



13381

3 September 2014

Mark Brown
Senior Planner
Key Sites and Social Projects
Department of Planning & Environment
23 – 33 Bridge Street
SYDNEY NSW 2000

Dear Mark

**CHIPPENDALE RESIDENTS INTEREST GROUP RESPONSE TO RTS
BLOCK 8, CENTRAL PARK**

JBA has prepared this letter in response to the comments made by Chippendale Residents Interest Group (CRIG) in its response dated 25 August 2014 to the Response to Submissions (RTS) prepared by JBA and submitted to the Department of Planning and Environment (DP&E) on 27 May 2014.

**1.0 DGR REQUIREMENTS: COMPLIANCE WITH RELEVANT LEGISLATION AND
PLANNING STRATEGIES**

1.1 Objects of the EPA Act (Act)

The following responses are provided to the dot points within CRIG's submission:

- Block 8 accords with the approved Concept Plan (as modified) which envisages a mix of residential accommodation in an area well serviced by public transport, and in close proximity to the retail, work and education opportunities offered by the Sydney CBD and surrounds;
- The provision of open space has been discussed in detail in the RTS, in particular it is noted that Chippendale Green is easily accessible and that residents of Block 8 are provided with a roof-top terrace;
- The apartment mix has been discussed in detail in the RTS, and while the mix does not accord with Council's requirements it is noted that each apartment is afforded a high degree of amenity and that the average size exceeds that required by the Residential Flat Design Code (RFDC);
- At no time did the proposal show 122 apartments, rather the plans shown at the community consultation showed 184 apartments, and the final number of apartments (178) is less than this;
- The reintroduction of the south facing slot was discussed in detail in the RTS, in particular it was concluded that reintroducing the slot would result in a poor urban outcome and that provision of apartments was the preferred option;
- While acoustic treatments will be provided in accordance with the relevant guidelines these will not detract from the ESD initiatives to be implemented as part of Block 8, nor will they impact on the proposal's ability to meet BASIX requirements, pass the NatHERS assessment and achieve a 5 star Green Star rating; and

- While Central Park may have increased local rental prices, this can be attributed to the calibre of the development when compared to other properties in the adjoining areas, and the Sydney property market in general. Any fluctuations in market rental are purely driven, as with the rest of Sydney, by supply and demand and without Central Park there would be a greater demand and effectively even higher prices. Frasers has argued previously that by creating the opportunities that it has, it has not only improved property values in the area but provided relief to the housing market.

Given the above, it is considered that these issues have been adequately addressed.

1.2 Strategic Plans / NSW State Plan

While Central Park may have increased local rental prices, this can be attributed to the calibre of the development when compared to other properties in the adjoining areas, and the Sydney property market in general. Block 8, as part of Central Park, will provide a mixed use development with a mix of much needed residential accommodation in an area well serviced by public transport, and in close proximity to the retail, work and education opportunities offered by the Sydney CBD and surrounds. The accommodation offering meets these needs. Accordingly, it is considered that this issue has been adequately addressed.

1.3 SEPP 65 (Design Quality)

Adherence to the principles of SEPP 65 and the RFDC was discussed in detail as part of the SSDA and a separate Table of Compliance was prepared by SDS. Issues relating to apartment depth, depth to kitchen, cross ventilation and open space were further discussed as part of the RTS and separate revised architectural drawings and diagrams were prepared by SDS. In particular it is noted that 77% of units are naturally cross ventilated, 70% of kitchens are naturally cross ventilated, and that the articulation between the ground floor apartments and the public domain, including the fence, is supported by Council. Accordingly, it is considered that this issue has been adequately addressed.

1.4 Development near Rail Corridors and Busy Roads (Interim Guidelines)

While acoustic treatments will be provided in accordance with the relevant guidelines these will not detract from the ESD initiatives to be implemented as part of Block 8, nor will they impact on the proposal's ability to meet BASIX requirements, pass the NatHERS assessment and achieve a 5 star Green Star rating. Accordingly, while cross-ventilation to some apartments during some parts of the day will be limited, it is considered that this issue has been adequately addressed.

2.0 ENVIRONMENTAL ASSESSMENT (USING STANDARDS AUSTRALIA AS/NZ 4360:1999 RISK MANAGEMENT)

2.1 Health Risks – From Noise and Air Pollution (to Block 8 Residents)

ESD was discussed in detail as part of the SSDA and a separate Sustainable Design Report was prepared by Surface Design. The report outlined the ESD initiatives that would be implemented and concluded that the proposal was able to meet BASIX requirements, passed the NatHERS assessment and was targeting a 5 star Green Star rating. Accordingly, it is considered that this issue has been adequately addressed, and further that there will be no health risks to occupants of Block 8.

2.2 Loss of Amenity and Privacy, e.g. Dick Street Property Owners, and Health Impact from Overshadowing – Dick and Abercrombie Streets

Block 8 is generally consistent with the approved Concept Plan (as modified) within which shadow diagrams were provided using base data that was not flawed. Frasers acknowledge that since the base data was prepared for the Concept Plan, subsequent conversions of industrial buildings to residential has occurred in pockets throughout Chippendale, taking advantage of its proximity to

the CBD. Overshadowing has been further discussed as part of the RTS and separate revised architectural drawings and diagrams have been prepared by SDS. Accordingly, it is considered that this issue has been adequately addressed, and further that SDS has provided a wealth of information including axonometrics, elevations and photomontages to ensure that the overshadowing was able to be understood.

Specifically, in relation to the overshadowing of 8 – 12 Dick Street, on 21 June the proposal results in the following:

- Between 9.30am and 12.00 noon, the north facing private open space on level 2 receives 2.5 hours direct sunlight;
- Between 9.30am and 12.40pm, the north facing windows on level 2 receive 3.16 hours direct sunlight; and
- Between 9.30am and 1.30pm, the north facing private open space on level 3 receives 4 hours direct sunlight.

These times all meet and, in the case of level 3, exceed solar access guidelines for SEPP65. It is noted that 8a / 8b Dick Street has solar access to level 3 (below the parapet) all year round, which does not eliminate the potential for high level windows in any future development. It is further noted that the lower levels of 8 – 12 Dick Street are commercial premises currently used as an artists' studio. Overall, the proposal will maintain daylight access to private open space and habitable rooms at 8a / 8b Dick Street.

As part of this response, additional shadow diagrams relating to Dick Street have been prepared by SDS, see attached.

2.3 Acoustic Privacy from Block 8 on Nearby Properties (to the South)

Noise impacts were discussed in detail as part of the SSDA and a separate Noise Impact Assessment was prepared by Acoustic Logic. The assessment concluded that the noise impacts from Block 8 would result from plant and equipment and that this could be satisfactorily attenuated to levels complying with noise emission criteria through appropriate location and (if necessary) standard acoustic treatments such as noise screens, enclosures and in-duct treatments (silencers / lined ducting) or similar. It was also noted that the requirement for mechanical plant and equipment within Block 8 is largely reduced due to it being centralised, such as within the Central Thermal Plant. Accordingly, it is considered that this issue has been adequately addressed.

2.4 Impact on Heritage Conservation Area and Local Amenity

Block 8 is generally consistent with the approved Concept Plan (as modified) within which a heritage assessment was provided. Accordingly, it is considered that this issue has been adequately addressed, and further that the consideration of the GFA of Blocks 1N, 4N, 4S and 11 are outside the scope of Block 8 and should have no bearing on consideration of the proposal.

2.5 Crime

The CPTED Report was revised in response to Council's and CRIG's previous concerns. In particular the proponent and Elton Consulting met with two Crime Prevention Officer's from the Redfern Local Area Command (LAC) to discuss the proposal. The recommendations were included in the revised report. Council has since advised that they 'acknowledge and commend the proponent for collaborating with the Redfern LAC resulting in subsequent amendments to the CPTED Report.' Accordingly, it is considered that this issue has been adequately addressed.

2.6 Visual Impact on Local Homes, Public Roads and Public Open Space

Visual impact was discussed as part of the RTS, and in particular a detailed study of the reintroduction of the south facing slot was prepared by SDS. The study concluded that reintroducing the slot would result in a poor urban outcome and that provision of apartments was the preferred option. It was also noted that the building envelope was massaged and heights were

stepped in consideration of overshadowing, visual and view impacts, scale and the street frontage as read from O'Connor Street. Accordingly, it is considered that this issue has been adequately addressed.

2.7 Solar Access

Solar access was discussed in detail as part of the SSDA and separate architectural drawings and diagrams were prepared by SDS. While it was acknowledged that the requirement for solar access has not been met, the provision is in accordance with the approved Concept Plan (as modified). It was noted that the apartment orientation is typically east / west, that the layout of apartments includes the living areas at the façade to optimise site constraints of a deep block / floor plate, and that Green Star / NatHERS energy efficiency measures will assist with apartment amenity where passive solar design techniques are restricted due to solar access. It was further noted that significant winter shadows are generated by the buildings to the north of the site, in particular Block 4S which overshadows most of the northern façade of Block 8, and Block 2 and its heliostat which overshadows most of the eastern facade. The SSDA also detailed the significant amenity benefits afforded to each apartment in the absence of a high level of solar access. Accordingly, it is considered that this issue has been adequately addressed.

2.8 Retail Use

While the retail usage of the two tenancies may be homeware or design focussed or food and drink based, the final usage is unknown. Accordingly, it is not appropriate at this stage to comment on the use or impact, rather the fit out and use of these tenancies, as well as any outdoor seating, will be the subject of a separate future DA to be determined by Council.

2.9 Construction Works – Staging

Cumulative construction impacts were discussed in detail as part of the RTS and a separate formal response was prepared by GTA Consultants. The response recommended a number of traffic management measures, which when implemented, would mitigate any potential impacts. Accordingly, it is considered that this issue has been adequately addressed, and further that any problems Council is having with traffic modelling are not within the proponents' control and should have no bearing on consideration of the proposal.

3.0 CONCLUSION

The above shows that there has been a wealth of information provided to DP&E in support of the application for Block 8. It is anticipated that that latest provision of information will address any outstanding concerns and allow DP&E to finalise its assessment and issue the Draft Conditions of Consent.

It is noted that both City of Sydney Council and CRIG were given until 31 July 2014 to respond and that their submissions were still accepted over one month later. The continued delays are incurring additional costs to Frasers, and cumulatively delaying the overall construction timeframe, when the vast majority of people within Chippendale simply want to see that the development is completed in the shortest time possible.

It is Frasers' expectation that DP&E will determine the SSDA for Block 8 by no later than the end of September, which will represent an approximate nine month approval process for a building that generally aligns with the approved Concept Plan.

Should you have any queries about this matter, please do not hesitate to contact me on 9409 4945 or ekirkman@jbaurban.com.au.

Yours faithfully

A handwritten signature in black ink, appearing to be 'Emma Kirkman', with a stylized, wavy initial 'E' and a long horizontal stroke extending to the right.

Emma Kirkman
Senior Planner