



SG/GK
14274
15 February 2015

Ms Carolyn McNally
The Secretary
Department of Planning and Environment
PO Box 375
SYDNEY NSW 2001

Attention: Matthew Rosel (Senior Planner)

**S75W Modification Application - CENTRAL PARK CONCEPT PLAN – MOD 12
ENVIRONMENTAL ASSESSMENT REPORT
MP 06_0171 (MOD 12)**

This Environmental Assessment Report (EAR) is submitted to the Department of Planning and Environment (DPE) 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. No 2.

The proposed modification seeks an amendment to the Gross Floor Area (GFA) allocation between development blocks 4N and 4B (Brewery Yard), and minor amendments to the public domain plan on the Central Park site.

The modification has been prepared concurrently with a minor S96(1A) modification to the Block 4N State Significant Development Application (SSD) 14_6673.

This report has been prepared by JBA on behalf of Central Park JV No 2. 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 Foster + Partners (see **Attachment A**).

1.0 BACKGROUND

1.1 Central Park Concept Plan

MP 06_0171, as modified in February 2009, is a Concept Plan approval applying to the Frasers Broadway (now 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 with minimum non-residential and maximum residential floor space mix.
- 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.

To date, a total of 10 modifications to the Concept Plan have been approved between 2007 and 2015. The modifications have primarily related to amendments of building envelopes and reallocation of floor space in response to the delivery of each block.

Modification 11 (MP 06_0171 MOD 11) is pending determination by the Planning Assessment Commission, and relates to the minor modification of Block 11 in association with the concurrent Block 11 SSD, also pending imminent determination.

This application has been submitted concurrently to the S96(1A) to the Block 4N SSD to ensure consistency with the Concept Plan at the time of determination.

2.0 DESCRIPTION OF PROPOSED MODIFICATION

This application proposes a redistribution of the approved GFA across the Central Park site as well as a minor modification to the public domain plan (A-1254).

2.1 GFA Allocation to Development Blocks

The proposed modification seeks to reallocate 102sqm of GFA from Block 4N to Block 4B (Brewery Yard), as part of the design refinement of Block 4N in preparation for construction. The reallocation to the Brewery Yard is proposed to provide flexibility to the delivery of a pending refurbishment and new use of the Brewery yard Block.

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

Importantly, no change is proposed the maximum GFA on the Central Park Site (255,500sqm), nor any change to the approved non-residential /residential land use mix. Additionally, no changes are proposed to the building envelopes of Block 4N or Brewery Yard.

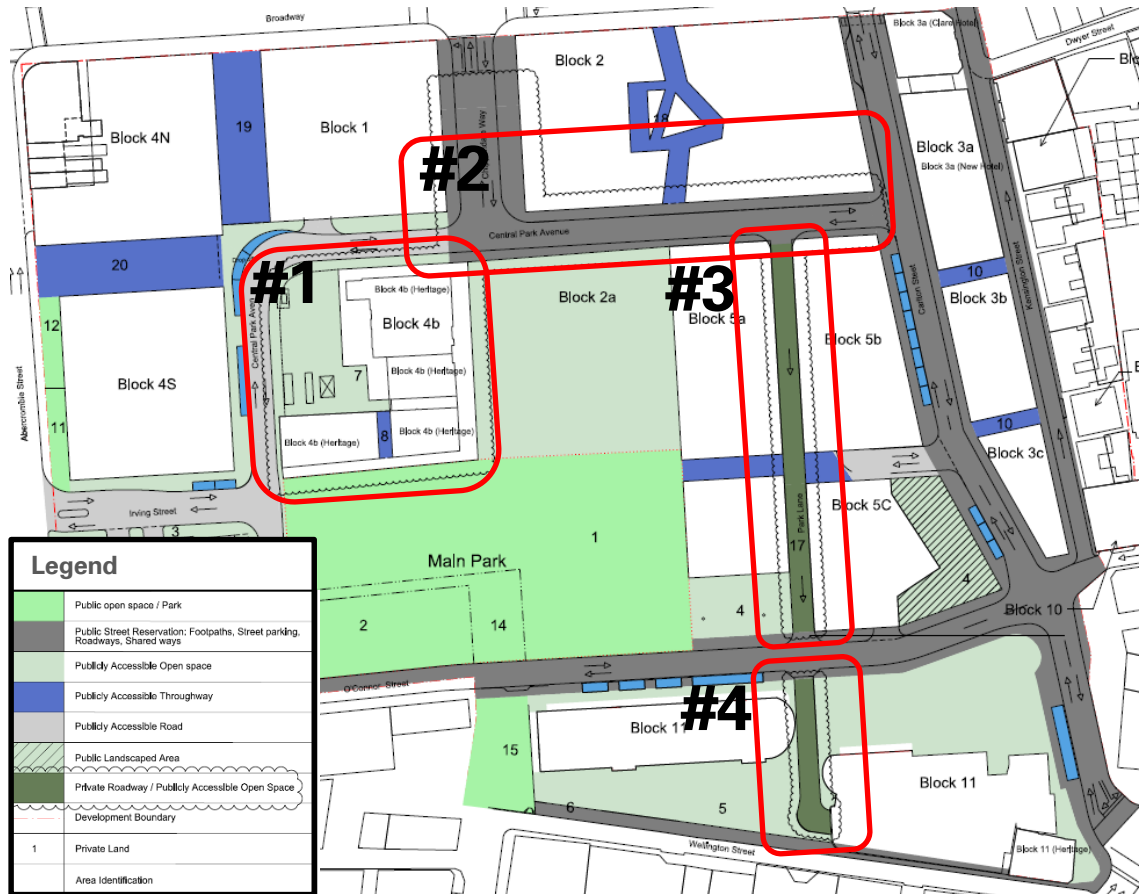
Table 1 – Existing and Proposed Concept Plan GFA Table

	MOD 11			MOD 12 - Proposed			Variance
	Non Residential	Maximum Residential	Total GFA	Non Residential	Maximum Residential	Total GFA	
Block 1 (Split)	1,137	23,094	24,231	1,137	23,094	24,231	-
Block 4N(Split)	23,132	3,459	26,591	23,030	3,459	26,489	-102
Block 4S	832	21,427	22,258	831	21,427	22,258	-
Block 4b(BY)	3,898		3,898	4,000		4,000	+102
Block 2	19,235	48,391	67,626	19,235	48,391	67,626	-
Block 3	5,000	6,043	11,043	5,000	6,043	11,043	-
Block 5	1,432	26,884	28,316	1,432	26,884	28,316	-
Block 6	2,000		2,000	2,000		2,000	-
Block 7	1,000		1,000	1,000		1,000	-
Block 8	135	14,740	14,874	135	14,740	14,875	-
Block 9 (5C)		26,598	26,598		26,598	26,598	-
Block 10	303	1,541	1,844	303	1,541	1,844	-
Block 11	1,413	23,807	25,220	1,413	23,807	25,220	-
TOTAL	59,516	195,984	255,500	59,516	195,984	255,500	0

2.2 Modification to Public Domain Plan – A-1254

In the progression and construction of various blocks across Central Park, are of the concept plan have been refined and modified. This modification seeks to provide further clarification and correction to areas of public domain, private land, and land that is in private ownership, but publically accessible.

The areas of public domain proposed to be modified are shown on Plan A-1254 prepared by Foster + Partners (Provided at **Attachment A**), and described in further detail below in **Figure 1**.



#	Location	Description of the Proposed Modification
1	Block 4B (Brewery Yard)	<ul style="list-style-type: none"> Clarification of the private land boundary and identification of the relevant infrastructure associated with the approve Central Thermal Plan under MP 08_0253. This modification is proposed to reflect both the existing development and curtilage in (MP 10_0217) and future redevelopment options being considered for the Brewery Yard.
2	Central Park Avenue	<ul style="list-style-type: none"> Transfer from Publicly accessible Road (Roadway) and Publicly Accessible Open Space (footpath) to be categorised as Public Street – confirming the position of this land being transferred to Council.
3	Park Lane	<ul style="list-style-type: none"> Clarification that Park Lane is a private roadway (in private ownership), but is publically accessible open space.
4	Block 11	<ul style="list-style-type: none"> Clarification that the access to the Block 11 basement is a private roadway (in private ownership), but is publically accessible open space.

Figure 1 – Proposed Public Domain Plan – Central Park Concept Plan
 Source: Foster + Partners and JBA

2.3 Concurrent Application

The modifications are primarily required to facilitate the modification of the Block 4N SSD S96(1A) as part of design development, as well as to facilitate the delivery of the future use within the Brewery yard building.

3.0 CONDITIONS PROPOSED TO BE AMENDED

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

SCHEDULE 2 - PART A – DEPARTMENT OF PLANNING MODIFICATIONS

A4 Development in accordance with Plans and Documentation

Except as modified by

- (l) Section 75W EAR prepared by JBA dated February 2016 (as amended); and
(m) the following drawings:*

<i>Architectural (or Design) Drawings prepared by Foster + Partners</i>			
<i>Drawing No.</i>	<i>Revision</i>	<i>Name of Plan</i>	<i>Date</i>
A-1002	<i>27</i>	Concept Plan Areas	<i>15/01/16</i>
	<i>26</i>		<i>12/08/15</i>
A-1253	<i>32</i>	Blocks and max. GFA	<i>15/01/16</i>
	<i>31</i>		<i>12/08/15</i>
A-1254	<i>18</i>	Public Domain	<i>15/01/16</i>
	<i>17</i>		<i>12/08/15</i>

SCHEDULE 2 - PART A – DEPARTMENT OF PLANNING MODIFICATIONS

A1 Gross Floor Area Controls

The Concept Plan is modified with regards to GFA as described by the provisions below

- a) The Maximum GFA available for development across the Subject Site is 255,500 square metres*
- b) The GFA for residential land uses on the site shall not exceed 195,985m2 of the total GFA.*
- c) The GFA for non - residential land uses on the site shall not be less than 59,515m2 of the total GFA.*
- d) The maximum GFA for the development parcels approved as part of the Concept Plan are described below:*

<i>Block</i>	<i>Total max GFA (sq metres)</i>
<i>Block 1</i>	<i>24,231</i>
<i>Block 4N</i>	<i>26,591</i> <i>26,489</i>
<i>Block 4S</i>	<i>22,258</i>
<i>Block 4B (Brewery Yard)</i>	<i>3,898</i> <i>4,000</i>
<i>Block 2</i>	<i>67,626</i>
<i>Block 3</i>	<i>11,043</i>
<i>Block 5A</i>	<i>11,516</i>
<i>Block 5B</i>	<i>16,800</i>
<i>Block 6</i>	<i>2,000</i>
<i>Block 7</i>	<i>1,000</i>
<i>Block 8</i>	<i>14,875</i>
<i>Block 9</i>	<i>26,598</i>
<i>Block 10</i>	<i>1,844</i>
<i>Block 11</i>	<i>25,220</i>
<i>Site Total</i>	<i>255,500</i>

SCHEDULE 2 - PART B – FUTURE ASSESSMENT REQUIREMENTS

B4 Publically Accessible Land

All land marked on the Public Domain Plan (A-1254 Rev ~~17 18~~ dated ~~12/08/15~~ 15/01/2016) other than private land (marked white on plan) shall be subject of Right of Ways and Easements on title to ensure public access is provided and maintained for these areas. Details are to be provided with the future Project Application(s).

4.0 ENVIRONMENTAL ASSESSMENT

4.1 Compliance with relevant Environmental Planning Instruments

As the proposed modification does not amend the total GFA approved on the site, the maximum mix of land use or envelopes, the proposal does not alter compliance with the following relevant Environmental Planning Instruments:

- *Sydney Local Environmental Plan 2005*
- Sydney Development Control Plan 2012.

4.2 Consistency with the Central Park Concept Plan

The modifications proposed in this application remain consistent with the provision of the Central Park Concept Plan as well as the relevant commitments. Specifically, the proposal does not alter consistency with the following:

Gross Floor Area and Land Use Mix

The proposal does not seek an increase in the maximum GFA permitted across Central Park development site, but rather the redistribution of floor space between two blocks, responsive to design development and concurrent S96(1A) modification of Block 4N.

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, and land use mix maintained.

Building Envelopes

No change to approved building envelopes is required or proposed as part of this modification.

Statement of Commitments

The proposed modification does not affect compliance or consistency with any existing statements of Commitment forming part of the approved Concept Plan.

4.3 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 mixed use development on Block 4N Central Park site, consistent with the approved building envelope
- Will allow the facilitation of the adaptive reuse of the Brewery Yard Building through the allocation of additional floor space; and
- Compliance with the objectives of the *Environmental Planning and Assessment Act 1979* 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.

5.0 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 12) including the following:

- reallocation of GFA between Block 4N and Block 4B (Brewery Yard); and
- modification/refinement of the Public Domain Plan (A-1254) to reflect existing and proposed arrangements of public and private space on the Central Park Site.

The proposed amendments have regard to the biophysical, economic and social considerations, including 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, and approved developments can be realised without delay.

Given the merits described above it is requested that this S75W application be approved.

Should you have any queries about this matter, please do not hesitate to contact me on 9956 6962 or sgouge@jbaurban.com.au

Yours faithfully



Stephen Gouge
Principal Planner