



## **SYDNEY CENTRAL CITY PLANNING PANEL**

### **COUNCIL ASSESSMENT REPORT**

<b>Panel Reference</b>	2017SWC114
<b>DA Number</b>	DA/808/2017
<b>LGA</b>	City of Parramatta
<b>Proposed Development</b>	33 storey commercial office building fronting Charles Street; 4 storey mixed use building fronting George Street comprised of retail, commercial offices and communal recreation facilities; modification to existing car park at 150 George Street including reduction in car parking spaces; pedestrian through-site link along western boundary of 140 George Street; and associated landscaping and public domain works; following demolition of existing car park at 140 George Street.
<b>Street Address</b>	130 - 150 George Street, Parramatta NSW 2150 (Lot 1 DP 1230311, Lot 1 DP 788638)
<b>Applicant</b>	DEXUS Funds Management Ltd ATFT Dexus PID Trust
<b>Owner</b>	DEXUS Funds Management Ltd
<b>Date of DA lodgement</b>	18 September 2017
<b>Number of Submissions</b>	One (1)
<b>Recommendation</b>	Approval subject to conditions
<b>Regional Development Criteria (Schedule 4A of the EP&amp;A Act)</b>	Pursuant to Clause 3 of Schedule 4A of the Environmental Planning and Assessment Act 1979 (at the time of lodgement), the development has a capital investment value of more than \$20 million.
<b>List of all relevant s4.15(1)(a) matters</b>	<ul style="list-style-type: none"><li>• Environmental Planning and Assessment Act 1979</li><li>• Environmental Planning and Assessment Regulations 2000</li><li>• SEPP (Infrastructure) 2007</li><li>• SEPP (State and Regional Development) 2011</li><li>• SEPP (Sydney Harbour Catchment) 2005</li><li>• SEPP No. 55 (Remediation)</li><li>• Parramatta Local Environmental Plan 2011</li><li>• Parramatta Development Control Plan 2011</li></ul>
<b>List all documents submitted with this report for the Panel's consideration</b>	Attachment 1 – Architectural Drawings Attachment 2 – Design Report Attachment 3 – Landscape Design Report Attachment 4 – Stormwater & Public Domain Drawings Attachment 5 – Design Excellence Jury Review
<b>Report prepared by</b>	Alex McDougall Executive Planner, City Significant Development
<b>Report date</b>	20 April 2018

### Summary of s4.15 matters

Have all recommendations in relation to relevant s4.15 matters been summarised in the Executive Summary of the assessment report?	<b>Yes</b>
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### Legislative clauses requiring consent authority satisfaction

Have relevant clauses in all applicable environmental planning instruments where the consent authority must be satisfied about a particular matter been listed, and relevant recommendations summarized, in the Executive Summary of the assessment report?	<b>Yes</b>
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### Clause 4.6 Exceptions to development standards

If a written request for a contravention to a development standard (clause 4.6 of the LEP) has been received, has it been attached to the assessment report?	<b>N/A</b>
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### Special Infrastructure Contributions

Does the DA require Special Infrastructure Contributions conditions (s7.24 of the EPAA)?	<b>No</b>
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### Conditions

Have draft conditions been provided to the applicant for comment?	<b>Yes</b>
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## **1. Executive Summary**

The proposal provides for construction of a 33 storey commercial office tower fronting Charles Street above the existing aboveground car park at the rear of 150 George Street and a new 4 storey mixed use building fronting George Street which serves as the street address for the new office tower.

The proposal is based on the winning entry in a design competition process that was awarded design excellence. The design excellence competition involved a second tower fronting George Street, but this was subsequently deleted for economic reasons. The proposed building generally follows the form for the site envisaged by Parramatta LEP 2011 and Parramatta DCP 2011 and as such is considered to provide a high standard of accommodation for future commercial occupants.

The site constraints include flooding, European and Aboriginal heritage, acid sulphate soils and contamination. However, it is considered that sufficient evidence has been provided that these risks can be managed appropriately.

The amenity impacts on adjoining and nearby properties are considered to be reasonable based on the city centre character of the area and the built forms envisaged by the controls.

The application has been assessed relative to section 4.15 of the Environmental Planning and Assessment Act 1979, taking into consideration all relevant state and local planning controls. On balance the proposal has demonstrated a design excellent response to the objectives and controls of the applicable planning framework. Accordingly, approval is recommended.

## **2. Site Description, Location and Context**

### **2.1 Site**

The site is located on the north-western corner of the intersection of George Street and Charles Street in the east end of the Parramatta CBD. The site is composed of 2 allotments with a combined area of 11,404m<sup>2</sup>, a George Street frontage of approximately 155m and a Charles Street frontage of approximately 88m. The site is generally flat with a slight cross fall from east to west. The site is located 100m to the south of Parramatta Ferry Wharf, 200m from the proposed Light Rail on Macquarie Street and 800m from Parramatta Train Station (10 minute walk).

### **2.2 Site Improvements & Constraints**

The site contains the following structures:

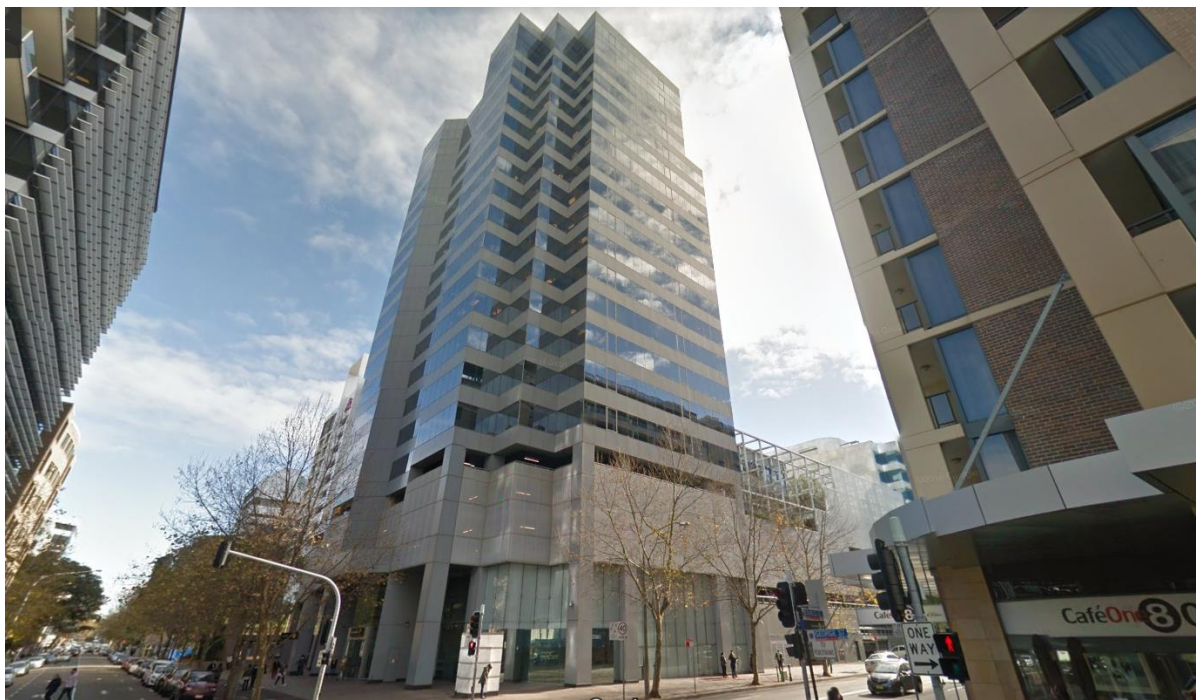
- 130 George Street – 15 storey commercial office building (22,000m<sup>2</sup> GFA) and 1 storey basement car park (85 spaces)
- 140 George Street – 3 storey part above ground car parking structure (90 spaces)
- 150 George Street – 22 storey commercial office building (23,982m<sup>2</sup> GFA) and 6 storey above ground car park (492 spaces)

The subject site contains a Heritage Item (I647 – Convict Drain). However, the proposed works are set well away from the item. The subject site is in the vicinity of Heritage Item I00155 – Perth House, 85 George Street (across George Street, south of 130 George St.).

The land may contain acid sulphate soils, is of high Aboriginal heritage sensitivity and is flood affected.



**Figure 1.** Locality Aerial Map (subject site in red).



**Figure 2.** Subject site as viewed from the corner of George Street and Charles Street looking north-west (existing tower at 150 George Street in foreground).

### 2.3 Surroundings Development

- North – 2 x 10 - 13 storey commercial office buildings
- East – 13 storey shop top housing building
- South – 3 x 7 - 11 storey commercial office building, vehicle repair station, heritage cottage (commercial use)
- West – 7 storey commercial office building



## 2.4 Site History

A design competition was held for the site (Council Ref: DC/16/2016) in September and October 2016. The design competition was originally for 2 commercial towers – one addressing George Street (140 George Street) and the other addressing Charles Street (above the existing above ground car park at 150 George Street). On 16 December 2016 a proposal by Bates Smart Architects (see Figure 3 below) was awarded design excellence triggering the following bonuses under Clause 7.10(8) of Parramatta LEP 2011:

- Height – 15% bonus (from 120m to 138m)
- FSR – 15% bonus (from 10:1 to 11.5:1)



**Figure 3.** Design Competition Winning Design by Bates Smart.

Subsequently, the applicant sought pre-lodgement advice for a proposal deleting the George Street tower and consolidating additional floor space into the Charles Street tower. The design excellence competition jury was reconvened and found the change to the design competition winning scheme to be acceptable in principle and consistent with the ethos of the winning entry. Council officers reviewed the revised scheme and provided a list of issues that should be resolved prior to submission of the application.

## 2.5 Statutory Context

The Parramatta CBD is undergoing significant redevelopment transitioning from its historic low to medium rise commercial development to high rise mixed use development. The following development applications in the vicinity of the site are relevant to the proposal:

Site	Reference	Description / Details
105 Phillip Street	DA/120/2016	Demolition of existing structures over the northern part of the site (adjacent to Phillip Street) and construction and use of a 13 storey commercial building over existing basement car parking, landscaping and Stratum Subdivision to create two lots. <b>Approved 6 July 2016 (building completed March 2018)</b> Note. The proposal included part of a through site link between Philip Street and George Street. The subject application would complete that link.

### 3. The Proposal

The proposal involves the following:

- Demolition of existing above ground car parking structure at 140 George Street.
- Construction of 33 storey commercial office building above existing above ground car park fronting Charles Street and 4 storey mixed use building fronting George Street comprised of:

Level	George Street	Charles Street
Basement	Communal recreation facilities inc. pool, yoga studio and gym; end of trip facilities; sunken garden; and plant (1,181sqm <sup>1</sup> )	N/A
Ground Floor	Office premises lift lobby, retail (512sqm); and through-site link	Modify ground floor of existing above ground car park to include retail unit (70sqm <sup>2</sup> ), substation, bicycle parking and waste facilities.
Levels 1-3	Office premises	Modify existing above ground car park to include additional loading zones, green wall, and structural columns to support new tower.
Level 4	Communal open space - roof top terrace (1,380sqm)	
Level 5	N/A	Plant
Levels 6 - 31	N/A	Office premises (46,645sqm total)
Levels 32 & 33	N/A	Plant

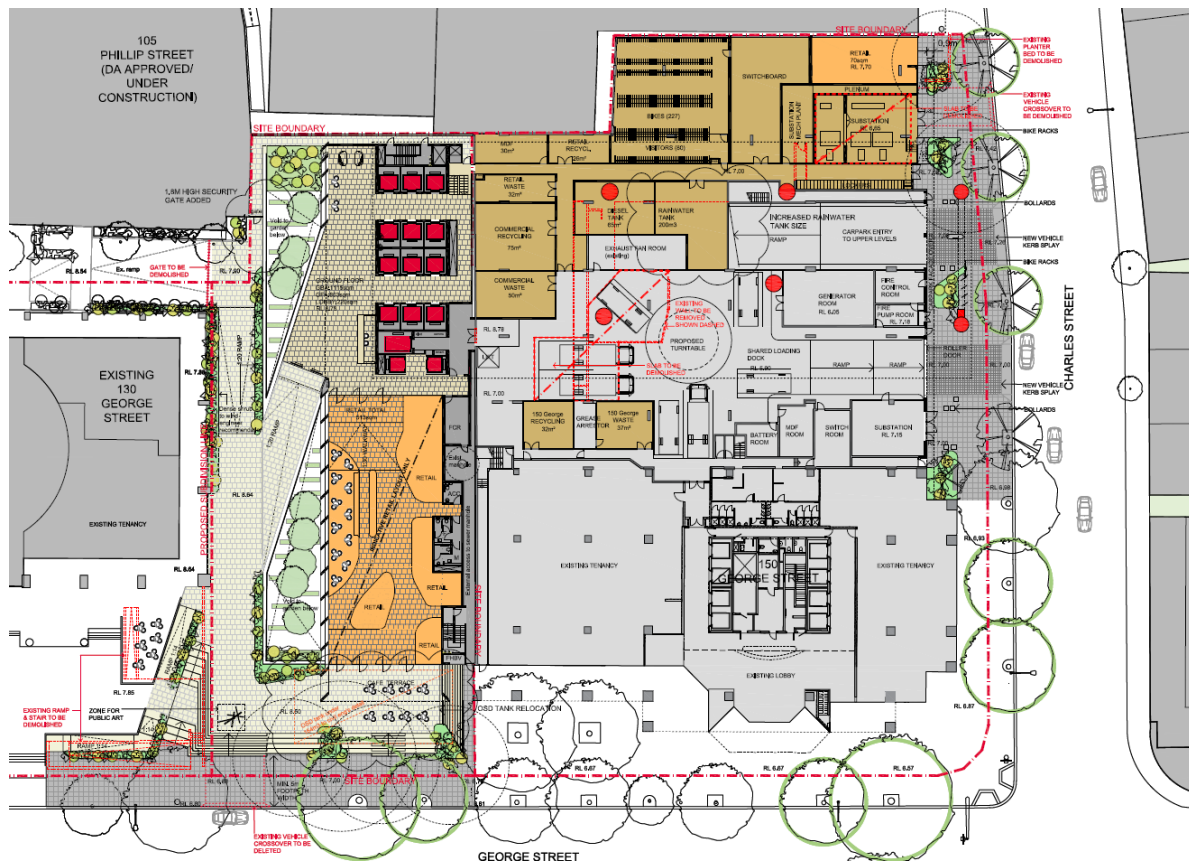
- Through-site link connecting George Street to through-site link at 105 Phillip Street.
- Removal of 10 site trees.
- Site Landscaping.
- Public domain works including upgraded footway and street tree planting.

The proposal would result in the following:

- Reduction in the amount of car parking across the wider 130-150 George Street from 667 to 496 spaces (-171, -26%);
- Increase in the amount of commercial floor space on the site from 45,982m<sup>2</sup> to 94,320m<sup>2</sup> (+48,338m<sup>2</sup>, +105%);
- The basement level car parking spaces at 130 George Street are currently accessed via the above ground car park at 140 George Street. In anticipation of this eventuality, access to these parking spaces is now also provided to Phillip Street via a link in the basement of the recently completed commercial development at 105 Phillip Street (see DA/120/2016 and Figure 5 below).

<sup>1</sup> This floor space is considered to be ancillary to the primary office use as it is intended to be used primarily by occupants of the building.

<sup>2</sup> Of the 655m<sup>2</sup> of retail floor space marked on the drawings, only the 582m<sup>2</sup> at ground level is considered to be a separate use. The 72m<sup>2</sup> of GFA marked on the plans at the third floor level is considered to be ancillary to the office use as it would primarily be used by occupants of the building.





**Figure 6.** Photomontage of proposal as viewed from the south (existing buildings in white).

### **Summary of Amended Proposal**

In response to concern's raised by the Design Competition Jury and Council officers the applicant submitted revised drawings which included the following changes:

- Addition of awnings, trees and screening to communal open space to improve wind conditions
- Increased size of rainwater tank
- Provision of increased motorcycle parking
- Provision of 3 additional service vehicle bays
- Commitment to NABERS Energy Agreement
- Additional Water Sensitive Urban Design (WSUD) measures

## **4. Referrals**

The following referrals were undertaken during the assessment process:

### **4.1 Sydney Central City Planning Panel**

Due to the lack of contentious issues, a briefing of the panel prior to determination was not considered to be necessary.

### **4.2 Design Competition Jury**

The Design Excellence Jury considered the application on 11 April 2018. The Jury support the proposal and are satisfied that it is consistent with the original Design Competition winning scheme and constitutes 'design excellence' subject to standard conditions requiring the continued engagement of the project architect and review by the jury through the detailed design and construction phases. The Design Excellence Jury's full comments are included at Attachment 5.



### 4.3 External

Authority	Comment
Office of Environment & Heritage (Aboriginal Heritage)	Acceptable subject to condition requiring work cease if unexpected archaeological deposits or relics are found during construction.
Roads and Maritime Services (Traffic Generating Development)	Acceptable subject to conditions.
Endeavour Energy	Acceptable subject to standard conditions.
Sydney Water	No response. Standard Section 73 Water Management Act 2000 conditions applied.
Transport for NSW	Acceptable subject to additional detail of access for 130 George Street (provided) and conditions requiring construction management plan and loading dock management plan.
Wind Consultant	Acceptable subject to condition requiring implementation of recommendations in wind report.

### 4.4 Internal

Authority	Comment
Development & Catchment Engineer	The proposal adequately responds to the flood risk of the site. The proposed stormwater design satisfies Council's requirements. The proposal is acceptable subject to conditions.
Tree & Landscape Officer	No objection to tree removal. Proposed landscape component is deemed satisfactory in concept with further information to be conditioned.
Traffic & Transport	Acceptable subject to conditions.
Environmental Health – Acoustic	Acceptable, no issues identified.
Environmental Health – Contamination	Acceptable, no issues identified.
Environmental Health – Waste	Acceptable waste facilities and management plan subject to conditions
Public Domain	Acceptable subject to conditions.
Public Art	Acceptable public art plan subject to conditions.
Heritage	No unacceptable impact on heritage items.
Environmentally Sustainable Development	Acceptable subject to conditions.

## 5. Environmental Planning and Assessment Act 1979

The sections of this Act which require consideration are addressed below:

### 5.1 Section 1.7: Significant effect on threatened species, populations or ecological communities, or their habitats

The site is in an established urban area with low ecological significance. No threatened species, populations or ecological communities, or their habitats are impacted by the proposal.

### 5.2 Section 4.15: Evaluation

This section specifies the matters which a consent authority must consider when determining a development application, and these are addressed in the Table below:

<b>Provision</b>	<b>Comment</b>
Section 4.15(1)(a)(i) - Environmental planning instruments	Refer to section 6
Section 4.15(1)(a)(ii) - Draft environmental planning instruments	Not applicable
Section 4.15(1)(a)(iii) – Development control plans	Refer to section 7
Section 4.15(1)(a)(iia) - Planning Agreement	Refer to section 8
Section 4.15(1)(a)(iv) - The Regulations	Refer to section 9
Section 4.15(1)(a)(v) - Coastal zone management plan	Not applicable.
Section 4.15(1)(b) - Likely impacts	Refer to section 10
Section 4.15(1)(c) - Site suitability	Refer to section 11
Section 4.15(1)(d) – Submissions	Refer to section 12
Section 4.15(1)(e) - The public interest	Refer to section 13

Table 2: Section 4.15(1)(a) considerations

## **6. Environmental Planning Instruments**

### **6.1 Overview**

The statutory planning instruments applicable to this application comprise:

- SEPP (Infrastructure) 2007
- SEPP (State and Regional Development) 2011
- SEPP (Sydney Harbour Catchment) 2005
- SEPP No. 55 (Remediation)
- Parramatta Local Environmental Plan 2011

Compliance with these instruments is addressed below.

### **6.2 State Environmental Planning Policy (Infrastructure) 2007**

The proposal is considered to constitute ‘traffic generating development’ as it proposes more than 10,000sqm of additional commercial floor space. As such, the proposal was referred to Roads and Maritime Services (RMS), who did not raise any objection subject to conditions.

### **6.3 State Environmental Planning Policy (State and Regional Development) 2011**

As this proposal has a Capital Investment Value of more than \$20 million, Part 4 of this Policy provides that the Sydney Central City Planning Panel is the consent authority for this application.

### **6.4 State Environmental Planning Policy (Sydney Harbour Catchment) 2005**

This Policy, which applies to the whole of the Parramatta local government area, aims to establish a balance between promoting a prosperous working harbour, maintaining a healthy and sustainable waterway environment and promoting recreational access to the foreshore and waterways by establishing planning principles and controls for the catchment as a whole. The nature of this project and the location of the site are such that there are no specific controls which directly apply, with the exception of the objective of improved water quality. That outcome would be achieved through the imposition of suitable conditions to address the collection and discharge of water during construction and operational phases.

### **6.5 State Environmental Planning Policy No. 55 – Remediation of land**

The development includes no major excavation works. The only ground penetration would be in the existing above ground car park to provide piles and foundations for the new tower and for a new swimming pool. The proposal would result in no change to the use on the site, being the non-sensitive use of commercial and retail. There is no evidence that the site

has been used for contaminating activities in the past. Council's Environmental Health Officer reviewed the application and raised no concerns. As such the site is considered to be suitable for the proposal.

## 6.6 Parramatta Local Environmental Plan 2011

The relevant objectives and requirements of the Parramatta Local Environmental Plan 2011 have been considered in the assessment of the development application and are contained within the following table.

Development standard	Proposal	Compliance
<b>2.3 Zoning</b>  B3 – Commercial Core	The proposed uses are defined as commercial premises which are permissible with development consent in the zone.	Yes
<b>Zone Objectives</b>	<p>The proposal is considered to be in keeping with the objectives of the B3 Commercial Core zone for the following reasons:</p> <ul style="list-style-type: none"> <li>• The proposal provides an appropriate mix of land uses;</li> <li>• The proposal provides additional employment opportunities in a highly accessible area;</li> <li>• The proposal reduces car parking on the site;</li> <li>• The proposal provides upgrades to the public domain;</li> <li>• The proposal does not adversely affect heritage; and</li> <li>• The proposal provides a through-site link.</li> </ul>	Yes
<b>4.3 Height of Buildings</b>  Control: 138m [subject to clause 7.10(8)]	Max Height: 138m	Yes
<b>4.4 Floor Space Ratio</b>  Control: 11.5:1 (131,146m <sup>2</sup> ) [subject to clause 7.10(8)]	Total GFA: 94,320m <sup>2</sup> (8.27:1)	Yes
<b>4.6 Exceptions to Development Standards</b>		N/A
<b>5.9 Preservation of trees or vegetation</b>	<p>The proposal includes the removal of 10 trees from the subject site. An arborist report is included outlining that 3 of the trees are of low significance, 5 of moderate significance, 1 of high significance and 1 of unspecified significance.</p> <p>The Landscape Plan submitted with the application outlined the planting of 49 trees on the subject site and 4 street trees. Council's Landscape Officer has reviewed the application and considers the proposal to be appropriate subject to conditions.</p>	Yes

Development standard	Proposal	Compliance
<b>5.10 Heritage conservation</b>	<p>There is sufficient separation between the proposal and the adjoining heritage items such that the proposal would not have a direct impact on their stability or immediate curtilage.</p> <p>Given the separation it is considered that the impact on significant views and on the significance of the items in general would be acceptable.</p> <p>The proposal includes a Historical &amp; Aboriginal Archaeological report that concludes that it is unlikely that the site retains any archaeological relics or Aboriginal objects. A condition is included requiring that any archaeological finds during work be reported appropriately.</p> <p>As such the proposal is considered to be have an acceptable heritage conservation impact.</p>	Yes
<b>6.1 Acid Sulfate Soils</b> Class 4	<p>The proposal includes piling that would be 2m below the natural ground level. A Provisional Acid Sulfate Soils Management Plan has been submitted. The plan recommends that an Acid Sulphate Soil assessment be undertaken at the site following demolition of the existing buildings, noting that earlier investigations assume that potential acid sulfate soils (PASS) or acid sulfate soils (ASS) may be present in the filling and alluvial clay and sand encountered to a depth of up to 14.9 m below current ground level. The Provisional Management Plan sets out the applicable management/treatment options for the proposal. A condition is included requiring compliance.</p>	Yes
<b>6.2 Earthworks</b>	<p>Minimum excavation, limited to new piling and a swimming pool, is proposed. The site is already heavily disturbed and as such is unlikely to contain archaeological relics. The level of excavation is not likely to have an unacceptable impact on drainage patterns or waterways. No fill is proposed and there would be limited excavated soil. Council's engineers are satisfied that the proposal would not affect the stability of the existing building or adjoining/nearby properties. As such the proposed earthworks are considered to be acceptable.</p>	Yes
<b>6.3 Flood Planning</b>	<p>The site is subject to a 1:100 year flood risk, both from overland flow and from Parramatta River. The accepted flood planning level is 7.72m RL. The proposed building floor levels have been designed to be appropriately at or above the assumed flood level. The sunken courtyard is also protected to the flood planning level by upturns around its opening. Conditions are included to ensure the building would adequately respond to the flood risk.</p>	Yes



Development standard	Proposal	Compliance
<b>6.4 Biodiversity Protection</b>	The proposal would result in a net increase in flora on the site and as such is considered likely to have a positive impact on biodiversity.	Yes
<b>6.5 Water Protection</b>	The site is upstream of the Parramatta River. Conditions have been included to ensure the proposal does not result in erosion or sedimentation to the waterway.	Yes
<b>7.3 Car Parking</b>  Control (Maximums): Commercial – 1/100m <sup>2</sup> (937), Shops – 1/30m <sup>2</sup> (19) Total – 956	496 (85 retained @ 130 George Street, 411 retained @ 150 George Street)  [reduced from 667 existing]	Yes
<b>7.4 Sun Access</b>	The proposal would not overshadow Jubilee Park, Parramatta Square or Lancer Barracks during the solar protection window (i.e. 12pm – 2pm).	Yes
<b>7.6 Air Space Operations</b>	The Bankstown Airport OLS of 156m AHD is not breached. As such an aeronautical referral is not required.	N/A
<b>7.10 Design Excellence</b>	The proposal is the winning entry in a design competition and has received the designation of 'design excellence' from the jury. The design as submitted has been reviewed by the original design jury and found to exhibit design excellence subject to conditions. Conditions are included requiring a further review by the jury of the construction drawings prior to commencement of works. As such the proposal is eligible for height and floor space bonuses of 15%.	Yes

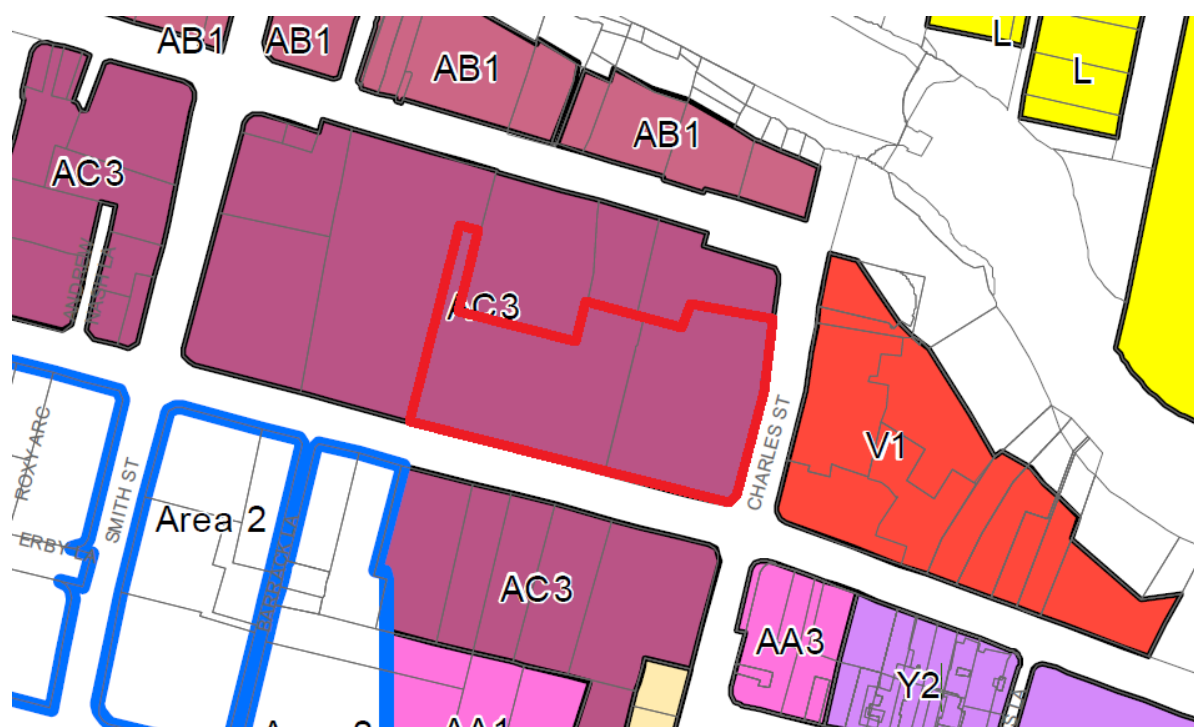
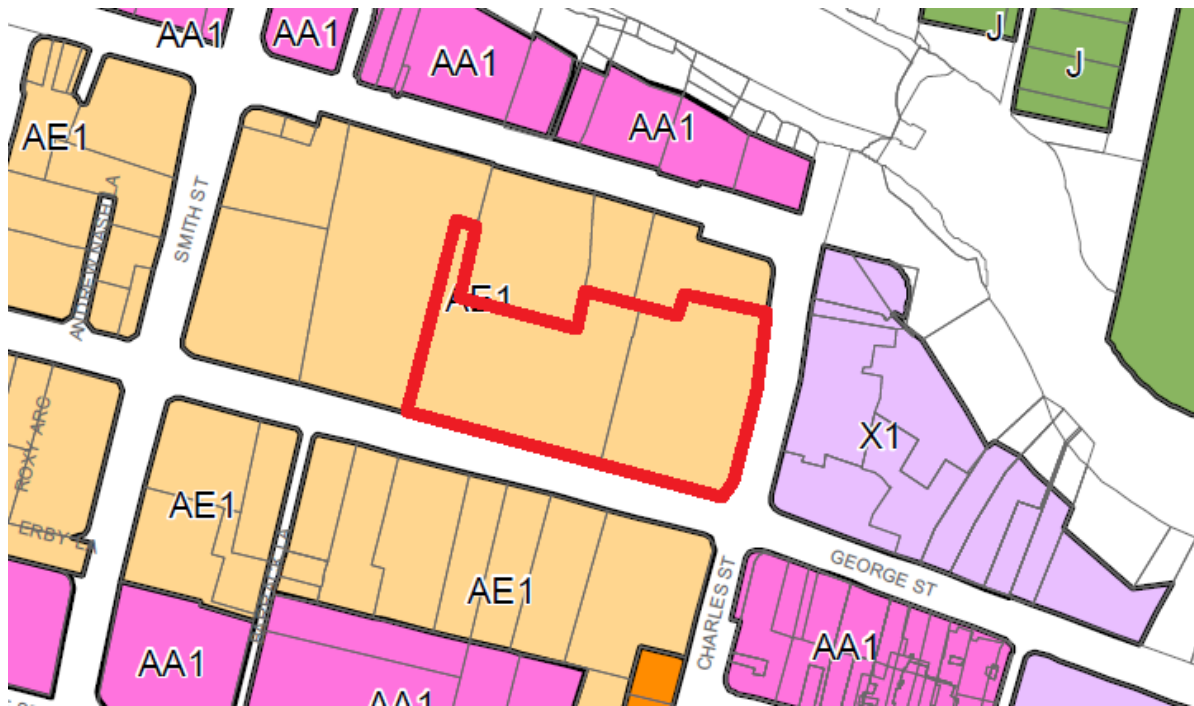


Figure 7. PLEP 2011 Height of Buildings map (subject site outlined in red).



**Figure 8.** PLEP 2011 Floor Space Ratio map (subject site outlined in red).

## 7. Development Control Plans

### 7.1 Parramatta Development Control Plan 2011

An assessment of the proposal against the relevant controls in the Parramatta Development Control Plan 2011 is provided below:

Development Control	Proposal	Comply
2.4 Site Considerations		
2.4.1 Views and Vistas	The site is not identified as having significant views and vistas by Appendix 2 and is not located in the Harris Park Conservation Area.	Yes
2.4.2 Water Management	See Flood section above.  The proposal is not considered likely to impact on the quality of Parramatta River due to the provision of sufficient on-site drainage, WSUD and its distance from the river.  The application includes minimal excavation and as such is considered unlikely to have an unacceptable impact on groundwater.	Yes
2.4.3 Soil Management	The Stormwater Management Plan outlines a general erosion and sediment control plan. It is considered that standards conditions of consent would be sufficient to ensure the objectives of the control are achieved.  See Acid Sulfate Soils section above.  The site is identified as being of moderate salinity potential. Minimal excavation is proposed. As such it is not considered that any special measures are necessary.	Yes
2.4.4 Land Contamination	See SEPP 55 section above.	Yes

Development Control	Proposal	Comply
2.4.5 Air Quality	Subject to standard conditions of consent the proposal is not considered likely to result in unacceptable air quality impacts.	Yes
2.4.6 Development on Sloping Land	The site is generally flat.	N/A
2.4.7 Biodiversity	The proposal requires the removal of several trees but includes significant new on-street and on-structure planting. As such the proposal is considered to result in a net increase in biodiversity on the site.	Yes
2.4.8 Public Domain	<p>The proposal includes upgrades to the public domain including new through site link to Phillip Street, new pavement, new street trees, and a publicly accessible forecourt area.</p> <p>The proposed building provides adequate address to the public domain, and would permit passive surveillance of the public domain, including the new through site link.</p>	Yes
<b>3.1 Preliminary Building Envelope</b>		
See Section 4.1.6 below.		
<b>3.2. Building Elements</b>		
3.2.1 Building Form and Massing	While the proposed building has a large footprint and is in close proximity to adjoining towers it is considered to be acceptable given the office use and CBD location of the proposal. The design has been awarded design excellence.	Yes
3.2.2 Building Façade and Articulation	The primarily glazed façade is considered to be in keeping with the character of the area and the type of use (office). The external solar shading and bracing structure would add visual interest to façades.	Yes
3.2.3 Roof Design	The building is terminated by a double height plant zone and triple height roof terrace sheathed in glazing. The transparency of the terrace area would create a distinct top to the building while maintaining a generally clean flat roof form in keeping with the character of the area.	Yes
3.2.4 Energy Efficient Design	The proposed building is considered to achieve energy efficiency objectives as the applicant has committed to 5 star NABERS and 5 star GreenStar. Specific initiatives include, but are not limited to, external solar shading, rainwater capture and re-use for cooling tower and non-potable uses, and dual reticulation piping. ESD measures would be secured by condition.	Yes
3.2.5 Streetscape	The new George Street element, which replaces a car park, and the upgrade to the façade of the existing Charles Street carpark would significantly improve the streetscape in both streets.	Yes
<b>3.3 Environmental Amenity</b>		
3.3.1 Landscaping	As outlined above, the proposal is considered to provide sufficient landscaping.	Yes
3.3.3 Visual and Acoustic Privacy	The proposal is in close proximity to adjoining office buildings. However, given the less sensitive nature of the use, the level of separation is considered to be acceptable. The primary noise emanating from the site would be from plant and equipment. This plant would be fully enclosed and set back from the facades of the building. A standard condition relating to noise amenity is considered to be sufficient to ensure acoustic privacy.	Yes

Development Control	Proposal	Comply
3.3.4 Acoustic Amenity	The nearest residential uses are located opposite Charles Street to the east. The primary entry to the new commercial floor space is located on George Street. The proposal includes a small retail unit on Charles Street. Given the city centre nature of the area this is not considered likely to result in a discernable increase in noise for adjoining properties. Standard conditions of consent relating to the hours of operation of the retail units are included.	Yes
3.3.5 Solar Access  Adjoining residential units to receive a minimum of 2 hours sunlight to habitable rooms and 50% of their private open space areas between 9am and 3pm on 21 June	<p>Due to the height and orientation of the building it would have a far reaching shadow. However, there are no residential properties directly to the south of the building and as such the shadow would not affect any single dwelling for more than a few hours in the midwinter. As such all affected units would still receive the required solar access.</p> <p>The proposal would have a significant overshadowing impact on the existing office building at No. 150 George Street. As the building is also a commercial building and is under the same ownership this is considered to be acceptable.</p>	Yes
3.3.6 Water Sensitive Urban Design	<p>The proposal includes the following WSUD measures:</p> <ul style="list-style-type: none"> <li>• Dual reticulation piping with potential for connection to future district scheme.</li> <li>• Rainwater harvesting for landscape irrigation and cooling towers.</li> <li>• Water efficient fixtures.</li> <li>• OSD tank.</li> <li>• Bio-retention.</li> </ul> <p>The Applicant has modelled water quality outcomes from this system and these achieve Council's DCP 2011 targets. This approach is satisfactory.</p>	Yes
3.3.7 Waste Management	<p>The applicant has submitted a waste management plan which details estimated waste volumes for the demolition stage, based on a survey of the current site.</p> <p>The waste generated from the construction phase of the development is yet to be finalised as the Waste Management Plan states that this would depend on the method of construction.</p> <p>The ongoing waste management has been addressed by the provision of retail and commercial waste storage rooms, with separated waste and recycling rooms. These rooms are located near loading dock A.</p> <p>The waste management plan is considered to be acceptable.</p>	Yes
<b>3.4 Social Amenity</b>		
3.4.1 Culture and Public Art	The application is accompanied by a preliminary Public Art Strategy which outlines a process for selection of an artist, consequent design development and a location near the George Street entrance. The location is supported as it would be within the public domain and marks the entry to the building. The Public Art Strategy is considered to be acceptable subject to a	Yes



Development Control	Proposal	Comply
	condition requiring further development with Council through the detailed design and construction phases of development.	
3.4.2 Access for People with Disabilities	<p>The application is accompanied by an Access Compatibility Statement which concludes that the proposal can comply with the relevant access requirements.</p> <p>The architectural drawings demonstrate that there is an accessible path of travel to all areas of the building including level thresholds at ground level and ramps of appropriate gradient.</p> <p>Conditions are included requiring compliance.</p>	Yes
3.4.4 Safety and Security	<p>The proposal is not considered likely to contribute to the provision of any increased opportunity for criminal or anti-social behavior for the following reasons:</p> <ul style="list-style-type: none"> <li>• The primary building entrance is easily identifiable from the street;</li> <li>• Natural surveillance of the public domain would be significantly increased with the proposed level of occupancy;</li> <li>• The private areas are clearly delineated;</li> <li>• The proposal includes connection to an existing through site link which wraps around the rear of the approved development at 105 Phillip Street. The new section would be lit in keeping with the rest of the link. While the bend in the link is not ideal it has already been agreed as part of the approval of the adjoining building.</li> <li>• CCTV is proposed.</li> </ul>	Yes
<b>3.5 Heritage</b>		
3.5.1 General	<p>The area of the site proposed for development is not of heritage interest in its own right. However, the tower at No. 130 George Street is believed to be placed above the Convict Drain (LEP Item I647). The site was developed in the past, however, the Drain may survive below the ground. The subject site is located in proximity to several heritage items, notably including the State item Perth House.</p> <p>The heritage impacts are minor and were envisaged by the planning controls and as such the proposal is not considered likely to have an unacceptable impact on heritage.</p>	Yes
3.5.2 Archaeology	The site is assessed as having no archaeological potential in the PHALMS study.	Yes
3.5.3 Aboriginal Cultural Heritage	The application was referred to the Aboriginal Heritage section of the Office of Environment and Heritage who raised no concerns with the proposal subject to a condition requiring notification of any discoveries during works.	Yes

Development Control	Proposal	Comply
<b>3.6 Movement and Circulation</b>		
<b>3.6.1 Sustainable Transport</b>		
Car Share  1 car share if over 5,000sqm commercial	Not provided.	No, acceptable subject to condition requiring 1 car share space
Green Travel Plan  Required for >5,000sqm commercial	Not provided.	No, acceptable subject to condition requiring Green Travel Plan.
<b>3.6.2 Parking and Vehicular Access</b>		
Car Parking Control	See Parramatta City Centre section below.	N/A
Bicycle Parking  1 bicycle space per 200m <sup>2</sup> of floor space (48,338m <sup>2</sup> ) = 242	307 at ground level of Charles Street car park.  Good quality end of trip facilities, including change rooms, showers and lockers provided as part of communal recreation facilities.	Yes
<b>3.6.3 Accessibility and Connectivity</b>		
Through Site Links min. width 3m	>4.3m	Yes
<b>4.3.3 Strategic Precinct - Parramatta City Centre</b>		
Objectives	The proposal is considered to be consistent with the objectives of the strategic precinct: <ul style="list-style-type: none"> <li>• The proposal provides commercial floor space in an accessible location.</li> <li>• The building has achieved design excellence.</li> <li>• The proposal upgrades the public domain.</li> <li>• The proposal would not have an unacceptable impact on heritage.</li> </ul>	Yes
<b>4.3.3.1 Building Form</b>		
Street Frontage >20m	George Street – 31.3m (development parcel) Charles Street – 40.8m (development parcel)	Yes
Front Setback = 0m or in keeping with adjoining	George Street – 8.7m (ground) - 36.1m (level 3) [The George Street ground floor setback is in keeping with the adjoining commercial building at 150 George Street] Charles Street – 0 - 1.8m (Tower) [The Charles Street tower setback is slightly forward of the adjoining properties but this is considered to be acceptable due to the design excellence process]	Yes
Street Frontage Heights  George - 4 storeys/14m or 20m publicly accessible forecourt  Charles – Min 8 storey/26m	The proposal provides a generally open forecourt. The ground floor intrudes into the setback but this serves to transition to the adjoining building to the east and as such is considered to be acceptable.  The proposed tower starts at 9 storeys/24m and as such is considered to be generally in keeping with the objective of the control.	Yes

Development Control	Proposal	Comply
Building length <45m	<b>71.1m (58% breach)</b>  There is a tension between the urban design preference for slenderer towers and the commercial preference for large office floor plates. The proposal is considered to be acceptable in this instance as the floorplate is consistent with commercial development recently approved in the locality (4 & 6 Parramatta Square) and the building is the winner of a design excellence process and is considered to exhibit design excellence.	<b>No, acceptable</b>
Offices All GFA <12m from window	<b>Office GFA &lt;14m from window (17% breach)</b>  While the proposal slightly exceeds the maximum controls it is considered to be acceptable in this instance as the non-compliant internal areas would still have windows with 3 aspects.	<b>No, acceptable</b>
Side Setback  George Street: >0m  Charles Street: >6m  [Setbacks measures to existing buildings]	George Street <ul style="list-style-type: none"> <li>• East – 0m</li> <li>• West – 13.5m</li> </ul> Charles Street <ul style="list-style-type: none"> <li>• North – 12.8m</li> <li>• South – 7.1m</li> </ul>	Yes
Wind Mitigation	The application is supported by a wind report which demonstrates that the proposal would not result in unacceptable wind impacts on pedestrians and building occupants subject to provision of architectural treatment and planting. The report was reviewed by an independent wind consultant who found the proposal acceptable. Conditions are included requiring implementation of the wind reports recommendations.	Yes
Buildings Exteriors	The Design Excellence Jury consider the proposed materials pallet to be in keeping with design excellence principles.  A reflectivity analysis has been provided which outlines maximum reflectivity coefficients (11% – 20%) for glazing to ensure that the proposal would not result in unacceptable <i>visible</i> glare in the public domain or in adjoining/nearby properties. This is considered to be appropriate and a condition is included to this effect.  Council's ESD consultant recommended a coefficient of 10% <i>overall</i> solar reflectivity to reduce the heat island effect. A condition is included to this effect.	Yes
Sun Access to Public Spaces	The proposal does not overshadow any of the protected areas.	Yes
<b>4.3.3.2 Mixed Use Buildings</b>		
Street Activation	The proposal provides a new retail unit at ground level on the Charles Street frontage which would help to activate an otherwise long section of service frontage. The activation of George Street would be improved by replacing the existing car park with a retail space.	Yes

Development Control	Proposal	Comply
Floor Heights Ground – 3.6m Above – 2.7m	3.7 – 4.0m 2.7m	Yes
Servicing	<p>The existing servicing area and arrangements to Charles Street would remain generally unchanged.</p> <p>New sub-stations, loading space and waste facilities would be contained within the existing Charles Street car park envelope.</p> <p>Servicing and basement car park access for No. 130 George Street would now be provided via the recently completed building at 105 Phillip Street. A condition is included requiring a right of way be provided on the title of that lot to secure access in perpetuity.</p>	Yes
<b>4.3.3.3 Public Domain and Pedestrian Amenity</b>		
Site Links	Council's Public Domain team have reviewed the proposed through site link and consider it to satisfactorily respond to the Parramatta Public Domain Guidelines subject to conditions. The lane would be activated with a sunken garden, access to a retail zone and the entrance to the office use. A condition is included requiring a public right of way be granted over the link and a Crime Prevention Through Environmental Design strategy developed. Easements are also conditioned for associated drainage and servicing.	Yes
Active Frontages Min 50% Primary Min 40% Secondary	<p>Primary (George) – <math>13.5\text{m}/25.1\text{m}^* = 54\%</math>  <b>Secondary (Charles) – <math>5.4\text{m}/40.8\text{m} = 13\%</math></b></p> <p>*not including through site link  The minimal Charles Street activation is considered to be acceptable as it increases activation on an otherwise completely inactive existing car park and servicing façade.</p> <p>While the George Street activation is set back and raised relative to the street it is accessible via ramps. The Charles Street unit is at grade.</p>	<b>No, acceptable</b>
Awnings	Not required by DCP in this location.	N/A
Forecourts	The courtyard on George Street is integrated with the through site link as recommended. The forecourt would be activated with retail and public art. The forecourt is raised, due to flooding issues, but is accessible via ramps.	Yes
<b>4.3.3.4 Views and View Corridors</b>		
Protect views along George Street to Parramatta Park gatehouse and trees.	The buildings are well set back from George Street and do not contribute to any loss of this view.	Yes
<b>4.3.3.5 Access and Parking</b>		
Location of Vehicle Access	The proposal results in removal of a vehicle access on George Street which is desirable.	Yes
Design of Vehicle Access	No new accesses proposed.	N/A
Pedestrian Access and Mobility	The main office entrance is demarcated by a bridge over a sunken garden and a double height lobby space clearly visible from George Street. While raised due to flooding constraints the entrance is accessible by steps	Yes



Development Control	Proposal	Comply
	and ramps. While the entrance provides Australian Standard compliant disabled access, it is considered that it may be improved by reducing the gradient and increasing the width of the access ramps along George Street. A condition is included requiring exploration of this improvement.	
Vehicular Driveways and Maneuvering Areas	The existing vehicular driveways on Charles Street are maintained. A new pedestrian entrance is proposed adjacent to the existing vehicular entrance but it is sufficiently separated by bollards and a fire door (>3m).	Yes
On-site parking  Motorcycle: Area of 1 car parking space per 50 car parking spaces (10)	34	Yes
Above ground parking design	The proposal provides new 'green' screening for the existing above ground car park which is welcomed.	Yes
<b>4.3.3.6 Environmental Management</b>		
Landscape Design	The proposal includes significant landscaping and green walls in the forecourt, car park screening, sunken courtyard and roof terraces. Street trees are provided in accordance with Council's Public Domain Guidelines.	Yes
Planting on Structures	Conditions are included to ensure sufficient soil depths are provided for on structure planting.	Yes
Green Roof	While a full green roof is not provided, landscaping is included on the roof top spaces.	Yes
Energy and Water Efficient Design	See ESD Assessment above.	Yes
Recycled Water	Dual reticulation piping would be included with potential for connection to future district system. Rainwater collection is included for use in irrigation and cooling towers.	Yes
<b>4.3.3.8 Design Excellence</b>		
	The applicant has followed the design excellence competition process outlined in the DCP and the proposal has been granted design excellence by the jury. Conditions are included requiring further review of the application as it proceeds through to detailed construction drawings, construction and occupation.	Yes

## **8. Planning Agreements**

The subject application is not subject to a planning agreement.

## **9. The Regulations**

The recommendation of this report includes conditions to ensure the following provisions of the Regulation would be satisfied:

- Clause 92 - Demolition works are to satisfy AS 2601 - 1991; and
- Clause 98 - Building works are to satisfy the Building Code of Australia.

## 10. The Likely Impacts of the Development

The likely impacts of the development have been considered in this report. Fire safety would be addressed by way of appropriate conditions.

## 11. Site Suitability

The subject site and locality is affected by flooding. Council's Engineering Department have assessed the application and considered the proposal to be satisfactorily designed to minimise risk to human safety and property.

Suitable investigations and documentation has been provided to demonstrate that the site is suitable for the proposed development in terms of contamination and acid sulphate soils.

The built form is concentrated away from the heritage significant parts of the site and adjoining heritage sites.

No other natural hazards or site constraints likely to have a significant adverse impact on the proposed development. Accordingly, the site is considered to be suitable for the proposed development.

Subject to the conditions provided within the recommendation to this report the site is suitable for this development.

## 12. Submissions

The application was notified and advertised in accordance with Appendix 5 of DCP 2011 for a 21-day period between 27 September and 18 October 2017. One (1) submission has been received.

In summary, the issues raised in the public submissions relate to overdevelopment, amenity impacts, traffic impacts and public domain.

Submission issues are summarised and commented on as follows:

Issues Raised	Comment
<i>Dilapidation report should be required for adjoining sites.</i>	A condition is included to this effect.
<i>Landscape plan not in keeping with recommendations of wind report</i>	The applicant has revised the architectural drawings and landscape plans to ensure their consistency with the wind report.
<i>Glazing not in keeping with recommendation of solar reflectivity</i>	A condition is included requiring that the glazing be in keeping with the recommendations of the report.

## 13. The Public /interest

Subject to implementation of conditions of consent outlined in the recommendation below, no circumstances have been identified to indicate this proposal would be contrary to the public interest.

## 14. Disclosure of Political Donations and Gifts

No disclosures of any political donations or gifts have been declared by the applicant or any organisation / persons that have made submissions in respect to the proposed development.

## 15. Developer Contributions

As the cost of works exceeds \$200,000 a Section 7.12 development contribution of **3.0%** is required as per *Parramatta City Centre S94A Development Contribution Plan (Amendment No. 4)*. A Capital Investment Value Report was provided with the application which estimated a development cost of \$208,125,500. This estimate is considered to be commensurate with the works proposed. A condition of consent has been imposed requiring the contribution to be paid prior to the issue of the relevant Construction Certificate.

## 16. Summary and Conclusion

The application has been assessed relative to section 4.15 of the Environmental Planning and Assessment Act 1979, taking into consideration all relevant state and local planning controls. On balance the proposal has demonstrated a satisfactory response to the objectives and controls of the applicable planning framework. Accordingly, approval of the development application is recommended.

The proposed development is appropriately located within a locality earmarked for high-rise commercial development, however some variations (as detailed above) in relation to Parramatta DCP 2011 are sought.

Having regard to the assessment of the proposal from a merit perspective, Council officers are satisfied that the development has been responsibly designed and provides for acceptable levels of amenity for future commercial occupants. It is considered that the proposal successfully minimises adverse impacts on the amenity of neighbouring properties. Hence the development, irrespective of the departures noted above, is consistent with the intentions of the relevant planning controls and represents a form of development contemplated by the relevant statutory and non-statutory controls applying to the land.

For these reasons, it is considered that the proposal is satisfactory having regard to the matters of consideration under Section 4.15 of the Environmental Planning and Assessment Act, 1979 and is recommended for approval.

## 17. Recommendation

- A. **That** the Sydney Central City Planning Panel as the consent authority grant **Consent** to Development Application No. DA/808/2017 for 33 storey commercial office building fronting Charles Street; 4 storey mixed use building fronting George Street comprised of retail, commercial offices and communal recreation facilities; modification to existing car park at 150 George Street including reduction in car parking spaces; pedestrian through-site link along western boundary of 140 George Street; and associated landscaping and public domain works; following demolition of existing car park at 140 George Street at 130 - 150 George Street, Parramatta NSW 2150 (Lot 1 DP 1230311, Lot 1 DP 788638) for a period of five (5) years from the date on the Notice of Determination subject to the conditions under Appendix 1.