

Notice of Modification

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

As delegate of the Minister for Planning under delegation dated 16 February 2015, I modify the Project Approval referred to in Schedule 1, subject to the conditions in Schedule 2.



Anthony Witherdin
Acting Director
Regional Assessments

Sydney *8 APRIL* 2016

SCHEDULE 1

Development Approval: **MP 10_0230** granted by the Planning Assessment Commission on 20 August 2013.

For the following: Woolloomooloo Bay Town Centre Stage 1 including:

- partial demolition of the existing Leagues Club and other structures within the site;
- construction of a new retail centre with a full-line supermarket, food retail, mini-major tenancies, specialty retail, dining tenancies and medical and leisure uses;
- fitout of Levels 3 and 4 of the existing building for the Leagues Club;
- public domain works;
- infrastructure works providing access to the site off Captain Cook Drive;
- provision of a shuttle bus service and new bus and taxi bays on Captain Cook Drive;
- stormwater management and site remediation works;
- loading docks and on-site car parking spaces;
- development contributions; and
- stratum subdivision.

Applicant: Bluestone Property Solutions

Consent Authority: Minister for Planning

The Land: 461 Captain Cook Drive
(Lot 11 DP 526492, Lot 21 DP 529644 and Lot 1 DP 501920)

Modification: **MP 10_0230 MOD 2:** the modification includes amendments to the approved subdivision plans to create four stratum lots.

SCHEDULE 2

The above approval is modified as follows:

- (a) Schedule 2 Part 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. TERMS OF APPROVAL

The Proponent shall carry out the project in accordance with the following documentation:

- (a) Environmental Assessment (EA) and supporting documents prepared by JBA Planning, dated March 2013;
- (b) Preferred Project Report and Response to Submissions and supporting documentation prepared by JBA Planning, dated May 2013;
- (c) Section 75W letter prepared by JBA dated 16 January 2014 and the additional information dated 29 January 2014;
- (d) **Section 75W letter prepared by JBA Urban Planning Pty Ltd dated 18 July 2014, 22 October 2015 and as amended by letter dated ;** and
- (e) the following drawings, except for:
 - a. any modifications which are Exempt or Complying Development; and
 - b. otherwise provided by the conditions of this approval.

Architectural (or Design) Drawings prepared by Scott Carver Pty Ltd			
Drawing No.	Revision	Name of Plan	Date
DA003	5	Masterplan Staging Diagram	23/05/2013
DA007	6	Site – Demolition Plan	23/05/2013
DA009	3	Stage 1 Works Plan	23/05/2013
DA011	11	Level 1 Plan	31/01/2014
DA012	9	Level 2 Retail Plan	07/06/2013
DA013	8	Level 3 Plan	17/12/2013
DA014	6	Level 4 Plan	17/12/2013
DA015	5	Roof Plan	23/05/2013
DA031	4	Gross Building Areas	23/05/2013
DA032	9	Gross Floor Areas	31/01/2014
DA111	6	Level 1 Plan – Sheet 1 of 4	23/05/2013
DA112	5	Level 1 Plan – Sheet 2 of 4	23/05/2013
DA113	5	Level 1 Plan – Sheet 3 of 4	23/05/2013
DA114	5	Level 1 Plan – Sheet 4 of 4	23/05/2013
DA121	8	Level 2 Retail Plan – Sheet 1 of 4	07/06/2013
DA122	7	Level 2 Retail Plan – Sheet 2 of 4	07/06/2013
DA123	6	Level 2 Retail Plan – Sheet 3 of 4	24/05/2013
DA124	6	Level 2 Retail Plan – Sheet 4 of 4	24/05/2013
DA131	7	Level 3 Plan – Sheet 1 of 4	07/06/2013
DA132	5	Level 3 Plan – Sheet 2 of 4	23/05/2013
DA133	5	Level 3 Plan – Sheet 3 of 4	23/05/2013
DA134	5	Level 3 Plan – Sheet 4 of 4	23/05/2013
DA141	4	Level 4 Plan – Sheet 1 of 4	23/05/2013

DA142	4	Level 4 Plan – Sheet 2 of 4	23/05/2013
DA143	4	Level 4 Plan – Sheet 3 of 4	23/05/2013
DA144	4	Level 4 Plan – Sheet 4 of 4	23/05/2013
DA201	5	Site Elevations	23/05/2013
DA211	4	Elevations – Sheet 1	23/05/2013
DA212	4	Elevations – Sheet 2	23/05/2013
DA213	4	Elevations – Sheet 3	23/05/2013
DA214	4	Elevations – Sheet 4	23/05/2013
DA301	5	Site Sections	23/05/2013
DA311	5	Section – Sheet 1	23/05/2013
DA312	4	Section – Sheet 2	23/05/2013
DA313	4	Section – Sheet 3	23/05/2013
DA314	4	Section – Sheet 4	23/05/2013
DA315	5	Section – Sheet 5	23/05/2013
DA316	4	Section – Sheet 6	23/05/2013
DA317	4	Section – Sheet 7	23/05/2013
DA931	4	External Material Finishes	23/05/2013

Landscape Drawings by ASPECT Studios

Drawing No.	Revision	Name of Plan	Date
11017 RDA – 01	B	Site context and pedestrian links	May 2013
11017 RDA – 02	B	Landscape masterplan	May 2013
11017 RDA – 03	B	Retail landscape plan	May 2013
11017 RDA – 04	B	Retail landscape sections and precedents	May 2013
11017 RDA – 05	B	Retail landscape sections and precedents	May 2013
11017 RDA – 06	B	Retail landscape sections and precedents	May 2013
11017 RDA – 07	B	Retail landscape sections and precedents	May 2013
11017 RDA – 08	B	Retail planting strategy	May 2013

Civil Infrastructure Drawings by AT&L Civil Engineers and Project Managers

Drawing No.	Revision	Name of Plan	Date
C001	A	Cover Sheet and Locality	29/01/2013
C002	A	Notes and Legends	29/01/2013
C005	A	General Arrangement Plan	29/01/2013
C006	A	Typical Road Sections Sheet 1 of 3	29/01/2013
C007	A	Typical Road Sections Sheet 2 of 3	29/01/2013
C008	A	Typical Road Sections Sheet 3 of 3	29/01/2013
C010	A	Roadworks and Stormwater Drainage Plan Sheet 1 of 7	29/01/2013
C011	A	Roadworks and Stormwater Drainage Plan Sheet 2 of 7	29/01/2013
C012	A	Roadworks and Stormwater Drainage Plan Sheet 3 of 7	29/01/2013
C013	A	Roadworks and Stormwater Drainage Plan Sheet 4 of 7	29/01/2013
C014	A	Roadworks and Stormwater Drainage Plan Sheet 5 of 7	29/01/2013

C015	A	Roadworks and Stormwater Drainage Plan Sheet 6 of 7	29/01/2013
C016	A	Roadworks and Stormwater Drainage Plan Sheet 7 of 7	29/01/2013
C080	A	Pavement, Signage and Linemarking Plan Sheet 1 of 3	29/01/2013
C081	A	Pavement, Signage and Linemarking Plan Sheet 2 of 3	29/01/2013
C082	A	Pavement, Signage and Linemarking Plan Sheet 3 of 3	29/01/2013
C090	A	Services and Utilities Coordination Plan Sheet 1 of 7	29/01/2013
C091	A	Services and Utilities Coordination Plan Sheet 2 of 7	29/01/2013
C092	A	Services and Utilities Coordination Plan Sheet 3 of 7	29/01/2013
C093	A	Services and Utilities Coordination Plan Sheet 4 of 7	29/01/2013
C094	A	Services and Utilities Coordination Plan Sheet 5 of 7	29/01/2013
C095	A	Services and Utilities Coordination Plan Sheet 6 of 7	29/01/2013
C096	A	Services and Utilities Coordination Plan Sheet 7 of 7	29/01/2013
C100	A	Erosion and Sediment Control Plan Sheet 1 of 3	29/01/2013
C101	A	Erosion and Sediment Control Plan Sheet 2 of 3	29/01/2013
C102	A	Erosion and Sediment Control Plan Sheet 3 of 3	29/01/2013
C105	A	Erosion and Sediment Control Details	29/01/2013
C130	A	Intersection Vehicle Turn Path Plan Sheet 1 of 2	29/01/2013
C131	A	Intersection Vehicle Turn Path Plan Sheet 2 of 2	29/01/2013
Draft Plans of Stratum Subdivision by Harrison Friedmann & Associates (as amended 16 January 2014) (as submitted 24 February 2016) <u>Plan of Subdivision of lots 1 and 2 in DP 1180482 & Easement over Lot 1 in DP 1180482</u> <u>Surveyors Ref: 44380DT v18 (Surveyor: David John Tremain)</u>			
<u>Sheet 1 of 7</u>		<u>Plan of Subdivision</u>	<u>31/07/2014</u>
<u>Sheet 2 of 7</u>		<u>Level 1</u>	<u>31/07/2014</u>
<u>Sheet 3 of 7</u>		<u>Level 2</u>	<u>31/07/2014</u>
<u>Sheet 4 of 7</u>		<u>Level 3</u>	<u>31/07/2014</u>
<u>Sheet 5 of 7</u>		<u>Level 4</u>	<u>31/07/2014</u>
<u>Sheet 6 of 7</u>		<u>Level 5</u>	<u>31/07/2014</u>
<u>Sheet 7 of 7</u>		<u>Level 6 and above</u>	<u>31/07/2014</u>

(b) Schedule 2 Part G – Condition G7 is added as follows:

Easement and Positive Covenant over Part Lot 315

In addition to the requirements of conditions G1 – G3, documentary easements / rights of way / positive covenants as necessary shall be created over Part Lot 315, relating to the Level 3 parking area and associated structures within Part Lot 315, and benefiting Part Lot 312, to ensure that:

- **the parking area and structures will be used for parking as part of the retail centre carpark;**
- **vehicles and pedestrian have rights of way / access over all of part Lot 315 at level 3; and**
- **the parking areas and structures will be appropriately maintained.**

(c) Schedule 2 Advisory Notes – Advisory Note AN14 is added as follows:

AN14 DEVELOPMENT OF PART LOT 315

The creation of part Lot 315, approved in Modification 2 does not imply any future right to develop within this lot. Any future development of Part Lot 315 would require separate approval.

End of Modification to MP 10_0230 MOD 2