



## Planning & Environment

### **STATE SIGNIFICANT DEVELOPMENT: Section 96(1A) Modification**

#### **Amend Condition E15 Laundry Facilities**

**Block 4S –Student Accommodation,  
Central Park, Chippendale  
SSD 5700-2012 MOD 1**



Secretary's  
Environmental Assessment Report  
Section 96(1A) of the  
*Environmental Planning and Assessment Act 1979*

**October 2014**

Cover Photograph: Photomontage of proposal from Broadway, looking north (Source: Applicant's Response to Submissions from original approval)

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## 1. BACKGROUND

The purpose of this report is to assess an application to modify development consent SSD 5700 issued for a student accommodation development, known as Block 4S on the Central Park site in Chippendale under Section 96(1A) of the *Environmental Planning and Assessment Act 1979* (the EP&A Act). The modification seeks to amend Condition E15 relating to the number of commercial washing and drying machines to be provided in the communal laundry.

### 1.1 Site and Locality

The former Carlton United Brewery site, now known as 'Central Park', has an area of 5.834 hectares, and is located in the south-western portion of the Sydney Central Business District. The site is within short walking distance to Central Railway Station and Railway Square Bus Terminal (**Figure 1**).

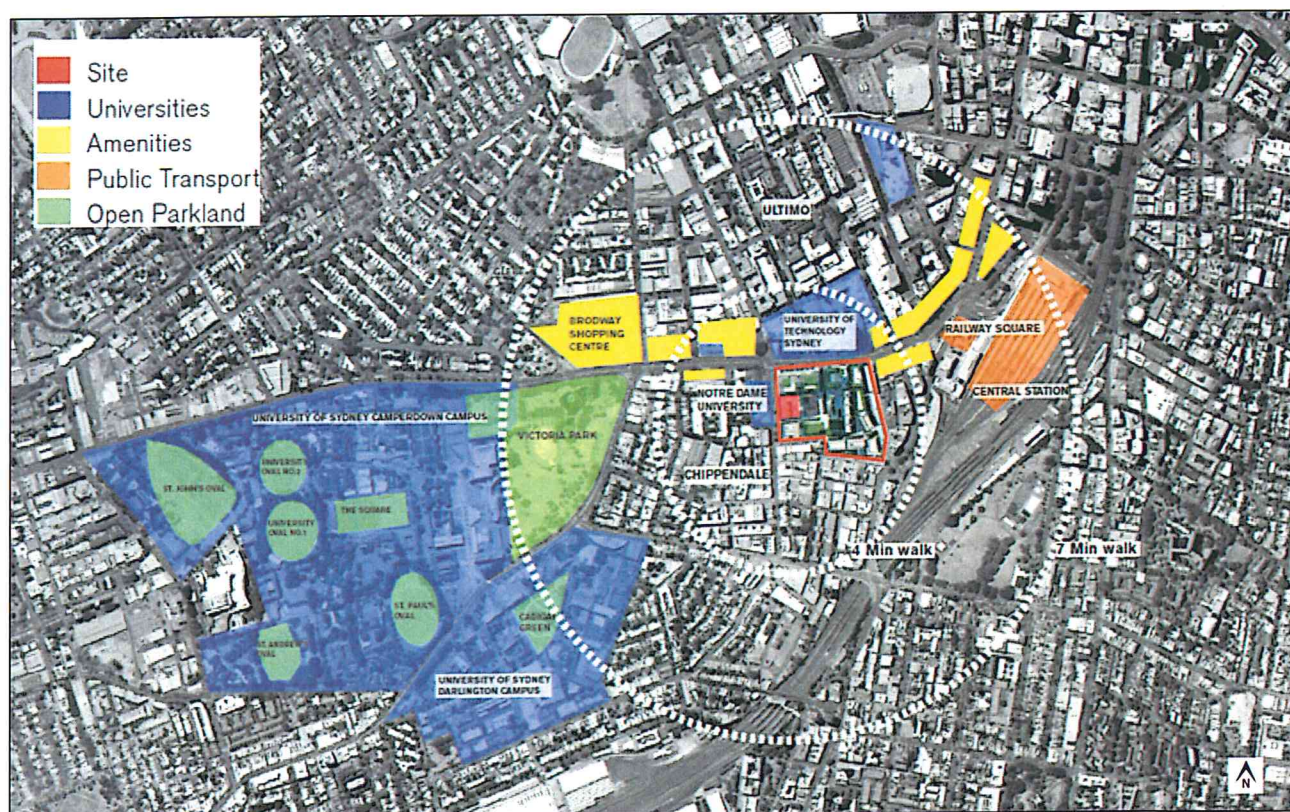


Figure 1: Project Location

Block 4S is located on the western boundary of the Central Park site and is bounded by Block 4N to the north, Central Park Avenue and the former Carlton Brewery building to the east, Irving Street to the south and Abercrombie Street to the west. The site is currently under construction (**Figure 2**).



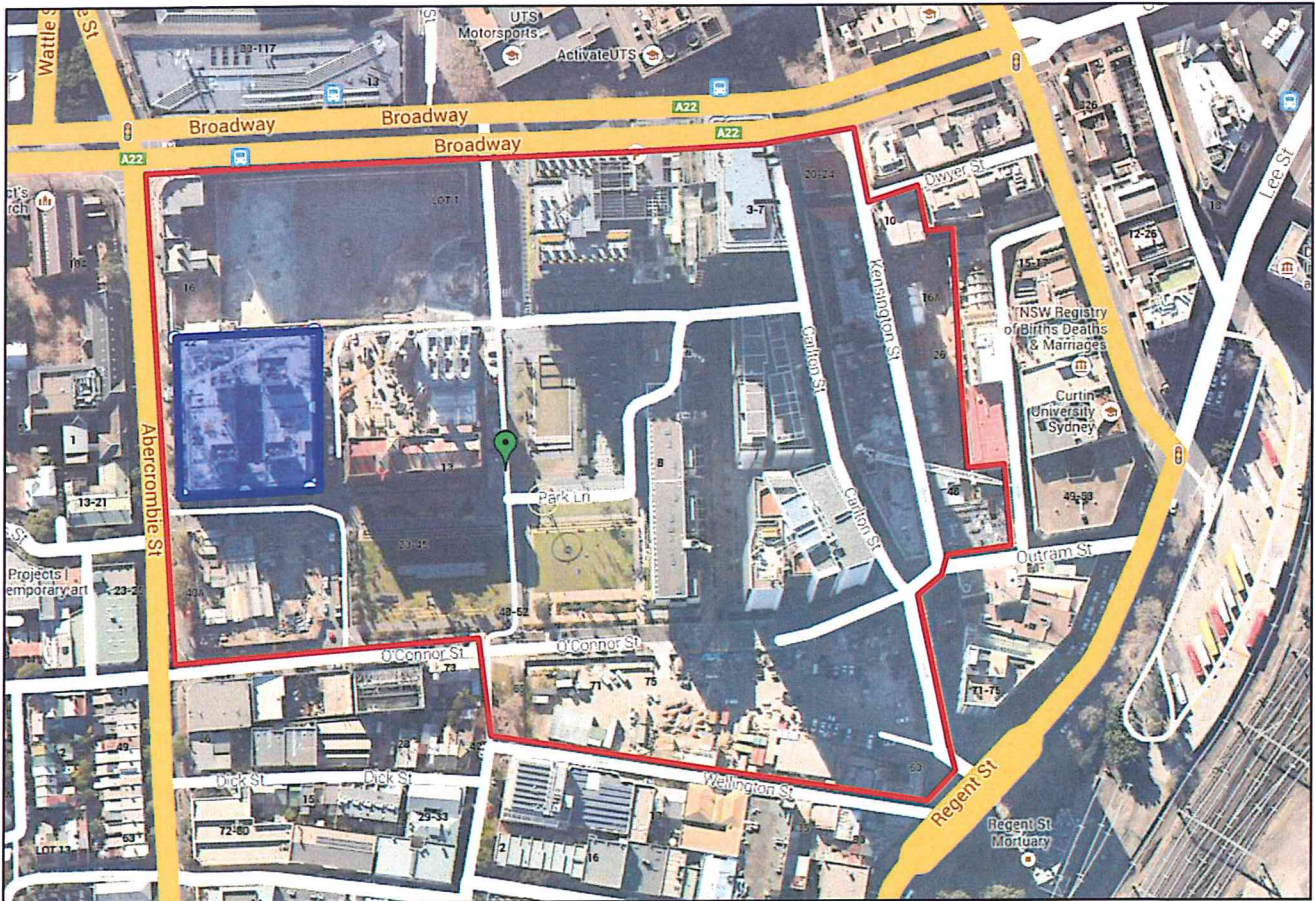


Figure 2: Site Boundary (shown in red) and location of Block 4 South (shown in blue)

## 1.2 Previous Approvals

On 9 February 2007, the then Minister for Planning approved a Concept Plan (MP 06\_0171) for the mixed use redevelopment of the former Carlton United Brewery site (including residential, commercial, retail and public open space).

On 23 December 2013, the Planning Assessment Commission (PAC) approved a State Significant Development application (SSD 5700) for the construction of a part 15/ part 16 storey building for student accommodation for up to 826 students within 688 rooms comprising:

- resident facilities including communal recreation, dining, study facilities, administration facilities, theatre, gym, laundry and lounge areas;
- 11 retail tenancies at the lower and upper ground levels;
- single storey basement level;
- bicycle, motorcycle and car parking spaces; and
- public domain works and stratum subdivision.

Condition E15 of the approval required a minimum of 28 (9kg) commercial washing machines and 28 (9kg) commercial drying machines based upon the total number of 826 student occupants for the development. Condition B2(a) of the approval also required design modifications including a reduction in building footprint. The proponent has satisfied Condition B2(a), and as a result has reduced the total number of student accommodation places from 826 to 770 occupants.

## 2. PROPOSED MODIFICATION

The proposal seeks to amend Condition E15 to reduce the total number of commercial washing and dryer machines from 28 to 26 machines each to reflect the reduced building population of 770



occupants. It also sought to remove the size requirements for the washing and drying machines to be 9 kg.

Further details of the modification request are available in **Appendix A**.

### 3. STATUTORY CONTEXT

#### 3.1. Modification of Approval

Section 96(1A) of the EP&A Act provides that a consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority, and subject to and in accordance with the regulations, modify a consent that is deemed to be substantially the same development.

Section 96(1A) of the EP&A Act identifies a number of matters which need to be considered in respect of modification applications, which are identified in **Table 1** below.

**Table 1:** Matters to be considered under Section 96(1A) of the EP&A Act

<b>Consideration</b>	<b>Comment</b>
<i>The proposed modification is of minimal environmental impact</i>	<ul style="list-style-type: none"> <li>The Department considers that the proposal is of minimal environmental impact as the proposed amendment relates to internal laundry facilities only.</li> </ul>
<i>The development to which the consent as modified relates is substantially the same as the development originally approved</i>	<ul style="list-style-type: none"> <li>The modification relates to internal laundry facilities only. Should the proposed modification be approved it will result in a development that is substantially the same to which was originally approved.</li> </ul>
<i>Whether notification has occurred and any submissions have been considered</i>	<ul style="list-style-type: none"> <li>The modification application was publicly available on the Department's website. The City of Sydney Council does not object to the modification. No public submissions were received in relation to the modification application.</li> </ul>
<i>Consideration of relevant matters referred to in Section 79C(1) of the EP&amp;A Act</i>	<ul style="list-style-type: none"> <li>The relevant considerations under Section 79C(1) are the social and economic impacts of the proposed modification. The modification request does not result in any additional adverse impacts on the surrounding locality or effect the suitability of the site for the development.</li> </ul>

#### 3.2. Environmental Planning Instruments (EPIs)

The following EPIs were considered in the environmental assessment of the original development application:

- State Environmental Planning Policy (State & Regional Development) 2011;
- State Environmental Planning Policy (Infrastructure) 2007;
- State Environmental Policy No.55 – Remediation of Land
- State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development & accompanying Residential Flat Design Code;
- State Environmental Planning Policy (Affordable Rental Housing) 2009;
- State Environmental Planning Policy (Building Sustainability Index; BASIX) 2004; and
- Sydney Local Environmental Plan 2005;

Given the proposed modification request to reduce the number of washing and dryer machines is a minor amendment to the laundry facilities, the Department's assessment concludes that the modified Condition E15 will continue to comply with the previously considered relevant EPIs.



### 3.3. Delegated Authority

In accordance with the Minister for Planning's delegation the Secretary may determine the application as:

- the relevant local council has not made an objection;
- a political donation disclosure statement has been made, but only respect of a previous related application; and
- there are less than 10 public submissions in the nature of objections.

## 4. CONSULTATION AND SUBMISSIONS

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### 4.1. Notification

The application was notified in accordance with the *Environmental Planning & Assessment Regulation 2000*. The modification request was made available on the Department's website and referred to the City of Sydney Council for comments. Due to the minor nature of the proposal, the modification request was not exhibited by any other means.

### 4.2. City of Sydney Council

The City of Sydney Council does not object to the proposed modification however contends that the approved number of washing machines (28) should be retained as this better reflects the requirements of the Sydney Development Control Plan (SDCP 2012). However Council acknowledges that the proposed reduction of washing machines and dryers is consistent with the 1:29.5 ratio previously accepted by the Department and the PAC.

### 4.3. Public Submissions

No public submissions were received in relation to the modification request.

## 5. CONSIDERATION OF PROPOSED MODIFICATION

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The existing Condition E15 requires that a minimum of **28** (9 kg) commercial washing and **28** (9 kg) drying machines are to be provided and installed within the communal laundry prior to the issue of an Occupation Certificate. This equates to 1 washing and 1 drying machine for every 29 students (1:29.5).

The modification request proposes to reduce the number of washing and drying machines from **28** to **26** and remove the size requirements for the washing and drying machines.

As a result of design modifications which reduce the building footprint the number of student accommodation places has been reduced from 826 to 770 occupants. On this basis the proponent seeks to reduce the number of laundry facilities from 28 to 26 washing and drying machines proportionately with the reduction in student numbers. It is also sought to remove the 9 kg size requirement on the basis that commercial grade washing/dryer machines typically vary in size from 8-9 kg.

Council previously recommended that one 5 kg washing machine and one dryer be provided for every 12 students (1:12) in accordance with the SDCP 2012. However, Council noted that the Department has previously assessed this issue in the original approval and was satisfied the ratio of 1:29.5 was adequate with the use of larger 9 kg machines.

Although the reduced number of washing and drying machines is consistent with the previously approved provision of 1:29.5, Council recommends that the 28 washing and drying machines required by Condition E15 be maintained (whilst noting that the proposed reduction is consistent with the approved ratio).

The Department has considered Council's comments, and considers that the proponent's request is acceptable as:

- the reduction of 2 washing and drying machines, compared to the reduction of 56 students, is unlikely to result in any material impact on laundry facilities, and availability for use by students;
- the provision of 26 washing and drying machines for 770 students is consistent with the previously approved ratio of 1:29.5;
- other student accommodation developments within the Central Park development operate successfully with laundry facilities at a ratio of 1:45 and 1:50;
- each machine is to be between 8-9 kg which exceeds the SDCP 2012 requirement of 5 kg; and
- the proposed machines to be installed are designed to ensure water efficiency, reduced waste and user wait times.

## 6. CONCLUSION AND RECOMMENDATION

The Department considers that the proposed modification is generally consistent with the originally approved development application and is satisfied that 26 washing and drying machines will continue to provide for adequate laundry facilities for the 770 future student residents of Block 4S.

The modification application has been assessed in accordance with the matters for consideration under Section 96(1A) and 79C of the EP&A Act, and all relevant environmental planning instruments, and is considered acceptable.

The Department considers the proposed modification to Condition E15 does not result in additional environmental impacts compared to the existing approval and will not alter the nature of the approved development for student accommodation on a suitable site that is within close proximity to tertiary education facilities, local services and public transport.

It is recommended that the Secretary as delegate for the Minister for Planning:

- a) **consider** the findings and recommendations of this report;
- b) **approve** the modification subject to conditions under Section 96(1A) of the *Environmental Planning and Assessment Act 1979*; and
- c) **sign** the attached Instrument of Modification (**Appendix C**).

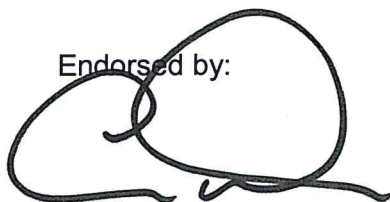
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## **APPENDIX A      MODIFICATION APPLICATION**

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See the Department's website at:

[http://majorprojects.planning.nsw.gov.au/index.pl?action=view\\_job&job\\_id=6640](http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=6640)

## **APPENDIX B SUBMISSIONS**

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See the Department's website at:

[http://majorprojects.planning.nsw.gov.au/index.pl?action=view\\_job&job\\_id=6640](http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=6640)





**APPENDIX C    MODIFYING INSTRUMENT OF APPROVAL**

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