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[Department of Planning](#)

[Skip to content](#)

[Home](#) > [Development Assessments](#) > [Major Project Assessments](#)

## Dallas Lewis, of Chippendale NSW, made the following submission on the project:

### MP 11\_0091- Blocks 6 & 7

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#### Objects to this project

Our home is immediately to the rear of a new building proposed to be constructed at 14 Kensington Street (Block 6).

In previously published documents from the time prior to Fraser's purchase of the CUB site and since, it had been accepted that the presentation of any new building as seen from the back door of our property would not be higher than that presented by the current building. I have attached three documents showing this history.

October 2006

1. Cox ATA 2006 10 31 Sun for 7 Goold St.pdf

Diagram showing the amended building envelope with the accepted angle of view from the Goold Street buildings to the rear of 14 Kensington Street

October 2008

2. JBA 2008 10 08 08084\_PPR\_Final 21 Oct 08.pdf

Diagram repeated (Refer Fig 10 p9)

January 2012

3. JBA 2012 01 23 Preliminary Environmental Assessment.pdf

Refer Item 4.4 (p6) "The EAR will ensure that the proposed building is consistent with the amended building envelope and that the amenity of the neighbouring buildings are protected."

In the currently exhibited Environmental Assessemnt Report- Blocks 6+7 (Nov 2012) it is stated that:

"The parapet height on the eastern boundary is at a constant RL of 22.20 AHD. This is significantly lower than the concept plan approved levels along the boundary. Please refer drawing 3 on A-602. The concept plan fails to be clear as to the intent along the eastern boundary. It is the view of the proponent that the cumulative reduced parapet height along the boundary, and the green roof, compensates for the continuity of the proposed structure."

My original submission on this made it very clear as to the intent along the eastern boundary. We argued that any new development should not give us a steeper angle of view to the sky than that presented by the current building because we didn't want our very small back yard to be in a dim light well. The angle drawings in the first two attached documents were the result of that submission, and are almost identical to

those I originally submitted.

While the EAR shows that the narrow building on the eastern side of 14 Kensington Street would be slightly lower than the existing building, the height of the proposed building fronting 14 Kensington Street rises steeply. Angle diagrams are now not included so it is difficult to see precisely what the impact of that building will be on us, but the principle embodied in the angle diagrams published as the amended building envelope was that it would not be visible to a person standing at ground level at our back door.

We submit that this principle should remain for any building proposed for 14 Kensington Street.

- Attachment: [Cox ATA 2006 10 31 Sun for 7 Goold St.pdf](#)
- Attachment: [JBA 2008 10 08 08084 PPR Final 21 Oct 08.pdf](#)
- Attachment: [JBA 2012 01 23 Preliminary Environmental Assessment.pdf](#)

**From:** <molly@froggy.com.au>  
**To:** <Caroline.Owen@planning.nsw.gov.au>  
**Date:** 2/12/2013 1:45 pm  
**Subject:** More alcohol outlets in Chippendale

Dear City of Sydney,

I read with dismay that there are plans to give licenses for more hotels and clubs in Kensington Street in Chippendale. I originally thought that this would be developed as small bars in line with Clover Moore's policies. I don't have any objection to that. However now I have found out that they want licensing approval for venues that will supply alcohol to around 1,500 people. That is shocking.

I live just up the road in a building that lies between Kensington St and Regent Street. We already get woken up on average of once every couple of nights by loud drunks screaming out in the early hours of the morning. I can just imagine that the amount of drunkenness will double or quadruple. There will be more broken bottles in the street and vomit on the footpath. What can ordinary Sydneysiders do to stop this?

Please do not allow licenses for large booze barns in my street.

Thank you for your attention to this matter.

Kind Regards

Jeannie Sotheran 701/71-75 Regent St Chippendale

**Caroline Owen - MP 11\_0089 - Block 3A (Clare and New Hotel / Venue Complex)**

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**From:** Peter Watson <peter.watson@zurich.com.au>  
**To:** <caroline.owen@planning.nsw.gov.au>  
**Date:** 25/02/2013 3:29 PM  
**Subject:** MP 11\_0089 - Block 3A (Clare and New Hotel / Venue Complex)

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Dear Ms Owen,

As a long-term resident of Chippendale, I am concerned at recent multiple applications being considered for development of Kensington Street, Chippendale.

I am aware of 3 separate applications:

- Block 3A - The Clare Hotel & former Administration Building
- Blocks 6 & 7 - Multiple bars /restaurants / entertainment venues
- Blocks 3B and 10 - Student housing

My concerns are primarily with regard to:

- 1 - provision of adequate parking to cater for the inflow of patrons and hotel residents - residential car parking is already very limited (and heavily policed). I believe that Application 3A assumes an estimated 400-500 patrons. This is in addition to estimated 900 patrons for Blocks 6 & 7 as well as multiple hundreds of students living in the Student housing proposed for Blocks 3B and 10. This would suggest requirement for significant numbers of additional car spaces. Please advise what measures are in place to provide adequate parking for the proposed bars / restaurants / hotel and student accommodations.
- 2 - expectation of noise, not only in Kensington Street but also the surrounding residential areas. Could you please advise what investigation has been conducted with regard to the cumulative acoustic impact of the multiple applications / developments on the surrounding residential areas
- 3 - nature of the expected development - my understanding was that the Kensington Street development would include 'creative' venues. Are bars / restaurants and hotels considered 'creative' for purposes of planning? If not, please advise what 'creative' developments are under consideration for Kensington Street.

I look forward to your prompt response.

Regards  
Pete

Peter Watson  
Head of Reporting GOPS APAC / MEA  
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To Department of Planning. Major Projects Division

Re: Development application on exhibition

**Central Park/ Fraser development at the old Broadway CUB brewery site  
MP 11\_0091- Blocks 6 & 7**

Block 6- Construction of mixed use commercial and retail building.

Block 7- Adaptive re-use of existing buildings for retail and commercial uses.

I am writing to object to the development application regarding Blocks 6&7 (Kensington Precinct of the Central Park development) as currently submitted.

The narrow street – which will provide about 20 licensed premises in a 200 metre strip – is expected to cater for about 2000 patrons at any one time.

The application fails to consider the cumulative impact of the development on residents, fails to consider the effects of the proposed licensed premises on crime, police and hospital resources and the amenity of the area for local residents; the proposal amounts to intensification of use and overdevelopment, and is based on a totally inadequate and misleading acoustic report which fails to adequately assess the noise impact on the thousands of residents to live either side of the proposed bar, restaurant and outdoor dining strip.

It should not be approved, and certainly not without stringent conditions, proposed below.

Please find the details of my objection outlined in detail below:

The Process

Firstly, I would like to express my concern about the process by which the development is dissected into dozens of separate parts and one after the other changes to the original Master Plan are requested for each part. Office blocks are to become student accommodation (increasing density on the site which would not have originally been approved); retail and shopping is to be part of the main development (even though Fraser promised the community at an information evening they did not want to compete with the Broadway shopping centre) and now the Kensington precinct which was to be developed for cafes, bookshops and art galleries is to house bars and restaurants.

Secondly, I am also concerned that while this DA seems to foreshadow a plan for a dozen or so licensed premises, probably with extended opening hours, this DA does not provide details. It asks for “in principle” approval for something, downplaying its impact by failing to adequately assess it and does not permit objections on the basis of what it is to become.

I understand the piecemeal approach will continue further in that at a later stage each of the individual terraces/ buildings on Kensington Street will lodge their own application for Trading hours and Liquor licences, which means at no time will the overall impact of this proposal on the neighbourhood be properly considered.

Thirdly, the application is made for the development of a row of terraces and other buildings between two rows of residential buildings: on Goold Street and on the Western side of Kensington Street. However, the residential buildings on Kensington Street have not yet been built. Neither one new development on Goold Street nor a new block on the corner of Kensington Street and Broadway are occupied. So residents who will be affected by these developments will have no ability to have input into the decision.

### Late night trading/ Alcohol related problems

It is obvious from the scant details in the application that it is envisaged that Kensington Street will become an entertainment hub with bars, restaurant, outdoor dining and late night trading – even though this application does not yet deal with that, see above.

I object to Kensington Street becoming a late night venue with licensed premises.

Firstly, The O'Farrell government has repeatedly expressed its concerns about alcohol-related problems, especially assaults around licensed premises. A Four Corners report on Monday demonstrated the issues well and highlighted the costs of alcohol in terms of police time and hospital resources. I believe it is clear that we do not need more, but less of these kind of dense developments catering for alcohol-related entertainment. Are Redfern police and RPA Hospital supportive of the proposal, and will they be given extra resources to cope with the likely impact?

Secondly, putting 20 licensed venues – with estimated patron numbers of 2000 or more - into a short, narrow street in the middle of a residential development is totally inappropriate, and amounts to overdevelopment.

Thirdly, making Kensington Street an outlet for licensed bars would be bringing to the quiet neighbourhood of Chippendale the problems previously experienced in Kings Cross, Oxford Street, George Street, Manly and other strips with a high density of liquor outlets.

Already the tiny suburb of Chippendale has 29 liquor licences.

About 100-200 meters from Kensington Street are the Clare Hotel, the Bar Broadway, the Abercrombie, and (outside of the Chippendale postcode, but just adjacent to Kensington Street) the Agincourt, the Mercure Hotel, the Crystal Palace, and the Loft at UTS – not to mention licensed restaurants and other outlets serving alcohol.

I understand a number of other licensed outlets are planned for the main block of the Central Park development and Block 3A near the Clare Hotel.

There are already sufficient licensed premises available in the vicinity, and this would provide a density of liquor outlets which would be excessive. If this were to be approved it should be approved on the same conditions recently imposed in Kings Cross, or successfully trialled in Newcastle some years ago, with lock-outs, no shots or doubles after midnight etc.

Fourthly, Kensington Street is narrow (currently it is one way with one lane of traffic and one row of parking). The footpaths are extremely narrow to virtually non-existent, making it hard to use for even one person, let alone groups of people walking in both directions. To mix a narrow street and very narrow footpaths with the consumption of alcohol is a recipe for disaster, and it is foreseeable that someone will get badly hurt, not just through alcohol related assaults, but through the interaction of traffic and intoxicated and exuberant patrons.

Fifthly, a proposed “pocket park” (i.e. a small square) in front of the proposed set back building for #42-44 Kensington Street will offer a place for patrons to linger and provide a focus point for noise and alcohol related crime. This is not good design to prevent crime.

The proposal also includes small walkways between buildings to be accessible 24/7 to reach the rear building. This is against all good crime prevention strategies and these can easily become places in which alcohol-related assaults, sexual assaults and muggings can take place unseen.

### Acoustic Report

The Acoustic report, which predicts “no adverse noise impacts” of the proposed use of Kensington Street in terms of noise, is totally inadequate and misleading.

Firstly, it states that it is “the developers [sic] preference” that there be no amplified music or use of loudspeakers. This is totally unrealistic for any modern bars or restaurants, and therefore provides a completely inadequate assessment of the noise from the development.

If this is to be approved no amplified music or use of loudspeakers should be made an unchangeable condition of the development.

Secondly, the report fails to consider the impact on residents in the yet to be build Kensington Street west side, as well as parts of Goold Street, including 33-47 which has flats with bedrooms overlooking Kensington Street.

Thirdly, the acoustic report only considers the impact of patrons on a rooftop terrace (#10-12 Kensington St) speaking (no music), but fails to assess the impact of other outdoor locations, such as proposed outdoor dining in the courtyards, and patrons on the street and in the walkways leading to the rear building, and the pocket park at #42-44 Kensington St. The east side of Kensington Street the subject of this proposal borders a number of terraces and two larger residential buildings on Goold Street and the noise from the

courtyards can be expected to echo against the walls of these buildings, amplifying the noise.

The proposed rear building – a structure of glass and concrete – can also not be expected to contain noise to any great extent.

The proposed large bar at \$46-48 is also encased in glass, which cannot be expected to contain noise from a large number of patrons and music.

Fourthly, I understand under council rules residents have a right not to be exposed to audible noise from midnight to 7am.

This proposal cannot meet that requirement unless opening hours are limited to align with such hours.

There have been occasional noise disturbances already from premises much further removed than the ones proposed under this application.

Already, Kensington Street has occasionally been used for events, like street festivals, or music in the building at #10-12 Kensington Street. The music and shouting of patrons was clearly audible from the residences in Goold Street as far away as the corner of Outram street.

The same applies to live music in the Clare Hotel.

The underground venue called “The Loft at UTS” on Broadway (next to the Optometrist at #11 Broadway) occasionally has events with amplified music, which echoes along Kensington Street and has been clearly audible in my bedroom.

Before the Central Park towers were built, music from occasional concerts in the Abercrombie hotel courtyard echoed across the empty site and was clearly audible in my bedroom.

These occasional events have provided excessive noise, audible in my bedroom after midnight, even though the source was further removed than the proposed premises which include a bar practically outside my bedroom window.

I do not believe the prediction of the acoustic study that the intensive use of the street will result in no adverse noise impact on residents. I am but one of hundreds who live alongside that proposed Bar/restaurant strip.

My previous experience of noise in the area – luckily currently restricted to a few nights a year – teaches me this proposal will have an adverse noise impact unless the following conditions are incorporated as unalterable conditions into the approval:

- all premises ordered to shut before midnight every night
- no bars, hotels and liquor outlets, only cafes, retail and small restaurants.
- If bars/hotel licenses are to be allowed they should have restrictions on the serving of alcohol for several hours before closing similar to restrictions in Kings Cross or during the Newcastle trial
- a rule requiring no amplified music and no loudspeakers, and definitely not after 10pm
- appropriate traffic management, wider footpaths or closure of the street to traffic
- incorporation of designing out crime principles in the development, especially at the pocket park, the walkways to the back and the rear building.



- Acoustic insulation of premises on Kensington Street East, supervised by independent acoustic consultants
- Offer of free acoustic measures for nearby residents (such as double glazing and airconditioning) if none of the above prevents audible noise indoors.

### Other

The proposed development will have light impact on nearby residents. To prevent crime and provide a safe amenity the street, buildings, and the walkway to the proposed rear building will need to be brightly lit. This light will impact on residents who have their bedroom windows facing out to Kensington Street.

The proposal to bring thousands of visitors to this part of Chippendale – over and above the thousands of new residents and shoppers will adversely affect the amenity for locals.

Parking – already a problem in the narrow streets of Chippendale– can be expected to be an even greater challenge for locals, many who do not have parking inside their homes.

### Conclusion

In summary, I urge you to require a more extensive assessment of the proposal, in terms of the real noise impact, the social impact and the likely result in terms of alcohol-related crime.

I urge you to reject the application as it stands since it is inadequate and the proposal has serious impacts on the community which it fails to consider or address.

Should you not be minded to do either, I strongly urge you to impose the above conditions on the proposal.

Please let me know if I can assist your deliberations with additional information.

Kind regards,

From: Qiao Yu Qiu

PO Box 466 Broadway Sydney NSW 2007

Email: joe\_gwts@yahoo.com.au

Mobile: 0411322882

Date: 21 Mar. 2013

To: Caroline Owen (caroline.owen@planning.nsw.gov.au)

Re: Objection to the planning of terraces in Kensington St of Central Park

Dear Caroline Owen:

I would like to express my strong objection to the development planning of the terraces from No.20-30 in Kensington St of Central Park.

Recently I find that Fraser Property had submitted their new concept plan of these terraces to NSW government. I am not the neighbour of Central Park in Chippendale Sydney now. However, I have purchased two off-plan new apartments No.G02 and No.G05 on the ground floor in 19-31 Goold St, Chippendale NSW2008. The unit G02 situates closely in the eastside of the terraces of No. 26-30 and G05 locates in the eastside next to the terraces of No.20-24 along Kensington St. as well. My backyards adjoin the backyards of these old terraces closely together. I am going to settle in one or two months.

I find from the model in the sales office of Central Park that they are going to build a new level of retail shops in the backyard of these terraces on their concept plan. The large scale of new retail shops along Kensington St. just closely adjoin to my backyards. I think that I am not able to accept this plan. We are in so close connection each other that it should interrupt my new home and my life.

Firstly, Kensington precinct in Chippendale has become severe high dense area following the large-scale development of Central Park. I would like to thank for the great efforts of Fraser, the developer for this area. However, I do not think that you can find a large row of business shops even in the city just beside your residential neighbour at your door and there is even no distance space left between the shops and homes. Our main building is at least three meters away from the border of these terraces. I think that any of their new development level should get away from the

border of my apartments at least three meters as well. Otherwise, they should interrupt my new homes and block the sunlight.

Secondly, large shopping centre, new hotel, club, retail shops, bars, and cafes, hundreds of student accommodations and thousands of new apartments are pouring into this area in the following years. They are just meters away from my home. Especially as I know that, they are planning Kensington St as a laneway with full functions of retail and commercial use just in front of the backyard of my two apartments. How crowded and noisy in the future in this area you can imagine! My living rooms are just facing the backyard of these old terraces. What a terrible situation for a residential home if so many retail shops are just at your door. It seems that I was living in a big shopping centre. It was crowded with public consumers outside your home. I really worry about the future problems of noise and safety.

Furthermore, both Goold St. and Kensington St. are one way. They are all small lanes together with some other streets like Outran St and Dwyer St nearby. If Kensington St changes to a retail laneway and there is no any restriction in retail development, they are impossible to bear the burden of the traffic in the future. At the same time so many restaurants, bars and cafes in these terraces and warehouses are just beside my home, it will damage the surrounding environment and cause pollution.

When I purchased these two off-plan apartments over three years ago, I was informed that these terraces would be changed to retail shops. However, there was no definite concept plan at that time. Fraser failed to let the public know that they were going to develop another new level in the backyard for retail and commercial use excluding the existing main building of the old terraces. This planning causes no any space left behind my future homes. It is incredible even in the high dense area of city CBD. It totally enlarges the capacity of retail use that it can stand for Kensington Precinct. It will cause great influences to the local neighbouring area.

It is clear that the development planning along Kensington St, Chippendale is not suitable for surrounding environment. Therefore, I think Fraser property should better try to reduce the retail area especially in front of and close to my backyard. Any new development retail level in Kensington terraces, which may influence my apartments, should be 3 meters away from my apartments' boundary and no more than 3 meters high. Meanwhile, the developer should ask for the public admission for the later business use of retail shop.

As I have not yet settled down, I am not able to receive the news of development planning for public submission in time. I am not able to check the situation in details as well, so as other future residents in my building, especially owners on the ground

floor like me. All the property's living rooms on the ground floor are facing these terraces with some others' bedrooms as well. We are the most suffering owners.

I have already contacted the developer. They said that public exhibition had expired on March 1<sup>st</sup> and pushed me to contact the NSW Government. Sydney Council approves the development planning of my building. I have kept close attention to the Council's website about development planning. I was suddenly told that it is NSW Gov to manage the planning, not Sydney Council. I feel strange that what it means for their differences. How different governments can process the neighbouring planning in the same standard? As this is a huge and complicated development, it is quite difficult for the public fully understand just from the paper documents without any face-to-face explanations. I got access to the website of NSW Gov after I got the development late News. I find that there are so many different plans with different contact officer. I even do not know who the right one I should contact is. I also do not know where I can go to have a face-to-face discussion while Sydney Council has their office in all parts of city and provide good service to the public. I am feeling anxious and unhelpful, especially for my Chinese background.

Therefore, I hope that NSW Gov can accept my late submission. Government and developer have better arrange more time and give more explanation to all the local neighbours for consideration of the concept plan. NSW Gov should make every effort to reduce the interruption to the local residents in the future. Gov cannot sacrifice the public interest for its own profit.

Sincerely yours!

Qiao Yu Qiu

Dear Mark/Caroline

Re: Application: MP 11\_0091 – Blocks 6 and 7, Kensington Street, Central Park

As a long term resident of Chippendale, I have only recently become aware of this application.

This submission raises concerns about the number of patrons, licenced venues, noise and safety.

After many hours reviewing the documents for this proposal I am very concerned about the cumulative impact of allowing 20 licenced venues in a small area. (we assume they will be licensed as per comments from Frasers and also print material from City Of Sydney Council ). The cumulative impact of more than 20 licensed venues along Kensington Street would bring the problems previously experienced in Kings Cross, Oxford Street, George Street, Manly and other strips with a high density of liquor outlets to the quiet neighbourhood of Chippendale. Also Chippendale already has 29 liquor licenses.

This is a significant shift locally – potentially introducing more than 20 venues, into what has been a much treasured and historic part of Chippendale, traditionally a quiet suburb, with no large scale late-night activity or a commercial High Street.

The projected patron numbers submitted by Frasers is also questionable. When applying the BCA patron ratios to the available areas, the permissible numbers are more than double that quoted by Frasers. Independent reviews of the numbers place it at 1903 patrons across the Kensington St venues. Frasers have said that they won't have so many patrons allowed, but if they sold any of the venues at a later date then the numbers would be allowed to increase to more than 1900.

The acoustic report submitted by Frasers is inadequate and unrealistic.

It only considers the impact of a 15 - 30 patrons talking normally on the proposed rooftop terrace #10-12 Kensington St, (with no music), from units further away on Goold St. The cumulative effect of hundreds of patrons talking loudly will be significant. It has been widely documented that when alcohol is consumed, the louder the patrons become.

It also states that it is that there is no amplified music or use of loudspeakers. This is unrealistic for any modern bars or restaurants. If this is to be approved no amplified music or use of loudspeakers should be made an unchangeable condition of the development.

It also fails to assess the impact of other outdoor locations, such as proposed outdoor dining in the courtyards, and patrons on the street and in the walkways leading to the rear building. The noise from the courtyards can be expected to echo against the walls of these buildings, amplifying the noise.

It is likely people will stand on the street, waiting to enter. White Rabbit and Mission Bar/NG Gallery recently attracted considerably more people than could be housed inside the premises, with crowds waiting on streets directly next to residential homes. It is extremely unpleasant to have people crowded outside your windows and front door, not to mention noisy and intrusive which is the case for all of the residents in the terrace homes. The music and shouting of patrons from a previous event in Kensington St was clearly audible in our apartment in Shepherd St. Unfortunately because of the unique cubic form of buildings and the narrow street alignments, the sound bounces and

amplifies between buildings and along some streets, but other streets will be quiet and not impacted.

I have concerns for my personal safety, as well as safety of my property. It is daunting and intimidating to have to pass by groups of party-goers, people drinking etc. It is well documented that alcohol consumption decreases inhibitions, makes people louder, and less likely to know right from wrong. Allowing 1900 people in a 400 metre street, late at night, drinking etc will increase risk of violence and anti-social behaviour.

The O'Farrell government has repeatedly expressed its concerns and commitment to address alcohol-related problems, especially assaults around licensed premises. A recent Four Corners report demonstrated the issues well and highlighted the costs of alcohol in terms of police time and hospital resources, not to mention the tragic human toll in serious assaults leading to permanent disability and even death. In speaking more recently to Redfern Police, we understand they recently raised concerns about another application. The intended number of venues in one small area, will impact Police and health resources.

I am aware that this application by Frasers is for the Food and Beverage/ Retail approval, and I ask that due consideration is given to the cumulative effect of the venues most likely being licensed and the true numbers of patrons that could be allowed, the impact on our residential amenities, safety privacy and quiet enjoyment of our homes and suburb.

Thankyou

Yours sincerely

Lisa De Lazzari

PO BOX 814 Broadway 2007



*Courtesy City of Sydney Archives*

***Chippendale Residents Interest Group***

*Email: chippendalecommunity@gmail.com*

21 March 2013

Planning NSW  
Bridge Street  
SYDNEY NSW 2000

Email: Caroline Owen/Mark Brown

Dear Caroline/Mark

**Application: MP 11\_0091 – Blocks 6 and 7, Kensington Street, Central Park**

This submission raises a number of key community concerns following the release of proposed plans for Kensington Street.

By way of some background information, Kensington Street is a narrow and quiet historic enclave that primarily serves as a pedestrian connector between residential areas in Chippendale and Broadway.

A number of “Block” Applications are being assessed by the Department of Planning that relate to Kensington Street:

1. At least 14<sup>1</sup> “food & beverage” venues *in addition* to the retail (nominally may be “licensed galleries” and the office space that is proposed for Blocks 6 & 7; and
2. 600 sqm of “food and beverage” area (nominally at least 5 venues) are proposed for Block 3A; and
3. Blocks 3B, 3C and Block 10 are likely to also have “food and beverage” venues at street level (refer the proponent’s perspectives).

A detailed submission is attached (see Annexure). We would however like to draw your attention to the most critical concerns which follow below:

1. It is proposed to amalgamate two larger buildings, namely 2-12 Kensington Street (we note a third building is attached).
2. Additions are proposed to the building resulting in a 5 storey entertainment complex. In summary, this building will house 2 levels of bar facilities, 4 restaurants and 2 large terrace decks. While the

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<sup>1</sup> Plans show at least 14 “food and beverage” venues for Blocks 6 & 7, in addition to a minimum of 5 venues in Block 3A and a number of yet undisclosed venues in Blocks 3B, 3C and 10. However the likely number is higher given a number of venues appear to indicate otherwise. If this were the case the corresponding population counts would be higher.



*Courtesy City of Sydney Archives*

***Chippendale Residents Interest Group***

*Email: [chippendalecommunity@gmail.com](mailto:chippendalecommunity@gmail.com)*

application is for “food and beverage” use, the plans indicate that subsequent applications will be made for a number of restaurants as well as 2 bar levels at this location. In addition are two large outdoor terrace decks.

3. We understand the floor areas will allow a potential capacity for 932 patrons (far greater than the 485 people indicated by the proponent). Further while the proponent may argue that they only intend to cater for 485 people (470 patrons and an office for 15 people), unless there is a stringent requirement attached to the approval at this time, future applications can be made for a much higher population level than indicated.
4. Nonetheless, we believe four storeys of bars/restaurants at this location (along with the other venues) is totally inappropriate and contrary to the public interest.
5. In addition we note, a separate Block application was lodged for a new hotel/entertainment complex (Block 3A). This is directly opposite #2-12 Kensington Street. While the application is for 600 sqm of “food and beverage” venues, the plans indicate provision for another 243 patrons in three venues opening directly onto Kensington Street (opposite to 2-12 Kensington Street).
6. As such, nominally 728 patrons will be housed at what will be “licensed” premises, ie # 2-12 Kensington Street and venues opening onto Kensington Street (ie at the Clare/Hotel). However it is important to note that these premises could potentially allow for 1,175 people (not taking into account the other venues along the street).
7. Disturbingly, this is in addition to the high concentration of licensed venues already on Broadway.

We note these figures have been independently reviewed. Disturbingly, rather than 876 people that has been disclosed in the Proponents report for Blocks 6 & 7 (which already raised concerns), the plans potentially allow for **1,903** people for Blocks 6 & 7. Notably this population count excludes the use of the 2 terrace decks #2-12 Kensington Street. We estimate a further 322 patrons could be allowed applying the BCA ratios). Importantly, whilst the proponent appears to suggest the nature of the venues will mean that “everything will be all right” from past experience we know the potential risk a row of licensed venues can have (irrespective of how upmarket they are).

Given however this area is traditionally a quiet interface that connects our long standing (and quiet) residential communities, this exacerbates concerns. Specifically we also note that Kensington Street is not designated as a late night area under the City’s planning policies.

In considering this application it’s also pertinent to consider that more “food and beverage” venues have been approved for the East-West Tower. In addition we understand more venues are planned for areas in and around the Brewery Yard (in part these are indicated in sub-strata plans for Block 2. Whilst the number of potential licensed venues have not been disclosed by the proponent, the removal of restrictions for licensed venues on the southern end of George Street suggest more venues will be targeted for this area, and that in effect a new “Kings Cross” is being targeted for the area.





*Courtesy City of Sydney Archives*

***Chippendale Residents Interest Group***

*Email: [chippendalecommunity@gmail.com](mailto:chippendalecommunity@gmail.com)*

Unfortunately, the proposed State legislation to allow applications for “small bars” to be approved outside the traditional processes, suggests that once the Department has approved the land use, the process for the approval for the smaller venues on Kensington Street will largely be a “fait accompli”. This raises a number of concerns. While we are told that the current legislation (under Part3A) does not provide for the cumulative impact to be considered, we believe it imperative that the Department consider the larger impact -both in terms of the local residential communities as well as the wider public. Further we note that any retail space, which may use as a gallery/bar should also be disclosed at this time, so its potential social impact can be considered in terms of the entirety of the applications. Without considering the applications together and their cumulative impact, the process would be unreasonable and effectively sabotages the public’s ability to comment.

In summary, the proposed number and scale of the proposed “food and beverage” venues will have a significant and detrimental impact on local residents, largely as a consequence of the influx and number of visitors into the area; specifically in terms of noise, intensification of land use, social loitering; dilution of facilities long promised to the existing community (e.g. public domain areas), traffic and a corresponding impact on parking across Chippendale. Further the decision by the local business group to actively advertise the area as a NSW tourist destination encourages further growth.

We note residents have now met twice to discuss the plans. We are again meeting this weekend. We have also met more recently with the proponent. As a consequence more information is being sought from them. While some information has been received, we are still awaiting more information (including subsequent information in relation to the acoustics report). Once this information is to hand, we would appreciate the opportunity to make further comment.

Given the high level of concern that these plans are now generating, we believe it appropriate that we meet again with the Department to discuss these concerns (and potentially also organize a “site visit” to Kensington Street and nearby streets with residents). We look forward to your feedback.

Yours sincerely

Chippendale Residents Interest Group



*Courtesy City of Sydney Archives*

## ***Chippendale Residents Interest Group***

*Email: chippendalecommunity@gmail.com*

### **Annexure**

#### **MP 11\_0091 - Blocks 6 and 7, Kensington Street, Central Park Chippendale**

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### **Introduction**

Three applications pertain to the redevelopment of Kensington Street, namely:

- Blocks 6 & 7 (the eastern side of Kensington Street, specifically Buildings # 2 - 48)
- Blocks 3A (the Clare and former Admin Building, located at the North West corner)
- Blocks 3B, 3C and 10 (Blocks 3B and 3C are directly south of the former Admin Building; and Block 10 located at eastern end of Kensington Street, i.e. after Building #48)

We understand the proponent is seeking approval for:

- 600 sqm of food & beverage space in Block 3A, namely 5 venues are shown
- A minimum of 14 “food & beverage” venues and retail and office space for Blocks 6 & 7
- More “food and beverage” areas are likely under Blocks 3B and 3 C (which has been approved for commercial use).

In addition we understand that the following “food and beverage” areas have been approved close by:

- Two floors of “food and beverage” venues (out of 5 floors of retail space) under the East-West Tower at 1 Central Park (the larger buildings opposite the UTS).

It is assumed many of these venues will be licensed. Further we understand more “entertainment precinct” with venues “spilling out” onto the public domain area in and around Chippendale Green and the Brewery Yard are proposed.

*This is a significant shift locally. Chippendale is traditionally a quiet suburb, with no large scale late-night activity or commercial High Street. The proposed introduction of 20 “food and beverage” venues (most are likely to be licensed venues) into Kensington Street, which has long been a treasured and historic quiet part of Chippendale will have a significant impact on local residential communities. The addition of other entertainment areas (at No 1 Central Park and in around the brewery yard), adds to concerns.*



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A summation of the key issues follows:

### **1. The number and scale of the Venues proposed**

- Chippendale, is one of Sydney's smallest suburbs. Significantly, Chippendale already has 29 liquor licenses however these are largely restricted to City Road and Broadway. Notably there is a high concentration of licensed venues on Broadway in the direct vicinity to Kensington Street. These include the Clare Hotel, Bar Broadway, the Union Bar, the Abercrombie, the Agincourt, the Mercure Hotel, the Crystal Palace, and the Union/Loft at UTS as well as a new venue on the corner of Kensington St and Dwyer Street (which was recently approved despite objections by local Police in relation to the proposed hours and impact).
- It is assumed that Applications for "licensed" venues will subsequently be made for most "food and beverage" premises, if not all. The cumulative impact of more than 20 licensed venues along Kensington Street are likely to bring with it, problems previously experienced in Kings Cross, Oxford Street, George Street, Manly and other entertainment strips that have a high density of liquor venues to the quiet neighbourhood of Chippendale.
- In particular concerns are held about the size and scale of venues at #2-12 Kensington Street (amalgamation of 2 larger buildings into a multi-story entertainment building) and #46-48 Kensington Street (and the corresponding impact on other venues and student housing directly opposite). This is discussed further below.

*The scale and number of proposed 'food and beverage' venues are not supported, as the cumulative impact will be detrimental to local residential areas. Further, the current application is not considered in the public interest given the known impacts that a concentration of licensed venues has to on immediate and nearby residential areas; and the absence of details, such as firm population counts and operating hours as part of the application process at this time.*

### **2. Proposed Plans for #2-12 Kensington Street**

- Frasers estimates this building will accommodate 485 people (470 patrons/staff and 15 office workers) at any one time. However, when calculated against the BCA ratios for the proposed floor space, the population could potentially be 932 excluding staff. Importantly this also excludes patron numbers for two large terrace decks, which could potential allow a further 322 patrons (refer attached matrix). Whilst the proponent's plans indicate fewer patrons, given the proponent is only seeking approval for land use, subsequent applications may follow for higher population counts than indicated. Irrespective, the indicated population numbers (being 485 in one building) is considered inappropriate and not in the public interest.
- Further, it appears Frasers are asking for this building to be modified from the Concept Plan,



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thereby increasing the bulk at the north side and also incorporating a large terrace deck on Level 3 to the south side and roof top plant area, right next door to residential homes. This will have a detrimental impact on residential amenity for Goold Street residents. Specifically, the outdoor terrace on Level 3 of the building directly impacts the residents of Goold St – most of which is small terrace homes and some unit buildings. The proposed terrace deck in particular will be above the existing fence line of the low rise terrace homes and level with the higher units further along Goold St. Potential noise from large numbers of people drinking and partying even without music playing will be significant and is likely to result in the loss of privacy as well. Irrespective, whether the population numbers is 485 or indeed higher, noise will also be generated from the influx of patrons visiting the premises. There will also be a corresponding impact from the associated noise from the concentration of venues along the street (assuming they are either licensed premises or late-night galleries). Further, it is likely excess patrons will stand on the street, waiting to enter this venue. To demonstrate, as has now become regularly the case, recent events at White Rabbit and Mission Bar/NG Gallery attracted considerably more people than could be housed inside the premises, with crowds waiting/drinking on the streets directly next to residential homes.

- Further, the outdoor terrace area on Level 4 of the building will have a direct impact on residents in Dwyer Street due to noise reflection from the introduction of a new high rise building on the corner of Dwyer and Kensington Street. We note that the acoustic report assumes baseline data that was relevant a number of years ago. Since then there has been considerable building activity. This has a direct relationship with noise and the way it travels (and bounces off buildings). The introduction of large scale decks is not supported.
- The proposed multi-storey ‘entertainment’ building is directly opposite the proposed hotel/venue complex (Block 3A). The plans for Block 3A indicate that three “food and beverage” venues will open directly onto Kensington Street. The plans also indicate that these venues will be managed independently from the Hotel Operator. Further, more “food and beverage” venues are proposed along Kensington Street (i.e. a front line of buildings and an additional line of infill buildings at the rear). More venues are likely to follow under Blocks 3B and 3C. In total it is likely more than 20 licensed venues will be located in the street.

*The size and scale of the proposed venue at #2-12 Kensington Street is not supported. In particular, the location for such a large scale venue is considered inappropriate given the cumulative impact from the neighboring venues and high concentration of venues on Broadway. Further, the introduction of terrace deck areas is considered inappropriate and detrimental to local residential amenity.*



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#### **3. Proposed Plans for Buildings # 40-48**

- The proponent plans show 138 patrons will be accommodated at any one time. However applying BCA ratios for the proposed Floor Space, indicates permissible patrons numbers could be 430 (refer to attached matrix). Further the construction of a single storey line of buildings along the rear (east) of the site (to accommodate a number of restaurants, cafes, and food premises as well as garbage rooms, services, and facilities) has a corresponding impact in terms of noise on the immediate residents in Goold St as well as the student Housing opposite and nearby (and neighbouring communities).
- The proposed “Bar” at #46-48 Kensington Street is not supported given it may well house more patrons than that disclosed and its potential interface with the public space nearby and other venues. In addition its location directly opposite student housing is considered not the public interest.

*We suggest restricting the number and size of “food and beverage” venues, and rather encouraging the integration of appropriate facilities for the immediate community - rather than creating a destination High Street which we understand is intended to be promoted across Australia and internationally by a more recently established business group (without the wider Chippendale communities input).*

*Significantly, our residential communities have long lived in Chippendale with the integration between residential and business interests managed well in the main. This has been as a result of the effective integration of appropriate business use and operating hours which were largely restricted to 7pm. However the cumulative impact from a growing number of galleries and licensed venues (particularly after hours and on weekend) is becoming particularly apparent. The addition of more venues particularly in such a high concentration needs to be managed particularly sensitively. Further consideration is necessary to reduce the scale and size of the venues and introduce more appropriate facilities for the immediate community.*

#### **4. Noise Impact**

- The acoustic report is inadequate and based on assumptions that are unrealistic. Notwithstanding previous comments in relation to baseline data, the report only considers the impact of a 15 - 30 patrons talking normally on the proposed rooftop terrace #10-12 Kensington St, (with no music), from units further away on Goold St, not the homes adjoining the proposed new buildings on Kensington St. The cumulative effect of hundreds of patrons talking loudly will be significant. It has been widely documented that when alcohol is consumed, the louder the patrons become. The consultant’s report also states that “the developers [sic] preference” that there be no



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amplified music or use of loudspeakers. This is unrealistic for any modern bars or restaurants, and therefore provides a completely inadequate assessment of the noise from the development. If this is to be approved no amplified music or use of loudspeakers should be made an unchangeable condition of the development.

- The report also fails to assess the impact of other outdoor locations, such as proposed outdoor dining in the courtyards, and patrons on the street and in the walkways leading to the rear building, and the pocket park at #42-44 Kensington St. The east side of Kensington Street (the subject of this proposal) borders a number of terraces and two larger residential buildings on Goold Street and the noise from the courtyards can be expected to echo against the walls of these buildings, amplifying the noise.

*Given the high degree of concern relating to the issue of acoustics, we suggest an independent review should be obtained by the department. We would be happy to put forward the names of some acoustics consultants.*

#### **5. Proposed rear line of buildings at #14-48 Kensington Street**

- The proposed rear building # 14-48 (a structure of glass and concrete) will not contain noise impact to any great extent. Particularly the proposed large bar at #46-48. We understand legislation current protects residents from noise impacts after 10pm on Sunday to Thursdays and after midnight on Fridays and Saturdays. This proposal cannot meet that requirement unless opening hours are limited to align with such hours. Notwithstanding applications can always be made to extend the operating hours after this time. This introduces a number of other factors such as future management and sale and changes in legislation.
- In the past, Kensington Street has occasionally been used for events, like street festivals, or music in #10-12 Kensington Street. At the time, the music and shouting from patrons was clearly audible from the residences in Goold Street, Outram Street, Wellington and O'Connor Streets. In fact on occasion noise from events has impacted residents as far away as Shepherd Street. This is due in part to the unique cubic form of buildings and the narrow street alignments in Chippendale, which often exacerbates sound reverberation – particularly that from amplified sound/noise. As such, noise is exaggerated in many streets, whilst other streets remain quiet. Similarly, in the past noise from live music in the Clare Hotel and the underground venue called “The Loft at UTS” on Broadway has been heard not only in the immediate streets but as far away as Meagher and Buckland Streets. As such “occasional events” have a significant impact in local streets, after 10pm when there is little background noise. Further we note a previous application to the CoS to extend the operating hours for the Clare Hotel to 2am was refused due to impact on residential amenity in Goold and Dwyer Streets as well as the corresponding impact to neighboring communities in and around Wellington and Dick Streets. However more recently



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there appears to be a change of philosophy by some Officers in the City, who appear keen to support a night time economy. The challenge is that often the impact noise has on residential amenity is not properly understood.

*It is imperative that the actual land use be carefully considered at this stage, so not to promote poor planning outcomes. Good planning outcomes need to consider the longer term impact on existing communities. The proposal to change Kensington Street to a high volume use "entertainment" area is neither in the immediate community's interest nor public interest. We suggest restricting the size/number of "food and beverage" venues, to discourage bars, hotels and liquor outlets. Further, while the operating hours which currently do not form part of the process at this stage, needs to be considered, so to align trading hours to the current noise restriction legislation.*

#### **6. Safety**

- The O'Farrell government has repeatedly expressed its concerns and commitment to address alcohol-related problems, especially assaults around licensed premises. A recent Four Corners report demonstrated the issues well and highlighted the costs of alcohol in terms of police time and hospital resources, not to mention the tragic human toll in serious assaults leading to permanent disability and even death. In speaking more recently to Redfern Police, we understand they recently raised concerns about another application. Surely, the intended number of venues in one small area has the potential to significantly impact Police and health resources. In short, promoting of what is likely to be a high concentration of venues in 400 metre street increases the potential for violence and anti-social behavior.
- Notably local residents have expressed concern for personal safety, as well as the safety of their property. A study by Urbis on behalf of CoS in 2008 "Late Night trading - Community Perceptions" highlighted the following "Drunkenness and disorderly behavior were given highest mention as the aspect most disliked, followed closely by anti-social behavior. Both of these contributed to feelings of being unsafe, the next highest factor disliked."

#### **7. The impact from the proposed number of patrons to Kensington St**

- The proponent has estimated 881 patrons capacity for all the proposed venues along Kensington St. We note that this fails to include staff numbers and patrons using the outdoor areas and terraces. Further, applying the BCA ratios to the floor space areas for permissible numbers indicates the potential land use can result in 1,903 patrons in Kensington Street. We note this does not include patrons moving from and to premises, nor the use of outdoor courtyard areas, or cumulative impact from other nearby venues.





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- Issues relating to noise and parking are becoming a key factor for our residential communities, particularly after hours and on weekends. The majority of low rise terrace homes rely on on-street parking which is now at capacity. The growing number of venues, including impact from galleries is escalating concerns.
- Although Chippendale is well located for public transport, and the community at large is a proactive proponent for public transport use, evidence clearly shows that visitors to the area particularly in the evenings/night, drive and park in our local streets. This is likely to continue because, while the area seems close to Central, the reality is a 700 metre from Kensington St to suburban lines (at Central), which services are not accessible late at night. Notably too, it appears that patrons visiting galleries and “upmarket venues” prefer to drive, walk or catch a cab. The use of buses is not typical. Typically just one or two gallery openings on the same night will see local streets parked out by 7pm. As such noise disturbance and impact on street parking has already become a significant local issue (Chippendale Residents Survey, 2013). The influx of patrons to Kensington St and other parts of the site escalates concerns. The influx of just 500 patrons on a quiet night has a substantial impact on local amenity.

*The issue of Parking in Chippendale is complex. A comprehensive approach is necessary to solve this issue. The quantum of food and beverage venues needs to be carefully considered to ensure that the quantum of patrons is contained, thereby by reducing the impact on local amenity.*

#### **8. Public Domain and Access**

- Plans show access is primarily from Kensington Street. While we accept this is necessary for Blocks 6 and 7, we do not believe that access to the Clare Hotel and venues within the Hotel complex (Block 3A) as well as Hotel’s loading dock need to be accessed from Kensington Street. Rather we suggest access to Block 3A, should be from Carlton Street (previously called Kent Road) so to limit the concentration of pedestrian/vehicle movement on Kensington Street - particularly in terms of the potential large numbers of intoxicated people leaving the venues late at night.
- Notably the proposed “pocket park” (i.e. a small square) in front of the proposed set back building for #42-44 Kensington Street will offer a place for patrons to linger and provide a focus point for noise and alcohol related crime. The proposal also includes small walkways between buildings to be accessible 24/7 to reach the rear building. Neither of these concepts provides good design outcomes.
- The lack of community facilities is disappointing. Whilst we were told the final detail is subject to negotiation and planning with the City of Sydney, we believe a comprehensive approach is needed now before any decisions are taken (being mindful of proper community consultation and input). In particular, we see the opportunity to incorporate a number of design/land use initiatives that better serve the interests of a wider community, than have a high reliance on “food & beverage”





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venues or alternately “licensed” Galleries (retail) space.

#### **9. The Assessment Process**

- We are advised that the Applications for each Block will be assessed by the Department separately. Further we were advised that the Department’s role is limited in its capacity to consider concerns about the magnitude and scale of the venues; rather this is matter for the City of Sydney, and subsequently, the Office of Gaming, Liquor and Racing, at the time when future applications are lodged.
- This raises a number of concerns, particularly given the phenomenon that is occurring in relation to the proliferation of licensed venues and corresponding social impact. Whilst the planning process under Part 3A appears not to provide an appropriate decision making process, we believe that the social impact must be considered at this stage and appropriate representations made. Further recent legislation introduced by the State Government for “small bars’ fails to consider applications, where a number of venues will be in one area.
- We have been advised that the operating hours, actual use and patron numbers do not form part of the current application process, despite plans showing at least 20 venues for Blocks 3A and Blocks 6 & 7 (we note the number may actually be higher). Further we note the information provided by the proponent does not include necessary details, such as the use of courtyard space and terraces. Yet we are advised that it is intended for the street to become an entertainment destination. Given plans show a number of bars, restaurant, outdoor dining, yet the details such as operating hours and specific use are not disclosed, this makes the application process unreasonable as residents are in a position to be properly informed to comment.

*Residents have strong reservations about Kensington Street becoming a late night area with licensed premises along the street and urge you to ensure the process that allows for proper consideration of the intended land use and potential impact at this time.*

#### **10. Commitments from the Proponent**

We believe that the proponent should make clear commitments to protect the amenity of existing residents, and that adherence to these commitments should be a condition of approval.

A number of concerns and suggestions are raised in this document. In addition, the following commitments should also be included:

- Restricting the number of patrons, and the number and size of venues (i.e. lower the intensification of use along the street)



*Courtesy City of Sydney Archives*

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- All outdoor areas (rooftops, courtyards etc.) to be disclosed at this time (so residents are fully informed). Irrespective night time activity be restricted to 10pm trading limit
- A rule requiring no amplified music and no loudspeakers, and definitely no later than 10pm
- Measures to direct patrons leaving the venues onto Broadway, not into residential surrounding streets
- Acoustic insulation of premises on Kensington Street East, supervised by independent acoustic consultants
- As a minimum requirement the offer of free acoustic measures for nearby residents (such as double glazing and air-conditioning) if none of the above prevents audible noise indoors.
- The incorporation of designing out crime principles in the development, especially at the pocket park, the walkways to the back and the rear building.
- Measures to inhibit and reduce the risk of violence.

## CENTRAL PARK

### BLOCKS 6 & 7 Project No: 11022 FRASERS BROADWAY

	PURPOSE	AREA m <sup>2</sup> Fraser's Plans for patrons	Patron No: Fraser's	Staff No: Fraser's	TOTAL FRASERS	BCA <sup>1</sup> RATIOS	Max. Patrons as per BCA	Max. No: + staff	NOTES
<sup>1</sup> BCA ratios: 1 sqm per person restaurant/café 0.5 sqm - standing in Bars: 3 sqm retail: 10 sqm office									
<b>#2 -12</b>									
GROUND FLOOR	RESTAURANT 1	111.7	60	5	65	1	112	117	dispute No: patrons, possible extra 146 patrons
	RESTAURANT 2	85.9	48	6	54	1	86	92	
LEVEL 1	RESTAURANT 3	138.1	72	5	77	1	138	143	
	RESTAURANT 4	91.8	48	6	54	1	92	98	
LEVEL 2	BAR	144.31	140	2	142	2	289	291	
	ROOF TERRACE	73.83	0	0	0		0	0	
LEVEL 3	BAR	73.63	60	3	63	2	147	150	
	PRIVATE BAR	26.9	15	0	15	2	54	54	
LEVEL 4	TERRACE	88.01	0	0	0		0	0	
	OFFICE	151.1	0	15	15	0.1	15	15	
					TOTAL	485	932	959	
<b>#14 - 20</b>									
GROUND FLOOR	RETAIL/DELI	51.8	10	0	10	2	104	104	? incorrect m <sup>2</sup> on plans
	RETAIL	36.6	7	0	7	0.33	12	12	
	RETAIL	36.1	7	0	7	0.33	12	12	
	CAFÉ	49.3	24	1	25	1	49	50	
LEVEL 1	CAFÉ	70.2	42		42	1	70	70	
	RESTAURANT	81.7	48	3	51	1	82	85	
	OFFICE	24.9		2	2	0.1	2	2	
	OFFICE	26		3	3	0.1	3	3	
	OFFICE	56.1		6	6	0.1	6	6	
					TOTAL	153	339	344	
<b>#22 -38</b>									
GROUND LEVEL	RESTAURANT 6	20.3	15	3	18	1	20	23	courtyard area not included
	RESTAURANT 7	29.2	15	2	17	1	29	31	courtyard area not included
	CAFÉ	24.4	5	0	5	1	24	24	
	RETAIL	32.8	7	0	7	0.33	11	11	
	RETAIL	24.9	5	0	5	0.33	8	8	
	RETAIL	25.4	5	0	5	0.33	8	8	
	RETAIL	31.7	6	0	6	0.33	10	10	
	RETAIL	21.2	4	0	4	0.33	7	7	
	RETAIL	19.6	4	0	4	0.33	6	6	
	RETAIL	26.2	5	0	5	0.33	9	9	
	RETAIL	25.4	5	0	5	0.33	8	8	

LEVEL 1	OFFICE	33.8		3	3	0.1	3	3
	STORE	13.6	0	1	1	0	0	1
	STORE	13.6	0	0	0	0	0	0
	STORE	13.8	0	1	1	0	0	1
	STORE	13.4	0	0	0	0	0	0
	OFFICE	18.2	0	2	2	0.1	2	2
	OFFICE	18.3	0	2	2	0.1	2	2
	OFFICE	24	0	2	2	0.1	2	2
	OFFICE	24	0	2	2	0.1	2	2
	OFFICE	29.2	0	3	3	0.1	3	3
	OFFICE	26.4	0	3	3	0.1	3	3
	TOTAL				100		160	166

## #40 - 48

GROUND LEVEL	CAFÉ	68	12	1	13	1	68	69
	RETAIL	75.5	15	0	15	1	76	76
	BAR	136.7	95	2	97	2	273	275
LEVEL 1	OFFICE	58	0	5	5	0.1	6	6
	OFFICE	38.8	0	4	4	0.1	4	4
	OFFICE	39	0	4	4	0.1	4	4
	TOTAL				138		430	434

perspectives and plans show café not retail

FRASERS TOTAL BLOCK 6 & 7

876

MAXIMUM PATRONS + STAFF APPLYING BCA RATIOS without terrace patrons

1903

ADDITIONAL PERMISSIBLE PATRON NUMBERS  
( EXPRESSED AS %)

1,027

117.3%

FRASERS TOTAL EXPRESSED AS % OF PERMISSIBLE PATRONS

46.03%

**These numbers exclude the possible additional 322 patrons on the terraces of # 2 - 12. This would increase patrons to 2225.**

**From:** "Ann Young" <anny0ung@tpg.com.au>  
**To:** <caroline.owen@planning.nsw.gov.au>  
**Date:** 3/25/2013 3:11 pm  
**Subject:** Kensington St development

Dear Caroline,

The concerns of the current residents of Chippendale are:

the disturbance which may be caused by patrons returning to their cars;

the availability of car parking available in the streets for us and our visitors.

With a big new 24 hour supermarket and a large entertainment venue opening within Central Park it would appear that Council has not mandated enough car parking within Central Park. This must be remedied first of all.

Any opening/spillage of venues into the Chippendale area after 7pm must be prohibited. The Chippendale Green area is lovely but for it to become a noisy, rubbishy, venue for businesses would be a needless sacrifice. The Green is not there to provide a nice view for restaurant patrons unless they are behind double glazing. This applies equally to any businesses in Kensington Street which might end up with sound lines into the Green.

I have not opposed the development of the Brewery site on the assumption that all the activity would be limited to Broadway and Railway Square. That this may no longer be the case, will energize my loud opposition.

Four conditions need to be mandated by Council to sustain community support:

1. barriers to prevent pedestrian access from Kensington Street into other Chippendale streets;
2. more parking within Central Park if they want to encourage more patrons;
3. frequent courtesy buses from Kensington Street to a suburban railway station;
4. no sound leakage from venues after 7pm Sunday to Thursday and 10pm on Friday and Saturday.

Ann Young

50 Shepherd Street,

Chippendale.

Dear Mark/Caroline

Re: Application: MP 11\_0091 – Blocks 6 and 7, Kensington Street, Central Park

As a long term resident of Shepherd St, Chippendale, I have only recently become aware of this application.

This submission raises concerns about the number of patrons, licensed venues, noise and safety.

When applying the BCA patron ratios to the available areas of Blocks 6 & 7, the permissible numbers are more than double that quoted by Frasers. Independent reviews of the numbers place it at 1903 patrons across the Block 6 & 7 venues. If Frasers sold any of the venues at a later date then the numbers would be allowed to increase to the BCA ratios/sqm, because of the Food & Beverage permitted usage.

I am very concerned about the cumulative impact of allowing 20 licenced venues in a small area. (we assume they will be licensed as per comments from Frasers and also print material from City Of Sydney Council ). The cumulative impact of more than 20 licensed venues along Kensington Street would bring the problems previously experienced in Kings Cross, Oxford Street, George Street, Manly and other strips with a high density of liquor outlets to the quiet neighbourhood of Chippendale. Also Chippendale already has 29 liquor licenses.

This is a significant shift locally – potentially introducing more than 20 venues, into what has been a much treasured and historic part of Chippendale, traditionally a quiet suburb, with no large scale late-night activity or a commercial High Street.

The acoustic report submitted by Frasers is inadequate and unrealistic.

The cumulative effect of hundreds of patrons talking loudly will be significant. It has been widely documented that when alcohol is consumed, the louder the patrons become.

It also states that it is that there is no amplified music or use of loudspeakers. This is unrealistic for any modern bars or restaurants. If this is to be approved no amplified music or use of loudspeakers should be made an unchangeable condition of the development.

It also fails to assess the impact of other outdoor locations, such as proposed outdoor dining in the courtyards, and patrons on the street and in the walkways leading to the rear building. The noise from the courtyards can be expected to echo against the walls of these buildings, amplifying the noise.

It is likely people will stand on the street, waiting to enter. White Rabbit and Mission Bar/NG Gallery recently attracted considerably more people than could be housed inside the premises, with crowds waiting on streets directly next to residential homes. The music and shouting of patrons from a previous event in Kensington St was clearly audible in our apartment in Shepherd St. Unfortunately because of the unique cubic form of buildings and the narrow street alignments, the sound bounces

and amplifies between buildings and along some streets, but other streets will be quiet and not impacted.

I have concerns for personal safety, as well as safety of property. It is well documented that alcohol consumption decreases inhibitions, makes people louder, and less likely to know right from wrong. Allowing 1900 people in a 400 metre street, late at night, drinking etc will increase risk of violence and anti-social behaviour.

In speaking more recently to Redfern Police, we understand they recently raised concerns about another application. The intended number of venues in one small area, will impact Police and health resources.

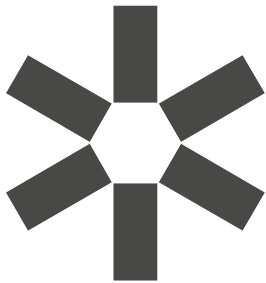
I am aware that this application by Frasers is for the Food and Beverage/ Retail approval, and I ask that due consideration is given to the cumulative effect of the venues most likely being licensed and the true numbers of patrons that could be allowed, the impact on our residential amenities, safety, privacy and quiet enjoyment of our homes and suburb.

I have attached a PDF version of this letter as well. Thank you.

Yours sincerely

Peter Waller

PO BOX 814 Broadway 2007



Martin Richardson  
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CHIPPENDALE NSW 2008

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25 March 2013

Planning NSW  
Bridge Street  
SYDNEY NSW 2000

email: **Caroline Owen** (caroline.owen@planning.nsw.gov.au)

Dear Caroline,

**RE: Application: MP 11\_0091 – Blocks 6 and 7, Kensington Street, Chippendale** (Central Park)

My submission raises a number of key concerns I have following the release of proposed plans for Kensington Street. Please note that although I had heard of some changes to the original concept plan sold to the community at the beginning of the planning process were being considered. What is being sort by the developers is not even close to the original.

It should be noted, Kensington Street is a narrow and quiet historic enclave that primarily serves as a pedestrian connector between residential areas in Chippendale, Broadway and Central Station/Railway Square. Noting that currently no commercial activity is carried out and has not been carried out in that small area for many years.

A number of "Block" Applications are being assessed by the Department of Planning that relate to Kensington Street:

1. At least 14 "food & beverage" venues in addition to the retail (nominally may be "licensed galleries" and the office space that is proposed for Blocks 6 & 7;
2. 600 sqm of "food and beverage" space (nominally at least 5 venues) are proposed for Block 3A; and
3. Blocks 3B, 3C and Block 10 are likely to also have "food and beverage" venues at street level (refer the proponent's perspectives).

I have included some additional information, please refer to Appendices 1 to 3 which I hope will draw your attention to the most critical concerns I have.

Below is some basic concerns:

1. It is proposed to amalgamate two larger buildings, namely 2-12 Kensington Street (a third building may be attached);
2. Additions are proposed to the building resulting in a 5 level entertainment complex. In summary, this building will house 2 levels of bar facilities, 4 restaurants and 2 large terrace decks. While the application is for "food and beverage" use, the plans indicate that subsequent applications will be made for a number of restaurants as well as 2 bar levels at this location. In addition are two large outdoor terrace decks. With huge impacts on the apartment complexes that back on to this area;
3. I understand the floor areas will allow a potential capacity for 932 patrons (far greater than the 485 people indicated by the proponent). Further while the proponent may argue that they only intend to cater for 485 people (470 patrons and an office for 15 people), unless there is a stringent requirement attached to the approval at this time, future applications can be made for a much higher population level than indicated. This is unacceptable;
4. Nonetheless, I believe four levels of bars/restaurants at this location (along with the other venues) is totally inappropriate and contrary to the public interest;
5. In addition I note, a separate Block application was lodged for a new hotel/entertainment complex (Block 3A). This is directly opposite #2-12 Kensington Street. While the application is for 600 sqm of "food and beverage" venues, the plans indicate provision for another 243 patrons in three venues opening directly onto Kensington Street (opposite to 2-12 Kensington Street);
6. As such, nominally 728 patrons will be housed at what will be "licensed" premises, ie # 2-12 Kensington Street and venues opening onto Kensington Street (ie at the Clare/Hotel). However it is important to note that these premises could potentially allow for 1,175 people (not taking into account the other venues along the street); and
7. Disturbingly, this is in addition to the high concentration of licensed venues already on Broadway.



I note the figures have been independently reviewed. Disturbingly, rather than 876 people that has been disclosed in the Proponents report for Blocks 6 & 7 (which already raised concerns), the plans potentially allow for 1,903 people. Notably this population count excludes the use of the 2 terrace decks at #2-12 Kensington Street. With I believe potential estimate of further 322 patrons being allowed under the BCA ratios). Importantly, whilst the proponent appears to suggest the nature of the venues will mean that "everything will be all right" from past experience I know the potential risk a row of licensed venues can have (irrespective of how upmarket they are). I already experience this with the venues currently in the area. A small reduction since the Landsdowne Hotel fire and closure. I have never been relieved to see a building burn before, that is the impact these venues have on residents.

Specifically also noting that Kensington Street is not designated as a late night area under the City's planning policies.

In considering this application it's also pertinent to consider that more "food and beverage" venues have been approved for the East-West Tower. In addition I understand more venues are planned for areas in and around the Brewery Yard (in part these are indicated in sub-strata plans for Block 2. Whilst the number of potential licensed venues have not been disclosed by the proponent, the removal of restrictions for licensed venues on the southern end of George Street suggest more venues will be targeted for this area, and that in effect a new "Kings Cross" or "The Rocks" or "Darlinghurst" or "China Town" is being targeted for the area.

Unfortunately, the proposed State legislation to allow applications for "small bars" to be approved outside the traditional processes, suggests that once the Department has approved the land use, the process for the approval for the smaller venues on Kensington Street will largely be a "fait accompli". This raises a number of concerns. While I am told that the current legislation (under Part 3A) does not provide for the cumulative impact to be considered, I believe it essential that the Department consider the larger impact, both in terms of the local residential communities as well as the wider public.

Further I note that any retail space, which may used as a gallery/bar should also be disclosed at this time, so its potential social impact can be considered in terms of the entirety of the applications.

Without considering all the applications together and their cumulative impact, the process would be unreasonable and effectively sabotages the public's ability to comment.

In summary, the proposed number and scale of the proposed "food and beverage" venues will have a significant and detrimental impact on local residents, largely as a consequence of the influx and number of visitors to the area; specifically in terms of noise, intensification of land use, social loitering; dilution of facilities long promised to the existing community (e.g. public domain areas), traffic and a corresponding impact on parking across Chippendale. Further the decision by the local business group without the support of residents, to actively advertise the area as a NSW tourist destination encourages further uncontrolled growth.

I note residents have now met twice to discuss the plans. I havent been able to attend most of these meeting due to me ill health, and hope to do attend the meeting this weekend.

I understand the community group has met more recently with the proponent. As a consequence more information is being sought from them. While some information has been received, I as is the community group really able to comment in the detail desired.

Sincerely  
M Richardson  
5/65 Myrtle Street  
Chippendale NSW 2008

cc: **Clover Moore, Lord Mayor of Sydney** (council@cityofsydney.nsw.gov.au)  
*NB: unfortunately, Ms Moore's published details do not include a more direct email address*  
**Alex Greenwich, State Member for Sydney** (sydney@parliament.nsw.gov.au)  
**Tanya Pilibersek, Federal Member for Sydney** (Tanya.Pilibersek.MP@aph.gov.au)  
**Chippendale Community Group** (Chippendalecommunity@gmail.com)

## Appendix 1

Please refer to the information kindly being prepared on behalf of myself and other residents of Chippendale.

## Appendix 2 (The number and scale of the Venues proposed)

Chippendale, is a small suburb and i felt that it could have fit really well into Clover Moore's much touted city of villages. We, unfortunately already have 29 liquor licenses with these are largely restricted to City Road and Broadway. There is a high concentration of licensed venues on Broadway in the direct vicinity to Kensington Street. These include the Clare Hotel (currently limited in hours but potentially changing), Bar Broadway, the Union Bar, the Abercrombie, the Agincourt, the Mercure Hotel, the Crystal Palace, and the Union/Loft at UTS as well as a new venue on the corner of Kensington St and Dwyer Street (which was recently approved despite objections by local Police in relation to the proposed hours and impact).

As well as the Rose of Australia on Cleveland Street, The Library Hotel on the corner of Abercrombie and Myrtle Streets (this venue since being renovated with garden and basement bars has caused nothing but trouble - noise (pedestrian & reviving cars) violence & littering, especially bottles down Myrtle Street) and if reopened the Landsdowne Hotel on City Road (this venue already a major negative impact on our community)

The scale and number of proposed 'food and beverage' venues are not supported, as the cumulative impact will be detrimental to local residential areas. Further, I feel the current application is not in the public interest given the known impacts that a concentration of licensed venues has on immediate and nearby residential areas; and the absence of details, such as firm population counts and operating hours as part of the application process at this time.

The size and scale of the proposed venues at in Kensington Street is not supported. In particular, the location for such large scale venues are considered inappropriate given the cumulative impact from the neighboring venues and high concentration of venues already in the facinity. Further, the introduction of terrace deck areas is considered inappropriate and detrimental to local residential amenity.

## Appendix 3 (HOURS of OPERATION):

HOURS of OPERATION be restricted to 8pm Sunday to Thursday and no later than 10pm Friday and Saturday. Patrons leaving venues currently operating are in our neighbourhood well beyond that time. Experience tells me this between one (1) and two (2) hours, which has our sleep disturbed potentially to after midnight. Later than closing at 10 has potentially me and my neighbours not being able to get any sleep at all.

## Appendix 4 (overview):

A number of concerns and suggestions are raised in this document. In addition, the following commitments should also be included:

- Restricting the number of patrons, and the number and size of venues (i.e. lower the intensification of use along the street);
- All outdoor areas (rooftops, courtyards etc.) to be disclosed at this time (so residents are fully informed), Irrespective night time activity be restricted to 10pm trading limit;
- A rule requiring no amplified music and no loudspeakers, and definitely no later than 10pm;
- Measures to direct patrons leaving the venues onto Broadway, not into residential surrounding streets;
- Acoustic insulation of premises on Kensington Street East, supervised by independent acoustic consultants;
- As a minimum requirement the offer of free acoustic measures for nearby residents (such as double glazing and air-conditioning) if none of the above prevents audible noise indoors;
- The incorporation of designing out crime principles in the development, especially at the pocket park, the walkways to the back and the rear building;
- Measures to inhibit and reduce the risk of violence.