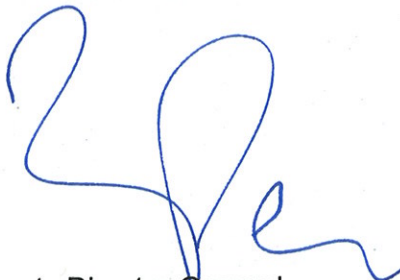


Modification of Minister's Approval

Section 75W of the *Environmental Planning & Assessment Act 1979*

As delegate of the Minister for Planning and Infrastructure under delegation executed on 14 September 2011, I approve the modification of the Concept Plan referred to in schedule 1, subject to the Future Assessment Requirements in schedule 2.



Deputy Director-General
**DEVELOPMENT ASSESSMENT & SYSTEMS
PERFORMANCE**

Sydney

24 July

2012

SCHEDULE 1

Concept Approval:

MP06_0171 granted by the Minister for Planning on 5 February 2009.

For the following:

Project approval for the Former Carlton & United Breweries Site, 26 Broadway, Chippendale comprising:

- development blocks;
- a maximum Gross Floor Area (GFA) of 255,500 sqm of which a minimum of 30% must be commercial floor space;
- combined basement car parks, providing car parking for Blocks 1, 4 and 8 and Blocks 2, 5,9 and the Kensington Precinct;
- a new public park;
- tri-generation and Re-cycle water treatment plants;
- retention and heritage items;
- public domain works; and
- contributions.

Modification:

MP06_0171 MOD 6:

- Modified GFA to Blocks 3, 6 and 10;
- Correction to description of land to which approval applies; and
- Amendments to building envelopes of Blocks 6 & 10.

**SCHEDULE 2
CONCEPT PLAN MODIFICATION
(MP06_0171 MOD 6)**

The above approval is modified as follows (deletions are shown in ~~strikethrough~~ and insertions are shown as **bold and underlined**:

A2 Table

Proponent:	Frasers Broadway Pty Ltd
Application made to:	Minister for Planning
Major Project Number:	06_0171 MOD <u>6</u> 2
On land comprising:	<p><u>Land owned by Carlton & United Breweries (NSW) Pty Ltd (the Proponent)</u></p> <p><u>Folio Identifier 1539/43748, Folio Identifier 1/207743, Folio Identifier 1/189736, Folio Identifier 1/43731, Folio Identifier 2/630747, Folio Identifier 1/190327, Folio Identifier 1/228682, Folio Identifier 1/185453, Volume 7275 Folio 73, Folio Identifier 1/630747, Folio Identifier 1/723984, Folio Identifier 1/87874, Folio Identifier 1/807298, Folio Identifier 1/191230, Volume 4519 Folio 40, Folio Identifier 11/626951, Folio Identifier 1/722227, Folio Identifier 2/722227, Volume 3872 Folio 23, Auto Consol 7514-74, Folio Identifier 26/650913, Folio Identifier 1/101611, Auto Consol 15024-245, Auto Consol 6335-184, Auto Consol 8630-206, Volume 9832 Folio 183, Folio Identifier 1/709452, Folio Identifier 1/191024 and Auto Consol 6203-118; and</u></p> <p><u>Lot 2 DP 33953 (18-20 Kensington Street); and</u></p> <p><u>Lot 1 DP 185787 (42-44 Kensington Street).</u></p> <p>Lot 1 DP 76719, Lot 1 DP 709452, Lot 1 DP 33953, Lot 3 DP 33593, Lot 5 DP 33953, Lot 6 DP 33953, Lot 1 DP 228682, Lot 1 DP 191024, Lot 1 DP 189736, Lot 17 DP 192059, Lot 16 DP 192059, Lot PT 15 DP 192059, Lot 701 DP 752011, Lot 14 DP 192059, Lot 31 SEC 1 DP 739, Lot 33 SEC 1 DP 739, Lot 35 SEC 1 DP 739, Lot 2 DP 722227, Lot 1 DP 722227, Lot 16 SEC 1 DP 739, Lot 14 SEC 1 DP 739, Lot 27 SEC 1 DP 206, Lot 28 SEC 1 DP 206, Lot 30 SEC 1 DP 206, Lot 31 SEC 1 DP 20, Lot 11 DP 626951, Lot 15 DP 752011, Lot 14 DP 752011, Lot 13 DP 752011, Lot 12 DP 979183, Lot 27 SEC 2 DP 206, Lot 1 DP 101608, Lot 26 DP 650913, Lot 1 DP 101611, Lot 1 DP 1095211, Lot 24 SEC 2 DP 206, Lot 1 DP 511051, Lot 1 DP 128618, Lot 22 SEC 2 DP 206, Lot 21 SEC 2 DP 206, Lot 20 SEC 2 DP 206, Lot 1 DP 795561, Pt 10 SEC 1 DP 739, PT 8 SEC 1 DP 739</p> <p><u>Land owned by Sydney County Council (Energy Australia)</u></p> <p><u>Folio Identifier A/430090</u></p> <p><u>Roads owned by the Cit of Sydney</u></p> <p>Irving Lane, Chippendale between Carlton and Balfour</p>

	<p>Streets and the section of Balfour Street, Chippendale between O'Connor Street and the southern boundary of Lot 1 DO 43731.</p> <p>Balfour Street, Chippendale between O'Connor Street and Wellington Streets.</p> <p>Kensington Street, Chippendale between Outram and Regent Streets.</p> <p>Substation Premises No. 102, Irving Street, Chippendale</p>
Local Government Area:	City of Sydney Council
Approval in summary for:	<p>A Concept Plan involving:</p> <p>The layout of development into 11 blocks, a new park and street layout,</p> <p>Building envelopes including maximum heights,</p> <p>Maximum floor space (GFA) within each development block.</p>
Capital Investment Value:	\$1.286 billion
Type of development:	Concept Plan approval under Part 3A of the Act
Determination made on:	9 February 2007
Determination:	Concept approval is granted subject to the modifications in the attached Schedule 2 and future assessment requirements set out in Schedule 3.
Date of commencement of approval:	This approval commences on the date of the Minister's approval.
Date approval will lapse:	5 years from the date of determination UNLESS A Project Application for the approval to carry out all or part of the project the subject of this Concept Plan Approval has been submitted.

A4 Development in Accordance with Plans and Documentation

- (1) The following plans and documentation (including any appendices therein) are approved as part of the Concept Plan:
- (a) Volume 1 Study in Support of State Significant Site and Concept Plan Environmental Assessment Report: Carlton & United Breweries Site, SEPP (Major Projects) 2005 Amendment & Concept Plan prepared by JBA Urban Planning dated October 2006.
 - (b) *Appendices - Volume 2 Study in Support of State Significant Site and Concept Plan Environmental Assessment Report: Carlton & United Breweries Site, SEPP (Major Projects) 2005 Amendment & Concept Plan* prepared by JBA Urban Planning dated October 2006.
 - (c) *Appendices - Volume 3: Study in Support of State Significant Site and Concept Plan Environmental Assessment Report: Carlton & United Breweries Site, SEPP (Major Projects) 2005 Amendment & Concept Plan* prepared by JBA Urban Planning dated October 2006.
 - (d) *Appendices - Volume 4: Study in Support of State Significant Site and Concept Plan Environmental Assessment Report: Carlton & United Breweries Site, SEPP (Major Projects) 2005 Amendment & Concept Plan* prepared by JBA Urban Planning dated October 2006.

Except as modified by

- (e) *Concept Plan Modification - Frasers Broadway 26 Broadway, Chippendale NSW 2008* prepared by JBA Urban Planning Consultants + TCW Consulting Dated July 2008 (08084)
- (2) The following Preferred Project Report and revised Statements of Commitment are approved and shall be complied with:
 - (a) *Preferred Project Report* prepared by JBA Urban Planning Consultants dated 21 December 2006; and
 - (b) *Preferred Project Drawings* prepared by COX/ATA dated October 2006.
 - (i) Rev CP_04_A-01-02_07
 - (ii) Rev CP_04_A-05-01_07
 - (iii) Rev CP_04_A-09-01_06
 - (iv) Rev CP_04_A-10-01_06
 - (v) Rev CP_04_A-11-06_06
 - (vi) Rev CP_04_A-11-07_06
 - (vii) Rev CP_04_A-11-14_07
 - (viii) Rev CP_04_A-11-15_06
 - (ix) Rev CP_05_A-07-05_01A
 - (x) Rev CP_07_A-07-01A
 - (xi) Rev CP_04_A-05-01_08
 - (c) *Revised Statement of Commitments* prepared by JBA Urban Planning Consultants dated 21 December 2006.

Except as Modified by

- (d) *Preferred Project Report Modification to Concept Plan - Frasers Broadway* prepared by JBA Urban Planning Consultants + TCW Consulting dated October 2008 (08084) and drawings prepared by Fosters + Partners:
 - (i) ~~Project No.1645, No. A-1002, Revision 08, dated 15 Oct 2008 – Concept Plan Areas. **Deleted**~~
 - (ii) Project No.1645, No. A-1251, Revision 09, dated 04 Dec 2008 - Site Plan – contextual
 - (iii) Project No.1645, No. A-1200, Revision 05, dated 15 Oct 2008 – Indicative Staging Plan, CUB Heritage Map
 - (iv) ~~Project No.1645, No. A- 1253, Revision 12, dated 04 Dec 2008 – Blocks and max. GFA **Deleted**~~
 - (v) Project No.1645, No. A- 1254, Revision 09, dated 16 Oct 2008 – Public Domain
 - (vi) Project No.1645, No. A- 1256, Revision 08, dated 16 Oct 2008 – Traffic, Pedestrian and Cycle Routes
 - (vii) Project No.1645, No. A- 1257, Revision 07, dated 15 Oct 2008 – Traffic Access, Parking
 - (viii) Project No.1645, No. A- 1258, Revision 08, dated 16 Oct 2008 – Road Width
 - (ix) Project No.1645, No. A- 1259, Revision 08, dated 04 Dec 2008 – Awnings, Balconies
 - (x) ~~Project No.1645, No. A- 1260, Revision 11, dated 04 Dec 2008 – Height Map – Sheet 1 **Deleted**~~
 - (xi) Project No.1645, No. A- 1261, Revision 07, dated 04 Dec 2008 – Height Map - Sheet 2
 - (xii) ~~Project No.1645, No. A- 1262, Revision 10, dated 04 Dec 2008 – Roof Plan, Maximum Building Height (AHD) **Deleted**~~

- (xiii) Project No.1645, No. A- 1269, Revision 08, dated 16 Oct 2008 – Typical Basement Level
 - (xiv) ~~Project No.1645, No. A- 1270, Revision 09, dated 16 Oct 2008 – Indicative Land Use Ground floor~~ **Deleted**
 - (xv) Project No.1645, No. A- 1274, Revision 09, dated 04 Dec 2008 – Indicative Land Use Typical floor (Generally Level 04)
 - (xvi) Project No.1645, No. A- 1290, Revision 10, dated 04 Dec 2008 – Residential Flat Design Code Distances between Buildings
 - (xvii) Project No.1645, No. A- 1400, Revision 08, dated 04 Dec 2008 – North Elevation
 - (xviii) Project No.1645, No. A- 1401, Revision 06, dated 15 Oct 2008 – East Elevation
 - (xix) ~~Project No.1645, No. A- 1402, Revision 09, dated 04 Dec 2008 – South Elevation~~ **Deleted**
 - (xx) Project No.1645, No. A- 1403, Revision 08, dated 04 Dec 2008 – West Elevation
 - (xxi) Project No.1645, No. A- 1404, Revision 01, dated 15 Oct 2008 – Kensington St - East Elevation
 - (xxii) ~~Project No.1645, No. A- 1405, Revision 01, dated 15 Oct 2008 – Kensington St - West Elevation~~ **Deleted**
 - (xxiii) Project No.1645, No. A- 1451, Revision 09, dated 04 Dec 2008 – Section 1
 - (xxiv) Project No.1645, No. A- 1452, Revision 09, dated 04 Dec 2008 – Section 2
 - (xxv) Project No.1645, No. A- 1453, Revision 09, dated 16 Oct 2008 – Section 3
 - (xxvi) Project No.1645, No. A- 1454, Revision 09, dated 04 Dec 2008 – Section 4
 - (xxvii) Project No.1645, No. A- 1455, Revision 11, dated 04 Dec 2008 – Section 5
 - (xxviii) Project No.1645, No. A- 1456, Revision 10, dated 04 Dec 2008 – Section 6
 - (xxix) Project No.1645, No. A- 1457, Revision 08, dated 04 Dec 2008 – Section 7
 - (xxx) Project No.1645, No. A- 1460, Revision 01, dated 15 Oct 2008 – Section 18
- (e) *Revised Statement of Commitments* prepared by JBA Urban Planning Consultants + TCW Consulting dated October 2008.
- (f) The Section 75W EAR prepared by JBA Planning Consultants, dated May 2012; and**
- (i) Project No. 1645, No. A-1002, Revision 11, dated 14 May 2012- Concept Plan Areas**
 - (ii) Project No. 1645, No. A-1253, Revision 16, dated 14 May 2012- Concept Plan Blocks and max GFA**
 - (iii) Project No.1645, No. A-1260, Revision 12, dated 29 June 2012 – Height Map - Sheet 1**
 - (iv) Project No.1645, No. A-1262, Revision 12, dated 29 June 2012 – Roof Plan, Maximum Building Height (AHD)**
 - (v) Project No.1645, No. A-1270, Revision 10, dated 29 June 2012 – Indicative Land Use Ground floor**
 - (vi) Project No.1645, No. A-1402, Revision 10, dated 29 June 2012 – South Elevation**
 - (vii) Project No.1645, No. A-1405, Revision 02, dated 29 June 2012– Kensington St - West Elevation**

SCHEDULE 3
PART A- DEPARTMENT OF PLANNING & INFRASTRUCTURE'S MODIFICATIONS TO
CONCEPT PLAN APPROVAL (MP06_0171 MOD 6)

A1 Gross Floor Area Controls

The Concept Plan is modified with regards to GFA as described by the provisions below:

- (a) The Maximum GFA available for development across the site is 255,500 square metres.
- (b) The GFA for residential land uses on the site shall not exceed 70% of the total GFA.
- (c) The GFA for non - residential land uses on the site shall not be less than 30% of the total GFA.
- (d) The maximum GFA for the development parcels approved as part of the Concept Plan are described below:

Block	Total max GFA (sq metres)
Block 1 + 4	77,000
Block 2	68,000
Block 3	10,500
Block 5A	11,000
Block 5B	16,000
Block 6	2,180 2,550
Block 7	1,250
Block 8	14,500
Block 9	27,000
Block 10	2,070 1,700
Block 11	26,000
Site Total	255,500

- (e) Notwithstanding the above, any GFA that occurs from the development for the purposes of community facilities within Main Park that Council will own and operate shall not be calculated towards the maximum GFA referred to in (a) above.
- (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.
- (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).
- (h) The maximum GFA identified above is subject to satisfying as part of future applications:
 - (i) the requirements of this approval;
 - (ii) all design excellence provisions; and
 - (iii) environmental considerations.

End of Modification MP06_0171 MOD 6