

ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979**MODIFICATION (MOD 54-6-2007) OF DEVELOPMENT CONSENT (DA 80-4-2004)****SITES 5,6 & 7 SYDNEY OLYMPIC PARK
CONSTRUCTION OF THREE COMMERCIAL/RETAIL OFFICE BUILDINGS,
SUBDIVISION OF LAND INTO FOUR SEPARATE PARCELS AND ASSOCIATED
WORKS****PURSUANT TO SECTION 96(1A) OF THE ENVIRONMENTAL PLANNING AND
ASSESSMENT ACT 1979****(FILE NO. S07/01043)**

I, Jason Perica, Executive Director, Strategic Sites and Urban Renewal in accordance with the Instrument of Delegation issued by the Minister for Planning, on 5 April, 2006 pursuant to Sections 81 and 96(1A) of the *Environmental Planning and Assessment Act, 1979* and clause 122 (2) of the *Environmental Planning and Assessment Regulations, 2000*, modify the development consent referred to in the attached Schedule 1 in the manner set out in the attached Schedule 2.

The reasons for the imposition of modified conditions are:

- a To ensure rational and orderly development of land.
- b To encourage good urban design and a high standard of architecture.

Jason Perica
Executive Director
Strategic Sites and Urban Renewal

24 October 2007

SCHEDULE 1

PART A—TABLE

Application Number:	MOD 54-6-2007 modifying DA 80-4-2004
Application made by:	Bovis Lend Lease 30 The Bond, 30 Hickson Street, Millers Point, NSW, 2000
On land comprising:	Part Lot 50 DP 104552, Lot 6002 DP 1063407 - Sites 6 and 7 Dawn Fraser Avenue, Sydney Olympic Park NSW 2127
Local Government Area	Auburn
For the carrying out of:	Construction of three retail/commercial office buildings, subdivision of land into 4 separate parcels, associated basement parking, landscaping and public improvement works.
Section 96 (1A) Application	MOD 54-6-2007 to modify DA 80-4-2004 in the following manner: Building 7 : <ul style="list-style-type: none"> ▪ Infill the voids facing Australia Avenue on levels 2, 4 and 6 of Building 7, resulting in an increase in net lettable area and gross floor area of approximately 135.2m² ▪ The incorporation of mixed mode spaces and the façade glass is to become operable to these spaces.
Development consent granted by:	Minister for Planning
On:	27 January 2005
Type of development:	Advertised Development
S.119 public inquiry held:	No
As modified:	MOD 95-7-2005, approved 26 August 2005; MOD 151-9-2005 approved on 1 December 2005; MOD 86-7-2006 approved on 29 March 2007; MOD 151-12-2006 approved on 10 May 2007; MOD 141-12-2006 approved on 5 June 2007

PART B—NOTES RELATING TO THE MODIFICATION OF DEVELOPMENT CONSENT NO. MOD 54-6-2007

Responsibility for other approvals / agreements

The applicant is solely responsible for ensuring that all additional consents and agreements are obtained from other authorities, as relevant.

Appeals

The Applicant has the right to appeal to the Land and Environment Court under Section 97 of the *Environmental Planning and Assessment Act, 1979*. The right to appeal is only valid, for a development application, within **12** months after the date on which the Applicant received this notice.

Appeals—Third Party

A third party right to appeal to this development consent is available under Section 123, subject to Section 101, of the *Environmental Planning and Assessment Act, 1979*.

Legal notices

Any advice or notice to the consent authority shall be served on the Director-General.

PART C—DEFINITIONS

The definitions within this modification are consistent with the definitions in Schedule 1 of the consent to development application DA 80-4-2004.

SCHEDULE 2

MODIFICATION (MOD 54-6-2007) OF DEVELOPMENT CONSENT TO DEVELOPMENT APPLICATION NO. DA 80-4-2004

The development consent is modified as follows:

PART A – ADMINISTRATIVE CONDITIONS

Condition A2 (as previously amended by MOD 95-7-2005, MOD 151-9-2005, MOD 86-7-2006 MOD 151-12-2006 and MOD 141-12-2006) is amended (as noted in bold) to reflect the following:

- 1) Add the following underneath existing condition **A2 – Development in Accordance with Plans**

As amended by the following documents (amendments are limited to those which are depicted in red bubbles on the plans):

As modified by:

Architectural (or Design) Drawings prepared by Lend Lease Design			
Drawing No.	Revision	Name of Plan	Date
A710200	03	Floor Plan Building 7: Level 02	
A710400	03	Floor Plan Building 7: Level 04	
A710600	03	Floor Plan Building 7: Level 06	

(modified by mod 54-6-2007)

PART B—PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

Design Details and Changes

B2A Mixed Mode Spaces

Prior to the issue of an amended construction certificate revised plans are to be submitted to and approved by the Principal Certifying Authority confirming that mixed mode spaces totalling a minimum of 135m² are incorporated into the interior design fitout of buildings 6 and 7.

B2B Aerial Pedestrian Footbridge

Prior to the issue of an amended construction certificate revised plans are to be submitted to and approved by the Principal Certifying Authority confirming that the total external width of the aerial pedestrian footbridge is a maximum of 5.2 metres.

PART C – PRIOR TO COMMENCEMENT OF WORKS

No amendment to approved condition

PART D – DURING CONSTRUCTION

No amendment to approved condition

PART E – PRIOR TO ISSUE OF SUBDIVISION OR SUBDIVISION CERTIFICATE

No amendment to approved condition

PART F – PRIOR TO OCCUPATION OR COMMENCEMENT OF USE

No amendment to approved condition

PART G – POST OCCUPATION

No amendment to approved condition

PART H – GENERAL TERMS

No amendment to approved condition