

plate size would threaten the economic viability of the tower. While the DCP encourages a maximum floor plate of 1,200m² for non-residential buildings, but allows for greater floor plates within the adjoining 'commercial core' if they are expressed as separate building elements, the proponent advises that this is not a suitable solution and that providing two connected building elements would not be practical in terms of meeting future tenant floor space configuration requirements. The proponent cites the example of the Sydney Water HQ building in Parramatta which has a floor plate of 1,660m², but notes that otherwise recent buildings constructed in Parramatta typically have floor plates between 1,100m² and 1,300m². The proponent subsequently advised that the figures they previously provided were incorrect and in fact the upper floors of the commercial tower would have a floor plate of 1,480m², which is more consistent with the floor plate size sought by Council.

Department Assessment

Based on the figures presented in the EA, the Department raised concerns with the proponent regarding the envelope of the tower building. The Department requested that further consideration be given to the bulk of the tower envelope and that a revised scheme explore the provision of an envelope presenting a more slender form which more closely addresses Argyle and Church Streets with direct street level access.

The proponent considered the issues raised by the Department but did not alter the tower envelope in its PPR submission for the reasons outlined above. The Department does not support the justification presented by the proponent and considers further modifications in terms of floor plate, building height and street setbacks are necessary as follows:

Floor Plate

The Department considers that a building envelope of 2,000m² and maximum floor plate of 1,660m² for the upper levels of the tower as originally advised by the proponent would result in an overly bulky appearance of the tower inconsistent with surrounding development and the characteristic built forms of the Parramatta CBD. Even a corrected floor plate calculation of 1480m² (envelope of 1660m²) as subsequently advised by the proponent is considered to result in a bulkier building than all other buildings in Parramatta.

While the Sydney Water HQ building at No 1 Smith Street does have a large floor plate of 1,660m², at a height of only 64 metres, it is much shorter than the proposed development (by 36 metres or 10 storeys) and is therefore not comparable to the proposal in terms of its visual impacts. Further, that building is not characteristic of building forms within the city centre, which are typified by smaller floor plates generally consistent with the DCP controls which permit maximum building floor plates (or maximum connected building elements) of 1,200m². One other exception is the 'Eclipse' building at 60 Station Street which was approved with a height of 90 metres and floor plate of 1,431m², although in reality the floor plate as built equates to 1,320m². In that case, the large floor plate was able to be achieved due to an innovative design which enabled a sustainable 5 star Green Star rating despite the size of the floor plate and also exhibited considerable architectural merit. There are no other buildings of a similar height which have approved floor plates of 1,400m² within the city.

The 1200m² floor plate control as set out in the DCP aims to ensure buildings are sustainable by minimising the need for artificial cooling and lighting. It also aims to reduce the apparent bulk and scale of buildings and to achieve a sympathetic city skyline. It is acknowledged that the DCP does not apply to the assessment of the proposal, and in this case Parramatta City Council has recommended a maximum floor plate of 1,400m² for the tower (and maximum envelope of 1,800m²).

The Department considers that, like the 'Eclipse' building, a building with a floor plate of up to 1,400m² has the potential to provide an acceptable outcome in terms of sustainability and visual impact objectives, whilst still providing suitable space for large or government organisations, subject to an high quality architectural design which ensures the building does not present a bulky appearance and subject to achievement of sustainability standards. However, anything larger than 1,400m² is

considered to result in a built form that would be overly bulky and unprecedented within the city skyline.

In addition, it is considered that there is sufficient room within a 1,400m² floor plate to provide a suitable sky lobby, cafes and meeting places, and there is no justification for the larger 5-storey plinth which presents a stepped and somewhat awkward appearance to the building.

It is therefore recommended that the proposed tower, including the 5-storey plinth, be modified to include a floor plate of no more than 1,400m². A modification is included in the Concept Plan determination to this effect. The proponent has included commitments that the future design of the office tower will be the subject of an Architectural Design Competition and will achieve a 5 Green Star Office design rating and appropriate future environmental assessment requirements have also been included in the recommendation in this regard.

Parramatta City Council has also recommended a maximum concept plan envelope area of 1,800m². This will allow for significant flexibility in the final design in terms of orientation and siting of the future 1,400m² floor plate in order to better achieve design excellence and sustainability objectives. A modification is recommended requiring amended concept plans with a maximum tower envelope area of 1,800m² in conjunction with amendments to envelope height and setbacks as discussed below. Amended plans are to be approved by the Director-General.

Building Height

With a proposed height of 100 metres, the commercial tower would significantly exceed the LEP height control (36 metres) by 64 metres, or 170%. While the LEP control would prohibit the provision of a tower in this location, the Department considers that a tower could be provided in this location, given the existing and emerging built forms in the vicinity of the site.

Parramatta City Council has also acknowledged that a commercial tower is appropriate on the site and have suggested that the proposed tower could be increased in height to 120 metres (or an additional 5 storeys) to offset the suggested reduction in floor plate size.

When considering height in the context of the site, it is apparent that emerging built forms within the city centre are likely to become taller in the medium term. The Parramatta City Centre LEP 2007 permits a range of building heights within the city centre, including heights of up to 200 metres at Parramatta Square, and up to 120 metres in other locations as shown on the building height control map extracted at **Figure 24**. Development as high as 90 storeys or 336 metres at the western end of Parramatta Square and in close proximity to the subject site is currently the subject of a Planning Proposal and Development Application with Parramatta City Council, which has not yet been determined. A planning proposal to increase the maximum permissible height to 280 metres is also under consideration. However, even a building built in accordance with the current 200 metre height control on that site would dwarf the proposed building.



Figure 24: Extract from Height of Buildings Map, Parramatta City Centre LEP 2007.

The likely future 200m+ building heights immediately to the north-east of the site at Parramatta Square, and future heights of 120m at numerous other locations throughout the city centre, and the existence of 25 - 28 storey (87 - 90 metre) residential towers on Church Street immediately to the east of the site are highlighted in **Figure 24** above. When comparing these heights with the subject proposal, it is considered that a 25-storey tower above the retail podium with a maximum height of 120 metres above ground level could result in a built form that would provide an appropriate relationship with surrounding built forms and would sit comfortably within the emerging city skyline.

A taller narrower building on the site than that originally proposed would not result in any other significant amenity impacts. Although shadows would be lengthened, they would also be narrower and would pass over adjoining properties to the south more quickly. The increased length of shadows would also be offset by the proposed relocation of the tower towards the north as recommended below. Shadows are discussed in more detail in **Section 5.4**. A narrower building would also improve views from adjoining residential development to the east.

It is noted that the Office of Environment and Heritage recommended reducing the bulk of the tower without increasing the height, in order to reduce the dominance of the tower on the setting of nearby heritage items in the vicinity. Heritage issues are discussed in detail in **Section 5.5** below and it is considered that a taller narrower building on the site will not result in any significant adverse consequences on the significance of nearby heritage items.

Street Setbacks / Tower Location

In terms of street setbacks, the DCP recommends that the tower should have an average setback of 8 metres from Church and Argyle Streets, with a maximum setback of 10 metres. As proposed, the maximum envelope of the 5-storey plinth would have a setback of around 8 metres from Church and Argyle Streets, but the actual built form of the plinth and the proposed tower above would be setback significantly further (20m – 35m) from both street frontages. Parramatta City Council has suggested that the tower component should engage directly with the street without any setback and by incorporating an entrance forecourt into the design.

The proponent's justification for the provision of a tower on the site is based on the tower serving as a landmark structure defining the primary corner of the site and the southern gateway to the Parramatta CBD.

The Department considers that for the tower to achieve these landmark and gateway qualities, it should have a better relationship with the Church and Argyle Street corner more consistent with the DCP controls. The proposed 20-35m setbacks would not result in any visible relationship between the tower and the streetscape. Relocating the tower closer to the north-east corner of the site would also improve its relationship with the commercial core and future taller buildings of Parramatta Square located to the north-east of the site.

As such, the Department asked the proponent to consider modifying the tower form to more closely address Argyle and Church Streets. The proponent did not consider the Department's request in its PPR but has subsequently advised that it would accept modifications requiring the relocation of the tower closer to the intersection of Church and Argyle Street.

The Department acknowledges that the relocation of the tower closer to the intersection would result in some changed shadow impacts to residential buildings on Church Street. Shadow impacts are discussed in detail in **Section 5.4.1**. While solar access to the residential tower at No 140 Church Street would be reduced (between around 2.15pm and 3.00pm mid-winter), the proposed relocation would also result in improved solar access to the residential tower No 118 Church Street in the late afternoon. Overall impacts in terms of shadowing arising from a relocated tower are therefore not considered to be substantial and are more than offset by the benefits of the improved visual relationship between the tower and the surrounding area.

It is therefore recommended that the proposed tower envelope should be modified to be located further to the north-east of the site, resulting in a built form setback on average 8 metres from Church and Argyle Streets. A modification has been included in the Concept Plan instrument to this effect.

5.4. Shadow Impacts

The proposal would result in some shadowing impacts to the adjoining residential towers at 118 and 140 Church Street. In addition, concerns were raised by Parramatta Council and the Heritage Office in relation shadows cast by the proposal on adjoining heritage items David Lennox House and St Johns Anglican Cemetery. Impacts to these four properties are discussed in detail below. Otherwise, the proposal results in limited shadowing impacts.

The shadow diagrams submitted with the proposal indicate that (other than David Lennox House) residential premises on Campbell Street (to the south of the site) will receive at least 3 hours of solar access mid-winter to north facing windows and balconies and will therefore retain a reasonable level of amenity. Further, solar access to these properties will not be materially diminished by the recommended changes to the built form of the tower discussed in **Section 5.3** of this report. The proposed increased height of the tower would be offset by relocating it further away from Campbell Street and by the reduced width of the tower.

5.4.1. Residential Towers at 118 and 140 Church Street

There are two recently constructed residential towers to the east of the site at 118 and 140 Church Street. The western elevation of those towers is self-shadowed until around 12.45pm in the afternoon midwinter, but the elevations currently receive good solar access from 1.00pm to 3.00pm midwinter.

The shadow impacts of the future tower will be dependent upon the final design at DA stage, but shadow diagrams submitted by the proponent demonstrate that the built form likely to arise from the proposed envelope would result in no shadow impacts to 140 Church Street, but would overshadow some of the dwellings at No 118 Church Street from around 1.40pm onwards: Refer to **Figure 25**.

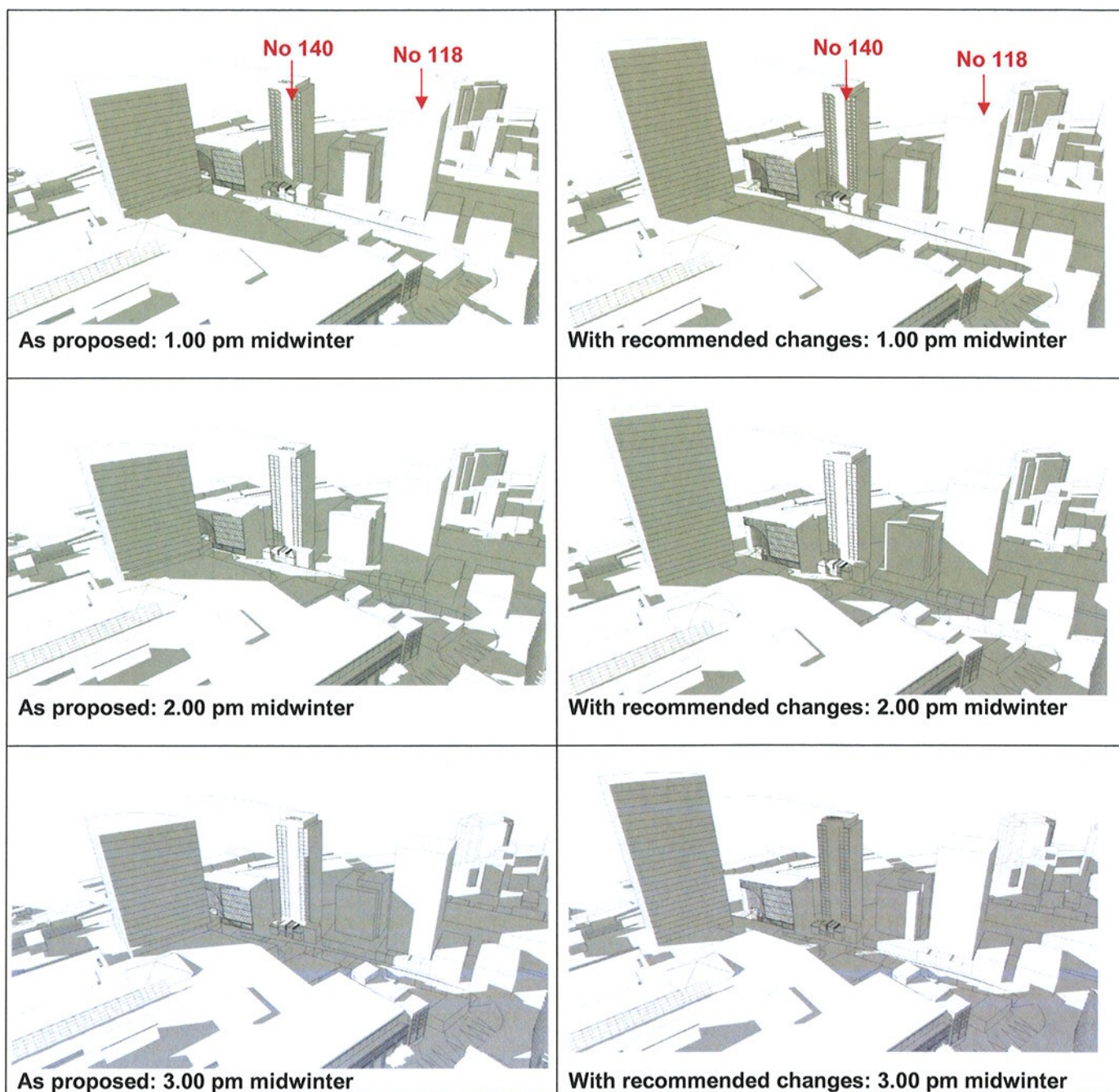


Figure 25: Shadow Impacts to residential towers at 118 and 140 Church Street

The Department has recommended changes to the tower location and built form as set out in **Section 5.3**, including relocation of the tower towards the north, reduced width and increased height. The Department acknowledges that those changes would now result in some shadow impacts to No 140 Church Street (likely between around 2.15pm and 3.00pm mid-winter), but would also result in improved solar access for the other nearby residential tower at 118 Church Street. Refer to **Figure 25**.

The Department considers that the overshadowing impacts of either scheme are acceptable in this case. The site is located within a high density central CBD environment where higher levels of overshadowing are to be expected. Furthermore, dwellings on the western façade are constrained by their orientation, being in self shadow for most of the day. While some of the dwellings on the western façades would not receive 2 hours of solar access mid-winter under the proposal, all dwellings would receive at least some solar access mid-winter and excellent solar access at other times of the year. Due to good levels of solar access provided to the northern and eastern facades of those buildings, the Department considers it likely that at least 70% of dwellings within each building would retain 2 hours of solar access at mid-winter, in line with the standard recommended by the Residential Flat Design Code, and on this basis the extent of overshadowing is not considered unreasonable or unacceptable.

5.4.2. David Lennox House

David Lennox House is a single-storey state listed heritage dwelling located opposite the site on Campbell Street. It is currently vacant and in a dilapidated state. Parramatta City Council and the Heritage Council raised concerns that the proposed retail extensions will result in further overshadowing of the house and gardens, thereby diminishing its heritage significance.



Figure 26: Lennox House (source: Google Maps)

In response, the proponent suggested an amendment to the proposal by setting back a section of the proposed retail extensions at level 6 and 7 by an additional 4 metres to ensure 2 hours of solar access is retained to the northern (street facing) elevation of Lennox House. The gardens at the rear of the site would be unaffected by the proposal, however, the small planter bed in the front setback would be overshadowed at all times in mid-winter, but will receive solar access at other times of the year.

The Department considers that with the amended setbacks as suggested, the extent of overshadowing is reasonable, particularly given the location of the heritage building immediately to the south of the site, and given that the height and setbacks of that part of the development causing the overshadowing comply with applicable planning controls (refer to discussion under **Section 5.3.2** above). The retention of 2 hours of solar access will ensure a reasonable level of amenity to future occupants, should the building be restored and reused in the future. It will also be possible to restore the front planter with appropriate shade tolerant species. An appropriate condition is included in the recommendation.

Further, the statement of significance for the house as set out in the State Heritage Register indicates that the item's heritage significance lies in the fact that it was built for and occupied by a notable person, namely David Lennox, a bridge engineer. That association is not diminished by the additional overshadowing.

5.4.3 St Johns Anglican Cemetery

The cemetery is located to the west of the site (refer to **Figure 28**), and is also on the State heritage register. It is also significant for its association with notable people. The Heritage Office raised concerns about the impact of the proposed extensions, particularly due to overshadowing on the cemetery.

Detailed shadow diagrams prepared by the proponent demonstrate that the proposed extensions will result in a small area of the cemetery being overshadowed between 9.00am and 9.30am mid-winter (shown in **Figure 27**), but that at all other times of the day and all other times of the year the cemetery receives excellent solar access and is not affected by the proposal. The Department therefore considers that the small extent of overshadowing is not considered to materially affect the significance of the heritage item.

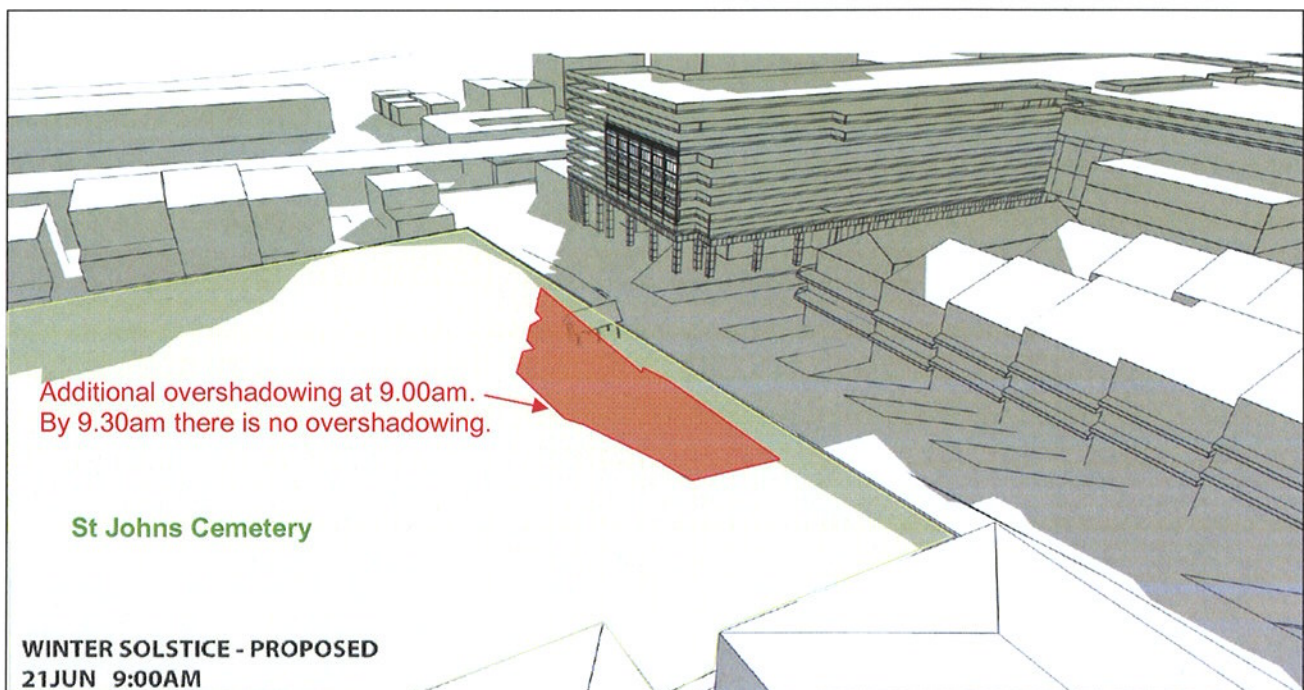


Figure 27: Shadow diagram indicating extent of overshadowing from the proposal on the Cemetery.

5.5. Heritage

The site is within the vicinity of a number of heritage items (**Figure 28**). Submissions from Parramatta City Council and the Heritage Council raised concerns with the impact of the proposed development on the following nearby heritage items.

- David Lennox House – (Item 3) State significance;
- St John's Cemetery – (Item 50) State significance;
- Parramatta Regional Park (including Old Government House) – (Item 53) State and World Heritage significance;
- Parramatta Station – (Item 29) State significance;
- St John's Anglican Cathedral – (Item 8) State significance; and
- Parramatta Town Hall – (Item 6) State significance.

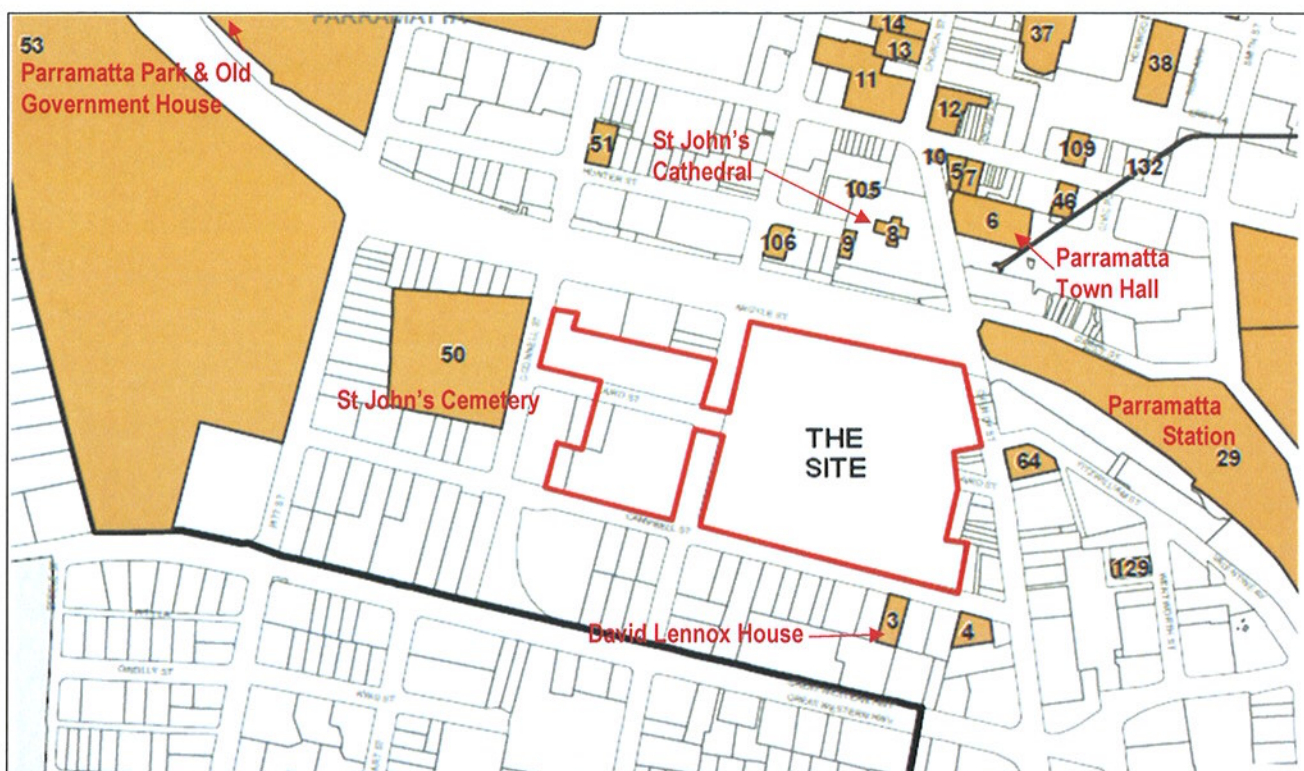


Figure 28: Heritage Map (Base source: Parramatta City Centre Local Environmental Plan 2007)

5.5.1. David Lennox House and St Johns Anglican Cemetery

As discussed above in **Sections 5.4.2** and **5.4.3** concerns were raised in relation to the potential for overshadowing impacts of the proposal to affect the heritage significance of these items. The Department's assessment found that with the imposition of a modification to the Concept Plan requiring the setback of part of levels 6 and 7, the proposal would not result in unacceptable heritage impacts from overshadowing.

Further issues raised by the Heritage Office in respect of these two properties was that the additional height of the proposal will affect the setting of the items and, as such, the Heritage Office suggested that the materials and finishes of the elevations should be further detailed to improve the appearance of the extensions and minimise their visual dominance. Façade design was discussed in **Section 5.3.2** above and it was recommended that to address a lack of detail in the application and to ensure certainty in relation to the final façade design, further details of materials and finishes should be submitted to and approved by the Director-General to ensure a high quality façade and urban design outcome. This will also enable the Department to ensure that façades are designed to reduce visual dominance and thereby appropriately mitigate against potential heritage impacts.

5.5.2 Old Government House and Domain

Old Government House is located within Parramatta Park, around 500 metres to the north-west of the site. It forms part of a World Heritage listed cultural property known as Australian Convict Sites and is also on the National Heritage List and State Heritage Register.

As the proposed tower may be visible from the World Heritage site, it may have an impact on its significance. As such, separate approval may be required from the Australian Department of the Environment under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). *Old Government House and Domain, Parramatta Park Management Plan* (2009) informs the management and protection of the national and world heritage values of the site

The proponent referred the application to the then Department of Sustainability, Environment, Water, Population and Communities (now Department of the Environment) who advised that as proposed, the development does not require approval under the EPBC Act. In considering potential changes to the tower envelope (discussed in **Section 5.3.3**), the proponent raised concerns that the upper levels of a taller slimmer tower version will be visible from Old Government House, whereas the tower form at the height proposed has been accepted as requiring no further approval under the EPBC Act.

Consequently, the proponent will need to make further enquiries with the Department of the Environment to determine whether further approval is required to enable the Stage 2 application to be carried out under the EPBC Act, and an advisory note is included in the recommendation to this effect.

However, it is considered that a taller narrower tower on the site, as recommended in **Section 5.3.3** above will not result in any further impacts on the heritage significance of Old Government House and Domain. A photomontage of the proposed tower at **Figure 29** demonstrates that any tower in this location would not be highly discernible through the intervening trees. Further, an approved Part 3A development on Marsden Street (MP09_0167), if built, would obscure most views of the tower as demonstrated in **Figure 30**. Further, if the tower were to be relocated slightly north on the site as also recommended in **Section 5.3.3**, it would be completely obscured by the intervening Marsden Street development.

It is also noted that the proposed tower is not within any significant view lines affecting the Park, as established by the *Old Government House and Domain, Parramatta Park Management Plan*.

The proposal is therefore considered acceptable in terms of any impacts to Old Government House and Domain.



Figure 29: Photomontage showing proposed tower as viewed from front entrance of Old Government House (Source: Proponent's Statement of Heritage Impact)

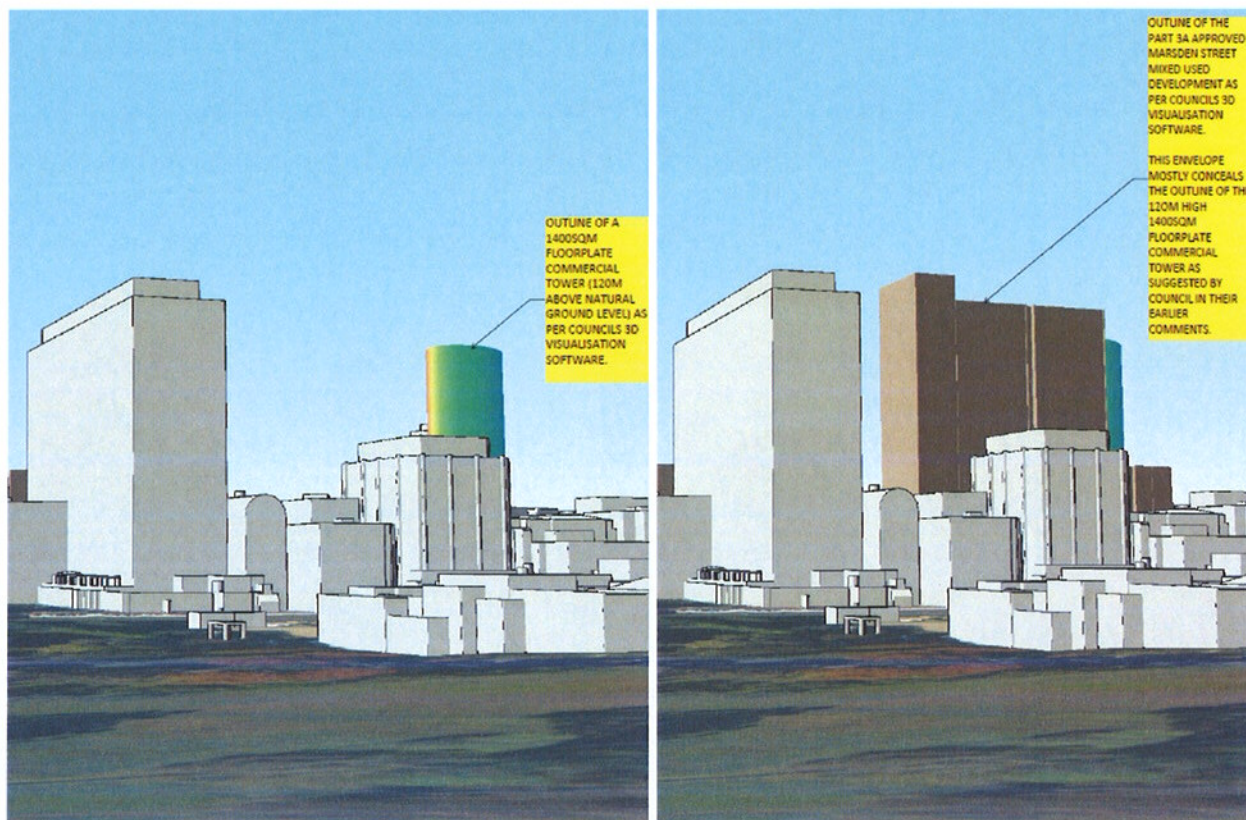


Figure 30: Visualisation showing recommended tower envelope as viewed from front entrance of Old Government House currently, and with future Marsden Street development (Source: Parramatta City Council)

5.5.3 Other Heritage Items: St Johns Anglican Cathedral; Parramatta Town Hall and Parramatta Station

The Heritage Council raised concerns that the proposed bulk and height of the commercial tower would introduce a dominant feature into the setting and view corridors of these significant items, and that the height would detract from the historically significant landmark qualities of the Cathedral spires and town hall. It recommends reducing the bulk and scale of the tower without increasing its height.

Changes to the building envelope are recommended in **Section 5.3.3** to reduce the bulky appearance of the tower, although an increase in height is also recommended. The Department agrees that the tower will be visible from these locations (refer to **Figure 22**), however, given the likely much taller future developments at Parramatta Square in much closer proximity to these to these items, the tower on the Westfield site is unlikely to be as visually prominent, and the proposed increase in height is not considered to result in any significant additional impacts on the heritage significance of the items, in the context of surrounding built forms.

5.6. Public Domain and Art

The issue of public domain works relates closely to the issue of street activation discussed in **Section 5.3.2** above. A Landscape and Public Domain report submitted with the EA identifies broadly the opportunities for landscape and public domain improvements in the footpath areas adjoining the site including new paving, landscaping, street furniture and lighting. The plan includes potential future public art provision at the corner of Church and Argyle Streets. As with the street activation works, most public domain improvements outlined in the EA are proposed as part of Stage 2, rather than as part of the retail expansions in Stage 1.

Council and Public Concerns

Council has raised a concern that the proposed initiatives are not detailed enough and the extent of improvement is not commensurate with the scale of the proposed development. They have requested the provision of detailed footpath alignment plans and a full Public Domain Plan in accordance with Council's Public Domain Guidelines before any approval of Stage 1. Council has also suggested opportunities for further improvements to the public domain including increased street setbacks to allow for wider footpath areas (particularly along Argyle Street) and opportunities to link the development to Parramatta Square.

Parramatta City Council also requested a detailed Public Arts Plan, and have suggested that at least 0.25% of the cost of works (\$111,500) should be provided towards public art in the vicinity of the site.

A public submission also raised concerns about the need for footpath upgrades, additional street lighting and cycle paths in the surrounding area.

Proponent Response

The proponent submits that it is not reasonable to require wholesale upgrading to the public domain adjoining the site as part of Stage 1 as the Stage 1 works involve only minor changes at the ground level. However, the PPR has included a commitment to prepare a Public Domain Plan in consultation with Parramatta City Council prior to the occupation of Stage 1 for footpath areas immediately adjoining the site. They suggest that all public domain upgrades beyond the immediate frontages to the site should be funded through the Section 94 contributions.

The proponent has also committed to prepare an Art Works Plan in consultation with Council and to commit up to \$60,000 towards art works.

Department Assessment

In its request for a PPR, the Department raised concerns regarding the scope of the public domain works and their timing. The Department requested that an adequate scope of public domain works be provided within Stage 1 to improve the pedestrian environment. No new public domain plan was submitted with the PPR. The Department also requested consideration be given to the provision of an Arts Plan.

The Department considers that like the street activation works discussed in **Section 5.3.2**, the intensification of the retail use of the site and the generation of additional pedestrian traffic are the main drivers for the need to provide appropriate public domain improvements. As such, it is recommended that a detailed Public Domain Plan be prepared in consultation with Council and approved prior to the commencement of Stage 1, with all works to be delivered as part of Stage 1 of the proposal. The Department considers that public domain improvements should be provided to all footpaths and pedestrian areas adjoining the site and Church and Argyle Street improvements should be designed in conjunction with street activation and façade upgrades as recommended in **Section 5.3.2**. An appropriate condition is included in the recommendation to this effect. However, there has been no demonstrated need for public domain improvements beyond the immediate frontages of the site (other than road infrastructure improvements discussed in **Section 5.2**) in order to mitigate the impacts of the development.

Despite the recommendations raised by Council, the Department does not consider that there is a need to demolish existing sections of the building in order to widen footpaths, and that there is ample room within existing footpaths to cater for pedestrian movements and provide scope for appropriate landscape and public domain improvements.

In terms of public art provision, both stages of the development generate a need for appropriate public art. The proponent's suggested provision of potential future public art provision at the corner of Church and Argyle Streets, being the main entrance to the retail centre should be provided at Stage 1. The Department also suggested that the proponent consider elevational art instalments. These could be used to improve the existing facades of the retail centre and therefore should also be incorporated as part of the Stage 1 development. Public Art could also be incorporated adjacent to the entrance of the commercial tower or within the proposed sky lobby as part of Stage 2. A condition requiring the provision of a detailed Arts Plan (to the value of \$60,000) in conjunction with the Public Domain Plan has therefore been recommended for Stage 1, with a further Arts Plan to be provided as part of the future assessment requirements for Stage 2.

5.7. Other Issues

5.7.1 Privacy Impacts

A concern was raised in the public submissions that the proposed commercial tower would have an impact on the privacy of residents at 118 and 140 Church Street. Privacy will be considered in greater detail in the assessment of the future development application for the tower, and where considered necessary, the design can incorporate privacy screening to nearby premises. However, with the recommended changes as outlined in **Section 5.3.3** of this report, it is likely that the future tower would be more than 40 metres from the closest residential tower at 140 Church Street, which more than exceeds the 24 metre building separation recommended within the residential flat design code to ensure a reasonable level of privacy.

5.7.2 Staging of the proposal

Parramatta City Council suggested that the staging of the commercial tower and retail floor space additions should be reversed, with the tower being provided first, or a mechanism be included in the approval to ensure the commercial development occurs in the short-term. Whilst it is acknowledged

that the reversal of the staging of the developments would resolve some issues such as the conflict between façade upgrades and potential future floor plan changes arising from the tower (as discussed in Section 5.3.2) this is considered a relatively minor issue and there is no material justification to require a change in the proposed staging. Nor is there any mechanism by which the Department could require the proponent to act on the Concept Approval and proceed with construction of the commercial tower.

5.7.3 Construction Impacts

Due the scale of the project, there is potential for substantial impacts to arise during the construction phase in relation to noise, traffic, and air emissions from the site. The only submission received in this regard was from Transport for NSW highlighting the need for a construction traffic management plan to manage impacts to bus services during the construction phase.

The proponent submitted a 'Draft Construction Management Plan', with the application outlining broadly how it will mitigate against construction impacts. It is considered that a more detailed plan should be developed, once a builder is engaged and a construction schedule and methodology is established.

Conditions have been included in the Stage 1 Project determination in line with the recommendations from Parramatta City Council. These include requirements for a Construction Environmental Management Plan (incorporating noise and vibration management; soil and water management); Construction Traffic Management Plan; and security fencing and screening prior to commence of works on the site. Further conditions in relation to construction hours and complaints management are also recommended. With the imposition of these conditions, the Department is satisfied that impacts during the construction phase can be appropriately mitigated.

6. CONCLUSION

The Department has assessed the merits of the proposal taking into consideration the issues raised in public and agency submissions.

The Department considers that the site is well suited for the provision of increased retail and commercial floor space due to its location within Parramatta CBD, and excellent access to public transport services. Further, the proposal would make a significant contribution to job creation and assist in strengthening Parramatta's role as Sydney's second CBD in line with the objectives of the Draft Metropolitan Strategy for Sydney to 2031.

In arriving at this conclusion, the Department considered a range of issues and impacts arising from the proposed increased floor space including the economic impacts, traffic impacts, and built form of the development, including its interaction with the public domain.

In terms of the economic impacts, it is considered that the proposed retail expansion would not threaten the role, function, vitality or viability of any existing or planned centres as a result of the redirection of trade. There is also considered to be appropriate demand for the new office floor space which would result in significant positive impacts for job creation within the Parramatta CBD and broader Western Sydney area.

In terms of the traffic impacts, it is acknowledged that traffic generated by the proposal would result in significant additional adverse impacts to the surrounding road traffic network. However, with the provision of road infrastructure and intersection upgrade works, including significant upgrade works on the Great Western Highway as requested by Council and the RMS, it is considered that those impacts would be sufficiently mitigated.

In terms of built form, the Department considers that the site is capable of supporting the scale of development proposed, however, a number of changes to the form and location of the commercial tower envelope are recommended to ensure a better relationship with the emerging built forms in Parramatta City. In addition, a number of modifications are recommended to the street level facades at Church and Argyle Streets, which in conjunction with recommended public domain upgrades, will result in a much improved relationship between the site and the surrounding public domain.

Accordingly, the primary recommended modifications in this regard are:

- A reduction in the maximum floor plate area for the Stage 2 commercial tower (from 2,250m² for levels 1-5 and 1,480m² for levels 6-20 as proposed) to 1,400m² for all levels: essentially deleting the 5-storey plinth element in favour of a traditional and more narrow tower form;
- A change in the maximum building envelopes for the Stage 2 commercial tower (from 2,500m² for levels 1-5 and 1,660m² for levels 6-20 as proposed) to 1,800m² for all levels;
- An increase in the height of the commercial tower envelope from 100 metres to 120 metres;
- Relocation of the tower closer to the intersection of Church and Argyle Street;
- Modifications to levels 2 and 3 and associated façade changes to be incorporated into the Stage 1 Project Application to provide active façade frontages on Church Street and Argyle Street at footpath level; and
- Detailed landscape, public domain and arts plans to be developed and incorporated into the Stage 1 Project Approval providing public domain improvements to all frontages of the site.

The Department has also considered a range of other issues raised by Council, agency and public submissions, including impacts on parking, public transport, public art, heritage, overshadowing, privacy, and construction impacts. To assist with its assessment, the Department has also considered the independent advice of experts in terms of economic impacts and traffic impacts of the proposal. Following consideration of all of the issues, the Department is satisfied that with the imposition of appropriate conditions all other impacts have also been satisfactorily addressed.

The Department is satisfied that the site is suitable for the proposed development and that the proposal would provide environmental, social and economic benefits to the locality. Subject to conditions recommended in this report, the proposal is considered capable of providing a good quality development consistent with local and regional planning strategies. The Department therefore recommends that the Concept Plan and Stage 1 Project Application be approved, subject to the modifications and conditions set out in the attached Instruments of Approval.

7. RECOMMENDATION

It is recommended that the Planning Assessment Commission, as delegate of the Minister for Planning and Infrastructure:

- (a) **Consider** the recommendations of this Report;
- (b) **Approve** the Concept Plan under section 75O of Part 3A of the *Environmental Planning and Assessment Act, 1979*;
- (c) **Approve** the Project application under section 75J of Part 3A of the *Environmental Planning and Assessment Act, 1979*;
- (d) **Sign** the attached Instruments of Approval (**Appendix F**).

Endorsed by:


Chris Ritchie
A/Director

Industry, Social Projects and Key Sites

NSW Government
Department of Planning & Infrastructure



Chris Wilson
Executive Director
Development Assessment Systems and
Approvals

21.1.14