

ASSESSMENT REPORT

Central Park - Block 8 SSD 6092 MOD 2

1. INTRODUCTION

This is an assessment of an application seeking to modify the State Significant Development (SSD) approval for a mixed use development known as Block 8 at the Central Park site in Chippendale.

The application has been lodged by JBA Urban Planning Pty Ltd on behalf of Frasers Property Pty Ltd pursuant to section 96 (1A) of the *Environmental Planning and Assessment Act 1979* (EP&A Act). It seeks approval to reduce car parking on site from 103 to 102 spaces.

2. SUBJECT SITE

The Central Park site (previously known as the Carlton and United Breweries site) is located in the south-western edge of the Sydney CBD in the City of Sydney Local Government Area (**Figure 1**). The site has a total area of 5.834 hectares and is bound by Abercrombie Street to the west, Regent Street to the east, Broadway to the north and Wellington Street to the south.

Central Park is a major urban renewal site within walking distance of the CBD and Central Station. It comprises a number of high density mixed use and residential buildings, some of which are completed and occupied, and a number are currently under construction.

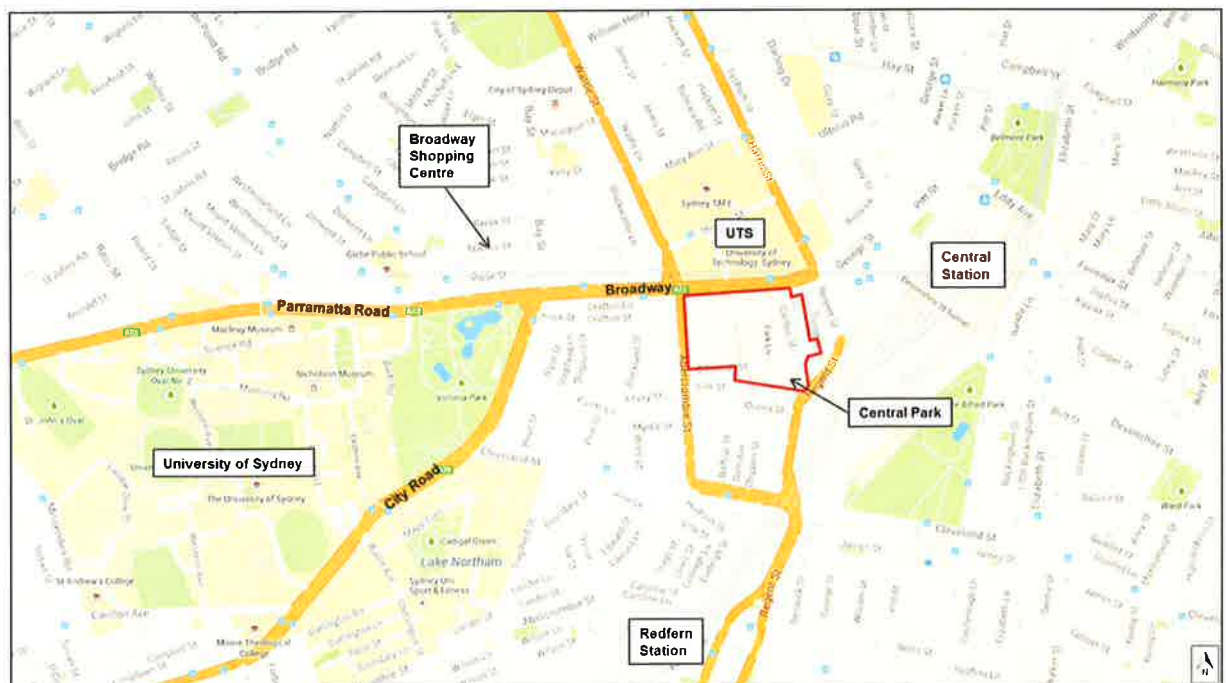


Figure 1: The Concept Approval site location and surrounding context (Base source: Nearmaps)

Block 8 is located on the south-western corner of the Central Park site on the corner of Abercrombie and O'Connor Street (**Figure 2**). It has a site area of 2,437 m² and is surrounded by a mix of residential and commercial land uses.

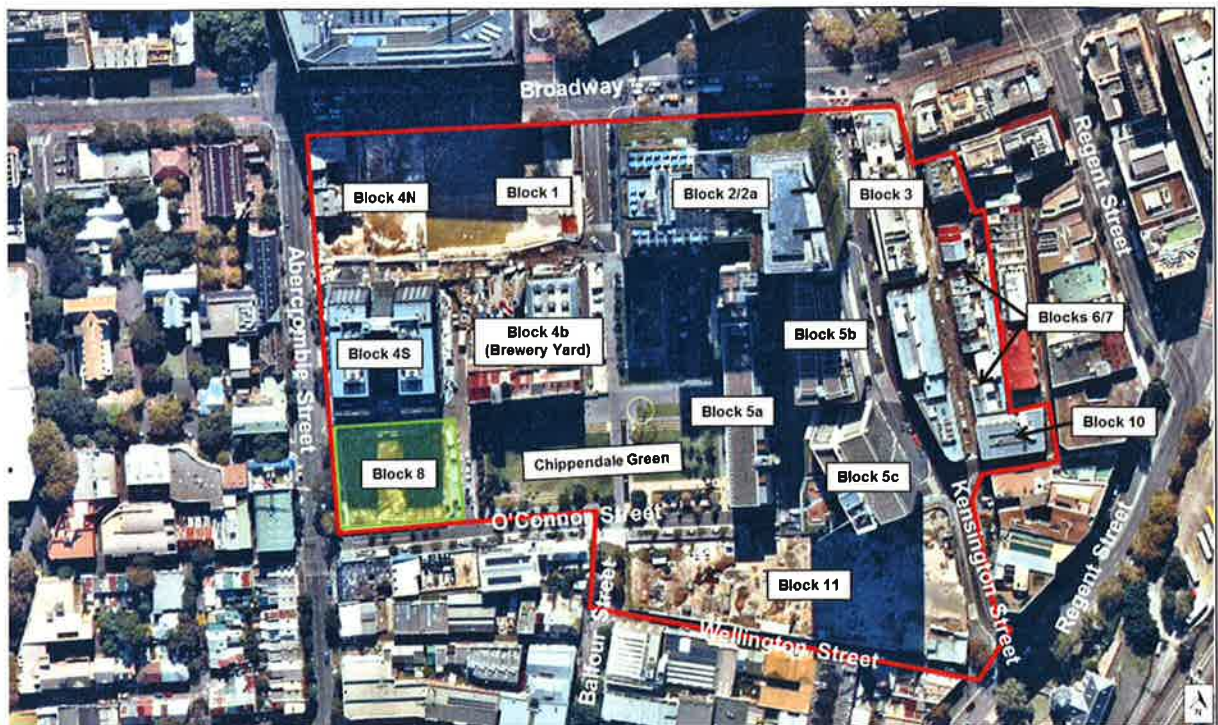


Figure 2: Concept Approval site boundary (outlined in red) and the location of Block 8 (highlighted green) within the site (Base image source: Nearmap)

3. APPROVAL HISTORY

On 27 November 2014, SSD 6092 was approved under delegation for the construction of a 13 storey mixed use building including:

- 178 residential apartments;
- resident's lounge and gym at ground floor;
- communal roof-top terrace;
- ground floor retail (135 m² of non-residential floor area); and
- three levels of basement with car parking, bicycle parking, end-of-journey facilities and service infrastructure.

On 20 April 2016, the Applicant lodged an application (SSD 6092 MOD 1) seeking approval to amend Condition D1 (Hours of Work) to allow after hours internal building and fitout works to Block 8. The extension of hours would be 24 hours a day, 7 days a week (Monday to Sunday). The application is currently being assessed by the Department, at the time of writing this report.

4. PROPOSED MODIFICATION

On 18 May 2016, the Applicant lodged SSD 6092 MOD 2 seeking approval to reduce the total number of residential car parking spaces required by Condition B21 (a) from 103 to 102 spaces, including a corresponding reduction in the number of accessible spaces from 28 to 27 spaces. This would require Condition B21 (a) to be modified as follows:

CAR PARKING

B21 Car parking on site shall be provided as follows:

- a) ~~103~~ **102** residential car parking spaces (including ~~28~~ **27** accessible spaces)

The reduction in the overall number of spaces is requested on the basis that the approved plans for SSD 6092 only included 102 parking spaces. The modification would therefore ensure consistency between the overall number of spaces required by the condition and the approved plans.

5. STATUTORY CONSIDERATION

5.1 Modification of approval

Section 96(1A) of the EP&A Act requires the consent authority to be satisfied that the following matters are addressed in respect of all applications that seek modification approvals:

| Section 96(1A) matters for consideration | Comment |
|---|---|
| That the proposed modification is of minimal environmental impact. | Section 7 of this report provides an assessment of the impacts associated with the proposal. The Department is satisfied the proposed modifications will have minimal environmental impacts. |
| That the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all). | The proposed modification to reduce the number of parking spaces by one is very minor in the context of the approved development, which will remain virtually unchanged and consistent with what was originally approved. |
| The application has been notified in accordance with the regulations | The modification application has been notified in accordance with the regulations. Details of the notification are provided in Section 6 of this report. |
| Any submission made concerning the proposed modification has been considered. | The Department received one submissions on the proposal, which has been considered in Section 6 of this report. |

5.2 Environmental Planning Instruments

The following EPIs are relevant to the application:

- Sydney Local Environment Plan 2005 (LEP);
- State Environmental Planning Policy (State & Regional Development) 2011;
- State Environmental Planning Policy (Infrastructure) 2007;
- State Environmental Planning Policy No. 55 - Remediation of Land
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004; and
- State Environmental Planning Policy No. 65 - Design Quality of Residential Flat Development & accompanying Residential Flat Design Code / Apartment Design Guide.

The Department undertook a comprehensive assessment of the development against the above-mentioned EPIs in its original assessment. The Department is satisfied the proposed modification does not affect consistency with the EPIs.

5.3 Approval Authority

The Minister for Planning is the approval authority for the application. However, the Executive Director, Key Sites and Industry Assessments may determine the application under delegation as:

- the relevant local council has not made an objection; and
- a political disclosure statement has been made but only in relation to a previous related application; and
- there are no public submissions in the nature of objections.

6. CONSULTATION

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

Council advised it did not support the application without the submission of amended plans, as the proposed modification to Condition B21(a) would result in an inconsistency with the number of accessible spaces shown on the approved plans (28) and the number sought in the condition (27).

In response, the Applicant submitted an updated basement plan to reflect the requested modification.

The Department referred the updated plan to Council and no response was received. However, the Department is satisfied the updated plan addresses the issue raised by Council.

7. ASSESSMENT

The Department has considered the potential impacts associated with the proposed modification and considers the proposal is acceptable as:

- the modification would correct a minor inconsistency between the approved plans and Condition B21 (a) regarding the number of car parking spaces;
- the proposal is consistent with the Concept Plan approval and Council's controls which set maximum car parking rates given the site's inner city location and excellent access to public transport; and
- the number of accessible car parking spaces would comply with the Australian Standard AS4299, which requires one accessible parking space per accessible unit.

The Department's assessment therefore concludes the proposed modification is acceptable.

8. CONCLUSION

The Department has assessed the modification application and supporting information in accordance with the relevant requirements of the EP&A Act. The Department's assessment concludes that the proposed modification is minor and acceptable.

Consequently, the proposal is in the public interest and it is recommended that the modification be approved subject to the recommended conditions.

9. RECOMMENDATION

It is **RECOMMENDED** that the Executive Director, Key Sites and Industry Assessments as delegate of the Minister for Planning:

- **considers** the findings and recommendations of this report;
- **approves** the application under section 96 (1A), subject to conditions; and
- **signs** the instrument of modification (**Appendix A**).

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Endorsed by:

Approved by:



Anthony Witherdin
Acting Director
Modification Assessments



Anthea Sargeant 4/7/16
Executive Director
Key Sites and Industry Assessments

APPENDIX A: INSTRUMENT OF MODIFICATION

A copy of the instrument of modification can be found on the Department's website at:

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=7613

APPENDIX B: SUPPORTING INFORMATION

The following supporting documents and supporting information to this assessment report can be found on the Department of Planning and Environment's website as follows:

1. Modification request

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=7613

2. Submissions

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=7613

3. Response to Submissions

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=7613