



14274  
2 September 2014

Carolyn McNally  
Secretary  
NSW Department of Planning and Infrastructure  
23-33 Bridge Street  
SYDNEY NSW 2000

Attention: Daniel Keary

Dear Daniel,

## **REQUEST FOR SECRETARY'S ENVIRONMENTAL ASSESSMENT REQUIREMENTS BLOCK 4N, CENTRAL PARK**

We are writing on behalf of Central Park JV No 2, the proponent for the proposed mixed use development at Block 4N Central Park, Chippendale.

We write to you on behalf of the proponent requesting that the Secretary issue requirements for the preparation of an Environmental Impact Statement (EIS) to accompany a State Significant Development Application (SSD DA) for the proposed development of Block 4N of Central Park (formerly known as Frasers Broadway) as a mixed use building containing commercial, retail, residential, childcare and hotel uses.

The request provides details of the site's location, an outline of the project, its background, and identifies the key environmental and planning issues that are likely to be associated with the proposal.

Under Schedule 2 of *State Environmental Planning Policy (State and Regional Development) 2011* (SRD SEPP) development on the Central Park site with a capital investment value (CIV) of more than \$10 million is identified as State Significant Development (SSD). As the proposed development of Block 4N will have a CIV of approximately \$98.5million, the proposal is classified as SSD.

The purpose of this letter is therefore to request the Secretary's Environmental Assessment Requirements (SEARs) for the preparation of an Environmental Impact Statement (EIS) for the proposed development. To support the request for the SEARs this letter provides an overview of the proposed development, sets out the statutory context, and identifies the key likely environmental and planning issues associated with the proposal.

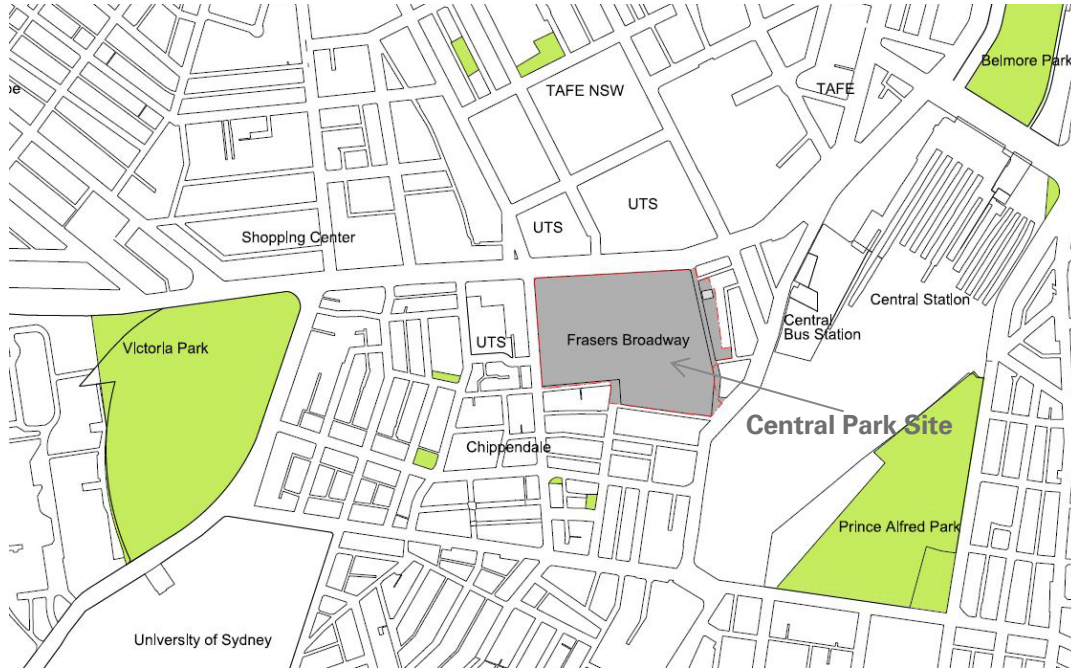
### **1.0 THE SITE**

Central Park is located on the southern edge of the Sydney Central Business District (CBD). As shown in **Figure 1**, the site is in close proximity to Central Station, Broadway Shopping Centre, the University of Technology, Sydney and the University of Notre Dame.

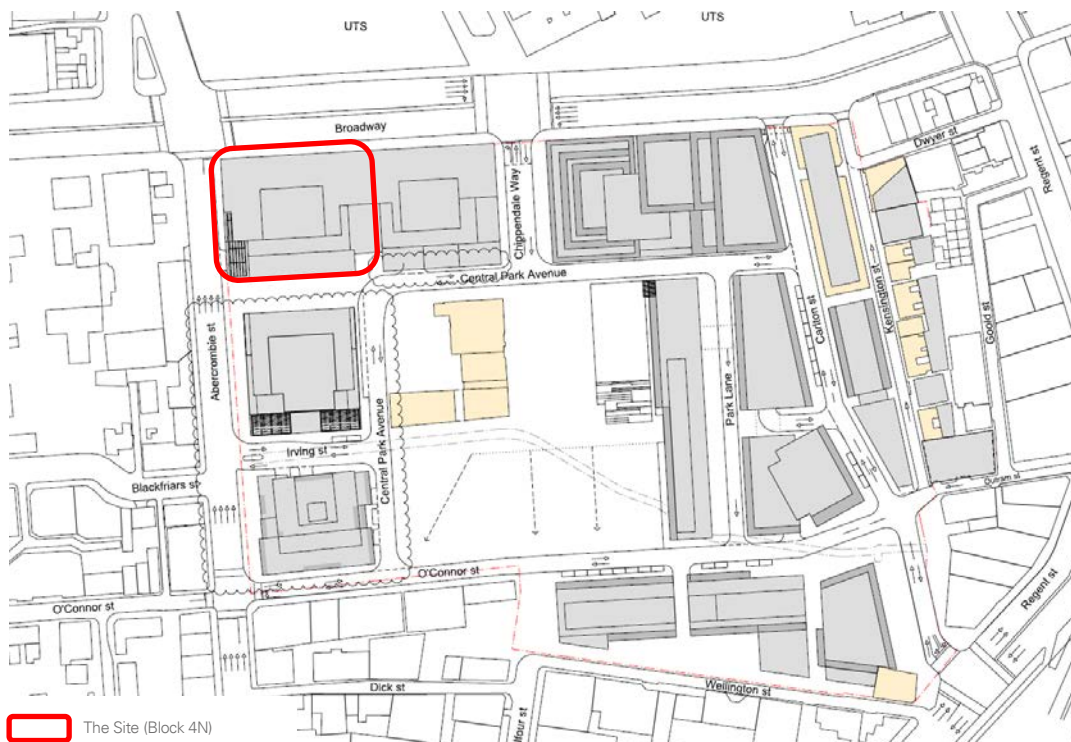
Block 4N is located on the northern boundary of the Central Park site, with dual street frontage to Broadway and Abercrombie Street. The site is bounded by Abercrombie Street to the west and Block 1 to the east. The southern boundary of the site adjoin a pedestrian link between Block 4N and Block 4S (student accommodation). For the purpose of this application, the site also includes

the ground level pedestrianized link between Block 4N and 1 to the east (as shown on the attached Indicative Architectural Diagrams at **Attachment A**).

The location of Block 4N within the Central Park site is shown at **Figure 2**.



**Figure 1** – Location Plan – Central Park Site



**Figure 2** – Location of Block 4N within the Central Park site

On 9 February 2007, the Planning Assessment Commission, as delegate of the Minister for Planning and Infrastructure, granted Concept Approval to MP 06\_0171 for the Frasers Broadway (now Central Park) site, comprising:

- 11 development blocks;
- A maximum Gross Floor Area (GFA) of 255,500m<sup>2</sup> of which a minimum of 30% must be commercial floor space;
- Combined basement car parks, providing car parking for Blocks 1, 4 and 8 and Blocks 2, 5, 9 and the Kensington Precinct;
- A new public park;
- Tri-generation and re-cycle water treatment plants;
- Retention of heritage items;
- Public domain works; and
- Contributions.

A number of modifications have been made to the Concept Plan since 2009 relating to the distribution of gross floor area, design of public domain and amendments to conditions. Since February 2009 there have been a total of eight (8) modifications and a further modification (Mod 9), pertaining to GFA reallocation, was lodged to the Department of Planning and Infrastructure (as previously referred at the time) in January 2014. The modifications to the approved Concept Plan for the Central Park site are outlined in **Table 1**.

Importantly, MOD 8 of the Concept Plan approved a variation to the maximum/minimum land use split on the Central Park site, permitting a maximum of 77% residential and minimum 23% non-residential. This variation to the land use split, allowed for Block 1 to be delivered as residential.

**Table 1** – Modifications to approved Concept Plan MP06\_0171

Mod No	Description of Modification	Status
Mod 1	Correction of reference error in approval	Approved: 18 July 2007
Mod 2	Major amendment to Concept Plan (see above)	Approved: 5 February 2009
Mod 3	Amendment to timing of execution of Voluntary Planning Agreements	Approved: 16 May 2010
Mod 4	Modification to lapsing clause	Approved: 30 August 2011
Mod 5	Modification of future assessment requirement B12 'ESD and Sustainable Design'	Approved: 31 July 2012
Mod 6	Modification to GFA within the Kensington Precinct; modification to Block 6 and Block 10 envelopes; and corrections to property references	Approved: 24 July 2012
Mod 7	Amendment to the allocation of GFA of Block 3 within the Kensington Precinct	Approved: 17 January 2013
Mod 8	Amendment to the allocation of GFA and the mix of residential and non-residential GFA on the site to enable the redevelopment of Block 4S for student accommodation, and the potential for Block 1 as residential if the approved commercial development proves unviable. Reconfiguration of building envelopes to facilitate the separation of Blocks 1 and 4N from Block 4S, and minor modifications to the envelopes of Blocks 1 and 4N. The modification approved a revisions to the residential/non-residential land use split to a maximum 77% residential and minimum 23% non-residential.	Approved: 23 December 2013
Mod 9	Reallocation of GFA to Block 8 and other minor amendments to the Concept Plan	Pending determination

A copy of the Concept Plan Approval has been attached for information purposes. A concurrent modification to the Concept Plan (S75W) will be submitted with the SSD application to allow for the proposed uses and revised building form on Block 4N.



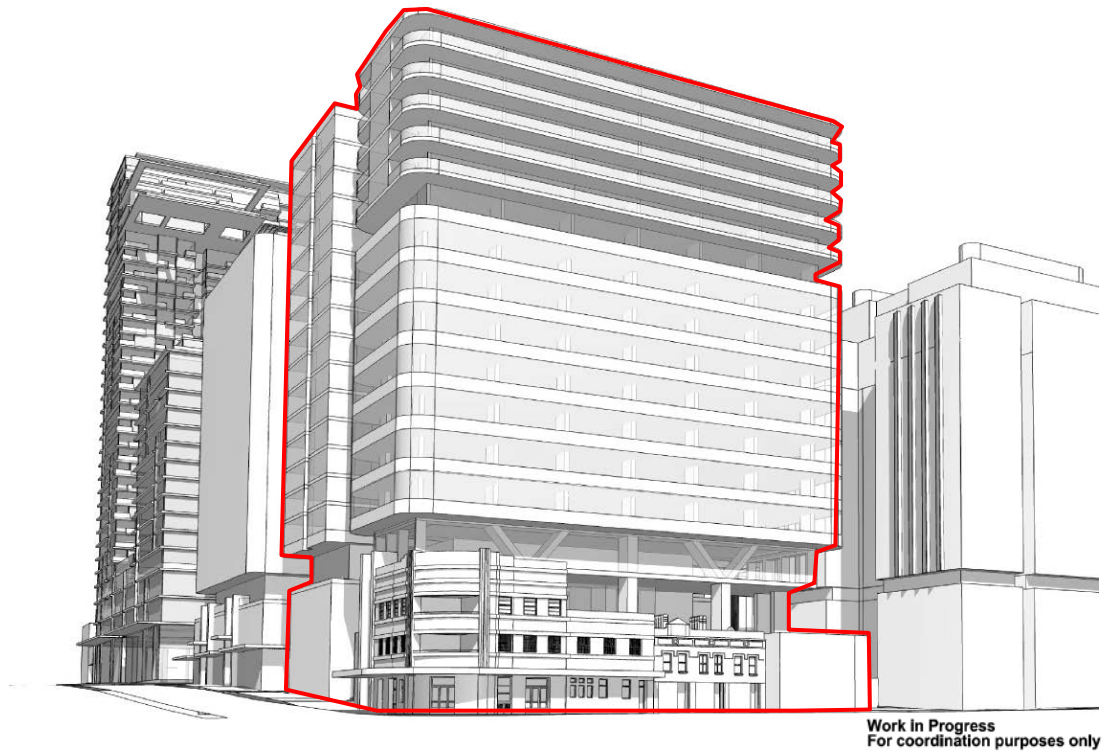


Figure 4 – Perspective of the proposed building at Block 4N – street level

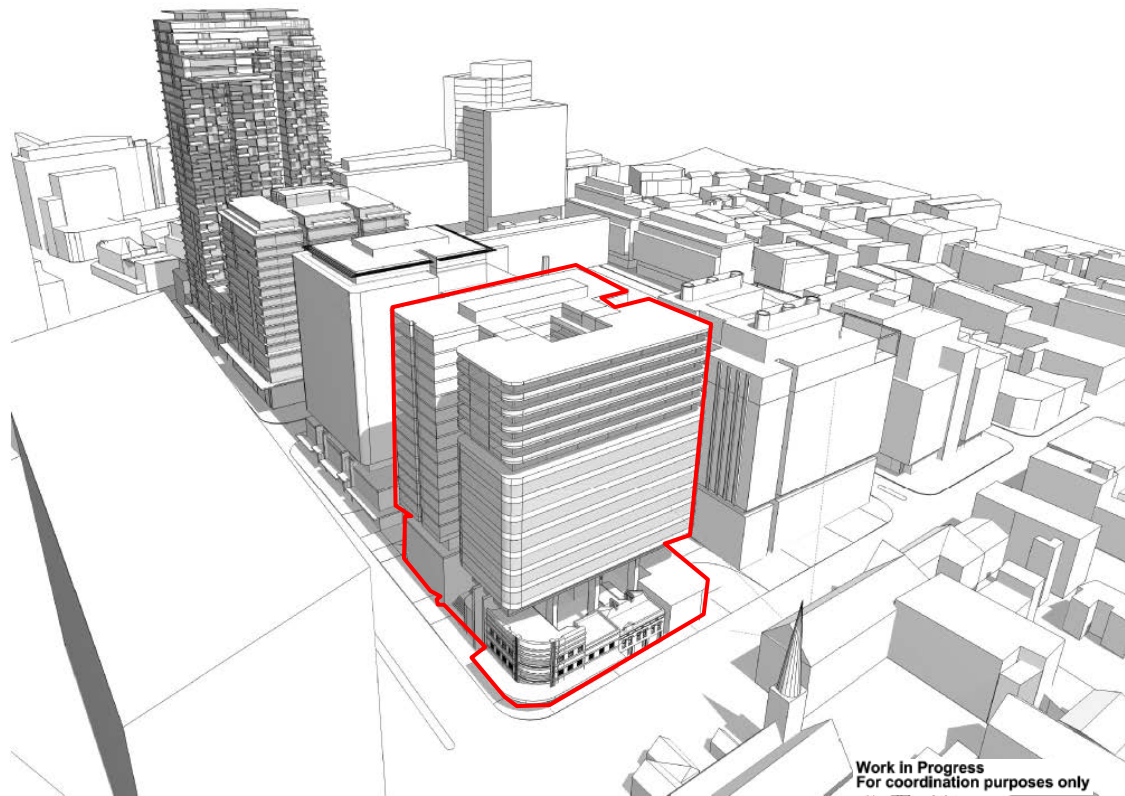


Figure 5 – Perspective of the proposed building at Block 4N - elevated

### **3.0 PLANNING CONTEXT**

#### **3.1 Relevant Planning Issues to Guide the SEARs**

The environmental planning issues that are proposed to be addressed in the EIS are outlined below to assist the Department and Secretary in identifying the Environmental Assessment Requirements for the project.

The key environmental planning considerations associated with the proposed development are as follows:

- Compliance with relevant Environmental Planning Instruments;
- Compliance with the Central Park Concept Plan and other Project Applications;
- Urban Design and Built Form;
- Residential Amenity;
- Overshadowing;
- Traffic, Access and Parking;
- Public Domain and Landscaping;
- Acoustic Impacts;
- Accessibility;
- Environmental Sustainability;
- Operational Management;
- Services Plan and Details;
- Building Code of Australia and Fire Safety;
- Construction Management;
- Waste Management; and
- Community Consultation.

These are discussed in more detail in the following sections.

#### **3.2 State Environmental Planning Policy (State and Regional Development) 2011**

The State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP) identifies development which is declared to be State Significant. Schedule 2 of the SRD SEPP states that development on the Central Park site with a capital investment value of more than \$10 million is considered as State Significant Development (SSD). As the proposed development will have a CIV value of approximately \$98.5million, the proposal will be classified as SSD.

#### **3.3 Environmental Planning and Assessment Act 1979**

The Act establishes the assessment framework for SSD. Under Section 89D of the Act the Minister for Planning is the consent authority for SSD. Section 78A(8A) requires that a development application for SSD is to be accompanied by an Environmental Impact Statement (EIS) in the form prescribed by the Regulations.

#### **3.4 Concept Approval (MP06\_0171)**

On 9 February 2007, Concept Approval under Section 75O of Part 3A of the Act was granted by the Planning Assessment Commission, as delegate of the Minister for Planning, for MP 06\_0171.

Despite being repealed, Part 3A continues to apply to certain projects subject to the transitional provisions identified in Schedule 6A of the Act. Clause 3B of Schedule 6A applies to any future

development subject to Part 4 of the Act for which a Concept Plan has been approved under Part 3A. Relevantly, under the Clause 3B:

- any development standard that is within the terms of the approval of the concept plan has effect;
- a consent authority must not grant consent for the development unless it is satisfied that the development is generally consistent with the terms of the approval of the concept plan; and
- the provisions of any environmental planning instrument or any development control plan do not have effect to the extent to which they are inconsistent with the terms of the approval of the concept plan.

In light of the above, the Concept Approval sets the key planning framework for the future development of the site. The EIS will provide an assessment of the proposed development against the Concept Plan, the conditions of approval and the relevant Statement of Commitments.

A modification to the Concept Plan to facilitate the proposed uses and building envelope to Block 4N will be submitted concurrently with the Block 4N SSD.

### **3.5 Other Planning Policies**

In addition to the above, the following policies apply to the site and will need to be considered as part of the SDD application:

- Objectives of the Environmental Planning and Assessment Act 1979;
- Draft Metropolitan Strategy for Sydney 2031;
- Metropolitan Transport Plan 2010;
- Draft Sydney City Subregional Strategy;
- State Environmental Planning Policy No. 55 – Remediation of Land;
- State Environmental Planning Policy 64 – Advertising and Signage;
- State Environmental Planning Policy 65 – Design Quality of Residential Flat Development and Residential Flat Design Code (Planning NSW) 2004;
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004;
- State Environmental Planning Policy (Infrastructure) 2007;
- Sydney Local Environmental Plan 2005;
- Development Near Rail Corridors and Busy Roads – Interim Guideline; and
- Planning Guidelines for Walking and Cycling.

The EIS will provide an assessment of the proposed development against the above instruments and policies and will provide justification for any variations proposed (if applicable).

It is noted that remediation of the site has been resolved under a previous application (MP07\_0163) and as such State Environmental Planning Policy 55 – Remediation of Land will not be a matter for consideration in this assessment.

#### **4.0 OVERVIEW OF LIKELY ENVIRONMENTAL AND PLANNING ISSUES**

Based on our preliminary environmental assessment, the following are the key environmental assessment issues that will need to be considered as part of the future DA.

##### **Urban Design and Built Form**

The EIS will assess the proposed building design and demonstrate how it will achieve design excellence. An architectural design statement will be submitted and will explain the design principles of the proposed building and how it will address the surrounding development both within the Central Park site and surrounding the overall site.

##### **Residential Amenity**

An assessment of the development with the provisions of State Environmental Planning Policy No. 65 (Design Quality of Residential Flat Development) will be undertaken and will be provided with the submission of the EIS.

##### **Overshadowing**

The EIS will include shadow diagrams, demonstrating the shadowing impacts that will be incurred as a result of the proposed building within the context of the surrounding buildings forming Central Park. In particular, the impacts to surrounding development will be demonstrated.

##### **Public Domain and Landscaping**

A Public Domain Plan will be submitted with the EIS which will outline the public open space and landscaped areas within the site's boundaries.

##### **Traffic, Access and Parking**

A Traffic and Parking Assessment will be submitted alongside the EIS which will outline details of the proposed basement car parking arrangement including access, servicing and loading provisions.

##### **Heritage**

A qualified heritage consultant will be engaged to prepare a Heritage Impact Statement for the proposed development which will be submitted with the EIS.

##### **Waste Management**

A Waste Management Plan will be submitted with the EIS to outline the management and monitoring of the waste generated as part of the proposed building. The Waste Management Plan will also outline storage, collection points and method for removal.

##### **Noise**

A Noise Management Plan will accompany the EIS and will assess the potential noise impact on surrounding residential development and the ways in which they will be mitigated.

##### **Accessibility**

An Access Statement will be prepared by a qualified accessibility consultant to ensure the proposed development will be capable of providing universal access to all publicly accessible areas in accordance with relevant Australian Standards.

##### **ESD**

An ESD Report and BASIX Certificate will accompany the EIS to ensure that the proposed development will achieve a high overall level of sustainable design in accordance with the Concept Plan.

##### **Services Plan and Details**

The existing site services will be augmented to service the proposed development; further information will be provided as part of the EIS.

##### **Stormwater and Flooding**

Stormwater and flooding impacts will be assessed by a qualified consultant and the assessment will be provided with the submission of the EIS.

**BCA**

A BCA Report will be submitted as part of the EIS to confirm that the proposal will be capable of complying with the relevant provisions of the BCA.

**Construction Management**

A Preliminary Construction and Environmental Management Plan will be submitted with the EIS and will outline the key management measures to be implemented during construction of the proposed development.

**Community Consultation**

The proposed method of community consultation will be detailed and assessed in the EIS; consultation will be undertaken prior to any works being commenced.

In determining the Concept Approval, pursuant to section 75P(2)(c) of the Act, Schedule 3 of the Concept Approval sets out specific further environmental assessment requirements that apply to future applications on the site which will be assessed in the EIS submitted for the development of Block 4N.

**5.0 CONCLUSION**

The purpose of this letter is to request the SEARs for the preparation of an EIS for the mixed use development at Block 4N, Central Park. It includes a description of the proposed development and an outline of what are considered to be the key issues for the assessment of the State Significant Development Application.

We trust that the information detailed in this letter is sufficient to enable the Secretary to issue the SEARs for the preparation of the EIS. Should you have any queries about this matter, please do not hesitate to contact me on 9956 6962 or [sgouge@jbaurban.com.au](mailto:sgouge@jbaurban.com.au).

Yours faithfully



Stephen Gouge  
*Senior Planner*

Enc.

**Attachment A** – QS Certificate prepared by Slattery

**Attachment B** – Indicative Architectural Drawings prepared by Foster + Partners and PTW