

**City of Sydney**

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15 June 2012

Our Ref : 2012/151705

Your Ref: MP06\_0171 MOD6

Mr Alan Bright  
A/Director, Metropolitan & Regional Projects South  
NSW Department of Planning  
GPO Box 39  
Sydney NSW 2001

**Attention: Caroline Owen**

Email: Caroline.Owen@planning.nsw.gov.au

Dear Mr Bright

**RE: Frasers' Central Park Concept Plan Application MP 06\_0171 (MOD 6)**

I refer to your letter dated 21 May 2012 advising of proposed changes to the Concept Plan approval (MP06\_0171) for Central Park.

You requested comments from the City of Sydney in response to the applicant's request for approval to amend the approved gross floor area for development blocks and the approved land mix, in the Kensington Precinct. It is noted that no change is proposed to the overall GFA approved on site, being 255,500sqm.

The proposed key changes are summarised as follows:

- A reduction in GFA associated with Block 6 of 370sqm and removal of all residential GFA. No change is proposed to the currently approved building envelope.
  - An increase in GFA for Block 10 of 370sqm and an increase in residential GFA of 950sqm. The application also proposes to revert to the originally approved building envelope for block 10 that was approved in February 2007.
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- An increase in residential GFA for Block 3 of 1,025sqm but no overall increase in GFA. No change is proposed to the currently approved building envelope.

Council does not object in-principle to the proposal, subject to the following key recommendations and conditions.

**Land Use Mix**

This and any future modification of the Concept Plan should not preclude the site from achieving a minimum of 30% non-residential floor space. A site of this size and significance requires an appropriate amount of non-residential floor space to support

*city of villages*

the local economy and provide work, social and retail opportunities for residents within the area.

### **Student Accommodation**

Council generally supports the introduction of student accommodation into the Central Park development. However, any detailed Project Application for student accommodation, should incorporate the following key conditions:

#### **ACCOMMODATION - REGISTRATION AND CARETAKER**

Prior to the issuing of an Occupation Certificate, Council's Health and Building Unit must be advised in writing of the business name, address, owner or company name, 24 hour contact details for the site manager, and the number of occupants approved for the premises. A caretaker/manager must be contactable 24 hours a day.

#### **CARE OF BUILDING SURROUNDS**

In addition to Council's daily street sweeping and cleansing operations, the owner/manager of the building must ensure that the forecourt and the surrounds of the building including pavements and gutters are to be kept clean and free of litter at all times.

#### **PLAN OF MANAGEMENT TO BE SUBMITTED AND APPROVED**

- (a) A Plan of Management must be prepared to address all operational and management procedures to be employed, to ensure that the premises can operate without disturbance to the surrounding locality. The plan must reflect the whole of the Student Accommodation operations, including Security Management.
- (b) The plan must include but is not restricted to; compliance with all other operational conditions of this consent; hours of operation; noise; security management; and handling complaints.
- (c) The plan must be submitted to and approved by Council prior to a Construction Certificate being issued.

The plan must include as a minimum:-

- (i) compliance with all other operational conditions of this consent;
- (ii) each individual room of the student accommodation section is not to be occupied by more than one person per bed as shown on the approved plans. Any future change to the number of beds shown on the approved plans must first be approved by Council. Beds may not be replaced by double bunk beds.
- (iii) hours of operation of outdoor areas (the use of external communal open space or common areas should be restricted);, use of alcohol and/or drugs, curfews, noise management plan;



- (iv) security management should be expanded to include relationships with surrounding hotels/motels/ businesses and residents;
  - (v) students should be issued with information on how to contact Police, Ambulance and Fire Department in translated formats, personal safety awareness sessions should be conducted at the start of each semester (or three times per annum), relationship could be established with the Ethnic Community Liaison Officer at the City Central Police Command;
  - (vi) safety and security measures for residents, handling complaints;
  - (vii) provisions of communal areas and facilities, and access and facilities for people with disabilities;
  - (viii) a copy of the fire safety statement and current fire safety schedule for the premises must be prominently displayed in the reception area, a floor plan showing emergency exits must be fixed to the inside of each sleeping room.
  - (ix) Speakers must not be installed and music must not be played in any of the outdoor areas associated with the premises including the public domain. Speakers located within the premises must not be placed so as to direct the playing of music towards the outdoor areas associated with the premises.
- (d) The approved Plan of Management is thereafter to be complied with during the use of the premises.

#### **RESTRICTION ON STUDENT HOUSING**

- (a) The following restriction applies to the building hereby approved for student accommodation:
  - (x) The accommodation portion of the building may only be used for residential accommodation for students as hereinafter defined and not otherwise as residential accommodation, or as serviced apartments, private hotel, boarding house, tourist or backpackers' accommodation or the like.
  - (xi) Each individual room of the student accommodation section is not to be occupied by more than one person per bed as shown on the approved plans. Any future change to the number of beds shown on the approved plans must first be approved by Council. Beds may not be replaced by double bunk beds.
  - (xii) An owner, Owners Corporation, tenant or licensee of the premises or any part thereof shall not advertise or permit advertisement of any accommodation in the building over which they have control other than for student residential accommodation.

- (xiii) Any tenant or licensee of any part of the residential accommodation must produce to the owner or licensor or landlord prior to taking occupation evidence of identity and of a tertiary educational facility in Australia. The owner or licensor or landlord is to maintain an up-to-date register of all details which must be produced for inspection on request by Council.
- (xiv) Any tenant or licensee of any part of the residential accommodation must produce to Council upon request at any time written evidence of identity and of current enrolment in such tertiary educational facility.
- (xv) Upon ceasing to be enrolled to attend a full time tertiary educational course with a tertiary institution in Australia, the now former student shall vacate the residential accommodation within 4 weeks of the expiration of their tertiary course.
- (xvi) Prior to the issue of an occupation certificate, a restrictive covenant is to be registered on the title of the premises in the above terms to the satisfaction of Council. The Applicant shall pay Council all costs for the preparation and registration of the restrictive covenant.
- (xvii) For the purpose of this condition, "student" means a person over 16 years of age enrolled with a tertiary institution in Australia and attending a full time course of tertiary education in Australia.
- (xviii) All student occupants of the site are to be provided with a package notifying them of these requirements when they commence residency at the premises as part of the lease/tenancy agreement. This, and other information required to be provided to the student occupants is to be provided in the native language of the proposed student occupant so that it can be easily understood.

#### **STRATA SUBDIVISION – SEPARATE DA REQUIRED**

Any proposal to strata sub-divide the building will require development consent and therefore the lodgment of a separate development application and subsequent approval from Council, or an accredited certifier, of the strata plan, under section 37 of the *Strata Schemes (Freehold Development) Act 1973*.

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#### **Block 10 Building Envelope**

The Environmental Assessment Report submitted by JBA Planning on behalf of the applicant states that the building envelope for building 10 is proposed to revert to the originally approved February 2007 envelope, rather than the modified envelope approved in 2009 under Mod 2.

Council accepts that the building envelope proposed to be used has been previously approved by the Department. However, the modifications to the envelope approved as part of Mod 2 are preferable as they introduced improved articulation, including

use of a podium. Council recommends that any detailed Project Application for Block 10 include detailed architectural articulation in order to reduce the presentation of a bulky building within the Kensington Precinct.

If you have any further enquiries on this matter, please contact Kate Bartlett, on 9265 9200 or [kbartlett@cityofsydney.nsw.gov.au](mailto:kbartlett@cityofsydney.nsw.gov.au).

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Andrew Rees', with a stylized flourish at the end.

**Andrew Rees**  
Area Planning Manager