ETHOS URBAN

15 September 2020

218062

Anthony Witherdin
Director, Key Sites Assessment
Department of Planning, Industry and Environment
Level 22, 380 Pitt Street
SYDNEY NSW 2000

Attention: Amy Watson, Team Leader – Key Sites Assessment

Dear Mr Witherdin,

RE: AUGUST 2020 RFI RESPONSE
Block 4B Central Park Adaptive Reuse (SSD-9374) + S75W Central Park Concept Plan Modification 16 (MP06_0171)

We write in response to your correspondence dated 28 August 2020 requesting that the applicant provide additional information to enable the finalisation of the assessment of the application, including:

- a response to all issues and comments provided in Council's submission dated 24 August 2020; and
- response to comments provided in Council's submission dated 17 August 2020.

Further to the meeting held on 2 September 2020 with the Department of Planning, Industry and Environment (DPIE), the SSDA application SSD-9374 was submitted in September 2019 and a number of RFI rounds have been responded to.

At the request of DPIE, the applicant has re-established a Design Integrity Panel (DIP) that has been defunct for numerous years. DPIE requested that we establish the DIP as per Commitment 3 of the approved Concept Plan, and specifically to review the issues raised by CoS and Heritage NSW. The DIP comprised of experienced and prominent heritage architects which were agreed to by DPIE. Following the briefing of the Panel in March 2020 and receipt of the subsequent DIP report, the applicant's proposal was amended again to respond to and give effect to all of the DIP recommendations. This has impacted the project by:

- Delay by 2-3 months;
- Additional costs for the panel members, design team coordination and consultant costs to update the design; and
- Significant commercial implications due to a reduction in Net Lettable Area in the project, which directly impacts the overall feasibility of the project.

At this late stage, we are not sure of the value provided by the DIP to DPIE. Their recommendations appear to not be considered in the latest CoS submission and subsequent DPIE correspondence.

The City of Sydney Council (CoS) letter dated 27 May 2020 confirmed that they would withdraw their objection to the development subject to the consideration and implementation of design modification or submission of additional information.

Whilst the City of Sydney has removed their objection, they still maintain concern over two key aspects of the proposal being the removal of the coal hopper and the redesign of the birds mouth opening.

This letter and attachments provide a further response to the two issues maintained by Council. Any development of the site needs to be commercially feasible. This is especially the case in the current COVID-19 pandemic, with additional pressure put on the development of commercial and retail spaces.

There have been several different uses and development options considered over the years, including residential, education and hotel uses. All of these have proven to be unviable and would have had a much more significant impact on the original fabric of the building than the current commercial proposal.

The applicant and owner IP Generation is in the final stages of negotiation for a full building tenant. These negotiations are close to complete, but will likely fall through if the SSDA is further delayed due to the programme pressures required by the tenant. Previous tenants have fallen through due to COVID-19 pressures and delays to the SSDA process.

If the project was to accept the comments from CoS on retaining the third coal hopper and northern façade, the project would lose approximately 350m² of NLA. This doesn't include the 120m^2 of NLA already reduced during the SSDA process to appease the comments from CoS. The further reduction makes the project unfeasible commercially and it will not proceed.

Should the Brewery Yard project not proceed, it will not receive the $10m of heritage refurbishment proposed as part of the current application and may sit unoccupied and further deteriorate for an undetermined period of time.

The development will have a wide range of positive social and economic impacts. The Brewery Yard proposes a flexible commercial use to the site which capitalises on the opportunity to restore and conserve a historically important building within Central Park and introduces additional built form elements that are sympathetic to the building's heritage fabric and allow for the ongoing interpretation of its former use. The building also proposes a ground floor retail space which will further contribute to the activation of the Central Park Precinct.

The development is considered to exhibit architectural and urban design excellence. We hope that DPIE are able to take into consideration the above in their review and recommendation.

The below sections summarise the key issues raised in the submissions and the applicant's response. It should be read in conjunction with the following documents:

- Attachment 1 – Waste Management Plan Version 10
- Attachment 2a – Drawing A-1002
- Attachment 2b – Drawing A-1254
- Attachment 2c – Drawing A-1257
- Attachment 3 - Local Pedestrian, Cycling and Traffic Calming Committee (LPCTCC) meeting minutes 16 April 2020

Kind Regards,

Jennie Buchanan
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Response to DPIE Correspondence

1. Heritage Impacts

Any alternate options for the northern façade, noting Council's on-going concern that the 'birds mouth' design feature should be retained as an important interpretive element of the original structure

The City of Sydney Council (CoS) response to submissions in November 2019 noted their original concern regarding the design integrity of the northern façade. The applicant response dated 20 December 2020 included justification, graphics and 3D images of the developed design.

DPIE requested that the modification be presented to the Design Integrity Panel (DIP) as per Commitment 3 of the approved Concept Plan, and specifically to review the issues raised by CoS and Heritage NSW. This included a review of:

- the design integrity of the northern façade and the northern part of the eastern façade.

The applicant as requested re-established a DIP and conducted an extensive design and heritage review with them.

There was considerable discussion between the DIP members regarding the options for the northern facade on Building 30. Their report dated 9 April 2020, confirmed that the current proposal is a superior outcome than the previous design, from an architectural perspective.

The response by the applicant dated 17 July 2020 further responded to the ongoing concerns that CoS Council raised in their letter dated 27 May 2020.

CoS maintain in their letter dated 24 August that the 'bird mouth recess' design is an important interpretation of the original structure and have further clarified that they believe has the scope to show the hoppers from the public domain. **Figure 1** below shows comparison between the "birds mouth recess" design from MP10_0217 which was approved in 2012 and the current proposal.

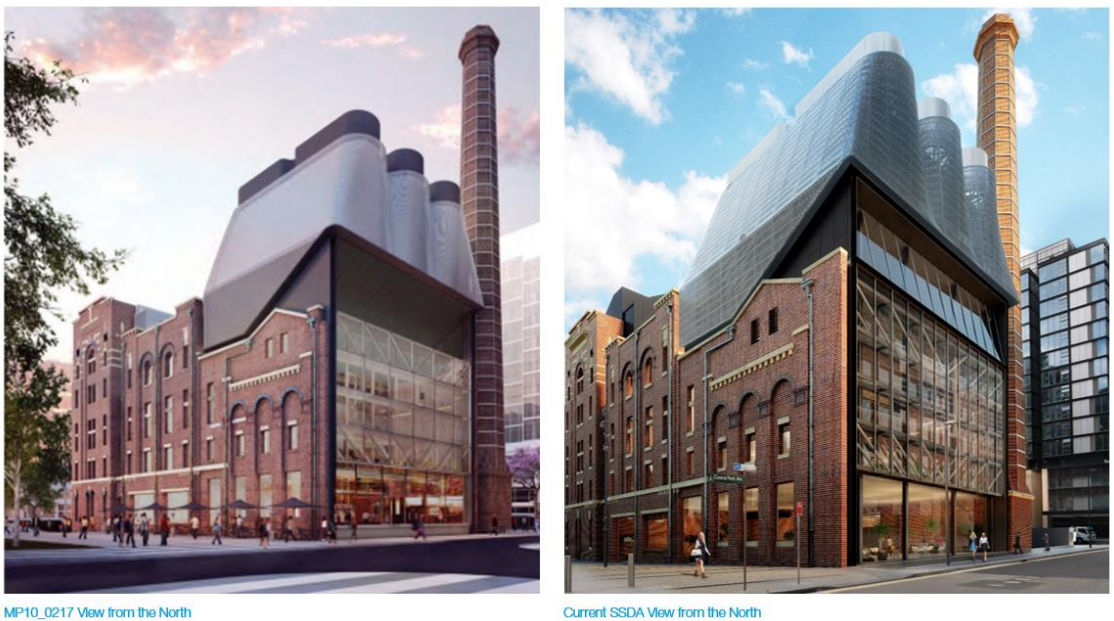
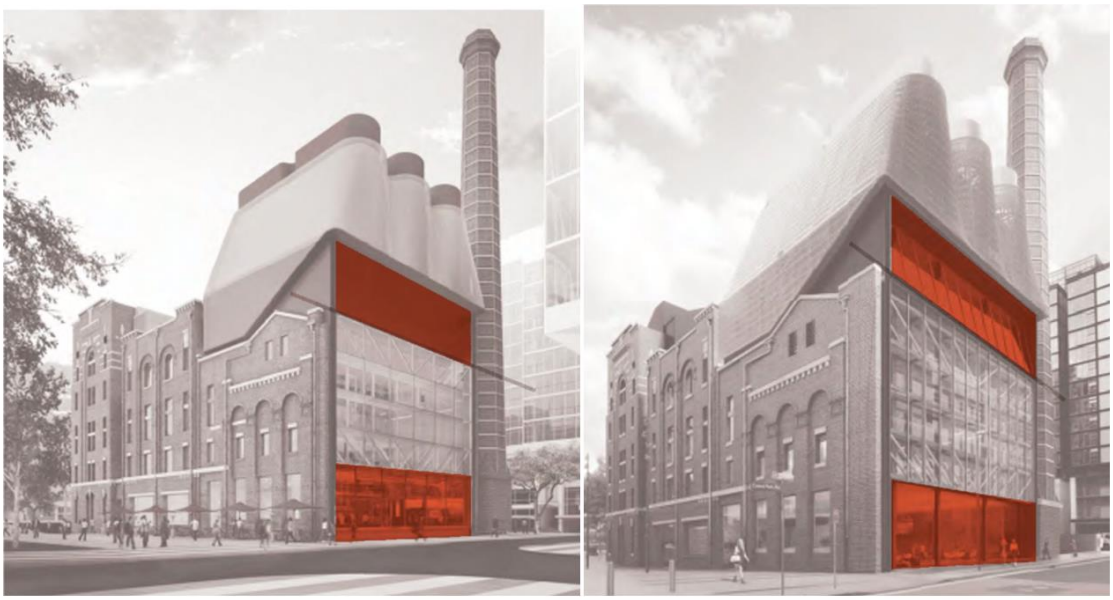


Figure 1 View from North Comparison between designs



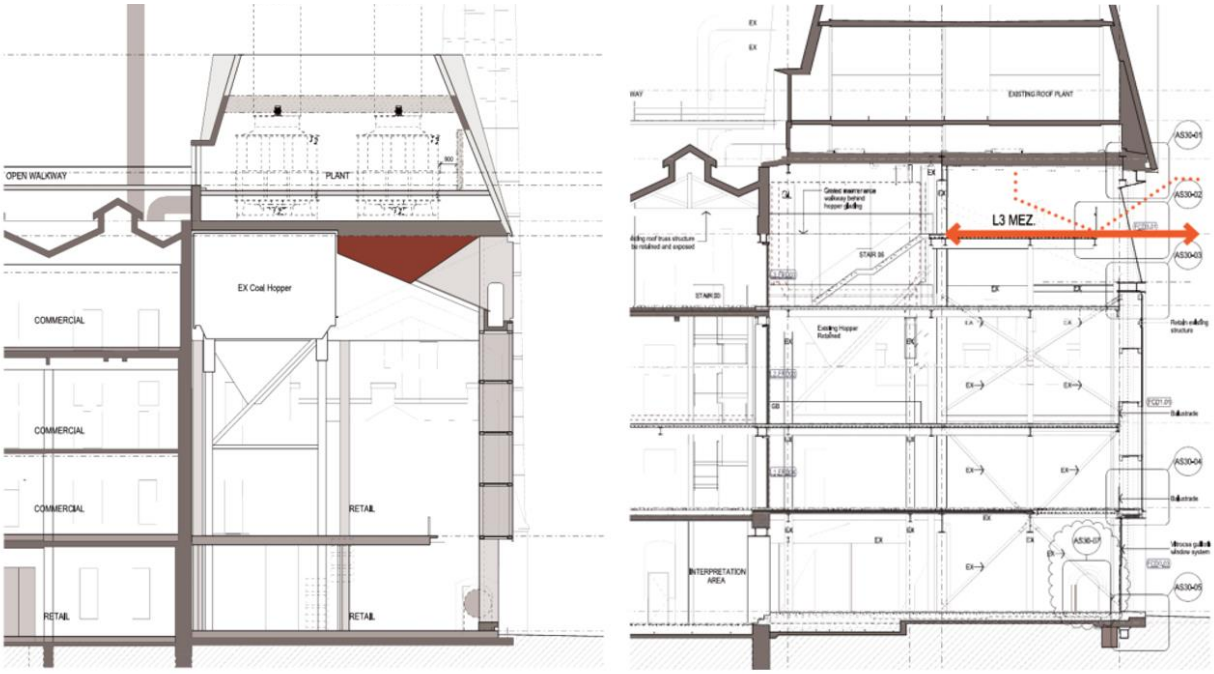
MP10_0217 View from the North
Tripartite Structure to North Facade

Current SSDA View from North
Tripartite Structure to the North Façade retained

Figure 2 Tripartite Structure to North facade comparison

Figure 2 above demonstrates that the tripartite design of the façade, which was a key component of the original design intent, has been maintained. These lines relate to the open ground plane and the parapet line of the existing adjacent brickwork. The new façade design aligns to the parapet line of the existing adjacent brickwork and then changes geometry above the parapet to slope at right angles to the soffit at the upper level of the hoppers within the northern roof.

The alignment of the angled skylight and the approximate line of the existing gable was not a determining factor of the original design. The skylight, although it had a similar angle, has a different height and was determined by the potential need for services reticulation under the Tri-generation plant (refer to **Figure 4**). When these services were better understood and no longer required an opportunity was recognised to fully integrate the whole of the hopper into the northern room. The previous soffit design allowed views to parts of the hopper but retained the hopper in its own space.

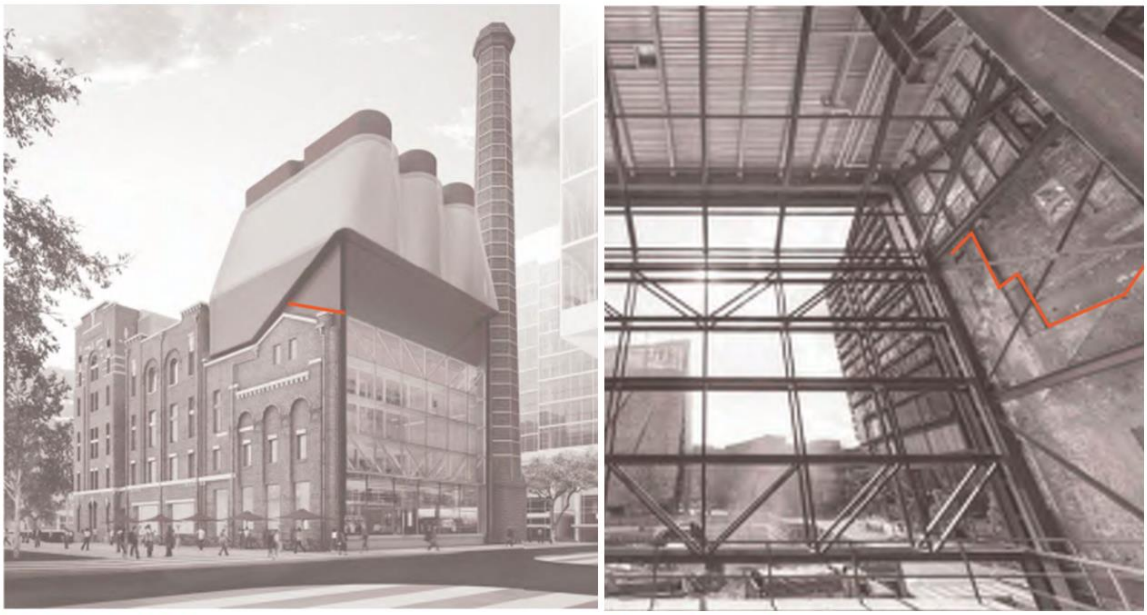


MP10_0217 Section
Ceiling profile no longer required for Tri-Gen services and blocks relationship of the top of the hopper with the broader space of the northern room

Proposed SSDA Section
Ceiling profile and upper level glazing amended to open up relationship of the top of the hopper with the broader space of the northern room

Figure 3 Building 30 ceiling profile comparison

It should also be noted that this latest transformation is one of a series of changes to the roofscape of the Brewery and that each additional layer did not directly follow the first. Traces of these earlier rooflines are still visible from the interior fabric as seen in the right image of **Figure 4.** This would be extended to the experience of the proposed design of the space. Through the activation of Building 30 these original rooflines are enhanced further through the interpretation of the history of this structure.



MP10_0217 View from the North
Alignment of glazed roof to approximate line of old roof not visible from the public domain

Existing interior of Northern Room
Traces of previous rooflines visible in interior fabric.

Figure 4 Building 30 rooflines

To improve the design integrity of the northern facade, detailing of the steel work, glazing frames and sloped opening on the upper level is designed to provide a clear articulation and relationship to the existing fabric and building scale. This facade was formerly an internal wall prior to the demolition of the adjacent building (35B – Refrigeration Block), the proposed contemporary glazing will improve the amenity of this building with its new use and provide opportunities to view the retained two coal hoppers externally of the building.

Further, the maintenance of the "bird's mouth recess" design results in a more frequent maintenance programme and significant WHS risk.

The applicant and its consultants believe that the glazing design concept of the original design of the northern façade has been improved with this submission. It allows for better utilisation of the internal space, better appreciation of the hoppers and reduces the ongoing maintenance requirements of the building and WHS risk.

2. Heritage Impacts

Opportunities to improve views of the remaining two coal hoppers from the public domain, noting that Council does not support the proposed mesh interpretation of the proposed removed coal hopper.

The CoS letter dated 27 May 2020 confirmed that Council would withdraw its objection to the development subject to the consideration and implementation of design modification or submission of additional information. Item 1.3 within this letter noted that `should approval be granted to the removal of the hopper; the floors are to be modified to allow better visuals to the remaining hoppers from the public domain'. The response by the applicant dated 17 July 2020 responded to this request directly. The design has developed throughout the consultation process whereby the floor levels have been reduced to improve the visibility of the hoppers from the public domain.

Figure 5 depicts the applicant's original proposal, showing the impact on views of the hoppers from the public domain. As requested by CoS a design alternative developed during the consultation with the CoS is shown in **Figure 6** which maintains the interpretive potential of close contact with the retained hoppers in different floor levels, with better visual connection from the public domain through the redistribution and reduction of floors in this space.

The design was reviewed by the DIP. The panel considered the creation of a different form of adapted industrial space, when compared with the massive scale of the existing volume, was an acceptable direction for the project. Nevertheless, the Panel members called for some form of future interpretation to celebrate the presence and role of the third hopper. To respond to this recommendation and in consultation with the panel members, the following was adapted:

- Installation of an inverted pyramidal section of the base of the hopper in mesh form to the underside of Level 3 slab as shown in **Figure 7**; and
- an additional interpretation zone proposed for the installation of large scale dramatic and evocative photos of the existing hoppers. The panels are to be installed externally, on the northern and southern wall of the existing chimney tower at ground level at the northern elevation. The installation will enable visitors to observe the photo installations and view the remaining hoppers through the northern glazed wall.

Referring to the CoS's comment regarding the mesh interpretation for the hopper which was incorporated in the applicants response dated 23 April 2020 and presented at the meeting to CoS on 20 May 2020, the applicant will take the recommendation of DPIE on this matter. As noted above the mesh interpretation was a recommendation made by the DIP in consultation with Urbis and Tzannes. If neither Council nor the DPIE are supportive of this interpretive element, the applicant would be happy to remove the aspect of the proposed development.

The response by the applicant dated 17 July 2020 has:

- enhanced the view from the public domain of the hoppers by reducing and modifying the floor levels,
- enhances the interpretative potential of these views with the addition of a new element reflecting the geometry of the soffit of the hopper proposed to be removed; and
- vastly improves interaction with the existing hoppers by bridging between the remaining historic fabric thus providing a range of new interior viewing opportunities as well as interpretative possibilities.

Figure 5 Original SSD-9374 Building 30 View of Hoppers

Figure 6 Revised SSD-9374 Building 30 View of Hoppers

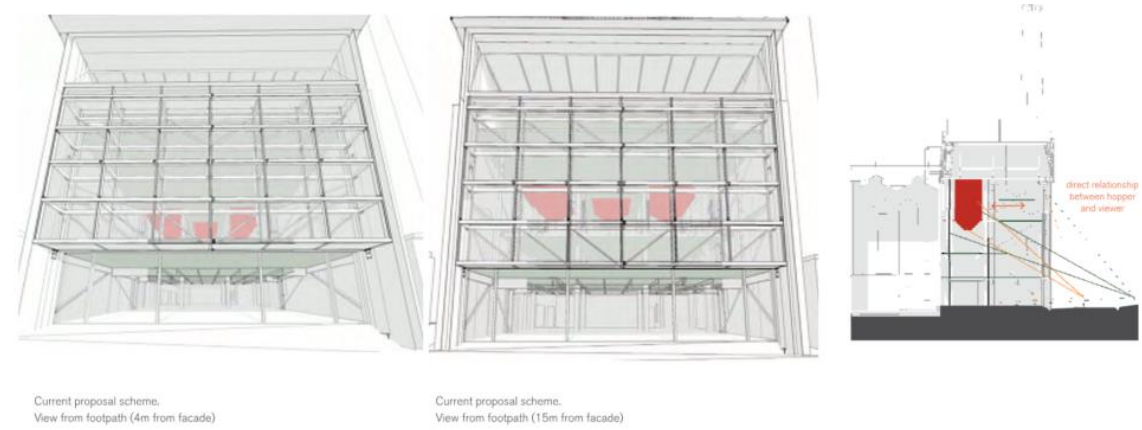


Figure 7 Revised and Final SSD-9374 Building 30 View of Hoppers

The applicant believes that the responses on 23 April 2020, 17 July 2020 and 5 August 2020 clearly articulate the benefits of the proposed design and have responded to both Council and the DIP's concerns.

3. On Site Loading & Servicing

a) Issues raised by Council regarding use of the forecourt and pedestrian and traffic safety issues with reversing manoeuvres

The applicant's original proposal was to construct new indented loading bay spaces on the application site along the eastern side of Central Park Avenue. Whilst we believe this was the best option for the Site, this was not acceptable to the CoS and so alternative options were considered and proposed.

The applicant's response dated 6 February 2020, confirmed that discussions had commenced with the CoS regarding the conversion of the existing short-term indented parking spaces on the western side of Central Park Avenue, to a loading zone during business hours.

The applicant's response dated 23 April 2020 confirmed that the application was approved by Council at the Local Pedestrian, Cycling and Traffic Calming Committee (LPCTCC) meeting 16 April 2020. The response also included Attachment C which outlined the approved Loading Zone.

The applicant's response dated 23 April 2020 and 17 July 2020 also noted that the use of the forecourt is intended for overflow loading requirements out of business hours should the amended loading zone spaces be occupied. Removable bollards will be installed to restrict vehicle access to the forecourt during business hours. Vehicles will be required to reverse into the forecourt in order to exit in a forward direction; a key reason why access to the forecourt will be restricted during business hours. This is considered an appropriate arrangement out of business hours and common for low demand usage. This arrangement would be suitable for vehicles up to 8.8 metre medium rigid vehicles. It is unlikely that the level of pedestrian activation during early morning periods would materially conflict with the proposed activities.

To limit the use and times loading/unloading can occur from the forecourt, the following conditions are considered reasonable for the development:

- All general deliveries must use available on-street loading zones or car parking spaces in the precinct.
- Only the following activities can occur from the forecourt out of business hours:
  - general waste and recycling collection
  - removalist and deliveries of large furniture and appliances
- These activities must occur during set times of the day (developed with Council) when pedestrian and traffic activities are predicted/expected to be at the lowest
- A spotter should accompany trucks manoeuvring to/ from the forecourt, with their role to manage and control pedestrians but not to stop traffic.

As documented in GTA's Loading Zone Proposal letter to City of Sydney, dated 4 March 2020, general waste and recycling collection is expected to occur three times a week with such activities taking less than 10 minutes. In addition, removalist and large furniture and appliances deliveries both occur infrequently. These activities cannot be completed using remote loading dock facilities due to distances and available travel paths.

There will be adequate sight line for approaching vehicles to observe a reversing truck, with both flashing light and audible alerts on the truck assisting to warn pedestrians (along with a spotter).

On this basis, there are measures that can be conditioned to limit the use of the forecourt (time of day and type of users) as well as manage the safety for pedestrians and traffic in the area.

The Central Thermal Plant servicing and maintenance also occurs within the forecourt. Enwave, the owner and operator of the Central Thermal Plant and Trigeneration Plant service the cooling towers, the outside air filters, chimney exhaust and provision of engine oil at the fill points. Some of this servicing occurs weekly and requires LRV or MRV to access the forecourt. Larger maintenance activities require crane access to the forecourt.

It is noted that the site is heavily constrained when it comes to loading and servicing solutions due to the heritage nature of the building, the location of central thermal equipment in the basement of the building and brewery forecourt and the need to give priority to pedestrians within the public domain.

The provision of the loading spaces on the western side of Central Park Avenue, with a secondary option of loading within the brewery forecourt outside of business hours, is considered to be the best option for the development. This will enable provision of loading space within close proximity of the site and will ensure that the Brewery Yard is maintained as a public domain space and is only used for loading purposes as a last resort outside of business hours when use of the brewery forecourt is likely to be low. Loading onsite can be managed through a Traffic Management Plan if required.

b) The recommendation of TfNSW to investigate the use of shared loading docks across Central Park.

The applicant's response dated 17 July 2020 noted that as documented in the Response to Submissions (GTA, 3/2/2020) and subsequent Loading Zone Proposal for consideration at LPCTCC (GTA, 4/3/2020), the use of on-site loading docks in the precinct was considered.

However, it was determined that the respective travel distance would likely result in delivery vehicles searching for any vacant on-street parking including in the 15-minute parking in the northwest corner of Central Park Avenue.

c) DPIE are requesting an update on the status of the referral to Council's Traffic Committee to change existing parking spaces on Central Avenue to a loading zone

The applicant's response dated 23 April 2020 confirmed that the application was approved at the Local Pedestrian, Cycling and Traffic Calming Committee (LPCTCC) meeting 16 April 2020. The minutes of the meeting are provided again at **Attachment 3**.

d) Investigate option 6, as outlined in the letter from GTA submitted in January 2020, to use existing loading docks across the Central Park precinct where no other options are feasible

The applicant's response dated 17 July 2020 noted that as documented in the Response to Submissions (GTA, 3/2/2020) and subsequent Loading Zone Proposal for consideration at LPCTCC (GTA, 4/3/2020), the use of on-site loading docks in the precinct was considered.

However, it was determined that the respective travel distance would likely result in delivery vehicles searching for any vacant on-street parking including in the 15-minute parking in the northwest corner of Central Park Avenue.

e) Identify the waste collection point on plan, including path of access (user and vehicles) from the collection point to the bin storage room.

The applicant's response dated 5 August 2020 included Attachment 5 which was the updated Waste Management Plan. CoS Council in their letter dated 27 May 2020 noted; commercial waste and recycling receptacles and any bulky waste must be stored on the property at all times and must not be placed on kerbside for collection. The updated Waste Management Plan notes that: the waste collection vehicle will park in the designated loading area as agreed upon with the City of Sydney. The bins will be collected directly from the basement and taken directly to the waste collection vehicle. Waste contractors will develop the appropriate procedures.

Please refer to Attachment 1 for the updated Waste Management Plan.

a) The bins are now shown on drawing 17007_DA1101 (F) Level B1 Plan which is included in Appendix 1 of the report. The access to the basement is via the lift.
b) The path of access is shown in Appendix 2 of the report.
c) The CoS letter dated 27 May 2020 noted; "commercial waste and recycling receptacles and any bulky waste must be stored on the property at all times and must not be placed on kerbside for collection." The updated Waste Management Plan notes that: the waste collection vehicle will park in the designated loading area as agreed upon with the City of Sydney. The bins will be collected directly from the basement

and taken directly to the waste collection vehicle. Waste contractors will develop the appropriate procedures.

d) Please refer to Attachment 1. The bin storage room is located in the basement as identified on the drawings. The waste collection vehicle will park in the designated loading area.

4. MOD16

a) The proposed GFA figures on plan A-1002 need to be updated to show the GFA changes approved under MOD 15 to the Concept Approval. This should result in the following total GFA figures:

- **a. Block 4B, from 4000 m2 to 6266 m2**
- **b. Non-residential GFA from 59,901 m2 to 62,167 m2**
- **c. Total from 255,687 m2 to 257,953 m2**

Noted. The document has been updated and is provided at Attachment 2a.

b) Building height

- **Please confirm:**
  - i. **you are seeking a maximum height of RL 45.050m to Building 25, as per submitted plan A0060, Roof Plan, rev B dated 29.07.2020**
  - ii. **the roof addition (under SSD 9374) over Building 22 does not exceed the proposed maximum height of building 22 (RL 44.783m)**

Building 22/23 and 25 roof form was amended following the consultation and review by the DIP. As per their recommendation, the roof form of Buildings 22/23 and 25 was amended to create a hipped eastern end, as a result the maximum roof height of Building 25 is now 45.050 m AHD to accommodate the roof falls. Building 22/23 roof height remains at 44.783 m AHD.

Please refer to drawing DA2002 Rev E which was submitted as part of the applicant's response on 27 April 2020. Consequently, no further amendments are required to this drawing.

c) Public domain plan A-1254

Update the public domain plan to show the publicly accessible through site link on Block 4B extending to the main park, in accordance with the Future Assessment requirement B17 of the concept approval. Noted. The plan has been updated and is provided at Attachment 2b.

d) Traffic access and parking plan A1257 clarify any changes to this plan under MOD 16.

Drawing A-1257 issued as part of the applicant's response dated 5 August 2020, shows the change clouded. The change was the removal of the originally proposed indented parking bay on the eastern side of Central Park Avenue.

Attachment 2c also shows the proposed layback to the courtyard. This will also be used for the servicing required to the Central Thermal Plant.

e) Green Star Rating

Please advise if a Green Star rating will be sought for the development, noting Future Assessment Requirement B12 (ESD and sustainable design) of the concept approval requires future project applications for commercial and retail development (including adaptive re-use of heritage buildings) to achieve a minimum design and as built 5-star Green Star rating.

A 5-star Green Star rating will be sought for the development.