

Modification of Minister's Approval

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

As delegate of the Minister for Planning, we approve the modification application referred to in schedule 1, subject to the conditions in schedules 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.

MEMBER OF THE COMMISSION

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Sydney

2015

SCHEDULE 1

Application Number: MP 06_0171 MOD 11

Proponent: Frasers Broadway Pty Ltd

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 11**, the modification includes:

- amendment of Block 11 building envelopes;
- relocation of vehicular access and reduction of on-street car parking on O'Connor Street;
- provision of pick-up/drop off car parking spaces on Kensington Street; and
- increase and reconfiguration of public open space within Block 11.

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;
 - (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;
 - (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 Project No.1645, No. A-1405, Revision 02, dated 29 June 2012, Kensington St - West Elevation;
 - (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);
 - (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) **Section 75W EAR prepared by JBA dated December 2014 and Response to Submissions / Preferred Project dated July 2015 (as amended); and**
- (~~k~~ l) the following drawings:

Architectural (or Design) Drawings prepared by Foster + Partners			
Drawing No.	Revision	Name of Plan	Date
A-1002	25 <u>26</u>	Concept Plan Areas	26/06/15 <u>12/08/15</u>
A-1030	05 <u>07</u>	Master Plan Site Set Out Plan	10/11/14 <u>12/08/15</u>
A-1200	08	Indicative Staging Plan, CUB Heritage Map	10/11/14
A-1250	05	Contextual Plan	23.01.14
A-1251	14 <u>15</u>	Site Plan – contextual	18/06/15 <u>12/08/15</u>
A-1252	06	Site Identification and Ownership	23.01.14
A-1253	30 <u>31</u>	Blocks and max. GFA	26/06/15 <u>12/08/15</u>
A-1254	16 <u>17</u>	Public Domain	18/06/15 <u>12/08/15</u>
A-1256	13 <u>14</u>	Traffic, Pedestrian and Cycle Routes	18/06/15 <u>12/08/15</u>
A-1257	16 <u>17</u>	Traffic Access, Parking	18/06/15 <u>12/08/15</u>
A-1258	14 <u>15</u>	Road Width	18/06/15 <u>12/08/15</u>
A-1259	12 <u>13</u>	Awnings, Balconies	18/06/15 <u>12/08/15</u>
A-1260	16 <u>18</u>	Height Map - Sheet 1	18/06/15 <u>10/11/15</u>
A-1261	11	Height Map - Sheet 2	18/06/15 <u>24/11/14</u>
A-1262	16 <u>18</u>	Roof Plan, Maximum Building Height (AHD)	18/06/15 <u>10/11/15</u>

A-1269	44 <u>12</u>	Typical Basement Level	10/11/14 <u>03/12/14</u>
A-1270	45 <u>16</u>	Indicative Land Use – Groundfloor	18/06/15 <u>12/08/15</u>
A-1274	44 <u>15</u>	Indicative Land Use Typical floor (Generally Level 04)	18/06/15 <u>12/08/15</u>
A-1290	47 <u>18</u>	Residential Flat Design Code Distances between Buildings	18/06/15 <u>12/08/15</u>
A-1400	13	North Elevation	10/11/14
A-1401	08 <u>09</u>	East Elevation	10/11/14 <u>03/12/14</u>
A-1402	13	South Elevation	10/11/14
A-1403	43 <u>14</u>	West Elevation	10/11/14 <u>28/11/14</u>
A-1404	03 <u>04</u>	Kensington St – East Elevation	10/11/14 <u>28/11/14</u>
A-1451	13	Section 1	10/11/14
A-1452	13	Section 2	10/11/14
A-1453	40 <u>12</u>	Section 3	23.01.14 <u>28/11/14</u>
A-1454	16	Section 4	10/11/14
A-1455	15	Section 5	10/11/14
A-1456	12	Section 6	10/11/14
A-1457	40 <u>11</u>	Section 7	10/11/14 <u>03/12/14</u>
A-1458	07	Street Sections	10/11/14
A-1459	07 <u>09</u>	Street Sections 2	23.01.14 <u>03/12/14</u>
A-1460	07 <u>08</u>	Section 18	10/11/14 <u>03/12/14</u>

SCHEDULE 2
PART B – FUTURE ASSESSMENT REQUIREMENTS

- (b) 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 ~~46~~ 17 dated ~~18/06/15~~ 12/08/15) 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 11)