

Modification of Minister's Approval (Transitioned)

Section 4.55(1A) of the *Environmental Planning and Assessment Act 1979*

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



David McNamara
Director
Key Sites Assessments

Sydney

21 June 2019

SCHEDULE 1

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|---------------------------|---|
| Approval: | MP 09_0078 granted by the Planning Assessment Commission on 18 June 2010 |
| For the following: | <p>Project Approval for the construction of a new mixed use retail, commercial and residential building with ancillary retail uses consisting of two towers (east tower maximum 133.0 metres AHD and west tower maximum 79.5 metres AHD) located above a podium accommodating:</p> <ul style="list-style-type: none">• floor space comprising 623 residential apartments;• retail floor space comprising a food court, speciality retail, supermarket, and a gymnasium;• construction of terraces (landscaped platforms), which rise from the plaza to the podium level 2 of the new building on Block 2;• installation of a heliostat system (consisting of mirrors which are orientated to focus light onto the landscaped platforms);• construction of the surrounding public domain; and• stratum subdivision of the proposal. |
| Applicant: | Fraser's Property Australia |
| Consent Authority: | Minister for Planning |
| The Land: | 26 Broadway, Chippendale |
| Modification: | MP 09_0078: transfer 673.1m ² of floor space on level 4 from the commercial stratum to the residential stratum and administration changes to Condition A2. |

SCHEDULE 2

The above approval is modified as follows:

- (a) Schedule 2 Part A – Terms of Approval, Condition A2 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~**bold and struckout**~~ words / numbers as follows:

A2 Development in Accordance with Plans and Documentation

The development will be undertaken in accordance with:

- (a) MP 09_0078 and the Environmental Assessment dated September 2009, prepared by JBA Urban Planning Consultants Pty Ltd, except where amended by the Preferred Project Report dated February 2010, prepared by JBA Urban Planning Consultants Pty Ltd,
- (b) Section 75W Modification **(Mod 1)**, dated November 2010 (as amended);
- (c) Section 75W Modification **(Mod 3)**, dated September 2011,
- (d) Section 75W application **(Mod 4)**, dated 23 July 2012 by Frasers Broadway Pty Ltd and the following documents:
 - i) Extended Construction Hours Noise Assessment – Block 2 – 26 Broadway, prepared by Acoustic Logic Pty Ltd, dated 17 July 2012;
 - ii) Construction Management Plan Central Park, prepared by Watpac Construction (NSW) Pty Ltd, dated 12 July 2012;
 - iii) Project Environmental Management Plan Central Park Project, prepared by Watpac Construction (NSW) Pty Ltd, dated 12 July 2012; and
 - iv) Project Safety (OHS) Management Plan Annexure: G – Traffic Management Plan, prepared by Watpac Construction (NSW) Pty Ltd, dated 12 July 2012.
- (e) Section 75W application **(Mod 7)** submitted on 8 July 2013 by Frasers Broadway Pty Ltd (as amended on 13 August 2013 and 5 September 2013) and the following documents:
 - i) Extended Hours Construction Noise Assessment – One Central Park, prepared by Acoustic Logic Pty Ltd, dated 20 June 2013 (as amended 13 August 2013);
 - ii) One Central Park – Addendum to Construction Noise Impact Assessment prepared by Acoustic Logic Pty Ltd dated 29 August 2013.
- (f) **Section 4.55(1A) Modification Report (Mod 9), dated 9 April 2019, prepared by Ethos Urban,** and
- (g) the following drawings:

| Architectural Drawings prepared for the Section 75W Modification by Ateliers Jean Nouvel and PTW Architects | | | |
|--|-----------------|--|-------------|
| Drawing No. | Revision | Name of Plan | Date |
| A-PA-OA-068 | F | Level 18 - Overall Floor Plan - East + West Towers | 18.02.11 |
| A-PA-OA-069 | F | Level 19 - Overall Floor Plan - East Tower | 18.02.11 |
| A-PA-OA-070 | F | Level 20 - Overall Floor Plan - East Tower | 18.02.11 |
| A-PA-OA-071 | F | Level 21 - Overall Floor Plan - East Tower | 18.02.11 |
| A-PA-OA-072 | F | Level 22 - Overall Floor Plan - East Tower | 18.02.11 |
| A-PA-OA-073 | F | Level 23 - Overall Floor Plan - East Tower | 18.02.11 |
| A-PA-OA-074 | F | Level 24 - Overall Floor Plan - East Tower | 18.02.11 |
| A-PA-OA-075 | F | Level 25 - Overall Floor Plan - East Tower | 18.02.11 |
| A-PA-OA-076 | F | Level 26 - Overall Floor Plan - East Tower | 18.02.11 |

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|--|-----------------|---|-------------|
| A-PA-OA-077 | F | Level 27 - Overall Floor Plan - East Tower | 18.02.11 |
| A-PA-OA-078 | F | Level 28 - Overall Floor Plan - East Tower | 18.02.11 |
| A-PA-OA-800 | E | Section A-A Overall | 10.11.10 |
| A-PA-OA-801 | E | Section B-B Overall | 10.11.10 |
| A-PA-OA-708 | E | Elevations - Tower Slot - East Tower Façade Slots | 10.11.10 |
| A-PA-OA-703 | E | Internal Elevations - West Tower - East Elevation and East Tower - West Elevation | 10.11.10 |
| A-PA-OA-540 | E | Façade Details - Façade Type A - Typical Large External Balcony With Privacy Screen | 10.11.10 |
| A-PA-OA-541 | E | Façade Details - Façade Type B - Typical Small External Balcony With Privacy Screen | 10.11.10 |
| A-PA-OA-542 | E | Façade Details - Façade Type C - Typical Balcony With Sliding / Stacking Doors to Slot Facade | 10.11.10 |
| A-PA-OA-543 | E | Façade Details - Façade Type D - Typical East Tower Loggia | 10.11.10 |
| A-PA-OA-544 | E | Façade Details - Façade Type E - Typical West Tower Studio / 1 Bed Loggia | 10.11.10 |
| A-PA-OA-545 | E | Façade Details - Façade Type F - Typical Two Key Loggia | 10.11.10 |
| A-PA-OA-550 | E | Tower Façade Sections – Façade and Apartment Interior – Overall Section Detail | 10.11.10 |
| A-PA-OA-555 | E | Tower Façade Arrangement Detail | 10.11.10 |
| A-PA-OA-560 | E | Tower Slot Façade Details - Façade Glazing Sheet 1 - Slot Façade | 10.11.10 |
| A-PA-OA-961 | E | Tower Planter Box and Green Wall Details | 10.11.10 |
| A-PA-OA-962 | E | Tower Planter Box Details | 10.11.10 |
| Architectural Drawings prepared for the Section 75W Modification by Ateliers Jean Nouvel and PTW Architects | | | |
| Drawing No. | Revision | Name of Plan | Date |
| A-PA-OA-046A | G | Basement 1 - Overall Floor Plan | 8.8.11 |
| A-PA-OA-047A | G | Basement 1 Mezzanine - Overall Floor Plan | 8.8.11 |
| A-PA-OA-049A | G | Ground Level - Overall Floor Plan | 8.8.11 |
| A-PA-OA-050 | G | Ground Floor Mezzanine Level - Overall Floor Plan | 8.8.11 |
| A-PA-OA-051 | G | Level 01 - Overall Floor Plan | 8.8.11 |
| A-PA-OA-052 | G | Level 02 - Overall Floor Plan | 8.8.11 |
| A-PA-OA-053 | G | Level 03 - Overall Floor Plan | 8.8.11 |
| A-PA-OA-054 | I | Level 04 - Overall Floor Plan - East + West Towers & Podium | 8.8.11 |
| A-PA-OA-055 | J | Level 05 - Overall Floor Plan - East + West Towers & Podium | 8.8.11 |

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| A-PA-OA-056 | I | Level 06 - Overall Floor Plan - East + West Towers | 8.8.11 |
| A-PA-OA-057 | I | Level 07 - Overall Floor Plan - East + West Towers | 8.8.11 |
| A-PA-OA-058 | I | Level 08 - Overall Floor Plan - East + West Towers | 8.8.11 |
| A-PA-OA-059 | I | Level 09 - Overall Floor Plan - East + West Towers | 8.8.11 |
| A-PA-OA-060 | I | Level 10 - Overall Floor Plan - East + West Towers | 8.8.11 |
| A-PA-OA-061 | I | Level 11 - Overall Floor Plan - East + West Towers | 8.8.11 |
| A-PA-OA-062 | I | Level 12 - Overall Floor Plan - East + West Towers | 8.8.11 |
| A-PA-OA-063 | H | Level 13 - Overall Floor Plan - East + West Towers | 8.8.11 |
| A-PA-OA-064 | H | Level 14 - Overall Floor Plan - East + West Towers | 8.8.11 |
| A-PA-OA-065 | H | Level 15 - Overall Floor Plan - East + West Towers | 8.8.11 |
| A-PA-OA-066 | H | Level 16 - Overall Floor Plan - East + West Towers | 8.8.11 |
| A-PA-OA-067 | H | Level 17 - Overall Floor Plan - East + West Towers | 8.8.11 |
| A-PA-OA-079 | H | Level 29 - Overall Floor Plan - East Tower | 8.8.11 |
| A-PA-OA-080 | H | Level 30 - Overall Floor Plan - East Tower | 8.8.11 |
| A-PA-OA-081 | H | Level 31 - Overall Floor Plan - East Tower | 8.8.11 |
| A-PA-OA-082 | H | Level 32 - Overall Floor Plan -East Tower | 8.8.11 |
| A-PA-OA-083 | G | Level 33 - Overall Floor Plan -East Tower | 8.8.11 |
| A-PA-OA-084 | G | Level 34 - Overall Floor Plan -East Tower | 8.8.11 |
| A-PA-OA-085 | G | Roof - Overall Floor Plan -East Tower | 8.8.11 |
| A-PA-OA-700 | G | North Elevation | 8.8.11 |
| A-PA-OA-701 | G | East Elevation | 8.8.11 |
| A-PA-OA-702 | G | South Elevation | 8.8.11 |
| A-PA-OA-704 | G | West Elevation | 8.8.11 |
| A-PA-OA-962 | G | Tower Planter Box Details | 8.8.11 |
| A-PA-P-981 | G | Podium Awning Details Sheet | 8.8.11 |
| Landscape Plans drawn by Jeppe Aagaard Anderson & Turf Design Studio | | | |
| 0721 Pages 1-7 | A | | 16.9.11 |
| - | - | Public Domain Plan | Oct 2011 |
| Other | | | |
| - | - | Green Wall Planting Schedule | 12.8.11 |

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| - | - | Planter Box/ Vertical Cable Detail | 29.8.11 |
| - | - | Landscape Maintenance Plan | 12.9.11 |
| 1-2 | - | Typical Green (Vegetal) Wall Panel Layout | 7.7.11 |
| Subdivision Plans prepared for the Section 75W Application by Denny Linker & Co. dated 7 December 2012 | | | |
| <u>Plan of Subdivision of Common Property prepared for the Section 4.55(1A) Application (Mod 9) by Linker Surveying Pty Ltd, dated 5 April 2019</u> | | | |

except for:

- 1) any modifications which are 'Exempt and Complying Development' as identified in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 or as may be necessary for the purpose of compliance with the BCA and any Australian Standards incorporated in the BCA, and
- 2) otherwise provided by the conditions of this approval.

End of modification

(MP 09_0078 MOD 9)