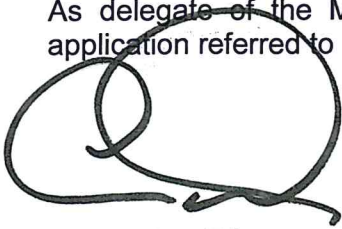


# Modification of Minister's Approval

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

As delegate of the Minister for Planning, I approve the modification of the Concept Plan application referred to in Schedule 1, subject to the conditions in Schedule 2.



**Executive Director  
Infrastructure & Industry Assessments**

Sydney *27 November* 2014

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### SCHEDULE 1

<b>Application No.:</b>	MP 06_0171
<b>Proponent:</b>	Frasers Broadway Pty Ltd
<b>Approval Authority:</b>	Minister for Planning
<b>Land:</b>	26 Broadway, Chippendale (former Carlton United Breweries site)
<b>For the following:</b>	<p>Concept Plan Approval for the former Carlton &amp; United Breweries Site, 26 Broadway, Chippendale comprising:</p> <ul style="list-style-type: none"><li>• development blocks;</li><li>• a maximum Gross Floor Area (GFA) of 255,500 sq.m of which a minimum of 59,515 sq.m must be non-residential floor space;</li><li>• combined basement car parks, providing car parking for Blocks 1 and 4N and Blocks 2, 5,9 and the Kensington Precinct;</li><li>• a new public park;</li><li>• tri-generation and Re-cycle water treatment plants;</li><li>• retention and heritage items;</li><li>• public domain works; and</li><li>• contributions.</li></ul>
<b>Proposed Modification:</b>	<p><b>MP 06_0171 MOD 9</b> modification includes:</p> <ul style="list-style-type: none"><li>• modifying the gross floor area distribution;</li><li>• modify the building envelope of Block 4S and 8; and</li><li>• modify the public domain and access arrangements.</li></ul>

## SCHEDULE 2

### CONDITIONS

The Concept Approval for MP 06\_0171 is modified as follows:

- (a) Amend Condition A4 of Schedule 2 by the deletion of the ~~struck-out words~~ and insertion of the **bold and underlined** words 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;
  - (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:
  - ~~(xiii) Project No. 1645, No. A-1401, Revision 06, dated 15 Oct 2008 – East Elevation;~~
  - ~~(xv) Project No. 1645, No. A-1404, Revision 01, dated 15 Oct 2008 – Kensington St – East Elevation;~~
  - ~~(xviii) Project No. 1645, No. A-1453, Revision 09, dated 16 Oct 2008 – Section 3;~~
  - ~~(xxi) Project No. 1645, No. A-1456, Revision 10, dated 04 Dec 2008 – Section 6;~~
  - ~~(xxii) Project No. 1645, No. A-1457, Revision 08, dated 04 Dec 2008 – Section 7.~~
- (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
  - (v) 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.

**Except as Modified by**

- (h) Section 75W EAR prepared by JBA dated December 2012 and Response to Submissions dated May 2013 (as amended); and
  - ~~(i) Project No. 1645, No. A-1002, Revision 19, dated 18/09/13 – Concept Plan Areas;~~
  - ~~(ii) Project No. 1645, No. A-1200, Revision 06, dated 19/12/12 – Indicative Staging Plan, CUB Heritage Map;~~
  - ~~(iii) Project No. 1645, No. A-1251, Revision 11, dated 19/11/11 – Site Plan – contextual;~~
  - ~~(iv) Project No. 1645, No. A-1253, Revision 25, dated 18/09/13 – Blocks and max. GFA;~~
  - ~~(v) Project No. 1645, No. A-1254, Revision 13, dated 19/12/12 – Public Domain;~~
  - ~~(vi) Project No. 1645, No. A-1256, Revision 10, dated 22/05/13 – Traffic, Pedestrian and Cycle Routes;~~
  - ~~(vii) Project No. 1645, No. A-1257, Revision 13, dated 23/05/13 – Traffic Access, Parking;~~
  - ~~(viii) Project No. 1645, No. A-1258, Revision 11, dated 24/01/13 – Road Width;~~
  - ~~(ix) Project No. 1645, No. A-1259, Revision 09, dated 19/12/12 – Awnings, Balconies;~~
  - ~~(x) Project No. 1645, No. A-1260, Revision 13, dated 19/12/12 – Height Map – Sheet 1;~~
  - ~~(xi) Project No. 1645, No. A-1261, Revision 08, dated 19/12/12 – Height Map – Sheet 2;~~
  - ~~(xii) Project No. 1645, No. A-1262, Revision 13, dated 19/12/12 – Roof Plan, Maximum Building Height (AHD);~~
  - ~~(xiii) Project No. 1645, No. A-1269, Revision 09, dated 19/12/12 – Typical Basement Level;~~
  - ~~(xiv) Project No. 1645, No. A-1270, Revision 12, dated 24/01/13 – Indicative Land Use – Groundfloor;~~

- ~~(xv) Project No. 1645, No. A-1274, Revision 11, dated 24/01/13 – Indicative Land Use Typical floor (Generally Level 04);~~
- ~~(xvi) Project No. 1645, No. A-1290, Revision 14, dated 23/05/13 – Residential Flat Design Code Distances between Buildings;~~
- ~~(xvii) Project No. 1645, No. A-1400, Revision 11, dated 24/01/13 – North Elevation;~~
- ~~(xviii) Project No. 1645, No. A-1402, Revision 11, dated 19/12/12 – South Elevation;~~
- ~~(xix) Project No. 1645, No. A-1403, Revision 11, dated 24/01/13 – West Elevation;~~
- ~~(xx) Project No. 1645, No. A-1451, Revision 11, dated 24/01/13 – Section 1;~~
- ~~(xxi) Project No. 1645, No. A-1452, Revision 11, dated 24/01/13 – Section 2;~~
- ~~(xxii) Project No. 1645, No. A-1454, Revision 14, dated 23/05/13 – Section 4;~~
- ~~(xxiii) Project No. 1645, No. A-1455, Revision 13, dated 24/01/13 – Section 5;~~
- ~~(xxiv) Project No. 1645, No. A-1458, Revision 05, dated 19/12/12 – Street Sections;~~
- ~~(xxv) Project No. 1645, No. A-1459, Revision 06, dated 19/12/12 – Street Sections 2; and~~
- ~~(xxvi) Project No. 1645, No. A-1460, Revision 05, dated 23/05/13 – Section 18.~~

Except as Modified by

- (i) **Section 75W EAR prepared by JBA dated January 2014 and Response to Submissions dated June 2014 (as amended);**

Architectural (or Design) Drawings prepared by Smart Design Studio			
Drawing No.	Revision	Name of Plan	Date
<u>A-1002</u>	<u>23</u>	<u>Concept Plan Areas</u>	<u>11.08.14</u>
<u>A-1030</u>	<u>04</u>	<u>Master Plan Site Set Out Plan</u>	<u>11.08.14</u>
<u>A-1200</u>	<u>07</u>	<u>Indicative Staging Plan, CUB Heritage Map</u>	<u>23.01.14</u>
<u>A-1250</u>	<u>05</u>	<u>Contextual Plan</u>	<u>23.01.14</u>
<u>A-1251</u>	<u>12</u>	<u>Site Plan – contextual</u>	<u>23.01.14</u>
<u>A-1252</u>	<u>06</u>	<u>Site Identification and Ownership</u>	<u>23.01.14</u>
<u>A-1253</u>	<u>28</u>	<u>Blocks and max. GFA</u>	<u>16.06.14</u>
<u>A-1254</u>	<u>14</u>	<u>Public Domain</u>	<u>23.01.14</u>
<u>A-1256</u>	<u>11</u>	<u>Traffic, Pedestrian and Cycle Routes</u>	<u>23.01.14</u>
<u>A-1257</u>	<u>14</u>	<u>Traffic Access, Parking</u>	<u>23.01.14</u>
<u>A-1258</u>	<u>12</u>	<u>Road Width</u>	<u>23.01.14</u>
<u>A-1259</u>	<u>10</u>	<u>Awnings, Balconies</u>	<u>23.01.14</u>
<u>A-1260</u>	<u>14</u>	<u>Height Map - Sheet 1</u>	<u>23.01.14</u>
<u>A-1261</u>	<u>09</u>	<u>Height Map - Sheet 2</u>	<u>23.01.14</u>
<u>A-1262</u>	<u>14</u>	<u>Roof Plan, Maximum Building Height (AHD)</u>	<u>23.01.14</u>
<u>A-1269</u>	<u>10</u>	<u>Typical Basement Level</u>	<u>23.01.14</u>
<u>A-1270</u>	<u>13</u>	<u>Indicative Land Use – Groundfloor</u>	<u>23.01.14</u>
<u>A-1274</u>	<u>12</u>	<u>Indicative Land Use Typical floor (Generally</u>	<u>23.01.14</u>



		<u>Level 04)</u>	
<u>A-1290</u>	<u>15</u>	<u>Residential Flat Design Code Distances between Buildings</u>	<u>23.01.14</u>
<u>A-1400</u>	<u>12</u>	<u>North Elevation</u>	<u>23.01.14</u>
<u>A-1401</u>	<u>07</u>	<u>East Elevation</u>	<u>23.01.14</u>
<u>A-1402</u>	<u>12</u>	<u>South Elevation</u>	<u>23.01.14</u>
<u>A-1403</u>	<u>12</u>	<u>West Elevation</u>	<u>23.01.14</u>
<u>A-1404</u>	<u>02</u>	<u>Kensington St – East Elevation</u>	<u>23.01.14</u>
<u>A-1451</u>	<u>12</u>	<u>Section 1</u>	<u>23.01.14</u>
<u>A-1452</u>	<u>12</u>	<u>Section 2</u>	<u>23.01.14</u>
<u>A-1453</u>	<u>10</u>	<u>Section 3</u>	<u>23.01.14</u>
<u>A-1454</u>	<u>15</u>	<u>Section 4</u>	<u>23.01.14</u>
<u>A-1455</u>	<u>14</u>	<u>Section 5</u>	<u>23.01.14</u>
<u>A-1456</u>	<u>11</u>	<u>Section 6</u>	<u>23.01.14</u>
<u>A-1457</u>	<u>09</u>	<u>Section 7</u>	<u>23.01.14</u>
<u>A-1458</u>	<u>06</u>	<u>Street Sections</u>	<u>23.01.14</u>
<u>A-1459</u>	<u>07</u>	<u>Street Sections 2</u>	<u>23.01.14</u>
<u>A-1460</u>	<u>06</u>	<u>Section 18</u>	<u>23.01.14</u>

- (b) Amend Modification A1 of Schedule 3 by the deletion of the ~~struck out words~~ and the insertion of the **bold and underlined** words as follows:

#### **A1 Gross Floor Area Controls**

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

- The Maximum GFA available for development across the site is 255,500sq.m.
- The GFA for residential land uses on the site shall not exceed 195,985m<sup>2</sup> of the total GFA.
- The GFA for non - residential land uses on the site shall not be less than 59,515m<sup>2</sup> of the total GFA.
- The maximum GFA for the development parcels approved as part of the Concept Plan are described below:

<b>Block</b>	<b>Total max GFA (sq metres)</b>
Block 1 + 4N	50,702
<b><u>Block 1</u></b>	<b><u>24,515</u></b>
<b><u>Block 4N</u></b>	<b><u>25,930</u></b>
Block 4S	<b><u>22,326</u></b> 24,500
Block 4B (Brewery Yard)	<b><u>3,898</u></b> 4,258
Block 2	67,626
Block 3	11,043
Block 5A	11,516
Block 5B	16,800
Block 6	2,000
Block 7	1,000

Block 8	<b>14,879</b> 11,500
Block 9	26,598
Block 10	1,844
Block 11	<b>25,525</b> 26,113
<b>Site Total</b>	<b>255,500</b>

- (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:
- the requirements of this approval;
  - all design excellence provisions; and
  - environmental considerations.
- (c) Amend Future Assessment Requirement B4 by the deletion of the ~~struck-out words~~ and the insertion of the **bold and underlined** words as follows:

#### **B4 Publically Accessible Land**

All land marked on the Public Domain Plan (~~A-1254 Rev 13 dated 19/12/12~~ **A-1254 Rev 14 dated 23/01/14**) other than private land (marked white on plan) shall be subject of Right of Ways and Easements on title to ensure public access is provided and maintained for these areas. Details are to be provided with the future Project Application(s).

- (d) Insert Future Assessment Requirement B16 as follows:

#### **B16 Child Care Centres**

Future applications for Blocks 4N and 11 are to demonstrate that the child care centres provided within the blocks provide the overall number of child care places as required for the Central Park development in accordance with the *City of Sydney Child Care Centres DCP 2005*.

**End of Modifications to MP 06\_0171 MOD 9**