



Our ref: 09150

14th May 2010

Mr. Sam Haddad
Director General
NSW Department of Planning
22-33 Bridge Street
SYDNEY NSW 2001

Attention Mr. Anthony Witherdin

Dear Sir,

RE: Part 3A Request under Section 6 for Minister's Declaration - Proposed Retail and Commercial Development of Westfield Shopping Centre Parramatta

We act on behalf of Westfield the owner of Westfield Shopping Centre, Church Street and Argyle Street, Parramatta. This site comprises a large shopping mall and cinema complex. Our client is proposing to construct an additional level of retail, a high-rise office building and additional car parking, to be developed in 2 stages.

The proposed development comprises the following components

- the addition of approximately 36,000sqm of retail GFA spread over one retail level located over the existing Westfield Shopping Centre footprint connecting directly into the existing centre
- the addition of approximately 35,000sqm of commercial GFA located in one landmark gateway commercial tower located on the corner of Argyle St and Church St
- the addition of approximately 1,100 car spaces located adjacent to the proposed retail component
- the activation and revitalization of the public domain on the corner of Argyle St and Church St

The project is estimated to have a construction cost of \$450million.

Our client has recently undertaken consultations with Parramatta Council regarding the proposed additional development of Westfield Parramatta. Council has advised that the height of the proposed office tower and the total proposed floor space (including car parking areas above ground level), exceeds the permitted maximum floor space and height controls and additional floor space will result in a shortfall of car spaces as required by Parramatta City Centre LEP 2007.



Given the scale and significance of the proposed development Parramatta Council has advised that the appropriate course of action is to have the development proposal assessed under the Part 3A Major Infrastructure and Other Projects provisions of the *Environmental Planning and Assessment Act 1979 (EP&A Act)*.

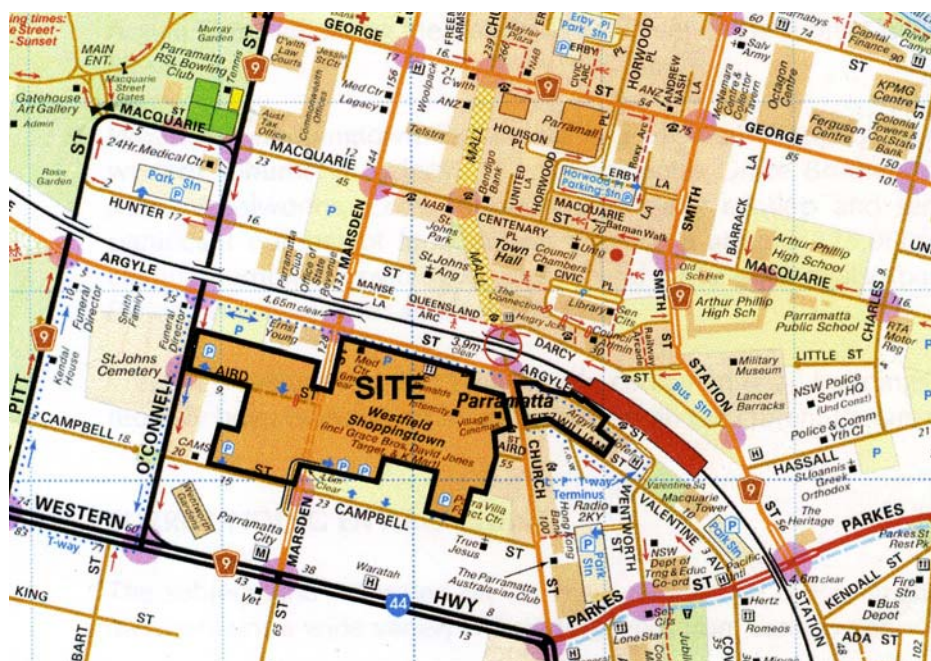
This submission requests that a declaration by Order of the Minister be made in accordance with s75B(1) of the *EP&A Act* that the proposed commercial building is a project to which Part 3A of the *Act* applies. On the assumption that the Minister declares the proposal to fall within Part 3A of the *Act*, it is also requested that the Director General issue his requirements relating to the nature and extent of necessary plans, documentation and assessment for the preparation of an Environmental Assessment to accompany a Project Application for the proposal.

The following supporting information and preliminary assessment is included to assist in understanding the proposal and the main development, planning and environmental issues relevant to the proposed development at Westfield Shopping Centre, Parramatta.

1. The Site

The subject site is located adjacent to Parramatta Railway Station, near the western termination of the proposed Civic Place re-development site, within the central business district of Parramatta, the regional hub of Western Sydney. The location of the site within the Parramatta CBD and the site's boundaries are shown in the location plan below.

Location and Site





The Westfield site, west of Church Street is described as Lot 2 in DP 891525 and contains the majority of existing retail floor space, including major retailers such as Myers, David Jones, Target, K Mart, Woolworths, Coles and a large range of specialty retailers, together with parking for 4,600 cars.

The site is strategically located alongside the Parramatta Transport Interchange and includes an underground pedestrian arcade connection to the main concourse level of Parramatta Railway Station. A short distance to the northeast of the site, extending east from Church Street on the northern side of the railway line is the planned Civic Place development. This major mixed-use redevelopment includes 65,000m² of commercial floor space, 60,000m² of residential floor space, 35,000m² of retailing, entertainment, leisure and community facilities and a major public square.

Council has acknowledged that the proposed Westfield development will complement planned development of Civic Place, functionally forming a western extension of Civic Place. The close proximity of the two sites will encourage connectivity and pedestrian movement through the proposed Civic Place east-west public space.

The aerial photograph below shows the context of the Westfield site within the Parramatta CBD, including proximity of the site to the Parramatta Transport Interchange and the planned Civic Place development to the north and north west of the Interchange.





The following photographs illustrate key components of the site including the main entry from Argyle Street and existing development to the west along Argyle Street. The Argyle Street frontage, extending west from the main entry will be the primary focus for public domain improvements and street front activation.







2. The Project

Westfield is seeking approval for construction of an additional retail level, a high-rise commercial office building, additional car parking and activation to the Argyle Street façade at ground level, as part of public domain improvements.

The retail component of the project, including additional parking levels, will have a maximum building height of 41 metres. The proposed office building will comprise approximately 20 levels of commercial floor space above the retail podium, with a maximum building height of 100metres. The resulting total gross floor area (GFA) on the site, including car parking above ground level is approximately 435,000m². If car parking is excluded, the total GFA is approximately 245,000sqm (35,000sqm of office GFA and 210,000sqm of retail GFA).

The development is to proceed in 2 stages, with the additional retail car parking facilities proceeding in the first stage to accommodate retail relocations, providing access to areas requiring extensive structural enhancement works to support a 20 level landmark office building as stage 2. A full approval is sought for stage one and a concept approval for the second stage, comprising the office building.

Stage 2 of the proposal also includes street activation and revitalization through public domain improvements focused in Argyle St/Church St precinct and opportunities for improving connectivity to other precincts within the CBD, including Civic Place.



The landmark office tower will be positioned at the southwest corner of Church Street and Argyle Street providing a minimum 5 Green Star A Grade quality prestige corporate “headquarters” office building, which are in limited supply in Parramatta. With the exception of Civic Place, no other major commercial towers are in the “pipeline” for Parramatta.

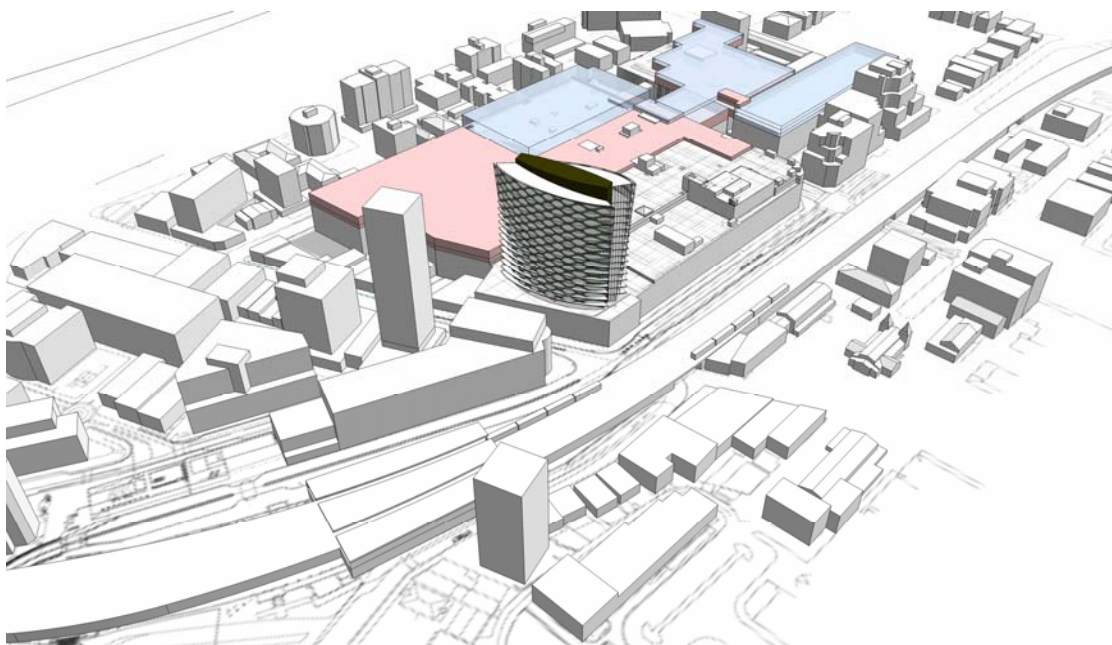
Existing internal pedestrian circulation, including pedestrian access from Argyle Street, west of Church Street, and under Church Street through to the Transport Interchange will be maintained. The site is within easy walking distance of the CBD’s commercial core and further opportunities will be explored in consultation with Council, to enhance connectivity to Church Street North and the western end of the planned Civic Place development.

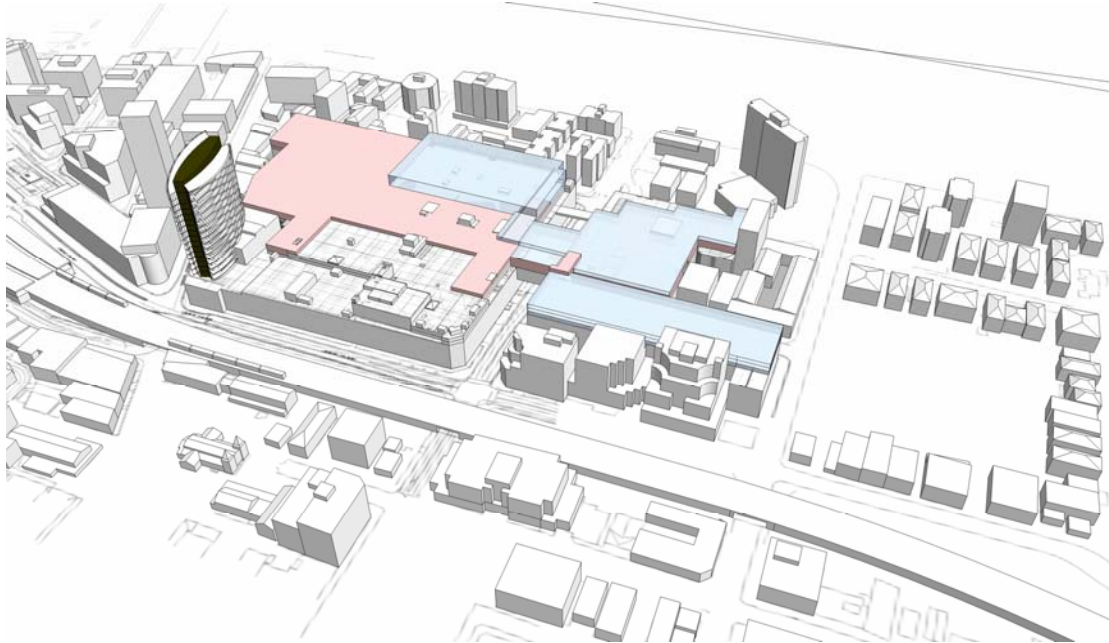
The site currently has convenient vehicular access from the nearby Great Western Highway and from the north via Marsden Street. A parking and traffic management plan will be included with the application.

The additional retail floor level is designed to integrate with the existing built form of the shopping centre and will have minimal impact on the streetscape or character of the locality. Architecturally, the proposed landmark office tower will be designed to have a strong presence, serving as a southern gateway to the CBD.

Conceptual sketches of the building envelope and general development form are shown in the following perspective views.

Perspective views of proposed development





3. SEPP (Major Development) 2005

Clause 6 of SEPP (Major Development) 2005 provides that development, that is in the opinion of the Minister, development for the purposes referred to in Schedule 1 (Classes of Development) and Schedule 2 (Specified Sites) is declared to be a project to which Part 3A of the *EP&A Act* applies.

Clause 13 of Schedule 1 of SEPP (Major Development) 2005 relates to residential, commercial and retail projects that may be considered under Part 3A as Major Projects on the following basis:

Group 5 – Residential, commercial or retail projects

(1) Development for the purpose of residential, commercial or retail projects with a capital investment value of more than \$100 million that the Minister determines are important in achieving State or regional planning objectives.

The capital investment value of the project is circa \$450M based on Westfield design and Construction estimates. It is well known, Westfield is one of the largest and most experienced developers both globally and in Australia. These assessments have been made with the benefit of benchmarking costs and current day experience with the ongoing Pitt Street mall development in Sydney CBD. This value is far in excess of the minimum \$100 million threshold contained in the SEPP for commercial projects. A calculation of capital investment value is attached at **Appendix A**.



4. Regional Significance

The site is located within the Parramatta CBD that is identified as one of three Regional Cities in the Sydney Metropolitan Strategy “City of Cities”. Under this Strategy the Parramatta CBD is earmarked for significant growth to the year 2031, including a 44% increase in jobs from 41,662 to 60,000.

A substantial portion of these new jobs is to be located within the commercial core of the CBD where new planning controls have been introduced to allow development with increased floor space ratios, compared to previous planning controls.

The project is considered to be important for achieving regional planning objectives, particularly in relation to encouraging high quality retail and commercial development in the Parramatta CBD continuing to strengthen Parramatta’s role in the Sydney Metropolitan Strategy as Sydney’s second CBD.

The site is ideal for large scale development given its significant size and convenient location alongside a major transport interchange. Proximity to and connectivity with the planned Civic Place development enhances both projects, creating a revitalized CBD attracting business, jobs and visitors to Parramatta.

Compared to the Sydney CBD and many other major CBD’s in the sub-regions to the east of Parramatta, there is a limited availability of high quality office space and white collar employment in western Sydney. Apart from Civic Place, there are few if any major new office buildings planned for development in the Parramatta CBD.

A large proportion of western Sydney residents must travel long distances to the Sydney CBD and other nearby CBD’s for employment. Providing high quality office space will attract white collar employment to the Parramatta CBD and improve accessibility to white collar jobs for the rapidly growing population of western Sydney.

Parramatta and nearby Local Government Areas are experiencing rapid population growth and as a consequence there is a need to provide additional good quality retail floor space in the Parramatta CBD to meet the demands of population growth in the retail catchment. Enhancing Parramatta as a shopping destination will ensure that it remains competitive with the Sydney CBD and reduces potential for “escape” expenditure.

The project will contribute to increased accessibility to public transport services by providing quality employment generating development on a site adjoining a major public transport hub. The development is readily accessible to rail and bus services provided at the adjacent rail/bus interchange.

The proposed development will create in excess of 700 construction jobs and provide employment floor space for approximately 2000 office workers and more than 200 additional retail jobs.



Provision of A Grade 5 to 6 Green Star office space on the site of the type proposed will assist in attracting major businesses with a state and national profile to Parramatta. Currently Parramatta is not well supplied with such office space and there are no significant new office buildings under construction in the Parramatta CBD or likely to commence in the near future, apart from the proposed Civic Place development.

Council has demonstrated through the Civic Place project that it is supportive of projects that are important for Parramatta's continuing development as the primary central Business District for western Sydney, as envisaged in the Sydney Metropolitan Strategy.

5. Parramatta City Centre LEP 2007

The subject land is zoned B4 – Mixed Use pursuant to Parramatta City Centre LEP 2007 (LEP 2007). A Zoning Map extract of the site is attached at **Appendix B**. The proposed commercial office building and additional retail floor space and associated car parking are permissible in the B4 – Mixed Use Zone.

The proposal is consistent with the planning vision for the Parramatta CBD. The recently introduced planning controls for the site under Parramatta City Centre LEP 2007, effectively prevent further development of the site, without some flexibility in the application of maximum permitted FSR, building height and car parking controls in the interests of achieving a good design outcome.

During preparation of the Parramatta City Centre LEP, Westfield Development Pty Ltd made submissions seeking increased FSR and building height limits for the site, more consistent with other nearby precincts within the CBD. Parramatta Council and the NSW Department of Planning acknowledged at the time that the site could accommodate increased FSR and building height, but were not prepared to vary the planning controls in the absence of a suitable design for the site.

The design concept now prepared for the site, including a landmark office tower, public domain improvements and enhanced connectivity to Civic Place and other facilities in the CBD, demonstrates a suitable design for the site, justifying flexible application of the FSR, height and car parking controls.

Recent consultation with Parramatta Council in February 2010 confirms that Council considers the proposed design concept to be worthy of support. Council has however indicated to the Proponent that the planning controls prevent a flexible application of the FSR or building height controls beyond a 10% increase above the nominated building height and FSR controls. Accordingly the Council would not be able to issue a favourable determination of the proposal.

An proposed development against the primary LEP development controls relating to floor space ratio, building height and car parking in the Compliance Table attached at **Appendix D** and the merits of the proposal in relation to those controls considered in the following assessment.



Floor Space Ratio

LEP 2007 identifies a relatively modest maximum 4.2:1 floor space ratio (FSR) for the subject land. Nearby land to the north and northeast, also zoned B4 – Mixed Use is provided with far more generous maximum FSR of 6:1. The existing Westfield Shopping Centre, including above ground car parking, is built to an FSR more than the maximum 4.2:1 FSR applying to the land. The 4.2:1 FSR limit imposed by LEP 2007 effectively prevents further development of the site.

In the case of commercial office developments located near high quality frequent public transport services it is feasible to significantly reduce car parking provision as most staff employed in such buildings workers can utilize public transport. This is not possible with major retail development, as most shoppers require conveniently located car parking on or near the site, particularly for supermarket shopping, or where a number of product purchases are proposed. Accordingly it is not possible to reduce car parking to free up additional FSR capacity for retail and commercial purposes.

Council has advised that pursuant to cl 22C of Parramatta City Centre LEP 2007, car parking above ground level must be included within the calculation of FSR, resulting in the planned development exceeding the FSR limit in the LEP. There is some degree of ambiguity in the calculation of FSR, as the definition of gross floor area in the LEP excludes car parking required to meet Council requirements.

FSR controls are primarily aimed at controlling building bulk and scale. The nominated building envelope demonstrates that additional floor space can be accommodated with only limited overall change to existing building bulk and scale, and minimal environmental impact. Additional building height and bulk can be successfully accommodated in the northeast corner of the site in the former of a southern “gateway” to the CBD and western termination of planned high-rise development in the Civic Place precinct.

Maximum Building Height

A maximum building height limit of 36 metres applies, which significantly constrains retail development due to the generally more generous floor to ceiling height clearances and the need for additional rooftop car parking levels to meet parking requirements. The 36 metre height limit also precludes development of a prestige landmark office building on the site. Such a building located within the site at the corner of Church Street and Argyle Street, adjacent to Parramatta Railway Station would assist in creating the southern gateway to the Parramatta CBD and the proposed Civic Place redevelopment.

Nearby land to the north, northeast and east is provided with far more generous maximum building height limits generally in the range 80 to 120 metres. The southern sector of the Civic Place precinct, extending along Darcy Street has a maximum permitted building height of 200 metres. The western end of this high-rise precinct is located just 50 metres north of the proposed 100 metre high commercial tower building.



The primary purpose of the existing 36 metre height control on the site is to ensure there is not a significant increase in overshadowing of residential properties to the south of the site. The proposal achieves this by suitable placement of floor space where such floor space extends above the 36 metre height control. Location of the office tower in the northeast corner of the site also minimizes shadow impact from this building.

Approximately 50% of proposed leasable floor space is to be accommodated in a tower building appropriately located at the southern gateway to the CBD, adjoining the transport interchange precinct, in a locality suitable for accommodating taller buildings.

Car Parking

Clause 22C of the LEP requires 1,200 car spaces for the retail floor space (1 car space for 30m² of GFA) and 350 car spaces for the commercial office floor space (1 car space per 100m² of GFA). A total of 1,100 car spaces are proposed.

The proposed provision of 1,100 car spaces, whilst less than the car parking requirements specified in cl 22C of the Parramatta City Centre LEP 2007, is consistent with Council's strategy of promoting public transport use by constraining parking supply in the CBD. The site's location alongside the CBD transport interchange is a particularly favourable location for allowing reduced on-site parking provision, to encourage public transport use.

Council has indicated that it interprets cl 22C as prescribing the maximum extent of car parking for development in the Parramatta CBD. Given this interpretation and the site's location alongside the CBD's transport interchange, the provision of 1,100 additional car spaces is considered adequate to address the parking requirements of the proposed development.

5. Conclusion

The proposed development of Westfield Shopping Centre, Parramatta, is a major project that provides for additional retail floor space and a major landmark commercial office building. The project makes a positive contribution to the Parramatta CBD by way of an enhanced public domain, increased range of retail facilities and a high quality environmentally sustainable commercial office building on a strategic gateway site, to the CBD.

The site is located within a regional shopping centre, adjacent to an already established major transport hub and the approved future Civic Place development. The proposed development is important for facilitating the ongoing development of the Parramatta City Centre as a major Regional City within the Sydney metropolitan region.



The project is to be development in 2 stages, with Stage 1 comprising the additional retail and car parking levels and Stage 2 comprising the new commercial office building and retail podium in the northeast corner of the site and public domain improvements to the Argyle Street facade. The Staging Plan attached at **Appendix C** identifies the development stages (pink for Stage 1 and yellow for Stage 2). A project approval is sought for Stage 1 and a concept approval is sought for Stage 2.

The project is considered to meet the criteria of a Major Project as outlined in the guidelines to Part 3A of the *EP&A Act* and we trust that the information we have provided supports the view that the proposal should be classified by the Minister for planning as a Major Project that can be dealt with under Part 3A of the Act.

On behalf of the project proponent, Westfield we request that the Minister for Planning declared the proposed staged retail and commercial development of Westfield Shopping Centre, a Major Project under s6 of SEPP (Major Development) 2005. We also request that the Director General of the NSW Department of Planning issue his requirements for the preparation of the necessary Environmental Assessment.

Please contact the undersigned Nick Juradowitch of Ingham Planning on 9416 9111 or by e mail at nick@inghamplanning.com.au should you require and further information.

Yours faithfully

Nick Juradowitch
Director
Ingham Planning P/L

APPENDICES

- A Calculation of Project Capital Investment Value
- B Zoning Map Extract – Westfield Shopping Centre, Parramatta
- C Staging Plan
- D Compliance Table LEP 2007 Primary Development Controls

APPENDIX A

Calculation of Project Investment Value

WESTFIELD DESIGN & CONSTRUCTION

COST ASSESSMENT FOR DEVELOPMENT

AS AT 11TH MAY 2010

PROPOSED DEVELOPMENT ADDRESS : Westfield Shopping Centre ,Parramatta.

TOTAL CONSTRUCTION COST: \$ 446,000,000

TOTAL SITE AREA: M2 NA

TOTAL GROSS FLOOR AREA: M2 102,900

GROSS FLOOR AREA (Commercial): M2 35,000

GROSS FLOOR AREA (Residential): M2 NA

GROSS FLOOR AREA (Retail): M2 36,000

GROSS FLOOR AREA (Parking): M2: 31,900

PROFESSIONAL FEE: % 10 of construction cost

DEMOLITION & SITE \$ NA Total construction cost/m2 of site area

PREPARATION & EXCAVATION \$ NA Total construction cost/m2 of site area

CONSTRUCTION (Commercial): \$ 4,371 Total construction cost/m2 of commercial area

CONSTRUCTION (Residential): \$ NA Total construction cost/m2 of residential area

CONSTRUCTION (Retail): \$ 7,222 Total construction cost/m2 of retail area

FITOUT (Commercial): \$ NA Total construction cost/m2 of commercial area

FITOUT (Retail): \$ NA Total construction cost/m2 of retail area

CARPARK: \$ 1,034 Total construction cost/m2 of parking area per space

GST: Excluded

- We have calculated the development costs at reasonable current rates including preliminaries, overhead project and contingency.
- All costs exclude GST
- Gross Floor Areas have been measured in accordance with the Method of Measurement of the Building Areas in the AIQS Cost Management Manual Volume 1, appendix A

PREPARED BY: WESTFIELD DESIGN AND CONSTRUCTION

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ADDRESS: 100, William Street, Sydney, NSW 2011

QUALIFICATION: B App Sc.
AAIQS.

REG NO: 1727

SIGNATURE:

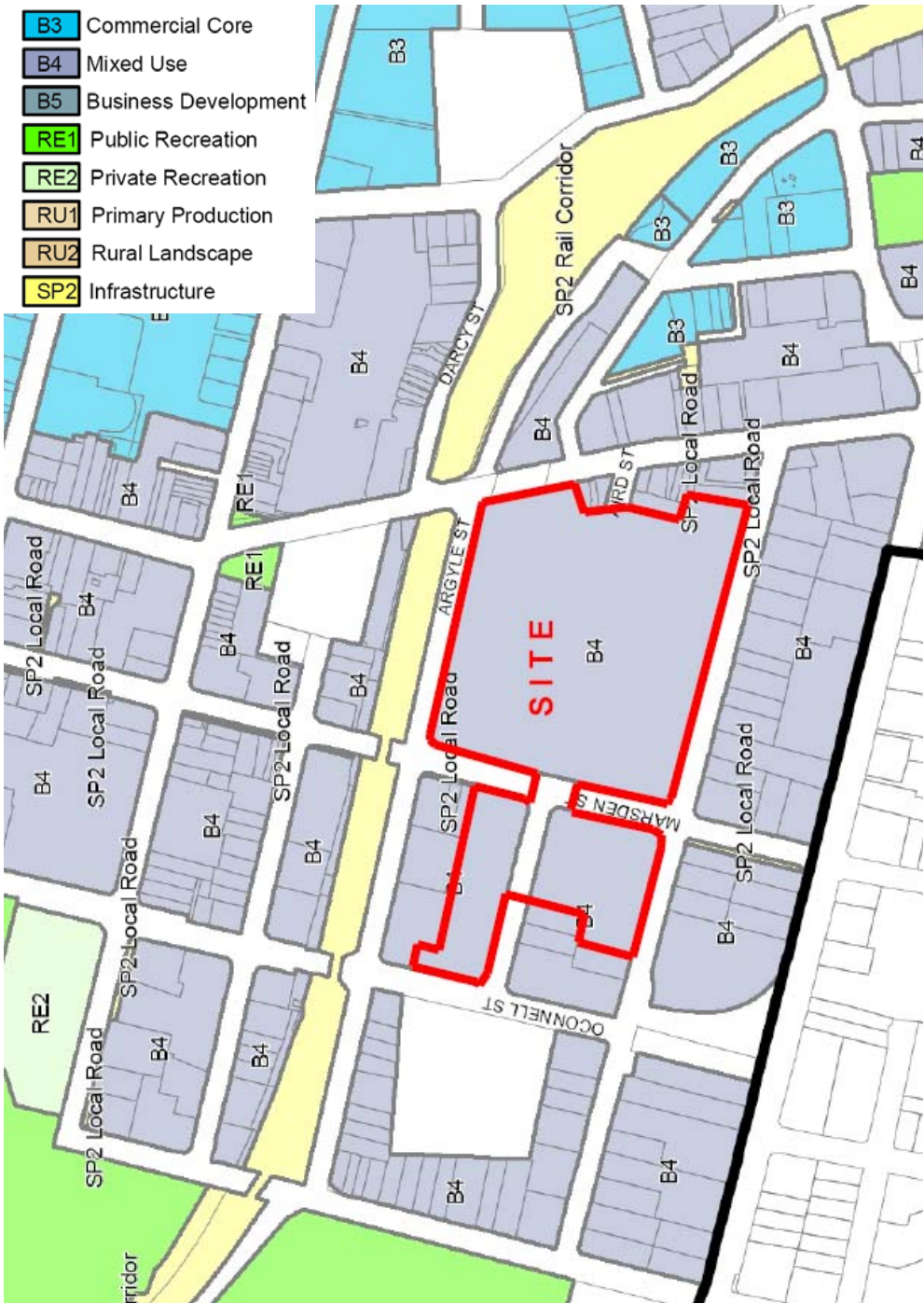


DATE: 11.5.10.

APPENDIX B

**Zoning Map Extract -
Westfield Shopping CentreParramatta**

Appendix B

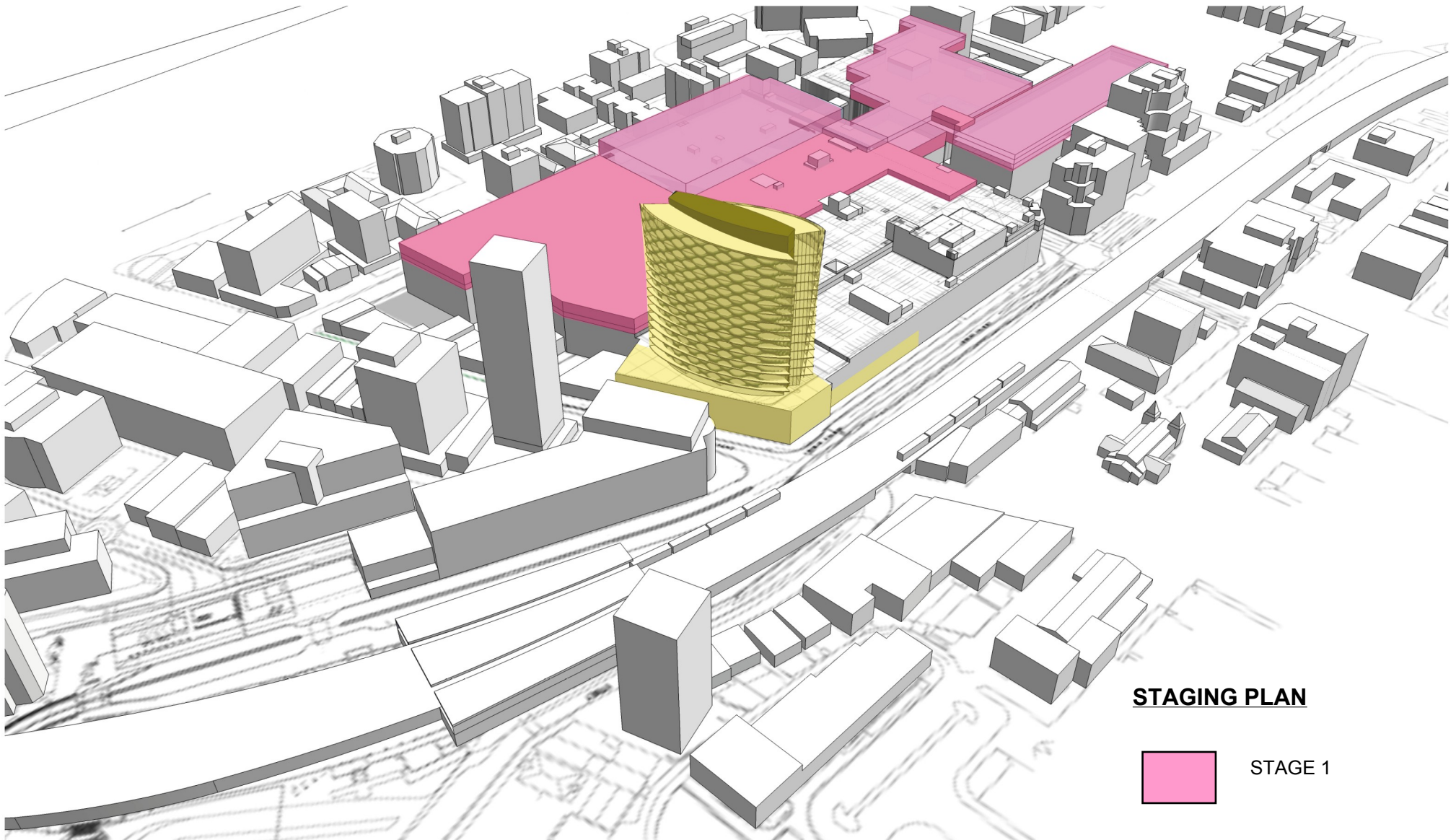


Ingham Planning
PTY LTD

Source –
Parramatta City
Centre LEP 2007

APPENDIX C

Staging Plan



STAGING PLAN



STAGE 1



STAGE 2

APPENDIX D

Compliance Table LEP 2007 Primary Development Controls

Proposed Development of Westfield Shopping Centre Parramatta

Parramatta City Centre Local Environmental Plan 2007 Compliance Table

COMPLIANCE TABLE – PRIMARY LEP DEVELOPMENT CONTROLS

LEP 2007 CONTROL	LEP 2007 REQUIREMENT	PROPOSAL	COMMENTS
Clause 21 Height of Buildings	Maximum building height of 36 metres applies	Retail & Parking 36m to 42m Commercial Tower 100m	Parking levels encroach by up to 6m on the height control. Retail level predominantly complies with 36m height control. Height averaged over the site, apart from the proposed commercial tower, achieves an average height not exceeding 36m. a minor variation on the height control for the retail and parking component is considered reasonable in the circumstances. The Commercial tower designed as a landmark building at the southern gateway to the CBD and as a western termination of the planned Civic Place development. An existing tower building in Church Street, opposite the site is of a similar height. A variation to the height control for the commercial tower is justified in this instance.
Clause 22 Floor Space Ratio	Maximum FSR of 4.2:1 applies to the site (including above ground parking). Site Area = 60,163m ² Maximum permitted floor space (including above ground parking) = 252,684m ²	<u>Existing floor space</u> (including above ground parking) = 317,500m ² <u>Existing FSR</u> = 5.28:1 <u>Proposed additional floor space</u> (including above ground car parking) = 117,500m ² <u>Proposed FSR</u> = 7.23:1	The existing FSR control of 4.2:1 results in a yield that is less than the existing building and prevents further development of the site. If car parking is excluded from FSR calculations existing FSR is 2.99:1 and proposed FSR is 4.17:1. This complies with the FSR control for the site, if car parking is excluded. Given the much higher FSR's that are allowed on other CBD land near the site, positive urban design outcomes and the practical requirement for shopping centres to provide adequate parking, a variation to the FSR control in this case is considered reasonable.

LEP 2007 CONTROL	LEP 2007 REQUIREMENT	PROPOSAL	COMMENTS
Clause 22C Car Parking	<p><u>Car parking required for commercial floor space:</u> 1 car space per 100m2 of commercial GFA</p> <p>Existing commercial (non-retail) floor space = 4,035m2 = 41 car spaces</p> <p><u>Car parking required for retail floor space</u> 1 car space per 30m2 of retail floor space.</p> <p>Existing retail floor space = 175,653m2 = 5,855 car spaces</p>	<p><u>Existing parking provided</u> = 4,600 car spaces</p> <p><u>Parking required for existing development</u> = 5,896car spaces (Shortfall of 1,296 spaces)</p> <p><u>Additional parking required :</u></p> <p>Retail additions of 36,000m2 (1 per 30m2) = 1,200 car spaces</p> <p>Commercial additions of 35,000m2 (1 per 100m2) = 350 car spaces</p> <p><u>Total additional parking required</u> = 1,550 car spaces</p> <p><u>Total additional parking provided</u> = 1,100 car spaces (Shortfall of 450 spaces)</p>	