



EK/SG  
13600  
18 December 2014

Ms Carolyn McNally  
Secretary  
Department of Planning and Environment  
23 – 33 Bridge Street  
SYDNEY NSW 2000

Attn: Mark Brown

Dear Mark

**MODIFICATION TO APPROVAL MP08\_0253  
BLOCK 1 AND 4N, CENTRAL PARK, CHIPPENDALE**

On behalf of Frasers Broadway Pty Ltd, we write to request that the Minister (or his delegate) modify Project Approval MP08\_0253 under section 75W of the *Environmental Planning and Assessment Act 1979* as described below.

The modification proposed in this section 75W application comprises the installation of a second trigeneration gas engine within the Central Thermal Plant (CTP) of the existing basement of Blocks 1 and 4N, Central Park. The installation necessitates amendments to the consent conditions (as described in **Section 2.1**) but will not result in changes to any approved or proposed physical works (including structure or visible services).

However, the CTP was left off the plans submitted as part of MP08\_0253 Mods 4 and 5. Therefore this modification is accompanied by marked-up architectural drawings PA-A-1757 (Rev 9) and PA-A-1758 (Rev 9) which show the CTP's basement location.

**1.0 BACKGROUND**

**1.1 Concept Plan**

MP06\_0171 is a Concept Plan approval applying to the Carlton United Breweries (then Frasers Broadway, now Central Park) site which permits the construction of a mixed use precinct comprising:

- 11 development blocks;
- A maximum 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.

In July 2008, Frasers Broadway Pty Ltd submitted an application to the Minister proposing the following modifications to the approved Concept Plan:

- Reconfiguration of the development blocks on the site;
- An increase in the amount of public domain on the site;
- Alterations to the building massing across the site;
- A 22,500m<sup>2</sup> increase in floor space across the site;
- A change in the mix of uses on the site (increase in commercial floor space and decrease in residential floor space);
- Installation of sustainable infrastructure including a tri-generation plant and a black water treatment plant; and
- Combined basements.

The modification application was approved by the Minister in February 2009. Since February 2009 there have been a total of nine modifications.

## **1.2 MP08\_0253**

On 26 May 2010 the then NSW Department of Planning approved the construction of a commercial Building on Blocks 1 and 4 which consists of the following elements:

- The excavation of the basement under Blocks 1 and 4 and the brewery yard;
- Construction of a new commercial 10 – 15 storey commercial building (72,780m<sup>2</sup> GFA) accommodating:
  - 5 levels of basement car parking;
  - A shell for the future installation of a tri-generation plant;
  - Retail floor space;
  - Commercial floor space;
  - Childcare centre;
- Demolition of the rear ground floor bar of the Australian Hotel;
- Demolition of the rear one storey bathroom additions of the heritage terrace group known as 8 – 12 Abercrombie Street; and
- Construction of the surrounding public domain.

The approval has since been modified as follows:

- Mod 1 – to include the installation of a CTP, previously described as a tri-generation plant, and associated infrastructure within the approved basement space;
- Mod 2 – to clarify the approved Green Star requirements;
- Mod 3 – to amend the size of the CTP;
- Mod 4 – to separate Block 1 and 4N from Block 4, including amendments to the basement; and
- Mod 5 – to separate Block 1 and Block 4N from each other (has been exhibited and is currently being determined by DP&E).

## **1.3 SSD5700-2012**

On 23 December 2013 the then NSW Department of Planning and Infrastructure approved the construction of a student accommodation building on Block 4S which consists of the following elements:

- A total of up 826 students within 688 rooms;
- Resident facilities;
- 11 retail tenancies;
- Single storey basement level;
- 197 bicycle spaces;
- 4 motorcycle spaces;
- 2 on-street car parking bays;
- Public domain works; and
- Stratum subdivision.

Block 4S was previously approved for commercial development as part of MP08\_0253 (described above). However, given the significant student population in the locality, approval was sought for the redevelopment of Block 4S for student accommodation. To enable this approval MP08\_0253 was concurrently modified to excise Block 4S from Blocks 1 and 4N.

The approved architectural drawings for Block 4S show a CTP in the basement and the installation of the engine and plant is currently being undertaken.

## 2.0 DESCRIPTION OF PROPOSED MODIFICATIONS

The following changes are proposed to the approval and are largely the result of ongoing detailed design of the CTP:

- Modification to allow installation of a second 1.1MW trigeneration gas engine within the CTP of the existing basement of Blocks 1 and 4N.

The above modification will not require changes to any approved or proposed physical works (including structure or visible services) and given its basement location, will have no impact on the approved above-ground development.

It is noted that in separating Blocks 1 and 4N (Mod 5) reference to the basement containing the CTP was left off the drawings. As a result, this modification seeks to reintroduce the basement and add a second engine as described above.

It is also noted that the State Significant Development Application for Block 4N is currently on exhibition. It is intended that as part of the Response to Submissions, following exhibition, the basement plan will be replaced with the plan showing the CTP, the subject of this modification. It is also anticipated that those conditions pertaining to the operation and management of the CTP (which form part of MP08\_0253) will be incorporated in the conditions of approval for Block 4N.

### 2.1 Conditions Proposed to be Modified

The proposed modifications described above necessitate amendments to the consent conditions which are identified below.

#### SCHEDULE 2

The Project Approval for MP 08\_0253 is modified as follows:

- (a) Amend Condition A2 by the deletion of the ~~struck out words~~ and the insertion of the ***bold and italic words***.

#### A2. DEVELOPMENT IN ACCORDANCE WITH PLANS AND DOCUMENTATION

**As amended by the Section 75W application dated 18 December 2014 prepared by JBA and the following documents:**

i) **Drawings by PTW Architects on behalf of Frasers Broadway Pty Ltd.**

Architectural Plans prepared for the EA and PPR by Foster and Partners			
Revision	Number	Name of Plan	Date
<b>09</b>	<b>PA-A-1757</b>	<b>Block 1 &amp; 4 Level B2 – Basement, FFL +3.75</b>	<b>19/12/12</b>
<b>09</b>	<b>PA-A-1757</b>	<b>FPMA MARK UP OF MP08_0523 DRAWING FOR CTP S75W (second gas engine)</b>	<b>18/12/14</b>
<b>09</b>	<b>PA-A-1758</b>	<b>Block 1 &amp; 4 Level B1 – Basement, FFL +6.80</b>	<b>19/12/12</b>
<b>90</b>	<b>PA-A-1758</b>	<b>FPMA MARK UP OF MP08_0523 DRAWING FOR CTP S75W (second gas engine)</b>	<b>18/12/14</b>

(b) Amend Condition A13 by the deletion of the ~~struck out words~~ and the insertion of the **bold and italic words**.

#### A13. STAGING

Stage works to Block 1 and 4 as follows:

Stage 1 consists of all building work to the Central Thermal Plant and then the subsequent installation of all plant and equipment.

Details are to be provided to the Certifying Authority demonstrating compliance prior to issue of the relevant Construction Certificate.

**Stage 1A Construction Certificate will include the installation of the second 1.1MW gas reciprocating engine and associated infrastructure.**

Stage 2 will comprise the remainder of work to Blocks 1, 4 (north) and 4 (south) including final details for installing tri generation equipment.

Details are to be provided to the Certifying Authority demonstrating compliance prior to the issue of the relevant Construction Certificate.

(c) Amend Condition B42 by the deletion of the ~~struck out words~~ and the insertion of the **bold and italic words**.

#### B42. CENTRAL THERMAL PLANT – CONSTRUCTION CERTIFICATE

The construction of Blocks 1 and 4 is to be staged. The Stage 1 Construction Certificate will encompass the excavation and installation of the Central Thermal Plant and associated infrastructure. Details are to be provided to the Certifying Authority demonstrating compliance prior to the issue of the relevant Construction Certificate. **Stage 1A**

**Construction Certificate will include the installation of the second 1.1MW gas reciprocating engine and associated infrastructure.** All other remaining works forming the Block 1 and 4 buildings is part of the Stage 2 works.

(d) Amend Condition B44 by the deletion of the ~~struck out words~~ and the insertion of the **bold and italic words**.

#### B44. ENVIRONMENT PROTECTION LICENCE

The proposal for ~~a 1.0MW~~ **two 1.1MW** ~~co~~ **tri**generation plant using a gas fired internal reciprocating combustion engine will require an Environment Protection Licence under Clause 17 of Schedule 1 of the Protection of the Environment Operations Act (1997). Details are to be provided by the Operator to the Environment Protection Authority and the Certifying Authority demonstrating compliance with the Interim OEH Nitrogen Oxide Policy for Cogeneration in Sydney and the Illawarra, prior to the issue of the relevant Construction Certificate for installing such tri-generation equipment.

Advisory note: Further information on the above can be found at <http://www.environment.nsw.gov.au/air/cogeneration.htm>, particularly:

All new ~~co~~ **tri**generation will:

- Demonstrate no adverse impact on human health or the environment in accordance with the requirements of the Approved Methods for the Modelling and Assessment of Air Pollutants in New South Wales.
- Proposals in Sydney and the Illawarra should either be NOX neutral or required to achieve Best Available Technique (BAT) emission performance.

(e) Amend Condition E21 by the deletion of the ~~struck out words~~ and the insertion of the **bold and italic words**.

#### E21. ENGINE AND GENERATOR – GAS FIRED POWER PLANT

The power generation system must comply with the following:

a) Lean burn Low Nitrogen Oxide Engine **or equivalent emission reduction systems**

The generator engine shall incorporate lean burn, low Nitrogen Oxide design technology **or equivalent emission reduction systems** to generate Nitrogen Oxide emissions not exceeding 57mg m<sup>-3</sup> **per gas engine**.

The generator shall comply with the requirements of Australian Standard for Industrial and Commercial Gas-fired appliances AS38 14.2005.

b) Certification

Certification shall be provided by a suitably qualified consultant certifying the engine and generator has been installed in accordance with the above requirements.

c) Maintenance and Servicing

The generator engine shall be serviced and maintained in accordance with the above requirements.

d) Records

Records of all servicing and maintenance to be carried out on the generator engine are to be kept and made available on request the Department by the operator.

(f) Amend Condition F8 by the deletion of the ~~struck out words~~ and the insertion of the **bold and italic words**.

#### F8. MEASUREMENT AND VERIFICATION OF THE TRI ~~CO~~ GENERATION SYSTEMS

A measurement and verification report is to be submitted to the Department of Planning and Infrastructure measuring and verifying the actual operating performance of each of the ~~1.0MW~~ **1.1MW** ~~co~~ **tri**generation plant by conducting an energy and mass balance and calculating the overall system efficiency of each of the ~~co~~ **tri**generation systems. The measurement and verification report is to include the actual operating hours of each of the cogeneration systems, at least 12months of operating data including all assumptions and engineering calculations and a drawing indicating the location of all meters and sub-meters (i.e. electricity, natural gas, water meters and temperature probes) for ~~co~~ **tri**generation

systems. The measurement and verification report is to be provided to the Department of Planning and Infrastructure following 12 months from the date of operation commencement.

Advisory Note: All commercially sensitive information provided by the proponent is to be kept confidential.

### **3.0 PLANNING AND ENVIRONMENTAL ASSESSMENT**

#### **3.1 Compliance with Frasers Broadway Concept Plan**

The approved Concept Plan permits the construction of a mixed use precinct including 'Tri-generation and re-cycle water treatment plants'. The approved modifications to the Concept Plan include 'Installation of sustainable infrastructure including a tri-generation plant and a black water treatment plant'. This modification, while seeking to allow installation of a second engine within the existing basement, is consistent with the Concept Plan.

#### **3.2 Compliance with Project Application MP08\_0253**

The approved modifications to Project Application MP08\_0253 include 'installation of a CTP and associated infrastructure within the approved basement space'. This modification, while seeking to allow installation of a second engine within the existing basement, is consistent with the Project Application.

In particular, approved Mod 3 to the Project Application (May 2012), which amended the size of the CTP, assessed the following issues:

- Operation and management;
- Environment Protection Licence; and
- Emissions and air quality.

Mod 3 also identified the basement as having enough capacity to accommodate two engines, and that there would be no impact to residential amenity given the works would not alter the basement location or the approved above-ground development.

It is therefore considered that this modification is consistent with the Project Application and does not give rise to any additional environmental impacts or site suitability issues aside from those assessed as part of the original Project Application and subsequent modification applications.

It is noted that the relevant conditions relating to the CTP, approved under Mod 1 and amended under Mod 3, are to be maintained as above (see **Section 2.1**).

#### **3.3 Environmental Impacts**

The second trigeneration gas engine will be installed and operated in accordance with the relevant consent conditions which address impacts such as noise and air quality. It is therefore considered that the modification does not give rise to any additional environmental impacts aside from those assessed as part of the original Project Application and subsequent modification applications, and that no further assessment is required.

### **4.0 CONCLUSION**

The modification proposed in this section 75W application comprises the installation of a second trigeneration gas engine within the CTP of the existing basement of Blocks 1 and 4N, Central Park. The proposed modification will not give rise to any additional environmental impacts, and the development, as modified, will be substantially the same as that which was approved under MP08\_0253. This environmental assessment report has demonstrated that the amended proposal continues to be consistent with the approved Concept Plan applying to the site.

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

A handwritten signature in blue ink, reading "Stephen Gouge". The signature is written in a cursive, flowing style.

Stephen Gouge  
*Senior Planner*