



12440
16 April 2013

Mr Sam Haddad
Director-General
Department of Planning and Infrastructure
GPO Box 39
SYDNEY NSW 2001

Attention: Mark Brown

Dear Mark,

RESPONSE TO SUBMISSIONS

MP 09_0078 (MOD 5) S75W MODIFICATION - AMENDMENTS TO CONDITIONS BLOCK 2, CENTRAL PARK

This letter has been prepared in response to public submissions received between 26 March and 15 April to the above proposed modification. Each of the submissions have been addressed below.

Submission: Michelle Perry
Date: Email dated 11/4/2013

Firstly, the submission does not address the issues raised within the proposed modification. The submission is critical of the heliostat, lighting show and low key development and use of the park rather than the modification as such.

The design decision by Jean Nouvel to use a series of reflectors to re-direct sunlight to areas within the building and its surrounds was not incorporated in the original development to meet specified planning controls. The decision was purely architectural and accepted by both the Design integrity Panel and the Design Advisory Panel at the time it was determined. The introduction of lights to the reflector panels was seen as opportunity to produce something unique for Sydney in that a lighting display by renowned lighting artist Yann Kersale was seen as benefit for Sydney. Its inclusion has been accepted, together with other artworks including the Halo in an artwork strategy accepted and currently approved by Sydney City Council.

The main park was named Chippendale Green after Council undertook a naming process. Furthermore, Council has been involved in the design of the main park and sought the opportunity to hold special events that they supported for the community.

Frasers re-iterate that there have been no changes in this modification nor previous modification that have changed the use of neither the main park nor the reflectors on the underside of the cantilever.

Submission: Michelle Perry and Graham Kuo
Date: 9/4/2013

The submission challenges the inclusion of the work by Patrick Blanc and Yann Kersale as being public art. Both “artist” have been warmly embraced by Council and their public art team, and were included within the original public art strategy submitted in 2009. Within the approved strategy, other items have been nominated and Frasers will continue to work with Council on the areas of public art. The proposed amendments do not result in a reduction (or shrinking) to the contribution of public art across the Central park site, but relates to the timing of the delivery.

The submission appears to question the integrity of the Halo design and appointment of the artists which will not be responded to. Frasers contributions to public art in the Artist in Residence and the use of Frasers Studios is held in high regard by Council and therefore see no point in trying to defend the claims made in the submission. The submission does not address the modifications sought.

Submission: Chippendale Residents Interest Group

Date: 9/4/2013

- Item 1 relates to the Department’s process and is best addressed by the Department. The notification of the documents on the DPI website is consistent with this provision.
- Item 2 relates to a press article and Frasers believes our responses to the Department on the Public Art Strategy have adequately addressed any concerns and there is considered to be no reason to delay the determination of this Modification.
- Item 3 relates to the plan of sub-division that has already been approved by the Department of Planning and Infrastructure. Frasers have previously submitted a full breakdown of the spaces within the East Basement together with an anticipated breakdown of future building. The submission talks about matters beyond Fraser’s control. The original Concept Plan limited the number of spaces and prohibited public parking. As such, Fraser’s are not able to address the concerns raised by this submission.
- Item 4 relates to public art and the heliostats and assumes that Frasers are seeking changes under this modification which is no correct. Our wording amendment is purely to align the whole approval and to coordinate the orderly delivery of the art. Frasers has stated separately that the maintenance costs of the vegetal walls are not within a public art cost.
 - Part (a) discusses of Kensington Street which is neither relevant nor part of this modification.
 - Part (b) talks of the lighting display from the reflectors which again does not form part of this modification. Frasers again repeats that the heliostat and associated reflectors are part of the architectural design and do allow certain areas to gain better amenity by reflecting sunlight to areas that otherwise would not receive direct sunlight. The terraces were removed under previous modifications as there was concern for safety at these levels. Whilst markets may be held, they will need to be undertaken in conjunction with Council as owners of the main park and re not relevant to this modification
 - Part (c) At presents the Department of Planning and Infrastructure is the Consent Authority who consults and reference City of Sydney and public as part of the consideration and assessment of the applications.
 - Part (d) relates to the public art strategy that Frasers will agree with the Department and Council as required by relevant conditions.
 - Part (e) has no relativeness to the proposed modification.
- Item 5
 - (a) There is no intent for visitors to use allocate parking or storage lots. Parking is proposed to be restricted to the owner or occupant of the subject lots
 - (b) Publically accessible spaces are not affected as part of the proposed amendment. Obviously, certain areas are not accessible to the public which is not dissimilar to

other development. Compliance with the relevant access provisions will not be affected as a result of the proposal.

- (c) There are no changes to publically accessible spaces other than the timing for the delivery of such spaces to align with construction sequencing.
- (d) The strata management statement is for the owners within the relevant scheme and should only require council input in ensuring that the regulatory requirements are being maintained .
- (e) The operation of the recycle water and central thermal plant has been debated sufficiently with the DPI, Frasers and Council.
- (f) The preservation of the green walls and landscaping is a requirement of the Body Corporate

Submission: Peter Waller

Date: 9/4/2013

The matters raised in this submission mirror those raised by CRIG (above) and as such the responses are the same.

The proposed amendments to conditions allow for the orderly finalisation, management and delivery of the project, reflecting concurrent amendments to the concept plan, and other project applications.

We trust the above provides sufficient information to undertake an assessment of the application. Should you have any queries about this matter, please do not hesitate to contact me on 9956 6962 or sgouge@jbaplanning.com.au.

Yours faithfully



Stephen Gouge
Urban Planner