

Modification of Development Consent

Section 96(1A) of the *Environmental Planning and Assessment Act 1979*

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

Anthea Sargeant
Executive Director
Key Sites and Industry Assessments

Sydney

2018

SCHEDULE 1

Development Approval: **SSD 6376** granted by the Planning Assessment Commission on 2 March 2016

For the following: Development of Block 11 mixed use development including:

- construction of a 10 to 13 storey building (maximum height RL 64.17) over two basement levels;
- Total GFA of 25,220m² comprising:
 - 296 residential apartments;
 - 758m² GFA retail; and
 - 655m² childcare facility (90 child capacity).
- retention, refurbishment and alteration of the Castle Connell Hotel (external only);
- 174 on-site car parking spaces (including 10 car share spaces) and two service vehicle spaces
- six regular and three short term on-street car parking spaces;
- 448 bicycle parking spaces;
- 3,300m² of open space;
- public domain works and landscaping;
- subdivision and strata subdivision; and
- signage zones.

Applicant: Frasers Broadway Pty Ltd

Consent Authority: Minister for Planning

The Land: Block 11 - Central Park (former Carlton United Breweries Site) (Lot 5 DP1142053 and part lot 1 DP76719)

Modification: **SSD 6376 MOD 4:** extension of construction hours for internal works.

SCHEDULE 2

The above approval (SSD 6376) is modified as follows:

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

Terms of Consent

- A2 The Applicant shall carry out the project generally in accordance with the:
- a) State Significant Development Application SSD 6376;
 - b) Environmental Impact Statement prepared by JBA Urban Planning Consultants dated December 2014;
 - c) Response to Submissions report prepared by JBA Urban Planning Consultants dated July 2015;
 - d) S96(1A) Modification Application Planning Report (SSD 6376 MOD 1) prepared by JBA Urban Planning Consultants dated 5 August 2016, and additional information submitted on 16 September 2016 and 4 and 5 October 2016;
 - e) S96(1A) Modification Application Planning Report (SSD 6376 MOD 2) prepared by JBA Urban Planning Consultant dated 6 February 2017, and additional information submitted on, 3 April 2017, 19 June 2017 20 July 2017 4 and 13 September 2017
 - f) S96(1A) Modification Application Planning Report (SSD 6376 MOD 4) prepared by Ethos Urban dated 27 October 2017 and Response to Submissions dated 6 December 2017 as amended by revised Noise Impact Assessment dated 8 February 2018**
 - f.g)** The conditions of this consent; and
 - g.h)** The following drawings, except for:
 - i) any modifications which are Exempt or Complying Development; and
 - ii) otherwise provided by the conditions of this consent.

Architectural (or Design) Drawings prepared by fjmt			
Drawing No.	Rev.	Name of Plan	Date
SSDA-11-001	04	GENERAL Legend	01/12/2016
SSDA-11-100	04	SITE PLANS Site Plan	02/12/2016
SSDA-11-200	04	PLANS Key Plans	01/12/2016
SSDA-11-201	08	PLANS Level 00	01/12/2016
SSDA-11-202	07	PLANS Level 01	01/12/2016
SSDA-11-203	04	PLANS Level 02	01/12/2016
SSDA-11-204	05	PLANS Level 03	01/12/2016
SSDA-11-205	04	PLANS Level 04-06	01/12/2016
SSDA-11-206	05	PLANS Level 07 Setback Floor South	01/12/2016
SSDA-11-207	05	PLANS Level 08 Setback Floor North	01/12/2016
SSDA-11-208	05	PLANS Level 09	01/12/2016
SSDA-11-209	04	PLANS Level 10-12	01/12/2016
SSDA-11-210	04	PLANS Level 13	01/12/2016
SSDA-11-211	04	PLANS Roof	01/12/2016
SSDA-11-212	04	PLANS Basement Level 01	02/12/2016

SSDA-11-213	04	PLANS Basement Level 02	02/12/2016
SSDA-11-214	03	PLANS CCTV and Public Domain Security Plan	02/12/2016
SSDA-11-301	04	SECTIONS Section	02/12/2016
SSDA-11-302	04	SECTIONS Section	02/12/2016
SSDA-11-401	05	ELEVATIONS North and South Elevations Typical	01/12/2016
SSDA-11-402	05	ELEVATIONS East and West Elevations Typical	01/12/2016
SSDA-11-501	04	GROUND PLAN DETAIL ELEVATIONS Detail Elevations - North	01/12/2016
SSDA-11-502	04	GROUND PLAN DETAIL ELEVATIONS Detail Elevations – South	01/12/2016
SSDA-11-503	04	GROUND PLAN DETAIL ELEVATIONS Detail Elevations – East and West	29/11/2016
SSDA-11-504	02	GROUND PLAN DETAIL ELEVATIONS Retail Signage Zones	03/07/2015
SK160518		SKETCHES Childcare Entrance FLOOR PLAN	
SK160518		SKETCHES Childcare Entrance ELEVATION NORTH	
SK160518		SKETCHES Childcare Entrance ELEVATION EAST	
SK160518		SKETCHES Childcare Entrance VIEW 1	
SK160518		SKETCHES Childcare Entrance VIEW 2	
SK160518		SKETCHES Childcare Entrance VIEW 3-4	
SSDA-11-601	02	TYPICAL LAYOUTS Adaptable Apartments	03/07/2015
SSDA-11-602	02	TYPICAL LAYOUTS Adaptable Apartments	03/07/2015
Landscape Drawings prepared by fjmt			
Drawing No.	Rev.	Name of Plan	Date
SSDA-11-800	03	LANDSCAPE Cover Page	02/12/2016
SSDA-11-801	04	LANDSCAPE Ground Floor	02/12/2016
SSDA-11-802	03	LANDSCAPE Level 10 & 14 Green Roof	19/07/2015
SSDA-11-803	03	LANDSCAPE Level 9 Terraces	02/12/2016
SSDA-11-804	03	LANDSCAPE Landscape Sections	02/12/2016
Subdivision Drawings prepared by Tasy Moraitis			
Drawing No.	Issue	Name of Plan	Date
141021 SUB	3	DEPOSITED PLAN ADMINISTRATION SHEET (Sheets 1 to 3)	10 JULY 2015
141021 SUB	3	PLAN OF PROPOSED SUBDIVISION OF LOT 5 IN D.P.1142053 AND LOT 1 IN D.P.76719 (Sheets 1 to 7)	10 JULY 2015
141021 B11 DSP	4	STRATA PLAN ADMINISTRATION SHEET (Sheets 1 to 3)	14 JULY 2015
141021 B11 DSP	4	STRATA PLAN FORM 2 (A3) CONTRACT PLAN (Sheets 1 to 30)	14 JULY 2015

Civil Infrastructure Drawing prepared by Mott MacDonald			
Drawing No.	Rev.	Name of Plan	Date
MMD-286054-C-DR-XX-0001	3	Linemarking and Signposting Plan	04/09/2015

- (b) Schedule 2 Part B – Prior to Issue of Construction Certificate, Condition D2 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the **~~bold struck out~~** words/numbers as follows:

Hours of Work

D2(A) The hours of construction and work on the development must be as follows:

- a) All work, including building/demolition and excavation work, and activities in the vicinity of the site generating noise associated with preparation for the commencement of work (eg. Loading and unloading of goods, transferring of tools etc) in connection with the proposed development must only be carried out between the hours of 7.30am and 5.30pm on Mondays to Fridays, inclusive, and 7.30am and 3.30pm on Saturdays, with safety inspections being permitted at 7.00am on work days, and no work must be carried out on Sundays or public holidays.
 - b) All work, including demolition, excavation and building work must comply with the City of Sydney Code of Practice for Construction Hours/Noise 1992 and Australian Standard 2436-1981 Guide to Noise Control on Construction, Maintenance and Demolition Sites. Note: The City of Sydney Code of Practice for Construction Hours/Noise 1992 allows extended working hours subject to the approval of an application in accordance with the Code and under Section 96 of the Environmental Planning and Assessment Act 1979.
- (c) Schedule 2 Part D – During Construction, is amended by the insertion of the following new condition D1A:

D2(B): Notwithstanding Condition D2(A), internal fit-out works within the enclosed façade are permitted 24 hours a day Monday to Friday and between 7:00am and 10:30pm Saturday and Sunday. Works within these extended hours must comply with the following requirements:

- a) **works are to be limited to internal fit-out works only, such as the installation of ceilings and partition walls, finishes and services**
- b) **all work is to be undertaken internally, within the fully completed external façade of the building with all external windows and doors fully installed and closed during works**
- c) **works shall be undertaken in accordance with the Noise Impact Assessment prepared by Acoustic Logic, titled *Extended Hours Construction Noise Impact Assessment Revision 2* and dated 08/02/2018**
- d) **no deliveries of materials to the site or collection of materials or waste from the site are to be made**
- e) **no work outside of, and including, the building façade**
- f) **no use of cranes**
- g) **no floodlighting or additional lighting over and above current lighting levels required for safety and access, ie. no change from current lighting levels**
- h) **all workers are to be appraised of the following requirements, and the builder is to ensure the following practices are adhered to:**
 - i) **access to the site during the extended hours is restricted to the site personnel only**
 - ii) **all workers are to enter and exit the site via accesses points on Kensington and O'Connor Streets only**
 - iii) **workers entering or exiting the site after 7:00 pm are to take care not to speak in raised voices, talk on mobile phones, use any radio including**

car radio, cause noise disturbance through the transportation of tools or other activity

D2(C): Internal fitout works outlined above must comply with the Construction Noise Criteria of 44 dB(A) LAV MAX measured at surrounding sensitive receivers, in accordance with the Extended Hours of Construction Noise Assessment (Revision 2) prepared by Acoustic Logic Pty Ltd dated 8 February 2018.

End of modification
(SSD 6376 MOD 4)