

26 September 2013

Walter Gordon  
Director of Planning and Development  
Meriton Group  
Level 11, Meriton Tower, 528 Kent St  
SYDNEY NSW 2000

Dear Walter,

**Review of Proposed Height Increase  
330 Church Street, Parramatta  
Major Project Application MP 10\_0171 MOD 3**

We are writing to provide our opinion in relation to the urban planning merit of the increased tower height of the above project (MP10\_0171) proposed as Modification 3 (MOD 3) to the approval. While the application proposes various other detail matters, we have limited our consideration to the following modifications:

- East Tower height increased from 22 to 27 storeys (+5 storeys / 24.8 metres).
- West Tower height increased from 34 to 50 storeys (+16 storeys / 59.5 metres).
- Gross floor area increased from 44,117m<sup>2</sup> (6.52:1 FSR) to 61,711m<sup>2</sup> (8.25:1 FSR).

In preparing this opinion we have reviewed the submitted modification application and accompanying documentation, Parramatta Council's response to the application (dated 22 August 2013) and the application and assessment documentation for various other recently approved tower buildings in the Parramatta CBD, particularly Council's proposed 90 storey 'Aspire Tower' application for the Council owned Civic Square precinct.

**Statutory Planning Context**

Under Parramatta City Centre Local Environmental Plan 2007 (PCC LEP 2007) the site is zoned B4 Mixed use and is subject to an 80 metre height standard (see Figure 1) and a 6:1 FSR standard (see Figure 2).

The approved development is permissible, and complied with the applicable 6:1 FSR standard (with 10% design excellence bonus), but exceeded the 80 metre height control by almost 50%.

As a transitional Part 3A project, in determining the current Section 75W modification application, pursuant to Section 75J(3) of the Act the Minister may, but is not required to, take into account the provisions of any environmental planning instrument, such as PCC LEP 2007.

The proposed modifications result in a development that is more than double the LEP height standard and almost 40% in excess of the PCC LEP 2007 FSR standard.

FIGURE 1 – EXTRACT PCCLEP 2007 HEIGHT MAP

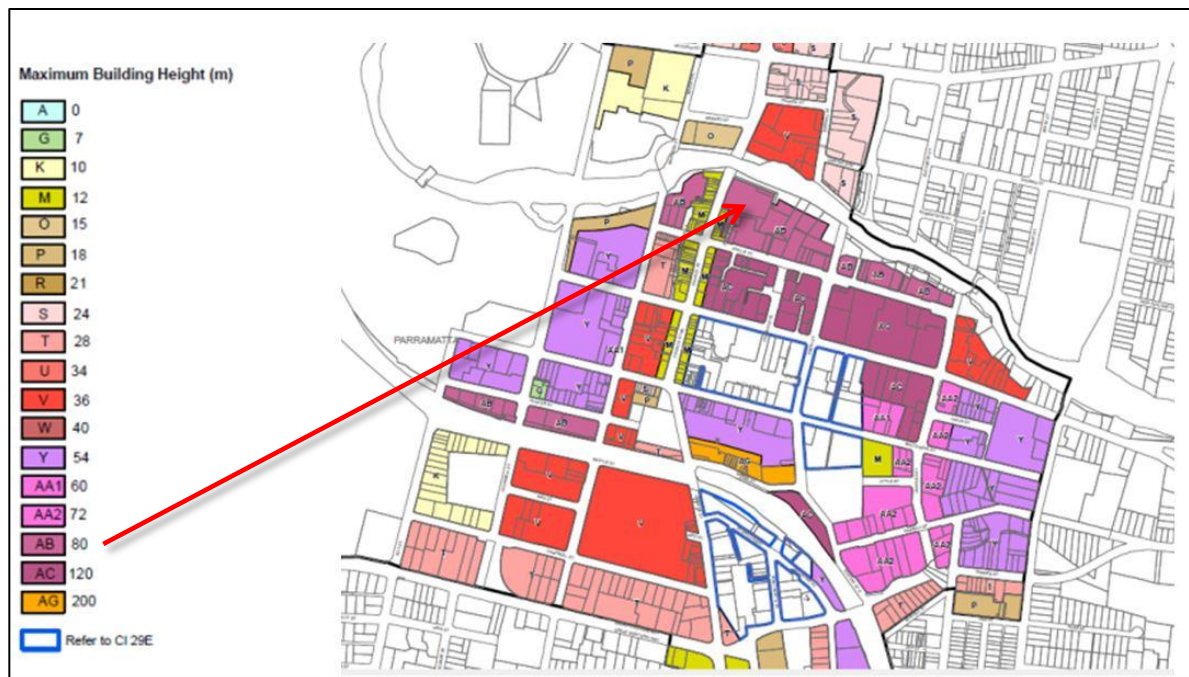
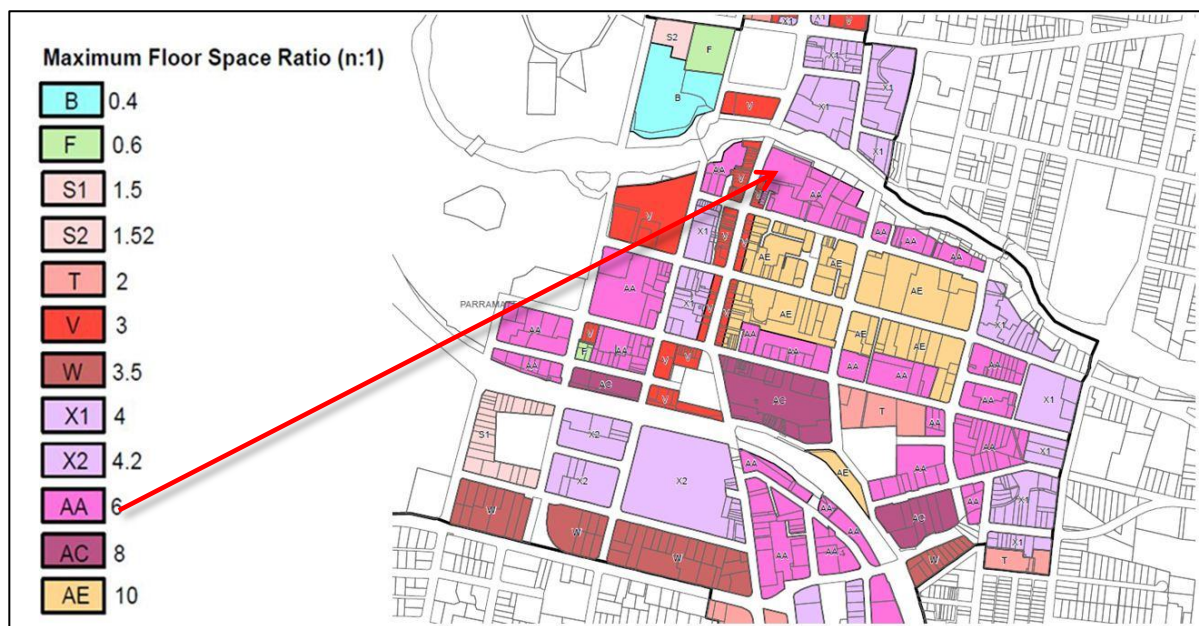


FIGURE 2 – EXTRACT PCCLEP 2007 FSR MAP



## The Approved Scheme

The DPI assessment report to the PAC in relation to the original application noted that the then proposed 46.9% variation to the height standard significantly exceeded the 10% design excellence height variation allowance permitted under Clause 22 of PCCLEP 2007. In assessing this extent of variation the DPI considered potential visual, overshadowing, wind, reflectivity and noise impacts, and took into account the proponent's height study, which identifies that:

*“existing development within the vicinity of the site is characterised by buildings between three and 22 storeys. ... the future character of the area, as identified in the PCC LEP, is intended to comprise tall buildings ranging in height between 36 and 200 m (approximately 12 to 66 storeys) on a north-south axis, and 12 and 80 m an east-west axis”*

Having considered the above, the DPI concluded the following in relation to the proposed 120 metre (approx.) building:

*“the department considers that the site's location at the northern gateway of the CBD provides a unique opportunity to provide a landmark development. Furthermore, the department considers that the design verification report supports this conclusion, with the report demonstrating that the application will provide an appropriate built form that responds to the desired future character of the area, the site's proximity to the water, the fine grain of Church Street, and the civic place proposed on the David Frater Car Park site”.*

## Basis of the Proposed Modifications

For many years the existing above ground parking structure adjacent to the site within the David Frater Reserve has been acknowledged as a significant blight on the foreshore landscape that compromises the relationship between the CBD and the river. Demolition of the car park and landscaping of its' site and the adjoining foreshore to provide quality river front open space will provide a major public benefit. However, this will involve significant cost.

As a mechanism to deliver this benefit, the currently proposed modification includes a Voluntary Planning Agreement (VPA) with Council. The VPA involves the proponent making a total contribution of \$12,763,995 to fund the delivery of new public open space in the place of the existing car park, in return for an additional 17,594m<sup>2</sup> of GFA, within an additional 5 storeys on the approved East tower and an additional 16 storeys on the approved west tower.



## Other Tall Building Approvals in Parramatta CBD

In considering the merit of the proposed height variation we have reviewed recent approvals for other tall buildings within the Parramatta CBD, and identified the approvals identified in Figure 3 and Table 1.

FIGURE 3 – RECENT CBD TALL BUILDING APPROVALS



TABLE 1 – RECENT CBD TALL BUILDING APPROVALS

# ON MAP	MAJOR PROJECT	LOCATION	PROJECT STATUS	HEIGHT
1	MP10_0068- Concept Plan and Project Application (Stage 1) for Westfield Shopping Centre Parramatta Retail and Commercial Development	Church & Argyle Street, Parramatta	Under Assessment	Office Tower at north east corner of site up to 100 metres/ 20 storeys- detailed application will be submitted with Stage 2.
2	MP_09_0167 45-47 Macquarie Street & 134-140 Marsden Street, Parramatta	45-47 Macquarie Street & 134-140 Marsden Street, Parramatta	Approved- 28 <sup>th</sup> Oct 2011 for 28 storey mixed use  Mod 2 (increased height)- proponent reviewing submissions	28 <sup>th</sup> Oct 2011:  Approved maximum building height of 84.6 metres.  Mod- proposes an increase by 17.9 metres to RL112.4 equivalent to an approx. maximum height of 102.5 m.
3	MP09_01280 Commercial retail Development	89 George Street, Parramatta	Approved- 21 <sup>st</sup> November 2011	Approved 13 storey commercial building.
4	Civic Place: Sydney Water offices	Civic Place- 1 Smith Street, Parramatta	Approved 1 <sup>st</sup> March 2007	Proposed + Approved 17 storey. Approx. 64 metres
5	DA/241/2013	113-117A Wigram Street, Harris Park & 23-29 Hassell Street, Parramatta.	Under assessment	Proposed 22 storey mixed use development.  69.33 metres.
6	DA/164/2013	160-182 Church Street, Parramatta (Parramatta Council site)	Under assessment	Mixed use development:  90 storeys  306 metres
7	DA-62/2013	169 Macquarie Street and Part 1A Civic Place, Parramatta	Approved - 12/09/2013	Commercial building:  61.1 metres/ 15 storeys.
8	DA-48/2013	189 Macquarie Street and part of 34 Hassall Street, Parramatta	Under Assessment	Mixed use building:  26 storeys  79 metres

# ON MAP	MAJOR PROJECT	LOCATION	PROJECT STATUS	HEIGHT
9	DA/694/2011	109-113 George Street, Parramatta	Approved - 17/05/2012	Mixed use: 66.4 metres/ 19 storeys
10	DA/155/2011	29 Hunter Street, Parramatta	Approved - 09/02/2012	Mixed use: 75.5 metres/ 24 storeys
11	DA/295/2010	36 – 46 Cowper Street Parramatta	Approved - 11/11/2010	Mixed use: 19 storey/ 59.4 metres

As can be seen in Figures 1 and 2, the height map to PCC LEP 2007 provides for a maximum height of 200 metres along the northern side of Darcy Street, which runs east-west along the northern side of Parramatta Station. Subject to various permutations and sun access considerations this then steps down to 120 metres on the east-west blocks between George and Phillip Streets, and then down to 80 metres in the east-west blocks between Phillip Street and the river.

In the east-west direction, height is generally concentrated between Charles and Church Streets, stepping down further to the east and west.

However, in the Planning Proposal of December 2012 for the site of Council's 'Aspire' residential tower at 160-182 Church Street, the following proposition is made in relation to variation of the heights to allow over 300 metres within the 200 metre (+ design excellence variation) height zone along the northern side of Darcy Street / Western Rail Line:

#### **4.2 Variation to Building Height along Darcy Street**

...  
*During further design of the scheme it has become apparent that greater diversity in the built form is required along Darcy Street. Developing Darcy Street to the current allowable design excellence height limits of 220 metres presents a monolithic block feature on the skyline which is very wide and presents an obstruction to the visual connectivity between north and south Parramatta at the city's centre. In order to mitigate this effect, Grimshaw's urban design analysis proposes that the blocks be divided up to allow light and views through the form and to introduce variety and interest in the skyline profile by adjusting the height parameters across the three sites fronting Darcy Street.*  
 ...

The variation provides the increased height at the Church Street end of the block.

We consider this a reasonable proposition for the reasons stated and believe that a similar approach is equally, or even more warranted along the southern side of the Parramatta River. The proposed increase in height on the subject site will not only provide variety in heights along the southern side of the river, but will create a significant open space to offset the additional height. As proposed in the Civic Square scheme, the additional height is proposed adjacent to the Church Street spine of the CBD (above a street level podium), appropriately reflecting the historic north-south axis of the city, and appropriately marking its crossing of the river, providing a northern gateway to the core CBD precinct.



## Consideration of Extent of Proposed Additional Height

As discussed above, we believe there is a sound rationale for providing variety in the 80 metre height zone between the river and Phillip Street, and believe that the corner of Church Street is an appropriate location for the increased height. We also believe that it is reasonable to further increase such height as a 'bonus' in return for contributions to replace the adjacent unsightly David Frater car park with high quality river front open space.

In conjunction with commercial calculation of the additional height required to fund the replacement of David Frater car park, it is necessary to consider how much extra height is reasonably achievable.

In the first instance we note that specific impacts such as visual, overshadowing, wind, reflectivity and noise impacts have a diminishing marginal effect above a certain height. That is, the effect of each additional storey upon the specific impacts of a low rise building are relatively greater than the effect of each additional storey upon the specific impacts of a high rise building, as each additional storey on top of a tall building is necessarily further from the position where its effect is perceived. The determination of how much additional height can reasonably be permitted to fund replacement of the David Frater car park, and to provide variety of height along the river, relates to how the resultant final height will sit within the broader skyline context planned within the locality. On this basis we believe the specific impacts of increasing the height from the approved 120 metres to the proposed 180 metres, will not be significantly greater than the increase from the permitted 80 metres to the approved 120 metres.

For decades Council and the State Government have sought to promote the role of Parramatta as the 'second CBD' of Sydney, with varying success over time. However, in recent years significant traction has been gained from a number of positive initiatives promoting cultural development, improved street activation, urban domain improvements and a significant liberalisation of building heights. This has resulted in the emergence of a skyline consistent with the CBD aspirations of Parramatta.

The proposed height of approximately 180 metres will significantly exceed the 80 to 120 metre height generally applicable in the northern half of the core CBD, between George Street and the river, thereby creating a distinct landmark building adjacent to the intersection of the main north-south spine of Church Street, and the northern CBD edge defined by the river. However, even at the proposed height of 180 metres, from a distant skyline perspective the proposed building will still be subservient to the 200 metre height planned immediately north of the railway station, and will be dwarfed by the 300 metre height of the Aspire Tower within that precinct. At this distant scale the two buildings will read together as a dominant marker of the southern gateway of the CBD core, and a tall, but nevertheless distinctly lower marker of the northern gateway, both aligned along the Church Street spine.

## Council Submission

In Council's response to the DPI's referral of the modification application, numerous matters in relation to the detailed design, and specifically that of the building podium and ground levels, are raised. However, in relation to the proposed increase in tower height, Council states:

*"Council does not raise issue with the revised height of the development. The proposal does not result in significant additional overshadowing of public open space and residential dwellings due to its CBD location. In addition the tower heights(,) whilst being significant does (sic) not manifest into adverse visual bulk. The eastern tower in particular is a slender form with a high degree of architectural merit. It is also noted that the historic view lines from the world heritage listed Parramatta park precinct are not additionally impacts (sic)".*

In relation to the proposed increase in FSR to 8.25:1, Council has responded that, notwithstanding the 6:1 (plus 10% design excellence) standard:

*“Council does not raise issue with the revised floor space ratio of the development. The revised scale of the podium level is not significant and as discussed the overall height of the development and the incorporation of relatively slender tower forms does not generate amenity impacts”.*

While Council have recommended some 20 detailed design conditions relating primarily to detailed design and vehicular access matters, no objection has been raised to the proposed modification.

## Conclusion

The proposed modification increases the height of an approved building that already significantly exceeds the underlying PCC LEP 2007 height standards, and proposes floor space in excess of the underlying PCC LEP 2007 FSR standard. However, the application is accompanied by a VPA that delivers very significant public benefits by converting a unsightly car park that has blighted the interface of the CBD and Parramatta River for decades. The net effect will be a radical and positive transformation of this key CBD precinct, with benefits for the entire Parramatta centre.

While the additional building height will be highly visible, visibility of itself is not necessarily a negative impact. In exactly the same manner as Council is currently proposing for its Civic Square project, the proposed modification will vary the otherwise uniform heights permitted along the south bank of the river, with additional height concentrated along the Church Street spine, and offset by a lower scale podium, and the creation of immediately adjoining open space.

Potential specific impacts, including visual, overshadowing, wind, reflectivity and noise impacts are only marginally increased relative to the approved scheme, which both the DPI and Council found to be reasonable. Council has also raised no objection to the proposed modification to the building height.

While the proposed increase in building height is undeniably large, it will not be out of scale with the emerging and planned CBD skyline. The building as proposed to be modified will still be subservient to the 200 metre height planned in the precinct immediately north of the railway station, and will be significantly lower than the 300 metre height of the Aspire Tower proposed by Council within that precinct. At a distant scale the two buildings will read together as a dominant marker of the southern gateway of the CBD core, and a tall, but nevertheless distinctly lower marker of the northern gateway, both aligned along the Church Street spine

In view of the above, we believe the proposed increase in the approved building height is warranted, and that the positive benefits it will deliver easily outweigh associated adverse impacts.

Yours sincerely,



Ian Cady  
Associate Director