a)(i) must be registered prior to the issue of the first Construction Certificate for any building on the Land forming part of the Development.
- (d) Any easement required under clause 6.2(a)(ii) must be registered prior to the issue of an Occupation Certificate for any building on the Land forming part of the Development.
- (e) The parties agree that the proposed covenant and easement under this clause will serve the public purposes of improving pedestrian circulation and amenity in the vicinity of the Land.
- (f) The Developer Parties agree and acknowledge that:
 - (i) Council may require, under any Development Consent, the person with the benefit of the Development Consent to conduct works to construct a public domain area, to erect structures or enhance the Setback Area to meet Council's reasonable standards and specifications for public domain areas; and
 - (ii) the Landowner will not object to a requirement to carry out works in accordance with clause 6.2(f)(i), or appeal the imposition of any condition of Development Consent requiring those works; and
 - (iii) the obligations under this clause 6.2 are relevant considerations for the Council or any other consent authority when determining a Development Application or Modification Application relating to the Land and that a failure to comply with those obligations or any inconsistency with the requirements in those clauses may constitute a reason for refusal of such a Development Application or Modification Application.
- (g) The Council will not unnecessarily disrupt the design of the Development and will work with the Developer Parties in good faith to agree on a design for the Setback Area that has regard to the aesthetics of the Development, provided that the design is consistent with Council's standards and specifications for public domain areas.

7 Application of s 7.11, s 7.12 and s 7.24 of the Act

- (a) This agreement does not exclude the application of section 7.11 of the Act to the Development.
- (b) This agreement does not exclude the application of section 7.12 of the Act to the Development.
- (c) This agreement does not exclude the application of section 7.24 of the Act to the Development.
- (d) The benefits under this agreement are not to be taken into consideration in determining a development contribution under section 7.11 of the Act.

8 Registration of this agreement

8.1 Landowner Interest

The Landowner represents and warrants to the Council that on the date of this agreement it is the registered proprietor of the Land.

8.2 Registration of this agreement

- (a) The Developer Parties agree to procure the registration of this agreement under the *Real Property Act 1900* (NSW) in the relevant folios of the Register of the Land in accordance with section 7.6 of the Act.
- (b) The Developer Parties, at their own expense, must:
 - (i) procure the lodgement of this agreement with the Registrar-General as soon as reasonably practicable after this agreement comes into operation, but in any event, no later than 10 Business Days after that date;
 - (ii) procure the registration of this agreement by the Registrar-General in the relevant folios of the Register for the Land as soon as reasonably practicable after this agreement is lodged for registration; and
 - (iii) provide documentary evidence that the registration of this agreement has been completed to Council within 5 Business Days of receiving confirmation that the registration has occurred.
- (c) The Developer Parties at their own expense will take all practical steps, and otherwise do anything that the Council reasonably requires to procure:
 - (i) The consent of each person who:
 - (A) has an estate or interest in the Land registered under the *Real Property Act 1900* (NSW); or
 - (B) is seized or possessed of an estate or interest in the Land,
 - (ii) An acceptance of the terms of this agreement and an acknowledgement in writing from any existing mortgagee in relation to the Land that the mortgagee will adhere to the provisions of this agreement if it takes possession of the Land as mortgagee in possession,
 - (iii) The execution of any documents; and
 - (iv) The production of the relevant duplicate certificates of title or electronic equivalent,to enable the registration of this agreement in accordance with this clause 8.2.
- (d) The Landowner consents to the registration of the agreement in accordance with this clause 8.2.

8.3 Removal from Register

The Council will provide a release and discharge of this agreement so that the instrument may be removed from the folios of the Register for the Land (or any part of it) provided the Council is satisfied (acting reasonably):

- (a) the Developer Parties have duly fulfilled their obligations under this agreement, and are not otherwise in default of any of the obligations under this agreement; or

- (b) the Land, or any part of it, will not be developed for the purposes of residential development having regard to the development potential of the Land after the Instrument Change and:
 - (i) the obligation to establish the Setback Area under clause 6.2 has been met; or
 - (ii) the Council has formally decided not to require the construction of public access on the Setback Area.

8.4 Caveat

- (a) The Landowner acknowledges and agrees that:
 - (i) when this agreement is executed, the Council is deemed to have acquired and the Landowner is deemed to have granted, an equitable estate and interest in the Land for the purposes of section 74F(1) of the *Real Property Act 1900* (NSW) and consequently the Council will have a sufficient interest in the Land in respect of which to lodge a caveat over the Land notifying that interest;
 - (ii) it will not object to the Council lodging a caveat in the relevant folios of the Register for the Land nor will it seek to remove any caveat lodged by the Council provided the caveat does not prevent the registration of any dealing or plan other than a transfer.
- (b) The Council must, at the cost of the Developer Parties, register a withdrawal of any caveat in respect of the Land within five Business Days after the Developer Parties comply with clause 8.2 and must not lodge any other caveats on the titles to any of the Land.
- (c) The Council must, at the cost of the Developer Parties, register a withdrawal of any caveat in respect of the Land provided that:
 - (i) the Council is satisfied (acting reasonably) that the Land, or any part of it, will not be developed for the purposes of residential development having regard to the development potential of the Land after the Instrument Change; or
 - (ii) a final Occupation Certificate is issued for the Development on the basis that it will be occupied only for commercial purposes and not for residential purposes.

9 Review of this agreement

9.1 Review by agreement

- (a) This agreement may be reviewed or modified by agreement between the parties using their best endeavours and acting in good faith.
- (b) For the purposes of clause 9.1 of this agreement and subject to clause 9.2, no modification or review of this agreement will be of any force or effect unless it is in writing and signed by the parties to this agreement.
- (c) For the purposes of clause 9.1 of this agreement and subject to clause 9.2, a party is not in breach of this agreement if it does not agree to an amendment to this agreement requested by a party in, or as a consequence of, a review.

9.2 *Change to Development Contributions*

- (a) The parties acknowledge that as at the date of this agreement:
- (i) Council is proposing to adopt a 'value sharing approach' for development within the Parramatta CBD under a Local Environmental Plan by means of a separate planning proposal for the Parramatta CBD and an accompanying Infrastructure Strategy and Development Guideline in respect of residential development;
 - (ii) the Monetary Contribution for this agreement has been calculated on the basis of a monetary rate per square metre of land (**Community Infrastructure Rate**), being a percentage of land value uplift (as defined in the Council's Planning Agreements Policy); and
 - (iii) the Community Infrastructure Rate is being applied consistently by Council at the date of this agreement, but may change when the planning proposal for the Parramatta CBD is finalised.
- (b) If, at the time the first instalment of the Monetary Contribution becomes payable (**Payment Date**):
- (i) the Community Infrastructure Rate adopted by Council is less than the rate applied under this agreement (being \$150 per square metre); and
 - (ii) as a consequence of the reduction of the Community Infrastructure Rate, Council amends the Development Contributions Plan, or adopts a new Development Contributions Plan that applies to the Land, so that the Development Contributions payable for the Development are higher, per square metre or other basis of measurement used to determine the quantum of contributions, than they would otherwise have been as at the date of this agreement;
- then, within 20 Business Days of either party making a request for review, the Council and the Developer Parties must meet to review this agreement in accordance with the principles in clause 9.2(c) and using their best endeavours and in good faith.
- (c) If a review of this agreement is carried out under clause 9.2(b) the parties must consider during that review process, the quantum of Monetary Contribution payable by the Developer Parties to the Council under this agreement and a reduction of the Monetary Contribution by an amount equivalent to the difference between:
- (i) the Development Contributions calculated as at the date of this agreement (indexed in accordance with increases in the CPI from the date of this agreement to the date of the calculation); and
 - (ii) the Development Contributions calculated as at the Payment Date.
- (d) Any agreement reached during a review under this clause 9.2 will not constitute an amendment to this agreement until the amendment has been:
- (i) confirmed in writing as an amendment to this agreement;
 - (ii) publicly notified in accordance with the Regulation;
 - (iii) approved by Council after consideration of any public submissions; and
 - (iv) signed by the parties to this agreement.

- (e) A failure by a party to agree to participate in a review under this clause 9.2 is taken to be a dispute for the purposes of clause 10.
- (f) If the parties cannot agree to the terms of any amendment to this agreement following a review under clause 9.2, either party may refer the matter to dispute resolution under clause 10.
- (g) Nothing in this clause 9.2:
 - (i) affects the obligation of the Developer Parties under the Act to pay contributions in accordance with section 7.11 or section 7.12 of the Act; or
 - (ii) requires the Council to pay any money to the Developer Parties or to refund to the Developer Parties or any other entity, any amount paid to it under this agreement or for any other purpose.

10 Dispute Resolution

10.1 Reference to Dispute

If a dispute arises between the parties in relation to this agreement, the parties must not commence any court proceedings relating to the dispute unless the parties have complied with this clause, except where a party seeks urgent interlocutory relief.

10.2 Notice of Dispute

The party wishing to commence the dispute resolution process must give written notice (**Notice of Dispute**) to the other parties of:

- (a) The nature of the dispute,
- (b) The alleged basis of the dispute, and
- (c) The position which the party issuing the Notice of Dispute believes is correct.

10.3 Representatives of Parties to Meet

- (a) The representatives of the parties must promptly (and in any event within 20 Business Days of the Notice of Dispute) meet in good faith to attempt to resolve the notified dispute.
- (b) The parties may, without limitation:
 - (i) resolve the dispute during the course of that meeting,
 - (ii) agree that further material or expert determination in accordance with clause 10.6 about a particular issue or consideration is needed to effectively resolve the dispute (in which event the parties will, in good faith, agree to a timetable for resolution); or
 - (iii) agree that the parties are unlikely to resolve the dispute and, in good faith, agree to a form of alternative dispute resolution (including expert determination, arbitration or mediation) which is appropriate for the resolution of the relevant dispute.

10.4 Further Notice if Not Settled

If the dispute is not resolved within 10 Business Days after the nominated representatives have met, either party may give to the other a written notice calling for determination of the dispute (**Determination Notice**) by mediation under clause 10.5 or by expert determination under clause 10.6.

10.5 Mediation

If a party gives a Determination Notice calling for the dispute to be mediated:

- (a) The parties must agree to the terms of reference of the mediation within 15 Business Days of the receipt of the Determination Notice (the terms shall include a requirement that the mediation rules of the Institute of Arbitrators and Mediators Australia (NSW Chapter) apply);
- (b) The mediator will be agreed between the parties, or failing agreement within 15 Business Days of receipt of the Determination Notice, either Party may request the President of the Institute of Arbitrators and Mediators Australia (NSW Chapter) to appoint a mediator;
- (c) The mediator appointed pursuant to this clause 10.5 must:
 - (i) Have reasonable qualifications and practical experience in the area of the dispute; and
 - (ii) Have no interest or duty which conflicts or may conflict with his or her function as a mediator he or she being required to fully disclose any such interest or duty before his or her appointment;
- (d) The mediator shall be required to undertake to keep confidential all matters coming to his or her knowledge by reason of his or her appointment and performance of his or her duties;
- (e) The parties must within 15 Business Days of receipt of the Determination Notice notify each other of their representatives who will be involved in the mediation (except if a resolution of the Council is required to appoint a representative, the Council must advise of the representative within 5 Business Days of the resolution);
- (f) The parties agree to be bound by a mediation settlement and may only initiate judicial proceedings in respect of a dispute which is the subject of a mediation settlement for the purpose of enforcing that mediation settlement; and
- (g) In relation to costs and expenses:
 - (i) Each party will bear its own professional and expert costs incurred in connection with the mediation; and
 - (ii) The costs of the mediator will be shared equally by the parties unless the mediator determines that a party has engaged in vexatious or unconscionable behaviour in which case the mediator may require the full costs of the mediation to be borne by that party.

10.6 Expert determination

If the dispute is not resolved under clause 10.3 or clause 10.5, or the parties otherwise agree that the dispute may be resolved by expert determination, the parties may refer the dispute to an expert, in which event:

- (a) The dispute must be determined by an independent expert in the relevant field:
 - (i) Agreed upon and appointed jointly by the parties; and
 - (ii) In the event that no agreement is reached or no appointment is made within 20 Business Days of the agreement to refer the dispute to an expert,
 - (iii) appointed on application of a party by the then President of the Law Society of New South Wales;

- (b) The expert must be appointed in writing and the terms of the appointment must not be inconsistent with this clause;
- (c) The determination of the dispute by such an expert will be made as an expert and not as an arbitrator and will be in writing and contain the reasons for the determination;
- (d) The expert will determine the rules for the conduct of the process but must conduct the process in accordance with the rules of natural justice;
- (e) Each party will bear its own costs in connection with the process and the determination by the expert and will share equally the expert's fees and costs; and
- (f) Any determination made by an expert pursuant to this clause is final and binding upon the parties except unless:
 - (i) Within 20 Business Days of receiving the determination, a party gives written notice to the other party that it does not agree with the determination and commences litigation; or
 - (ii) The determination is in respect of, or relates to, termination or purported termination of this agreement by any party, in which event the expert is deemed to be giving a non-binding appraisal.

10.7 *Litigation*

If the dispute is not finally resolved in accordance with this clause 10, then either party is at liberty to litigate the dispute.

10.8 *No suspension of contractual obligations*

Subject to any interlocutory order obtained under clause 10.1, the referral to or undertaking of a dispute resolution process under this clause 10 does not suspend the parties' obligations under this agreement.

11 **Enforcement**

11.1 *Default*

- (a) In the event a party considers another party has failed to perform and fulfil an obligation under this agreement, it may give notice in writing to the other party (**Default Notice**) giving all particulars of the matters in respect of which it considers default has occurred and by such notice require the default to be remedied within a reasonable time not being less than 21 days.
- (b) In determining a reasonable time, regard must be had to both the nature of the default and the work or other action required to remedy it and whether or not the continuation of the default constitutes a public nuisance or raises other circumstances of urgency or emergency.
- (c) If a party disputes the Default Notice it may refer the dispute to dispute resolution under clause 10 of this agreement.

11.2 *Bank Guarantee*

- (a) If the Developer Parties elect to provide Bank Guarantees instead of paying instalments of the Monetary Contribution as set out in clause 6.1(b), the Developer Parties must provide to the Council:

- (i) a Bank Guarantee in an amount equivalent to 25% of the Monetary Contribution within 5 Business Days of the grant of Development Consent for any Development that includes a residential component; and
 - (ii) a Bank Guarantee in an amount equivalent to 50% of the Monetary Contribution prior to the issue of a Construction Certificate for the Development.
- (b) The Council may reject any Bank Guarantee that contains errors, or if it has received the Bank Guarantee, require at any time the Developer Parties to obtain a replacement Bank Guarantee that rectifies any such errors or otherwise obtain rectification of the errors. The Developer Parties must provide the replacement Bank Guarantee, or otherwise obtain rectification of the errors, within 5 Business Days of receiving the Council's request.
- (c) The Council may call on a Bank Guarantee provided under this clause if:
- (i) the Developer Parties are in material or substantial breach of this agreement and have failed to rectify the breach within a reasonable period of time after having been given reasonable notice (which must not be less than 21 Business Days) in writing to do so in accordance with clause 11.1 of this agreement; or
 - (ii) the Proponent or Landowner becomes Insolvent.
- (d) Within 20 Business Days of each anniversary of a Bank Guarantee provided under clause (a), the Developer Parties must provide Council with one or more replacement Bank Guarantees (**Replacement Bank Guarantee**) in an amount calculated in accordance with the following:

$$A = \frac{B \times D}{C}$$

Where:

A is the amount of the Replacement Bank Guarantee,

B is the amount of the Bank Guarantee to be replaced,

C is the CPI for the quarter ending immediately before the date of the Bank Guarantee to be replaced,

D is the CPI for the quarter ending immediately before the date of the Replacement Bank Guarantee,

provided A is greater than B.

- (e) On receipt of a Replacement Bank Guarantee provided under clause 11.2(d), the Council must release and return to the Developer Parties, as directed, the Bank Guarantee that has been replaced as soon as reasonably practicable.
- (f) At any time following the provision of a Bank Guarantee under this clause, the Developer Parties may provide the Council with one or more replacement Bank Guarantees totalling the amount of all Bank Guarantees required to be provided under this clause for the time being. On receipt of such replacement Bank Guarantee, the Council must release and return to the Developer Parties, as directed, the Bank Guarantee(s) which it holds that have been replaced as soon as reasonably practicable.

- (g) Subject to clause 11.2(c), the Council may apply the proceeds of a Bank Guarantee in satisfaction of:
 - (i) any obligation of the Developer Parties under this agreement that is secured by the Bank Guarantee in accordance with clause 11.2(a); and
 - (ii) any associated liability, loss, cost, charge or expense directly or indirectly incurred by the Council because of the failure by the Developer Parties to comply with this agreement.
- (h) Nothing in this clause 11.2 prevents or restricts the Council from taking any enforcement action in relation to:
 - (i) any obligation of the Developer Parties under this agreement; or
 - (ii) any associated liability, loss, cost, charge or expense directly or indirectly incurred by the Council because of the failure by the Developer Parties to comply with this agreement,
 that is not or cannot be satisfied by calling on a Bank Guarantee.

11.3 *Restriction on the issue of Certificates*

- (a) In accordance with section 6.8 of the Act and clause 146A of the Regulation the obligations to:
 - (i) provide a Bank Guarantee under clause 11.2; or
 - (ii) pay the instalments of the Monetary Contribution under clause 6.1(b)(i) and (ii), and
 - (iii) register any covenant in accordance with clauses 6.2(a)(i) and 6.2(c),
 must be satisfied prior to the issue of a Construction Certificate for the Development or any part of the Development.
- (b) In accordance with section 6.10 of the Act and clause 154E of the Regulation the obligations to:
 - (i) pay the Monetary Contribution under clause 6.1; and
 - (ii) register the easement under clauses 6.2(a)(ii) and 6.2(d),
 must be satisfied prior to the issue of an Occupation Certificate for the Development or any part of the Development.

11.4 *Compulsory Acquisition*

- (a) If the Developer Parties do not register the public access easement required under clause 6.2, the Council may compulsorily acquire the relevant interest in the land, in which case the Landowner consents to the Council compulsorily acquiring that interest for compensation in the amount of \$1.00 without having to follow the pre-acquisition procedures in the *Land Acquisition (Just Terms Compensation) Act 1991*, and Council may recover any costs, including legal costs, incurred by the Council on acquisition of the interest from the Developer Parties.
- (b) Clause 11.4(a) constitutes an agreement for the purposes of section 30 of the *Land Acquisition (Just Terms Compensation) Act 1991*.
- (c) The Developer Parties indemnify and keeps indemnified the Council against all Claims made against the Council as a result of any acquisition by the Council of the whole or any part of the relevant land under clause 11.4(a).

- (d) The Developer Parties must pay the Council, promptly on demand, an amount equivalent to all costs, including legal costs, incurred by the Council acquiring the whole or any part of the relevant interest in the land under clause 11.4(a).

11.5 *General Enforcement*

- (a) Without limiting any other remedies available to the parties, this agreement may be enforced by any party in any Court of competent jurisdiction.
- (b) Nothing in this agreement prevents:
 - (i) a party from bringing proceedings in the Land and Environment Court to enforce any aspect of this agreement or any matter to which this agreement relates; and
 - (ii) the Council from exercising any function under the Act or any other Act or law relating to the enforcement of any aspect of this agreement or any matter to which this agreement relates.

12 Assignment and Dealings

12.1 *Assignment*

- (a) A party must not assign or deal with any right under this agreement without the prior written consent of the other parties.
- (b) Any change of ownership or control (as defined in section 50AA of the *Commonwealth Corporations Act 2001*) of a party (excluding the Council) shall be deemed to be an assignment of this agreement for the purposes of this clause.
- (c) Any purported Dealing in breach of this clause is of no effect.

12.2 *Arrangements with Mortgagee*

- (a) In the event the Landowner mortgages the Land subsequent to this agreement the Landowner is to use all reasonable efforts at that time to arrange a multiple party deed of agreement between the Council, the Landowner, and the mortgagee so that the mortgagee accepts that the responsibilities set out in this agreement are binding upon the mortgagee in the event that the Landowner defaults on the mortgage and the mortgagee takes possession of the Land.
- (b) The terms of the adoption of the obligations of the Landowner by the mortgagee shall be as reasonably required by the Council. The agreement shall be prepared at the cost of the Landowner.

12.3 *Transfer of Land*

- (a) The Landowner may not transfer, assign or dispose of the whole or any part of its right, title or interest in the Land (present or future) or in the Development to another person (**Transferee**) unless before it sells, transfers or disposes of that right, title or interest:
 - (i) The Landowner satisfies the Council that the proposed Transferee is financially capable of complying with the Developer Parties' obligations under this agreement;
 - (ii) The Landowner satisfies the Council that the rights of the Council will not be diminished or fettered in any way;
 - (iii) The Transferee delivers to the Council a novation deed signed by the Transferee in a form and of such substance as is acceptable to the Council

containing provisions under which the Transferee agrees to comply with all the outstanding obligations of the Developer Parties under this agreement;

- (iv) The Transferee delivers to the Council replacement Bank Guarantees as required by this agreement;
- (v) Any default under any provisions of this agreement has been remedied or waived by the Council, on such conditions as the Council may determine, and
- (vi) The Landowner and the Transferee pay the Council's reasonable costs in relation to the assignment.

13 Approvals and consents

Except as otherwise set out in this agreement, and subject to any statutory obligations, a party may give or withhold an approval or consent to be given under this agreement in that party's absolute discretion and subject to any conditions determined by the party. A party is not obligated to give its reasons for giving or withholding consent or for giving consent subject to conditions.

14 No fetter

14.1 Discretion

This agreement is not intended to operate to fetter, in any manner, the exercise of any statutory power or discretion of the Council, including, but not limited to, any statutory power or discretion of the Council relating to the Development Application or any other application for Development Consent (all referred to in this agreement as a "**Discretion**").

14.2 No fetter

No provision of this agreement is intended to constitute any fetter on the exercise of any Discretion. If, contrary to the operation of this clause, any provision of this agreement is held by a court of competent jurisdiction to constitute a fetter on any Discretion, the parties agree:

- (a) They will take all practical steps, including the execution of any further documents, to ensure the objective of this clause is substantially satisfied,
- (b) In the event that (a) cannot be achieved without giving rise to a fetter on the exercise of a Discretion, the relevant provision is to be severed and the remainder of this agreement has full force and effect, and
- (c) To endeavour to satisfy the common objectives of the parties in relation to the provision of this agreement which is to be held to be a fetter on the extent that is possible having regard to the relevant court judgment.

14.3 Planning Certificates

The Developer Parties acknowledge that Council may, at its discretion, include advice on any planning certificate issued under section 10.7 of the Act that this agreement affects the Land.

15 Notices

15.1 Notices

Any notice given under or in connection with this agreement (**Notice**):

- (a) must be in writing and signed by a person duly authorised by the sender;

- (b) must be addressed as follows and delivered to the intended recipient by hand, by prepaid post or by email or fax at the address or fax number below, or at the address or fax number last notified by the intended recipient to the sender after the date of this agreement:
- (i) to City of Parramatta Council: PO Box 32, Parramatta, NSW 2124
 Fax: 02 9806 5917
 Email: council@cityofparramatta.nsw.gov.au
 Attention: Manager, Land Use Planning
- (ii) to Developer Parties M20 Pty Ltd and Praxis Capital Pty Ltd
 5/20 Macquarie St Parramatta
 Email: support@praxiscapital.com.au
 Attention: Dennis He
- (c) is taken to be given or made:
- (i) in the case of hand delivery, when delivered;
- (ii) in the case of delivery by post, three Business Days after the date of posting (if posted to an address in the same country) or seven Business Days after the date of posting (if posted to an address in another country); and
- (iii) in the case of a fax, on production of a transmission report by the machine from which the fax was sent that indicates the fax was sent in its entirety to the recipient's fax number; and
- (d) if under clause (c) a Notice would be taken to be given or made on a day that is not a Business Day in the place to which the Notice is sent, or later than 4.00 pm (local time), it is taken to have been given or made at the start of business on the next Business Day in that place.

15.2 Notices sent by email:

- (a) A party may serve a Notice by email if the Notice:
- (i) includes a signature block specifying:
- (A) the name of the person sending the Notice; and
- (B) the sender's position within the relevant party;
- (ii) states in the body of the message or the subject field that it is sent as a Notice under this agreement;
- (iii) contains an express statement that the person sending the Notice has the authority to serve a Notice under this agreement;
- (iv) is sent to the email address below or the email address last notified by the intended recipient to the sender as above
- (b) The recipient of a Notice served under this clause 15.2 must:
- (i) promptly acknowledge receipt of the Notice; and

- (ii) keep an electronic copy of the Notice,
- (c) Failure to comply with clause 15.2 does not invalidate service of a Notice under this clause.

15.3 *Receipt of Notices sent by email*

- (a) A Notice sent under clause 15.2 is taken to be given or made:
 - (i) when the sender receives an email acknowledgement from the recipient's information system showing the Notice has been delivered to the email address stated above;
 - (ii) when the Notice enters an information system controlled by the recipient; or
 - (iii) when the Notice is first opened or read by the recipient,whichever occurs first.
- (b) If under clause 15.3 a Notice would be taken to be given or made on a day that is not a Business Day in the place to which the Notice is sent, or later than 4.00 pm (local time), it will be taken to have been given or made at the start of business on the next Business Day in that place.

16 General

16.1 *Relationship between parties*

- (a) Nothing in this agreement:
 - (i) constitutes a partnership between the parties; or
 - (ii) except as expressly provided, makes a party an agent of another party for any purpose.
- (b) A party cannot in any way or for any purpose:
 - (i) bind another party; or
 - (ii) contract in the name of another party.
- (c) If a party must fulfil an obligation and that party is dependent on another party, then that other party must do each thing reasonably within its power to assist the other in the performance of that obligation.

16.2 *Time for doing acts*

- (a) If the time for doing any act or thing required to be done or a notice period specified in this agreement expires on a day other than a Business Day, the time for doing that act or thing or the expiration of that notice period is extended until the following Business Day.
- (b) If any act or thing required to be done is done after 5.00 pm on the specified day, it is taken to have been done on the following Business Day.

16.3 *Further assurances*

Each party must promptly execute all documents and do all other things reasonably necessary or desirable to give effect to the arrangements recorded in this agreement.

16.4 *Joint and individual liability and benefits*

Except as otherwise set out in this agreement, any agreement, covenant, representation or warranty under this agreement by two or more persons binds them jointly and each of

them individually, and any benefit in favour of two or more persons is for the benefit of them jointly and each of them individually.

16.5 *Variations and Amendments*

A provision of this agreement can only be varied by a later written document executed by or on behalf of all parties and in accordance with the provisions of the Act.

16.6 *Counterparts*

This agreement may be executed in any number of counterparts. All counterparts taken together constitute one instrument.

16.7 *Legal expenses and stamp duty*

- (a) The Developer Parties must pay the Council's legal costs and disbursements in connection with the negotiation, preparation, execution, carrying into effect, enforcement and release and discharge of this agreement, including the reasonable costs of obtaining any legal advice in connection with this agreement, no later than 10 Business Days after receiving a demand from the Council to pay such costs.
- (b) The Developer Parties agree to pay or reimburse the costs and expenses incurred by Council in connection with the advertising and exhibition of this agreement in accordance with the Act.
- (c) The Developer Parties agree to pay Council any administrative fees as required by Council, acting reasonably, in connection with the administration of this agreement.

16.8 *Entire agreement*

The contents of this agreement constitute the entire agreement between the parties and supersede any prior negotiations, representations, understandings or arrangements made between the parties regarding the subject matter of this agreement, whether orally or in writing.

16.9 *Representations and warranties*

The parties represent and warrant that they have the power and authority to enter into this agreement and comply with their obligations under the agreement and that entry into this agreement will not result in the breach of any law.

16.10 *Severability*

If a clause or part of a clause of this agreement can be read in a way that makes it illegal, unenforceable or invalid, but can also be read in a way that makes it legal, enforceable and valid, it must be read in the latter way. If any clause or part of a clause is illegal, unenforceable or invalid, that clause or part is to be treated as removed from this agreement, but the rest of this agreement is not affected.

16.11 *Invalidity*

- (a) A word or provision must be read down if:
 - (i) this agreement is void, voidable, or unenforceable if it is not read down;
 - (ii) this agreement will not be void, voidable or unenforceable if it is read down; and
 - (iii) the provision is capable of being read down.
- (b) A word or provision must be severed if:

- (i) despite the operation of clause 16.11(a), the provision is void, voidable or unenforceable if it is not severed; and
- (ii) this agreement will be void, voidable or unenforceable if it is not severed.
- (c) The remainder of this agreement has full effect even if clause 16.11(b) applies.

16.12 Waiver

- (a) A right or remedy created by this agreement cannot be waived except in writing signed by the party entitled to that right. Delay by a party in exercising a right or remedy does not constitute a waiver of that right or remedy, nor does a waiver (either wholly or in part) by a party of a right operate as a subsequent waiver of the same right or of any other right of that party.
- (b) The fact that a party fails to do, or delays in doing, something the party is entitled to do under this agreement, does not amount to a waiver of any obligation of, or breach of obligation by, another party. A waiver by a party is only effective if it is in writing. A written waiver by a party is only effective in relation to the particular obligation or breach in respect of which it is given. It is not to be taken as an implied waiver of any other obligation or breach or as an implied waiver of that obligation or breach in relation to any other occasion.

16.13 GST

- (a) Words and expressions which are not defined in this agreement but which have a defined meaning in GST Law have the same meaning as in the GST Law.
- (b) Unless otherwise expressly stated, all prices or other sums payable or consideration to be provided under this agreement are exclusive of GST.
- (c) If GST is imposed on any supply made under or in accordance with this agreement, the Developer Parties must pay the GST or pay to the Council an amount equal to the GST payable on or for the taxable supply, whichever is appropriate in the circumstances.
- (d) If the Council is obliged to pay any GST on any supply made under or in accordance with this agreement, the Developer Parties indemnify the Council for the amount of any such payment is required to make.

16.14 Governing law and jurisdiction

- (a) The laws applicable in New South Wales govern this agreement.
- (b) The parties submit to the non-exclusive jurisdiction of the courts of New South Wales and any courts competent to hear appeals from those courts.

Schedule 1 Easement Terms

- 1 The owner of the Setback Area grants to the Council and members of the public full and free right to go, pass and repass over the Setback Area at all times:
 - (a) with or without companion animals (as defined in the Companion Animals Act 1998) or other small pet animals; and
 - (b) on foot without vehicles (other than wheelchairs or other disabled access aids), unless vehicles are being used to access the building on the Land via clearly identified entry and exit points;for all lawful purposes.
- 2 The owner of the Setback Area must, to the satisfaction of Council, acting reasonably:
 - (i) keep the Setback Area (including any services in, on or under the Setback Area) in good repair and condition;
 - (ii) maintain and repair the Setback Area and all improvements on the Setback Area;
 - (iii) keep the Setback Area clean and free from rubbish; and
 - (iv) maintain sufficient public liability insurance covering the use of the Setback Area in accordance with the terms of this Easement.
- 3 The owner of the Setback Area must ensure that any rules made by an Owner's Corporation relating to the Setback Area have been approved by the Council, acting reasonably.
- 4 If any member or members of the public loiter or congregate, for any purpose which the owner of the Setback Area, acting reasonably, considers to be a nuisance or a safety risk, the owner may either remove those members of the public, or arrange for their removal by an appropriate authority.
- 5 The owner of the Setback Area may erect safety signage and any other appropriate signage and may erect CCTV cameras in the Setback Area.
- 6 The owner of the Setback Area may engage security personnel to monitor and control the behaviour of the public including but not limited to prohibiting smoking, consumption of alcohol (except within licensed areas), passage of animals, bicycles and skateboards and the like in accordance with any rules made by an Owner's Corporation relating to the Setback Area.
- 7 The owner of the Setback Area may with the Council's prior written consent (except in the case of an emergency, in which case the Council's prior written consent is not required) temporarily close or temporarily restrict access through all or part of the Setback Area for the time and to the extent necessary but only on reasonable grounds for the purposes of:
 - (a) construction, construction access, repairs, maintenance, replacement and alteration to the Setback Area or any improvements in, on or under the Setback Area; or
 - (b) security, public safety or evacuation of the Setback Area and adjoining buildings.
- 8 Subject to ensuring the provision of access in accordance with above clause 1 of this Schedule, the owner of the Setback Area may, provided any necessary planning approvals are obtained:

- (a) Carry out works in the Setback Area for the purposes of enhancing the Setback Area;
- (b) Install or erect works of art, street furniture, awnings, tables and chairs associated with ground floor commercial premises, notice boards or any other similar improvements at ground level within the Setback Area; and
- (c) Use the Setback Area,

in a manner consistent with Parramatta City Council Outdoor Dining Policy adopted 25 February 2019, or any such policy of the Council that replaces that policy.

- 9 The Council is solely empowered to release this Easement.
- 10 This Easement may only be varied by written agreement between the Council and the owner of the Setback Area.

Schedule 2

Summary of requirements (section 7.4)

Subject and subsection of the Act	Planning Agreement
<p>Planning instrument and/or Development Application – Section 7.4(1)</p> <p>The Developer has:</p> <p>(a) Sought a change to an environmental planning instrument</p> <p>(b) Made, or propose to make a Development Application</p> <p>(c) Entered into an agreement with, or are otherwise associated with, a person to whom paragraph (a) or (b) applies</p>	<p>The Developer Parties have sought a change to an environmental planning instrument and propose to make a Development Application.</p>
<p>Description of the application – Section 7.4(3)(b)</p>	<p>See the definition of Instrument Change</p>
<p>Description of the land to which the planning Agreement applies – Section 7.4(3)(a)</p>	<p>See the definition of Land</p>
<p>The scope, timing and manner of delivery of contribution required by the Planning Agreement – Section 7.4(3)(c)</p>	<p>Clauses 6.1 and 6.2</p>
<p>Applicability of section 7.11 of the Act – Section 7.4(3)(d)</p>	<p>Not excluded – see clause 7</p>
<p>Applicability of section 7.12 of the Act – Section 7.4(3)(d)</p>	<p>Not excluded – see clause 7</p>
<p>Applicability of section 7.24 of the Act – Section 7.4(3)(d)</p>	<p>Not excluded – see clause 7</p>
<p>Mechanism for dispute resolution – Section 7.4(3)(f)</p>	<p>Clause 10</p>
<p>Enforcement of the Planning Agreement – Section 7.4(3)(g)</p>	<p>Clause 11</p>
<p>Registration of the Planning Agreement – Section 7.6</p>	<p>Clause 8</p>
<p>No obligation to grant consent or exercise functions – Section 7.4(9)</p>	<p>See clause 14 (no fetter)</p>

Discussed us an agreement

Executed for and on behalf of City of Parramatta City Council by its authorised delegate in accordance with a resolution of the Council on)
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Signature of [insert position]
BUSINESS SUPPORT MANAGER

Dayna Coyle
.....

Print name


.....
Signature of [insert position] CEO

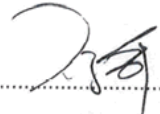
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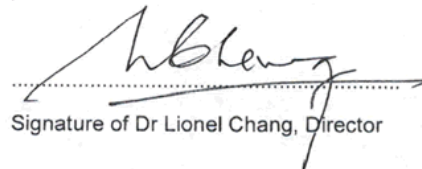
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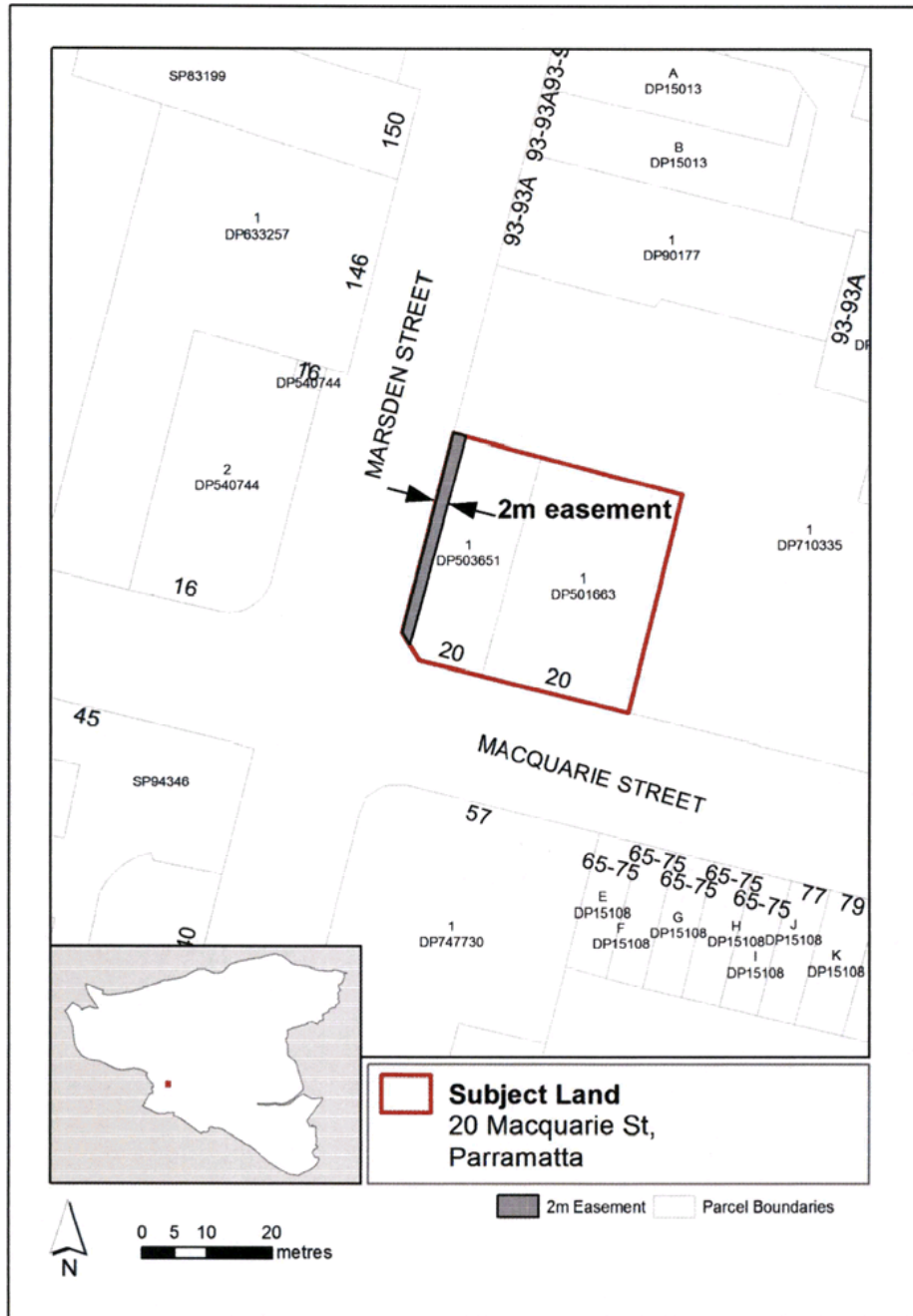
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Signature of Director / Secretary

Michael P. Kyriacos
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Print Name


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Signature of Dr Lionel Chang, Director

Annexure A Plan showing Setback Area



By Plan
25/3/21
Duke
25/3/21

NOTICES OF MOTION

08 APRIL 2024

14.1 Council Support to End 'No-Grounds' Evictions and Emergency Bookings for
Clean Up Service for Renters..... 470

NOTICE OF MOTION

ITEM NUMBER	14.1
SUBJECT	Council Support to End 'No-Grounds' Evictions and Emergency Bookings for Clean Up Service for Renters
REFERENCE	F2024/00282 - D09380098
FROM	Councillor Kellie Darley

MOTION

- (a) That Council call on the State Government to fulfil its election promises to end no-ground evictions in NSW.
- (b) That Council support ending no-grounds evictions for both periodic and fixed term tenancy agreements.
- (c) That the Lord Mayor write to the Premier, Minister for Fair Trading and Member for Parramatta expressing the view of Council on this matter.
- (d) That Council implements emergency bookings (7 days' notice) for council clean ups for residents who have received an eviction with only 30 days' notice.

BACKGROUND

1. Nearly half of all households in the City of Parramatta are renters (44% in the 2021 Census), representing one of the highest proportions of renting households in NSW.
2. The majority of NSW renters are currently on a fixed term agreement (58%). Those who are on a fixed term agreement are more likely to face a 'no grounds' eviction (71%). (Tenants Union of NSW)
3. Just over 11% of all tenancies that end in NSW are as a result of a 'no-grounds' eviction. (Tenants Union of NSW)
4. Evictions are disruptive and costly to renting households who are displaced from their homes. In a housing crisis with rapidly increasing rents, individuals and families are at risk of being forced out of their communities, and away from their jobs, education and support networks.
5. 2022 Research by the Tenants Union of NSW found that renting households in NSW face basic costs of \$2520 when they move, and generally are more likely to face costs of around \$4075 to move house. These costs are difficult for many households to meet, creating further pressure on household budgets and for the most vulnerable renters driving a cycle of poverty.
6. This disruption caused by evictions is not confined to the households affected. Over 80% of private renters have moved in the last 5 years. One third have moved between 2 – 3 times; and 10% have moved 5 times or more. This impact is felt in communities, as support networks are disrupted, neighbourhood cohesion is impacted and schools, childcare centres and local services have to respond to populations who are forced to move much more often than they want to.

7. A lack of stability and security for renting households makes it harder for members of these households to invest tie in the community organisations and networks that allow our communities to thrive – including sporting clubs, P&Cs, community gardens and other volunteer organisations. This effect becomes more pronounced the greater the proportion of renting households in a community. Parramatta has one of the highest proportions of renting households in NSW.
8. Apart from the impact to renters of receiving a no grounds eviction, the existence of no-grounds evictions acts as a deterrent for renters to assert their rights under NSW tenancy laws to object to unreasonable rent increases, or request repairs to their property. Over the longer term and at a systemic level, this has effects on the quality of rental housing stock and on the quality of life of all renting households.
9. The NSW Labor Government made an election commitment to end no-grounds evictions in NSW. With a year having passed since their election, no legislation to end no-grounds has been presented for consultation or introduced into the NSW Parliament. Over 72,000 renting households in Parramatta live with the threat of being forced to leave their home for no reason hanging over their heads while they wait for the Government to act.

STAFF RESPONSE

10. A staff response will be provided in the Supplementary Agenda.

Kellie Darley
Councillor

Roxanne Thornton
Chief Governance & Risk Officer

George Bounassif
Executive Director City Assets and Operations

Gail Connolly
Chief Executive Officer

ATTACHMENTS:

There are no attachments for this report.

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QUESTIONS WITH NOTICE

08 APRIL 2024

15.1	Council Rate Categories and History of Rate Increases	474
15.2	Accessibility and Baby Change Facilities in Public and Community Toilets.....	475
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QUESTIONS WITH NOTICE

ITEM NUMBER	15.1
SUBJECT	Council Rate Categories and History of Rate Increases
REFERENCE	F2024/00282 - D09342351
REPORT OF	Councillor Kellie Darley

CSP THEME: Accessible, Fair,

QUESTIONS WITH NOTICE:

1. What is the percentage of rates revenue received by category this financial year compared to the previous two financial years?
2. What is the percentage of rate payers by category this year compared to previous two years?
3. How do Council rates in Parramatta compare with other similar LGAs and surrounding LGAs?
4. What has been the average increase of Council rates in Parramatta over the last decade?
5. What is the percentage spread of rate payers across the differing amount levels of rates payable (i.e. what percentage of rate payers pay the minimum and then other amount ranges)?

STAFF RESPONSE

A staff response will be provided in the Supplementary Agenda.

ATTACHMENTS:

There are no attachments for this report.

REFERENCE MATERIAL

QUESTIONS WITH NOTICE

ITEM NUMBER	15.2
SUBJECT	Accessibility and Baby Change Facilities in Public and Community Toilets
REFERENCE	F2024/00282 - D09345437
REPORT OF	Councillor Kellie Darley

CSP THEME: Accessible, Fair

QUESTION WITH NOTICE:

1. How many Council parks have a public toilet? What proportion of these have a baby change table and/or accessible toilet?

Executive Director, City Assets & Operations response:

There are 20 Council parks with a public toilet. 16 park amenities have a baby change table and disability access and all 20 sites have accessible toilets.

2. Do all Council operated community facilities (i.e. halls, meeting rooms, libraries) have an accessible toilet and a baby change table?

Executive Director, City Assets & Operations response:

There are 29 sites in total, of which 19 have at least 1 baby change table and 27 have accessible toilets. All sites have disability access.

3. In each Council public or community toilet with a baby change table, is at least one able to be used by both men and women?

Executive Director, City Assets & Operations response:

All Council park toilets that are fitted with a baby change table are able to be used by both women and men.

Seventeen (17) community facilities are fitted with a baby change table and are able to be used by both women and men.

A staff response will be provided in the Supplementary Agenda.

ATTACHMENTS:**REFERENCE MATERIAL**

QUESTIONS WITH NOTICE

ITEM NUMBER	15.3
SUBJECT	Status of Various Council Resolutions
REFERENCE	F2024/00282 - D09358821
REPORT OF	Councillor Kellie Darley

CSP THEME: Accessible, Fair

QUESTIONS WITH NOTICE:

Please provide a status update on the following Council resolutions:

1. [3706 & 4599 – Smoke Free Parramatta Square](#)

Executive Director, City Assets & Operations Response:

Stakeholder engagement for users/visitors of Parramatta and Centenary Squares in relation to Smoke Free Areas is currently being undertaken.

2. [3838 – Tennis Facilities Review and Future Directions](#)

Executive Director, Community & Culture Response:

Parts (a) – (d) of resolution have been completed. Parts (e) and (f) to conduct an EOI was not undertaken by the Property and Place Directorate and is now intended to be undertaken after completion of Council's Property Strategy in June 2024.

3. [4115 – Review of Library Opening Hours](#)

Executive Director, Community & Culture Response:

Report is being prepared for a Council meeting in late May/early June 2024.

4. [4298 – Parramatta: A Past Revealed](#)

Executive Director, Community & Culture Response:

Report was submitted to the Council meeting of 25 March 2024.

5. [4302 – Dog Owners Education Campaign](#)

Executive Director, City Assets & Operations Response:

Report is being prepared for a Council meeting in late May/early June 2024.

6. [4430 – Revolving Energy Fund](#)

Executive Director City Assets & Operations Response:

Councillor workshop is scheduled for May 2024 with a report anticipated to be submitted to a Council meeting in June/July 2024.

7. [4503 – Management of Abandoned Shopping Trolleys](#)

Executive Director, City Assets & Operations Response:

Report is being prepared for a Council meeting in late May/early June 2024.

8. [4338 – Report on Façade Improvement Grants program](#)

Executive Director, City Assets & Operations Response:

Report is being prepared for a Council meeting in late April/early May 2024.

Note: Councillors may obtain information on the status of all Council resolutions at any time via the Councillor Portal. Additionally, Councillors may contact Councillor Support via email or a service request at any time to request a detailed update on the status of any resolution of Council.

ATTACHMENTS:

There are no attachments for this report.

REFERENCE MATERIAL

QUESTIONS WITH NOTICE

ITEM NUMBER	15.4
SUBJECT	Playground Replacement Program
REFERENCE	F2024/00282 - D09358991
REPORT OF	Councillor Kellie Darley

CSP THEME: Accessible, Fair

QUESTION WITH NOTICE:

1. Please provide a list of playgrounds 15 years and older by Ward, with the name of the playground, suburb, year constructed, condition rating and year estimated to be replaced.
2. What is the average cost range to replace a playground currently?
3. What factors are concerned when prioritising playgrounds to be replaced?
4. What is the lifespan of our playgrounds?
5. What is the current budget for playground replacements?

Executive Director, City Assets & Operations Response:

1. This information will be provided under separate cover to Councillors via the Councillor Portal.
2. An average cost cannot be provided. (Costs can range from \$175,000 for a local playground up to \$1 million for a district playground).
3. A multi-factor assessment approach is used taking into consideration factors such as the asset condition rating, age, walking catchments and current and future playground provision arising from the Community Infrastructure Strategy.
4. In accordance with Council's current Asset Management System, the useful life of our playgrounds is generally 15 years, however this can be extended up to 30 years on a case by case basis.
5. The playground replacement budget for 2023/24 is \$1,020,000.

ATTACHMENTS:**REFERENCE MATERIAL**

QUESTIONS WITH NOTICE

ITEM NUMBER 15.5
SUBJECT Council's Public Trees Program
REFERENCE F2024/00282 - D09339330
FROM Councillor Kellie Darley

QUESTIONS WITH NOTICE

1. Roughly how many trees need to be planted annually on streets and parks in the Parramatta LGA to help make sure Council reaches its target of 40% tree canopy by 2050?

Executive Director City Planning & Design response:

Councillors considered targets at the confidential Councillor workshop on the Canopy Plan on 18 March 2024. Details regarding estimated tree numbers and other operational requirements for canopy improvement will be made publicly available after Council endorses the draft Canopy Plan 2024 for public exhibition.

2. What is the current average cost per new tree planted?

Executive Director City Planning & Design response:

The cost is dependent on the location and size of tree planting. Costs to install and maintain street trees can vary between \$1,200 upwards of \$10,000 for CBD locations.

3. Does Council have a policy/ procedure around the selection of trees to be planted on public land, including considering Asthma friendly trees, balance of native and exotic trees as well as fruit trees?

Executive Director City Planning & Design response:

Yes – the Parramatta Street Tree Masterplan and the Auburn Council Street Tree Masterplan apply to areas within the city. They are supplemented by the City of Parramatta Public Domain Guidelines.

Kellie Darley
Councillor

Jennifer Concato
Executive Director City Planning and Design

Gail Connolly
Chief Executive Officer

ATTACHMENTS:

There are no attachments for this report.

QUESTIONS WITH NOTICE

ITEM NUMBER	15.6
SUBJECT	Developer Contributions for Local Infrastructure (City Centre/Church St Precinct, North Parramatta)
REFERENCE	F2024/00282 - D09380218
REPORT OF	Councillor Phil Bradley

CSP THEME: Accessible, Fair

QUESTIONS WITH NOTICE:

1. As advised by the Executive Director, City Planning and Design, for the CBD/City Centre full development, “the current funding gap between the total works program [for local community infrastructure] and the estimated [developer contribution] income is \$1.295 Billion” ie. \$1,295 million. What please is the breakup list of items and their location included in the “total works program”/schedule?
2. Officers have previously advised that “to fully fund the [directly attributable] apportionable component [of work schedule items], the proposed [contribution] rates would, in theory, need to double”.
 - a) In the Church St North [Parramatta] precinct, the stated 20% reduction of theoretical GFA would already reduce the cost of development by about 20% and thus the cost of a 5% developer contribution by about 20%. Why then should Council allow *an additional 20% cost reduction* of the city centre 5% developer contribution rate to 4% for residential development?
 - b) Likewise, why should Council allow a 25% additional cost reduction of the city centre 4% contribution rate to 3% for commercial development, when a theoretical 20% reduction of GFA would already reduce the cost of a 4% developer contribution rate by about 20%?
3. Given the apparent “double dipping” reduction of the 4%/3% recommended developer contribution referred to in 2 above, surely a slightly increased 4.5% residential and 3.5% commercial contribution rate in the Church St North precinct would still be “viable” by providing a very profitable Internal Rate of Return of about 20% and provide about \$5 million more for the community?
4. Approximately what proportion of the LGA’s residential and commercial rates, fees and/or charges will need to be contributed each year to fund the estimated \$1.295 Billion infrastructure shortfall associated with new development in addition to these paying for Council’s operating expenses?

STAFF RESPONSE

Staff response will be provided in the Supplementary Agenda.

ATTACHMENTS:

There are no attachments for this report.

REFERENCE MATERIAL

QUESTIONS WITH NOTICE

ITEM NUMBER	15.7
SUBJECT	Questions Taken on Notice at the 25 March 2024 Council Meeting
REFERENCE	F2024/00282 - D09381363
REPORT OF	Council Secretariat & Policy Officer

QUESTIONS TAKEN ON NOTICE:

Councillor Valjak asked the following question on Item 8.4 – Celebrating Greek Independence Day – 25 March 2024;

Can the CEO please provide an update to Councillors on whether Council will reconsider flag raising ceremonies?

Executive Director Community and Culture Response:

A staff response will be provided in the Supplementary Agenda.

Councillor Darley asked the following questions on Item 12.1 Minutes of Audit Risk and Improvement Committee Meeting held on 23 November 2023;

1. How can Councillors receive the relevant information referred to in the ARIC Minutes when the Minutes are merely referred to Council to receive and note?
2. Public Interest Disclosures Policy – request for training to be provided to Councillors.

Executive Director Finance and Information Response:

A staff response will be provided in the Supplementary Agenda.

Councillor Darley asked the following question on Item 12.2 ARIC Annual Report 2023

1. Can Council (or Councillors) receive a high level overview of the key findings from Internal Audits, possibly via a Councillor Workshop?

Executive Director Finance and Information Response:

A staff response will be provided in the Supplementary Agenda.

Councillor Noack asked the following questions on Item 12.5 Traffic Engineering Advisory Group – 21 February 2024 – Minutes

1. Bennelong Bridge Load Limit – recently increased from 5 tonne to 30 tonne. When will the 533 bus be allowed to cross this bridge?
2. Roadwork on roundabout and pedestrian crossing at Burroway Road and Hill Road. When will the work be complete?

Executive Director City Planning and Design Response:

A staff response will be provided in the Supplementary Agenda.

Councillor Bradley asked the following questions on Item 15.3 Developer Contributions – Parramatta City Local Infrastructure Contributions Plan – Church St North Precinct

- Total works program – it appears that the total works quantum has been fixed. Could Councillors please be provided with a copy of the works program. If possible, if this information could be published on Council's website.

Executive Director City Planning and Design Response:

A staff response will be provided in the Supplementary Agenda.

<Section 4>

ATTACHMENTS:

There are no attachments for this report.

REFERENCE MATERIAL