

Concept Approval

Section 75O of the *Environmental Planning & Assessment Act 1979*

As delegate of the Minister for Planning and Infrastructure under delegation executed on 14 September 2011 (effective 1 October 2011), we the Planning Assessment Commission of New South Wales (the Commission) determine:

- (a) to approve the concept plan referred to in Schedule 1, subject to the terms of approval in Schedule 2 and the Proponent's Revised Statement of Commitments in Schedule 4, pursuant to Section 75O of the *Environmental Planning and Assessment Act 1979*; and
- (b) pursuant to section 75P(1)(a) of the *Environmental Planning and Assessment Act 1979*, outline the further environmental assessment requirements for Stage 2 of the development as set out in Schedule 3.

Member of the Commission

Member of the Commission

Member of the Commission

Sydney

2014

SCHEDULE 1

PART A: PARTICULARS

Application No.: MP10_0068 (CP)

Proponent: Westfield Ltd

Approval Authority: Minister for Planning & Infrastructure

Land: Westfield Shopping Centre, Parramatta (Lot 2 DP851525)

Project: Additions to Shopping Centre incorporating:

- 31,495 m² (GFA) of retail additions and associated internal modifications;
- Building envelope for commercial tower above retail podium incorporating up to 35,000m² (GFA) commercial floor space;
- Parking for 562 vehicles;
- Associated public domain works; and
- Road infrastructure works to support the development.

PART B: NOTES RELATING TO THE DETERMINATION OF MP10_0068 (CP)

Responsibility for other approvals/ agreements

The Proponent is responsible for ensuring that all additional approvals and agreements are obtained from other authorities, as relevant.

Appeals

The Proponent has the right to appeal to the Land and Environment Court in the manner set out in the Act and the Regulation.

Legal notices

Any advice or notice to the approval authority shall be served on the Director-General.

PART C: DEFINITIONS

Act means the *Environmental Planning and Assessment Act 1979* (as amended).

Advisory Notes means advisory information relating to the approved development but do not form a part of this approval.

Council means Parramatta City Council

Department means the Department of Planning & Infrastructure or its successors.

Director-General means the Director-General of the Department or his nominee.

Environmental Assessment means the Environmental Assessment prepared by Ingham Planning and dated November 2012.

GFA means gross floor area.

Minister means the Minister for Planning & Infrastructure.

MP10_0068 (CP) means the Concept Plan and **MP10_0068 (PA)** means the Project Application described in the Proponent's Environmental Assessment and Preferred Project Report.

Preferred Project Report (PPR) means the Preferred Project Report and Response to Submissions prepared by Ingham Planning and dated June 2013.

Proponent means Westfield Ltd or any party lawfully acting upon this approval.

Certifying Authority has the same meaning as Part 4A of the Act.

Regulation means the Environmental Planning and Assessment Regulation 2000 (as amended).

Subject Site has the same meaning as the land identified in this Schedule.

End of Schedule 1

SCHEDULE 2

PART A - TERMS OF APPROVAL

Development Description

A1 Concept approval is granted to the development as described below:

Additions to Shopping Centre incorporating:

Stage 1

- Single-storey retail extension (31,495 m² GFA) and associated internal modifications;
- Three additional parking levels providing 562 additional car parking spaces;
- Associated public domain works; and
- Road infrastructure works.

Stage 2

- Building envelope for commercial tower above retail podium incorporating up to 35,000m² (GFA) commercial floor space.

Development in Accordance with the Plans and Documentation

A2 The development shall be undertaken generally in accordance with:

- the Environmental Assessment dated November 2012 prepared by Ingham Planning as amended by the Preferred Project Report prepared by Ingham Planning dated June 2013, including all associated documents and reports;
- the Draft Statement of Commitments prepared by Ingham Planning dated June 2013 2012; and
- the following drawings:

<i>Drawings Prepared by Westfield</i>		
<i>Drawing No</i>	<i>Name of Plan</i>	<i>Date</i>
DA-01-2070-CP Rev D	Concept Envelope	June 2013
DA-01-5301-CP Rev D	Proposed South Elevation 2 – Campbell Street	June 2013
DA-01-5302-CP Rev D	Proposed North Elevation 1 – Argyle Street	June 2013
DA-01-5303-CP Rev D	Proposed East Elevation 3 – Church Street	June 2013
DA-01-5304-CP Rev D	Proposed West Elevation 4 – O'Connell Street	June 2013
DA-01-5305-CP Rev D	Proposed East Elevation 5 – Marsden Street	June 2013
DA-01-5306-CP Rev D	Proposed West Elevation 6 – Marsden Street	June 2013
DA-01-5401-CP Rev D	Section AA + BB	June 2013
DA-01-5402-CP Rev D	Section CC + DD	June 2013

except for as modified by the following pursuant to section 75O(4) of the Act.

Inconsistencies between documentation

A3 In the event of any inconsistency between modifications of the Concept Plan approval identified in this approval and the drawings/documents including Statement of Commitments referred to above, the modifications of the Concept Plan shall prevail.

Building Envelopes

- A4 Building footprints and setbacks are to be generally consistent with the Concept Plan building envelope parameter diagrams for each site, except where amended by the Modifications in Part B of this Approval.

Maximum Gross Floor Area (GFA)

- A5 The maximum GFA for the development shall not exceed 66,495m² comprising a maximum of:
- 31,495m² retail GFA; and
 - 35,000m² commercial GFA.

Car Parking

- A6 562 net additional car parking spaces are to be provided as part of the Stage 1 development.

Lapsing of Approval

- A7 Approval of the Concept Plan shall lapse 5 years after the determination date shown on this Instrument of Approval, unless an application is submitted to carry out a project or development for which concept approval has been given.

PART B - MODIFICATIONS

Building Envelope

- B1 The plans described above in Part A – Terms of Approval shall be modified to provide a building envelope for the commercial tower as follows:

- (a) Maximum building envelope area of 1800m² per floor;
- (b) Maximum GFA area of 1400m² per floor;
- (c) Maximum building envelope height of 120 metres above ground level; and
- (d) Average setback to Church and Argyle Streets of 8 metres.

Amended plans, demonstrating compliance with this modification shall be submitted to, and approved by, the Director General.

- B2 The plans described above in Part A – Terms of Approval shall be modified to provide a building envelope for the retail additions as follows:

- (a) Retail extensions at levels 6 and 7 shall be setback an additional 4 metres from the Campbell Street boundary for part of the southern façade in accordance with details shown on Plans DA-01-5210 and DA-01-5212 Revision D dated September 2013

End of Schedule 2

SCHEDULE 3

FUTURE ENVIRONMENTAL ASSESSMENT REQUIREMENTS

Design Excellence

1. A design competition shall be held prior to the submission of a future Development Application for Stage 2 (the commercial tower) in accordance with the Director-General's Design Excellence Guidelines and Parramatta Council's Design Excellence Competition Guidelines
2. The future Development Application for Stage 2 shall demonstrate that the development achieves a high standard of architectural design incorporating a high level of modulation / articulation of the building and a range of high quality materials and finishes.

Built Form

3. The future Development Application for Stage 2 shall be located entirely within the building envelope required by Modification B1.
4. Notwithstanding the maximum building envelope as required by Modification B1, the future Development Application for Stage 2 shall demonstrate that the building floor plate or gross floor area does not exceed 1400m² per floor.

Environmental Performance

5. The future Development Application for Stage 2 shall demonstrate that the commercial tower achieves a minimum 5 star Green Star rating and incorporates ESD principles in the design, construction and ongoing operation phases of the development in accordance with the initiatives specified in the ESD Report prepared by Cundall dated 15 November 2012.

Landscaping and Public Domain

6. The future Development Application for Stage 2 shall include detailed landscape plans for all associated public and private open space areas, and for any alterations to the landscape treatment of adjoining public domain areas and road reserves arising from the proposed works.

Public Art

7. The future Development Application for Stage 2 shall provide a Public Art Plan for the provision public art within the public locations of the Stage 2 development detailing:
 - (a) materials to be used, with particular attention to durability;
 - (b) location and dimension of artwork;
 - (c) public art themes to respond to site history and or social, cultural or natural elements;
 - (d) integration into the site and surrounds; and
 - (e) budget and funding.

Cycle Facilities

8. The future Development Application for Stage 2 shall demonstrate appropriate bicycle parking for occupants of the commercial tower.
9. The future Development Application for Stage 2 shall demonstrate appropriate 'end of trip facilities' for cyclists within the commercial tower.

Section 94 Contributions

10. Developer Contributions for all future approvals shall be paid to Council in accordance with the requirements of the Contributions Plan current at the time of approval.

Construction Management

11. A Construction Management Plan is to be submitted as part of any future application for the site. The Construction Management Plan is to include consideration of the following
- (a) timelines and timeframes for staging and completion of works
 - (b) pedestrian accessibility, legibility, safety and prioritisation;
 - (c) operational integrity of the adjoining Bus interchange including the continuity of bus services; and
 - (d) potential impacts on traffic, rail, and taxi operations

End of Schedule 3

SCHEDULE 4

Proponent's Statement of Commitments

ISSUE	COMMITMENT	APPROVAL AUTHORITY	TIMING
Building Code of Australia & Australian Standards	The proposed building is designed to meet all relevant requirements of the BCA & Australian Standards	PCA	Prior to issue of Construction Certificate
Demolition	Demolition work will comply with the requirements of AS2601:2001 in relation to Demolition of Structures. A work plan required by AS260.1:2001 will be	PCA	Prior to issue of Construction Certificate

ISSUE	COMMITMENT	APPROVAL AUTHORITY	TIMING
	accompanied by a written statement from a suitably qualified person that demolition works in the work plan comply with the safety requirements of the relevant Standards.		
Geotechnical and excavation	Geotechnical and excavation issues associated with structural strengthening will be addressed as part of the preparation of Construction Certificate documentation. This is not a significant issue as minimal excavation is required. A dilapidation survey will be undertaken of adjoining properties prior to works commencing.	PCA	Prior to issue of Construction Certificate
Pedestrian access during construction	Pedestrian access along public footpaths around the site will in the main be retained during construction and suitable pedestrian safety measures implemented where required (see CMP)..	Council	During Construction
Access to car parking during construction	The final Construction Management Plan will include a Car Parking Management Plan to ensure adequate parking is available during the construction phases.	PCA	During Construction
Accessibility	The proposed development will be designed & constructed to comply with the relevant Australian Standards, the BCA & the intent of the Disability Discrimination Act with respect to access.	PCA	Prior to issue of Construction Certificate
Public domain works	A public domain improvements plan will be prepared in consultation with Parramatta City Council for public domain improvements. Timing of construction of public domain improvements will be negotiated with Council.	Council	A Public Domain Improvement Plan will be prepared, finalised and approved, prior to occupation of Stage 1 works. Rectification of any damage to public infrastructure will be completed prior to building occupation.
Street Activation	The concept plan for street activation of the Argyle Street interface will be further developed in consultation with Council.	Council	Argyle Street Activation Plan approved by Council prior to finalisation of Stage 2 Plans.
Art work	An Art Works Plan is to be prepared in consultation with Parramatta Council. Westfield will commit up to \$60,000 towards art works aimed at adding to the overall quality of the public domain including the main pedestrian entries to the development.	Council	An Art Works Plan will be prepared, approved and implemented, prior to occupation of Stage 1 works.
Office Tower Architectural design Competition	An Architectural Design Competition will be held for the design of the office tower and a preferred design adopted by the proponent.	Council	Within 12 months of occupation of Stage 1.
S94A Developer Contributions	The proponent undertakes to pay the S94A Developer Contribution (currently 3% of project value) to Council, payable with each respective stage of the development.	Council	Contribution for Stage 1 paid prior to issue of Stage 1 Construction Certificate (CC). Contribution for Stage 2 paid prior to issue of Stage 2 (CC).

ISSUE	COMMITMENT	APPROVAL AUTHORITY	TIMING
Transport Accessibility Plan/Guide/Brochure	Preparation of Transport Accessibility Plan/Guide to inform visitors, shoppers and workers of transport options to access the site without the need to rely on private motor vehicles.	NSW Department of Transport	Prior to occupation of Stage 1.
Road/traffic improvements	Implement road and traffic improvements on the Great Western Highway, Campbell Street, Church Street (northbound) and modifications to signal timing as outlined in Section 3.38 of the Traffic Impact Study report prepared for the project by Colston Budd Hunt & Kafes Pty Ltd, dated October 2012	Council & Roads & Maritime Services	Prior to occupation of Stage 1.
Construction hours	In accordance with the CMP, construction hours will be limited to between 7am and 6pm Monday to Friday and 7am to 5pm Saturdays. Variations where required, will be identified in consultation with Council.	Council	During Construction
Construction Management	A Draft Construction Management Plan has been prepared (see Appendix O of the EA). Construction will be undertaken in accordance with the final approved versions of these plans.	PCA	Prior to issue of Construction Certificate and during construction for work activity on the site.
Ecologically Sustainable Development	<p>The proposed retail level will achieve a 4 Green Star Retail design rating. The proposed office tower development will achieve a 5 Green Star Office design rating.</p> <p>Prior to issue of the Construction Certificate for each stage of proposed works, an ESD strategy will be provided outlining measures to be incorporated into the building.</p>	PCA	Prior to issue of the Construction Certificate for each stage of the development.