

# 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.

These conditions are required to:

- prevent, minimise, and/or offset adverse environmental impacts;
- set standards and performance measures for acceptable environmental performance;
- require regular monitoring and reporting; and
- provide for the ongoing environmental management of the development.

Daniel Keary  
**Acting Executive Director**  
**Infrastructure & Industry Assessments**

Sydney

2015

### SCHEDULE 1

**Application Number:** MP 06\_0171 MOD 10

**Proponent:** Central Park JV No 2

**The Authority:** Minister for Planning

**The Land:** 26 Broadway, Chippendale (former Carlton United Breweries site)

**Project Approval:** Mixed use development granted on 9 February 2007 by the Minister for Planning

**For the Following:** Concept Plan Approval for the former Carlton & United Breweries Site, 26 Broadway, Chippendale comprising:

- development blocks;
- 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;
- combined basement car parks, providing car parking for Blocks 1 and 4N and Blocks 2, 5, 9 and the Kensington Precinct;
- a new public park and public domain works;
- tri-generation and re-cycled water treatment plants;
- retention and heritage items; and
- contributions.

**Modification:**

**MP 09\_0171 MOD 10**, the modification includes:

- amendment of site wide GFA distribution;
- amendment of Block 1 and Block 4N building envelopes; and
- amendment of the mix and quantum of land uses within Block 4N.

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

**SCHEDULE 2**  
**PART A – ADMINISTRATIVE CONDITIONS**

- (a) Schedule 2 Part A – Administrative Condition A4 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~**bold 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 Statement 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:

- (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
- (h) Section 75W EAR prepared by JBA dated December 2012 and Response to Submissions dated May 2013 (as amended); ~~and~~

**Except as Modified by**

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

**(j) Section 75W EAR prepared by JBA dated November 2014 (as amended) and Response to Submissions / Preferred Project dated March 2015; and**

**(k) the following drawings:**

<b>Architectural (or Design) Drawings prepared by <del>Smart Design Studio</del> Foster + Partners</b>			
<b>Drawing No.</b>	<b>Revision</b>	<b>Name of Plan</b>	<b>Date</b>
A-1002	<del>23</del> <b><u>25</u></b>	Concept Plan Areas	<del>11.08.14</del> <b><u>26/06/15</u></b>
A-1030	<del>04</del> <b><u>05</u></b>	Master Plan Site Set Out Plan	<del>11.08.14</del> <b><u>10/11/14</u></b>
A-1200	<del>07</del> <b><u>08</u></b>	Indicative Staging Plan, CUB Heritage Map	<del>23.01.14</del> <b><u>10/11/14</u></b>
A-1250	05	Contextual Plan	23.01.14
A-1251	<del>12</del> <b><u>14</u></b>	Site Plan – contextual	<del>23.01.14</del> <b><u>18/06/15</u></b>
A-1252	06	Site Identification and Ownership	23.01.14
A-1253	<del>28</del> <b><u>30</u></b>	Blocks and max. GFA	<del>16.06.14</del> <b><u>26/06/15</u></b>
A-1254	<del>14</del> <b><u>16</u></b>	Public Domain	<del>23.01.14</del> <b><u>18/06/15</u></b>
A-1256	<del>11</del> <b><u>13</u></b>	Traffic, Pedestrian and Cycle Routes	<del>23.01.14</del> <b><u>18/06/15</u></b>
A-1257	<del>14</del> <b><u>16</u></b>	Traffic Access, Parking	<del>23.01.14</del> <b><u>18/06/15</u></b>
A-1258	<del>12</del> <b><u>14</u></b>	Road Width	<del>23.01.14</del> <b><u>18/06/15</u></b>
A-1259	<del>10</del> <b><u>12</u></b>	Awnings, Balconies	<del>23.01.14</del> <b><u>18/06/15</u></b>

A-1260	<del>44</del> <u>16</u>	Height Map - Sheet 1	<del>23.01.14</del> <u>18/06/15</u>
A-1261	<del>09</del> <u>11</u>	Height Map - Sheet 2	<del>23.01.14</del> <u>18/06/15</u>
A-1262	<del>44</del> <u>16</u>	Roof Plan, Maximum Building Height (AHD)	<del>23.01.14</del> <u>18/06/15</u>
A-1269	<del>40</del> <u>11</u>	Typical Basement Level	<del>23.01.14</del> <u>10/11/14</u>
A-1270	<del>43</del> <u>15</u>	Indicative Land Use – Groundfloor	<del>23.01.14</del> <u>18/06/15</u>
A-1274	<del>42</del> <u>14</u>	Indicative Land Use Typical floor (Generally Level 04)	<del>23.01.14</del> <u>18/06/15</u>
A-1290	<del>45</del> <u>17</u>	Residential Flat Design Code Distances between Buildings	<del>23.01.14</del> <u>18/06/15</u>
A-1400	<del>42</del> <u>13</u>	North Elevation	<del>23.01.14</del> <u>10/11/14</u>
A-1401	<del>07</del> <u>08</u>	East Elevation	<del>23.01.14</del> <u>10/11/14</u>
A-1402	<del>42</del> <u>13</u>	South Elevation	<del>23.01.14</del> <u>10/11/14</u>
A-1403	<del>42</del> <u>13</u>	West Elevation	<del>23.01.14</del> <u>10/11/14</u>
A-1404	<del>02</del> <u>03</u>	Kensington St – East Elevation	<del>23.01.14</del> <u>10/11/14</u>
A-1451	<del>42</del> <u>13</u>	Section 1	<del>23.01.14</del> <u>10/11/14</u>
A-1452	<del>42</del> <u>13</u>	Section 2	<del>23.01.14</del> <u>10/11/14</u>
A-1453	10	Section 3	23.01.14
A-1454	<del>45</del> <u>16</u>	Section 4	<del>23.01.14</del> <u>10/11/14</u>
A-1455	<del>44</del> <u>15</u>	Section 5	<del>23.01.14</del> <u>10/11/14</u>
A-1456	<del>41</del> <u>12</u>	Section 6	<del>23.01.14</del> <u>10/11/14</u>
A-1457	<del>09</del> <u>10</u>	Section 7	<del>23.01.14</del> <u>10/11/14</u>
A-1458	<del>06</del> <u>07</u>	Street Sections	<del>23.01.14</del> <u>10/11/14</u>
A-1459	07	Street Sections 2	23.01.14
A-1460	<del>06</del> <u>07</u>	Section 18	<del>23.01.14</del> <u>10/11/14</u>

**SCHEDULE 2**  
**PART A – DEPARTMENT OF PLANNING MODIFICATIONS**

- (b) Schedule 2 Part B – Modification A1 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the **~~bold 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 Subject Site is 255,500 square metres
- (b) The GFA for residential land uses on the site shall not exceed 195,985m<sup>2</sup> of the total GFA.
- (c) The GFA for non - residential land uses on the site shall not be less than 59,515m<sup>2</sup> 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	<del>24,515</del> <b><u>24,231</u></b>
Block 4N	<del>25,930</del> <b><u>26,591</u></b>
Block 4S	<del>22,326</del> <b><u>22,258</u></b>
Block 4B (Brewery Yard)	3,898
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	<del>14,879</del> <b><u>14,875</u></b>
Block 9	26,598
Block 10	1,844
Block 11	<del>25,525</del> <b><u>25,220</u></b>
<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 the 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.

**SCHEDULE 2**  
**PART B – FUTURE ASSESSMENT REQUIREMENTS**

- (c) Schedule 2 Part B – Future Assessment Requirement B4 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~**bold struck out**~~ words/numbers as follows:

**B4 Publically Accessible Land**

All land marked on the Public Domain Plan (A-1254 Rev ~~14~~ **16** dated ~~23/01/14~~ **18/06/15**) 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).

**End of Modifications to MP 06\_0171  
(MP 06\_0171 MOD 10)**