

04 November 2016

Anthony Witherdin
Director, Modification Assessments
Department of Planning and Infrastructure
GPO Box 39
SYDNEY NSW 2001

Dear Mr Witherdin,

**Determination of Modification to SSD 6376 MOD 1
Central Park - Block 11 Mixed Use Development**

I refer to correspondence dated 18 October 2016 from Ms Anthea Sargeant, Executive Director – Key Sites and Industry Assessments requesting the Planning Assessment Commission determine the modification of SSD 6376 MOD 1 Block 11 Mixed Use Development. Ms Lynelle Briggs, Chair of the Commission, appointed me to constitute the Commission for this matter.

On the 31 October 2016, the Commission met with both the Department and Applicant to hear their views on the proposed modification. City of Sydney Council elected not to meet with the Commission, but offered to be available to discuss any queries.

The proposed modification seeks to permit the deletion of Conditions B7, B8 and B9, and the insertion of new Condition B7. The effect of the proposed modification is to reduce the extent of treatments required to achieve a wind comfort rating for pedestrian sitting in the public areas around the development – in particular the park and retail areas which front O'Connor Street, and outdoor play area for the proposed child care centre.

The Commission has reviewed the Department's report, the associated supporting documentation and makes the following comments:

1. O'Connor Street Park:
 - a. The provision of additional large trees within the park area and along O'Connor and Kensington Street, would significantly impact on solar access and the utility of the park for passive recreation, without providing a significant improvement on modelled wind impacts. The wind modelling demonstrates the impact of wind effects on the park will be consistent with those experienced within other parks in the CBD area.
 - b. When considering the overall net amenity of the park the Commission supports the position that the provision of significant solar access outweighs the potential wind impacts on the park.
2. Retail Units:
 - a. To address modelled wind impacts adjacent the frontage of the retail units, the Applicant has proposed the installation of porous screens. These screens are to extend perpendicular to the façade of the retail tenancies, and include climbing plants to provide partial shielding from wind effects to this area. The Applicant has confirmed that this treatment has been reviewed by their wind engineer, and will make the area outside the retail tenancies suitable for patron seating.

- b. The Commission supports the approach to not specify a pedestrian sitting criteria as it provides both the Secretary and Applicant flexibility in achieving a wind rating that is most suitable for the intended purpose. The Commission does however see the merit in requiring further modelling to be performed post works to ensure adequate wind management measures have been applied to the area.
3. Child Care facility:
 - a. The Commission considers that the supporting Wind Report does not adequately demonstrate how the final design will achieve a suitable 'pedestrian sitting' level on the terrace of the child care facility.
 - b. Discussions with the Applicant confirmed that the initial modelling did not include the required 1.8m high balustrade and the provision of this would achieve compliance with the requirement for pedestrian sitting.

After consideration of the information presented to the Commission, the following recommendations are to be included in the determination:

1. Condition B7 and B8 be deleted as recommended;
2. Given the susceptibility of young children to be negatively affected by wind impacts, the Commission resolves to amend Condition B9, requiring the Applicant to submit an updated wind assessment, prior to issue of any Construction Certificate for above ground works, to demonstrate that the outdoor play area achieves the desired 'pedestrian sitting' criterion; and
3. Include the provision of New Conditions F26 and G17 to ensure the installation of suitable vertical screens, and subsequent wind modelling of those screens to ensure an appropriate wind management outcome for patron seating adjacent the retail tenancies.

Accordingly, the Commission is satisfied the modification retains requirements to implement reasonable and feasible measures to mitigate wind impacts within the development. Consequently the Commission has determined to approve the modification request, subject to amendments to the recommended conditions.

In the event that any clarification is required, please contact David Koppers (Team Leader) of the Commission Secretariat in the first instance.

Yours sincerely,



Mr Garry West
Commission Member
Chair

CC: Ms Anthea Sargeant
Executive Director
Key Sites and Industry Assessments
Department of Planning and Infrastructure
GPO Box 39
SYDNEY NSW 2001