



14642
17 March 2017

Carolyn McNally
Secretary
NSW Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2000

Attention: Anthony Witherdin (A/Director – Modification Assessments)

Dear Anthony,

**REQUEST FOR SECRETARY'S ENVIRONMENTAL ASSESSMENT REQUIREMENTS
BREWERY YARD PRECINCT, CENTRAL PARK (BLOCK 4B)**

We are writing on behalf of Central Park JV No 2, the proponent for a hotel development, with associated non-residential at Block 4B (herein referred to as the 'Brewery Yard').

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 the Brewery Yard of Central Park.

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 the Brewery Yard will have a CIV of approximately \$15million 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.

The Brewery Precinct is located in the western half of the site and comprises a group of heritage former brewery buildings which have been retained on the site. The Brewery Buildings are shown below in **Figure 2** and **3**.

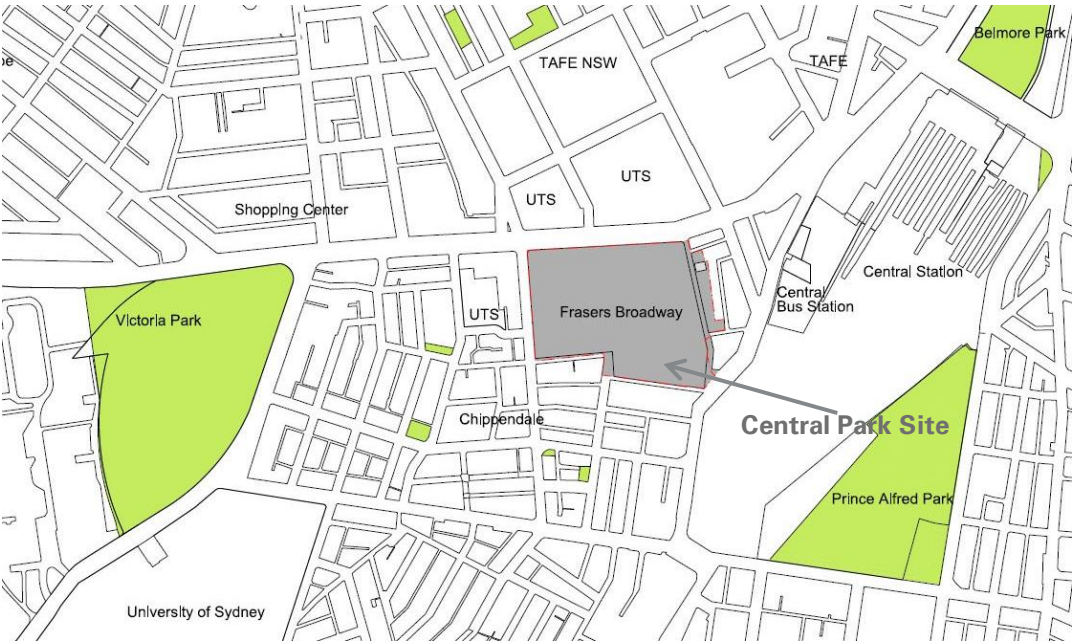


Figure 1 – Location Plan– Central Park Site

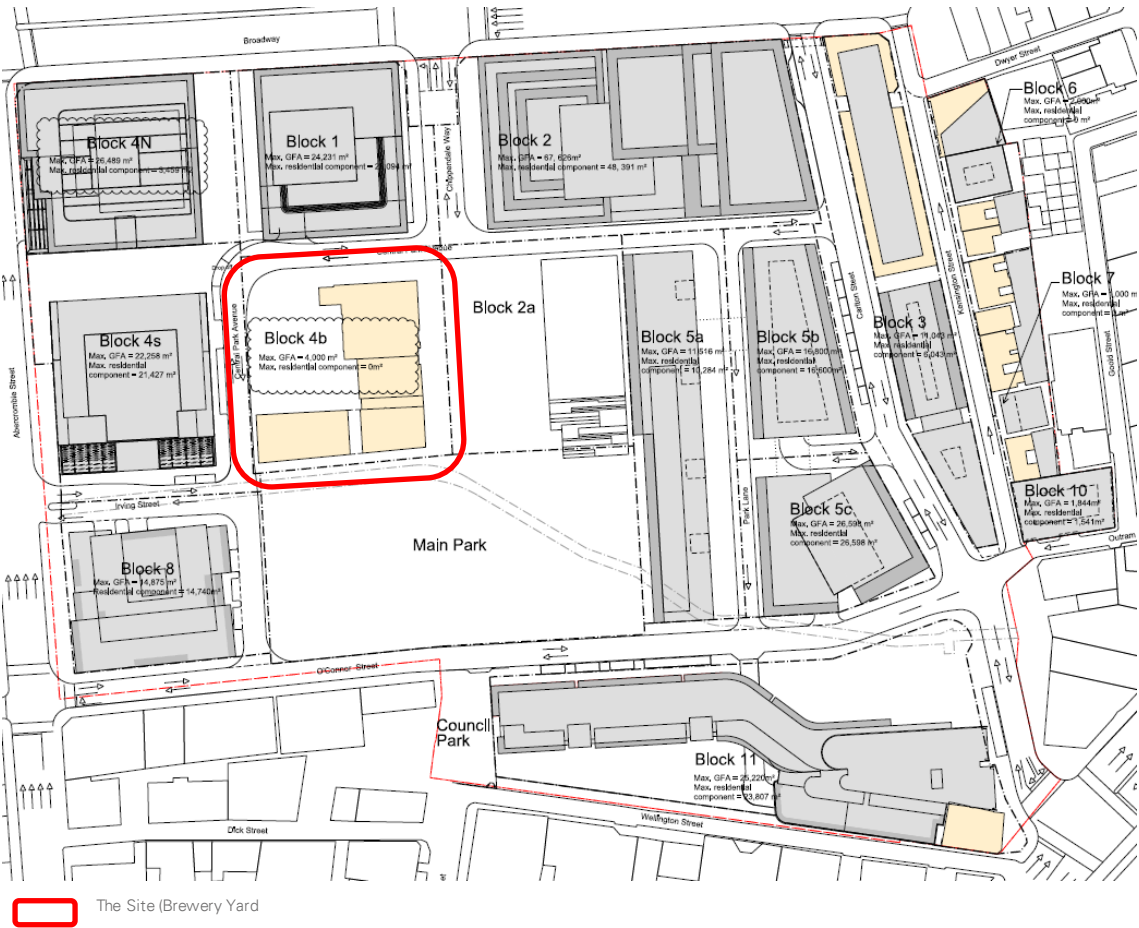


Figure 2 – Location of the Brewery Yard within the Central Park Site

1.1 Central Park Concept Plan

MP 06_0171, as modified in February 2009, is a Concept Plan approval applying to the Frasers Broadway (now Central Park) site which permits the construction of a mixed use precinct comprising:

- 11 development blocks;
- A maximum Gross Floor Area (GFA) of 255,500m² with minimum non-residential and maximum residential floor space mix.
- Combined basement car parks, providing car parking for Blocks 1, 4 and 8 and Blocks 2, 5, 9 and the Kensington Precinct;
- A new public park;
- Tri-generation and re-cycle water treatment plants;
- Retention of heritage items;
- Public domain works; and
- Contributions.

To date, a total of 12 modifications to the Concept Plan have been approved between 2007 and 2015. The modifications have primarily related to amendments of building envelopes and reallocation of floor space in response to the delivery of each block.

1.2 Background

A Part 3A Project Application (MP 10_0217) was approved on 15 May 2012 for the staged development including alterations and additions, as well as adaptive reuse of the Central Park Brewery Buildings.

The application included approval for commercial and retail uses (non-residential floor space), with retail floor space located on the ground floor and commercial floor space in the level above.

Concurrent to the submission of this SSDA, applications to modify the Concept Plan will be lodged, seeking approval for a variation to the maximum non-residential floor space on the site, as well as to confirm the proposed use and modification to the public domain. Pending favourable determination of a future SSD for the Brewery Building, the existing approved Project Application (MP 10_0217 as amended) will be surrendered.

2.0 DESCRIPTION OF PROPOSED DEVELOPMENT

The SSD application will seek approval for alterations to and adaptive reuse of the existing Brewery Buildings for use as a hotel, with supporting non-residential uses. An indicative ground floor plan is included at **Attachment A**.

The proposed alterations and additional will include:

- Demolition of internal walls and structures including brickwork for new windows and doors where original opening existed;
- Construction of a new roofing and modification of structure as required;
- Installation of new lifts and access ways;
- Installation of new plant equipment;
- Installation of new glazing at the ground level;
- Installation of new internal partitions;
- Restoration of building facades; and
- Upgrade and installation of ground plan and public domain works

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;
- 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 in excess of \$10million, 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 75 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.

Modifications to the Concept Plan to facilitate the proposed uses, public domain and maximum floor space will be submitted concurrently with the Brewery Yard 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;
- *A Plan for Growing Sydney* and Draft Central District Plan;
- State Environmental Planning Policy No. 55 – Remediation of Land;
- State Environmental Planning Policy 64 – Advertising and Signage;
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004;
- State Environmental Planning Policy (Infrastructure) 2007;
- Sydney Local Environmental Plan 2005;
- Sydney Development Controls Plan 2012
- 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.

Heritage

The proposed scheme of adaptively re-using the Brewery heritage buildings has been prepared with the input and advice from heritage architects (Urbis) who were involved in the preparation of the Concept Plan amendment and are familiar with the scheme. A Heritage Impact Assessment will be submitted with the application which assess the proposed scheme in terms of compliance with the Conservation Management Plans applying to the site.

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.

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. This will demonstrate the proposal consistent with the Concept Plan (as amended).

Traffic, Access and Parking

A Traffic and Parking Assessment will be submitted alongside the EIS which will outline details of the proposed parking arrangement including access, servicing and loading provisions. This will include service and loading areas and hotel drop off/pick up.

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 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 Brewery Yard Building.

5.0 CONCLUSION

The purpose of this letter is to request the SEARs for the preparation of an EIS for alterations and adaptive reuse of the Brewery Buildings as a hotel. 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.

Yours faithfully

A handwritten signature in blue ink, appearing to read 'Stephen Gouge'.

Stephen Gouge
Principal Planner

Enc.

Attachment A – Indicative Architectural Drawings prepared by Tzannes