

# 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.

### MEMBER OF THE COMMISSION

Sydney

2016

#### SCHEDULE 1

|                            |  |
|----------------------------|--|
| <b>Application Number:</b> | MP 06_0171   |
| <b>Proponent:</b>          | Frasers Broadway Pty Ltd   |
| <b>The Authority:</b>      | Minister for Planning  |
| <b>The Land:</b>           | 26 Broadway, Chippendale (former Carlton United Breweries site)  |
| <b>Project Approval:</b>   | Mixed use development granted on 9 February 2007 by the Minister for Planning  |
| <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 <b>255,621</b> 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 and public domain works;</li><li>• tri-generation and re-cycled water treatment plants;</li><li>• retention and heritage items; and</li><li>• contributions.</li></ul> |
| <b>Modification:</b>       | <p><b>MP 09_0171 MOD 12</b>, the modification includes:</p> <ul style="list-style-type: none"><li>• redistribution of 102 m<sup>2</sup> of approved floor space from Block 4N to Block 4B; and</li><li>• modifications to the public domain plan to clarify the ownership of roads and open space.</li></ul>   |

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);
- (l) Section 75W Modification Application – Central Park concept Plan – MOD 12 prepared by JBA Urban Planning Consultants Pty Ltd dated 15 February/ Response to Submissions 18 April and 10 May 2016 **and**
- (m) Section 75W Modification Application – Central Park Concept Plan – MOD 13 prepared by Planning Lab dated 26/10/2017**

(~~m-n~~) the following drawings:

| Architectural (or Design) Drawings prepared by Foster + Partners |                            |   |  |
|--|----------------------------|---|--|
| Drawing No.  | Revision                   | Name of Plan                              | Date                                   |
| A-1002   | <del>26</del><br><u>27</u> | Concept Plan Areas                        | <del>12/08/15</del><br><u>15/01/16</u> |
| A-1030   | 07                         | Master Plan Site Set Out Plan             | 12/08/15                               |
| A-1200   | 08                         | Indicative Staging Plan, CUB Heritage Map | 10/11/14                               |
| A-1250   | 05                         | Contextual Plan                           | 23.01.14                               |
| A-1251   | 15                         | Site Plan – contextual                    | 12/08/15                               |
| A-1252   | 06                         | Site Identification and Ownership         | 23.01.14                               |
| A-1253   | <del>31</del><br><u>32</u> | Blocks and max. GFA                       | <del>12/08/15</del><br><u>15/01/16</u> |
| A-1254   | <del>17</del><br><u>19</u> | Public Domain                             | <del>12/08/15</del><br><u>06/04/16</u> |
| A-1256   | 14                         | Traffic, Pedestrian and Cycle Routes      | 12/08/15                               |
| A-1257   | 17                         | Traffic Access, Parking                   | 12/08/15                               |
| A-1258   | 15                         | Road Width                                | 12/08/15                               |
| A-1259   | 13                         | Awnings, Balconies                        | 12/08/15                               |
| A-1260   | 18                         | Height Map - Sheet 1                      | 10/11/15                               |
| A-1261   | 11                         | Height Map - Sheet 2                      | 24/11/14                               |
| A-1262   | 18                         | Roof Plan, Maximum Building Height (AHD)  | 10/11/15                               |
| A-1269   | 12                         | Typical Basement Level                    | 03/12/14                               |
| A-1270   | 16                         | Indicative Land Use – Groundfloor         | 12/08/15                               |

|        |    |  |          |
|--------|----|--|----------|
| A-1274 | 15 | Indicative Land Use Typical floor (Generally Level 04)   | 12/08/15 |
| A-1290 | 18 | Residential Flat Design Code Distances between Buildings | 12/08/15 |
| A-1400 | 13 | North Elevation  | 10/11/14 |
| A-1401 | 09 | East Elevation   | 03/12/14 |
| A-1402 | 13 | South Elevation  | 10/11/14 |
| A-1403 | 14 | West Elevation   | 28/11/14 |
| A-1404 | 04 | Kensington St – East Elevation                           | 28/11/14 |
| A-1451 | 13 | Section 1  | 10/11/14 |
| A-1452 | 13 | Section 2  | 10/11/14 |
| A-1453 | 12 | Section 3  | 28/11/14 |
| 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 | 11 | Section 7  | 03/12/14 |
| A-1458 | 07 | Street Sections  | 10/11/14 |
| A-1459 | 09 | Street Sections 2  | 03/12/14 |
| A-1460 | 08 | Section 18   | 03/12/14 |

## 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 19~~ dated ~~18/06/15~~ **06/04/16**) 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).

- (c) Schedule 2 Part B – Future Assessment Requirement B17 is included by the insertion of the **bold and underlined** words / numbers as follows:

### **B17 Public Domain Plan**

**The public domain plan approved as part of Modification 12 is to be updated to extend the publically accessible through site link on Block 4B approved as part of Modification 12 to the southern curtilage to ensure it connects to publically accessible land to operate as a link. This plan is to be updated prior to the submission of any future project or development application for Block 4B.**

End of Modifications to MP 06\_0171 MOD 12