

Environmental Assessment Report Section 75W Modification



Central Park, Broadway

Modification to Approved Concept Plan

MP06_0171 (Mod 7)

Submitted to Department of Planning and Infrastructure
On Behalf of Frasers Broadway Pty Ltd

October 2012 ■ 11316

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B	Modified Concept Plan Notice of Determination MP06_0171 <i>Department of Planning & Infrastructure</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 6) 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) within the Kensington Precinct, specifically Block 3. 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 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 August 2012, 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 255,500m² 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 255,500m² 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 ²)	Proposed GFA (m ²)	Difference (m ²)
1 + 4 (incl Brewery)	77,000	77,000	0
2	68,000	68,000	0
3	10,500	11,100	+600
5A	11,000	11,000	0
5B	16,000	16,000	0
6	2,180	2,000	-180
7	1,250	1,100	-150
8	14,500	14,500	0
9	27,000	27,000	0
10	2,070	2,070	0
11	26,000	25,730	-270
Total	255,500	255,500	0

The reallocation of floor space from Blocks 6, 7, and 11 to Block 3 has been considered and prepared concurrently, and with the intention to respond to the proposed schemes for both Block 3A (MP 09_0089) and Blocks 6 + 7 (MP 09_0091) of the Kensington Precinct. It is proposed to move some of the GFA from blocks 6 and 7 that are not likely to be realised to Block 3, as well as a small portion of GFA from Block 11.

2.2 Mix of Land Uses

In addition to the above reallocation of GFA within the Kensington Precinct it is also proposed to alter the mix of approved uses for the Central Park site 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 12) and A-1253 (Rev 17) have been updated to reflect the revised total GFA and land use mix of the Central Park site. The drawings are provided at **Appendix A**.

Table 2 – Modifications to land use mix across the Central Park site

Block	Approved Maximum Resi GFA (m ²)	Proposed Maximum Resi GFA (m ²)	Difference (m ²)
Block 1+4 (incl Brewery)			
Block 2	55,000	55,000	0
Block 3	6,125	6,125	0
Block 5	25,000	25,000	0
Block 6	0	0	0
Block 7	0	0	0
Block 8	13,500	13,500	0
Block 9	27,000	27,000	0
Block 10	1,800	1,800	0
Block 11	23,800	23,530	-270
Total	152,225	151,955	-270

2.3 Modifications to Conditions of Consent

The above changes to the Kensington Street Precinct necessitate 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 (f)** ~~(i) Project No. 1645, No. A-1002, Revision 9, dated May 2012~~
~~(ii) Project No. 1645, No. A-1253, Revision 13, dated May 2012~~

- 2 (g)** *Section 75W EAR prepared by JBA dated October 2012; and*
Project No. 1645, No. A-1002, Revision 12, dated October 2012
Project No. 1645, No. A-1253, Revision 17, dated October 2012

2.3.2 Schedule 3, Condition A1

A1 Gross Floor Area Controls

The Concept Plan is modified with regards to below:

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

Block	Approved GFA (m ²)
1 + 4 (incl Brewery)	77,000
2	68,000
3	10,500 11,100
5A	11,000
5B	16,000
6	2,180 2,000
7	1,250 1,100
8	14,500
9	27,000
10	2,070
11	26,000 25,730
Total	255,500

- e) 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.
- f) 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.
- g) 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).
- h) 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 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

This modification will allow for the delivery of proposed the hotel and associated non residential uses on Block 3A to be achieved. Given the allocation of GFA under the concept plan is allocated across Block 3 as a whole, the achievable GFA on Block 3A is dependant of the resulting GFA of the Block 3B and 3C student accommodation development. This application does not seek to increase the approved concept plan envelope of Block 3A.

The proposed GFA of Block 3B/3C and 10(MP_09_0090) is part of the delivery of a viable student accommodation development within the Kensington Precinct. This proposal will increase the mix of accommodation types provided on the Central Park site; and increase affordable accommodation within an existing centre and with good access to existing public transport nodes and day to day services and facilities, 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 7):

3.2.1 Total GFA

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 from Block 6 and 7 and also from Block 11. The proposed modification remains consistent with condition A1 contained in Schedule 3 of the Concept Plan approval in that a maximum of 255,500m² GFA will be constructed on the site.

Preliminary consideration of the Block 11 building envelopes and associated amenity have been undertaken, and have identified difficulties in achieving the maximum GFA to this block. As such, the minor reduction of 270m² from a total of 26,000 m² is considered negligible.

3.2.2 Land Use Mix

The modification seeks a minor decrease in the residential floor space across the site of 270m². **Table 3** (next page) provides a tally of the residential accommodation approved on the Central Park site to date and also includes the

proposed modifications to the Kensington Precinct. This table accounts for the proposed GFA as a result of the student housing accommodation to Block 3B/3C and 10 that is currently under consideration by the DPI, as well as the anticipated GFA of the schemes for Block 3A and Blocks 6 + 7 which are being prepared for submission to the DPI by the end of 2012.

As can be seen in this table, 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

	Concept Plan			PA's Lodged or Approved & proposed				Status
Block	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	Approved
2	55,000	13,000	68,000	48,391	19,235	67,626	-374	Approved
3	5,100	5,400	10,500	6,094	4,991	11,085	585	Proposed
5	25,000	2,000	27,000	26,883	1,436	28,319	1,319	Approved
6	1,200	1,350	2,550		1,943	1,943	-607	Proposed
7	0	1,250	1,250		1,028	1,028	-222	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	1,804	272	2,076	-376	Proposed
11	23,800	2,200	26,000				-25,730	
Total	151,450	104,050	255,500	109,625	106,019	215,644	-40,338	
	60%	40%	100%	51%	49%	100%		

3.2.3 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 Public Benefit of Modification

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

- Providing for the delivery of a high quality hotel and associated non-residential uses within the Central Park site consistent with the approved envelope
- Improved consistency with the objectives of the *Metropolitan Plan for Sydney 2036* of delivering a hotel within existing centres which 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.