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Chippendale Residents Interest Group

Email: chippendalecommunity@gmail.com

25 August 2014

The Department of Planning
23 – 33 Bridge Street
SYDNEY NSW 2000

Attention: Mark Brown
Email: mark.brown@planning.nsw.gov.au

Dear Mark

Central Park: Response to Proponent's RTS Report: Concept Plan (mod 9) and SSD 6092 for Block 8

We apologize for the delay in responding and hope you can take these representations into account.

Attached, please find Annexure A, which provides a response.

Please let us know if you require any further information.

Yours sincerely

[Redacted Signature]

for Chippendale Residents Interest Group



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Annexure A: Response to Proponent's RTS Report Central Park, Changes to Concept Plan (mod 9) & SSD 6092 for Block 8

DGR requirements: Compliance with relevant legislation and planning strategies

Objects of the EPA Act (Act)	<p>The plans for Block 8 do not meet key objectives of the Act, specifically:</p> <ul style="list-style-type: none"> • The plans for Block 8 do not provide: <ul style="list-style-type: none"> - the effective and orderly use of land - the provision of land for public purposes - a better environment <p>Further the plans have a detrimental impact on the “provision and co-ordination of community services and facilities”.</p> <ul style="list-style-type: none"> • Specifically, the lack of open space on the site necessitates the use of the public realm when local public space is at a critical shortage (less than 1m² per resident against a minimum City of Sydney standard of 6m² for Green Square and LGA minimum of 6.6m²). As such, this disadvantages local residents, many of which are totally reliant on open space in the public realm. <p>Further, the reliance on the use of Chippendale Green is contrary to previous representations. While JBA report states in the report for Block 4S, that the assessment process should allow for greater flexibility in terms of meeting SEPP 65, the assumption seems to be made on the basis that the application is not for residential housing, with facilities typically shared in student accommodation. However the SSD for Block 8 is for residential housing (with a statement made that it is not for serviced apartments).</p> <p>Given the lack of communal open space has a direct relationship with local amenity, any change in GFA should ensure that sufficient open space is provided on the site, without any further detriment to the existing local population.</p> <ul style="list-style-type: none"> • Does not promote the social welfare of the community. Specifically, the mix of the apartments is largely studios and 1BRs, with a number of dual key apartments effectively 1BR and studio apartments. This contradicts previous representations that this Block would be designed to provide a wider social mix to offset the high introduction
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	<p>of smaller apartments across the site.</p> <p>Further, the average age for the local population is already one of Sydney's lowest (29 years)¹. Chippendale also has a very high transient population. In particular, since the redevelopment of Central Park, the average age of the local population has further delinked to the detriment of having a broader social mix to ensure a longer term and sustainable population.</p> <p>Notably too during the "consultation process", this was a key factor. At the time, the proposal showed 122 apartments. Yet this has now been increased to 178 "apartments". While the change may be attractive to the developer, the objectives of the act (as well as adherence to previous representations) should apply.</p> <ul style="list-style-type: none"> • The removal of the "slot" on the southern wall of Block 8 increases the visual massing and scale of the development as viewed from local homes, such as 8A & B Dick Street. It also increases overshadowing on other local homes. <p>While the RTS report suggests there is only a minimal impact, given that initial and subsequent approvals were based on flawed data, any increase should not be approved. This includes overshadowing over "rear elevations" (nominally north facing frontages that provide solar access), and over roofs (where sun access is used or planned).</p> <p>Rather, the opportunity to reduce the massing should be encouraged given that there is no requirement for the total GFA for a site to be fully utilized.</p> <p>Further, the previous reduction t the GFA was for the purpose of achieving separation of Blocks 4/1 into three separate buildings. This was despite the fact the changes were contrary to intent of the original plans. In doing so, there has been a significant benefit to the proponent to the detriment to the local community (in terms of the increase in demand on local resources from having a much higher residential population. We also note that the estimate for the residential population was only 2,500 at the time of approval of concept plan 2. Yet the residential population estimate is now over 5,000 without a corresponding increase in open space or further resources.</p> <p>Given that the removal of the land bridges and redesign of Block 1, effectively reduced the GFA for that block due to the change in use</p>
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¹ ABS, 2011



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	<p>(from commercial to residential), then the subsequent transfer of GFA back to Block 8 should not assumed, rather the overall objectives of the Act considered.</p> <p>Further, given too that the base line data was flawed, the case should be made to reduce the massing and scale of Block 8 rather than increasing it as is currently proposed.</p> <p>These factors have not been adequately addressed in the RTS report.</p> <ul style="list-style-type: none"> • The proposed plans for Block 8 do not provide ecologically sustainable development. Specifically in order to meet the guidelines under “Development near rail corridors and busy roads”, the design necessitates the closure of balconies on the Abercrombie and O’Connor Street frontages. Consequently cross ventilation requirements are not achieved. Further, a number of other design factors in terms of good design practice and ESD requirements are not met e.g. the length of the apartments and location of the bedrooms (in terms of sleeping amenity). <p>These factors have not been adequately responded to in the RTS report.</p> <ul style="list-style-type: none"> • The proposed plans do not provide affordable housing. Rather the cost of per square meter for accommodation at Central Park is one of the City’s highest (@ \$10,500 m²). This has effectively increased local rents and purchase prices. <p>This factor has not been adequately considered in the report.</p>
Strategic Plans/NSW State Plan	<p>Does not meet key objectives in the plans including the provision of affordable housing for low and moderate income holders.</p> <p>Rather the cost of housing per meter is now one Sydney’s highest. Notably Central Park has pushed up rentals locally.</p>
SEPP 65 (Design Quality)	<p>Does not meet key objectives including:</p> <ul style="list-style-type: none"> • Communal open space requirements, being 25- 30% of the site • Deep soil zones, being 25% of the open space • Appropriate street setback; specifically the overhang over Abercrombie Street will see the loss of a local tree and increases the overshadowing (and does not provide the setback that has long been in place)

² Professor Peter Phibbs, University of Sydney, Workshop August 2014



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	<ul style="list-style-type: none"> • The inclusion of the fence at the ground level is unattractive and not in keeping with the local area or Central Park (it does not provide a seamless integration rather meets crime concerns rather than rethinking the design) • 60% of the units are not naturally cross ventilated • 25% of the kitchens do not have natural ventilation • The apartment mix does not meet local planning guidelines • Solar access guidelines are not meet • Acoustic privacy guidelines are not meet for a number of apartments • The internal depth of apartments is not meet for a number of apartments • Setback between block 8 and properties on O'Connor Street (being 24 metres) is not met • The building presents as a "wall" along O'Connor Street
Development near rail corridors and busy roads (interim guidelines)	In accordance with the guidelines, acoustic treatments will be needed to meet the relevant standards. This will necessitate the closure of windows/balcony doors. However this will have a direct relationship on cross-ventilation thereby not meeting the relevant environmental standards.
Sydney Local Environmental Plan 2005	See previous

Note: We note that some of the provisions of the DGR requirements appear to be have been reduced when compared to the SSD for Block 4S. Given the Act, we have assumed that the same.

Environmental Assessment (using Standards Australia AS/NZ 4360:1999 Risk Management)

The RTS report does not adequately consider the Environmental Impact. In assessing the relevant impact we have also considered the impact using the SAI standard which we summarise below.

Likelihood	Insignificant 1	Minor 2	Moderate 3	Major 4	Catastrophic 5
A (almost certain)	H	H	E	E	E
B (Likely)	M	H	H	E	E
C (Moderate)	L	M	H	E	E
D (Unlikely)	L	L	M	H	E
E (Rare)	L	L	M	H	H



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E = Extreme risk H = High risk M = Moderate risk L = Low risk

Assessment

Health risks - from noise and air pollution (to Block 8 residents)	<p>High.</p> <p>To moderate the risk, the relevant ESD standards cannot be met.</p>
Loss of amenity and privacy, e.g. Dick Street property owners	<p>High.</p> <p>Given the impact will effect local residents during their work, rest and play, the redesign should apply.</p>
Health impact from overshadowing - Dick & Abercrombie Sts	<p>High.</p> <p>Given the impact will effect local residents during their work, rest and play, a redesign should apply.</p> <p>Further we note that the comment in the RTS report which seeks to make the case that the overshadowing is limited to road, rear elevations and is only incremental. This fails to consider that the initial approval relied on flawed data, and does not take into account that rear elevations and roofs provide key solar access for a number of properties.</p> <p>Further, reference is also made to Judgment in the NSW Land & Environment Court 1082/2104 (re 58 – 64 Abercrombie Street). Here the court refused the application for 20 meter building on a number of grounds including the impact in terms of overshadowing and massing (on local homes).</p> <p>While the Concept Plan initially provided for a greater GFA, given the current application seeks to increase the GFA for this Block, the application is not supported.</p>
Acoustic privacy from Block 8 on nearby properties (to the south).	<p>Given the information to hand, this was difficult to assess. As such, further information should be provided.</p> <p>In particular, we note that a residential block of apartments has been approved for 58 – 64 Abercrombie Street. Further the site (which has been burnt out) at 37 - 49 O'Connor Street has recently been sold and we understand that the site will be used as private open space. Consequently noise from Block 8 will have a bigger impact due to reverberation across an open space.</p>
Impact on heritage conservation area and local amenity	<p>Visual impact is high.</p> <p>The immediacy of Block 8 on the local heritage area will have a</p>



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	<p>material impact on the local heritage area – in particular, the low rise scale and cubic form. Hence a reduction the opportunity to reduce the massing should be considered.</p> <p>Further, we note that the RTS report refers to previous feedback to consider offsetting the increase in GFA to Block 11. These comments were made subject to the opportunity to do so (at the eastern end) and the plans for Block 11 being made available. Despite the plans being part of a design competition and available, there was not community consultation until recently (nearly a year afterwards). As such the plans were not made available at the time of the “consultation” process for Block 8.</p> <p>The plans for Block 11 have now been released. These show an increase in height at both the eastern and western ends of the Block and remove the separation between the buildings. As such any increase in height for Block 11 is not supported.</p> <p>Instead we have requested Frasers consider not fully utilizing the overall GFA or shifting the GFA from Block 8 to Blocks 1N and 4N (subject to community input).</p> <p>We note that for the purpose of considering a reduction in massing for Block 8 and subsequently Block 11, we have repeatedly sought further information about the options to shift the GFA - including the impact that the removal of the land bridges between Block 1N and 4N has on solar access to Block 4S. This has not been forthcoming.</p>
Crime	<p>Moderate to High locally.</p> <p>The revised CTED report does not respond to key questions raised previously – i.e. over recent months there has been an escalation in local crime (refer Supt Luke Freudenstein).</p> <p>This includes 4 separate fire-bombing incidents within 150 metres of Block 8 since September last year (i.e. 37 - 49 O’Connor Street, Queen Street, Dick Street & near Abercrombie Street). All of these incidents occurred late at night, with serious risk to local homes and residents.</p> <p>Further the use of Chippendale Green and the BBQ area, near to Block 8 presents an ongoing problem.</p> <p>These factors have not been considered.</p>
Visual impact on local homes, public roads and public open space	<p>High.</p> <p>While the plans are generally consistent with the Concept Plan,</p>



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	<p>the removal of the “slot” of open space on the southern façade has increased the overshadowing, and has a direct impact in terms of the visual impact on local homes.</p> <p>Further, while the overall GFA remains within the overall GFA for Central Park, the actual massing for Block 8 has been increased to 14,879 from 11,500 sqm.</p> <p>The argument presented in the RTS report, does not adequately address concerns.</p>
Solar Access	<p>Moderate to high (for individual properties)</p> <p>The RFDC requires at least 70% of apartment in the building to receive more than 2 hours of sunlight per day to living rooms and private open spaces on the 21 June (between the hours of 9am and 3pm). This is not the case.</p>
Retail Use	<p>Unknown</p> <p>The RTS report does not respond to concerns about the type of use of the retail shops; suggesting that this is outside the process and should be raised during the DA stage.</p> <p>However given that SEPP for exempt and complying development may allow this process to be stream lined, it removes the capacity for local residents to comment.</p> <p>As such, the intended use and potential impact should be considered now.</p>
Construction Works - Staging	<p>Moderate to High.</p> <p>The RTS report has not adequately responded to concerns. In particular we note that construction vehicles are already badly impacting the local community, with vehicles waiting outside local homes (to Cleveland Street waiting for access to the site. Further traffic delays are apparent.</p> <p>Given the works for the Light Rail Project and construction for Block 88 will from the end of the year, this will have a substantial impact on traffic. In addition, regional traffic will be rerouted through Abercrombie Street. While, it appears that the RMS has provided feedback, we believe these considerations have not been property reviewed given that the City of Sydney has advised us that the modelling for the traffic changes is proving problematic.</p>