



**CITY OF
PARRAMATTA**

SYDNEY CENTRAL CITY PLANNING PANEL

ADDENDUM ASSESSMENT REPORT

Panel Reference	PPSSCC-389
DA Number	DA/662/2022
LGA	City of Parramatta Council
Proposed Development	58 storey commercial office tower, ground level retail and 2 storey basement with 51 car parking spaces and 8 service bays; demolition of existing buildings; tree removal; landscaping; signage zones; and public domain works. This application will be determined by the Sydney Central City Planning Panel and is also nominated integrated development under section 90 of the Water Management Act 2000.
Street Address	89-91 George Street, Parramatta NSW 2150 (Lot 1 DP 505486 & Lot 1 DP 1050741)
Applicant	L Clancy
Owner	GPT Management (Custodian) Pty Ltd
Date of DA lodgement	24 August 2022
Number of Submissions	1
Recommendation	Refusal
Regional Development Criteria	Pursuant to Clause 2 of Schedule 6 of State Environmental Planning Policy (Planning Systems) 2021, the development has a capital investment value of more than \$30 million.
List of all relevant s4.15(1)(a) matters	<ul style="list-style-type: none">• Environmental Planning and Assessment Act 1979• Environmental Planning and Assessment Regulation 2021• Water Management Act 2000• SEPP (Resilience and Hazards) 2021• SEPP (Transport and Infrastructure) 2021• SEPP (Planning Systems) 2021• SEPP (Biodiversity and Conservation) 2021• SEPP (Industry and Employment) 2021• Parramatta Local Environmental Plan 2011• Parramatta Development Control Plan 2011• (Then Draft) Parramatta Local Environmental Plan 2023
Documents submitted with report for Panel's consideration	<ul style="list-style-type: none">• Attachment 1 – Original Officer Assessment Report• Attachment 2 – Sydney Metro Concurrence Letter• Attachment 3 – Without Prejudice Conditions• Attachment 4 – Applicant Confirmation of Conditions
Clause 4.6 requests	<ul style="list-style-type: none">• None
Report prepared by	Alex McDougall Team Leader, City Significant Development
Report date	31 January 2024

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?	Yes
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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?	Yes
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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?	N/A
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Special Infrastructure Contributions

Does the DA require Special Infrastructure Contributions conditions (S7.24)?	No
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Conditions

Have draft conditions been provided to the applicant for comment?	Yes
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1. Executive Summary

The proposal seeks approval for construction of a 58-storey office tower in the Parramatta CBD.

The development application was reported to the Sydney Central City Planning Panel (the Panel) on the 12 December 2023 with a recommendation for refusal (see Attachment 1). The Panel deferred the matter until 15/02/24 for the following reasons:

- *to allow for Council to prepare a set of without prejudice conditions and to provide them to the applicant and*
- *for the applicant to resolve any outstanding issues with Sydney Metro.*

On resolution of these matters the application is to be reported back to the panel for electronic determination.

These matters have been satisfactorily resolved. Sydney Metro issued their concurrence on 30/01/2024 (See Attachment 2) and a set of draft without prejudice conditions ('draft conditions') have been prepared by Council and reviewed by the applicant (See Attachment 3). The applicant accepts all but 1 of the draft conditions, as outlined in this report and within the attachment (see Attachment 4).

Notwithstanding the draft without prejudice conditions, Council officers maintain their recommendation of refusal for the reasons outlined in the original assessment report (reasons 1 – 8).

2. Timeline

The following timeline outlines events since the original officer assessment report was issued to the Panel.

Date	Description
23 November 2023	Draft conditions provided to Applicant for their review
28 November 2023	Applicant recommended changes to 6 draft conditions
30 November 2023	Council officers agreed to 4 of revised draft conditions
12 December 2023	Application deferred by the Sydney Central City Planning Panel
30 January 2024	Sydney Metro concurrence received. Sydney Metro concurrence condition added to draft conditions.
30 January 2024	Applicant confirms all but 1 condition acceptable.

3. Metro Response

This application was recommended for refusal, in part, because concurrence from Sydney Metro was not secured as required by section 2.99(4) of the Transport and Infrastructure SEPP 2021.

This concurrence is required as the Sydney Metro West tunnels run partly under the site. On 30 August 2022, TfNSW requested additional engineering information to demonstrate the proposal would not have an unacceptable impact on the tunnels. Since the deferral the applicant has further liaised with Sydney Metro seeking to confirm that the proposed development will not have any impact on the tunnels and the corridor will be adequately protected.

On the 30 January 2024, Sydney Metro provided their concurrence as per section 2.99(4) of the Transport and Infrastructure SEPP 2021. As part of their concurrence required that a number of conditions are applied to any consent. A single condition, requiring that the conditions within the concurrence letter be enforced, has been included in the recommended conditions in Attachment 3.

4. Draft Conditions

The applicant was generally satisfied with the draft conditions, however recommended the following changes which have not been agreed by Council staff:

Condition 21 – Drawing Modification – Verandah

Notwithstanding the drawings hereby approved, the level 01 "lobby verandah" on the western elevation shall be deleted and the associated façade openings replaced with the adjacent glazing system. Details demonstrating compliance are to be submitted to the satisfaction of Council's Manager Development and Traffic Services Unit prior to issue of the relevant Construction Certificate.

Reason: *To improve building's relationship with adjoining heritage site*

The applicant considers that this condition should be deleted for the following reasons,

"[this condition] contravenes a significant design element of the DEC winning scheme. This design amendment was not raised by the City of Parramatta Council's Heritage Team or any other Agency's request for additional information during the DA assessment period".

For the reasons outlined in the original assessment report, this condition is considered to be necessary for the proposal to adequately comply with the relevant controls/objectives.

5. Recommendation

That the Sydney Central City Planning Panel as the consent authority **Refuse Consent** to Development Application No. DA/662/2022 for construction of a 58 storey commercial office tower, ground level retail and 2 storey basement with 51 car parking spaces and 8 service bays; demolition of existing buildings; tree removal; landscaping; signage zones; and public domain works at 89-91 George Street, Parramatta NSW 2150 (Lot 1 DP 505486 & Lot 1 DP 1050741) for the reasons outlined below:

1. **Inappropriate Western Tower Setback** – The western tower setback is not consistent with the applicable control requirements or objectives, resulting in unacceptable impacts on the adjoining site and the public domain, and setting a poor precedent for future development. Practical considerations regarding building maintenance given the severely

reduced side setback are of concern. The non-compliance is a result of the size of the floor plate desired by the applicant and not a particular constraint of the site.

2. **Insufficient Heritage Conservation Management** – The conservation management documents do not adequately allow or plan for the reasonable development potential of the adjoining Perth House site. The proposal sets a poor precedent for reduced setbacks based on viability which is likely to be exploited by the Perth House site and thus result in a potentially unacceptably continuous built form in the rear curtilage of the heritage item.
3. **Built Form Inconsistent with Desired Future Character** – The proposed building does not have a clearly defined podium with setback tower above as required by the relevant controls and as envisaged in the desired future character of the area, resulting in a development which does not appropriately enclose and define the street at a pedestrian scale.
4. **Insufficient Street Activation** – The large front setback, reduced building frontage length and lack of defined retail spaces result in an unacceptable lack of contribution to the vitality of the street and its CBD setting.
5. **Excessive Green Wall** – The green wall is of excessive scale and is insufficiently integrated with the building.
6. **Insufficient Wind Assessment** – The wind tunnel modelling results do not appear to be accurate and as such the proposal has not demonstrated that the building will have an acceptable impact on ground level wind conditions. It may be necessary for a podium form to ensure appropriate wind conditions.
7. **Insufficient Accessibility** – Step-free access is not provided to the primary front entrance which is not considered to be appropriately equitable for users of a building of this scale and occupancy.
8. **Height Bonus Not Achieved** – For the reasons outlined above, the proposal is not considered to achieve design excellence. As such the proposal is not entitled to the additional height 'bonus' on which it relies.