

Section 75W Modification Application Environmental Assessment Report



Central Park, Broadway

Modification to Approved Concept Plan MP06_0171 (Mod 9)

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

January 2014 ■ 13600

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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 pursuant to Section 75W of the *Environmental Planning and Assessment Act 1979* (EP&A Act). MP06_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 Gross Floor Area (GFA) allocation between development blocks, amendments to the building envelopes of Block 4S and Block 8, as well as minor amendments to the ground floor arrangements, selected vehicle entries and public domain areas. The proposed modification seeks to reflected recent approvals by the Planning Assessment Commission (PAC) on the site, as well the concurrent State Significant Development (SSD) Application to Block 8.

This report has been prepared by JBA on behalf of Frasers Broadway Pty Ltd. It describes the site, its environs and provides an assessment of the proposal in the context of the approved Concept Plan.

The report is based on the Concept Plan Drawings prepared by Forster + Partners (see **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 255,500m² 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.

Recent Amendments to Concept Plan

It is noted that a separate application (MP 06_0171 MOD 8) has recently been approved by the PAC seeking approval for an amendment to the allocation of GFA and the mix of residential and non-residential GFA on the site including the separation of Block 4S from the MP08_0253 approval (Block 1 + 4N).

2.0 Description of Proposed Modification

This chapter of the report provides a detailed description of the proposed development. Concept Plan Drawings prepared by Foster + Partners are included at **Appendix A**.

This application seeks approval for the following amendments to the existing Concept Plan, specifically:

- relocation of GFA from Blocks 1 and 4S to Block 8;
- modification of vehicular entries pertaining to Blocks 1, 4S, and 8; and
- Minor modification to the building envelopes and public domain.

The above modifications are described in detail in the Design Amendments Report prepared by Foster + Partners at **Appendix B**, and the following sections of this EAR.

2.1 Concurrent Applications

The modifications are primarily required to facilitate the relocation of GFA from Block 1 to be used for Block 8 as well as to reflect the recent determinations by the PAC, conditions within these approvals. A concurrent State Significant Development Application for Block 8 is submitted concurrent with this modification.

2.2 Modification to Building Envelopes

A Design Amendments Statement has been prepared Foster + Partners to accompany this modification (**Appendix B**) which describes in detail the relevant modifications to building envelopes on the Central Park site. In addition, comparison has been prepared by Smart Design Studio (project Architect) for Block 8 which is provided at **Appendix C**. A summary of the proposed modifications is provided below.

Modifications to Block 4S

The modifications proposed to the Block 4S envelope (from the approved Mod 8 envelope) relate only to the following elements. The remainder of the building envelope remains as approved.

- Separation of Block 4S and 4N in accordance with the determination of SSD 5700-2012, resulting in a reduction of building mass to the north of Block 4S
- Minor alterations to the upper levels, and setbacks in accordance with the approved Block 4S SSD application
- Simplification of the facade and envelope, removing unnecessary facade articulation

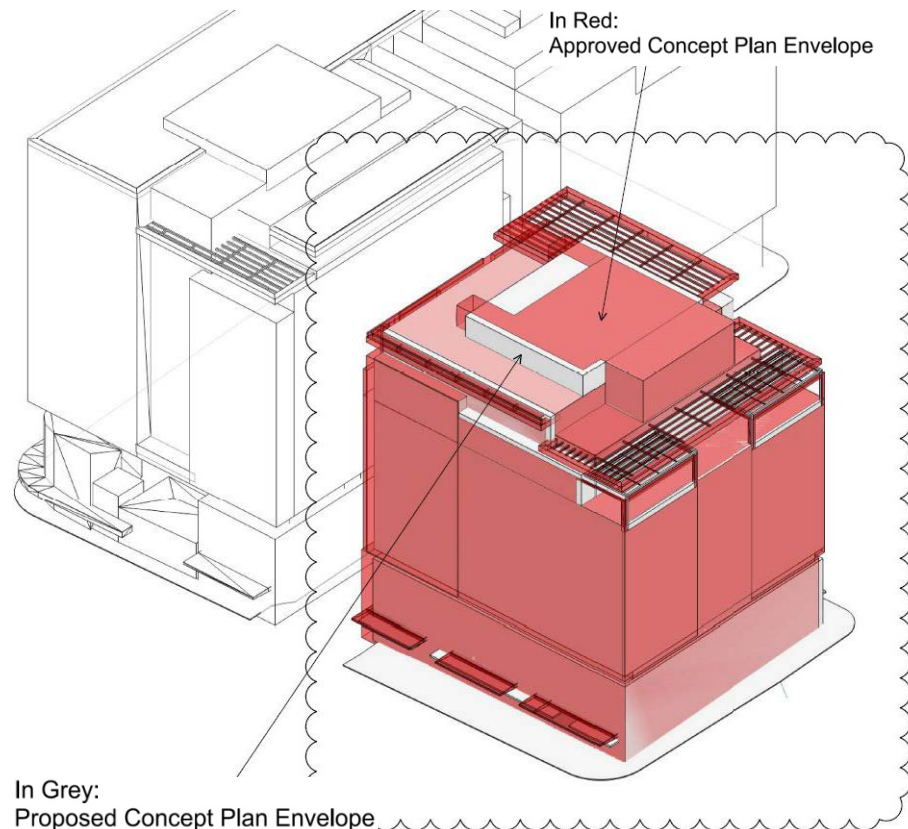


Figure 1 – Existing and proposed Block 4S building envelope

Modification to Block 8

As illustrated on the Concept Plan Comparison Plan (**Appendix C**), the proposed modification to the Block 8 building envelope, primarily relate to changes of the 'stepped' form and building articulation. Minor variations are proposed to the setback as well as a minor amendment in the orientation of this building, as shown in **Figure 2** below. The proposed amendments to the concept plan are proposed to ensure consistency with the concurrent Block 8 SSD design submitted to the DPI.

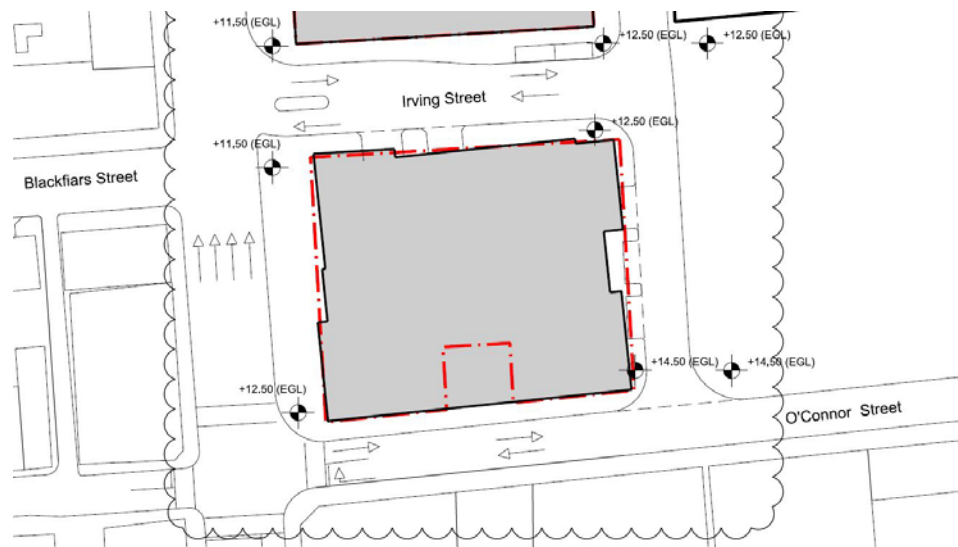


Figure 2 – Proposed orientation of Block 8 (Mod 8 shown in heavy red dotted line)

2.3 GFA Reallocation between 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 of the approved Concept Plan. **Table 1** below identified the GFA reallocation between blocks.

Table 1 – Existing and Proposed GFA

Block	Approved GFA (m ²)	Proposed GFA (m ²)	Difference (m ²)
1	25,702	25026	-676
4N	25,000	25000	0
4S	24,500	22326	-2174
4B (Brewery)	4,258	4258	0
2	67,626	67626	0
3	11,043	11043	0
5	28,316	28316	0
6	2,000	2000	0
7	1,000	1000	0
8	11,500	14350	+2850
9	26,598	26598	0
10	1,844	1844	0
11	26,113	26113	0
Total	255,500	255500	0

2.4 Public Domain and Parking

Block 1

The proposed modification seeks to relocate the main pedestrian entry to the building from the southern facade, fronting Central Park Avenue to the eastern facade, fronting Chippendale Way. **Figure 3** below identified the existing and proposed location of the entry which has been considered by the project architects Foster + Partners as part of design exploration of future developments on Block 1.

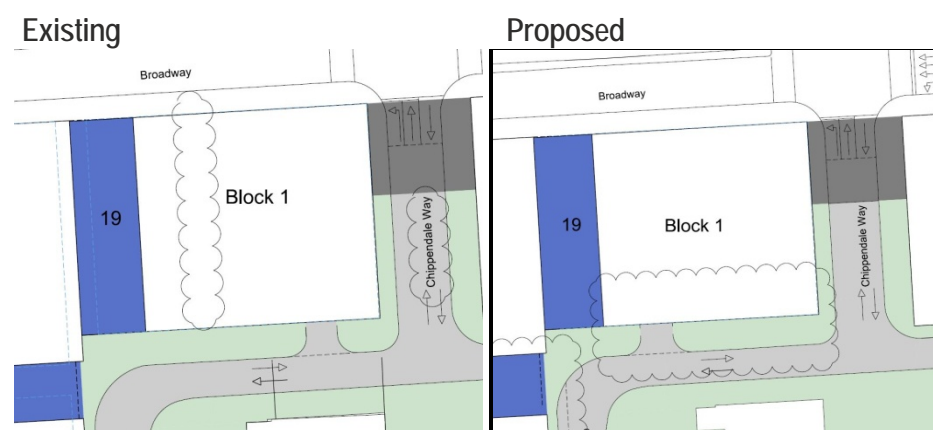


Figure 3 – Existing and Proposed Public Domain – Block 1

Block 4N/4S

In response to recent determination by the PAC (December 2013), in particular a condition of consent (Condition B2(a)) of SSD 5700-2012 required a greater separation between Blocks 4N and 4S than was proposed within the SSD. In response to this condition the proponent has sought to revise the design of Block 4S, increasing the separation distance to beyond 14.5m as shown on the Concept Plan drawings (**Appendix A**).

As a result of the increased separation, the size (width) of the 'Publicly Accessible Throughway' between Block 4N and 4S increases. The Concept Plan drawings (**Appendix A**) reflect this amendment. The existing and proposed arrangement is shown below in **Figure 4**.

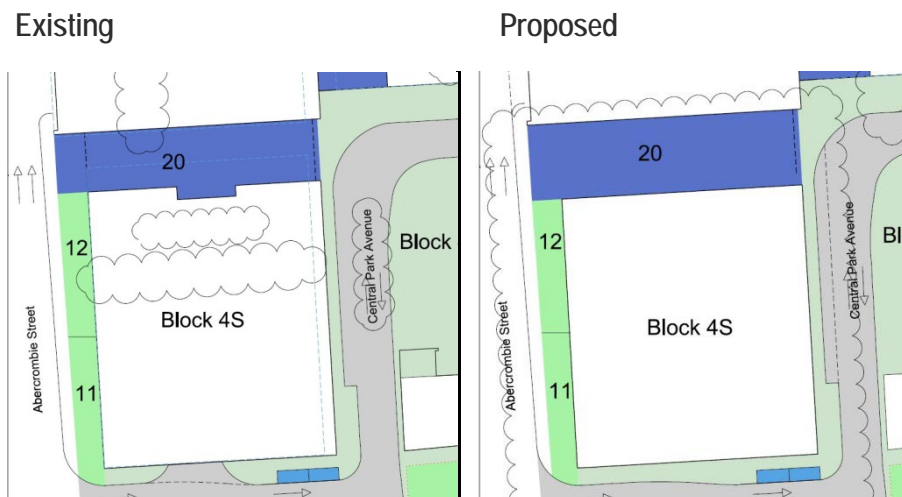


Figure 4 – Existing and Proposed Public Domain – Block 4S

Block 8

The proposal includes modification to the access and parking arrangements, vehicle entries and crossover, public open space/park and publicly accessible public domain surrounding Block 8. These modifications are proposed in response to the design of the Block 8 SSD. The design, location, size and arrangement of these entries has been largely dictated by a number of discussions with and input from Council's Public Domain and Traffic sections.

The modifications are generally minor, and seek to improve the pedestrian and vehicle arrangements surrounding Block 8. The impact to traffic has been considered by GTA at **Appendix D** of this application. The existing and proposed arrangement is shown below in **Figure 5**.



Figure 5 – Existing and Proposed Public Domain – Block 8

2.5 Vehicular Access Arrangements

Block 1

As discussed above, the relocation of the main building entry to block 1 from the southern to eastern elevation have required the relocation of the vehicle entry ramp located on Central Park Avenue (at the southern elevations of the Block).

Put simply, the proposal seeks to relocate the entry from the south eastern corner of Block 1 to the south western corner. **Figure 6** identifies the existing and proposed location of the vehicle entry point to Block 1. The revision to the ground floor plane and vehicle access are discussed and supported by the project Architects Foster and Partners (**Appendix B**) and Traffic Engineer GTA Consultants (**Appendix D**).



Figure 6 – Existing and proposed vehicle access – Block 1

Block 4S

This modification seeks removal of the vehicle entry to the southern elevation of Block 4S. As part of the design development and subsequent final design of the Block 4S SSD scheme, access from the southern elevation was moved, given the consideration of future access to be provided from the Block 1 + 4N basement.

The amendment to the concept plan therefore reflects the approved design to Block 4S in accordance with the SSD application. The existing and proposed arrangements for this block are shown below in **Figure 7**.

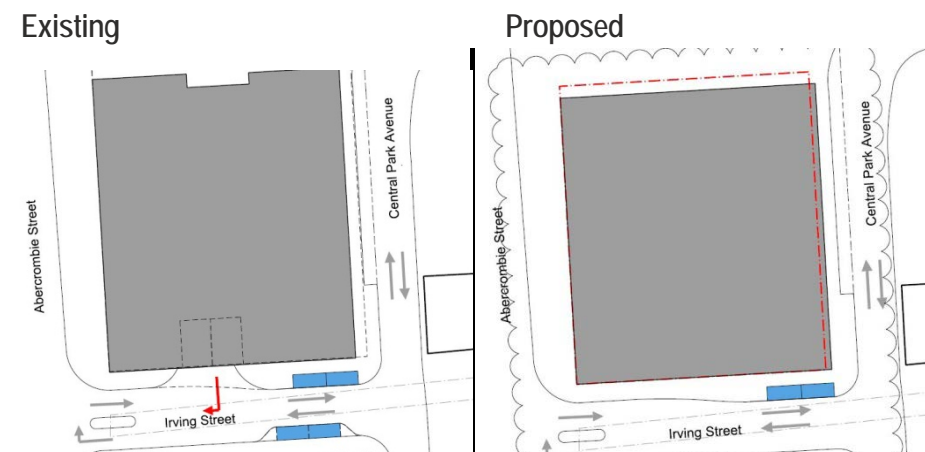


Figure 7 – Existing and proposed vehicle access – Block 4S

Block 8

The proposal involves the provisions of a new vehicle access to the northern elevation of Block 8 following the excise of the Block 8 basement car park from the combined Block 1 +4 basement car park to the north. The location of the vehicles access and subsequent amendments to the pedestrian footpath, have been determined in consultation with City of Sydney in preparation of the SSD for Block 8. The proposal seeks to amend the concept plan to be consistent with this proposal. The existing and proposed arrangements for this block are shown below in **Figure 8**.

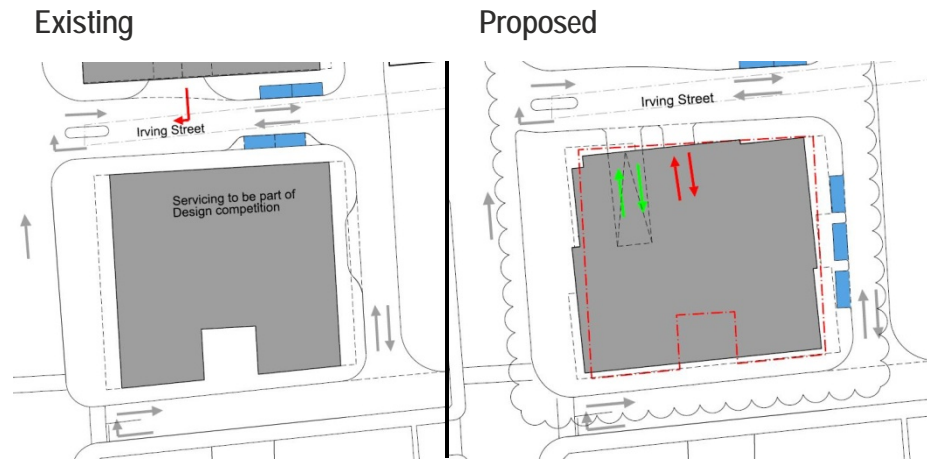


Figure 8 – Existing and proposed vehicle access – Block 8

2.6 Modifications to Conditions of Consent

The above changes necessitate the following modification to the conditions of consent. Deletions are shown in **bold strike through** and insertions are shown in **bold italics**.

Schedule 2, Condition A4

A4 Development in accordance with Plans and Documentation

...

Except as modified by:

*2(h) Section 75W EAR prepared by JBA dated December 2012; and
Response to Submission dated May 2013 (as amended); and*

*2(i) Section 75W EAR prepared by JBA dated January 2014; and
The plans prepared by Foster + Partners provided at Appendix A.*

3.0 Environmental Assessment

This section of the report assesses and responds to the environmental impacts of the proposed Modification Application.

3.1 Compliance with Relevant Environmental Planning Instruments

As the proposed modification does not amend the total GFA approved on the site 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:

- Sydney Local Environmental Plan 2005; and
- Sydney Development Control Plan 2012.

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 Frasers Broadway Concept Plan

The compliance of the proposed modifications with the Concept Plan Approval (MP 06_0171 Mod 8) is outlined below.

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 floor space across the various blocks in response to approved developments (and conditions of approval), site constraints, and concurrent application (namely Block 8).

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.

The proposed modifications will primarily allow for the delivery of a mixed use development on Block 8 (consistent with the concurrent SSD application). It is noted that this proposal seeks to return the GFA of Block 8 to a comparative GFA that was previously approved under Mod 7 of the Concept Plan (14,500m²), with minor modifications to the building envelope.

The redistribution of the floor space also reflects the conditions of approval imposed by the PAC for an increased separation between Block 4N and 4S, which has reduced the building mass and GFA. Additionally, limitations to the ability to develop Blocks 1 +4N have also been a contributor to the GFA of Block 8.

3.2.2 Building Envelopes

The approved and proposed envelopes for Block 4S are shown at **Figure 1** above as shown on Drawing A-1320 of the Concept Plan (**Appendix A**). A similar drawing has been prepared by Smart Design Studio for Block 8 and is shown at **Appendix C**. As discussed below, the revised massing remains generally consistent with the Concept Plan approval, and the key design objectives of the Concept Plan.

The modifications to the Block 4S envelope are proposed in response to the recent determination by the PAC including the requirement for additional separation between Block 4N and 4S, and minor modifications to the existing Mod 8 Concept

Plan approval which reflect the Block 4S approval (SSD 5700-2012). We note that other than the changes referred to above, no further modifications are proposed to Block 4S to what is currently approved under Mod 8.

The modifications to the Block 8 building envelope are as a result of detailed design involved with the concurrent Block 8 SSD application submitted to the DPI. The intention of the amendment is to ensure consistency between these two applications in terms of the building envelope (as well as permissible floor space). The proposed building envelope is consistent with the existing approved envelope, and includes marginal variation to the height of the stepped form, orientation of the building and articulation in the facade.

The impacts associated with these modifications are minor and do not result in any net adverse impacts to surrounding land uses. These are discussed in further details below, and within the concurrent Block 8 SSD application submitted to the DPI.

3.2.3 Vehicular Access

The proposed amendments seek to revise the existing vehicle entry arrangement to Block 1, Block 4S, and Block 8, as discussed in **Section 2** above. The proposed amendments are consistent with the intent of the original Concept plan, and are proposed in response to determined or concurrent applications.

3.2.4 Landscaping and Public Domain

The modification to the public domain and landscaping as shown on the concept plan are in response to amendments to:

- relocation of vehicle entry to Block 1;
- removal of Block 4S entry southern elevation;
- amendments to on street parking on the eastern elevation of Block 8;
- the requirements of the PAC determination of Block 4S with regard to the separation distance between Blocks 4N and 4S; and
- the design of the future development to Block 8 (consistent with the concurrent SSD application).

The proposed amendments are minor in their nature and arise from other amendments proposed to the Concept Plan. The amendments are consistent with the intent, arrangement and objectives of the original Concept Plan.

3.2.5 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 Solar Access and Overshadowing

As part of the Concept Plan drawing (Appendix A) Foster + Partners have updated the shadow diagrams to assess the overshadowing impacts of the proposed amendments to the building envelopes.

3.3.1 Block 4S

It is noted that the amendments to the Block 4S building envelope are entirely consistent with the existing Concept Plan approved envelope (Block 8) with the exception of minor amendments made to reflect the approved Block 4S building, as assessed by the DPI and determined by the PAC. The proposed modifications to the Block 4S Concept Plan envelope does not raise any additional

overshadowing than which has already been considered and determined as being acceptable.

3.3.2 Block 8

As part of the proposition of the Block 8 SSD application Shadow Diagrams have been prepared by Smart Design Studio. The overshadowing plans have been prepared to reflect the proposed building design, which is consistent with the proposed concept plan envelope, and therefore are suitable to consider the impacts of the concept plan envelope in detail. Notwithstanding these, the solar access diagrams and overshadowing drawings have been revised by Foster + Partners as part of the Concept Plan drawings (Appendix A).

Importantly, the proposed concept plan envelope (and subsequent Block 8 SSD design) maintains net overshadowing with marginal variations to the existing approved building envelope (under Mod 8). The variations are limited to shadows cast on roofs, roads, rear elevations and in the case of building frontages are limited to incremental time frame increases. Shadow analysis and impacts are described below.

O'Connor Street

The shadow analysis of O'Connor Street illustrates the limited shadow impacts to the street as well as dwellings further south between the hours of 9am and 3pm that is:

- On 21 March between the hours of 9am and 3pm 64 O'Connor Street to 68 Abercrombie Street (the O'Connor Street façade) is impacted by additional shadow limited to a maximum of some 13% of the total façade area;
- On 21 June the rear facade of 8 – 12 Dick Street is impacted by additional shadow between the hours of 1pm and 3pm to a maximum of some 9% of the total façade area; and
- Any other additional shadows are limited to the roof of buildings.

Chippendale Green

The shadow analysis of Chippendale Green illustrates that shadow impacts are minimal between the hours of 9am to 3pm, that is:

- On 21 March additional shadow impact is experienced between 2pm and 3pm but only covers 0.6% of the total area of the park; and
- On 21 June 21 the proposed development produces no additional shadow impact to the park.

Abercrombie Street

The shadow analysis of Abercrombie Street includes buildings 67A to 41, which are west facing residential terraces located between O'Connor Street and Levey Street. The analysis illustrates the limited extent of increased shadow to the terraces between the hours of 9am and 3pm, that is:

- On 21 March the proposed development produces no additional shadow impact; and
- On 21 June between 9.30am and 10.30am the shadow increase is limited to residences 53 – 41 Abercrombie Street and occurs for approximately seven minutes only over a maximum of some 6% of the total façade area.

Overall, the shadow diagrams, which illustrate the shadows cast by existing surrounding buildings and the proposed development on 21 March and 21 June, show that while there will be some minor additional areas of overshadowing, the

shadows generally fall upon the Abercrombie Street road and existing commercial buildings on O'Connor Street.

It is noted that the Abercrombie Street terraces have been diagrammatically represented and it has been found that shadows do not reach the windows of these buildings and therefore do not impact on their solar access. Importantly, the shadow impact of the proposed development on Chippendale Green is almost negligible.

3.4 Traffic

GTA Consulting has undertaken a Traffic Review to assess the impacts of the proposed amendments on the approved traffic and parking arrangements (refer to **Appendix D**). The proposed amendments to vehicle entries and impact on traffic are considered to be satisfactory by GTA.

The proposed Block 1 vehicle entry will increase the separation between the vehicle entry and intersection between Chippendale Way and Central Park Avenue to the east.

With regard to the proposed vehicle entries to Block 8, the traffic review notes that there will be no issues at the proposed access in relation to sign distance or queuing. A detailed assessment of the proposed vehicle access to Block 8 is provided within the concurrent SSD application for Block 8.

3.5 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 high quality residential/mixed 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 residential/mixed use development within existing centres which have good access to public transport;
- Delivery of a more considered distribution of floor space within the western precinct of the site with no material impacts to neighbouring properties;
- 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 (MOD 9) is recommended for approval.

4.0 Conclusion

The Environmental Assessment Report (EAR) has been prepared to consider the environmental, social and economic impacts of the proposed amendments to the MP 06_0171 (MOD 9) including the following:

- Relocation of GFA from Blocks 1 and 4S to Block 8;
- Revision of vehicular entries pertaining to Blocks 1, 4S, and 8; and
- Minor modification to the building envelopes and public domain.

The proposed amendments will have regard to the biophysical, economic and social considerations, including the principles of ecologically sustainable development.

The amendments to the Concept Plan are proposed in response to determined and concurrently proposed applications to ensure a viable development outcome is realised on the Central Park site. The key driver of the changes to the Concept plan are to reflect the proposed development to Block 8 and response to the specific required and comments of the PAC in their determination of Block 4S.

Given the merits described above it is requested that the application be approved.