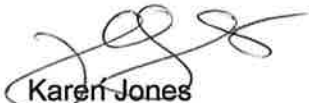


Modification of Minister's Approval

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

As delegate of the Minister for Planning and Infrastructure under delegation dated 14 September 2011, I approve the modification of the application referred to in Schedule 1, subject to the conditions in Schedule 2.



Karen Jones
Director

Metropolitan and Regional Projects South

Sydney 16 November 2012

SCHEDULE 1

Project Approval:

MP09_0011 granted by the Minister of Planning, on 12 January 2010.

For the following:

Construction and operation of a medical research facility comprising of 9 above ground levels, 1 basement laboratory level and 4 basement car parking levels and including demolition of existing buildings, earthworks, subdivision and landscaping.

Modification:

MP09_0011 MOD 1 modification includes:

- amending the boundary alignment of the development;
- illuminating the northern façade signage; and
- altering the use of a ground floor tenancy, facing Victoria Street, for use as a café.

SCHEDULE 2

- a) Condition A2 is amended by the insertion of the **bold and underlined** words/numbers and deletion of the ~~struck-out~~ words/numbers as follows:

A2 Project in Accordance with Plans

The project will be undertaken in accordance with the following documentation, plans and recommendations:

Garvan St Vincent's Campus Cancer Centre, 362-382 Victoria Street, Darlinghurst, Environmental Assessment Report and Appendices prepared by Urbis on behalf of Garvan Institute and St Vincent's and Mater Health Sydney, date June 2009.			
Garvan St Vincent's Cancer Centre, 362-382 Victoria Street, Darlinghurst, Preferred Project Report and Appendices prepared by Urbis on behalf of Garvan Institute and St Vincent's and Mater Health Sydney, dated October 2009.			
<u>Garvan St Vincent's Cancer Centre, 362-382 Victoria Street, Darlinghurst, Section 75W Assessment Report prepared by Urbis on behalf of Garvan Institute and St Vincent's and Mater Health Sydney, dated 8 August 2012</u>			
<u>Garvan St Vincent's Cancer Centre Victoria Street Café 368 – 382 Victoria Street, Darlinghurst – BCA Compliance Statement prepared by Blackett Maguire & Goldsmith Pty Ltd dated 23 July 2012</u>			
Architectural (or Design) Drawings prepared by BVN Architects			
Drawing No.	Revision	Name of Plan	Date
ARC-DA-D-01	J	Level 01 Plan	06.10.09
ARC-DA-D-02	K	Level 02 Plan	06.10.09
ARC-DA-D-03	L	Level 03 Plan	06.10.09
ARC-DA-D-04	K	Level 04 Plan	06.10.09
ARC-DA-D-05	J	Level 05 Plan	06.10.09
ARC-DA-D-06	J	Level 06 Plan	06.10.09
ARC-DA-D-07	K	Level 07 Plan	06.10.09
ARC-DA-D-08	J	Level 08 Plan	06.10.09
ARC-DA-D-09	J	Level 09 Plan	06.10.09
ARC-DA-D-10	I	Level 10 Plan	06.10.09
ARC-DA-D-11	H	Level 11 Plan	06.10.09
ARC-DA-D-12	I	Level 12 Plan	06.10.09
ARC-DA-D-13	H	Roof Plan	06.10.09
ARC-DA-D-B1	I	Level B1 Plan	06.10.09
ARC-DA-D-B2	I	Level B2 Plan	06.10.09
ARC-DA-E-01	I	North Elevation	06.10.09
ARC-DA-E-02	I	West Elevation	06.10.09
ARC-DA-E-03	H	South Elevation	06.10.09
ARC-DA-E-04	I	East Elevation	06.10.09
ARC-DA-F-01	I	Section 1-1'	06.10.09
ARC-DA-F-02	H	Section 2-2'	06.10.09
ARC-DA-F-03	H	Section 3-3'	06.10.09
ARC-DA-F-04	I	Section A-A'	06.10.09
ARC-DA-Z-01	E	GFA Area Calculation	06.10.09
ARC-DA-Z-10	B	Easement Drawing	06.10.09
ARC-DD-A-02	03	Demolition Plan and Staging Diagram	

<u>ARC-DA-A-100</u>	<u>02</u>	<u>Location Plan</u>	<u>16.07.12</u>
<u>ARC-DA-A-101</u>	<u>02</u>	<u>Site Plan</u>	<u>16.07.12</u>
<u>ARC-DA-D-100</u>	<u>02</u>	<u>Existing Plan</u>	<u>16.07.12</u>
<u>ARC-DA-D-101</u>	<u>02</u>	<u>New Fitout Plan</u>	<u>16.07.12</u>
<u>ARC-DA-E-100</u>	<u>02</u>	<u>Elevation</u>	<u>16.07.12</u>
<u>ARC-DA-F-100</u>	<u>02</u>	<u>Internal Elevations/Sections</u>	<u>16.07.12</u>
<u>ARC-DA-G-100</u>	<u>02</u>	<u>Section at Street Frontage</u>	<u>16.07.12</u>
<u>ARC-DA-E-01</u>	<u>L</u>	<u>North Elevation</u>	<u>09.05.12</u>

Landscape Drawings prepared by 360

Drawing No.	Revision	Name of Plan	Date
		Landscape Concept Plan	
		Victoria Street and Reception Garden – Elevation	
		Victoria Street and Reception Garden – Plan and section AA	
		Laneway Landscape	
		Level 6 & 7 Roof Gardens	

Subdivision Drawings prepared by Rygate Surveyors

Drawing No.	Revision	Name of Plan	Date
	A	Plan – Basement	21-6-09
<u>74606</u>		<u>Plan - Basements</u>	<u>08.06.12</u>
	A	Plan – Level 1	21-6-09
<u>74606</u>		<u>Plan – Level 1</u>	<u>08.06.12</u>
<u>74606</u>		<u>Plan – Level 2</u>	<u>08.06.12</u>
	A	Plan – Level 3	21-6-09
<u>74606</u>		<u>Plan – Level 3</u>	<u>08.06.12</u>
	A	Plan – Level 4	21-6-09
<u>74606</u>		<u>Plan – Level 4</u>	<u>08.06.12</u>
	A	Plan – Level 5	21-6-09
<u>74606</u>		<u>Plan – Level 5</u>	<u>08.06.12</u>
	A	Plan – Level 6	21-6-09
<u>74606</u>		<u>Plan – Level 6</u>	<u>08.06.12</u>
	A	Plan – Level 7	21-6-09
<u>74606</u>		<u>Plan – Level 7</u>	<u>08.06.12</u>
	A	Plan – Level 8	21-6-09
<u>74606</u>		<u>Plan – Level 8</u>	<u>08.06.12</u>
	A	Plan – Level 9	21-6-09
<u>74606</u>		<u>Plan – Level 9</u>	<u>08.06.12</u>
	A	Plan – Level 10	21-6-09

<u>74606</u>		<u>Plan – Level 10</u>	<u>08.06.12</u>
All conditions of this approval			

- (b) Condition G6 to be added by the insertion of the **bold and underlined** words/numbers as follows:

G6 Operation Hours for Café

The hours of operation for the Café are regulated as follows:

- (a) **The indoor hours of operation must be restricted to between 8am – 11pm Monday to Sunday.**
- (b) **The outdoor hours of operation must be restricted to between 10am – 8pm Monday to Sunday.**
- (c) **Notwithstanding (a) & (b) above, the use may:**
- i. **Operate internally between 6:30am – 12am Monday to Saturday and 6:30am – 10pm on Sunday for a trial period expiring on 9 November 2013.**
 - ii. **Operate externally between 6:30am – 10pm Monday to Sunday on a trial period expiring on 9 November 2013.**
- (d) **All doors which activate the street are not to remain open after 10pm on any night.**

A further application must be lodged for any extension of the trading hours outlined above. Consideration of a proposed extension of the hours permitted will be based on, amongst other things, the performance of the operator in relation to the compliance with development consent conditions, any substantial complaints received and any views expressed by the Police.

- (c) Condition G7 to be added by the insertion of the **bold and underlined** words/numbers as follows:

G7 Café Operation

The operation of the café must comply with the following requirements:

- (1) No food to be cooked on the premises;**
- (2) Patron numbers limited to a maximum of 120 at any given time;**
- (3) A liquor licence is to be obtained to enable alcohol service on-site (if required); and**
- (4) All deliveries to the tenancy to be via the Victoria Street entrance.**

End of modification to MP09_0011