

## Environmental Assessment Report Section 75W Modification



### Central Park, Broadway

Modification to Approved Concept Plan Concept Plan Approval

MP06\_0171 (Mod 5) *YG*

Submitted to Department of Planning and Infrastructure

On Behalf of Frasers Broadway Pty Ltd

May 2012 ■ 11316

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This report has been prepared by:

Jennie Buchanan

Signature

A handwritten signature in blue ink, appearing to be 'J. Buchanan', with a stylized flourish at the end.

Date 10/05/12

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<b>C</b>	<b>Selected Architectural Plans prepared for the Kensington Precinct</b> <i>TZG Architects</i>



## 1.0 Introduction

This Environmental Assessment Report (EAR) is submitted to the Department of Planning and Infrastructure in support of an amendment to Concept Plan Approval MP06\_0171 (Mod 5) pursuant to Section 75W of the *Environmental Planning and Assessment Act 1979* (EP&A Act). M06\_0171 is a Concept Plan approval which provides for the development of a mixed use precinct on the Central Park (formerly Carlton United Brewery) site.

The proposed modification seeks an amendment to the allocation of Gross Floor Area (GFA) and the mix of residential and non-residential GFA within the Kensington Precinct. The application does not seek any change to the total amount of GFA approved across the site, nor the overall split of residential and non-residential land use mix on the site.

This EAR has been prepared by JBA Urban Planning Consultants Pty Ltd on behalf of Frasers Broadway Pty Ltd. It describes the site, its environs, the proposed development in the context of the approved Concept Plan, and includes an assessment of the proposal.

The EAR is based on the Architectural Drawings prepared by Foster + Partners (found at **Appendix A**), and other supporting technical information appended to the report (see Table of Contents).

### 1.1 Central Park Concept Plan

MP 06\_0171, as modified in February 2009, is a Concept Plan approval applying to the Central Park site which permits the construction of a mixed use precinct comprising:

- 11 development blocks;
- A maximum Gross Floor Area (GFA) of 255,500m<sup>2</sup> of which a minimum of 30% must be commercial floor space;
- Combined basement car parks, providing car parking for Blocks 1, 4 and 8 and Blocks 2, 5, 9 and the Kensington Precinct;
- A new public park;
- Tri-generation and re-cycle water treatment plants;
- Retention of heritage items;
- Public domain works; and
- Contributions.

A copy of the modified Concept Plan Notice of Determination is provided at **Appendix B**.

## 2.0 Description of Proposed Modification

### 2.1 GFA Allocation to Development Blocks

This application proposes a redistribution of the approved GFA across the Central Park site. No change is proposed to the overall GFA approved on the site, being 255,500m<sup>2</sup> or the approved Concept Plan building envelopes on the site.

**Table 1** summarises the approved and proposed distribution of GFA across the site.

**Table 1** – Modifications to Total GFA on Central Park Site

Block	Approved GFA (m <sup>2</sup> )	Proposed GFA (m <sup>2</sup> )	Difference (m <sup>2</sup> )
1 + 4 (incl Brewery)	77,000	77,000	0
2	68,000	68,000	0
3	10,500	10,500	0
5A	11,000	11,000	0
5B	16,000	16,000	0
6	2,550	2,180	-370 (-15%)
7	1,250	1,250	0
8	14,500	14,500	0
9	27,000	27,00	0
10	1,700	2,070	+370 (+22%)
11	26,000	26,000	0
<b>Total</b>	<b>255,500</b>	<b>255,500</b>	<b>0</b>

### 2.2 Mix of Land Uses within Kensington Street Precinct

In addition to the above reallocation of GFA within the Kensington Precinct it is also proposed to alter the mix of approved uses as per that shown in **Table 2**. Note no change is proposed to the overall percentage split required on the Central Park site being maximum 70% residential and a minimum 30% non-residential.

Drawings A-1002 (Rev 8) and A-1253 (Rev 12) have been updated to reflect the revised total GFA and land use mix within the Kensington Precinct. The drawings are provided at **Appendix A**.

**Table 2** – Modifications to land use mix in Kensington Precinct

Block	Approved Maximum Resi GFA (m <sup>2</sup> )	Proposed Maximum Resi GFA (m <sup>2</sup> )	Difference (m <sup>2</sup> )
3	5,100	6,125	+1,025
6	1,200	0	-1,200
7	0	0	0
10	850	1,800	+950
<b>Total</b>	<b>7,150</b>	<b>7,925</b>	<b>+775</b>

## 2.3 Modifications to Conditions of Consent

The above changes to the Kensington Street Precinct necessitates the following modifications to the conditions of consent. Deletions are shown in ~~bold strikethrough~~ and insertions are shown in ***bold italics***.

### 2.3.1 Schedule 2, Condition A4

A4 Development in accordance with Plans and Documentation

...

Except as modified by:

2 (d) ~~(i) Project No. 1645, No. A-1002, Revision 8, dated 15 Oct 2008~~

...

~~(iv) Project No. 1645, No. A-1253, Revision 12, dated 04 Dec 2008~~

...

2 (f) ***Section 75W EAR prepared by JBA Planning Consultants dated May 2012; and***

***Project No. 1645, No. A-1002, Revision 9, dated May 2012***

***Project No. 1645, No. A-1253, Revision 13, dated May 2012***

### 2.3.2 Schedule 3, Condition A1

A1 Gross Floor Area Controls

The Concept Plan is modified with regards to below:

- a) The Maximum GFA available for development across the site is 255,500 square metres.
- b) The GFA for residential land uses on the site shall not exceed 70% of the total GFA.
- c) The GFA for non-residential land uses on the site shall not be less than 30% of the total GFA.
- d) The maximum GFA for development parcels approved as part of the Concept Plan are described below:

e)

Block	Approved GFA (m <sup>2</sup> )
1 + 4 (incl Brewery)	77,000
2	68,000
3	10,500
5A	11,000
5B	16,000
6	<del>2,550</del> <b><i>2,180</i></b>
7	1,250
8	14,500
9	27,000
10	<del>1,700</del> <b><i>2,070</i></b>
11	26,000
Total	255,500

- f) Notwithstanding the above, any GFA that occurs from the development of community uses within Main Park that Council will own and operate shall not be calculated towards the maximum GFA referred to in (a) above.

- g) To allow for minor variations to the total GFA for each block shall not exceed the maximum GFA for each block referred to in the above table by more than 5%, however the total GFA for the site (255,500sq.m) shall not be exceeded.
- h) Any future land subdivision shall ensure covenants are placed on the title to limit the GFA for each block in accordance with (d) and (f).
- i) The maximum GFA identified above is subject to satisfying as part of future applications:
  - (i) The requirements of this approval;
  - (ii) All design excellence provisions; and
  - (iii) Environmental considerations.



## 3.0 Environmental Assessment

The following section provides an environmental assessment of the proposed modifications.

### 3.1 Compliance with relevant Environmental Planning Instruments

As the proposed modification does not amend the total GFA approved on the site, the maximum mix of uses, the building envelopes or the number of parking spaces approved on the site the proposal does not alter the approved developments compliance with the following relevant Environmental Planning Instruments:

- State Environmental Planning Policy No 65 – Residential Flat Design (SEPP 65)
- Sydney Local Environmental Plan 2005
- Central Sydney Development Control Plan 1996

The proposed modifications will allow for the delivery of a viable student accommodation development within the Kensington Precinct, thus increasing:

- The mix of accommodation types provided on the Central Park site; and
- The amount of affordable accommodation within an existing centre and with good access to existing public transport nodes and day to day services and facilities.

The above is consistent with the *Metropolitan Plan for Sydney 2036* which seeks to deliver ‘770,000 additional homes with a range of housing types, sizes and affordability levels for a growing and ageing population’.

### 3.2 Compliance with the Central Park Concept Plan

The following is our assessment of the proposed modifications compliance with Concept Plan Approval MP07\_161 (Mod 5):

#### 3.2.1 Total GFA

As the proposal does not seek an increase in the maximum GFA permitted on the site, but rather the redistribution of floorspace within the Kensington Precinct, the proposed modification remains consistent with condition A1 contained in Schedule 3 of the Concept Plan approval in that a maximum of 255,500m<sup>2</sup> GFA will be constructed on the site.

#### 3.2.2 Building Envelopes

As demonstrated in the architectural plans for Project Application MP11\_0090 (Blocks 3 B/C and 10) and MP11\_0091 (Blocks 6 & 7) (see **Appendix C**), the proposed development can generally be accommodated within the building envelopes approved under the Concept Plan.

An exception to this is the block 10 envelope where a more regular building envelope is proposed so as to provide more occupiable floorspace. Consequently it is proposed to revert back to the original approved building envelope as opposed to the modified envelope approved under Mod 2. The original approved envelope (February 2007) is shown in **Figures 1 and 2** and the modified envelope as approved under Mod 2 in February 2009 is shown in **Figures 3 and 4**.

The Department has previously accepted the proposed envelope on the site and has approved it on the basis that no adverse impacts will occur. The proposed height of the Block 10 building envelope does not exceed that approved under the modified Concept Plan (mod 2).

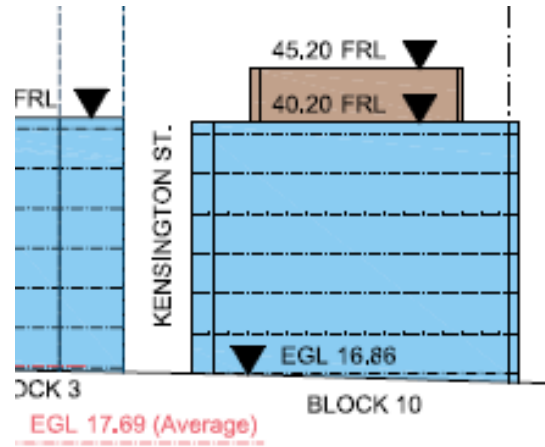


Figure 1 – Original Block 10 envelope as approved in February 2007

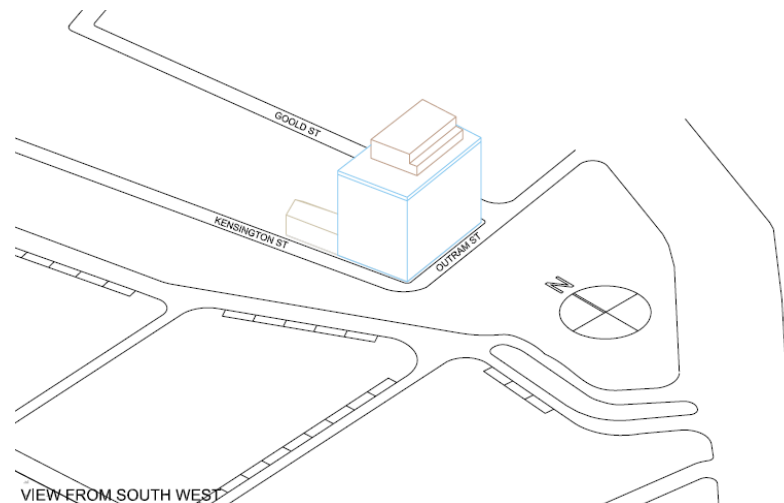


Figure 2 – Approved Block 10 building envelope as approved in February 2007

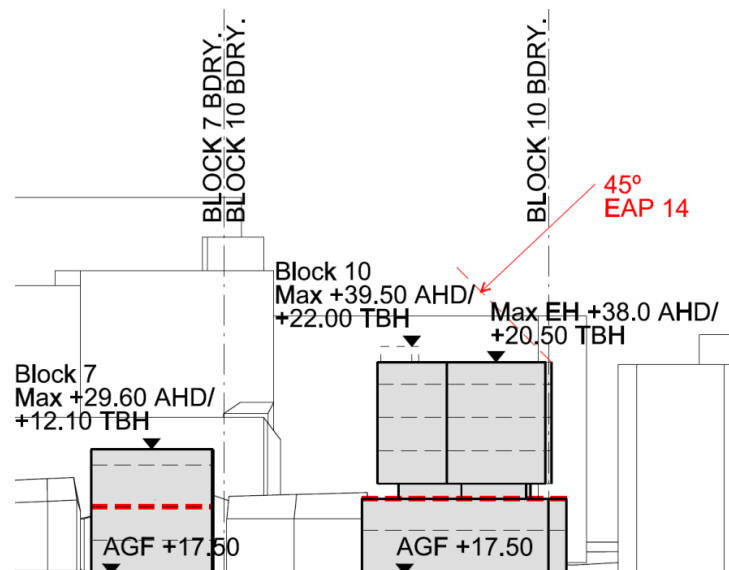


Figure 3 – Approved Block 10 elevation as approved in February 2009

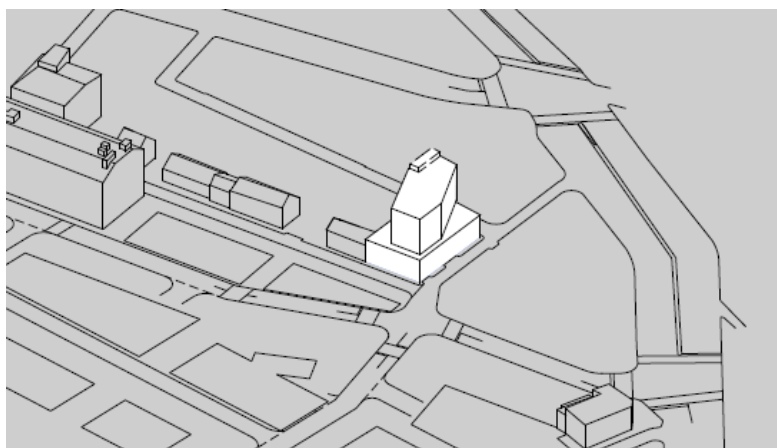


Figure 4 – Approved building envelope of Block 10 as approved in February 2009

### 3.2.3 Land Use Mix

The modification seeks an increase in the amount of residential floorspace that is permitted within the Kensington Precinct. **Table 3** (next page) provides a tally of the residential accommodation approved on the Central Park site to date and also includes the proposed modification to the Kensington Precinct.

As can be seen the proposed modification does not preclude the site from achieving the required land use mix of a minimum 30% non-residential floorspace and a maximum 70% residential floor space. The proposal thus remains consistent with Schedule 3, Part A, condition A1(c) of the Concept Plan approval (as amended) which requires the above land use mix to be delivered on the site.

Table 3 – Approved and Proposed Land Use Mix on the Central Park Site

Block	Concept Plan			PA's Lodged or Approved & proposed Kensington Street GFA				Status
	Residential	Non-Residential	Total	Residential	Non-Residential	Total	Variation to CP approval total GFA	
1 & 4	0	73,000	73,000	0	72,780	72,780	-220	Approved
Brewery	0	4,000	4,000	0	4,143	4,143	143	Determination still pending
2	55,000	13,000	68,000	48,391	19,235	67,626	-374	Approved (Mod 3)
3	5,100	5,400	10,500	6,125	4,375	10,500	0	Proposed
5	25,000	2,000	27,000	26,883	1,436	28,319	1,319	Approved (Mod 1)
6	1,200	1,350	2,550		2,190	2,190	-370	Proposed
7	0	1,250	1,250		1,250	1,250	0	Proposed
8	13,500	1,000	14,500			0	-14,500	
9	27,000	0	27,000	26,453	191	26,644	-356	Approved
10	850	850	1,700	1,800	270	2,070	370	Proposed
11	23,800	2,200	26,000			0	-26,000	
Total	151,450	104,050	255,500	109,652	105,870	215,522	-39,988	
	60%	40%	100%	51%	49%	100%		

### 3.2.4 Statement of Commitments

The proposed modification does not generate any non-compliance with, nor need for amendment of, the Concept Plan Statement of Commitments.

## 3.3 Residential Amenity of Neighbouring Properties

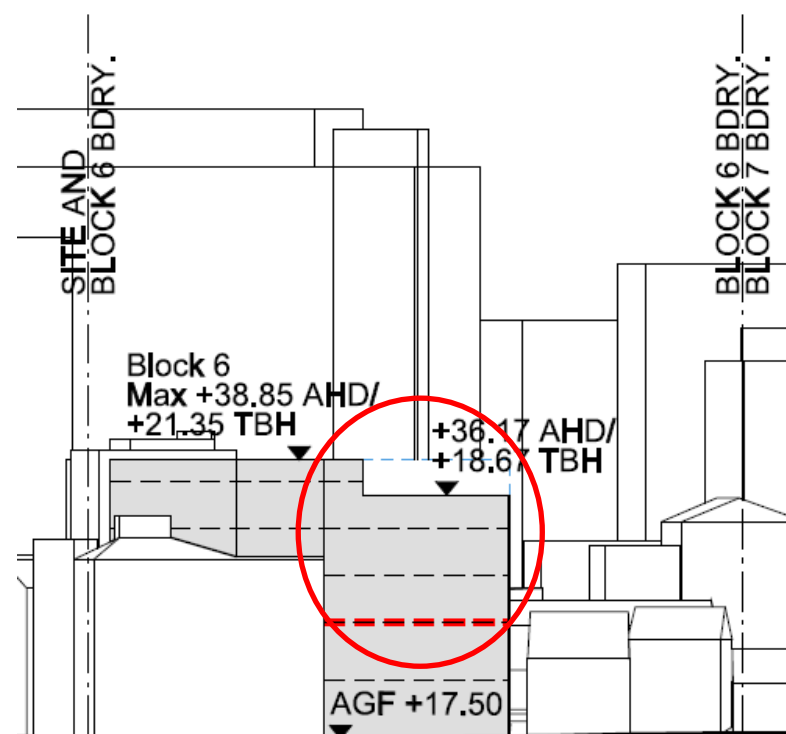
The proposed amendment is expected to have a positive impact on the residential amenity of the neighbouring residential property at 7 Gould Street. This is due to the following two amendments to the approved Concept Plan scheme:

- Reduction in GFA permissible on Block 6; and
- Removal of residential land use on Block 6.

As can be seen in **Figures 5 and 6**, the reduction of GFA on Block 6 has meant that the building within the approved envelope will be reduced in height and bulk. This will thus have the benefit of reducing bulk and scale and overshadowing impacts on 7 Gould Street.

The change in land use is also likely to have a positive effect on the same property as the development will no longer need to demonstrate compliance with SEPP 65 and thus there is greater flexibility in the future design of the building in terms of ensuring privacy is maintained to neighbouring properties.

This is because, being a commercial building to ensure that the future building achieves compliance with the solar access and natural ventilation rules of thumb is not as great, thus the provisions of openings and windows on the eastern elevation of the future building is not as crucial.



**Figure 5** – Approved Block 6 Building Envelope

Source: *Foster + Partners*

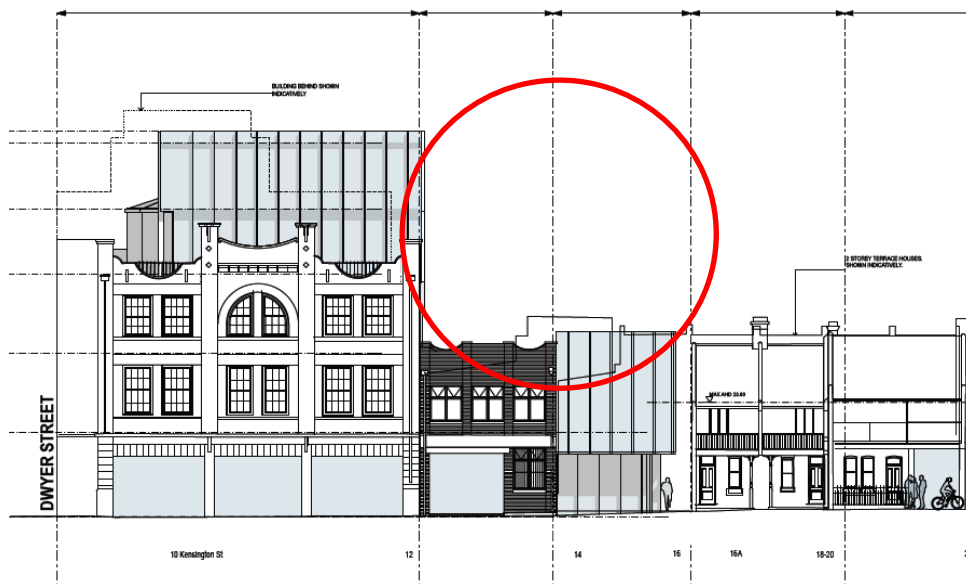


Figure 6 – Proposed Block 6 Building Envelope

Source: TZG Architects

### 3.4 Public Benefit of Modification

The proposed modifications will allow for the following public benefits to be delivered on the Central Park site:

- Provision of student accommodation on the Central Park site, thereby increasing the mix of accommodation on the site;
- Improved consistency with the objectives of the *Metropolitan Plan for Sydney 2036* of delivering new affordable housing within existing centres that have good access to public transport;
- Delivery of a more considered distribution of floorspace within the Kensington Street Precinct which results in beneficial impacts to neighbouring properties; and
- Compliance with the objectives of the Environmental Planning and Assessment Act in that the proposal makes efficient and economic use of the land.

In light of the above public benefits of the modification, and in the absence of any adverse environmental impacts, the proposed modification to Concept Plan approval MP07\_0161 is recommended for approval.