

# Modification of Major Project Approval

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

I, the Minister for Planning, modify under section 75W of the *Environmental Planning and Assessment Act 1979*, the Project Application Approval referred to in Schedule 1 in the manner set out in Schedule 2.



Tony Kelly MLC  
Minister for Planning

Date: 11 JUN 2010

MP 08\_0104 MOD 1

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### SCHEDULE 1

Project Application approval for the redevelopment of the College of Fine Arts (COFA) Paddington Campus, (MP 08\_0104) granted by the Minister for Planning on 16 December 2008, comprising the demolition of existing structures (Building B, Building C (south) and Building D, alterations and additions to Building F, construction of a new 4 storey building with basement parking for 62 cars and associated landscaping.

## **SCHEDULE 2**

The above approval is modified as follows:

### **Conditions of Approval**

#### **1. Condition 5(a) Referral of Matters to the Director General**

##### **Insert new Condition 5(a)**

"In the event that the proponent and Council cannot reach agreement on any matter that, through a condition of this approval, requires further approval from Council, the proponent can refer the matter to the Director General for determination. In referring a matter to the Director General in accordance with this condition, the proponent shall submit evidence of its attempts to satisfy Council's concerns and any other information required by the Director General".

#### **2. Condition 7 Building Setback**

Insert after 'Construction Certificate' the following words "for relevant building works".

#### **3. Condition 8 Southern Elevation**

Delete reference to 'Construction Certificate' and insert the following words "approval after demolition of Block C (south) and prior to a Construction Certificate for rectification of the wall".

#### **4. Condition 9 Materials and Sample Board**

Insert after 'Construction Certificate' the following words "for relevant building works"

#### **5. Condition 12 Hours of Access – Selwyn Street**

Insert the following words "This condition does not override the needs or rights for vehicle access to Selwyn Street for normal operations and maintenance of campus facilities."

#### **6. Condition 15 Car Parking Spaces and Dimensions**

Insert the following words after 'Construction Certificate' "for relevant building works".

#### **7. Condition 17 Accessible Car Parking Spaces**

Insert the following words after 'Construction Certificate' "for relevant building works".

#### **8. Condition 18 Bicycle Parking**

Delete subclause (a).

#### **9. Condition 23 Location of Driveways**

Insert the following words after 'Construction Certificate' "for relevant building works".

#### **10. Condition 30 Reflectivity**

Insert the following words after 'Construction Certificate' "for relevant building works".

#### **11. Condition 34 Waste and Recycling Management - Commercial**

Delete reference to 'Construction Certificate' and insert the following words "prior to commencement of demolition works".

#### **12. Condition 37 No Demolition Prior to a Construction Certificate**

Delete whole condition.

#### **13. Condition 38 Construction Traffic Management Plan**

Delete reference to 'Construction Certificate' and insert the following words "prior to commencement of relevant works"

**14. Condition 40 Dilapidation Report – Major Excavation/Demolition**

(a) Delete reference to 'Construction Certificate' and insert the following words "prior to the commencement of demolition works".

(b) Insert additional wording as follows "Dilapidation reports are not required for properties where the owner has refused access or where the proponent has been unable to contact the owner despite reasonable endeavours to do so".

(c) Insert additional wording as follows "The proponent must provide documentary evidence relating to attempts at contacting the owners to the Director General's satisfaction. If the Director General is unsatisfied with the levels of documentation and/or contact with owners, the Director General may instruct the proponent to carry out further consultation to the satisfaction of the Department of Planning".

**15. Condition 49 Electricity Substation**

(a) Delete reference to 'Council'.

(b) Insert after 'Construction Certificate' the following words "for relevant building works".

(c) Insert additional wording as follows "If the substation is proposed to be sited on Council's land, Council's approval is required.

**16. Condition 51 Utility Services**

Delete reference to 'Construction Certificate' and insert the following words "prior to commencement of demolition works".

**17. Condition 52 Access and Facilities For Persons With Disabilities**

(a) Insert after 'Construction Certificate' the following words "for relevant building works".

**18. Condition 53 Installation of Dual Flush Toilets**

Insert after 'Construction Certificate' the following words "for relevant building works".

**19. Condition 54 Installation of Water Efficient Taps**

Insert after 'Construction Certificate' the following words "for relevant building works".

**20. Condition 55 Installation of Water Efficient Urinals**

Insert after 'Construction Certificate' the following words "for relevant building works".

**21. Condition 56 Internal Lighting System**

Insert after 'Construction Certificate' the following words "for relevant building works".

**22. Condition 57 Demolition/Site Rectification**

Delete whole condition.

**23. Condition 58 Footpath Damage Bank Guarantee**

Delete reference to 'Construction Certificate' and insert the following words "prior to commencement of demolition works".

**24. Condition 61 Public Domain Plan**

(a) Insert after 'Public Domain Plan' the following words "for any landscaping on Council land".

(b) Insert after 'Construction Certificate' the following words "for relevant building works".

**25. Condition 62 Alignment Levels**

Insert after the first two references to 'Construction Certificate' the following words "for relevant building works".

**26. Condition 63 Stormwater and Drainage – Major Development**

Insert after each reference to 'Construction Certificate' the following words "for relevant building works".

**27. Condition 64 Construction and Fitout of Food Premises**

Insert after each reference to 'Construction Certificate' the following words "for relevant building works".

**28. Condition 68 Mechanical Ventilation**

Insert after 'Construction Certificate' the following words "for relevant building works".

**29. Condition 72 Structural Design for Certification**

Insert after 'Construction Certificate' the following words "for relevant building works".

**30. Condition 76 Certification of Geotechnical Inspection**

Delete reference to 'Construction Certificate' and insert the following words "prior to commencement of demolition works".

**31. Condition 78 Protection of Street Trees During Construction**

(a) Delete 'All street trees adjacent to the site' and insert the following words "All street trees immediately adjoining the site boundary adjacent to works on the site".

(b) Delete 'Construction Certificate' and insert the following words "prior to commencement of demolition works".

**32. Condition 88 Loading and Unloading During Construction**

In subclause (e) delete 'construction zone' and insert "works zone".

**33. Condition 92 Construction Liaison Committee**

(a) In the second paragraph of subclause (a) delete 'comprise' and insert "include".

(b) Delete subclause (b) and replace with the following words "The Construction Liaison Committee's terms of reference, size and membership, meeting frequency and operations are to be determined by UNSW in consultation with Council, and endorsed by the Director General".

(c) Delete subclause (c).