

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

17 January

2013

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 7:

- Amend the gross floor area distribution and land use mix within the Kensington Precinct (Blocks 3, 6 and 7) and Block 11.

SCHEDULE 2
CONCEPT PLAN MODIFICATION
(MP06_0171 MOD 7)

- 1) Condition A4 of Schedule 2 is modified by the insertion of the **bold and underlined** words/numbers and deletion of the ~~struck-out~~ words/numbers as follows:

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.~~
- (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~~
- (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~~
- (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)~~
- (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~~
- (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~~
- (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~~
- (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

Except as Modified by

- (g) **Section 75W EAR prepared by JBA dated October 2012; and**
 - (i) **Project No. A-1002, Revision 12, dated October 2012**
 - (ii) **Project No. A-1253, Revision 17, dated October 2012**

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

- 2) Condition A1 of Schedule 3 is modified by the insertion of **bold and underlined** words/numbers and deletion of ~~struck-out~~ words/numbers as follows:

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	<u>11,100</u> 10,500
Block 5A	11,000
Block 5B	16,000
Block 6	<u>2,000</u> 2,180
Block 7	<u>1,100</u> 1,250
Block 8	14,500
Block 9	27,000
Block 10	2,070
Block 11	<u>25,730</u> 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 7