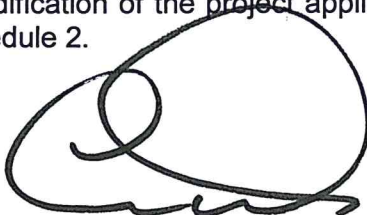


Modification of Minister's Approval

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

As delegate of the Minister for Planning and Infrastructure under delegation executed on 27 February 2013, I approve the modification of the project application referred to in schedule 1, subject to the conditions in schedule 2.



Executive Director
Development Assessment Systems and Approvals

Sydney *2nd DECEMBER* 2013

SCHEDULE 1

Project Approval:

MP 06_0273 granted by the Minister for Planning and Infrastructure 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:

MP 06_0273 MOD 5: modification to the northern building rooftop to include one residential apartment unit and reconfigure the rooftop plant layout.

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 a nine 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 26,394 sqm;
- total 2,545 sqm 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
- Section 75W Modification (MOD 5) dated 27/09/2013, prepared by FDC Construction and Fitout Pty Ltd; and
- The following drawings:

Architectural Plans prepared by Leffler Simes Architects		
Drawing No.	Name of Plan	Date
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 C	BASEMENT B2 PLAN	14/01/13
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 G	EIGHTH FLOOR PLAN	14/08/13
DA111 G	NINETH FLOOR PLAN	14/08/13
DA112 D	TENTH FLOOR PLAN	18/01/13

DA113 D	ELEVENTH FLOOR PLAN	18/01/13
DA150 H	NORTH EAST ELEVATION	14/08/13
DA151 E	SOUTH EAST ELEVATION	18/01/13
DA152 H	SOUTH WEST ELEVATION	14/08/13
DA153 H	NORTH WEST ELEVATION	14/08/13
DA160 H	SECTION A-A	14/08/13
DA161 E	SECTION B-B	18/01/13
Landscape Drawings prepared by Aspect Studios Sydney (at Appendix 1 of the Section 75W Submission, dated January 2011)		
Drawing No.	Revision	Name of Plan
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 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.

Car Parking Allocation	Northern Building	Southern Building	Total
Retail parking spaces	7	6	13
Commercial parking spaces	63	188	251
Residential parking spaces	2	0	2
Number of dedicated accessible parking spaces	4	4	8
TOTAL SPACES	76	198	274

- **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	\$151,238
Public Transport – Railway Station	\$1,445 per 100 sq.m	\$381,393
Public Transport – Transitway	\$362 per 100 sq.m	\$95,546
Roads & Traffic Management	\$1,152 per 100 sq.m	\$304,059
Workplace Travel Plans	\$28 per 100 sq.m	\$7,390
Streetscapes	\$97 per 100 sq.m	\$25,602
TOTAL		\$965,229

(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.

- ***Insert the following condition B24 Sustainability after condition B23 Construction Staging Plan:***

B24 Sustainability

A BASIX certificate must be submitted to the Certifying Authority for approval prior to the issue of a Construction Certificate for any residential dwellings.

- ***Insert the following condition F14 Sustainability after condition F13 Workplace Travel Plan:***

F14 Sustainability

Prior to the issue of an Occupation Certificate, the Certifying Authority shall certify all relevant commitments in the BASIX certificate have been met and obtain a BASIX completion receipt.

- ***Insert the following condition G9 Access for Residents after condition G8 Compliance Report:***

G9 Access for Residents

Access to common areas and facilities such as the lifts, garbage rooms and basement parking must be provided to the residential apartment. Any strata subdivision of the site should ensure that access to common property and facilities is maintained for the residents of the apartment.