

Section 75W Modification Application Environmental Assessment Report



Block 6 + 7, Central Park

Modification to approved Project Application (MP 11_0091)

Submitted to Department of Planning and Infrastructure
On Behalf of Kensington Street Holdings Pty Ltd

December 2013 ■ 11316

Reproduction of this document or any part thereof is not permitted without prior written permission of JBA Urban Planning Consultants Pty Ltd.

JBA Urban Planning Consultants Pty Ltd operates under a Quality Management System. This report has been prepared and reviewed in accordance with that system. If the report is not signed below, it is a preliminary draft.

This report has been prepared by:



Stephen Gouge

13/12/2013

This report has been reviewed by:



Gordon Kirkby

13/12/2013

Contents

1.0	Introduction	2
1.1	Frasers Broadway Concept Plan	2
1.2	MP 11_0091 – Block 6 +7	2
2.0	Site Analysis	4
2.1	Site Location and Context	4
2.2	Site Description	5
3.0	Proposed Modifications	10
3.1	Design Principles	11
3.2	Numerical Overview	12
3.3	Building Footprint and levels	13
3.4	Building and Facade Amendments	14
3.5	Internal building amendments	15
3.6	Landscaping and Public Domain Amendments	15
3.7	Amendments to Conditions	16
4.0	Environmental Assessment	18
4.1	Frasers Broadway Concept Plan	18
4.2	Consistency with Project Approval	18
4.3	Heritage Impacts	19
4.4	Residential Amenity	19
4.5	Traffic and Parking	19
5.0	Revised Statement of Commitments	20
6.0	Conclusion	22

Figures

1	Locality Plan	4
2	Development blocks within the Kensington Precinct	5
3	Existing building footprints	6
4	Aerial Photograph of the site	7
5	Photos of existing building	9
6	Existing and proposed parapet height of 40-42 Kensington Street	13
7	Rear elevation of No 2-12 Kensington Street	14

Tables

1	Sites within Block 6 and 7	6
2	[Key development information	12
3	Draft Statement of Commitments	20

Contents

Appendices

- A** Architectural Drawings
Tonkin Zulaikha Greer Architects
- B** Approval Instrument
NSW Department of Planning and Infrastructure
- C** Survey Plan
Denny Linker and Co
- D** Heritage Impact Statement
Pauls Davies Heritage

Contents

Statement of Validity

Prepared under Part 3A of the Environmental Planning and Assessment Act, 1979
(as amended)

Environmental Assessment prepared by

Name	Stephen Gouge
Qualifications	BPlan (Hons) MPIA
Address	Level 7, 77 Berry Street, North Sydney
In respect of	Block 6 and 7 Central Park – S75W Modification

Concept Plan

Applicant name	Frasers Broadway Pty Ltd
Applicant address	Lvl 12, 101 Bathurst Street, Sydney NSW 2000
Land to be developed	26 Broadway, Chippendale
Proposed development	Commercial and retail adaptive reuse

Environmental Assessment

	An Environmental Assessment (EA) is attached
Certificate	<p>I certify that I have prepared the content of this Environmental Assessment and to the best of my knowledge:</p> <ul style="list-style-type: none">■ It is in accordance with the Environmental Planning and Assessment Act and Regulation.■ It is true in all material particulars and does not, by its presentation or omission of information, materially mislead.

Signature



Name

Stephen Gouge

Date

13 December 2012

1.0 Introduction

This Environmental Assessment Report (EAR) is submitted to the Department of Planning and Infrastructure (DP&I) in support of an amendment to Project Approval MP11_0091 pursuant to Section 75W of the *Environmental Planning and Assessment Act 1979* (EP&A Act). MP11_0091 currently permits limited demolition and commercial on new buildings as well as the retail adaptive reuse of buildings located on Blocks 6 + 7 of Central Park.

This EAR has been prepared by JBA for Kensington Street Holdings Pty Ltd. It describes the site, its environs, the proposed development in the context of the approved Concept Plan, and includes an assessment of the proposal in accordance with the Director-General's Environmental Assessment Requirements (DGRs) issued under Part 3A of the EP&A Act.

The EAR of this modification is based on the Architectural Drawings provided by Tonkin Zalukia Greer (TZG) (found at **Appendix A**), and other supporting technical information appended to the report (see Table of Contents).

1.1 Frasers Broadway Concept Plan

MP06_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 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.

Numerous amendments to the concept plan have been made since approval. Consistency of the proposed development with the Concept Plan (as amended) is outlined at Section 4.3.

1.2 MP 11_0091 – Block 6 +7

A request for Director General Requirements for Blocks 6 + 7 was made to the DP&I in June 2011 and amended DGRs issued on 16 November 2011.

On 4 July 2013, the DP&I approved:

- Demolition of structures at No. 14 and construction of 1 x 2 storey building for retail use on the ground floor and restaurant on the first floor;
- Demolition of structures at Nos. 42 - 44 to construct a 1 storey building and a pocket park fronting Kensington Street;
- Heritage conservation and upgrade works to reinstate, reconstruct and upgrade internal and external building fabric of existing buildings to be retained;

- Additional two floors above existing warehouse building at No. 2-10 including outdoor terraces on Levels 2 and 3;
- Upgrade works and new glazed addition to rear of Nos.46 – 48 and an enclosed outdoor courtyard;
- New single storey building built along the eastern boundary;
- Erection of a glazed entry walkway between Nos. 20-22 and 28- 30, to provide access from Kensington Street to rear courtyards;
- Landscaping works to pocket park, rear courtyard areas and rear of existing terraces;
- Use of tenancies within the precinct for retail, commercial office and food and drink premises;
- Provision of bicycle parking spaces, lockers and end-of-journey facilities within Nos. 2 - 10, 14 and 42 - 44; and
- Subdivision and consolidation of existing lots to create four lots.

A copy of the original approval instrument for this application is included at **Appendix B.**

2.0 Site Analysis

2.1 Site Location and Context

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 and the University of Technology, Sydney.

The Kensington Precinct is located on the eastern edge of the site and comprises a mixture of building types including the Clare Hotel, former administration offices of the Carlton United Brewery, industrial buildings and terraces on Kensington Lane, and proposed student accommodation at Block 3B/3C and 10.

Originally the Central Park site was occupied by several buildings associated with the site's former use as a Brewery. Demolition works have now been completed and construction has been completed on Blocks 2 and 5 as well as the Main Park. Construction works are underway for Blocks 3A, 3B, 3C and 10. The 33 heritage items identified in the Concept Plan area have been retained and protected.

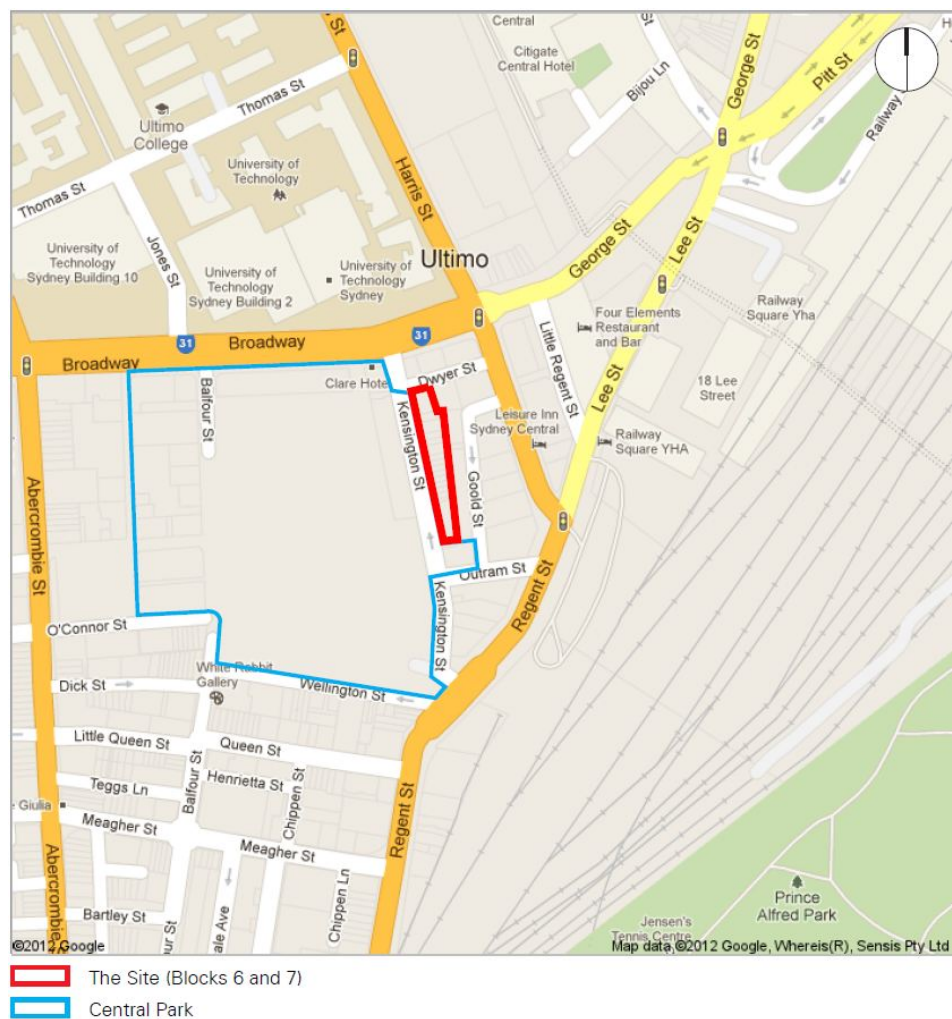


Figure 1 – Locality Plan

Source: JBA

2.2 Site Description

Blocks 6 and 7 are located within the Kensington Precinct and are legally described as Lots 1, 2, 3 and 5 in DP 33953, lot 1 in DP 185787, and Lot 1 in DP 709452. A revised Survey Plan of the Site is provided at **Appendix C**.

Blocks 6 and 7 are located on the eastern boundary of the Central Park site in what is known as the Kensington Precinct. It is bounded by Dwyer Street to the north, residential dwellings on Goold Street to the east, Block 10 to the south and Kensington Lane (formerly Kensington Street) to the west. The Block is regular in shape, and has a site area of 2,299m².

The location of Blocks 6 and 7 within the Central Park site is shown in **Figure 2**. The Block is owned by Frasers Broadway Pty Ltd.

A revised Survey Plan of the site has been prepared by Degotardi, Smith and Partners and is included at **Appendix C**.



Figure 2 – Development blocks within the Kensington Precinct

Source: *Frasers Broadway Pty Ltd*

Existing Development

Block 6 is located to the north east of the site with primary frontage to Kensington Lane and secondary street frontage to Dwyer Street. Block 6 is occupied by the following buildings:

- A three storey warehouse structure at 2-10 Kensington Street, formerly used as a garage and Rum Bond Store, and now utilised by Frasers Studios exhibition space (draft heritage item 46A).
- A two storey brick building used for garaging and storage located at 12 Kensington Street that is now being utilised as Frasers Studios exhibition spaces (draft heritage item 46B) and other temporary pop-up artistic space.
- A single storey brick garage/workshop building located at 14 Kensington Street that is currently occupied by Frasers Studios (draft heritage item 46C) and other temporary pop-up space.
- Two storey Edwardian terraces located at 16 and 16A Kensington Street (draft heritage items 47A-B).
- An Edwardian terrace located at 18-20 Kensington Street that was recently used by 'The Food Cooperative'.

Block 7 is located to the east of the Central Park Site and includes all buildings from 22-48 Kensington Street that share a common rear boundary with properties located on Goold Street to the east. The block is made up of single and double storey terraces and commercial buildings, all of which are nominated as draft heritage items under the Concept Plan (and 46-48 under Sydney LEP 2005) with the exception of No. 14 and 42-44. No 42-44 Kensington Street has recently been used as a dance rehearsal studio and accommodates a small architectural studio.

A full list of the existing addresses, legal description and existing building are provided below in **Table 1**.

Table 1 – Sites within Block 6 and 7

No.	Lot and DP	Description
2-10	Part Lot 1, DP 33953	3 storey federation warehouse (Kensington Street Store)
12	Part Lot 1, DP 33953	2 storey federation warehouse
14	Part Lot 1, DP 33953	1 storey workshop/garage
16-16A	Part Lot 1, DP 33953	2 storey federation terraces
18-20	Lot 2, DP 33953	2 storey Edwardian terraces with roller shutter
22-28	Lot 3, DP 33953	1 storey terraces
30-32	Lot 3, DP 33953	2 storey brick terraces
34-36	Lot 3, DP 33953	2 storey terraces
38	Lot 3, DP 33953	2 storey sandstone terrace
40	Lot 3, DP 33953	2 storey painted terrace
42-44	Lot 1 DP185787	1 storey garage./workshop with roller shutter
46-48	Lot 5, DP 33953 and Lot 1, DP709452	2 storey terrace

Photographs of the existing buildings on the site are provided below in **Figures 4 to 6**.

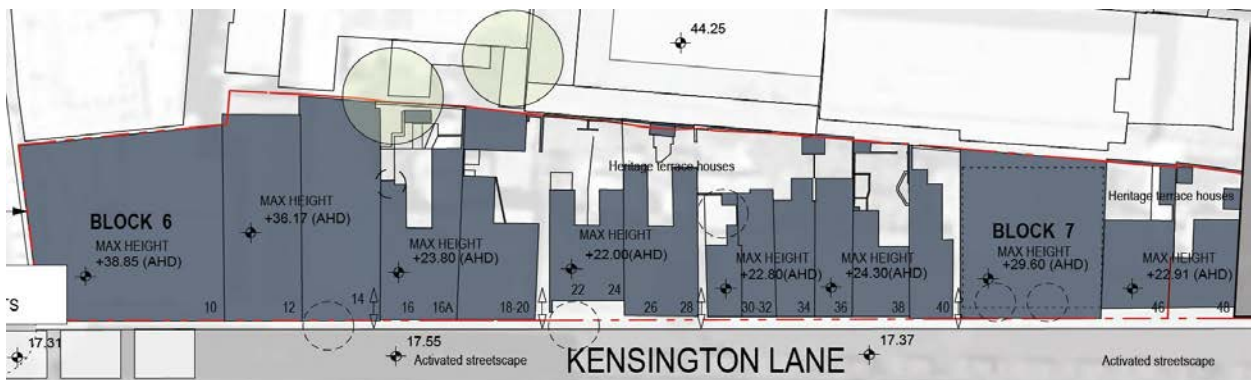


Figure 3 – Existing building footprints

Source: TZG



Figure 4 – Aerial Photograph of the site



No 2-10 Kensington Lane



No 12 Kensington Lane



No 14 Kensington Lane



No 16+16A Kensington Lane



No 18-20 Kensington Lane



Rear of No 22-28 Kensington Lane terraces



No 22-28 Kensington Lane



No 30-32 Kensington Lane



No 34-36 Kensington Lane



No 38 Kensington Lane



No 40 Kensington Lane



No 42-44 Kensington Lane



No 46-48 Kensington Lane

Figure 5 – Photos of existing building

Source: *Paul Davies Pty Ltd and JBA*

3.0 Proposed Modifications

The proposal includes various internal and external modifications to the approved commercial and retail adaptive reuse Project Application (PA). The changes are minor in their nature and are in response to design development and further investigations on site, following the approval of the PA.

Specifically the modifications include the following:

Location	Scope of work
Site Wide	<ul style="list-style-type: none"> – Street levels have been revised to match the concurrent plans for the public domain as submitted in accordance with the S75W modification (MP 09_0164). – Rear awnings and pergolas deleted from the plans. – Bicycles from pocket park and rear of 36-38 relocated to public domain (Kensington Street) – as identified in concurrent S75W (Stage 2 infrastructure and civil works) – Realignment of the boundary wall to correlate to the updated survey prepared as part of this amendment. – Height of glazing to the western facade (courtyard) of the rear building reduced to 2700mm.
No. 2-10	<ul style="list-style-type: none"> – Minor modifications to the garbage room, electrical rooms and hydraulic rooms. – Metal deck roof replaced with concrete roof. – Upper level plant room reconfigured and inclusion of access ladder. – Deletion of louvers from the northern elevation of the plant room. – Ventilation added to the north, southern and western face of the new addition to the Rum Store in various locations to allow natural ventilation of space and assist the site's Green Star strategy. – FBBV relocated on the northern elevation at ground floor fronting Dwyer Street to be visible from the front door as required by the fire brigade.
No. 12	<ul style="list-style-type: none"> – Metal deck roof replaced with concrete roof. – Demolition and reconstruction of the existing brick wall at the rear of this block.
No. 14	<ul style="list-style-type: none"> – Demolition of the side wall (See annotation on Plan 401 as part of Appendix A). – Security gate added in accordance with the requirements of Condition B4.
No. 18-20	<ul style="list-style-type: none"> – Minor planning and spatial arrangement amendments to the rear building (located on the western boundary) to improve accessibility.
No. 40-42	<ul style="list-style-type: none"> – Security gate added in accordance with the requirements of Condition B4. – Reduction in area of mezzanine. – Addition of an access ladder to the eastern side of the building. – Parapet height increased by 300mm to RL24.9 to improve appearance of transparent glass parapet.
No. 40-46	<ul style="list-style-type: none"> – Minor amendments to bathroom facilities located at the rear of this block.

The above modifications are shown on the architectural plans (**Appendix A**) prepared by TZG (which replace all plans approved in the original application) and are described below in the following sections of this EAR. The changes are proposed in response to the detailed design development and further on-site investigations prior to construction.

3.1 Design Principles

A design statement was by TZG Architects to accompany the original Project Application. The statement outlines the design principles which have been adopted as part of the approved development on the site. These principles remain unchanged as part of the proposed amendments, with a summary provided below.

Blocks 6 & 7 Design Statement

- *TZG were commissioned by Frasers in 2007 to assist in the development of the Concept Plan for the Kensington Lane precinct of the Frasers Broadway site. TZG have since been engaged to develop designs for 3 major redevelopments.*
- *This unique opportunity has allowed TZG to develop a unified urban design and detail approach for Kensington Lane. The Lane itself will also be improved through integrated landscaping in the future.*
- *In the proposed redevelopment of Blocks 6 & 7, the existing heritage listed terrace houses are to be retained along with two warehouse buildings to the northern end of Kensington Lane.*
- *Retail premises, restaurants and bars will occupy these as well as some new contemporary infill buildings. The proposal is consistent with the approved concept plan apart from the now proposed retention of the warehouse at No. 12, which was previously marked for demolition.*
- *The terrace houses are to be surrounded by public space richly paved in a herring bone brick pattern consistent with the proposed ground plane for the rest of the precinct.*
- *At the rear, the terrace yards are converted into a series of interconnected courtyards, flanked by a long new building that runs the length of the boundary. This will ensure that the courtyards are well-used and lively places. Compliant access to the terraces is achieved via careful adjustment of the levels of the courtyards at the rear of each.*
- *The proposed new single storey concrete and glass building, which is articulated in plan and section in keeping with the scale of the terraces, runs the length of the eastern boundary of Block 7 offering a landscaped roof. This improves the visual and acoustic amenity of the eastern neighbours.*
- *To the south a small pocket park (no. 42-44) is proposed, possible through a reduction in the concept plan approved envelope, which terminates the axis of the pedestrian walkway that approaches from Central Park.*
- *Proposed new buildings visible from the street are deliberately restrained utilising facade repetition to accentuate the irregularity of the warehouses' and terraces' eclectic, ad hoc nature. The new glass buildings present a restricted palette of materials so as not to dominate the colourfully painted historic terraces.*
- *Two glazed walkways, suspended over the existing passages between terraces 20-22 and 28-30, form lanterns which entice visitors through to discover the rear courtyards. The lanterns will signify new activity at the rear and provide a location for signage. These important structures allow commercial signage be kept off the fronts of the terraces and presented in a controlled manner.*

3.2 Numerical Overview

Key development information is summarised in **Table 2** below.

Table 2 – Key development information

Component	Existing Approved	Proposed	Change
Project site area (Block 6 and 7)	– 2,229m ²	– 2,229m ²	nil
GFA (non-residential)	– 2,997.2m ²	– 2,997.2m ²	– Nil
– Block 6	– 1,920.1 m ²	– 1,934.54 m ²	– +14m ²
– Block 7	– 1,077.1 m ²	– 1062.8 m ²	– -14m ²
TOTAL GFA	– 2,997.2	– 2,997.2	– nil
Maximum Height	– RL 38.880	– RL 38.880	– nil

Gross Floor area

As demonstrated in **Table 2** above, the amendments do not involve any variation to the approved maximum GFA or mix of GFA (residential/non-residential) on the site.

As shown in **Table 2** above and on the architectural plans at **Appendix A**, there is a minor reshuffle of GFA across the terraces and Blocks 6 + 7. This is largely due to the updated survey that has been undertaken on the site (see **Section 4** below).

Building Height

The maximum building height remains unchanged as a result of the proposed amendments. Whilst minor variations are proposed to building envelopes (of No. 40 in particular), the maximum building heights remain consistent with the existing approval.

A minor increase to the parapet of Nos. 40-42 is proposed. The increase consistent of a 300mm increase, and will remain below the established Concept Plan envelop and easement for light above, which commences at an RL of 25.00. The height of the proposed parapet will be to RL 24.90. **Figure 6** below, illustrates the minor increase by comparing the existing approved building and parapet with an excerpt of the proposed building located at 4-42 Kensington Street.

Importantly, the proposal does not result in any alteration of building height to the rear building structure along the eastern boundary of Block 6 + 7.

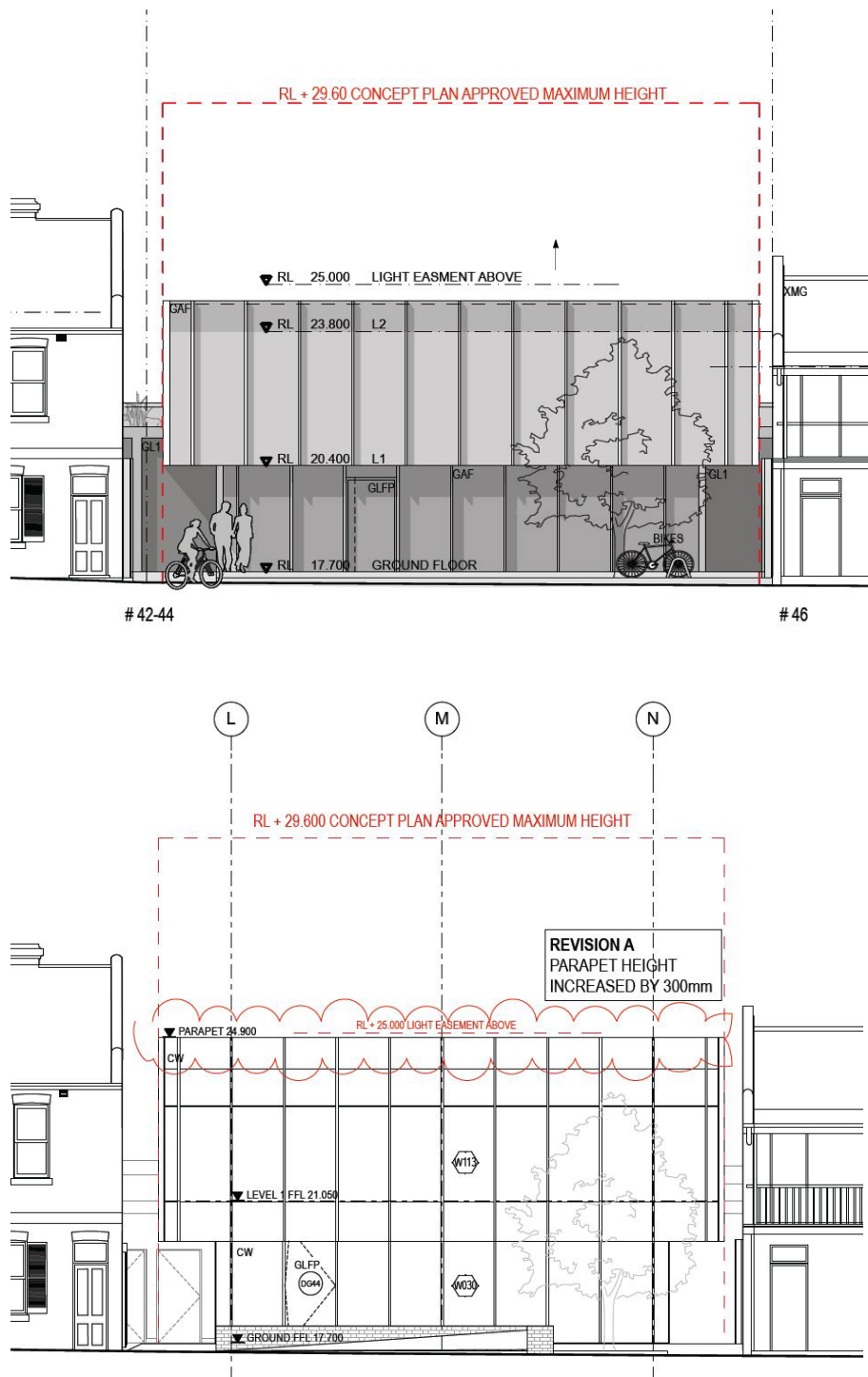


Figure 6 – Existing and proposed parapet height of 40-42 Kensington Street

3.3 Building Footprint and levels

As part of further site investigation, design development, and the review of the public domain of Kensington Street, an updated and more detailed site survey has been prepared (provided at **Appendix C**).

The review of the public domain was largely driven as part of the separate and concurrent S75W amendment to Stage 2 Infrastructure and Civil Works on the Central Park Site.

As a result of the revised survey, minor modification has been made to the proposed location of the rear boundary walls and levels of public domain. As a result of the updated existing ground level, and proposed floor levels of the adjoining public domain, minor amendments have then been reflected in the building levels above.

3.4 Building and Facade Amendments

The following minor changes are proposed to the approved building and facades. Each of these amendments has been clearly annotated (and bubbled in red) on the revised architectural plans provided at **Appendix A**.

- Removal of awning and pergolas previously identified with the rear courtyard of the terraces.
- Inclusions of access ladders to plant areas at No. 2-10 and 40-42.
- Amendments to the size and location of ventilation louvers located.
- Minor increase to the height of glazing to the western (internal facing) facade of the rear building, located along the eastern boundary of the site.
- Additional ventilation areas and louvers have been provided to the facade of buildings 2-12.
- The existing metal deck roofing proposed to the rear of Nos. 2-10 is proposed to be replaced with a concrete roof.

As part of the amendments, further on-site and structural investigations have been carried out. As a result it is proposed to demolish and rebuild the existing brick wall located to the rear of No. 12, as well as the brick wall located between Nos. 10-12 that were previous proposed to be retained. As annotated on the plans at **Appendix A**. The walls are proposed to be rebuilt in the same location and design reflecting the existing walls with salvaged existing bricks on site (see **Figure 7**).

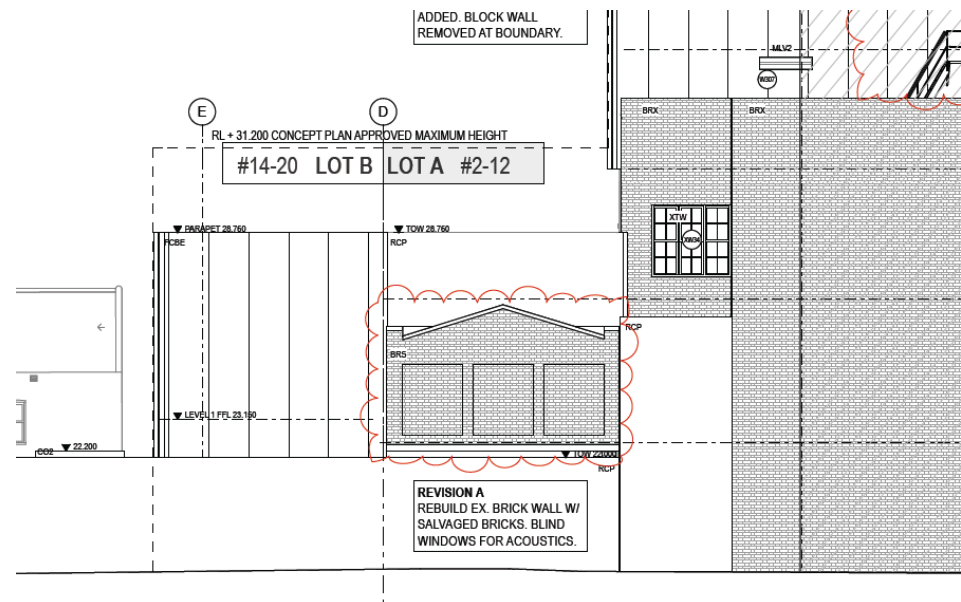


Figure 7 – Rear elevation of No 2-12 Kensington Street

3.5 Internal building amendments

The following minor internal amendments are proposed. Each of these amendments has been clearly annotated (and bubbled in red) on the revised architectural plans provided at **Appendix A**.

- The bathroom facilities at the rear of Nos. 40-46 have been reconfigured for increased efficiency and access.
- The layout and arrangement of plant rooms, particularly to Nos. 2-12 have been modified and updated.
- A minor reduction of GFA is proposed within the mezzanine of No. 40-42.

3.6 Landscaping and Public Domain Amendments

1.1.3 Relocation of Bicycle Spaces

Condition B6(f) of the current approval, requires the redistribution of 16 bicycle spaces from the pocket park to alternative locations.

As part of separate and concurrent works on the site, amendments to the layout and pedestrian/vehicle arrangement are being made to Kensington Street. This has implications to the levels of the public domain which have been factored in as part of this modification.

Importantly, as part of the design progression of Block 6 + 7, as well as the public domain of Kensington Street, the bicycle spaces that were previously located within the pocket park, have been redistributed within the public domain of Kensington Street as part of the concurrent S75W modification to the Stage 2 Infrastructure and Civil Works Project Application (MP 09_0164). This proposal includes total of 24 bicycle parking spaces, Importantly, the bicycle spaces are additional, and were not included in the original Project Application for Site Infrastructure

Given the relocation of these bicycle parking spaces satisfies the requirements of Condition B6(f), it is proposed that the conditions be deleted.

1.1.4 Security Gates

As required by Condition B4 of the Project Approval, the architectural plans have been updated to include the installation of security gates in two locations being:

- between No. 14 and 16; and
- between No. 40-42 (adjoining the pocket park).

As discussed above, a concurrent S75W modification has been submitted and is currently under assessment by the DP&I. This modification includes details regarding the public domain of Kensington Street and identified the future levels, street furniture and planting proposed adjoining the site. The floor levels have therefore been amended to reflect the proposed levels within the Stage 2 Infrastructure S75W.

3.7 Amendments to Conditions

The above changes to the proposed development necessitate the following modifications to the conditions of consent. Deletions are shown in ~~bold strikethrough~~ and insertions are shown in ***bold italics***.

SCHEDULE 1 – PART A – Administrative Conditions

A2. Terms of Approval

The proponent shall carry out the project in accordance with the following documentation:

- a) *Environmental Assessment and supporting documents prepared by JBA Planning dated November 2012;*
- b) *Response to Submissions and supporting documents prepared by JBA Planning dated 16 May 2013; and*
- c) *As amended by the Section 75W submitted by JBA Planning, dated December 2013; and*
- d) *following drawings, except for:*
 - i. *any modifications which are Exempt' or Complying Development;*
 - ii. *otherwise provided by the conditions of this approval.*

Architectural (or Design) Drawings prepared by Tonkin Zulaikha Greer

Drawing No	Revision	Name of Plan	Date
<i>[Department of Planning and Infrastructure to replace existing drawing list with final plans to be approved as part of this S75W]</i>			

Reason:

This condition is required to be updated to reflect documentation accompanying the S75W modification, including the Environmental Assessment Report and accompanying revised drawings.

Condition B4

~~B4. Details of proposed gat/doors to restrict access to rear laneway in Lots 2, 3 and 4~~

~~Amended drawings illustrating the proposed location and design details of the gates and/or doors to be installed to restrict public access to the rear laneway, are to be submitted to and approved by Council, prior to the issue of the relevant Construction Certificate and prior to the creation of a documentary Right of Public Access and registration on the Titles of Lots 2, 3 and 4.~~

Reason:

This condition has been satisfied by the provisions of security gates, as shown on the revised Architectural plans at **Appendix A**. The gates have been suitably designed to restrict public access to the rear laneway.

B6. Bicycle Spaces & Facilities

- e) *A minimum of 41 bicycle parking spaces must be provided for the site for employees, customers and visitors to the site.*
- f) ***~~Amended drawings showing the relation and distribution of 16 bicycle parking spaces from the pocket park to alternative locations, are to be submitted to and approved by Council, prior to the issue of the relevant Construction Certificate.~~***
- g) *The layout, design and security of bicycle facilities shall be installed in accordance with the specification of the JOSTA system, or equivalent.*

h) Bicycle facilities rooms must be provided close to staff/employee bicycle parking in accordance with Section 3.11.3 of the Sydney Development Control Plan 2012.

Reason:

The public domain works as part of the concurrent S75W modification (made to the Stage 2 Site infrastructure) include a total of 24 bicycle parking spaces to be located within the public domain of Kensington Street. These spaces will serve as the bicycle parking spaces that are required to be relocated from the pocket park (No. 42-44) to alternative location in accordance with Condition B6(b) of the existing Project application.

This relocation of these bicycle spaces satisfies this condition, and as such its removal from the approval is proposed.

4.0 Environmental Assessment

This Section of the report provides an assessment of the key environmental issues which relate to the proposed amendments.

4.1 Frasers Broadway Concept Plan

The proposed development is consistent with the concept plan:

- The overall GFA of the revised proposal remains consistent with the maximum permitted under the concept plan for Blocks 3B/3C and 10 (as well as the approved project application).
- The proposal remains consistent with the maximum approved building heights.
- The proposed buildings continues to exhibit design excellence;
- Publicly accessible through site links are retained.

The proposed amendments are consistent with the assessment and determination of the original approval.

4.1.1 Gross Floor Area

The proposed modifications do not result in any amendments to the approved maximum gross Floor area. As identified on the architectural plans at **Appendix A**. The maximum GFA proposed as a result of this amendment remains consistent with the concept plan (and unchanged from the approved Project Application).

4.1.2 Design Excellence Commitments

In accordance with Concept Plan Commitment Number 2 - Tonkin Zulaika Greer (TZG) has been appointed as the project architects for the Kensington Street Precinct. TZG have also prepared the revised plans as part of this proposal, consistent with this commitment.

4.2 Consistency with Project Approval

The internal redesign and minor changes to the external elements of the building will result in an improvement of residential amenity and will not generate and adverse environmental impacts to the surrounding land uses. The revised layout also results in increased activity to the ground floor facade and compliance with the require bicycle parking provisions.

4.2.1 Gross Floor Area and Footprint

The proposed modifications do not result in any amendments to the approved maximum gross Floor area (as identified at **Appendix A**). The revised survey plan provided as part of this modification (**Appendix C**) involves minor variations to the building footprint.

4.2.2 Building Envelopes

The proposed amendments are consistent with approved Project Application. The minor variations to the approved building envelope arise from a modification to the parapet height of No. 40-42 (increasing by 300mm to RL 24.9).

Importantly, the modified proposal remains consistent with the maximum building envelope of the concept plan, as well as the easement established for light, commencing at a height for RL 25.00. The revised envelope does not create any additional overshadowing or contribute to additional adverse environmental impacts to the surrounding land uses, particularly residential uses to the rear.

4.3 Heritage Impacts

Paul Davies Pty Ltd has been engaged to assess the heritage impacts associated with the amendments to proposed walls between No. 10-12 Kensington Street refer to the Heritage Impact Statement at **Appendix D**). Paul Davies Pty Ltd previously prepared the heritage impact statement and Specific Element Conservation Management Plan (SECMP) to guide the redevelopment of the site for the approved Project application.

The subject building (No. 12) is not identified as an item of heritage significance, and was identified for retention as positive contributions to the streetscape. Furthermore, the Heritage Impact Assessment Review prepared by HBO + EMTB Heritage Pty Ltd (that accompanied the Concept Plan amendment (Mod 2)) identifies the approval of demolition Nos. 12 and 14 Kensington Street.

Following a detailed review of further survey and structural analysis, it has been confirmed to Paul Davies Pty Ltd that the northern wall of the existing building is potentially not stable and has significant bowing and movement.

Paul Davies Pty believes little will be achieved in its retention, particularly as the external wall of the adjacent warehouse will be revealed when the wall of No. 12 is removed. This wall has potential to be a good addition to the interior of the new building.

The supplementary report (**Appendix D**) has determined that there will be no adverse heritage impacts from this modification and support the retention of the facade (as shown on the plans at Appendix A) and the uncovering of the outer wall of the adjacent No. 10 Kensington St.

4.4 Residential Amenity

The minor amendments proposed as part of this modification will have no additional or material impact on the amenity of adjoining land uses. As required by the existing approval instrument, separate development application will be required for the future fitout and use by occupants, at which time the potential impacts will be considered, with appropriate restrictions imposed as relevant.

4.5 Traffic and Parking

The proposal will not result in any change to the approved gross floor area. Additionally, the minor amendments to the facade, internal layout do not generate any change to or additional traffic and parking demand.

5.0 Revised Statement of Commitments

The existing statement of commitment regarding are proposed to be revised reflect the revised architectural plans and further heritage assessment with regard to the proposed amendments (commitments 1 and 12). Words proposed to be deleted are shown in ~~**bold strike through**~~ and works to be interested are shown in ***bold italics***.

Table 3 – Draft Statement of Commitments

No.	Issue	Commitment	Timing
1	Design	The proposed development will be constructed in accordance with the Architectural Plans prepared by TZG and dated November 2012 <i>December 2013</i> and documentation submitted with the Project Application, <i>and relevant modifications.</i>	Ongoing.
2	ESD	The proposed development will be consistent with the recommendation of the ESD Strategy prepared by WSP Built Ecology and dated 9 November 2012.	Throughout construction works and during the occupation of the building.
3	Construction Management	An updated Construction Management Plan will be prepared once a building contractor is appointed, in accordance with the preliminary Construction Management Plan prepared by Frasers Broadway Pty Ltd and dated 22 November 2012.	Prior to commencement of works.
4	Accessibility	All publicly accessible areas of the building will be designed to equitable access for the mobility impaired (except where no access is specified) in accordance with the Access Report prepared by Accessibility Solutions (NSW) Pty Ltd dated 22 November 2012. The proposed development will comply with AS1428 and the City of Sydney Access DCP.	Prior to issue of the relevant Construction Certificate.
5	Waste Management	Waste management will be undertaken in accordance with the Waste Management Statement prepared by ARUP and dated 16 November 2012.	Ongoing.
6	Plan of Management	The preliminary Operational Management Plan prepared by Frasers Broadway Pty Ltd and dated 22 November 2012 will be updated once an operator is appointed for the management of the site.	Prior to occupation of the building.
7	Plan of Management	Mitigation measures outlined in the detailed Operational Management Plan will be implemented during the operation of tenancies.	Prior to and during occupation
8	Safety and Security	Details and requirements outlined in the Safety Management Plan, prepared by Elton Consulting and dated 30 October 2012 will be implemented.	During construction and prior to occupation of the building.
9	Fire Engineering	Fire Engineering Solutions will be development in accordance with the recommendations of the Services Report prepared by WSP and dated 13 November 2012.	Prior to the issue of a Construction Certificate
10	Noise Management	The plant selected for the building will be acoustically treated so as to meet the acoustic goals set in the Acoustic Report prepared by WSP Acoustics dated 9 November 2012.	Prior to occupation of the building.
11	Noise management	Window and facade treatments to mitigate against acoustic privacy impacts will be adopted in accordance with the recommendations of the Acoustic Report prepared by WSP Acoustics dated 9 November 2012.	Prior to the issue of the relevant construction certificate
12	Heritage	The proposed works will be carried out in accordance with the recommendations of the Heritage Impact Statement and Specific Element Conservation Management Plan prepared by Paul Davies Pty Ltd and dated November 2012, <i>and supplementary letter dated 17th November 2013.</i>	Throughout the duration of the construction and operation of the building.
13	Archaeology	Construction works will be overseen by a qualified historical archaeologist as part of an archaeological monitoring	As relevant

		program.	
14	Public Art	Public Art will be designed in consultation with the City of Sydney Council and the Department of Planning and Infrastructure and installed in accordance with the approved Public Art Strategy.	Prior to the issue of a Final Occupation Certificate.
15	Geotechnical	Works will be carried out in accordance with the Geotechnical Investigation prepared by JK Geotechnics and dated 15 November 2012.	Prior to the issue of a Construction Certificate

6.0 Conclusion

This modification application seeks approval for various internal and external modifications to the existing approved commercial and retail adaptive reuse Project Application.

This environmental assessment report has demonstrated that the proposed development is generally consistent with the Frasers Broadway Concept Plan, as modified, and amendments will not result in any adverse environmental impacts. A revised list of commitments in response to the amendments has been provided at **Section 5.0** of the report which will ensure that the implementation of the project is consistent with the recommendations of the specialist consultant reports.

In addition to the above, the modifications will facilitate the delivery of the Block 6 + 7 redevelopment with the following benefits:

- Creation of a precinct that will activate the Kensington Precinct;
- preservation and ongoing maintenance of heritage character and significance of terraces and industrial building, indicative of the site character;
- provision of a significant number of commercial and retail tenancies;
- creation of a large number of jobs and services in close proximity to highly accessible and connected by public transport;
- revitalisation of a rundown Sydney lane; and
- Contribution to the vision of Kensington Lane as an active and integral part of the Central Park development.

In view of the above, and in the absence of any adverse environmental impacts, the proposal is recommended for approval.