

Part F: Conclusions

26.0 Conclusions

The CUB site is a redundant industrial site of poor environmental amenity that is located at the southern gateway to the Sydney CBD. It is located less than 400 metres (5 minutes walk) from the State's largest public transport interchange, strategically located between the major educational infrastructure of the UTS and Sydney TAFE (in Ultimo) and Sydney University (in Chippendale/Newtown), and within 300 metres of the Redfern Waterloo redevelopment area that includes the Australian Technology Park.

Australia's recent economic success depends on innovation and knowledge creation. Sydney and the CBD in particular, as Australia's dominant centre for these services, needs to remain at the forefront of the country's economic performance. In this context the CUB site, ideally located for the extension of these services in the CBD.

By virtue of its size and access to infrastructure and services, the redevelopment of the CUB site is ideally suited for higher density mixed use urban development.

The closure of the old industrial (brewing) operations provides a unique opportunity to significantly improve the local environment, create new public parks, roads and squares and conserve key items of the State's environmental heritage and render them accessible to the community at large.

The proposed Concept Plan has been prepared bearing in mind the aspirations of the community arising from early consultation and as enunciated in the adopted principles. The benefits that had been negotiated with the City of Sydney are included in the Statement of Commitments and the Voluntary Planning Agreement.

A significant determinant of the site layout, was the location of the park, which is the single most defining element in the new public domain.

The main park and walkways follow the course of the original creek and ovoid drain across the site, allowing for a real interpretation of the layered history of this part of the city. Critically the park is located so it is shielded from the noise and fumes generated by the major vehicular thoroughfares of Broadway and Abercrombie Street. The scale and massing of the buildings has been tailored to deliver a high level of solar access to the park during the critical lunch time period.

Compliance

The Concept Plan is generally consistent with the recommendations of the Expert Advisory Panel. The recommendations of the EAP in many respects were consistent with those of the CSPC and the Council of the City of Sydney. The points of departure relate to the degree of certainty as to the location of the main park, greater clarity in relation to the option of locating a tower(s) in the north east sector of the site, greater weight to the recommendations contained in the CMP in relation to heritage items and confirmation in relation to solar access to the main park and for residential amenity.

The subject proposal is generally consistent with all the relevant provisions of the NSW State and regional planning policies and the Metropolitan Strategy. The SEPPs that are of particular relevance to the proposed redevelopment are SEPP 32, SEPP 55 and SEPP 65.

SEPP 32 focuses on the redevelopment of urban land that is no longer required for the purpose it is currently zoned or used.

The proposed development is clearly consistent with the objectives and intent of SEPP 32. The proposal involves a major urban renewal for a mixture of uses and at a density appropriate to its inner city/CBD edge location. The mixed use zone and controls in the draft SEPP reflect this.

Under the Concept Plan the CUB site will accommodate approximately 1,690 dwellings that would otherwise consume at least 67 hectares of land in a standard low density 'Greenfield' format. By optimising the density and development potential of the CUB site pressure on other less well located land is diminished.

SEPP 55 requires that land must not be rezoned unless contamination has been considered and, where relevant, land has been appropriately remediated.

A Phase 1 and Phase 2 Contamination study has been undertaken for the site and areas of contamination identified. The Remediation Strategy will ensure that the site is decontaminated in a safe and environmentally sound manner, taking into consideration the distribution and extent of contamination, the nature of the development and the interests of the stakeholders and surrounding community.

SEPP 65 includes design principles to raise the design quality of residential buildings. The Concept Plan has been designed so that future residential buildings on the site will be able to satisfy those design principles. The proposed development will be of a high standard of residential amenity as required by SEPP 65, and at a higher standard of solar access than is required by the Central Sydney Development Control Plan 1996.

Land Use

The land use mix will provide for a diversity of land uses with a ratio of residential (59% of GFA) to non-residential (41% of GFA) that ensures a good critical mass for the on-going sustainability of each major use category.

The proposed development will result in a significant change to the local environmental built form of the CUB site and result in a substantial increase to the residential and working population of the area. However, it is considered that the Concept Plan will not give rise to any significant adverse environmental or social impacts as a result of the incoming population.

Heritage

The buildings to be retained and conserved include all the heritage items identified in SLEP 2005, all the items identified as being of Exceptional significance and High significance in the Conservation Management Plan, adopted by the Heritage Council of NSW in July 2005, and the majority of the items identified as being of Moderate significance.

The Heritage Impact Assessment report concludes that in terms of the extent of retained heritage buildings and other elements, the Concept Plan provides a very high degree of compliance with the significance assessments of the CMP, which itself substantially exceeds the quantum of heritage items listed in the SLEP 2005.

While the SLEP 2005 controls do not apply to development to which Part 3A of the Act applies the proposed development is not inconsistent with the FSR that would be permitted on the site under the plan, and the height variations are necessary and reasonable.

FSR

Under the provisions of SLEP 2005, the maximum permissible FSR for a development with the land use mix proposed is 4.18. The extent of variation with the SLEP 2005 maximum permissible FSR is therefore 0.18:1 or 4.3% greater than under SLEP 2005. Being significantly less than 10% the additional floor space is also not inconsistent with the provisions of clause 10 of SLEP 2005 which contemplates variations of up to 10%.

The proposed density is consistent with the site's size and strategic location within the broader metropolitan area and its accessibility to a wide range of services and infrastructure. The minor increase in the floor space also does not result in any significant adverse environmental impacts, and as approximately three quarters of this 'additional' floor space is to be used as a basement public car park, it does not add to the perceptible bulk, height or scale of the buildings envelopes.

Height

The height of a number of the building envelopes exceeds the maximum height permissible in SLEP 2005. The maximum permissible height above ground is 15m generally on the southern perimeter of the site, and 45m over the substantive remaining area of the site.

The Concept Plan proposal adheres to the existing 15 metre height limit along the southern boundary of the site to Wellington Street, with a solar access plane sloping in a northerly direction to mitigate overshadowing of the adjoining land to the south. The height increases to 25m along the northern edge of the main park as part of the desired wall height on the park edge. This 25m height was set by the height of the existing heritage buildings that will form part of the park edge.

Along the other perimeter streets, the heights proposed are:

- To Abercrombie Street, generally 25m at the street boundary with a 45 degree plane.
- To Broadway, west of Balfour Street in development Block 1, the street boundary height is 45 metres consistent with the current height limit, with a 45 degree plane sloping in a southerly direction, coupled with a 45 degree plane sloping in the reverse direction (northerly) direction from Tooth Avenue.
- To Broadway, east of Balfour Street in development Block 2, a podium at 25 metres is proposed with two towers, one of 120 metres in height and the other, 90 metres, significantly greater than the SLEP 2005 limit of 45 metres.

The height above ground of building envelopes in development block 5 (100m), block 9 (65m), and block 11 (50m) also exceed the 45 metre limit.

The increased height on some portions of the site is necessary with the introduction of significant new areas of public domain, particularly the parks and squares, but also the streets and lanes. The resultant displacement of floor space necessitates taller buildings where environmentally sustainable.

The heights are considered to be consistent with the recommendations of the EAP in relation to height. In addition, the site specific draft LEP for the CUB site prepared by the City of Sydney proposed to control height by the application of solar access planes. The proposed building envelopes are not significantly inconsistent with the height contemplated by the solar access plane in the draft LEP.

Environmental Impact of the proposed height of buildings

No significant environmental impact will result from the proposed height of the development.

The proposed built form provides a transition in building height and scale across the site, limiting the height of buildings at the south-western part of the site, adjoining the lower scale mixed use area and ensuring that taller buildings are located towards the northern-eastern part of the site, where they are compatible with the adjoining higher density of development in Central Sydney.

The overshadowing analysis indicates that the only area of new shadow that will affect the adjoining area outside of the CUB site will occur in mid winter and fall on a group of three largely commercial buildings in Wellington Street and the Mortuary Station in Regent Street. During the equinoxes however, the group of three affected buildings will enjoy new solar access during times when none currently exists.

Solar Access to the Main Park is dictated by the 25 metre street wall and existing heritage items. Beyond these predetermined sources of shadow, no additional shadow is cast other than contemplated by the proposed controls and as recommended by the EAP.

With the proposed Concept Plan it is predicted that there will only be a marginal change to the westerly wind condition. For southerly winds there will be a general reduction in wind intensity along Broadway, in particular at locations in the vicinity of the UTS tower.

High wind velocities are likely to be experienced at localized ground level locations intermittently distributed throughout the proposed passageways internal to the site, and amelioration will be required at the detailed design stage.

Environmental Impacts Generally

The other main areas of environmental impact including traffic impacts, environmental sustainability, noise, social and economic effects are summarised in the Executive Summary. Overall, on its merits, the proposed development will have minimal adverse environmental effects and significant public benefits.

The 'do nothing' option of retaining the existing use is not sustainable and the redevelopment along the lines currently permitted by SLEP 2005 would not result in a viable development capable of exhibiting design excellence, nor deliver the public parks, plazas and to the benefits of the subject scheme.

Overall Conclusion

Overall the Concept Plan represents the culmination of an extra-ordinary amount of design, planning and consultation work, numerous studies and options testing. It has been informed by various processes, initiated by both the current and former proponents, the City of Sydney (and its sub committees and consultants) and the more recent Expert Advisory Panel. Its evolution to the current Concept Plan has benefited from these processes and resulted in a robust and excellent planning and urban design solution for the site. It provides an ideal foundation upon which future project applications can build and upon which the owner and the whole community can rely upon to deliver continued design excellence and numerous public benefits. The State, Regional and local interests and the public interest generally will be well served by the redevelopment of this redundant industrial site and its transformation into a high amenity urban village.