

# 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 effective from 1 October 2011, I approve the modification of the project application referred to in Schedule 1, subject to the conditions in Schedule 2.



**Director  
Metropolitan and Regional Projects North**

Sydney 9 April. 2013

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### SCHEDULE 1

**Project Approval:**

MP06\_0273 granted by the Minister for Planning on 19 October 2007

**For the following:**

Construction of a seven storey commercial building comprising a retail/commercial ground level and six levels of commercial office floor space, with a total GFA of 24,143 sqm, five levels of basement car parking containing 369 spaces and landscape and public domain works at Site 4B, Sydney Olympic Park.

**Modification:**

MP06\_0273 MOD 4:  
Ground Floor

- modification to the northern building ground floor layout and finished floor levels
- recessed façade to new building entry and associated architectural entry features of northern building
- installation of hydrant booster assembly and proposed replacement of glazing with pre-cast concrete
- installation of second kiosk substation to satisfy Ausgrid requirements within southern building
- installation of mechanical plant platform within void above basement vehicle ramp including associated louvres for screening to public domain.

#### Basement

- relocation of two accessible car parking spaces from basement level B2 to B1
- conversion of 'Exhaust Mechanical Plant Room' to 'Sprinkler Pump Room' and 'Store Room' behind life core (B2)
- relocation of bicycle parking to behind lift core (B2) and provision of five additional accessible spaces to B1
- provision of one additional car space, increasing total number of space from 273 to 274.

#### Roof

- expansion of rooftop plant enclosure.

## SCHEDULE 2 CONDITIONS

### PART A – ADMINISTRATIVE CONDITIONS

- **Delete condition A1 and replace with the following:**

#### **A1 Development Description**

(1) Development approval is granted only to carrying out the development described in detail below:

- Staged construction of two commercial buildings, comprising an eight storey building fronting Herb Elliot Avenue (described as the North Building) and a ten storey building fronting Olympic Boulevard (described as the South Building);
- Total GFA of 26,099 sqm;
- Total 2,545sqm of landscaped area including the through site link;
- Removal of 17 trees; and
- four basement levels (including Basement B1 Mezzanine level) of car parking, with a total provision of 274 car parking spaces and 150 bicycle parking spaces.

- **Delete condition A2 and replace with the following:**

#### **A2 Development in Accordance with Plans**

The development will be undertaken in accordance with the Environmental Assessment dated March 2007 prepared by Helen Mulcahy Urban Planning including all Appendices, except where amended by:

- Section 75W Submission dated January 2011, prepared by Helen Mulcahy Urban Planning, as modified by the Preferred Project Report prepared by Helen Mulcahy Urban Planning dated June 2011, including Statement of Commitments (Schedule 3); and
- Section 75W Modification dated 24/10/12, prepared by FDC Construction and Fitout Pty Ltd; and
- Section 75W Modification dated 18/02/13, prepared by FDC Construction and Fitout Pty Ltd; and
- The following drawings:

<b>Architectural Plans prepared by Leffler Simes Architects (at Appendix 1 of the Section 75W Modification, dated 18/02/2013)</b>		
<b>Drawing No.</b>	<b>Name of Plan</b>	<b>Date</b>
DA050 E	SITE PLAN	18/01/13
DA060 C	SITE STAGING PLAN – STAGE 1	18/01/13
DA061 C	SITE STAGING PLAN – STAGE 2	18/01/13
DA100 D	BASEMENT B3 PLAN	18/01/13
DA101 D	BASEMENT B2 PLAN	18/01/13
DA102 D	BASEMENT B1 PLAN	18/01/13
DA103 D	BASEMENT B1 MEZZANINE	18/01/13
DA104 E	GROUND FLOOR PLAN	22/01/13
DA105 E	FIRST FLOOR PLAN	22/01/13
DA106 D	SECOND TO FOURTH FLOOR TYPICAL	18/01/13
DA107 D	FIFTH FLOOR PLAN	18/01/13
DA108 D	SIXTH FLOOR PLAN	18/01/13
DA109 D	SEVENTH FLOOR PLAN	18/01/13
DA110 D	EIGHTH FLOOR PLAN	18/01/13
DA111 D	NINETH FLOOR PLAN	18/01/13
DA112 D	TENTH FLOOR PLAN	18/01/13



DA113 D	ELEVENTH FLOOR PLAN	18/01/13
DA150 E	NORTH EAST ELEVATION	18/01/13
DA151 E	SOUTH EAST ELEVATION	18/01/13
DA152 E	SOUTH WEST ELEVATION	18/01/13
DA153 E	NORTH WEST ELEVATION	18/01/13
DA160 E	SECTION A-A	18/01/13
DA161 E	SECTION B-B	18/01/13
<b>Landscape Drawings prepared by Aspect Studios Sydney (at Appendix 1 of the Section 75W Submission, dated January 2011)</b>		
<b>Drawing No.</b>	<b>Revision</b>	<b>Name of Plan</b>
10045 – L001	Rev D	Landscape Plan
10045 – L002	Rev D	Landscape Plan
10045 – L003	Rev D	Landscape Plan

Except for:

(1) otherwise provided by the conditions of this approval.

- **Delete condition A6 and replace with the following:**

#### **A6 Tree Removal**

The Brushbox tree shown to be removed on Drawing No. DA050 E Site Plan (outlined in a dashed green line and annotated "Existing Tree Approved For Removal") is to be replaced elsewhere within the approved public domain area on the subject site during Stage 1 works.

### **PART B – PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE**

- **Delete condition B1 and replace with the following:**

#### **B1 Staging of Construction Certificates**

Separate construction certificates for the Northern Building and Southern Building may be obtained for works relating to the following Stages of development, as approved:

Stage 1 – Early works including bulk excavation, shoring, piling, footings and in-ground services

Stage 2 – Building structure and basement services

Stage 3 – Façade, services and ESD

Stage 4 – Public Domain Works.

The following conditions relate to each Stage and must be completed, unless otherwise stated, prior to the issues of a construction certificate for each Stage.

- **Delete condition B2 and replace with the following:**

#### **B2 Amended Plans**

- (1) To ensure that pedestrian access along the Olympic Boulevard Colonnade is unobstructed, the protruding revolving door of the Southern Building is to be relocated to be flush with the building's Olympic Boulevard façade. Details are to be submitted to the satisfaction of the Principal Certifying Authority prior to the release of the Stage 2 construction certificate for the Southern Building.

- (2) The Olympic Boulevard Colonnade is to have a minimum width of 3.5m as measured from the external face of the building façade to the edge of the overhang and ensure that the inside face of the colonnade aligns with the Pullman Hotel colonnade to the north. Details are to be submitted to the satisfaction of the Principal Certifying Authority prior to the release of the Stage 2 construction certificate for the Southern Building.
- (3) To ensure that footpath and pedestrian impacts from the integrated Loading Dock and Car Park driveway are minimised, a pedestrian refuge island is to be provided between the Car Park entrance and Loading Dock entrance to provide pedestrians traversing the driveway the opportunity to safely break their journey. The design of the pedestrian refuge is to meet relevant Australian Standards (endorsed by SOPA's General Manager – Operations & Sustainability) and shall be submitted to the satisfaction of the Principal Certifying Authority prior to the release of the Stage 4 construction certificate.
- (4) To ensure that the finish and external appearance of the Car Park entrance and Loading Dock are consistent, Car Park entrance roller shutter door treatment is to be adopted and applied to the Loading Dock. Details are to be submitted to the satisfaction of the Principal Certifying Authority prior to the issue of the Stage 2 construction certificate.

- **Delete condition B4 and replace with the following:**

**B4 Disabled Access**

- (1) Access and facilities for people with disabilities shall be provided in accordance with Part D3 of the BCA's Access Policy. Prior to the issue of the Stage 2, 3 and 4 construction certificates, a certificate certifying compliance with this condition from an appropriately qualified person shall be provided to the Principal Certifying Authority.
- (2) Prior to the issue of a construction certificate for the Southern Building, a wheelchair platform lift is to be installed at the external public domain stairs linking the office building entry lobby level and forecourt level adjacent to the southern most retail tenancy of the Northern Building, to provide suitable access for people with disabilities. The wheelchair platform lift is to remain operational throughout the construction of the Southern Building and removed following the completion of all construction activities and pedestrian access for all persons within the public domain has been reinstated. An operational management plan shall be prepared by an appropriately qualified person to facilitate the operation of the wheelchair platform lift while in use.

- **Delete condition B10 and replace with the following:**

**B10 Number of Car Spaces**

The maximum number of car spaces to be provided for the development shall comply with the table below. All car spaces are to be located within the basement car parking levels. Details confirming the parking numbers shall be submitted to the satisfaction of the Principal Certifying Authority prior to the issue of the construction certificate for early works (i.e. bulk excavation) for each stage.

<b>Car Parking Allocation</b>	<b>Northern Building</b>	<b>Southern Building</b>	<b>Total</b>
Retail parking spaces	7	6	13
Commercial parking spaces	65	188	253
Number of dedicated accessible parking spaces	4	4	8
<b>TOTAL SPACES</b>	<b>76</b>	<b>198</b>	<b>274</b>



- **Delete condition B11 and replace with the following:**

#### **B11 Number of Bicycle Spaces**

A minimum of 150 bicycle spaces are to be provided for the development as follows:

- (1) Northern Building – minimum 50 spaces
- (2) Southern Building – minimum 100 spaces

Details shall be submitted to the satisfaction of the Principal Certifying Authority prior to the issue of the construction certificate for Stage 2 – Building Structure and Basement Services for each stage.

- **Delete condition B14 and replace with the following:**

#### **B14 Landscape Plan**

In accordance with the Proponent's Statement of Commitments, final design details of the proposed public domain materials and finishes shall be prepared. Details shall be submitted to the satisfaction and approved by the SOPA's General Manager – Operations & Sustainability prior to the issue of the Stage 4 construction certificate for public domain works for the Northern Building.

- **Delete condition B15 and replace with the following:**

#### **B15 Public Art**

Final details of the nature and mode of construction for the proposed public art installation at Site 4B shall be prepared and submitted to SOPA's General Manager – Operations & Sustainability for approval prior to the issue of the Stage 4 construction certificate for public domain works for the Northern Building.

- **Delete condition B22 and replace with the following:**

#### **B22 Monetary Contributions**

In accordance with Division 6 of Part 4 of the Act, the Proponent shall pay the following monetary contributions:

##### **(1) Amount of Contribution**

Contribution Category	Rate of Contribution	Amount
Childcare	\$573 per 100 sq.m	149,547.27
Public Transport – Railway Station	\$1,445 per 100 sq.m	377,130.55
Public Transport – Transitway	\$362 per 100 sq.m	94,478.38
Roads & Traffic Management	\$1,152 per 100 sq.m	300,660.48
Workplace Travel Plans	\$28 per 100 sq.m	7,307.72
Streetscapes	\$97 per 100 sq.m	25,316.03
<b>TOTAL</b>		<b>\$954,440</b>

##### **(2) Timing and Method of Payment**

The contribution shall be paid in the form of cash or bank cheque, made out to the Sydney Olympic Park Authority (SOPA). For accounting purposes, the contribution may require separate payment for each of the categories above and you are advised to check with SOPA.

Evidence of the payment to SOPA shall be submitted to the Principal Certifying Authority prior to the issue of the first construction certificate.

### **(3) Indexing**

The contribution for land will be adjusted in accordance with the latest annual valuations at the time of payment.

## **PART F – PRIOR TO OCCUPATION OR COMMENCEMENT OF USE**

- ***Delete condition F2 and replace with the following:***

### **F2 Fire Safety Certificate**

Fire Safety Certificates shall be furnished to the PCA for all the Essential Fire or Other Safety Measures forming part of this approval prior to issue of an occupation certificate for either the Northern Building or Southern Building. A copy of the Fire Safety certificate must be submitted to the approval authority and SOPA by the PCA.

- ***Delete condition F13 and replace with the following:***

### **F13 Workplace Travel Plan**

Prior to issue of an occupation certificate for either the Northern Building or Southern Building, workplace travel plans are to be prepared and implemented that encourage the use of non-car transport modes by tenants, staff and visitors. The workplace travel plans are to be prepared in consultation with the Sydney Olympic Park Authority's General Manager – Operations & Sustainability and demonstrate how the development will comply with Sydney Olympic Park Master Plan 2030.