

ITEM 3.1. CARLTON & UNITED BREWERIES SITE - CONCEPT PLAN**FILE NO:****MINUTE BY THE LORD MAYOR**To Council:

In June 2006, the Minister for Planning declared the Carlton and United Breweries (CUB) site redevelopment a major project under Part 3A of the *Environmental Planning and Assessment Act*. This followed the City's extensive research and consultation to formulate draft planning controls for the site, which were endorsed for public exhibition by both Council and the Central Sydney Planning Committee (CSPC), and the negotiation of a Voluntary Planning Agreement with the site owners.

In late October, Fosters Group lodged a concept plan with the Minister for Planning. The concept plan and accompanying documents, which amount to thousands of pages, can be viewed at www.cubproject.com.au.

On Saturday 11 November 2006, the City held a meeting with the Chippendale community to encourage public discussion and hear comment on Fosters' concept plan. Based on that input and Council's extensive research and consultation, the City is now preparing a submission to the Department of Planning on the concept plan.

Concept plan

City staff have been reviewing the concept plan and accompanying documents. At a public meeting convened by the City on Saturday 11 November 2006, staff and I presented an overview of the key elements of the concept plan to about 100 residents. The Department of Planning has not arranged any public meeting to discuss the concept plan, although the applicant arranged information sessions.

Key elements are:

- (a) *Building Heights*: Maximum building height of 120 metres (on Broadway).
- (b) *Floor Space Ratio*: 4.23:1. Gross floor area of up to 245,250 square metres with a maximum of:
 - (i) 88,809 square metres of commercial uses
 - (ii) 12,093 square metres of retail uses
 - (iii) 144,348 square metres of residential uses (51%, about 1,690 apartments).
- (c) *Heritage Protection*: Loss of the northern part of the "Irving Street Group" for a new street to be known as Tooths Avenue.
- (d) *Public Park*: In excess of 5,000 square metres centrally located on the site's southern edge. The proposed park includes Council land which is the subject of a separate report for owner's consent.

- (e) *Parking:* A maximum of 2,320 spaces including 1,634 car spaces for residents, 436 car spaces for tenants and a 250 space short stay public car park.

The key differences between the concept plan application and the draft LEP endorsed for public exhibition by Council and the Central Sydney Planning Committee are:

	Council Draft LEP Controls	Proposal
FSR	From 3.5:1 to 4:1 based on mix of uses, and achieving design excellence and community benefit	4.23:1
Height	Max 100m – maximum of two towers 20m height facing park	120m – four towers appear possible
Car parking	As per current central Sydney controls until such time as City-wide controls (that are currently being prepared) are complete	1,634 residential car spaces, 436 car spaces for tenants of non-residential development and 250-space short-stay public car park Total: 2320 spaces
Heritage	Retention of significant heritage items including the “Irving Street Group” of buildings around brewery square, including the ‘Sunburst’ building	Loss of northern part of the “Irving Street Group” for Tooths Avenue.
Street layout	Based on heritage grid pattern	Based on new boulevard running east-west

Proposed Public Benefits

The Minister’s press release on 21 June 2006 states that “the concept plan would provide the same level of community benefits as those flagged by the City of Sydney, or better”. Those benefits were set out in a draft Voluntary Planning Agreement (VPA) between Fosters and the City, a copy of which has been provided to the Minister.

The current proposed public benefits are outlined in a “Statement of Commitments” and a draft Voluntary Planning Agreement between Fosters and the Minister for Planning. In general terms, the nature of public benefits proposed in the Statement of Commitments and draft VPA with the Minister are similar to those proposed in the VPA with the City.

However, from a preliminary review, there are a number of differences. Most significantly, these include:

- (a) **The timing for provision of the public park** – the City’s preference was for delivery at the earliest stage of development, however the Concept Plan staging diagram proposes the park as part of “Stage 4”; and
- (b) **The process for detailed design of the public park and limitations on the cost of works to be undertaken** – the City sought to be closely involved in the detailed design of the public park, however no such process is proposed in the Concept Plan for the park design and the detailed design of the park may now be subject to a cost limitation or “cap”.

Proposed submission by City

Under the Part 3A planning process, the City has no control over the planning controls applying to the site, determination of the concept plan application or the public benefits to be included in the concept plan. However, the City is preparing a submission.

Due to the large volume of documents to be reviewed and the limited time available, a full draft submission is not yet available. Accordingly, I propose that the terms of a submission be finalised by the Chief Executive Officer, in consultation with the Lord Mayor, to enable to submission deadline of 27 November to be met.

Principles to be included in the submission are:

- (a) Excessive height is not supported: it is contextually inappropriate and will result in excessive overshadowing and adverse amenity impacts to both the public open spaces within the site and to private apartments within the future development;
- (b) Increased FSR is not supported: the City’s extensive analysis proposed an FSR range of 3.5 to 4:1, with the upper end dependent on achieving design excellence and community benefits. Anything above 4:1 is excessive and will jeopardise appropriate amenity to public spaces and private apartments within the future development;
- (c) Demolition of heritage buildings is not supported, including removal of the ‘Sunburst’ building to create the proposed new Tooths Avenue. This would reduce the overall heritage significance of the Irving Street Brewery Group of buildings. The City’s extensive analysis has shown this building can be retained while providing necessary roads/circulation through the site;
- (d) Inadequate solar access to proposed apartments is not supported;
- (e) A public car park at the CUB site is not supported. The City’s planning controls discourage public car parks and there does not appear to be any valid, pre-existing approval for a public car park on this site;
- (f) Narrow (6 metre) laneways between buildings, to service large underground car parks, are not supported;
- (g) Dedication of roads and parks to the City, as proposed in the draft Voluntary Planning Agreement with the Minister, is not supported unless the City approves the detailed design and finishes, and the construction works, prior to transfer.

RECOMMENDATION

It is resolved that the Chief Executive Officer, in consultation with the Lord Mayor, complete and lodge a submission on the Carlton and United Breweries (CUB) site concept plan and accompanying documents, in line with the principles of this Minute.

COUNCILLOR CLOVER MOORE MP

Lord Mayor