



Your Reference: MP10_0068
Our Reference: NCA/1/2013
Contact: Kate Lafferty
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Director, Urban Assessments
Department of Planning
GPO Box 39
Sydney NSW 2001

Attention: Matthew Rosel

15 April 2013

Dear Mr Rosel,

FINAL SUBMISSION

**Major Project MP10_0068 - 171 Church Street – Parramatta
Concept Plan and a Stage 1 Project Application for a commercial and retail
development at Westfield Shopping Centre – Parramatta**

I refer to the public exhibition of the above Major Project seeking approval for the following:

- a Concept Plan for a staged development consisting of alterations and additions to the existing retail and car park facilities and a building envelope for a 20 storey office tower above the retail podium, public domain improvements and activation of the Argyle Street frontage
- a Project Application for the first stage of the development consisting of an additional retail level and additional car parking levels.

A preliminary submission containing draft comments on this Major Project was submitted to the Department on 11 March 2013.

Following receipt of a retail impact study prepared by MacroPlan Dimasi, Council considered this application at its meeting on Monday 8 April 2013 and resolved to adopt the following submission. Council objects to this proposed development for the following reasons:

- The retail expansion of Westfield Parramatta would be likely to result in the following adverse outcomes for the Parramatta CBD:
 - Further isolate Westfield Parramatta from the Parramatta CBD
 - Increase the risk of vacancies in the Parramatta CBD
 - Make it increasingly difficult for the Parramatta CBD to retain, and capture mid- range to high end retailers
 - Potentially reduce the ultimate scale of retail development supportable at Parramatta Square
 - Potentially delay the timing of the various stages of the Parramatta Square development

- Reduce the range and quality of tenants that could be attracted to the Parramatta Square precinct
 - Reduce the potential sales that could be achieved by prospective retailers at the precinct.
- The current urban design issues associated with Westfield need to be resolved before any further additional retail floor space can be considered. This includes issues such as public domain, CPTED, building presentation and active street frontages.
 - Inadequate public domain works and public benefits have been proposed and are not commensurate with the level of development proposed. Detailed public domain plans should be submitted and approved by Council. Opportunities to link the development with Parramatta Square should be investigated. All public benefit works should be incorporated within a Voluntary Planning Agreement.
 - No certainty is provided that the commercial tower will be built. The commercial tower being subject to a design excellence competition is strongly supported by Council.

RETAIL IMPACT

Westfield was established in Parramatta in the 1970's as a regional shopping centre, primarily accessed by car and designed and built as an enclosed and self-sufficient one-stop shop retail environment. It is located on the southern side of the Western rail line and is disconnected physically and visually from the main CBD including other retail, streets and public spaces. The physical isolation has been exacerbated by the building's design which presents predominantly blank walls to the surrounds, has a circuitous and confusing internal circulation system that does not well connect to the city's orthogonal grid, and a large amount of above ground car parking that dominate and deaden the southern and western elevations.

Parramatta City is undergoing many changes to transform it into a viable western CBD for the 21st century. A key element of this transformation is to ensure the city has a lively and active street life day and night, weekly and on weekends. The active street frontages are dependent on ground floor retail being spread throughout the city and on a high degree on interconnectivity between the various uses. The current location and design of Westfield does not support this vision, because it primarily functions as a hermetic box and does not encourage people arriving at Westfield to access retail in other parts of the city, thus vastly reducing foot traffic in Parramatta and perpetuating an unvibrant city. Even if Westfield was to dramatically change the internal layout to have a much more direct internal circulation system, and change the building's elevations to open out to the city, the physical barrier of the raised railway line and lack of potential to dissect this at street level make it difficult for Westfield to ever contribute much connectivity or life to the city itself.

These structural and locational issues are compounded by the sheer scale of the Westfield retail offering. This so dominates the city, that alternative shops have difficulty in establishing themselves within the city and this has the roll effect of reducing active frontage and decreasing activity generally, which in turn leads to less passive surveillance, less economic prosperity and this stymies Parramatta's ability to become a true CBD for Western Sydney. For these reasons, there is very little evidence to support an increase in the amount of retail or car parking as it cannot be seen how it would benefit the city and an erosion of the quality of city life could ensue.

The likely impact of the additional quantity of retail has been further addressed in the Parramatta CBD Retail Impact Study prepared by MacroPlan Dimasi dated March 2013. Council agrees with the summary of this study and we consider an expansion of Westfield Parramatta would be likely to result in the following adverse outcomes for the Parramatta CBD:

- Further isolate Westfield Parramatta from the Parramatta CBD
- Increase the risk of vacancies in the Parramatta CBD
- Make it increasingly difficult for the Parramatta CBD to retain, and capture mid-range to high end retailers
- Potentially reduce the ultimate scale of retail development supportable at Parramatta Square
- Potentially delay the timing of the various stages of the Parramatta Square development
- Reduce the range and quality of tenants that could be attracted to the Parramatta Square precinct
- Reduce the potential sales that could be achieved by prospective retailers at the precinct.

Please note that Parramatta Square is a Parramatta City Council development.

URBAN DESIGN

Resolution of Current Issues

The Westfield Shopping Centre is a major retail destination within Parramatta City Centre, the LGA and the adjoining suburbs. It is one of the largest shopping centres within the Sydney metropolitan area. Built in the 1970's with subsequent upgrades, it embodies the retail and planning approach of the times in which it was first built.

While it has been a significant retail destination and has provided employment and goods and services to the region for the last two decades, there have been some consequences of the development which have affected the strategic, urban design, place making and economic outcomes within the City Centre. Best urban design practise as well as place making strategies across the Western World over the last two decades have indicated that a retail environment that is not internalised, has walkable blocks, active street edges, reduced car dependency, good public domain

frontage and casual surveillance is best suited for the wellbeing of the urban environment, and the success and economic prosperity of cities.

While Westfield Parramatta serves a useful function, the pedestrian environment, public domain and streetscape it creates along Marsden, Aird and Campbell Streets are low in amenity and bleak in presentation. Any proposal for additions to Westfield cannot be divorced from its existing condition. Adding more density to an existing issue will further aggravate the problem.

The entire ground floor would need to be better connected and integrated with the surrounding streets and footpaths. There should be many more entrances and the internal circulation system should allow clear lines of sight through the building encouraging customers to walk through and connect with other parts of the city.

The external walls, especially on the ground and first floor should all be renovated and present views into the shops and complex, with fine grain and active frontages to the entire ground floor areas, and especially to Argyle and Church Streets. The current appearance of the retail complex of mostly blank walls for the entire length of a city block is unsuitable for the CBD location and reminiscent of a bulky goods area. All the facades need to be redesigned to a high quality and allow the building to engage with the city rather than block views inside and out. The ground floor area addressing the Argyle Street Transport interchange needs to have additional space and much greater amenity for the customers who depend on buses for their journey to and from Parramatta.

Westfield has shown that it can build high quality building elevations with a much greater porosity and attractiveness in both Bondi Junction and Sydney CBD and this type of design needs to be incorporated into the Parramatta shopping complex. Currently there are no drawings of any elevations or descriptions of the actual final appearance of the building and as such it is very hard to support the proposal in terms of architectural and urban design merit.

The request for additional car parking is not supported. The public car parking is in competition with the city's offering, there is already an enormous quantum of car parking in this location and it has not been shown to ever be full. Parramatta's general policy is to reduce car access to the city and encourage walking and public transport within the city. The request for additional car parking should be carefully considered and if approved, be combined with extensive local traffic improvements to prevent the frequent traffic jams in surrounding streets.

A supermarket would be preferred to be accessible on the ground floor to allow workers and city residents access to a high quality supermarket by foot if they desire. No car parking should be visible from the street or surrounding buildings.

There is an opportunity to review the retail mix and to augment facilities currently available in Parramatta.

The design of the footpaths surrounding the building is also in dire need of improvement. All designs should be in accordance with Parramatta's Public Domain Guidelines; in addition building setbacks are needed to accommodate the large pedestrian volumes at certain time of the day, plus small scale retail amenity such as newsagents, and cafes that improve the waiting experience and convenience generally.

Discussion of Specific Issues & Concerns

1. Strategic outcomes:

- Commercial Tower: The commercial tower proposed could assist with providing quality commercial floor space within Parramatta City Centre. The corner location on Parramatta main north-south street, in close proximity to the railway station support the provision of added height for a commercial tower (subject to the proposed tower being solely commercial in nature). The staging of the commercial tower in the second phase is a concern and from an urban design and strategic perspective, the commercial tower should occur first. Alternatively a mechanism should be put in place to ensure that the commercial development occurs in the short term. Loading the proposed extent of retail without the assurance of the commercial tower being built (due to future lack of viability) or its potential future conversion to residential (being located in a B4 zone) is of particular concern.
- Scale of increased internal retailing and its impact on street based retail: A 20% increase of internalised retail is being proposed (31,495m²) with relatively easy access to parking. This adds to the existing situation of patrons driving to the Westfield complex without ever visiting the City Centre. This will add to the lack of activation and street based retail along the secondary streets edging Westfield as well as in other retail streets within the City Centre. The street based retail for significant parts of the City Centre appear to be low end discount stores and food outlets and lacks the range of diversity that a City Centre like Parramatta warrants, given its strategic importance.

2. Pedestrian environment around Westfield, Parramatta:

- Existing airspace development on Aird Street and Marsden Street: The existing pedestrian environment around Westfield (the relevant blocks edged by Church, Argyle, Marsden, Aird and Campbell Streets) is generally not conducive for pedestrian movement due to air rights development over Aird and Marsden Streets, which create bleak, undercover footpaths adjacent to busy traffic and blank walls. This proposal would be better supported with a strategy that improves the

pedestrian environment around Westfield, especially along its secondary and tertiary street frontages.

- CPTED: The existing extent of blank windowless facades without casual surveillance especially along the secondary and tertiary frontages of Westfield is a concern. It is noted that glazed display windows are proposed in the colonnade along Argyle Street for improved street presentation and possibly improved casual surveillance.
- Bus drop-off/pick-up on Argyle Street: The existing public domain and landscape are in need of improvement and increased amenity. This may be achieved by an increase of pedestrian holding area along the bus drop-off/pick-up zone along Argyle Street between Marsden and Church Streets.
- Lack of active edges around secondary frontages of Westfield (other than Church and Argyle Streets): This may be achieved by establishing active uses (where possible) at street level such as business suites and street fronting retail along these streets. Introducing more fenestrations/glazing to upper levels along these streets will help assist in increasing the casual surveillance and the visual presentation along these streets.

3. Yield

There is a substantial increase in yield sought as part of this application.

- Whilst it is understood this will be a State significant development, the local benefits from an urban design perspective are not commensurate with the increase in yield sought. There are many existing issues with the current Westfield building that would need to be addressed to warrant any increase in FSR of any kind on this site.
- Notwithstanding the identified impacts upon Parramatta CBD, the case and extent of any increase of yield is best supported with the provision of identified public benefit to Council. This may include:
 - upgrade to the surrounding pedestrian environment including CPTED measures
 - provision of new public open space (such as an entrance forecourt), parks and streets
 - provision of new through site links, entries and street-front retail
 - provision of community spaces
 - affordable housing (including key worker housing) provision/ contribution
 - upgrades to the public domain
 - VPA for the identified public benefit works.

4. Tower form/envelope

- The Environmental Impact Statement submitted with the application states that the proposed commercial tower will be subject to an architectural

design competition. Council fully supports this approach to the building design and recommends that this requirement be incorporated within any consent granted.

From an urban design perspective, Council officers recommend consideration be given to the following building envelope design elements for the proposed commercial tower:

- The size of the building envelope of the tower is 2450m² between levels 6-20 and 3660m² between levels 1-5. As a result floor plates of 2000m² and 2450m² are proposed. A floor plate of 2000m² at the upper level is excessive and will lead to an inappropriate urban form in the future stage. Minimising floor plates will assist with visual bulk and scale, promoting sustainable buildings and providing good internal amenity by minimising the need for artificial heating, cooling and lighting.

It is recommended that a maximum building envelope of 1800m² in area for the corner tower, with a floor plate no larger than 1400m² be adopted. A maximum height of 120metre/Existing Retail Podium + 25 storeys (height inclusive of any design excellence bonus) may be considered for the tower element only, to compensate for the reduced floor plate. As a reference the proposed new 'Eclipse' office development on Station Street has a floor plate of 1400m².

- The proposed tower has a 5 storey podium located above the existing retail podium. This creates a tiered effect – a simpler tower and podium is preferred. It is recommended that the second setback be removed from the street side.
- The tower will form a way finding element/landmark in the southern City Centre. It is recommended that part of the tower component engage directly with the street without a setback – possibly along a future corner entrance forecourt.

5. Building Presentation:

- The Argyle Street façade of Westfield between Church and Marsden Streets has a significant proportion of blank façade with disparate elements that do not present in a cohesive streetscape. This is the one of the most visible façades of the development and has the opportunity to be a front door to Parramatta for those arriving by train to the south of the Station. This should be improved with a new cohesive façade with increased glazing and less blank walls.
- Marsden Street, Aird and Campbell Street frontages are sub-optimal. These frontages should be improved with strategically located street front retail/businesses. They would also benefit from increased porosity/fenestrations at upper levels as well as street level entrances and through site links where possible.

Recommendation:

- Notwithstanding our objection to the retail component, should the Department be of the mind to approve the application, the proposed commercial tower should occur first in the implementation schedule. Alternatively a mechanism should be put in place to ensure that the commercial development occurs in the short term and prevent its future conversion to residential (as it is located within a B4 zone). Any future retail should occur in the second phase once the office tower and public domain upgrade have been delivered.
- Notwithstanding our objection to the retail component, should the Department be of the mind to approve the application, the extent of additional retail and associated parking should be reduced. No increase in FSR is to be considered without the 30,000m² of commercial area (which must not be converted to other uses in subsequent applications).
- Should any design competition/excellence bonus be considered, it must apply only to the extent of the proposed office tower and not for additional retail, above ground car parking and existing floor space.
- Introduce active uses at street level such as business suites and street fronting retail along Argyle, Marsden, Aird and Campbell Streets. Introduce more fenestrations/ glazing to upper levels along these streets to increase casual surveillance and visual presentation along these streets.
- Upgrade footpath/pedestrian holding area for the bus pickup/drop-off zone along Argyle Street between Marsden and Church Streets:
 - by rebuilding the Argyle Street façade, with a minimum 7.5m wide footpath from edge of kerb to the face of building with a 3m clear sheltered pedestrian zone (awning/colonnade).
 - with a public domain upgrade of the widened footpath/ pedestrian holding area to Council's satisfaction.
- Should any increase in yield/height be considered, public benefits identified in Item 3 above must be provided as works in kind/contribution to the local area. In this regard, it may be beneficial to create a Voluntary Planning Agreement as part of any consent granted to ensure agreed public works are carried out.
- The recommended tower design should:
 - Provide an entrance forecourt at the corner of Church/Argyle Street to relate to the proposed commercial tower. This forecourt may extend partly below the footprint of the tower similar to 1 Bligh Street and Australia Square, Sydney.
 - Provide a simple tower to the existing podium rather than a tower with podium above an existing big-box retail, as proposed. Allow part of proposed tower to engage directly with the entrance forecourt noted above.
 - Consider a 120m high tower or 25 storeys + existing retail podium (inclusive of design excellence bonus) for the commercial tower provided the floor plate is limited to 1400m². This is to achieve the proposed

commercial floor area and subject to minimal solar, visual and privacy impact on surrounding development.

Note: Notwithstanding the recommendations above, any future application for the tower would still be subject to a detailed assessment in accordance with Council's LEP2007 and DCP2007.

Should the commercial tower be supported, the design changes to the retail areas (as discussed in the "Retail Impact" section of this submission) should be required as part of any approval granted.

- The building presentation along the Argyle, Marsden, Aird and Campbell Street frontages should be improved as identified in this submission.

PUBLIC DOMAIN

The public domain and landscape initiatives proposed are very low key, without adequate detail and not commensurate with the scale of development proposed. Given the scale of the proposed development, there is a need for increased public domain initiatives such as through site links, increased entry points and a forecourt to relate to the proposed tower.

It appears that the public domain upgrade is proposed at the second phase of development. This must be provided at the first phase of development – aspects such as land dedication, increase of pedestrian holding area/colonnade width and extent of capital works must be determined at this stage.

The applicant will need to submit alignment plans for all works on the footpath which will also include cross sections so that Council can confirm that Disability Access requirements are fulfilled. Once the alignment plan is approved, the applicant will need to submit a full Public Domain Plan in accordance with Council's Public Domain Guidelines.

Council also invites Westfield to discuss opportunities to link the development to the future Parramatta Square to enable adequate levels for public open space connection. This is an opportune time to discuss future pedestrian links through an important section of Parramatta.

Public domain works should be incorporated within a Voluntary Planning Agreement and incorporated within any consent to ensure agreed public works are carried out.

Any public domain works are to be separate and in addition to the Section 94A contributions required for the proposal.

PUBLIC ARTS PLAN

Parramatta is committed to strengthening the city as an urban place by reinvigorating its identity through means that encourage reinterpretation and reflect contemporary culture.

Public art adds value to the public domain and should not be in lieu of public domain provision/ upgrades. Public art should be concentrated along highly visible locations such as Argyle Street and Church Street.

Council requests that Westfield consider the following in the planning of the public domain and activation of the street frontages which includes public art:

- Council's current development controls require development in the Parramatta CBD to undertake an Arts Plan. Council would require Westfield to undertake the arts planning process which guarantees the provision of high quality artworks in a publicly accessible and visible location.
- The process requires the services of a professional Artist Planner who will recommend suitable artwork treatments in relation to pedestrian traffic, ground plane, visible amenity and as a gateway opportunity.
- The Arts Plan must include:
 - Information about planner, experience, qualifications
 - Site analysis / appraisal
 - Identification of potential themes
 - Examples of potential treatments
 - Concept drawings, samples, finishes and where appropriate models, photomontage
 - Budget and cost summary
 - Timeframe and staging
 - Implementation and ongoing maintenance schedule.
- Consultation with Council's Public Art Officer in the earliest stages of planning to discuss opportunities and negotiate the public art budget.
- The Arts Plan is to incorporate high quality artworks, where scale is proportionate to the size of the development.
- Consideration should be given to the Argyle St frontage and if public art is considered at the corner of Church and Argyle Streets, that a suitable treatment be explored that would minimise the impact on pedestrian movement at the busy intersection and could include
 - High quality structurally suspended work of scale
 - High quality contemporary lighting treatment visible both day and night
 - High quality surface or façade treatment along the Argyle St frontage visible from approaching east and westbound trains.
- Council would be open to discussion with Westfield regarding opportunities for artwork treatments further north under the railway line or in other locations around the development site.

TRAFFIC & CAR PARKING

Confirmation of Matters

There are two items that are proposed in the Parsons Brinkerhoff traffic modelling report (Appendix B) of the Traffic Impact Study (Appendix H by Colston Budd Hunt and Cafes), but are not mentioned elsewhere in the application. These 2 items are

important in reducing queuing back into the roads approaching Westfield. The two proposals are as follows:

1. An additional boom gate on the Marsden Street speed ramp entry (Figure 4.2, page 21 of the Traffic Impact Study's Appendix B)
2. Parking Management Information System Information Display should be provided for both the lower and upper Aird Street entries. The information for the lower entry should also be provided at the upper entry as a means of encouraging customers to use the lower entry (Point 4 on page 20 of the Traffic Impact Study's Appendix B).

Confirmation that these items will be incorporated within the proposal is required.

Traffic Upgrades

The proposed traffic upgrades on Great Western Highway from east of O'Connell Street to Church Street (including the additional right turn lane in Church Street on the northbound approach to Great Western Highway) is to be provided by the developer at no cost to Council prior to the completion of Stage 1. This would not form part of the S94A contribution.

Bus Stand Planter Boxes

Westfield has installed planter boxes in the bus passenger circulation area of Bus Stand B in Argyle Street outside the line of bollards for the restaurants. This reduces the area for bus passengers and causes congestion. As the shopping centre becomes larger the number of bus passengers will increase. It is understood that the planter boxes have been placed outside Westfield area, which is approximately delineated by the line of bollards. TfNSW is responsible for this area but has not been able to get Westfield to shift the planter boxes. It should be a condition of consent that the planter boxes are removed and that no objects be placed in the area under the control of TfNSW in the interchange.

Viewing of Traffic Model

Council officers request to view the Paramics traffic model. This model could either be sent to Council on a CD or we are able to attend a presentation.

Traffic Management/Transport Communication Plans

Westfield should also be required to submit a Traffic Management Plan and Transport Communication Plan for peak shopping periods when communication with motorists is required, such as when the car park fills or there are excessive delays entering or exiting the site.

Westfield should provide advice on its website for groups that come to the centre in mini-buses or coaches. The advice should include recommendations on where to park (for different types and heights of vehicles) or pick up/set down.

Taxi Area

The major project plans should be amended to provide a taxi area and pick up/set down area within the Westfield car park, possibly on level 6 (east end, near 5M speed ramp), with direction signs for taxis from the street, through the car park, to the taxi/pick up/set down area.

The taxi area is to have a free phone for customers to call a taxi company(s). In addition to the free phone to taxi companies, Westfield should provide a web cam showing the taxi waiting area that taxi operators can access. The purpose of this is to ensure that if a passenger calls for a taxi, then the taxi operator can check that the person has stayed and waited for the taxi (rather than just being a 'prank' call). The taxi company can also check if there is a queue of customers.

Bus Ticket Sales

If requested by TfNSW, Westfield is to provide an area for bus tickets to be sold in the Stand B area near the top of the escalators near the railway station.

Loading Bays

Vehicles from the loading bay have been observed to reverse onto Marsden Street. Specifically, garbage trucks have been observed reversing out onto Marsden Street to lift the garbage container and unload it, as there may not be adequate clearance within the building. This vehicle manoeuvre is particularly hazardous on Marsden Street due to the high volume of traffic and higher speeds than other streets. The centre also has other loading areas where service vehicles reverse on street, particularly Fitzwilliam Street; however, in some of these locations the driver has no option. Some of the unloading occurs on-street in Fitzwilliam Street. It should be a condition that all vehicles enter and exit the site in a forward direction in Marsden Street and that all loading and unloading occurs on-site.

SIGNAGE

Increased signage is noted in the signage strategy plan. More detail must be provided to the visual impact, size and backlighting (if any) of the signage. Signs must be in line with Council's signage strategy (DCP 2007).

HERITAGE

There are several heritage items near the subject site including: Parramatta Railway Station, the old fire station in Church Street, David Lennox's house at 39 Campbell Street, the Masonic Centre at 47 Campbell Street and St John's Cemetery in O'Connell Street.

The applicant has prepared a Heritage Impact Statement (HIS) to assess the heritage context of the site and the potential impact of the proposed development on identified heritage items and views to and from these items. The authors of the HIS opined that the proposed development will have no adverse impact on the subject heritage items.

It is noted that the proposal does not impact on significant views in the City Centre, as identified in the Parramatta City Centre LEP 2011 and DCP 2011.

It is also noted that the authors of the proposal are aware that *"the heritage dwelling at No 39 Campbell Street will experience additional shadow"* which they deem acceptable because *"(it) will retain at least 2 hours solar access to its northern elevation."* However, as 39 Campbell Street (Lennox House) is a highly significant State Heritage item listed under the NSW Heritage Act, **it is strongly recommended that this application be assessed for heritage impact by the NSW OEH – Heritage Branch** as the consent authority for works to items protected under that Act.

It is further noted that the authors of the proposal are aware that *"from the front porch of Old Government House, Parramatta Park, looking southeast (...) the uppermost portion of the future office tower (shown in the centre of the photo), is visible."* They deem this acceptable because *"the new tower is effectively screened from view by existing tree canopy. The Tax Office building remains the dominant built form in this view and has a far greater visual impact on Old Government House than is the case for the proposed development."* However, given the significance of the Old Government House, **it is strongly recommended that this application be referred to the National Trust NSW**, as a major stakeholder and co-managing authority for the Old Government House, and that any matters raised by the National Trust be satisfied.

LANDSCAPING

There does not appear to be any proposed tree removal or landscaping associated with the application. The photo montage indicates roof top planter boxes however there are no details of these planter boxes in the documentation provided with the application.

ENGINEERING

No objection is raised to the proposed stormwater proposal. Should the Department be of the mind to approve the application, the following conditions should be imposed:

1. All roof water and surface water is to be connected to an approved drainage system.
2. Appropriate cross ventilation is to be provided to the proposed 50,000 litre rainwater tank.
3. Any damage to Council assets that impact on public safety during construction is to be rectified immediately to the satisfaction of Council at the cost of the developer.
4. Prior to the commencement of any works on the site the applicant must submit, a Construction and/or Traffic Management Plan to the satisfaction of the Principle Certifying Authority. The following matters must be specifically addressed in the Plan:
 - (a) Construction Management Plan for the Site
A plan view of the entire site and frontage roadways indicating:

- i. Dedicated construction site entrances and exits, controlled by a certified traffic controller, to safely manage pedestrians and construction related vehicles in the frontage roadways,
 - ii. Turning areas within the site for construction and spoil removal vehicles, allowing a forward egress for all construction vehicles on the site,
 - iii. The locations of proposed Work Zones in the egress frontage roadways,
 - iv. Location of any proposed crane standing areas,
 - v. A dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries,
 - vi. Material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected,
 - vii. The provisions of an on-site parking area for employees, tradesperson and construction vehicles as far as possible.
 - viii. A detailed description and route map of the proposed route for vehicles involved in spoil removal, material delivery and machine floatage and a copy of this route is to be made available to all contractors.
 - ix. A detailed description of locations that will be used for layover for trucks waiting to access the construction site.
- (b) Written concurrence from Council's Traffic and Transport Services in relation to installation of a proposed 'Works Zone' restriction in the egress frontage roadways of the development site.

Application fees and kerbside charges for 6 months (minimum) are to be paid in advance in accordance with the Council's Fees and Charges. The 'Works Zone' restriction is to be installed by Council once the applicant notifies Council in writing of the commencement date (subject to approval through Parramatta Traffic Committee processes). Unused fees for kerbside charges are to be refunded once a written request to remove the restriction is received by Council.
- (c) Traffic Control Plan(s) for the site:
 - i. All traffic control devices installed in the road reserve shall be in accordance with the NSW Transport Roads and Maritime Services publication '*Traffic Control Worksite Manual*' and be designed by a person licensed to do so (minimum RMS 'red card' qualification) The main stages of the development requiring specific construction management measures are to be identified and specific traffic control measures identified for each,
 - ii. Approval shall be obtained from Parramatta City Council for any temporary road closures or crane use from public property.
- (d) Where applicable, the plan must address the following:
 - i. Evidence of RTA concurrence where construction access is provided directly or within 20 m of an Arterial Road,
 - ii. A schedule of site inductions shall be held on regular occasions and as determined necessary to ensure all new employees are aware of the construction management obligations.
 - iii. Minimising construction related traffic movements during school peak periods,

The Construction and Traffic Management Plan shall be prepared by a suitably qualified and experienced traffic consultant and be certified by this person as being in

accordance with the requirements of the abovementioned documents and the requirements of this condition.

Reason: To ensure that appropriate measures have been considered during all phases of the construction process in a manner that maintains the environmental amenity and ensures the ongoing safety and protection of people.

5. Unless otherwise specifically approved in writing by Council, all works, processes, storage of materials, loading and unloading associated with the development are to occur entirely on the property. The applicant, owner or builder must apply for specific permits available from Council's Customer Service Centre for the undermentioned activities on Council's property pursuant to Section 138 of the Roads Act 1993:

- (a) On-street mobile plant:
Eg. Cranes, concrete pumps, cherry-pickers, etc. - restrictions apply to the hours of operation, the area of operation, etc. Separate permits are required for each occasion and each piece of equipment. It is the applicant's, owner's and builder's responsibilities to take whatever steps are necessary to ensure that the use of any equipment does not violate adjoining property owner's rights.
- (b) Storage of building materials and building waste containers (skips) on Council's property.
- (c) Permits to utilise Council property for the storage of building materials and building waste containers (skips) are required for each location. Failure to obtain the relevant permits will result in the building materials or building waste containers (skips) being impounded by Council with no additional notice being given. Storage of building materials and waste containers on open space reserves and parks is prohibited.
- (d) Kerbside restrictions, construction zones:
The applicant's attention is drawn to the possible existing kerbside restrictions adjacent to the development. Should the applicant require alteration of existing kerbside restrictions, or the provision of a construction zone, the appropriate application must be made to Council and the fee paid. Applicants should note that the alternatives of such restrictions may require referral to Council's Traffic Committee. An earlier application is suggested to avoid delays in construction programs.

Reason: Proper management of public land.

6. A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained. Application must be made through an authorised Water Servicing Coordinator. Please refer to "Your Business" section of our website at www.sydneywater.com.au then the "e-developer" icon or telephone 13 20 92.

The Section 73 Certificate must be submitted to the Principal Certifying Authority prior to occupation of the development.

ENVIRONMENTAL HEALTH

No significant concerns are raised with the proposal in terms of environmental health related impacts. Notwithstanding this, should the Department be of the mind to approve this application, the following conditions should be imposed:

- **Construction Environmental Management Plan**

A **Construction Environmental Management Plan (CEMP)** must be prepared in accordance with the *Department of Infrastructure, Planning and Natural Resources (2004) Guidelines for the Preparation of Environmental Management Plans* and submitted to the relevant authorities at least 4 weeks prior to the commencement of construction.

The CEMP must be prepared and implemented in accordance with the procedures, safeguards and mitigation measures identified in the EA and in consultation with relevant stakeholders.

The CEMP must contain all the Construction Sub Plans, including:

- a) Construction Noise and Vibration Management Sub Plan,
- b) Construction Contaminated Land Management Sub Plan,
- c) Construction Soil and Water Management Sub Plan.

The approved CEMP must be made publicly available.

- **Operation Environmental Management Plan**

An **Operation Environmental Management Plan (OEMP)** must be prepared in accordance with the *Department of Infrastructure, Planning and Natural Resources (2004) Guidelines for the Preparation of Environmental Management Plans* and submitted to the relevant authority at least 4 weeks prior to the commencement of operation. The OEMP must be prepared and implemented in accordance with the procedures, safeguards and mitigation measures identified in the EA and in consultation with relevant stakeholders. The OEMP must incorporate a monitoring and review program which contains (but is not limited to):

- a) an Operation Noise Management Sub Plan,
- b) an Operation Air Quality/Odour Management Sub Plan.

The approved OEMP must be made publicly available.

SECTION 94A CONTRIBUTIONS & SECURITY BONDS

Section 94A Contributions

The proposal requires the payment of S94A development contributions (3% levy) based upon the estimated cost of works. A condition requiring the payment of the required Section 94A contributions to Council before the issue of a Construction Certificate should be imposed as a condition of any consent granted.

Security Bonds

In accordance with Section 80A(6)(a) of the Environmental Planning and Assessment Act 1979, security bonds are required to be submitted to Council to guarantee the protection of the adjacent road pavement and public assets during construction works. The bond(s) are to be lodged with Council prior to the issue of any application (being a Hoarding application, Construction Certificate) and prior to

any demolition works being carried out where a Construction Certificate has not been issued or not required.

The bond may be in the form of cash or an unconditional bank guarantee.

Should a bank guarantee be the proposed method of submitting a security bond it must:

- a) Have no expiry date;
- b) Be forwarded direct from the issuing bank with a cover letter that refers to the consent
- c) Specifically reference the items and amounts being guaranteed. If a single bank guarantee is submitted for multiple items it must be itemised.

Should it become necessary for Council to uplift the bank guarantee, notice in writing will be forwarded to the applicant fourteen days prior to such action being taken. No bank guarantee will be accepted that has been issued directly by the applicant.

Bonds shall be provided as follows

Hoarding \$ (\$2500 - \$10,000 per street frontage in 2012/2013 financial year)

Street furniture \$ (\$2000 per item in 2012/2013 financial year)

Nature strip and roadway \$ (applies to all developments with a cost greater than \$50K and swimming pools regardless of cost. See Schedule of Fees and Charges, \$1000 - \$20,000 per street frontage in 2012/2013 financial year)

Street Trees \$ (\$2000 per street tree 2012/2013 financial year rate)

A dilapidation report is required to be prepared prior to any work or demolition commencing. This is required to be submitted to Parramatta City Council with the payment of the bond/s to the Civil Assets Unit. The dilapidation report is required to report on any existing damage to kerbs, footpaths, roads, nature strip, street trees and furniture bounded by all street frontage/s of the development site to the centre of the road.

PUBLIC CONSULTATION

Given the potential impacts upon the retail community of Parramatta, it is strongly recommended that the Department hold an extensive consultation phase that includes mail outs to business owners within the CBD and involves the Parramatta Chamber of Commerce.

CONCLUSION

Council raises objection to the proposed development, particularly in regard to the proposed additional retail floor space and additional car parking provision.

Council's main areas of objection are as follows:

- The retail expansion of Westfield Parramatta would be likely to result in the following adverse outcomes for the Parramatta CBD:
 - Further isolate Westfield Parramatta from the Parramatta CBD
 - Increase the risk of vacancies in the Parramatta CBD
 - Make it increasingly difficult for the Parramatta CBD to retain, and capture mid- range to high end retailers
 - Potentially reduce the ultimate scale of retail development supportable at Parramatta Square
 - Potentially delay the timing of the various stages of the Parramatta Square development
 - Reduce the range and quality of tenants that could be attracted to the Parramatta Square precinct
 - Reduce the potential sales that could be achieved by prospective retailers at the precinct.
- The current urban design issues associated with Westfield need to be resolved before any further additional retail floor space can be considered. This includes issues such as public domain, CPTED, building presentation and active street frontages.
- Inadequate public domain works and public benefits have been proposed and are not commensurate with the level of development proposed. Detailed public domain plans should be submitted and approved by Council. Opportunities to link the development with Parramatta Square should be investigated. All public benefit works should be incorporated within a Voluntary Planning Agreement.
- No certainty is provided that the commercial tower will be built. The commercial tower being subject to a design excellence competition is strongly supported by Council.

Council appreciates the opportunity to comment on the above application.

Council seeks an immediate meeting with the Minister and State Member with appropriate staff in attendance to further discuss Council's concerns.

Should you wish to discuss any of the above matters, please contact Council's Senior Development Assessment Officer, Kate Lafferty on 9806 5393.

Yours sincerely



Dr. Robert Lang
Chief Executive Officer
Parramatta City Council