



Planning &
Environment

**MODIFICATION REQUEST TO CONCEPT
APPROVAL AND STATE SIGNIFICANT
DEVELOPMENT ASSESSMENT REPORT:**

**Concept Approval MOD 10
SSD Application for Block 4N**

Central Park (former Carlton United Breweries site)

MP 06_0171 MOD 10 and SSD 6673



Secretary's
Environmental Assessment Report
Sections 75W and 89H of the
Environmental Planning and Assessment Act 1979

August 2015

ABBREVIATIONS

Applicant	Central Park JV No 2
CIV	Capital Investment Value
Concept Plan	Approved Concept Plan for the redevelopment of the site (MP06_0171)
the Commission	Planning Assessment Commission
Consent	Development Consent
Department	Department of Planning and Environment
EA	Environmental Assessment
EIS	Environmental Impact Statement
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
EPI	Environmental Planning Instrument
LEP	Local Environmental Plan
LGA	Local Government Area
Minister	Minister for Planning
Part 3A	Part 3A of the <i>Environmental Planning and Assessment Act 1979</i>
Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
RtS	Response to Submissions
SEARs	Secretary's Environmental Assessment Requirements
Secretary	Secretary of the Department of Planning and Environment
SEPP	State Environmental Planning Policy
SSD	State Significant Development

Cover Photograph: Visualisation of Block 4N facing south east, across the Abercrombie Street / Broadway intersection (Source: Applicant's EIS)

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Published August 2015
Department of Planning and Environment
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NSW Government
Department of Planning and Environment

EXECUTIVE SUMMARY

This report provides a concurrent assessment of a section 75W modification application to the Central Park Concept Approval (MP06_0171 MOD10) and a State Significant Development (SSD) application (SSD 6673) seeking approval for a mixed use building on Block 4N at Central Park, Chippendale (former Carlton United Breweries site).

Central Park, Chippendale (former Carlton United Breweries site) is located in the south-western part of the Sydney CBD within the City of Sydney Local Government Area (LGA).

The applications seek approval for the following:

- modification of Block 1 and Block 4N building envelopes, redistribution of GFA within the site and inclusion of residential use within Block 4N; and
- construction of a part 18, part 19 storey mixed use building (plus plant level) providing for hotel, residential, commercial (office) and retail accommodation and a childcare facility, alteration and refurbishment of heritage items, public domain works and stratum subdivision.

The applications were publicly exhibited for 30 days between 19 November 2014 and 19 December 2014. The Department received six submissions during the assessment of the proposals, comprising five submissions from public authorities (including City of Sydney Council) and one submission from the general public. The key issues raised in the submissions include access and parking (including coach parking) provision for the hotel and the impact of the built form on Abercrombie Street and its relationship to heritage items.

The Department has considered these issues in its assessment, along with the proposed redistribution of GFA, land use, consistency with Concept Approval and residential amenity.

The Department supports the amendments to Block 1 and Block 4N building envelopes as the deletion of the bridge link along with the increased setbacks reduce the overall visual bulk of the buildings. The minor increase in building height for both blocks maintains an appropriate transition to adjoining Blocks within the Central Park precinct and neighbouring properties. The proposed facades are of a high standard of design and present a varied and interesting visual form. The proposal will make a positive contribution to the Broadway and Abercrombie Street streetscapes and the broader Central Park precinct and sympathetically responds to the character and setting of heritage items.

The inclusion of residential floorspace in Block 4N will complement the mix of uses while ensuring that the minimum 59,515m² of non-residential floorspace required by the Concept Approval is delivered.

The provision of six short term pick up / drop off bays for the shared use of the childcare facility and hotel is sufficient for future needs and would not adversely impact on vehicle manoeuvrability or vehicle/ pedestrian safety. The Department considers that acceptable access is provided at the Abercrombie Street vehicle entry/exit. Further the proposal will provide an acceptable level of amenity for future occupants in terms of solar access and natural ventilation, privacy, provision of communal open space and dual key apartments.

The proposal will form an integral part of the renewal of the Central Park precinct and the wider area. The proposal will provide significant public benefit as it will contribute to the completion of Central Park and will provide new office, hotel, retail and residential accommodation, a childcare facility, public domain works and employment opportunities.

The Department concludes that the proposal is in the public interest and recommends that the applications be approved subject to conditions

1. BACKGROUND

This report provides a concurrent assessment of a section 75W modification application to the Central Park Concept Approval (MP06_0171 MOD 10) and a State Significant Development (SSD) application (SSD 6673) seeking approval for a mixed use building on Block 4N at Central Park, Chippendale.

In particular, the proposals seek approval for:

- modification of the Concept Plan via redistribution of the gross floor area (GFA) within the site while maintaining the overall GFA of 255,500m² and modification of Block 1 and Block 4N building envelopes; and
- construction of an 18-19 storey (plus plant level) mixed use building within Block 4N providing for residential, office and hotel accommodation and a childcare facility, four levels of basement car parking, retention and refurbishment of the Australian Hotel and Abercrombie Street terraces, public domain works and stratum subdivision.

1.1. Central Park

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

The site is located within the City of Sydney Local Government Area (LGA).

The Central Park site comprises a number of high density mixed use and residential buildings, which are occupied and a number of construction sites.

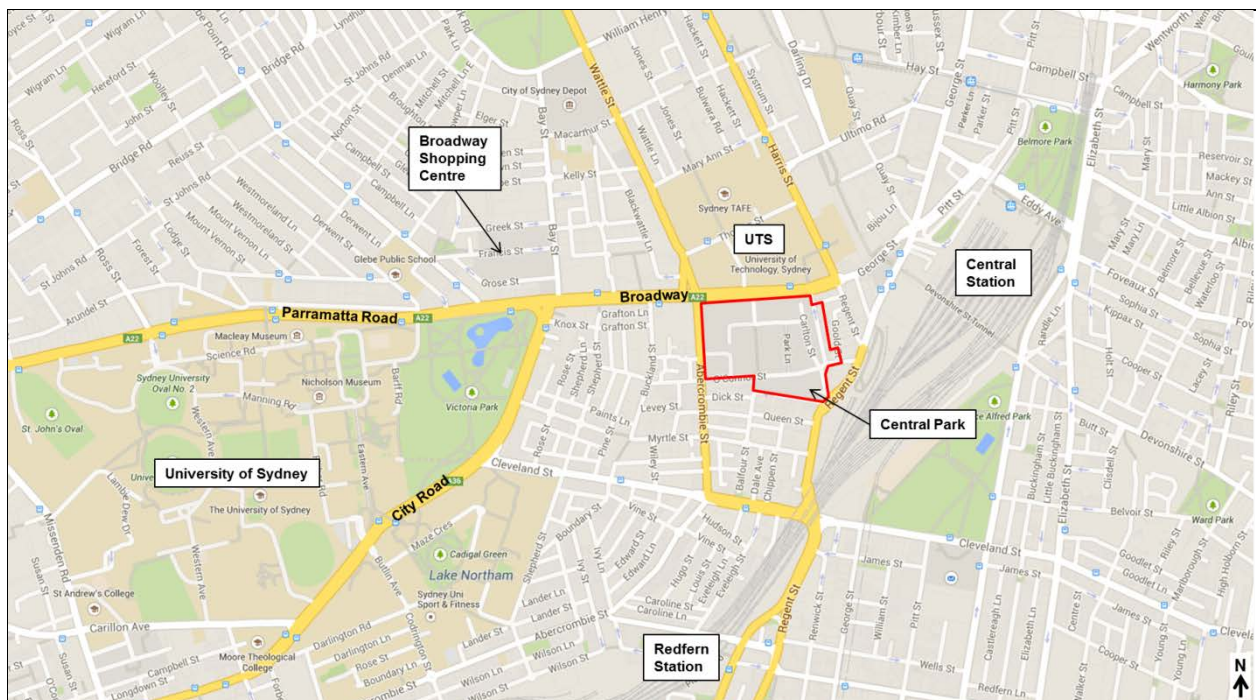


Figure 1: The Concept Approval site location and surrounding context (Base source: Nearthmaps)

1.2. The subject site

Block 4N has a site area of 4,111m² and Block 1 has a site area of 3,535m². Both blocks are located on the north-western corner of the Central Park site. The blocks are bounded by Block 2 to the east, Central Park Avenue, Block 4S and the former Carlton Brewery building to the south, Abercrombie Street to the west and Broadway to the north (refer to **Figure 2**).

The site is located within an established inner city area, which is characterised by buildings of various uses, ages, heights, architectural styles and lot configurations that provide for diverse streetscapes. The University of Technology Sydney is located to the north of the site on the opposite side of Broadway. St Benedict's Church and the University of Notre Dame are located to the west of the site on the opposite side of Abercrombie Street. Within the Central Park site the neighbouring blocks comprise high density mixed use residential developments. The area to the south east is primarily publicly accessible open space and includes the remaining brewery building and brewery yard.

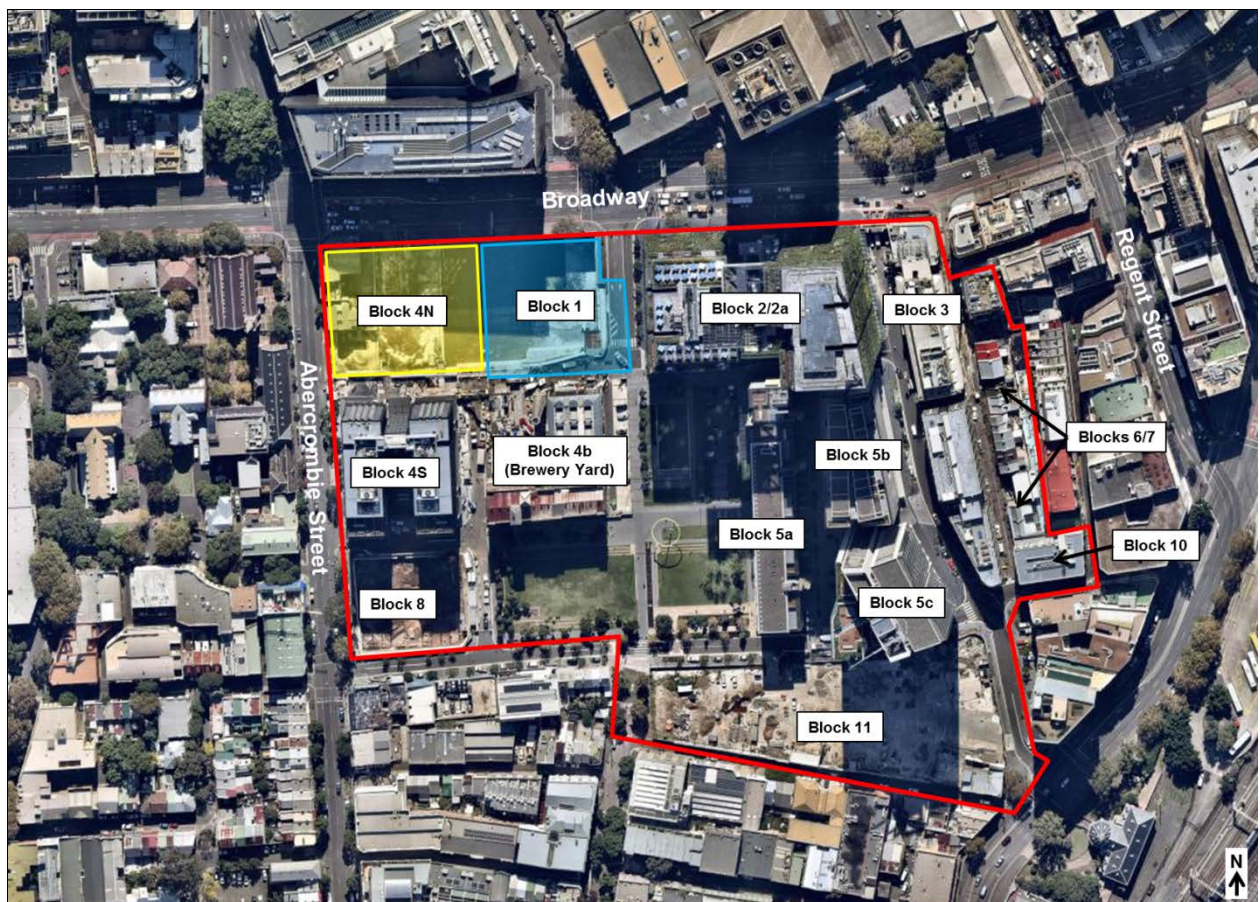


Figure 2: Concept Approval site boundary (outlined in red) and the location of Block 1 (outlined blue) and Block 4N (outlined yellow) within the site (Base source: Nearmap)

1.3. Approval history

On 9 February 2007, the then Minister for Planning approved a concept plan (MP 06_0171) for redevelopment of the site for a mix of residential, commercial, retail uses and public open space development (Concept Approval). Key aspects of the Concept Approval include:

- maximum 255,550m² GFA (including a maximum 195,985m² of residential and minimum 59,515m² of non-residential);
- a new park (6,000m²) and open space areas;
- a contribution of \$32 million for the provision of affordable housing within the locality; and
- retention of 33 heritage items associated with the former brewery and its adaptive reuse of existing buildings.

The Concept Approval approved Blocks 1 and 4N as commercial buildings.

Since its original approval, the Concept Approval has been modified on nine occasions as summarised in **Table 1** below.

Table 1 – Modifications to approved Concept Plan MP06_0171

Mod No.	Description of Modification	Approved
Mod 1	Correction of reference error in approval	18 Jul 2007
Mod 2	Major amendment to Concept Plan	5 Feb 2009
Mod 3	Amendment to timing of execution of Voluntary Planning Agreements	16 May 2010
Mod 4	Modification to lapsing clause	30 Aug 2011
Mod 5	Modification to B12 'ESD and Sustainable Design'	31 Jul 2012
Mod 6	Modification to GFA within the Kensington Precinct; Block 6 and Block 10 envelopes and corrections to property references	24 Jul 2012
Mod 7	Amendment to the allocation of GFA of Block 3 within the Kensington Precinct	17 Jan 2013
Mod 8	Reallocation of GFA and the mix of residential and non-residential GFA on the site. Revision of Central Park land use split to a maximum of 195,985m ² residential and minimum of 59,515m ² non-residential GFA. Use of Block 4S for student accommodation and Block 1 for residential use and reconfiguration of building envelopes and separation of Blocks 1 and 4N from Block 4S.	23 Dec 2013
Mod 9	Reallocation of the GFA distribution across the Central Park site, amendments to building envelopes of Blocks 4S and 8 and modified public domain and access arrangements.	27 Nov 2014

1.4. Other relevant applications

Project approval MP08_0253

On 26 May 2010 the Planning Assessment Commission (the Commission) approved the construction of a commercial building on Blocks 1 and 4 (MP08_0253), comprising:

- excavation of joint basement under Blocks 1 and 4 and basement beneath the brewery yard;
- construction of a new commercial 10 – 15 storey commercial building (72,780m² GFA) across Blocks 1 and 4 accommodating:
 - o a shell for the future installation of a tri-generation plant;
 - o retail, commercial floor space and childcare centre facility;
- retention, refurbishment and alteration of the Australian Hotel and Abercrombie Street terraces; and
- public domain improvements.

The above project approval has since been modified on five occasions to:

- include the installation of a Central Thermal Plant (previously described as a tri-generation plant) and other minor changes; and
- excise Block 4S from the project and delete the connecting bridge link between Block 4N and 4S (in association with a concurrent SSD application (SSD 5700) approving the use of Block 4S for student accommodation).

Other relevant current applications

The Department is currently finalising its assessment of two applications relating to Central Park:

- MP08_0253 MOD 5 – Modification to Block 1 and 4N project application to excise Block 1 from the project, subject to approval of this application and SSD 6554; and
- SSD 6554 – Development of Block 1 as a residential flat building with ground floor non-residential/retail uses.

The Department is currently considering the following applications relating to Block 11 in the south east corner of Central Park:

- MP09_0171 MOD 11 – Modifications to Block 11 building envelope, public domain and GFA allocation between development blocks across the Central Park site; and

- SSD 6376 – Development of Block 11 as a residential flat building, associated non-residential uses, child care centre and retail at ground floor level.

2. APPLICATION DESCRIPTIONS

2.1 Summary descriptions

Concept Approval modification description

The proposal seeks approval for the modification of Block 1 and Block 4N building envelopes, redistribution of the GFA within the site while maintaining the overall GFA of 255,500m² and inclusion of residential use within Block 4N.

Block 4N SSD application description

The proposal seeks approval for the construction of a part 18, part 19 storey mixed use building (plus plant level) providing for 25,930m² GFA containing 283 hotel rooms, 48 residential apartments, 6,417m² commercial office space, 1,236m² retail accommodation and a 812m² childcare facility, four level basement car parking, retention and refurbishment of the Australian Hotel and Abercrombie Street terraces, public domain works, signage zones and stratum subdivision.

The SSD application relies on the approval of the amended Concept Approval with regards to modifying the GFA and building envelope.

2.2 Response to Submissions

Following the public exhibition of the SSD and modification application, the Department placed copies of all submissions received on its website. The Department requested that the applicant address the issues raised in the submissions as well as a number of specific issues in relation to GFA distribution, impacts on the heritage items, parking and access arrangements, the childcare facility and the through site link.

The applicant provided a Response to Submissions (RtS) (**Appendix A**), which contains further information and clarification of the key issues raised by the Department, the public and agencies.

Key changes from the proposals, as exhibited, include:

- revised basement layout;
- amendments to internal residential apartment and circulation space layouts;
- reduced rooftop canopy;
- revision of the transfer structure design above the heritage Australian Hotel; and
- revised public domain, landscaping design and on-street short term parking provision.

2.3 Description of proposals

The key components and features of both proposals (as refined in the RtS) are provided in **Table 2** below and are shown in **Figures 3 to 6**.

Table 2: Key components of the modification request and SSD applications

CONCEPT APPROVAL MODIFICATION (MP06_0171 MOD10)	
Aspect	Description
Built form	<ul style="list-style-type: none"> • Amendment of Block 1 and Block 4N building envelopes including: <ul style="list-style-type: none"> o an increase in the height of Block 1 of between 400mm and 1.93m; o an increase in the height of Block 4N of between 3.85m and 6.8m; o deletion of the bridge link between the Block 1 and Block 4N providing for an 18 metre separation between those Blocks; and o provision of a two metre setback above first floor level at the eastern (Chippendale Way) elevation of Block 1.

Gross floor area (GFA)	<ul style="list-style-type: none">Amend the GFA of individual blocks, while maintaining the overall GFA of 255,500m², as summarised in the following table:			

Land use	<ul style="list-style-type: none"> Amendment to the mix and quantum of land uses within Block 4N by: <ul style="list-style-type: none"> including a total of 3,459m² of residential use; and reducing non-residential use from 25,930m² to 23,132m².
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SSD APPLICATION (SSD 6673)

Aspect	Description
Built form	<ul style="list-style-type: none"> Construction of a building at Block 4N (maximum height RL 81.50), comprised of: <ul style="list-style-type: none"> an 18 storey (plus plant level) hotel component; and an 19 storey (plus plant level) office/residential component. Construction of four levels of basement structure across Blocks 1 and 4N.
Gross floor area	<ul style="list-style-type: none"> Total GFA of 26,591m² comprising: <ul style="list-style-type: none"> 14,668m² hotel GFA; 6,417m² office GFA; 3,459m² residential GFA; and 812m² childcare GFA; 767m² retail GFA for use of the heritage items; 469m² retail GFA.
Hotel use	<ul style="list-style-type: none"> A total of 283 hotel rooms, conference facility and ancillary hotel facilities.
Residential use	<ul style="list-style-type: none"> A total of 48 residential apartments comprising: <ul style="list-style-type: none"> 36x1 bedroom apartments; and 12x2 bedroom apartments (of which 10 apartments are 2 bedroom, dual key apartments).
Childcare facility	<ul style="list-style-type: none"> A childcare facility (90 child capacity) located over two levels including external terraces.
Access	<ul style="list-style-type: none"> Provision of a vehicle access point at Abercrombie Street. Through site pedestrian links.
Car parking	<ul style="list-style-type: none"> Total of 121 car parking spaces (Block 4N) located at basement level, including **: <ul style="list-style-type: none"> 54 hotel spaces; 34 residential spaces; 23 commercial spaces; five retail spaces; and five childcare spaces. Six short term on-street drop off bays / coach parking spaces on Central Park Avenue. Six service vehicle bays.
Bicycle parking	<ul style="list-style-type: none"> A total of 122 bicycle parking spaces, comprising: <ul style="list-style-type: none"> 54 non-residential spaces; 48 residential spaces; and 20 visitor spaces.
Heritage	<ul style="list-style-type: none"> Retention, refurbishment and alteration of the Australian Hotel and Abercrombie Street terraces and provision of heritage courtyard. Construction of an external lift and stair at the rear of the Australian Hotel.
Public domain	<ul style="list-style-type: none"> Public domain works including landscaping, paving and water feature.
Subdivision	<ul style="list-style-type: none"> Stratum subdivision.

Signage	<ul style="list-style-type: none"> Business identification signage zones.
<p>** This application considers the basement car parking relating to Block 4N only, the remaining basement car parking provision is considered separately under SSD 6554.</p>	

The proposal has a Capital Investment Value of \$125,228,000 and is expected to generate 500 construction jobs and 700 operational jobs once fully developed.

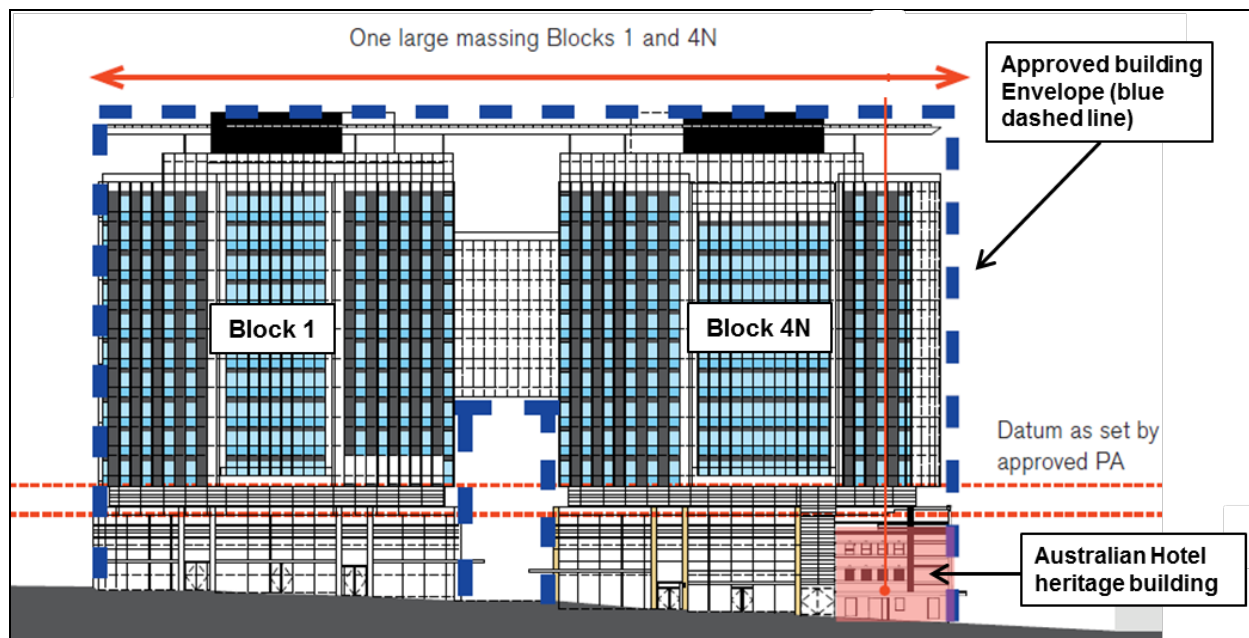


Figure 3: The extent of the approved building envelope (blue dashed line) fronting Broadway (Base source: Applicant's EIS)

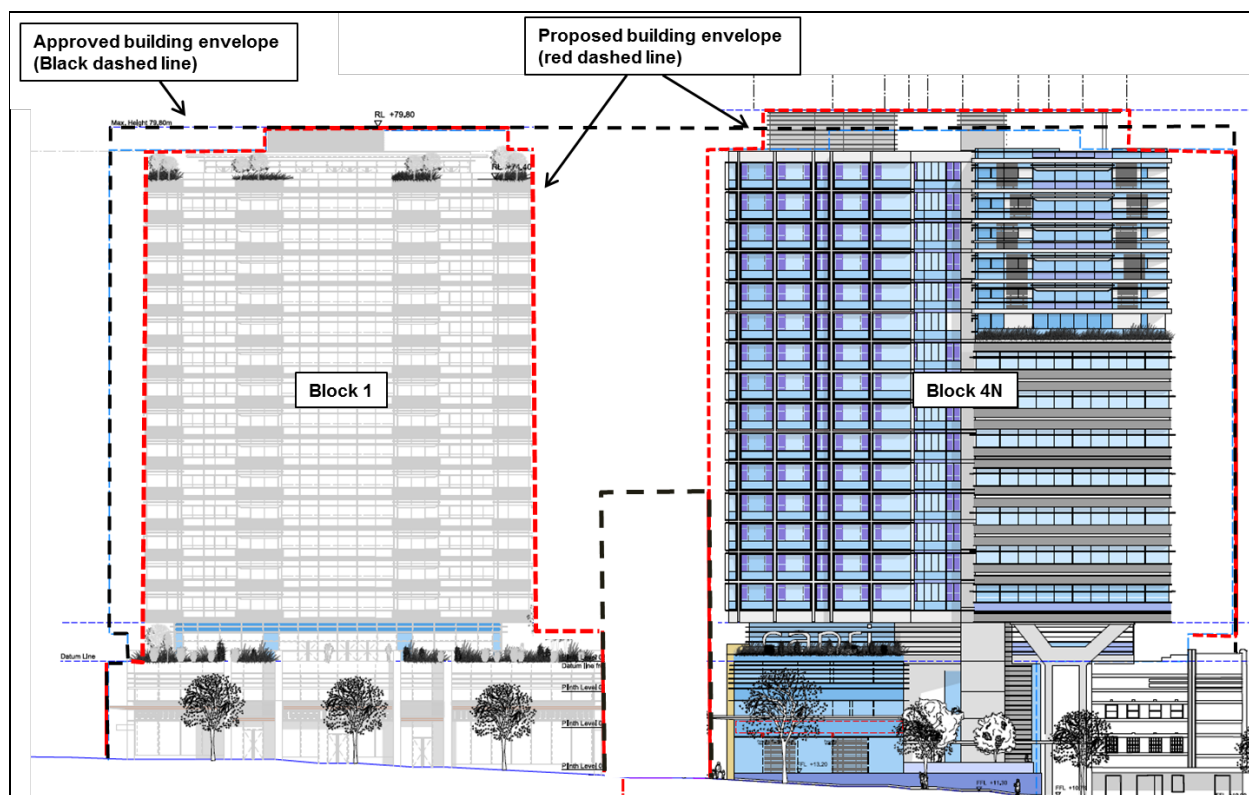


Figure 4: Comparison of the extent of the approved (black dashed line) and proposed (red dashed line) building envelopes fronting Broadway (Base source: Applicant's EIS)



Figure 5: View east along Broadway towards Block 4N (Source: Applicant's EIS)



Figure 6: View south east from the intersection of Broadway and Abercrombie Street towards Block 4N (Source: Applicant's EIS)

2.1. Project Need and Justification

NSW 2021

NSW 2021 is the NSW Government's strategic plan setting priorities for action and guiding resource allocation. NSW 2021 is a 10 year plan to rebuild the economy, provide quality services, renovate infrastructure, restore government accountability and strengthen the local environment and communities. The proposed retail, hotel and office accommodation and childcare facility will contribute to the Plan's goal of growing business investment by 4% annually. The creation of 500 construction jobs and 700 operational jobs will contribute towards the goal of 1.25% employment growth in Sydney each year. Furthermore, the proposal will contribute towards housing growth and building a liveable city by locating residential accommodation close to public transport, increasing patronage on public transport and contributing towards the urban renewal of the locality.

A Plan for Growing Sydney

A Plan for Growing Sydney sets out the NSW Government's vision for Sydney to 2031. The Plan anticipates that the population of Sydney will increase by 1.6 million people by 2031 and this will result in the need for approximately 689,000 new jobs across the metropolitan area.

The Plan aims to accelerate urban renewal across Sydney and encourages growth in both infill and greenfield areas to stimulate balanced growth throughout Sydney. It also aims to make the best use of transport and infrastructure, making Sydney more sustainable and efficient. In planning for growth, the Plan focuses urban renewal in Strategic Centres, areas close to transport hubs and corridors and advocates efficient use of land in infill areas.

The City of Sydney LGA is located within the Central Subregion and the site is located within the Global Sydney Strategic Centre. Key priorities for the Strategic Centre are to maintain the Sydney CBD as Australia's premier location for employment, provide capacity for long-term office growth, support the land use requirements of the financial services knowledge hub in the CBD provide capacity for additional mixed use development including additional housing and tourism facilities.

The proposed development supports the strategic aims of the Plan by including retail, hotel, childcare and office uses as part of an overall mixed-use development within the Sydney Global Strategic Centre.

3. STATUTORY CONTEXT

3.1. Modification of the Minister's approval

Section 75W of the EP&A Act provides for the modification of a Minister's approval including *'revoking or varying a condition of the approval or imposing an additional condition on the approval'*.

The Minister's approval for a modification is not required if the proposed as modified will be consistent with the existing approval. However, in this instance the proposal seeks to amend GFA and building envelope within the Concept Approval, which requires further assessment and therefore approval to modify the concept plan is required.

3.2. State significant development

The proposal is SSD because it is development with a capital investment value (CIV) in excess of \$10 million and is located within the Broadway (CUB) site, (now known as Central Park), which is identified as a SSD site under clause 2 of Schedule 2 of State Environmental Planning Policy (State and Regional Development) 2011.

3.3. Determination under Delegation

In accordance with the Minister's delegation of 16 February 2015, the Executive Director, Infrastructure and Industry Assessments may determine the applications as:

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

3.4. Permissibility

The site is zoned City Edge by the *Sydney Local Environmental Plan 2005*. The proposed mixed use development containing hotel, retail, office, residential and childcare uses is permissible within the zone.

3.5. Environmental Planning Instruments

Under Section 79C of the Act, the Secretary's report for a project is required to include a copy of, or reference to, the provisions of any environmental planning instruments (EPIs) that substantially govern the carrying out of a project and that have been taken into account in the assessment of the project. The following EPIs apply to the site:

- *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*.

The Department's consideration of relevant EPIs is provided in **Appendix B**. In summary, the Department is satisfied that the application is consistent with the requirements of the EPIs.

3.6. Objects of the EP&A Act

Decisions made under the EP&A Act must have regard to the objects of the Act, as set out in section 5 of the Act and read as follows:

- (a) *to encourage:*
- (i) *the proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment,*
 - (ii) *the promotion and co-ordination of the orderly and economic use and development of land,*
 - (iii) *the protection, provision and co-ordination of communication and utility services,*
 - (iv) *the provision of land for public purposes,*
 - (v) *the provision and co-ordination of community services and facilities, and*
 - (vi) *the protection of the environment, including the protection and conservation of native animals and plants, including threatened species, populations and ecological communities, and their habitats, and*
 - (vii) *ecologically sustainable development, and*
 - (viii) *the provision and maintenance of affordable housing, and*
- (b) *to promote the sharing of the responsibility for environmental planning between the different levels of government in the State, and*
- (c) *to provide increased opportunity for public involvement and participation in environmental planning and assessment.*

The proposal complies with the above objects, particularly (a)(i), (ii) and (v) as the proposal promotes the orderly and economic use of the site and contributes to the enhancement of the

social and economic welfare of the community. The proposal includes measures to deliver ecologically sustainable development (**Section 3.7**).

3.7. Ecologically Sustainable Development

The EP&A Act adopts the definition of Ecologically Sustainable Development (ESD) found in the *Protection of the Environment Administration Act 1991*. Section 6(2) of that Act states that ESD requires the effective integration of economic and environmental considerations in decision-making processes and that ESD can be achieved through the implementation of:

- the precautionary principle;
- inter-generational equity;
- conservation of biological diversity and ecological integrity; and
- improved valuation, pricing and incentive mechanisms.

The development incorporates ecologically sustainable design initiatives and sustainability measures, including:

- the building fabric design will meet the thermal comfort and energy consumption requirements of BASIX and BCA;
- 5 Star Green Star rating under the Multi Unit Residential v1, Office v3 and Public Buildings v1 Tools;
- connection to the Central Thermal Plant (CTP) providing chilled and hot water to the building;
- efficient light fittings and all external lighting will be solar (except where required for security reasons);
- provision of motion sensor and timer settings to common areas;
- installation of energy efficient appliances;
- use of sustainable materials in construction;
- apartment and lobby spaces are designed to facilitate natural ventilation;
- implementation of a Smart Travel Plan to encourage mode of transport other than personal vehicle use; and
- selection of water efficient fixtures and fittings (minimum WELS rating of 4-star for toilets, 3-star for showers and 6-star for bathroom and tap fittings).

The Department has considered the project in relation to the ESD principles. The Precautionary and Inter-generational Equity Principles have been applied in the decision making process via a thorough and rigorous assessment of the environmental impacts of the project. Overall, the proposal is consistent with ESD principles and the Department is satisfied that the proposed sustainability initiatives will encourage ESD, in accordance with the objects of the EP&A Act.

3.8. Secretary's Environmental Assessment Requirements

Concept Approval modification

Section 75W(3) of the EP&A Act provides that the Secretary may notify the proponent of the Secretary's Environmental Assessment Requirements (SEARs) with respect to the proposed modification that the proponent must comply with before the matter will be considered by the Minister. No additional requirements were issued with respect to the proposed modifications, as sufficient information was provided to the Department in order to consider the application and the issues raised remain consistent with the key assessment requirements addressed in the original SEARs.

Block 4N SSD application

On 10 November 2014 the Department notified the applicant of the SEARs for the SSD application. The Department is satisfied that section 1.3 of the EIS adequately addresses compliance with the SEARs to enable the assessment of the application for determination purposes.

4. CONSULTATION AND SUBMISSIONS

4.1. Exhibition

In accordance with Section 89F of the EP&A Act and Clause 83 of the EP&A Regulation, the Department publicly exhibited the applications concurrently for 30 days from Wednesday 19 November 2014 until Friday 19 December 2014. The applications were publicly available on the Department's website and exhibited at the Department's Information Centre and at the City of Sydney Council office.

The Department also placed a public exhibition notice in the Sydney Morning Herald and Daily Telegraph on the 19 November 2014 and notified adjoining landholders and relevant State and local government authorities in writing. The Department received a total of six submissions, comprising five submissions from public authorities and one submission from the general public.

The Department received a further two submissions from public authorities (Council and TfNSW) in response to the RtS.

Copies of the submissions may be viewed at **Appendix A**. A summary of the issues raised in the submissions is provided below.

4.2. Public Authority Submissions

A total of five submissions were received from public authorities in response to the exhibition, with Office of Environment and Heritage raising no issues with the proposal. A further two submissions were received in response to the RtS, from Council and TfNSW. The issues raised by the agencies are summarised in the **Table 3** below. The issues raised have been addressed in detail in **Section 5** and/or by way of a recommended condition in the instruments of consent at **Appendix E**.

Table 3: Summary of public authority submissions

City of Sydney (Council)	
Environmental Impact Statement	<p>Council does not object to the modification and SSD proposals. However, it raised the following key issues:</p> <ul style="list-style-type: none"> the number of hotel car parking spaces is excessive and should be reduced from 56 to 28 spaces; childcare pick up/ drop off car parking spaces should be located at ground floor level; a total of 122 bicycle parking spaces should be provided (48 residential, 54 staff, 20 visitor). All visitor spaces should be provided at ground floor level and commercial spaces should be provided at upper basement level in one secure facility; pick up / drop off spaces for the hotel, including coaches, should be provided; the through site link between the site and Block 4S should be delivered in one, rather than two, stages; the driveway on Abercrombie Street should be reduced in width to six metres or a pedestrian refuge should be provided; a Crime Prevention Through Environmental Design (CPTED) report is required; the childcare centre should be redesigned so that it can adequately accommodate 90 children and the necessary ancillary spaces and services; full conservation works should be undertaken to the Australian Hotel and Abercrombie Street terraces and the Conservation Management Plan should be developed further; the design, development and construction stages should incorporate the outcomes of the Heritage Interpretation Strategy and display findings; a retail strategy should be prepared, establishing the principles for retail fitouts; a Heritage Asset Management Plan should be prepared and archival recording should be undertaken at various stages of demolition/construction;

	<ul style="list-style-type: none"> a protection methodology indicating how historically significant fabric and elements will be protected throughout all stages of the works should be prepared; the Noise Impact Assessment should be reviewed for accuracy and consistency; a preliminary Acid Sulfate Soils Management Plan should be prepared; and any dewatering will require a licence from the NSW Office of Water. <p>Council also provided recommended conditions of consent, should the application be supported.</p>
Response to Submissions	<p>Council commented that there have been positive refinements to the proposed development and its only remaining key issues are:</p> <ul style="list-style-type: none"> the pick up / drop off parking spaces are not provided in a suitable or safe location; confirmation that sufficient pick up / drop off parking spaces are provided for shared use between the childcare facility and hotel; the driveway on Abercrombie Street should be reduced in width to six metres or a pedestrian refuge should be provided; additional CPTED measures are required to provide a safe/secure environment; and the heritage plans should be revised to include greater detail. <p>Council suggested revised conditions, should the application be supported.</p>
Transport for NSW (TfNSW)	
Environmental Impact Statement	<p>TfNSW does not object to the modification and SSD proposals and provided the following comments on the SSD application:</p> <ul style="list-style-type: none"> bicycle parking should not be located within or near the reverse manoeuvre paths of vehicles; visitor bicycle parking should be located at ground floor level, in well-lit areas that benefit from passive surveillance; staff bicycle parking should be located at the upper basement level; and the Construction Management Plan should be updated to confirm that pedestrian and cycle movements will maintained at all times.
Response to Submissions	<p>TfNSW confirmed that the RtS has adequately addressed its previous comments.</p>
Roads and Maritime Services (RMS)	
Environmental Impact Statement	<p>RMS does not object to the modification and SSD proposals and advised that it will grant concurrence to the proposed vehicular crossing on Abercrombie Street subject to the imposition of conditions relating to design details and vehicle and pedestrian safety.</p>
Sydney Water	
Environmental Impact Statement	<p>Sydney Water raised no objection to the modification and SSD proposals stating that the existing water and wastewater systems have adequate capacity to service the development.</p>

4.3. Public Submissions

One public submission was received in response to the exhibition of the SSD application, which provided the following comments:

- the building fronting Abercrombie Street should be increased in height to align with the height of the top of the Australian Hotel and height of the building across the road;
- a more sympathetic palette of materials (brickwork, sandstone and render) should be used adjacent to the heritage items; and
- the built form rhythm should be continued along Abercrombie Street.

The Department has considered the comments raised in the public submission during the assessment of the application and has given specific consideration to the key issues raised in **Section 5.3** of this report.

4.4. Applicant's Response to Submissions

The applicant provided a response to the issues raised in submissions, which is included in the RtS document (**Appendix A**) and resulted in a number of amendments to the applications as

outlined in **Section 2.2**. The Department is satisfied that the issues raised in all submissions have been addressed through the RtS, this report and the relevant appendices of the modification request and EIS.

5. ASSESSMENT

5.1. Key Assessment Issues

The Department has considered the modification and EIS applications, the issues raised in submissions and the applicant's RtS in its assessment of the proposals. The Department considers the key issues associated with the proposals are:

Concept Approval modification:

- GFA redistribution and land use;
- built form; and
- on-street parking spaces.

Block 4N SSD application:

- consistency with Concept Approval;
- Abercrombie Street service vehicle access; and
- residential amenity.

Each of these issues is discussed in the following sections of this report. Other matters were taken into consideration during the assessment of the applications and are discussed at **Section 5.4**.

5.2. Modifications to the Concept Approval

5.2.1. GFA redistribution and land use

Modification A1 of the Concept Approval provides a distribution of GFA between blocks across the site up to a maximum of 255,500m². Minor variations (of no more than 5%) are permitted to this GFA distribution, subject to the overall GFA on the site not exceeding 255,500m². The Concept Approval also specifies a land use mix of:

- a maximum of 195,985m² residential GFA; and
- a minimum of 59,515m² non-residential GFA.

Block 4N was originally intended for commercial uses and did not have any residential GFA.

The modification application seeks to redistribute the GFA on the site (refer to **Table 5**) and also include residential use within Block 4N.

The applicant has confirmed that redistribution of floorspace across the Central Park site (i.e. between Blocks 1, 4N, 4S, 9 and 11 noted in **Table 5**) is in response to the detailed design development of the buildings within the Blocks and to maximise the development across the site consistent with the site-wide maximum GFA of 255,500m².

A comparison between the Concept Approval and proposed modified residential and non-residential GFA is provided at **Appendix C**.

The Department concludes that the redistribution of GFA is acceptable as:

- the proposal maintains the overall maximum GFA and ability to achieve the mix of residential and non-residential uses consistent with the Concept Approval;
- the minor increases to Blocks 1, 4N and 11 in particular equate to 1%, 2.5% and 1.2% respectively, which is less than 5% variation allowed by modification A1; and

- the resultant amendments to the built form of Blocks 1 and 4N to accommodate the minor increase in GFA have positive impacts on neighbouring amenity in terms of increased solar access (as discussed in more detail in **Section 5.3.7**).

In addition, the Department considers that the inclusion of residential use within Block 4N is acceptable as:

- the proposal is consistent with modification A1 as it will provide for:
 - 195,984m² residential floorspace, which complies with the site-wide 195,985m² maximum;
 - 59,516m² non-residential floorspace, which is above the site-wide non-residential minimum of 59,515m²;
- the majority of Block 4N would remain as non-residential / employment generating use;
- the proposed apartments achieve an acceptable standard of residential amenity as discussed at **Section 5.3.7** and **Appendix B**; and
- the amendment would not have any material impacts on traffic generation.

Table 5: Comparison of approved and proposed GFA (Source: Proponent's application)

Block	Concept Approval GFA (m ²)	Proposed Concept Approval GFA (m ²)	Difference + / - (m ²)
1	24,515	24,231	-284
4N	25,930	26,591	+661
4S	22,326	22,258	-68*
4B (Brewery)	3,898	3,898	0
2	67,626	67,626	0
3	11,043	11,043	0
5A	11,516	11,516	0
5B	16,800	16,800	0
6	2,000	2,000	0
7	1,000	1,000	0
8	14,879	14,875	-4*
9 (known as 5C)	26,598	26,598	0
10	1,844	1,844	0
11	25,525	25,220	-305
Total	255,500	255,500	0

* Concept Approval GFA updated to reflect the exact total GFA approved under the relevant SSD application and Construction Certificate (so the actual GFA difference is neutral).

5.2.2. Built form

The height and form of the building envelopes was a key issue in the Department's assessment of the original concept plan. The Department considered that the location and size of the site presented a unique opportunity to provide a higher density of development. The Concept Approval allows for two building envelopes located on Blocks B1 and 4N (having a maximum height up to RL 79.80 metres) that are joined by a bridge link located above a north/south public pedestrian link. As it was originally envisaged that the development would accommodate more non-residential accommodation, the Department concluded that this building envelope form was acceptable.

The proposed modifications to Blocks 1 and 4N building envelopes include:

- deletion of the bridge link between the Block 1 and Block 4N providing for an 18 metre minimum separation between the Blocks;
- provision of a 1.97m metre setback above first floor level at the eastern (Chippendale Way) elevation of Block 1;
- increase the height of Block 4N by:

- 6.8 metres (two storeys) fronting Block 4S and the pedestrian thoroughfare to Abercrombie Street; and
- part 1.7 metres and part 3.85 metres at roof level.
- increase the height of Block B1 by:
 - 1.93 metres and 400mm at the rear Central Park Avenue elevation; and
 - 1.75 at roof level.

Comparison images between the Concept Approval and the proposal are provided at **Figures 3, 4 and 7**.

The Department is of the view that the proposed amendments to building envelopes are acceptable as:

- the removal of the bridge-link between Blocks 1 and 4N and creation of a (minimum) 18 metre separation distance between the blocks will significantly reduce the visual bulk of the development in this location;
- the provision of a setback on the eastern elevation of Block 1 fronting Chippendale Way will provide for a minimum separation distance of 24 metres to the neighbouring residential building at Block 2;
- the increase in building height at Block 4N maintains the an appropriate transition to the neighbouring Blocks 4S to the south and Block 1 to the east and will provide for a building of appropriate stature at this prominent intersection / corner location;
- the increase in building envelope height to the rear of Block 1 is minor and would not result in a noticeable increase in bulk or scale when viewed from the surrounding streets or open space; and
- the shadow analysis submitted with the application has demonstrated that the revised building envelopes allow for improved solar access to the immediate surrounding public domain, compared to the approved envelopes.

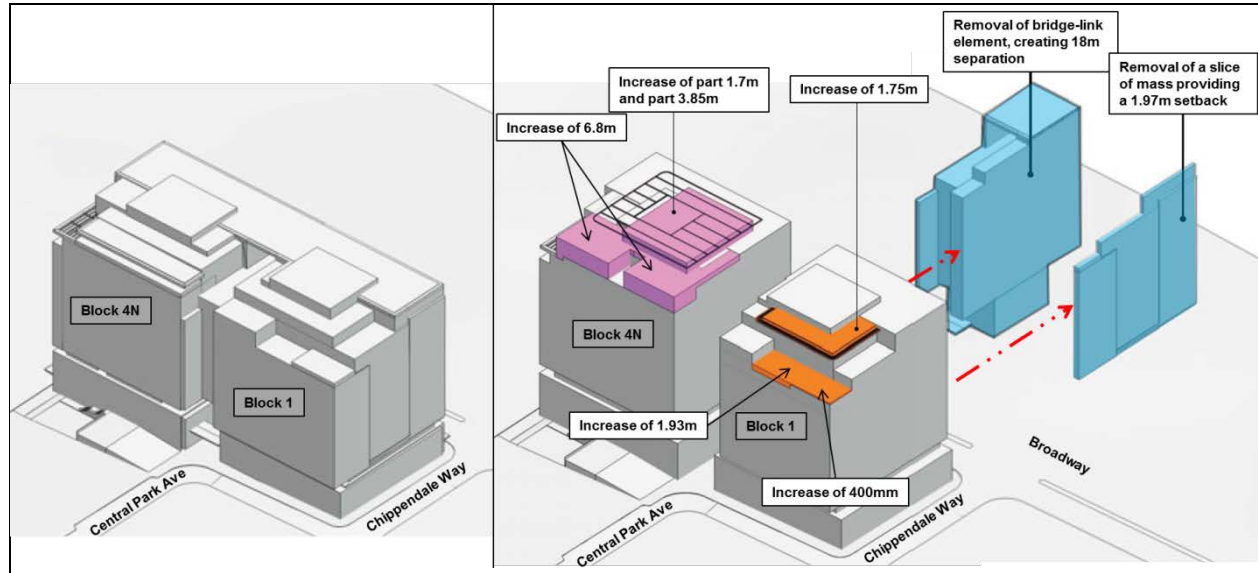


Figure 7: Comparison between the Concept Approval (left) and the proposed (right) building envelopes highlighting increases (pink/orange) and reductions (blue) (Source: applicant's application)

5.2.3. On-street parking spaces

The Concept Approval does not include any on-street parking spaces on the streets immediately adjoining Blocks B1 or 4N.

The proposal includes the provision of six on-street short term (15 minute) car parking spaces, three spaces located at the bend of Central Park Avenue and three spaces located outside the eastern frontage of Block 4S. The six short term spaces will be pick-up / drop-off spaces relating

to the childcare facility and will also be capable of accommodating a 7.7 metre long (25 seater) coach for the hotel (refer to **Figure 8**).

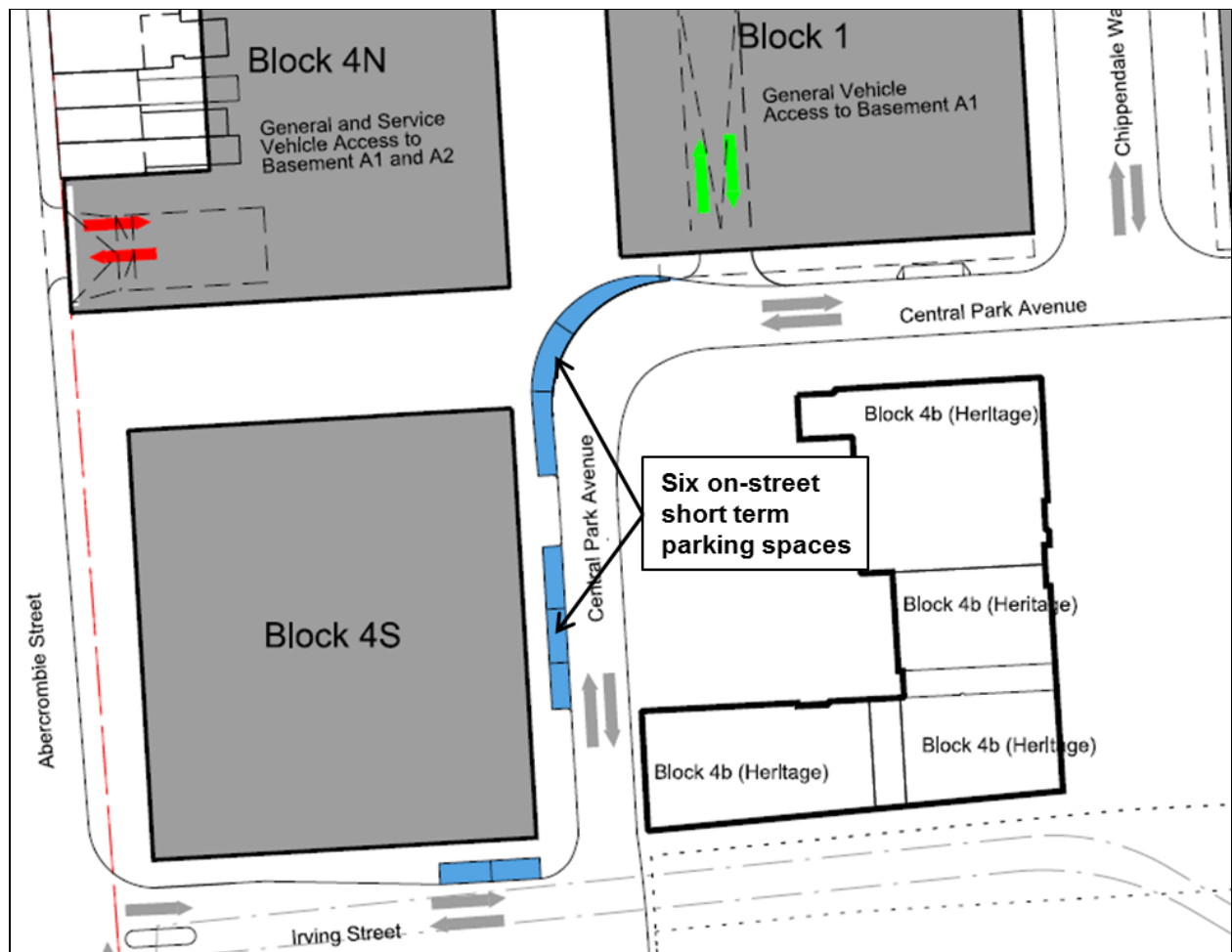


Figure 8: The location of the proposed short term car parking (Base source: MP06_0171 MOD9 and applicant's RtS)

Council raised concerns with the number and location of the proposed additional car parking spaces. Specifically, Council stated that the number of spaces may be insufficient for the likely pick up / drop off requirements of the childcare facility and the hotel. Council also questioned the safety of the parking spaces situated on the curve of Central Park Avenue and ability of garbage trucks to manoeuvre around the bend of Central Park Avenue. Council also advised that adequate footway widths must be provided and the parking will need to be referred to the Local Pedestrian, Cycling and Traffic Calming Committee (LPCTCC).

The applicant has stated that the six proposed short term parking spaces are sufficient for the development as the client base for the childcare facility is likely to be local and within walking distance and also as the site is well served by public transport. The applicant submitted swept path analysis, which demonstrates that the pick up / drop off parking spaces located on the bend of Central Park Avenue can be used safely by cars and/or a small coach (a 7.9m long, 22 seater coach) and that garbage trucks can safely manoeuvre around the corner of Central Park Avenue when the short term parking spaces are in use (refer to **Figure 9**).

The Department notes that Council's Development Control Plan (DCP) 2012 recommends that childcare centres be provided with one pick up / drop off parking space per eight children, which equates to nine spaces for the proposal. However, the DCP outlines that the parking rate may be reduced having regard to the site's accessibility by walking and public transport. Council's DCP advocates a merit based assessment of coach parking requirements for hotel developments and does not specify a maximum or minimum coach parking rate.

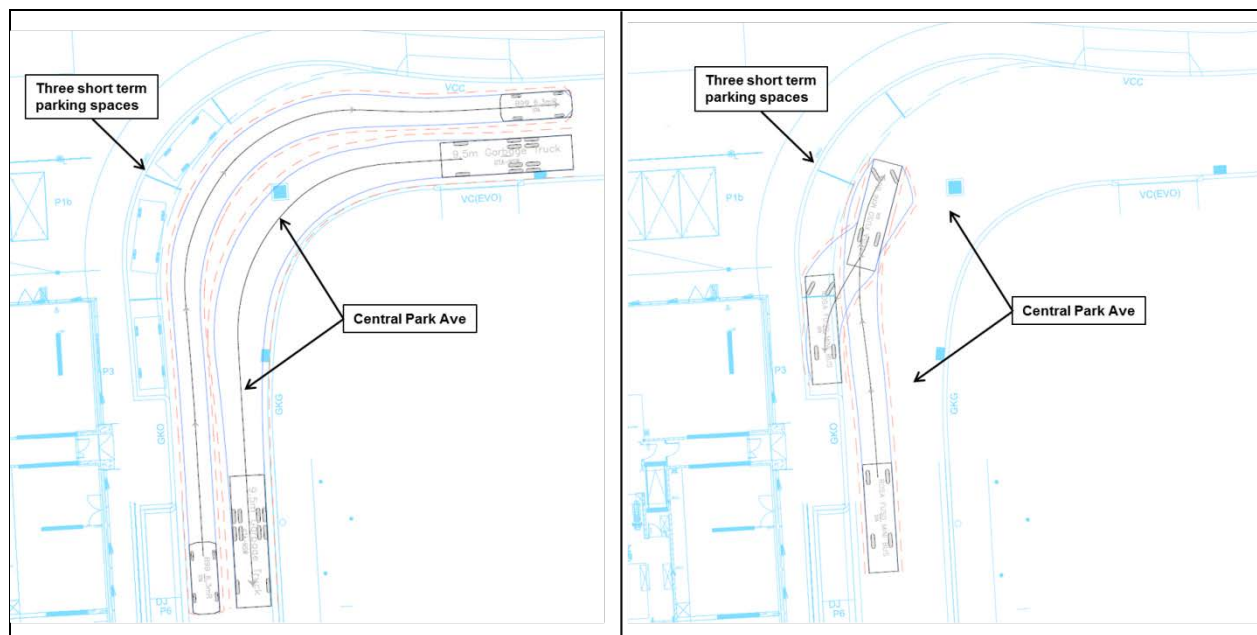


Figure 9: Swept path analysis of garbage truck (left) and coach (right) movements in relation to the short term parking spaces (Base source: applicant's RtS)

The Department considers the parking spaces are sufficient for the development, as:

- the Traffic and Transport Report submitted with the application confirms that the childcare centre is, in the worst case scenario, expected to only generate five vehicles per hour during peak periods and therefore will only result in a low/moderate demand for short-term parking;
- the site is highly accessible by walking and public transport and is also likely to attract its customer base from Central Park and the immediately surrounding established areas. A reduction of three pick up / drop off spaces below the Council's recommended maximum (nine spaces) is therefore justified; and
- in light of the above low/moderate demand for short-term parking from the childcare facility, the occasional shared use of these spaces by small coach(s) expected to service the hotel is unlikely to result in a detrimental shortfall.

In light of the above assessment, the Department supports the proposed amendments as they will maintain safe and efficient vehicular access to the site and will provide for sufficient short term parking for the childcare facility and coach parking for the hotel.

5.3. State Significant Development Application – Block 4N

5.3.1. Section 79C Evaluation

Table 4 identifies the matters for consideration under section 79C of the EP&A Act that apply to SSD, in accordance with section 89H of the EP&A Act. The EIS has been prepared by the applicant to consider these matters and those required to be considered in the SEARs and in accordance with the requirements of section 78(8A) of the EP&A Act and schedule 2 of the Regulation.

Table 4: Section 79C(1) Matters for Consideration

Section 79C(1) Evaluation	Consideration
(a)(i) any environmental planning instrument	Satisfactorily complies. The Department's consideration of the relevant EPI's is provided in Appendix B of this report
(a)(ii) any proposed instrument	Not applicable
(a)(iii) any development control plan	Under clause 11 of the SRD SEPP, development control plans do not apply to state significant development.

	Notwithstanding, consideration of relevant controls is provided in Section 5 and Appendix B
(a)(iia) any planning agreement	Not applicable
(a)(iv) the regulations <i>Refer Division 8 of the EP&A Regulation</i>	The application satisfactorily meets the relevant requirements of the Regulation, including the procedures relating to applications (Part 6 of the Regulations), public participation procedures for State Significant Developments and Schedule 2 of the Regulation relating to environmental impact statements
(a)(v) any coastal zone management plan	Not applicable
(b) the likely impacts of that development	Appropriately mitigated or conditioned - refer to Section 5 of this report
(c) the suitability of the site for the development	Suitable as discussed in Sections 3 and 5 of this report
(d) any submissions	Consideration has been given to the submissions received during the exhibition period. See Sections 4 and 5 of this report
(e) the public interest	Refer to Section 5 of this report
Biodiversity values impact assessment not required if: (a) On biodiversity certified land (b) Biobanking Statement exists	Not applicable

5.3.2. Consistency with Concept Approval

The Concept Approval (MP 06_0171) for the site sets out a number of requirements and parameters for future applications in developing the former Carlton United Brewery site.

As discussed in **Section 2.1**, the Department is concurrently considering a modification request to the Concept Approval, with this SSD application. The modification application seeks approval to redistribute GFA on the site (refer to **Table 5**) and modify the building envelopes to facilitate this application.

In this regard, the Department considers it appropriate that the SSD application be assessed in accordance with the Department's final recommendations for the proposed modification application to the Concept Approval. The Department has considered the requirements of the modified Concept Approval in detail at **Appendix D**.

An assessment of the key relevant requirements for the site is provided below and includes:

- building envelope height;
- building form, design and impact on heritage items;
- design excellence;
- Abercrombie street service vehicle access; and
- residential amenity.

5.3.3. Building envelope height

The proposed amended building envelope, discussed in **Section 5.2.2**, facilitates the SSD application. The amendments to the Block 4N envelope are considered to be reasonable and result in improved amenity to adjoining properties to the south and south-west, particularly in terms of solar access and visual bulk. In this regard, the overall height and footprint is supported.

The proposed building height of 18 to 19 storeys (maximum RL 81.50 metres, which is 1.7 metres higher than originally approved) is wholly contained within the modified Block 4N building envelope and is therefore considered acceptable.

5.3.4. Building form, design and impact on heritage items

Future Assessment Requirement B1 of the Concept Approval requires that the SSD application consider the resolution of the form and bulk of buildings along Abercrombie Street to ensure compatibility with the scale of buildings in the area and to maintain visual links into and outside the site, particularly to heritage items. Further, Modification A9 requires that the development provide for an appropriate elevation to Broadway and Abercrombie Street in order to protect the heritage significance of the heritage items.

The proposal includes the retention of the existing heritage items at the north eastern corner of the site (fronting Abercrombie Street), which include the Australian Hotel and the three terraces. The eastern extent of Block 4N (residential/office component) is setback six metres from Abercrombie Street and partially cantilevered over the rear projections of the heritage items.

The applicant contends that development has sympathetically incorporated the heritage items into the overall design of the development as:

- the massing of Block 4N (office/residential component) provides for a generous setback from Abercrombie Street and allows the heritage items to be appreciated without being overwhelmed by the new development;
- a publicly accessible courtyard is provided behind the heritage items, which is accessed from Abercrombie Street and Broadway; and
- a three storey building is provided to the south of the Abercrombie Street terraces enclosing the vehicular entrance to Block 4N (the Entrance Building) and screening it from view (refer to **Figure 10**).

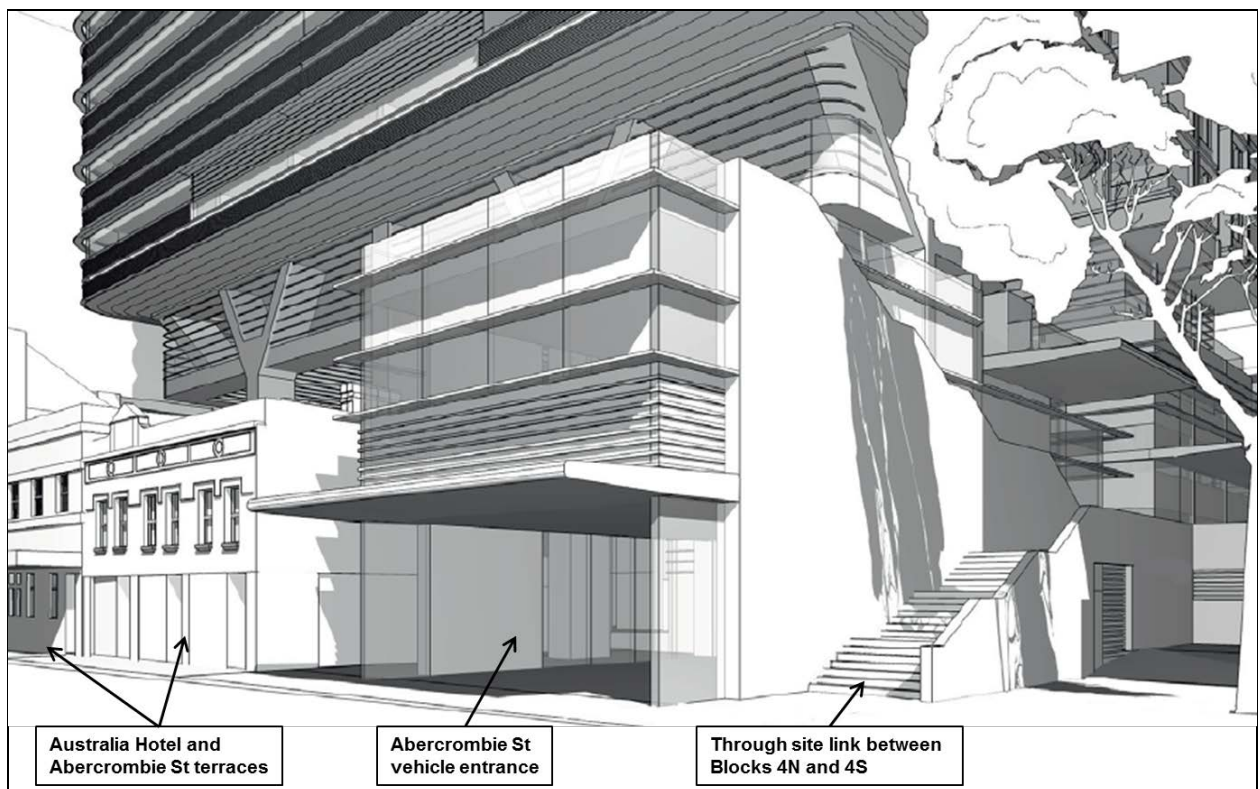


Figure 10: Abercrombie Street frontage, including the Australian Hotel and adjoining terraces, vehicle entrance and through site link (Base source: applicant's EIS)

Concerns were raised in the public submission that:

- the Entrance Building should be increased in height to match the height of the Australian Hotel and the Notre Dame building on the opposite side of Abercrombie Street;
- the architectural rhythm of the heritage items should be continued along Abercrombie Street; and

- the Entrance Building should employ more sympathetic materials (brickwork, sandstone and render).

The Department has considered the concerns raised in the submission and is satisfied that the proposal acknowledges the surrounding locality, sympathetically responds to the character and setting of the heritage items and provides an acceptable transition of built form along Abercrombie Street, as:

- the six metre setback from Abercrombie Street ensures that the development does not adversely dominate the heritage items and ensures that the hotel and terraces retain their individual identity, rather than being subsumed into the overall development;
- the retained heritage items and the Entrance Building provide a defined street wall to the Abercrombie Street frontage;
- the Entrance Building:
 - is one storey higher than the Abercrombie Street terraces and one storey lower than the neighbouring podium of Block 4S and therefore provides a suitable built form transition between Block 4S and the Abercrombie Street terraces;
 - comprises a simple contemporary architectural façade treatment, which is considered appropriate as the modern design does not compete with, or attempt to replicate the heritage qualities the historic facades of the heritage items, allowing them to be the street-level focal point on Abercrombie Street; and
 - is comprised of modern materials including metal, glass and concrete, which is considered appropriate given its contemporary design and function.
- visual links into and out of the site are provided along the pedestrian route located between Blocks 4N and 4S and via the heritage courtyard entrance on Abercrombie Street.

The Department is also satisfied that the proposal satisfies Modification A9 as:

- the proposed podium height of the hotel component, fronting Broadway, aligns with the height of the Australian Hotel and sufficient space is provided between these two buildings to ensure that the setting of the heritage item is appropriately safeguarded; and
- the overall design of the residential/office component of Block 4N, particularly the Broadway and Abercrombie Street elevations, complements the key design features of the Australian Hotel, including curved building edges and strongly banded façade treatment.

5.3.5. Design Excellence

The proposal has been designed by Foster + Partners in conjunction with Peddle Thorpe and Walker in accordance with the statement of commitments attached to the Concept Approval.

The Department notes that the retained heritage items on Abercrombie Street and hotel podium on Broadway provide a strong street wall and a relatable human scale. The part 18 and part 19 storey building, which has an 'H' shaped layout, has been divided into two architecturally distinct halves (a hotel component and residential/office component), both of which are interestingly articulated and modulated.

Overall the building will present a varied and interesting visual form, its elements unified by a shared palette of materials and architectural features, creating a cohesive and distinctive urban marker for this prominent corner site. The development includes public domain improvements that will improve the amenity and quality of the public domain.

The Department is of the view that the proposed development exhibits design excellence and will positively contribute to the Central Park precinct and the Broadway and Abercrombie Street streetscapes.

5.3.6. Abercrombie Street service vehicle access

The proposal includes the provision of a joint, four level basement that extends beneath both Blocks 1 and 4N. In accordance with the Concept Approval, the basement will be accessed via two vehicular entrances, including:

- a general vehicle entry/exit from Chippendale Way for domestic vehicles, located at the western end of the southern elevation of Block 1; and
- a combined service and waste vehicle entry/exit point from Abercrombie Street, located at the southern end of the western elevation of Block 4N.

Council has raised concern about the width of the proposed Abercrombie Street driveway and recommends that the driveway be amended in accordance with Council's standards by either reducing its width by 2.3 metres (from 8.3 to 6 metres) or including a pedestrian refuge between the entry and exit lanes.

The applicant contends that the width of the driveway is acceptable noting that it complies with the relevant Australian Standard. Further the inclusion of a refuge island, without widening the overall access point, would result in vehicles overrunning the island and therefore jeopardise pedestrian safety and the widening of the vehicle entry/exit to accommodate a pedestrian refuge would have detrimental impacts on urban design.

Although the driveway exceeds Council's standards by 2.3 metres, the Department is satisfied that the width is acceptable as:

- the width of the entry is consistent with Australian Standard AS2890.0:2002;
- the insertion of a pedestrian refuge island into the current design would have an adverse impact on pedestrian safety as vehicles would not be able to turn safely;
- it is not possible to reduce the width due to vehicle turning circle requirements;
- an increase in the width of the driveway to accommodate a pedestrian refuge would require the widening of the Entrance Building, which would adversely alter its architectural proportions and its relationship to the neighbouring heritage items; and
- a 800mm wide area is provided between the entry and exit lanes within the current design and provides an emergency rest point for pedestrians if required.

5.3.7. Residential amenity

The proposed residential component of Block 4N (48 residential apartments) is limited to the western half of the building between levels 11 to 16 (refer to **Figure 11**)

The Department has assessed the amenity impacts of the proposal against *State Environmental Planning Policy No. 65 (Design Quality of Residential Flat Buildings)* (SEPP 65) and the accompanying *Residential Flat Design Code* (RFDC). The Department has also considered the relevant amenity criteria within the recently endorsed SEPP 65 (Amendment no.3) and accompanying *Apartment Design Guide* (ADG), which replaces the RFDC. The Department has applied the RFDC guidelines and ADG criteria in the knowledge that only a small proportion of the development is in fact residential and can therefore not be reasonably expected to meet the design requirements intended for a (predominantly) residential building.

A full assessment of the proposal against the RFDC guidelines and the ADG criteria is provided at **Appendix B**, which demonstrates that the development as a whole provides an acceptable level of amenity. However, there are some departures from the guidelines of the RFDC and ADG. In this regard the Department considers the key issues to be:

- solar access;
- building separation and privacy;
- communal open space;
- dual key apartments; and
- deep soil zone.

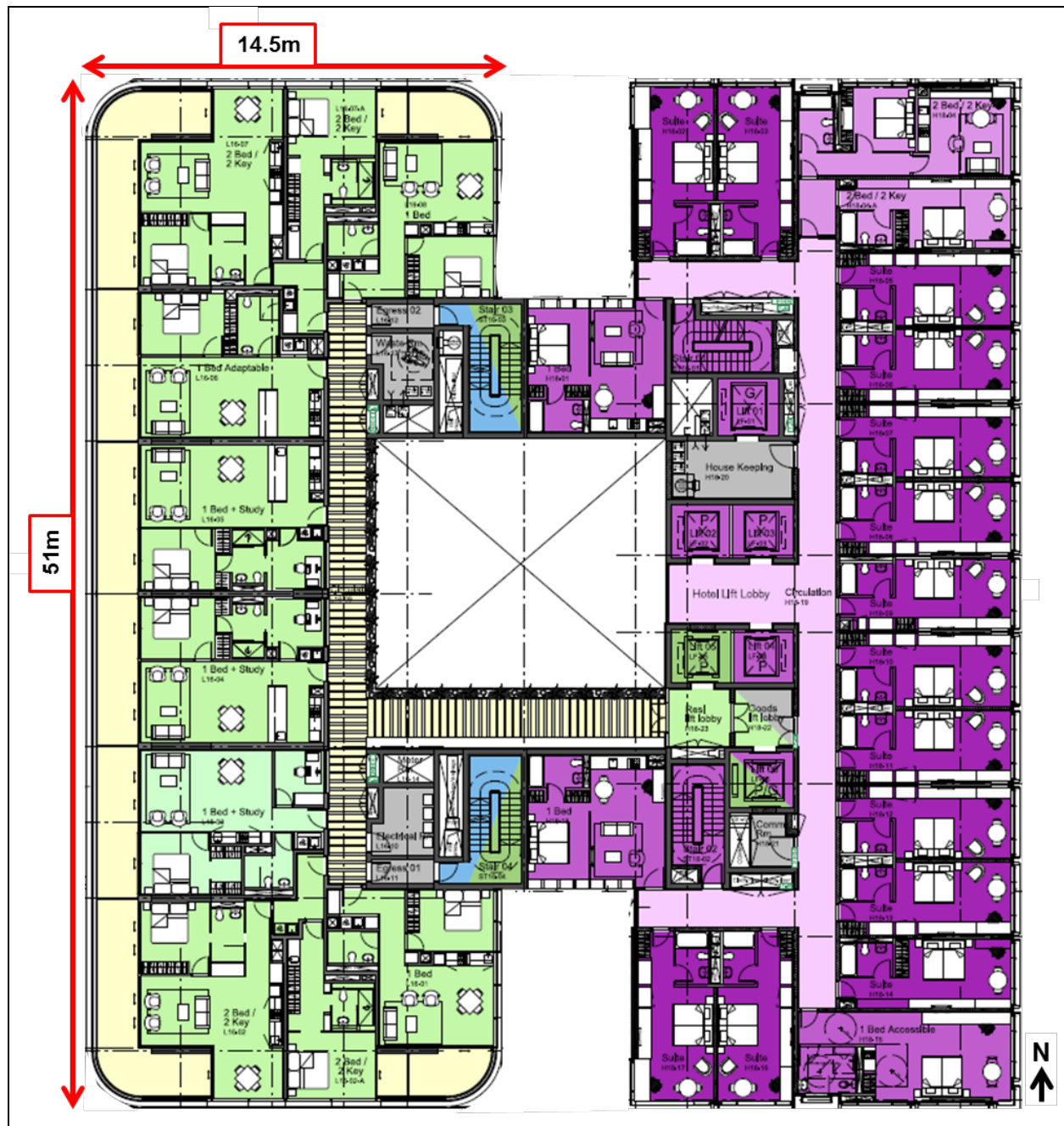


Figure 11: Typical residential floor layout and residential building depth (Base source: applicant's RtS)

Solar access

The RFDC and ADG recommend that 70% of all apartments within a development should achieve at least two hours or more of direct sunlight between 9am and 3pm in mid-winter in dense urban areas, such as Central Park.

The proposal does not meet this recommendation as only 25% of apartments achieve 2 hours of sunlight between the hours of 9.00am and 3.00pm midwinter, largely due to overshadowing caused by the UTS building on the opposite (northern) side of Broadway.

Solar access was carefully considered within the Department's assessment of the Concept Approval, which concluded that in achieving an appropriate scale of development and increased residential density in this important city-edge location, it may not be possible to meet the recommended solar access requirements. Consequently, in light of the site constraints, an alternative method for assessing solar access was adopted for the Concept Approval (and

subsequent approvals within the Central Park precinct), which recommends that two hours of solar access should be provided to apartments between the hours of 7:30am and 4:30pm in mid-winter.

The Department notes that 88% of apartments will achieve 2 hours solar access between the extended hours of 7:30am and 4:30pm in mid-winter, which is a significant improvement when compared with the RFDC and ADG criteria.

Overall the Department notes that the development includes a small number of apartments in the context of the overall building composition. Given the site's city edge location and orientation the Department concludes, on balance, that apartments within Block 4N will achieve an acceptable level of sunlight access. In addition, the proposal provides opportunities for views and internal comfort factors such as appropriate unit sizes, private open space, natural cross flow ventilation and open plan living. When combined, the proposal achieves a reasonable overall level of amenity.

Building separation and privacy

The RFDC and ADG recommend the following separation distances for buildings nine storeys and taller:

- 24 metres between habitable rooms/balconies;
- 18 metres between habitable rooms and non-habitable rooms; and
- 12 metres between non-habitable rooms.

The proposed Block 4N building is separated from neighbouring Block 1 (to the east) by 20.5 metres and from Block 4S (to the south) by 16.2 metres. Six metre separation is provided between the hotel and residential components of the building (refer to **Figure 12**).

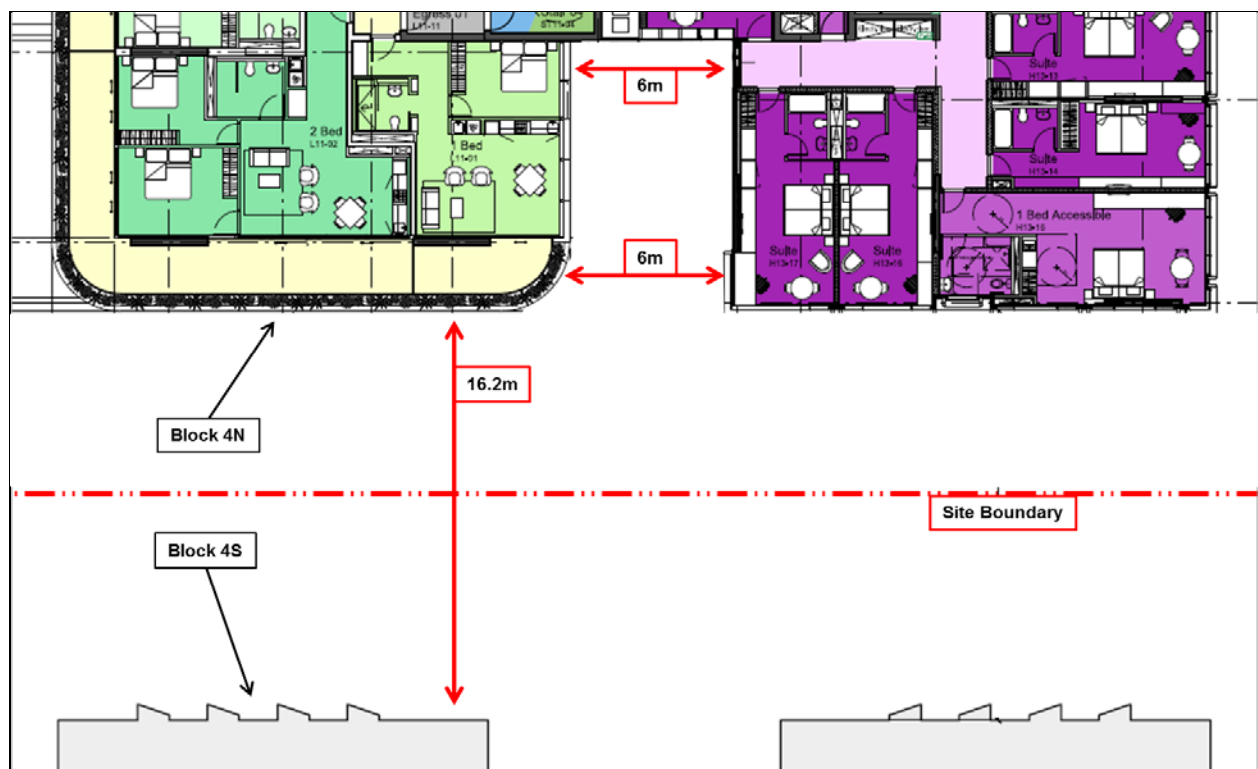


Figure 12: Excerpt of level 11 indicating the separation between residential and hotel uses within Block 4N and separation of Block 4N and Block 1 (Base source: applicant's RtS)

The 20.5 metre separation distance between the eastern elevation of Block 4N (hotel use) and the western elevation of Block 1 (residential use) exceeds the 18 metre minimum required by the Concept Approval and the RFDC and ADG and is therefore acceptable.

The 16.2 metre separation distance between the southern elevation of Block 4N (residential/hotel use) and the northern elevation of Block 4S (student accommodation) is consistent with the Concept Approval. However, it is 8.8 metres less than the RFDC and ADG recommended 24 metre separation distance. The Department considers this acceptable for the following reasons:

- angled windows are provided on the northern elevation of Block 4S, which direct views east and west and prevent overlooking of Block 4N; and
- the residential component Block 4N begins at residential level 11, which is one level higher than the top floor of student accommodation in Block 4S and therefore the apartments in Block 4N will look out towards the roof top of Block 4S.

The six metre internal separation between the residential and hotel components is less than the 18 metres recommended by the RFDC and ADG. As a result of the limited separation, apartments on levels 11 to 16 may be affected by hotel suites and an internal corridor window directly opposite as shown at **Figure 12**. To ensure that the affected apartments are afforded an appropriate level of privacy, the Department recommends a condition that requires the hotel circulation corridor windows and hotel suite windows at each level be treated/screened.

Communal open space

The RFDC and ADG recommend that communal open spaces should be provided, equivalent to 25-30% of the overall site area (which equates to 1,028-1,233m² for Block 4N).

A total of 132m² residential communal open space is provided, in the form of an internal residential courtyard, at residential level 11. This equates to approximately 3.2% of the overall site area or 6.4% of the western portion of the site where the residential component is situated (refer to **Figure 13**).

The applicant has stated that in addition to the internal residential courtyard, residents will also have access to the hotel amenities, which include gym, pool and jacuzzi (approximately 400m²) located at level 3 within the hotel. When combined with the residential internal courtyard, this equates to a total of 532m² or 13%.

The Department notes that the ADG states that variations to the percentage of communal open space are possible for sites with high site coverage or in a centre on the basis of increased private open space / balconies and/or good access to public open space and/or contributions to public open space.

While the overall amount of communal open space is less than recommended, Block 4N is near to Chippendale Green, which is a 6,000m² park provided by the applicant as part of the Concept Approval, and available for the use of residents, employees and the local community. In addition, apartments are provided with private open space in accordance with the objectives of the RFDC / ADC with a minimum depth of 2 metres. Given the context of the site and its closeness to Chippendale Green, the private open space provided to residents is acceptable.

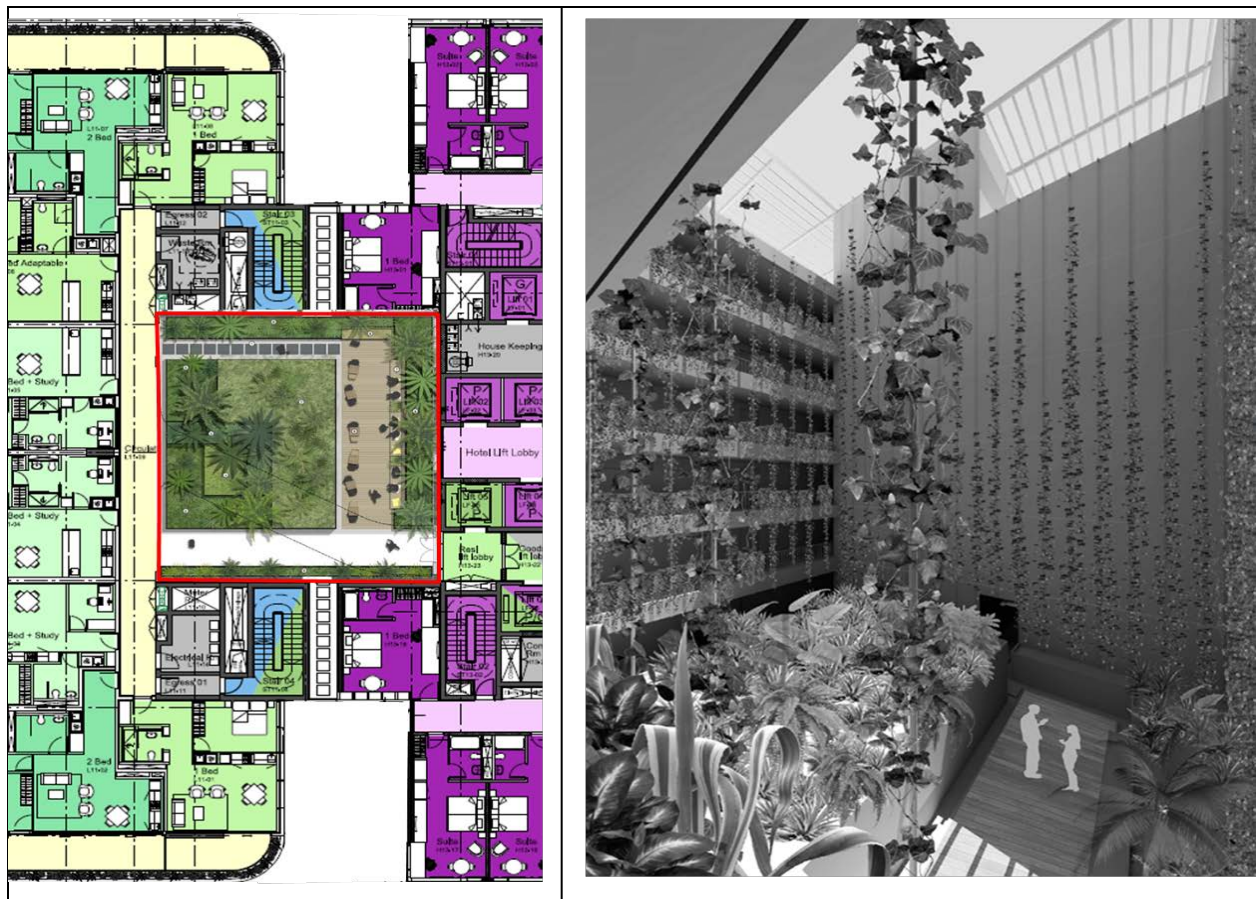


Figure 13: Internal residential courtyard layout (left) and solar access (right) (Base source: Applicant's EIS and RtS)

Dual Key Apartments

Dual key apartments are designed to provide flexibility for future residents and can function as a single apartment or as two separate apartments with a single entry.

The proposal seeks approval for a total of 10 two bedroom dual key apartments, each containing a studio and a 1 bedroom apartment. **Figure 14** illustrates a typical proposed dual key apartment. The proposed internal layout provides two dual key apartments on each floor between residential levels 12 and 16, located at the northern and southern ends of the building. The apartments are all dual aspect and have opportunities for solar access and views across the roof of Block 4S or towards the CBD.

The RFDC does not address dual key apartments. The ADG acknowledges that dual key apartments provide flexibility in tenancy and housing choice however there is no guidance in relation to design or amenity for these types of apartments. The Department has previously assessed the suitability of the residential amenity of dual key apartments in other approvals within the Central Park precinct and concluded that dual key apartments would provide an adequate level of amenity where they:

- are provided with private open space; and / or
- are provided with cross flow ventilation; and / or
- receive more than 2 hours of sunlight access; and / or
- are provided with an outlook.

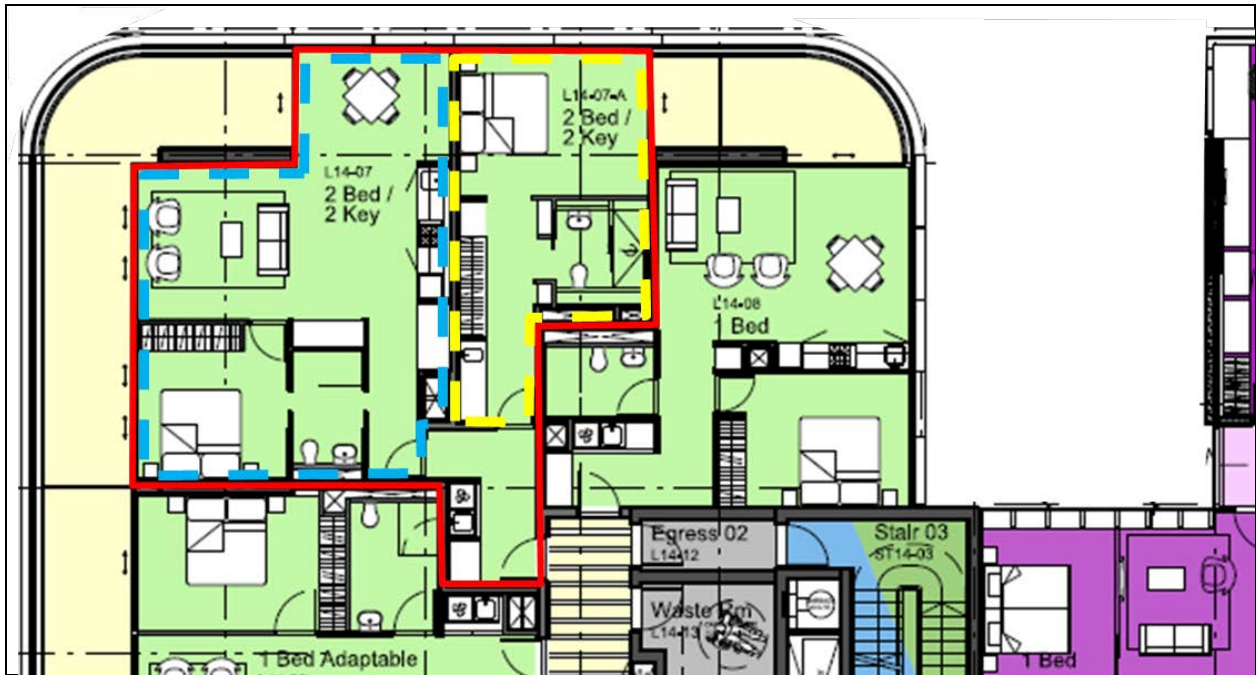


Figure 14: A dual key apartment (outlined in red) and the internal division between the studio and one bedroom apartments within (outlined in yellow and blue) (Source: applicant's RtS)

In order to ensure that an adequate level of amenity is provided to each apartment (especially if the apartments are rented or occupied separately), the Department has applied the above noted criteria, consistent with other assessments of dual key apartments on the Central Park precinct.

The Department notes that the ADG considers that apartments at ten storeys or greater are deemed to be cross-ventilated due to air flow patterns at higher levels.

Each studio within the dual key apartments is provided with a balcony, achieves cross ventilation and either an outlook to the south or achieves more than two hours of solar access. The Department is therefore satisfied that the dual key apartments are provided with an adequate level of amenity.

Deep soil zone

The RFDC and ADG recommend that deep soil zones should be provided equivalent to 20-25% of the overall site area.

No deep soil zones are proposed within or adjacent to the development. However, the development includes the following compensatory landscape features:

- three existing street trees are retained and 4 new street trees are proposed along Broadway outside the building frontage;
- eight small trees are proposed within the north/south through site link within planters; and
- the development includes a range of soil depths (between 300-600mm) throughout the internal and external landscaped areas.

The Department notes the ADG states that variation to the deep soil zone requirement is possible where a site is located within an urban centre, the ground floor is predominately non-residential and alternative planting is provided.

The Department considers that the lack of dedicated deep soil zone within Block 4N is acceptable as:

- the development is located in a dense urban area and it is not unusual for buildings in such locations to occupy the entire site;

- existing trees on Broadway are retained and new street trees are proposed;
- the development includes a through site link which is landscaped and includes small tree planting in raised planters;
- the ground floor uses in the podium are entirely non-residential (with the exception of the residential lobby);
- a large open space (Chippendale Green), which includes substantial tree planting, has been provided to the south east of Block 4N as part of the Central Park precinct development; and
- the hydrological impacts of the 100% site coverage will be mitigated by existing and proposed stormwater infrastructure.

Conclusion

Overall the Department considers that the residential apartments will be afforded an acceptable standard of residential amenity. In particular, the Department notes the slender (maximum 14.5 metre) depth of the residential component of the development and also that the residential component only makes up a small proportion of the overall development.

5.4. Other Issues

5.4.1. Crime Prevention Through Environmental Design (CPTED)

The proposal includes a CPTED Report, which provides an assessment of the development against the relevant CPTED principles and makes recommendations for minor amendments to ensure the development achieves a safe and secure built form and environment.

Council has commented that the following additional crime prevention measures should be provided:

- the blank wall between Blocks 4N and 4S should be landscaped and/or include public art to prevent graffiti;
- a barrier should be provided to the waterwall at the main entrance to prevent unauthorised access;
- the applicant should consult with Redfern police about CCTV footage exchange;
- the development should not take on a fortress-like appearance through the use of bars, grills, solid shutters, wire or other such security devices; and
- the heritage courtyard should be managed and securely closed between 10pm and 7am as proposed.

In response to Council's concern the applicant has confirmed that the waterwall feature at the Broadway entrance to the development has been removed.

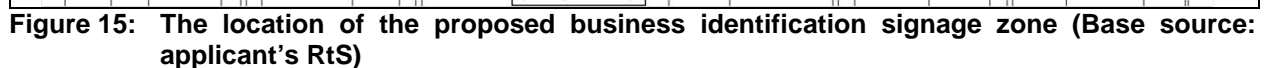
The Department concurs with Council's recommendations regarding the blank wall, consultation with Redfern police, use of security grills/bars and the management of the heritage courtyard. The Department recommends a condition which requires the recommendations of the CPTED report be incorporated into the development, together with the above recommended additions.

5.4.2. Business identification signage zones

The proposal includes the provision of the following 12 illuminated business identification signage zones for the hotel and retail tenancies:

- three signage zones located at ground (17.8m x 1.3m and 3m x 1m) and third floor level (12m x 4m) of the northern elevation fronting Broadway;
- six signs located at ground floor (two 7.1m x 1.3m and four 315mm x 540mm) level fronting the through site link; and
- three signs located at ground (10.3m x 13m and 600mm x 2.5m) and second floor level (12m x 4m) of the southern elevation fronting Block 4S.

The future signage would be illuminated (refer to **Figure 15**).



The Department is of the view that the scales of the signage zones are acceptable within the overall context of the building and notes that the proposed signage zones are all located at the lower levels of the building, situated above doorways, glazed window-fronts and/or appropriately located within the façade of the building.

The Department notes the large dimensions of the two hotel signage zones at third floor level (measuring 12m x 4m). However, the applicant has indicated that these zones are expected to contain the halo-lit lettering of the hotel name (refer to **Figure 16**) and would not fill the entire expanse of the signage zone.



The Department has considered the principle of the proposed signage zones and considers that future signs will be capable of being appropriately positioned, proportioned and integrated into the design of the building and are therefore acceptable.

The Department recommends conditions confirming that that separate approval is required for any future signage to be located within the approved signage zones and that the future signage is appropriately designed and maintained.

5.4.3. Heritage

Council has raised concern that the heritage plans provided lack detail. The Department agrees with Council that the heritage plans should provide more detail to ensure that the heritage significance of the Australian Hotel and Abercrombie Street terraces are appropriately safeguarded. In this regard the Department has recommended conditions to ensure that sufficiently detailed plans are submitted to Council for approval prior to the issue of a Construction Certificate.

6. CONCLUSION

The Department has assessed the merits of the proposal taking into consideration the issues raised in all submissions and is satisfied that the impacts have been satisfactorily addressed within the proposal and the recommended conditions. The Department considers that the proposal is generally consistent with the Concept Approval for the site and is an appropriate development.

The proposed reallocation of GFA between the blocks and the inclusion of residential use within Block 4N is acceptable and is consistent with Concept Approval parameters ensuring that a minimum of 59,515m² of non-residential floorspace will be delivered across Central Park. Further, the amendments to the Block 1 and 4N building envelopes, including the physical separation of the blocks, have a positive impact on the Broadway streetscape and will have minimal impacts on adjoining properties.

Block 4N forms an integral part of the Central Park precinct and will contribute to the urban renewal of the locality. The proposal will provide significant public benefits by:

- providing 23,133m² of non-residential accommodation (hotel, office, retail and childcare uses), complementing existing commercial premises in the Central Park precinct and broader Chippendale locality;
- providing new housing (a total of 48 apartments) that adjoins the CBD and has excellent access to public transport (bus, train, light rail), employment, educational facilities, health services and other social infrastructure;
- contributing to the creation of an integrated high density mixed use precinct;
- providing for new buildings with a high standard of architectural design and appearance that achieves design excellence and will complement the existing urban character of the area;
- contributing towards employment growth by providing an estimated 500 jobs during the construction phase and 700 jobs at the operational stage; and
- providing for new public realm and landscaping that will integrate the development into the Central Park precinct and existing surrounding areas.

Overall, the Department is satisfied that the amendments to the Concept Approval are acceptable and will maintain a satisfactory level of amenity to neighbouring properties, and that the concurrent SSD Application for Block 4N provides adequate amenity for occupants of the building and minimises its impact upon neighbouring properties.

Subject to the recommended conditions, the Department considers the proposals are in the public interest and recommends the applications for approval.

7. RECOMMENDATION

It is recommended that the Executive Director, Infrastructure & Industry Assessments, as delegate of the Minister for Planning:

- a) **consider** the recommendations of this report;
- b) **approve** the modification application (MP06_0171 MOD10) under section 75W of the EP&A Act, having considered all relevant matters in accordance with (a) above, and **sign** the attached Instrument of Modification at **Appendix E**; and
- c) **approve** the State Significant Development Application (SSD 6673), under section 89E of the EP&A Act, having considered matters in accordance with (a) above, and **sign** the attached development consent at **Appendix E**.

Prepared by: Matthew Rosel
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Endorsed by:



Amy Watson
Team Leader
Metropolitan Projects

Endorsed by:



Ben Lusher
A/Director
Key Site Assessments

Approved by:



20/8/15

Daniel Keary
A/Executive Director
Infrastructure and Industry Assessments

APPENDIX A RELEVANT 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. Environmental Assessment / Environmental Impact Statement

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=6823
http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=6673

2. Submissions

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=6823
http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=6673

3. Applicant's Response to Submissions

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=6823
http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=6673

APPENDIX B CONSIDERATION OF ENVIRONMENTAL PLANNING INSTRUMENTS/ SEPPS

ENVIRONMENTAL PLANNING INSTRUMENTS (EPIs)

To satisfy the requirements of section 79C(a)(i) of the EP&A Act, this report includes references to the provisions of the environmental planning instruments that govern the carrying out of the project and have been taken into consideration in the environmental assessment of the project.

Controls considered as part of the assessment of the proposal are:

- *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.*

COMPLIANCE WITH CONTROLS

State Environmental Planning Policy (State and Regional Development) 2011

Relevant Sections	Consideration and Comments	Complies?
3 Aims of Policy The aims of this Policy are as follows: (a) to identify development that is State significant development,	The proposed development is identified as SSD.	Yes
8 Declaration of State significant development: section 89C (1) Development is declared to be State significant development for the purposes of the Act if: (a) the development on the land concerned is, by the operation of an environmental planning instrument, not permissible without development consent under Part 4 of the Act, and (b) the development is specified in Schedule 1 or 2.	The proposed development is permissible with consent under <i>Sydney Local Environmental Plan 2005</i> . The site is specified in Schedule 2.	Yes
Schedule 2 State significant development — identified sites (Clause 8 (1)) 2 Development on specified sites Development that has a capital investment value of more than \$10 million on land identified as being within any of the following sites on the State Significant Development Sites Map:.. (c) Broadway (CUB) Site,	The proposed development is within the identified Broadway (CUB) Site and has a capital investment value of \$69 million.	Yes

State Environmental Planning Policy (Infrastructure) 2007

Schedule 3 of the SEPP requires traffic generating developments to be referred to Roads and Maritime Services (RMS). RMS has provided comments on the proposed development and recommended conditions to be incorporated should the application be approved.

State Environmental Planning Policy No. 55 - Remediation of Land

Site-wide remediation was considered and approved as part of MP 07_0163 – Remediation and Transitional Works. The approved remediation works has been carried out. Standard conditions to manage any potential impacts of the development are recommended consistent with other previous developments on the site.

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

SEPP BASIX encourages sustainable residential development across NSW by setting targets that measure the efficiency of buildings in relation to water, energy and thermal comfort. SEPP BASIX requires all new dwellings meet sustainable targets of a 20% reduction in energy use (building size dependent) and 40% reduction in potable water.

There has been a commitment to use the requirement of BASIX as a minimum requirement and a BASIX report has been submitted for the building demonstrating satisfactory compliance with BASIX targets. The BASIX scores of the building are:

- Energy - 42
- Water - 60
- Thermal Comfort - Pass

State Environmental Planning Policy No. 65 - Design Quality of Residential Flat Development, including:

- Residential Flat Design Code; and
- Apartment Design Guide

State Environmental Planning Policy 65 – Design Quality of Residential Flat Development (SEPP 65) seeks to improve the design quality of residential flat developments. The Residential Flat Design Code (RFDC) is closely linked to the principles of SEPP 65 and sets out best practice design principles for residential flat development.

The Department has carried out a comprehensive review SEPP 65 including the replacement of the RFDC with the Apartment Design Guide (ADG). SEPP 65 (Amendment no.3) and the ADG will facilitate an increase in the supply of well designed, affordable apartments, to introduce greater consistency in the adoption of basic design principles, and encourage more innovative design.

SEPP 65 (Amendment no.3) and the ADG were endorsed on 19 June 2015 and came into effect on 17 July 2015. However, SEPP 65 includes saving provisions which confirm that the previous SEPP 65 (and RFDC) still applies for development applications prior lodged prior to 19 June 2015.

Notwithstanding the above, as the amendments to SEPP 65 were exhibited prior to the determination of this application, the Department has assessed the proposal against the aims and objectives of SEPP 65 and endorsed SEPP 65 (Amendment no.3).

SEPP 65:	SEPP 65 (Amendment no.3):	Department's Response
Current Principle	Proposed Principle	
1. Context	1. Context and Neighbourhood Character	The proposal is consistent with the use and built form requirements of the Concept Approval and with the existing and desired future character of the locality as discussed in Sections 5.3.4 and 5.3.5 . The proposal will not have any detrimental impacts on the amenity of existing and future adjoining development.
2. Scale	2. Built Form and Scale	The proposal is consistent with the building envelope parameters set by the Concept Approval (as modified) and the height and general scale of the development

		is appropriate within its city edge locality. The scale of the development is compatible with existing developments adjoining the site and the other buildings within the Central Park precinct as discussed in Section 5.3.4 .
3. Built Form		The development is considered to be of a high standard of architectural design and appearance as discussed in Section 5.3.5 . The development has an appropriate relationship with, and is sympathetic to, the historic importance of the retained heritage items on-site.
4. Density	3. Density	The building is considered to be of an appropriate density and scale consistent with the Concept Approval (refer to Appendix C).
5. Resource, Energy and Water Efficiency	4. Sustainability	A BASIX certificate was provided with the proposal and demonstrates that the proposed development achieves compliance with the BASIX water, thermal and energy efficiency targets. Further, Ecologically Sustainable Development principles have been incorporated into the proposal and the proposal will be considered under the Green Star Multi-Unit Residential v1, Office v3 and Public Buildings v1 Tools, achieving a minimum 5 Star Green Star rating.
6. Landscape	5. Landscape	The proposal includes landscaped internal residential courtyard, through site links and also public domain improvements outside the frontages of the building. The landscaped design will provide a high level of amenity for residents, employees and visitors and ties into the overall landscaping of the Central Park precinct.
7. Amenity	6. Amenity	The proposal generally complies with the principles of SEPP 65 and the recommended standards of the RDFC and ADG in terms of achieving satisfactory residential amenity. The proposed apartments will achieve satisfactory levels of solar access to communal areas, natural ventilation and privacy.
8. Safety and Security	7. Safety	The building has been designed to provide passive and active surveillance of the surrounding public domain. Security access is provided for pedestrian entry into the residential building and vehicular entry to the basement. The heritage courtyard will be closed outside of operation hours to prevent unauthorised access.
9. Social Dimensions and Housing Affordability	8. Housing Diversity and Social Interaction	The proposal does not include affordable housing. However, the proposal provides a mix of apartment sizes ranging from studio to two bedrooms (including dual key apartments) to cater for a range of residents with varied incomes and needs.
10. Aesthetics	9. Architectural Expression	The proposal demonstrates a high standard of architectural design through an effective palette of materials and finishes that appropriately articulate the building form. The architectural detail responds appropriately to the site's opportunities and constraints and improves the amenity of the existing public domain through the provision of a visually interesting contemporary building.

An assessment of the proposal against the RFDC best practice design principles is provided below:

	RFDC Guideline	Proposed	Consistency?
Part 1 Local Context			
Building Depth	Between 10-18m is appropriate. If wider, demonstrate how satisfactory daylighting and natural ventilation is achieved.	<ul style="list-style-type: none"> Residential component has a depth of 14.5m satisfactory daylighting and natural ventilation is achieved 	Yes
Building Separation (habitable rooms & balconies)	<ul style="list-style-type: none"> 24m between habitable rooms/balconies; 18m between habitable / non-habitable rooms; 12m between non-habitable rooms 	<ul style="list-style-type: none"> 20.5m separation between Block 4N and B1; 16.2m separation between Block 4N and 4S 6m internal separation between hotel and apartments 	No Refer to Section 5.3.7
Street Setbacks	Compatible with desired streetscape character	<ul style="list-style-type: none"> The building is provided with appropriate setbacks 	Yes
Part 2 Site Design			
Deep Soil Landscaping	Min 25% of deep soil planting	<ul style="list-style-type: none"> No deep soil area provided. 	No Refer to Section 5.3.7
Fences	Provide privacy and security Contribute to public domain	<ul style="list-style-type: none"> No fencing proposed. Appropriate security and surveillance measures in place. 	Yes
Communal Open Space	Communal open spaces to be 25-30% of site area	<ul style="list-style-type: none"> 132m² communal roof area provided (3.2% of the overall site area or 6.4% of the western/residential portion of the site) 	No Refer to Section 5.3.7
Private Open Space (ground floor)	25m ² with minimum width of 4m	<ul style="list-style-type: none"> Not applicable as there are no apartments at ground level 	N/A
Part 3 Building Design			
Vehicle Access	Generally limit driveway width to 6m	<ul style="list-style-type: none"> The service vehicle driveway from Abercrombie Street is 8.8m in width. 	No Refer to Section 5.3.6
Apartment Size (min)	1 bed = 50-63m ² 2 bed = 70-90m ²	<ul style="list-style-type: none"> 1 bed = 53-63m² 2 bed = 79m² 2 bed (dual key) = 99m² 	Yes
Balcony Depth	Min 2m	<ul style="list-style-type: none"> All balconies exceed 2m in depth 	Yes
Floor to ceiling heights	≥2.7m	<ul style="list-style-type: none"> Residential: 2.7m 	Yes
Max No. of apartments off a circulation core	Max 8 apartments per lift core	<ul style="list-style-type: none"> 8 apartments per floor 	Yes
Storage	1 bed = 6m ³ 2 bed = 8m ³	<ul style="list-style-type: none"> 1 bed = 6m³ 2 bed = 8m³ 	Yes
Solar Access	70% of living rooms & private open space to achieve 2hrs (for dense urban areas) sunlight between 9am-3pm on 21 June (Winter solstice)	<ul style="list-style-type: none"> 25% of apartments and associated open space achieve a minimum of 2 hours of sunlight between 9am and 3pm. 	No Refer to Section 5.3.7
Natural Ventilation	Min 60% of apartments cross ventilated	<ul style="list-style-type: none"> All (100%) apartments cross ventilated 	Yes
Kitchens with natural	Min 25%	<ul style="list-style-type: none"> All (100%) due to open plan living arrangement 	Yes

ventilation			
Awnings and Signage	Signs to comply with SEPP 64 and awning to encourage pedestrian activity	<ul style="list-style-type: none"> • Signage zones comply with SEPP 64. • Applications for signage within the signage zones will be submitted. • Building provides an acceptable level of street activation • Weather protection provided above residential entrance 	Yes
Single aspect units	Limit those with southerly aspect to no more than 10%	<ul style="list-style-type: none"> • No apartments have a solely south facing aspect 	Yes

An assessment of the proposal against the ADG best practice design principles is provided below:

ADG – Relevant Criteria	Proposal	Consistency?
3B Orientation		
<ul style="list-style-type: none"> • Building type/layouts respond to streetscape, optimising solar access • Overshadowing of neighbouring properties is minimised 	<ul style="list-style-type: none"> • Direct access provided from the street, solar access is maximised • Overshadowing is minimised 	Yes
3C Public Domain Interface		
<ul style="list-style-type: none"> • Transition between public/private without compromising security • Appropriate public domain amenity 	<ul style="list-style-type: none"> • Active frontages provided, residential, childcare and hotel lobbies are easily identifiable • Suitable public domain/landscaping provided 	Yes
3D Communal and Public Open Space		
<ul style="list-style-type: none"> • minimum 25% of the site • well designed 	<ul style="list-style-type: none"> • 132m² communal roof area provided (3.2% of the overall site area or 6.4% of the western/residential portion of the site) • High standard of design, usability and safety 	No Refer to Section 5.3.7 Yes
3E Deep Soil Zones		
<ul style="list-style-type: none"> • Sites greater than 1,500m², minimum 20% of the site 	<ul style="list-style-type: none"> • No deep soil area provided. 	No Refer to Section 5.3.7
3F Visual Privacy		
Over 25m (9+ storeys) <ul style="list-style-type: none"> - 24 from habitable rooms - 18m from non-habitable rooms. 	<ul style="list-style-type: none"> • 20.5m separation between Block 4N and B1; • 16.2m separation between Block 4N and 4S; and • 6m internal separation between hotel and apartments. 	No Refer to Section 5.3.7
3G Pedestrian Access to Entries		
Entries address public domain and are easy to identify	Entries are well located, designed and easily identifiable	Yes
3H Vehicle Access		
<ul style="list-style-type: none"> • Width of vehicle access point limited to minimum • Conflicts are minimised 	<ul style="list-style-type: none"> • Vehicle access width is 8.8m • Appropriate sight lines are achieved • Car park entry is well designed 	Yes
3J Bicycle and Car Parking		
<ul style="list-style-type: none"> • No car parking requirement for sites within 400m of a railway or light rail station • Parking is available for other modes of transport 	<ul style="list-style-type: none"> • 126 car parking spaces provided, comprising: <ul style="list-style-type: none"> • 56 hotel spaces; • 32 residential spaces (including 	Yes

<ul style="list-style-type: none">• Visual and environmental impacts of at grade or above ground car parking are minimised	<ul style="list-style-type: none">• seven accessible spaces);• 28 commercial tenant spaces;• five retail spaces; and• five childcare spaces.• Six short term childcare/hotel on-street drop off bays / coach parking spaces are provided on Central Park Avenue• 122 bicycle parking spaces provided:<ul style="list-style-type: none">• 48 residential (in storage cages);• 54 non-residential; and• 20 visitor.• No above ground car parking provided													
4A Apartment Mix														
<ul style="list-style-type: none">• Provision of a range of apartment types and sizes• Apartment mix is distributed to suitable locations within the building.	<ul style="list-style-type: none">• A variety of apartment sizes and types are accommodated and appropriately located within the building.	Yes												
4C Facades														
Building facades provided with visual interest and function expressed by design	The proposal achieves a high standard of architectural design	Yes												
4D Roof Design														
<ul style="list-style-type: none">• Roof treatments are integrated into the building design and positively respond to the street• Opportunities to use roof space for accommodation and open space is maximised• Roof design includes sustainability features	<ul style="list-style-type: none">• The roof design of the building is architecturally expressed and visually interesting• Internal green walls are provided within the residential courtyard	Yes												
4E Landscape Design														
<ul style="list-style-type: none">• Landscape design is viable and sustainable• Landscape design contributes to streetscape and amenity	<ul style="list-style-type: none">• Landscaping includes a mixture of native and non-native plants and shading trees.• Planting is provided to the street frontages and along the through site links	Yes												
4F Planting on Structures														
<ul style="list-style-type: none">• Building includes opportunity for planting on structure• Appropriate soil profiles are provided and plant growth is maximised (selection/maintenance)	<ul style="list-style-type: none">• The building includes a communal, planted internal residential courtyard• Perimeter planters are provided along residential balconies at level 11 and at the amenities level (level 3) of the hotel;• A range of soil depths are proposed from 300-600mm; and• Internal green walls are provided within the residential courtyard	Yes												
4G Universal Design														
<table><tr><th>Universal Design Guidelines (20% of apartments)</th><th>SSDA 6580</th></tr><tr><td>Safe and continuous levelled path to entrances</td><td>Compliant</td></tr><tr><td>Accessible entry door with a minimum 820mm clear opening width and a step-free threshold</td><td>Compliant</td></tr><tr><td>Level landing area of 1200mm x 1200mm at the entrance door</td><td>Compliant</td></tr><tr><td>Internal doors with a minimum 820mm clear opening width and a step-free transition between surfaces</td><td>Compliant</td></tr><tr><td>Internal corridors with a minimum of 1000mm clear width.</td><td>Compliant</td></tr></table>		Universal Design Guidelines (20% of apartments)	SSDA 6580	Safe and continuous levelled path to entrances	Compliant	Accessible entry door with a minimum 820mm clear opening width and a step-free threshold	Compliant	Level landing area of 1200mm x 1200mm at the entrance door	Compliant	Internal doors with a minimum 820mm clear opening width and a step-free transition between surfaces	Compliant	Internal corridors with a minimum of 1000mm clear width.	Compliant	Yes
Universal Design Guidelines (20% of apartments)	SSDA 6580													
Safe and continuous levelled path to entrances	Compliant													
Accessible entry door with a minimum 820mm clear opening width and a step-free threshold	Compliant													
Level landing area of 1200mm x 1200mm at the entrance door	Compliant													
Internal doors with a minimum 820mm clear opening width and a step-free transition between surfaces	Compliant													
Internal corridors with a minimum of 1000mm clear width.	Compliant													

Step free shower recess	Compliant	
Bathroom wall is reinforced for grab rails around the toilet, shower and basin	Compliant	
A toilet is provided on the ground or entry level in multi-level apartments that provides: <ul style="list-style-type: none">• minimum clear width of 900mm between walls• minimum clear circulation space forward of the toilet pan of 1200mm (excluding the door swing)	Compliant	
4J Mixed Use		
<ul style="list-style-type: none">• Mixed use development are provided in appropriate locations and provide street activation and encourage pedestrian movement• Residential floors are integrated within the development, safety and amenity is maximised.	<ul style="list-style-type: none">• The development addresses the street and pedestrian thoroughfares and active frontages are provided• Residential circulation areas are clearly defined and communal open space is provided.	Yes
4K Awning and Signage		
<ul style="list-style-type: none">• Awnings are well located and complement and integrate with the building• Signage responds to the context and design streetscape character	<ul style="list-style-type: none">• Signage zones comply with SEPP 64.• Applications for signage within the signage zones will be submitted.	Yes
4L Solar and Daylight Access		
<ul style="list-style-type: none">• Minimum of 70% of apartments' living rooms and private open spaces receive 3hrs direct sunlight between 9am-3pm in mid-winter<ul style="list-style-type: none">• In areas characterised by high densities, 2hrs of direct sunlight may be acceptable• Maximum of 15% of apartments have no direct sunlight between 9am-3pm in mid-winter• Shading and glare control is provided	<ul style="list-style-type: none">• 25% of apartments and associated open space achieve a minimum of 2 hours of sunlight between 9am and 3pm.	No Refer to Section 5.3.7
4M Common Circulation and Spaces		
<ul style="list-style-type: none">• Natural ventilation is provided to all common circulation spaces where possible• Common circulation spaces provide for interaction between residents• Maximum 8 apartments off one core• Longer corridors are articulated	<ul style="list-style-type: none">• Natural ventilation and light is provided to the residential internal corridor/circulation area.• The residential internal courtyard includes opportunities for interaction.• 8 apartments are located off each core.• Corridors are not excessively long.	Yes
4N Apartment Layout		
<ul style="list-style-type: none">• Minimum apartment sizes<ul style="list-style-type: none">- Studio 35m²- 1 bedroom 50m²- 2 bedroom 70m²- 3 bedroom 95m²• Habitable room depth complies with appropriate ceiling height to room depth ratio• A window should be visible from any point in a habitable room• Living rooms have a minimum width of:<ul style="list-style-type: none">- 3.6m for studio and one bed- 4m for 2 and 3 bed• Master bedroom have a minimum area of 10m² and other bedrooms have 9m²• Bedrooms have a minimum dimension of 3m (excluding wardrobes)• For open plan layouts, the kitchen is a	<ul style="list-style-type: none">• Apartment sizes exceed the minimum guidelines:<ul style="list-style-type: none">- 1 bed = 51-63m²- 2 bed = 73-96m²• Not all apartments meet the ceiling height to room depth ratio. However, notwithstanding this, it is considered that sufficient light and ventilation is achieved.• A window is visible from any point in a habitable room.• Rooms meet or exceed minimum widths.• Bedrooms meet or exceed the minimum dimensions.• kitchens are 8m from a window in an open plan layout.	Yes

maximum of 8m from a window		
4O Ceiling Heights		
Measured from finished floor level to finished ceiling level, minimum ceiling heights are: <ul style="list-style-type: none"> - Habitable rooms 2.7m - Non-habitable rooms 2.4m 	Ceiling heights meet or exceed the recommended minimums	Yes
4P Private Open Space and Balconies		
<ul style="list-style-type: none"> • Primary private open space and balconies are appropriately located • Primary balconies are provided to all apartments providing for: <ul style="list-style-type: none"> - 1 bedroom min area 8m² min depth 2m - 2 bedroom min area 10m² min depth 2m - 3 bedroom min area 12m² min depth 2.5m • Primary balconies are integrated into architectural form and detail of the building • Primary open space and balconies maximises safety 	<ul style="list-style-type: none"> • Balconies are provided to all apartments and are located in the most appropriate location for the unit. • Balcony sizes are consistent with the area and depth guidelines. • All balconies are integrated into the architectural form/detail of the building. • Balcony design avoids opportunities for climbing and falls. 	Yes
4Q Natural Ventilation		
<ul style="list-style-type: none"> • At least 60% of apartments are cross ventilated • Overall building depth does not exceed 12-18m 	<ul style="list-style-type: none"> • All (100%) apartments are cross ventilated. • Residential component has a depth of 14.5m 	Yes
4R Storage		
<ul style="list-style-type: none"> • The following storage is required (with at least 50% located within the apartment): <ul style="list-style-type: none"> - Studio apartments 6m³ - 1 bedroom apartments 6m² - 2 bedroom apartments 8m² - 3 bedroom apartments 10m² 	<ul style="list-style-type: none"> • Residential storage meets the minimum guidelines. 	Yes
4S Acoustic Privacy and 4T Noise and Pollution		
<ul style="list-style-type: none"> • Noise transfer is minimised through the siting of buildings and building layout and minimises external noise and pollution. • Noise impacts are mitigated through internal apartment layout and acoustic treatments. 	<ul style="list-style-type: none"> • Noise transfer is minimised through the appropriate layout of the building. • Apartments are appropriately stacked and laid out to prevent noise transfer 	Yes
4U Energy Efficiency		
<ul style="list-style-type: none"> • Development incorporates passive environmental and solar design 	<ul style="list-style-type: none"> • The development exceeds BASIX water, thermal and energy efficiency targets 	Yes
4V Water Management and Conservation		
<ul style="list-style-type: none"> • Potable water use is minimised • Urban stormwater is treated on site before being discharged to receiving waters • Flood management systems are integrated into the site design 	<ul style="list-style-type: none"> • Water efficient fittings and appliances will be installed. • A Water Sensitive Urban Design strategy has been prepared for overall Central Park precinct. 	Yes
4W Waste Management		
<ul style="list-style-type: none"> • Waste storage facilities are designed to minimise impacts on streetscape, building entry and residential amenity • Safe and convenient source separation and recycling is provided 	<ul style="list-style-type: none"> • Waste storage is provided at basement level in convenient locations. • Separate waste and recycling containers will be provided and will be managed by the building manager. 	Yes

4X Building Maintenance		
<ul style="list-style-type: none">• Building design detail provides protection from weathering• Systems and access enable ease of maintenance• Material selection reduced ongoing maintenance cost	<ul style="list-style-type: none">• The building has been appropriately designed to allow ease of maintenance• The materials are robust	Yes

APPENDIX C LAND USE MIX

Table 6: Comparison between the Concept Approval and proposed modified residential and non-residential GFA for the Central Park site (Source: Proponent's application)

	Concept Approved Land Use Mix (MOD 9)			Approved and Proposed Applications GFA (MOD 10)			
Block	Non-residential GFA (m ²)	Residential GFA (m ²)	Total GFA (m ²)	Non-residential GFA (m ²)	Residential GFA (m ²)	Total GFA (m ²)	Variation to Concept Plan (m ²)
1	1,153	23,362	24,515	1,137	23,094	24,231	-284
4N	25,930	0	25,930	23,132	3,459	26,591	+661
4S	962	21,364	22,326	831	21,427	22,258	-68
Brewery Building	3,898	0	3,898	3,898	0	3,898	0
2	19,235	48,391	67,626	19,235	48,391	67,626	0
3A, 3B & 3C	5,000	6,043	11,043	5,000	6,043	11,043	0
5A & 5B	1,432	26,884	28,316	1,432	26,884	28,316	0
6	2,000	0	2,000	2,000	0	2,000	0
7	1,000	0	1,000	1,000	0	1,000	0
8	135	14,744	14,879	135	14,740	14,875	-4
9		26,598	26,598	0	26,598	26,598	0
10	303	1,541	1,844	303	1,541	1,844	0
11	1,249	24,276	25,430	1,413	23,807	25,220	-305
TOTAL	62,297	193,203	255,500	59,516	195,984	255,500	0

APPENDIX D CONSISTENCY WITH THE CONCEPT APPROVAL

An assessment of the proposal against the relevant Concept Approval requirements, Modifications and Future Assessment Requirements of the Concept Approval is provided below.

Concept Approval	Department Comment																														
Approval Requirement																															
<p>A1 Operation and Commencement of Approval linked to Planning Agreements</p> <ol style="list-style-type: none"> The Modified Affordable Housing Planning Agreement between the Redfern-Waterloo Authority and Frasers Broadway Pty Limited entered into on 28 November 2008 in connection with the application for modification of the Concept Plan approval dated 9 February 2007, is to be performed by Frasers Broadway Pty Limited (its successors or assigns) in connection with the carrying out of the project to which the modified Concept Plan approval relates. The planning agreement with the Minister for Planning must be executed within 6 months of the issuing of any Project Approval for works related to new buildings (other than development the subject of Project Application MP 09_0042). 	<ol style="list-style-type: none"> The VPA between the Redfern-Waterloo Authority and Frasers Broadway has been executed. The VPA between Frasers Broadway and the Department has been executed. 																														
Modifications																															
<p>A1 Gross Floor Area Controls</p> <p>The Concept Plan is modified with regards to GFA as described by the provisions below</p> <ol style="list-style-type: none"> The Maximum GFA available for development across the Subject Site is 255,500 square metres The GFA for residential land uses on the site shall not exceed 195,985m² of the total GFA. The GFA for non - residential land uses on the site shall not be less than 59,515m² of the total GFA. The maximum GFA for the development parcels approved as part of the Concept Plan are described below: <table border="1"> <thead> <tr> <th>Block</th><th>Total max GFA (sq metres)</th></tr> </thead> <tbody> <tr><td>Block 1</td><td>24,231</td></tr> <tr><td>Block 4N</td><td>26,591</td></tr> <tr><td>Block 4S</td><td>22,258</td></tr> <tr><td>Block 4B (Brewery Yard)</td><td>3,898</td></tr> <tr><td>Block 2</td><td>67,626</td></tr> <tr><td>Block 3</td><td>11,043</td></tr> <tr><td>Block 5A & 5B</td><td>28,316</td></tr> <tr><td>Block 6</td><td>2,000</td></tr> <tr><td>Block 7</td><td>1,000</td></tr> <tr><td>Block 8</td><td>14,875</td></tr> <tr><td>Block 9</td><td>26,598</td></tr> <tr><td>Block 10</td><td>1,844</td></tr> <tr><td>Block 11</td><td>25,220</td></tr> <tr><td>Site Total</td><td>255,500</td></tr> </tbody> </table> <ol style="list-style-type: none"> Notwithstanding the above, any GFA that occurs from the development for the purposes of 	Block	Total max GFA (sq metres)	Block 1	24,231	Block 4N	26,591	Block 4S	22,258	Block 4B (Brewery Yard)	3,898	Block 2	67,626	Block 3	11,043	Block 5A & 5B	28,316	Block 6	2,000	Block 7	1,000	Block 8	14,875	Block 9	26,598	Block 10	1,844	Block 11	25,220	Site Total	255,500	<p>The development:</p> <ol style="list-style-type: none"> does not exceed the site wide GFA maximum (255,500m²); does not exceed the site wide residential GFA maximum (195,985m²); is not less than the site wide non-residential minimum (59,515m²); does not exceed the maximum GFA for the development parcels; and satisfies the requirements of the Concept Approval, all design excellence provisions and environmental considerations (as discussed in Section 5).
Block	Total max GFA (sq metres)																														
Block 1	24,231																														
Block 4N	26,591																														
Block 4S	22,258																														
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Block 11	25,220																														
Site Total	255,500																														

<p>community facilities within the Main Park that Council will own and operate shall not be calculated towards the maximum GFA referred to in (a) above.</p> <p>(f) To allow for minor variations the total GFA for each block shall not exceed the maximum GFA for each block referred to in the above table by more than 5%, however the total GFA for the site (255,500sq.m) shall not be exceeded.</p> <p>(g) Any future land subdivision shall ensure covenants are placed on the title to limit the GFA for each block in accordance with (d) and (f).</p> <p>(h) The maximum GFA identified above is subject to satisfying as part of future applications:</p> <ul style="list-style-type: none"> (i) the requirements of this approval, (ii) all design excellence provisions, and (iii) environmental considerations. 	
<p>A2 Gross Floor Area Calculations</p> <p>The Proponent is to provide surveyor endorsed A3 drawings with each future application that provide the following detailed information:</p> <ul style="list-style-type: none"> (a) Show and number the included and excluded floor area for each level (b) Show the breakdown and cumulative total for each level of gross floor areas, and (c) Demonstrate the project is contained within the approved building envelopes, and (d) Demonstrate that the design does not exceed the maximum GFA permitted for each development parcel. 	<p>Sufficient information has been provided on the A3 drawings submitted with the application.</p>
<p>A3 Design excellence</p> <ul style="list-style-type: none"> (1) Design excellence shall be in accordance with the design excellence provisions outlined in the Concept Plan Modification documentation prepared by JBA Urban Planning Consultants + TCW Consulting Dated July 2008 (08084). (2) If in the event the design excellence process identified in (1) above is not followed, the Proponent shall hold a design excellence competition for: <ul style="list-style-type: none"> (a) any development comprising the erection of a building exceeding 55 metres in height, (b) any development of land exceeding 1,500 square metres in area, (c) for each "block" where this is not covered by (a) or (b) above, or (d) building(s) not counted by (a) to (c) where considered critical for the precinct. (3) The design competition brief(s) shall be approved by the Director-General or his delegate. (4) The Director-General shall establish a design review panel for the design excellence competition that will consider whether the proposed development exhibits design excellence only after having regard to the following matters: <ul style="list-style-type: none"> (a) whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved, (b) whether the form and external appearance of the building will improve the quality and amenity of the public domain, (c) whether the building meets sustainable design 	<p>Commitment No.2 (Schedule 4) of the Concept Approval (MP06_0171 as modified) relates to design excellence and provides a list of architects agreed to be appointed for each of the nominated blocks on the site.</p> <p>In accordance with this commitment, Fosters + Partners (with Peddle Thorpe and Walker) are the appointed architects for Blocks 1 and 4N.</p>

<p><i>principles in terms of sunlight, natural ventilation, wind, reflectivity, visual and acoustic privacy, safety and security and resource, energy and water efficiency,</i></p> <p>(5) <i>The design review panel shall also be utilised for any significant changes to the concept plan and be involved through construction to ensure design integrity is maintained.</i></p> <p>(6) <i>Approval of future applications may not be granted until such time as the relevant authority has obtain and taken into consideration the advice of the design review panel concerning the design quality of development on the site.</i></p>	
<p>A4 Site Servicing</p> <p><i>Emergency and service vehicles must have adequate access to and within the site and into proposed basement car parking areas.</i></p>	<p>Emergency vehicles have access to the site at Chippendale Way, Abercrombie Street and Broadway. A dedicated access point for service vehicles is provided at Abercrombie Street.</p>
<p>A5 Street Activation</p> <p>(1) <i>The Concept Plan is modified to require that street activation is maximised along the following roads:</i></p> <ul style="list-style-type: none"> (a) <i>Broadway,</i> (b) <i>Balfour Street,</i> (c) <i>Carlton,</i> (d) <i>Irving,</i> (e) <i>Kensington,</i> (f) <i>Tooth Avenue adjacent to Block 4 & Block 5</i> (g) <i>Kent Road,</i> <p>(2) <i>For the purposes of maximising street activation, this shall involve</i></p> <ul style="list-style-type: none"> (a) <i>providing access into retail shops directly from the pedestrian footpaths,</i> (b) <i>locating services and fire exits such that they are located predominantly on streets other than those nominated in (1) above to the extent possible in meeting BCA requirements,</i> (c) <i>commercial offices, entry lobbies to commercial offices or residential apartments only where they are not the predominant use along the frontage of a building or buildings contained within each Block facing the nominated street, and</i> (d) <i>minimising the number of driveways and their widths and providing basement car access and servicing,</i> (e) <i>in the case of heritage buildings, providing uses that assist in casual surveillance of the street and positively contribute to the retail character of the nominated street.</i> 	<p>The proposal provides ground floor retail and restaurant uses, an outdoor terrace and hotel facilities to activate the street frontages.</p> <p>Appropriate landscaping and/or public art treatment will be applied to the blank wall at the south western corner of the development that fronts the east/west through site link between Block 4N and Block 4S.</p>
<p>A9 Heritage significance of Australian Hotel and adjoining terraces</p> <p><i>The Concept Plan is modified to provide for an appropriate elevation to Broadway and Abercrombie Street in order to protect the heritage significance of the Australian Hotel and the adjoining terraces. This could include a greater setback above the hotel, increased separation between new works and the hotel and appropriate details and design cues with the hotel.</i></p>	<p>The acceptability of the development having regard to its relationship to Australian Hotel and adjoining Abercrombie Street terraces is discussed in Section 5.3.4.</p>

<p><i>Details are to be submitted to the satisfaction of the Director General prior to the lodgement of the first project application for a building. Any reduction in floor space to comply with this requirement can not be accommodated elsewhere if it alters the approved envelope or does not comply with other requirements.</i></p>	
<p>Future Assessment Requirements</p>	
<p>B1 Urban Design</p> <p><i>Design issues to be resolved during future project applications on the subject site include:</i></p> <p>(1) BLOCK 4N & 8 - Detailed resolution of the form and bulk of the buildings along Abercrombie Street (Blocks 4N and 8) shall be determined at future Project Application stages to ensure compatibility with the scale of buildings in the area and to maintain visual links into and outside the site particularly to heritage items. A minimum separation of 14.5 metres is to be provided between Block 4N and 4S.</p> <p>(6) Street Sections – Detailed resolution of all street sections shall be determined as part of future project applications.</p> <p>(8) Block 1 and 4N – Detailed resolution of the form and bulk of the buildings fronting Broadway shall be determined at future application stage.</p> <p>(2) to (5), (7) and (9) – Not applicable to Block 4N</p>	<p>The compatibility of the building having regard to the surrounding area and other adjoining buildings on the site is discussed in Sections 5.3.4 and 5.3.5.</p> <p>The Broadway elevation of Block 4N has been broken down into three key parts, the hotel component, the residential/office component and the heritage item (the Australian Hotel). The overall architectural composition is considered to be of a high standard and as discussed at Section 5.3.5 the development is considered to achieve design excellence.</p>
<p>B3 Landscaping</p> <p><i>Detailed landscape plan(s) are to be submitted with subsequent Project Applications, informed by principles set out in the Amended Landscape Masterplan and Landscape Concept Design Character dated 12 May 2008 prepared by Jeppe Aagaard Anderson + Turf Design Studio.</i></p>	<p>Landscape plans were submitted with the EIS and include planting of street trees, provision of water features, hard and soft landscaping along the through site links and the landscaping of the residential internal courtyard.</p>
<p>B5 Parking Rates</p> <p><i>The Proponent shall demonstrate with each application that the proposed development provides on-site parking consistent with Part 5, Chapter 2 of Sydney Local Environmental Plan 2005, or car parking for the proposal shall not exceed a maximum of 2000 car parking spaces across the site, whichever is the lesser.</i></p>	<p>The basement area of Block 4N includes parking for 126 cars, comprising:</p> <ul style="list-style-type: none"> • 56 hotel spaces; • 32 residential spaces (including seven accessible spaces); • 28 commercial tenant spaces; • five retail spaces; and • five childcare spaces. <p>Six short term childcare/hotel on-street drop off bays / coach parking spaces are provided on Central Park Avenue</p> <p>Eleven motorcycle spaces are also provided.</p> <p>The proposed provision complies with the maximum parking requirements under SLEP 2005 and the Concept Approval requirements.</p>
<p>B7 Car Share</p> <p><i>Details of future car share arrangements are to be submitted with future project applications, so that car</i></p>	<p>The Block 4N component of the joint basement (with Block B1) does not include any car-share spaces. However, the Block 1</p>

<p><i>share services are provided to residents.</i></p>	<p>component includes 10 car share spaces. Given the shared nature of the basement, the provision of car share within the Block 1 component is considered acceptable for both sites.</p>
<p>B9 Infrastructure - Rail</p> <p><i>Future applications lodged by the Proponent for development on the Subject Site shall:</i></p> <ul style="list-style-type: none"> <i>(a) demonstrate that the detailed design of buildings is consistent with RailCorp's relevant guidelines for noise and vibration impacts, regardless of whether they are interim or draft;</i> <i>(b) submit an electrolysis risk assessment prepared by a suitably qualified professional that identifies risk to the development from stray currents and measures that will be undertaken to control that risk;</i> <i>(c) demonstrate that they have a Deed with RailCorp, or are in the process of seeking to enter into a Deed with RailCorp, concerning access to the rail corridor for any works, where relevant; and</i> <i>(d) demonstrate that a suitable level of consultation with RailCorp has been undertaken.</i> 	<p>The application was referred to Transport for NSW who raised no concerns with the Block 4N proposal.</p>
<p>B10 State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</p> <p><i>Future application lodged by the Proponent for development on the subject site shall be in accordance with State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004.</i></p>	<p>BASIX Certificates were received as part of the EIS that demonstrates the proposal complies with the requirements of SEPP (BASIX) 2004. Condition F9 is recommended to submit details prior to issue of relevant Construction Certificate.</p>
<p>B11 State Environmental Planning Policy No.55 – Remediation of Land</p> <p><i>Future applications lodged by the Proponent for development on the subject site shall demonstrate that the provisions of SEPP 55 have been met.</i></p>	<p>Remediation works have been carried out on the site in accordance with MP07_0163. The site is therefore considered to have been rendered suitable for the development.</p>
<p>B12 ESD and Sustainable Design</p> <ul style="list-style-type: none"> <i>(1) A tri-generation facility and other leading ESD and WSUD measures are required as outlined in the revised Statement of Commitments. Details shall be provided with the Project Applications relating to residential, commercial or retail development.</i> <i>(2) Future Project Applications for multi-unit residential, commercial and retail development (including adaptable re-use of heritage buildings) shall achieve a minimum 'Design' and 'As Built' 5 Star Green Star rating utilising the 'Multi Unit Residential', 'Office' or 'Retail' tools.</i> <p><i>Where buildings are not eligible for an official Green Star Rating, using the above standard tools, buildings shall be designed in accordance with the principles of a 5 Star Green Star building. Evidence of the project's ineligibility and its consistency with Green Star principles shall be provided with future relevant Project Applications.</i></p>	<p>The proposed development incorporates ESD initiatives and targets a 5 Star Green star rating for the development.</p> <p>Condition F8 is recommended requiring documentation to be submitted to the PCA demonstrating compliance with the Concept Approval requirements, prior to Occupation of the building.</p>
<p>B13 Heritage and Archaeology</p>	

<p>(1) <i>An Interpretation Plan is to be submitted with the first Project Application for above ground development and is to include original streets within the landscaping of the park to ensure heritage is understood in the overall design.</i></p> <p>(2) <i>The City Datum line, is to be applied to all buildings across entire site to ensure an appropriate pedestrian / heritage scale is maintained at street level. Details are to be submitted at future project application stages.</i></p>	<p>N/A</p> <p>The City Datum Line has been applied to the design of Block 4N. The design of the building has had appropriate regard to the retained heritage items on the site and provides an appropriate transition of built form to neighbouring buildings.</p>
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APPENDIX E RECOMMENDED CONDITIONS OF CONSENT
