



18 September 2015

Carolyn McNally
Secretary
NSW Department of Planning and Environment
PO Box 375
SYDNEY NSW 2001

Attention: Planning Assessment Officer

**BLOCK 6 + 7, CENTRAL PARK - S75W MODIFICATION
KENSINGTON STREET, CHIPPENDALE**

We write to you on behalf of the proponent Kensington Street Holdings Pty Ltd (Applicant), seeking an amendment to Project Approval MP11_0091 (Block 6 + 7 Central Park) pursuant to Section 75W of the *Environmental Planning and Assessment Act 1979* (EP&A Act) to facilitate minor works to the base building, specifically the removal of glazing and installation of retractable awnings to the new rear building.

This application identifies the instrument of approval, describes the proposed modifications and provides a planning assessment of the relevant matters for consideration contained in Section 75W of the EP&A Act. It should be read in conjunction with the Environmental Assessment Report (EAR) dated November 2012, the Preferred Project Report (PPR) dated May 2013 and the Section 75W modification application (MOD 1) dated December 2013. The application is accompanied by revised Architectural Plans prepared by Tonkin Zulaikha Greer Architects (TZG) (**Attachment A**).

1.0 BACKGROUND

1.1 Approval to be modified

The site has a recent planning history, marked by a number of Part 3A (EPA Act 1979) approvals including a Concept Plan for the Carlton United Brewery Site (now known as Central Park) – MP 06_0170

Block 6 + 7 (Kensington Street Terraces) have been approved under a separate Project Application (as detailed below), and are currently under construction. The relevant approvals are discussed below.

On 4 July 2013, the Department approved the Block 6 + 7 Project Application (MP 11_0091) which included:

- 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 subsequent S75W modification (MP 11_0091 MOD 1) was approved in May 2014 for internal and external modification to the approved base buildings including

- installation of security gates and the realignment of boundary walls;
- Internal layout and room arrangements; and
- Installation of security gates and other minor external amendments.

2.0 THE SITE

Blocks 6 + 7 are located on the eastern edge of Central Park and are legally described as Lots 1, 2, 3 and 4 in DP 1192442.

Blocks 6 + 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 site is regular in shape, and has a site area of 2,299m².

A photograph of Kensington Street showing the western elevation of the Kensington Street terraces as part of the site is shown in **Figure 1**. The location of Blocks 6 + 7 within the Central Park site is shown in **Figure 2**. The site is owned by Kensington Street Holdings Pty.



Figure 1 – View of Kensington Street – Subject Site
Source: Frasers Property Australia

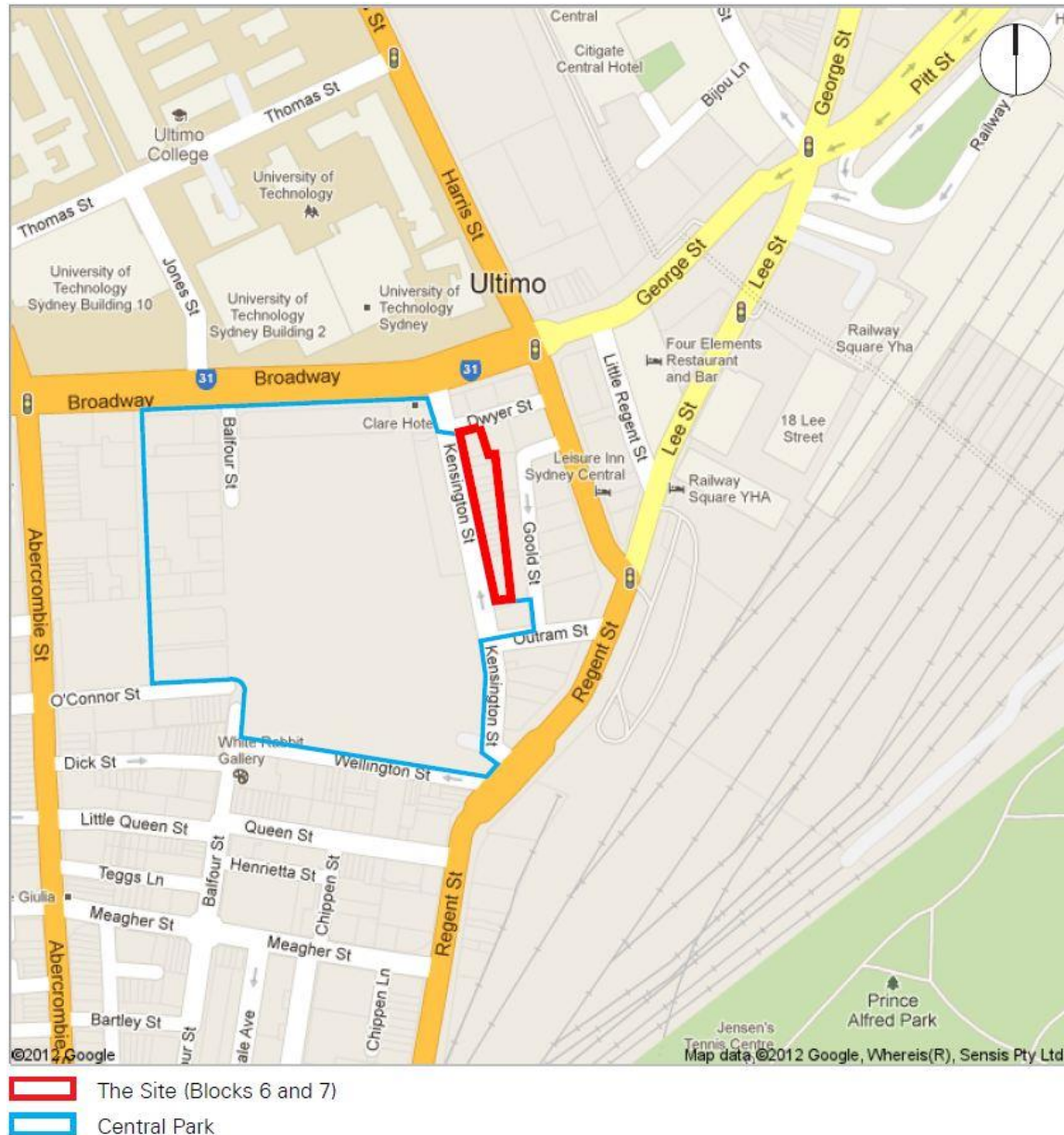


Figure 2 – Site Plan

Source: Google Maps + JBA

3.0 PROPOSED MODIFICATIONS TO CONSENT

The proposal seeks approval for minor external alterations to the existing approved base building works. 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, and discussion with future retail tenants. Specifically the proposal seeks approval for the following external amendments:

- removal of glazing to the western elevation of the rear building; and
- installation of retractable awnings to the western elevation of the rear building (to the parapet) – that were original proposed in the Project Application.

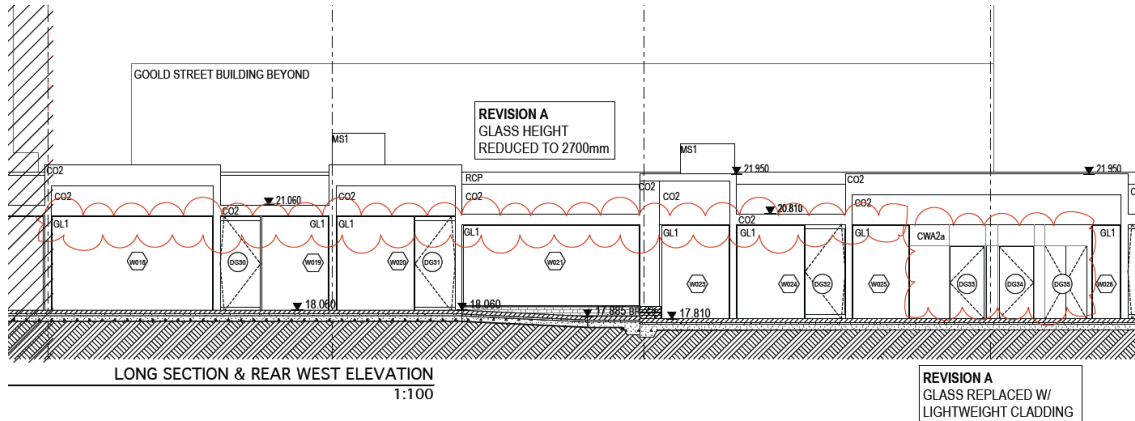
The above modifications are shown on the architectural plans (**Attachment A**) prepared by TZG (which replace the relevant plans approved in the original application) and are described below in the following sections of this EAR.

3.1 Description of modification

Removal of Glazing

The proposal seeks the removal of the fixed glazing panels on the western elevation of the rear building as shown clouded on the architectural plans (**Attachment A**). The fixed glazing is sought to be removed in this modification to allow for more functional tenancy spaces, and opportunity to be used as an indoor/outdoor area. The existing approved arrangement with fixed glazing and doors along the western façade, and the proposed treatment (with glazing deleted) is shown below in **Figure 3**.

CURRENTLY APPROVED



PROPOSED MODIFICATION

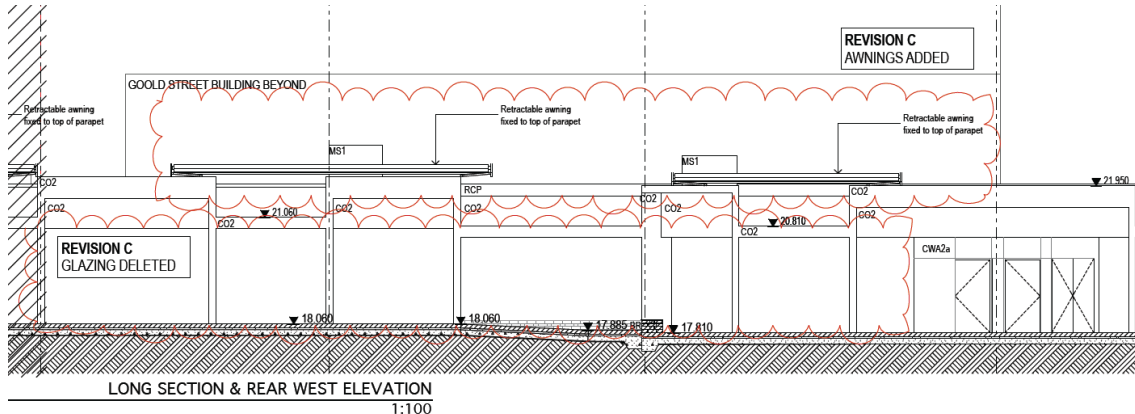


Figure 3 – Approved and proposed façade treatment of the rear building of Block 6 + 7

Source: TZG

Installation of Awnings

The proposal seeks to reinstate retractable awnings to the western elevation of the rear building that were previously approved as part of the original project application. These were removed in the previous Mod 1 S75W. The location and design of the retractable awnings are shown on the revised Architectural Plans prepared by TZG (**Attachment ##**) and in **Figure 4** below.

A total of four retractable awnings are proposed. Each of the awnings has a maximum depth of 4-4.5m, with variable lengths of between 3 and 9m as shown on the Architectural Plans (**Attachment A**).

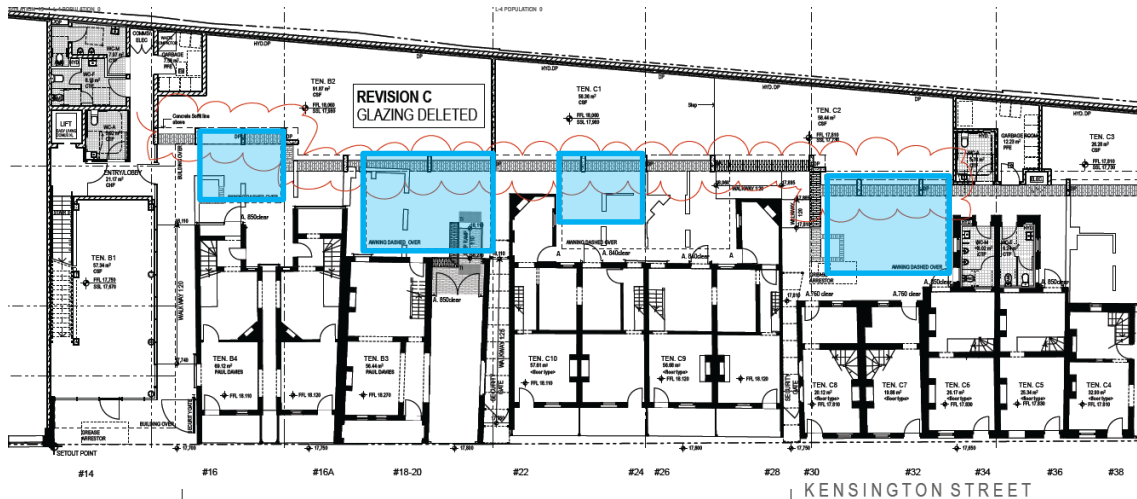


Figure 4 – Location of proposed retractable awnings (shown in blue)

Source: TZG + JBA

The assessment report of the previous Mod 1 S75W, described the awnings as follows [our emphasis added]

“The department considers that the majority of the modifications such as the removal of awnings and pergolas, inclusion of ladders, replacement of the exterior wall to No. 12 and street level amendments are minor in nature and do not impact upon adjoining properties or on the suitability of the proposal that was considered satisfactory during the assessment of the original application.”

The awnings will provide weather protection to pedestrians moving through the rear courtyards, as well as retail customers of the rear tenancies. Importantly, their location and fixture to a new building element (rather than existing terraces with heritage character) has been carefully considered. The retractable awnings are all within the Block 6 + 7 Site and do not adjoin are public roadway or public land (as shown in Figure 5).

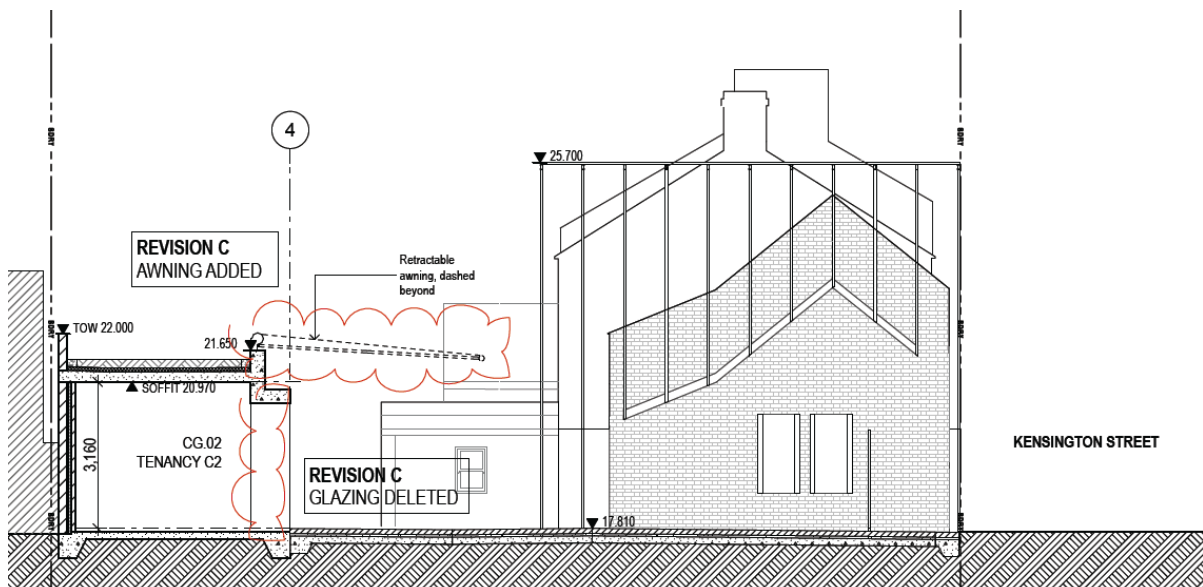


Figure 5 – Cross Section of proposed retractable awning affixed to the rear building

Source: TZG

3.2 Proposed amendments to condition

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;*
- c) As amended by the Section 75W submitted by JBA Planning, dated December 2013; ~~and~~*
- d) As amended by the Section 75W submitted by JBA, dated September 2015; and*
- e) 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

<i>Drawing No</i>	<i>Revision</i>	<i>Name of Plan</i>	<i>Date</i>
<i>[Department of Planning and Environment 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.

3.3 Statement of commitments

The proposal does not seek the modification of any existing approved commitments.

4.0 ENVIRONMENTAL ASSESSMENT

4.1 Consistency with Concept Plan

The proposed modification to the PA is consistent with the concept plan:

- consistency with the approved building envelopes and buildings heights of Block 6 + 7
- consistent with the maximum permitted GFA
- modifications do not affect the achievement of design excellence;
- Publicly accessible through site links are retained and enhanced with weather protection.

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

4.2 Consistency with Project Approval

The minor external modifications will result in an improvement in functionality and amenity of the retail spaces within the rear building and will not generate and adverse environmental impacts to the surrounding land uses including residential. The proposal does not result in any variation in

approved GFA, land uses, or building height/form. As noted above, the proposed modification is consistent with the PA.

4.3 Heritage Impacts

As shown on the Architectural Plans (**Attachment A**) the minor modifications are only proposed to the rear building within Block 6 + 7 and do not affect any aspect of the existing Kensington Street terraces. The rear building is a new building and as such the minor modification are not considered to have any adverse impacts to the heritage character of the precinct.

4.4 Amenity Impacts

The proposed modifications are not considered to have any adverse amenity impacts, particularly to the nearby residential. Whilst the deletion of glazing to the western elevation and inclusion of retractable awnings to the rear building will allow these tenancies to operate as internal/external areas, it is not considered that this will adversely affect amenity when compared to the approved PA.

The inclusion of retractable awnings will significantly improve the amenity and use of the external space within the rear courtyard area, whilst providing weather protection for pedestrians moving north/south through the site.

5.0 CONCLUSION

This application seeks approval for minor external modifications to the existing approved commercial and retail adaptive reuse PA.

This environmental assessment report has demonstrated that the proposed development is generally consistent with the Central Park Concept Plan, as modified, and amendments will not result in any adverse environmental impacts. 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 eastern edge of Central Park;
- 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 functional retail tenancies and associated employment and service opportunities; 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.

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



Stephen Gouge
Senior Planner