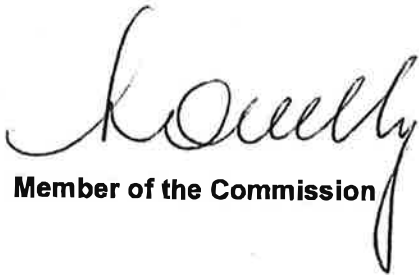


Modification of Minister's Approval

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

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



Member of the Commission

Sydney

1 November 2011

SCHEDULE 1

Project Plan Approval:

MP 09_0081 granted by the Planning Assessment commission (PAC) on 10 August 2010.

For the following:

Project Approval for:

- The demolition of existing buildings and structures on site;
- Excavation for 3 levels of basement car parking; and,
- The construction of a mixed use serviced apartment hotel, residential apartment, and retail/recreation building including public through-site link; and,
- 3 levels of basement car parking, building services and plant area.

Modification:

MP 09_0081 MOD 2: Modification includes:

- installation of escalators from basement Level 3 through to the lower ground level;
- reconfiguration of car parking to accommodate escalators;
- reconfiguration of lower ground floor back of house to meet Council's waste management requirements;
- minor reconfiguration to stairs and fire exits between basement and ground floor;
- installation of glass canopy over the rear terrace of a ground floor retail tenancy to address noise generation from the approved restaurant and bar area;
- minor internal reconfiguration of serviced apartments room layouts from ground level to level 3. There is no change to the approved number or mix of the serviced apartments;
- minor internal reconfiguration of two apartments;

- internal reconfiguration of one apartment from 2 bedrooms to 1 bedroom;
- extension to blade walls on level 3;
- provision of commercial kitchen exhausts and car park exhausts on level 4 podium (exhaust grills rise 100mm above roof slab);
- provision of residential kitchen and toilet exhausts on level 4 podium and roof (exhaust grills rise 300mm above roof slab);
- additional skylight and minor change to skylights to podium level 4;
- additional metal louvers on western elevation of level 7, and
- minor change to solar panel and roof plant void.

SCHEDULE 2

CONDITIONS

The above approval is modified as follows:

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

A2 Development in Accordance with Plans and Documentation

The development will be undertaken in accordance with MP09_0081 and the:

- Environmental Assessment dated December 2008 prepared by Robinson Urban Planning Pty. Ltd., except where amended by the Preferred Project Report;
- Preferred Project Report dated March 2010 and prepared by Robinson Urban Planning Pty. Ltd.
- Environmental Assessment for a Section 75W Modification dated December 2010 and prepared by Robinson Urban Planning Pty. Ltd.
- **Environmental Assessment for a Section 75W Modification dated June 2011 and prepared by Robinson Urban Planning Pty. Ltd.**
- Amended Design Report dated March 2010 prepared by Batessmart Architects.
- Crime Prevention Through Environmental Design Report dated June 2010 and prepared by Robinson Urban Planning Pty. Ltd.
- Amended BASIX Certificate No. 352864M_02;
- The Site Waste and Recycling Management Plan (SWRMP) and Checklist, in accordance with the SWRMP Checklist of Part G1, Waverley DCP 2006; and,

The following drawings:

Architectural Plans prepared by Batessmart			
Drawing No.	Revision	Name of Plan	Date
A0.101	5		15.12.2010
A1.101	5		15.12.2010
A2.201	5 <u>6</u>		15.12.2010 <u>24.06.2011</u>
A2.202	6 <u>7</u>		04.02.2011 <u>24.06.2011</u>
A2.203	6 <u>7</u>		04.02.2011 <u>24.06.2011</u>
A2.204	5 <u>6</u>		15.12.2010 <u>24.06.2011</u>
A2.205	5 <u>6</u>		15.12.2010 <u>24.06.2011</u>
A2.206	5		15.12.2010
A2.207	6		20.01.2011
A2.208	5 <u>6</u>		15.12.2010 <u>24.06.2011</u>
A2.209	6 <u>7</u>		04.02.2011 <u>24.06.2011</u>
A2.210	5 <u>6</u>		15.12.2010 <u>24.06.2011</u>

A2.211	5-6		15.12.2010 24.06.2011
A2.212	5		06.15.2010
A2.213	5-6		15.12.2010 24.06.2011
A5.101	8-9		04.02.2011 24.06.2011
A5.102	6-7		04.02.2011 24.06.2011
A5.103	3-9		04.02.2011 24.06.2011
A5.104	3-6		15.12.2010 24.06.2011
A5.601	3-6		15.12.2010 24.06.2011
A5.602	6-7		04.02.2011 24.06.2011
A5.603	5-6		15.12.2010 24.06.2011
A5.604	5-6		15.12.2010 24.06.2011
A5.605	6-7		04.02.2011 24.06.2011
A5.606	6-7		04.02.2011 24.06.2011
A5.607	7-8		04.02.2011 24.06.2011

Landscape Plans prepared by Turf Design Studios Pty Ltd			
Drawing No.	Revision	Name of Plan	Date
Page 2	A		21.12.2010
Page 3	A		21.12.2010
Page 4	A		21.12.2010

Except where amended by the following conditions of approval:

- b) Condition D15 is amended by deletion of the struck out words and insertion of the **bold and underlined** words as follows

D15 Service Pipes

Other than exhausts, pipes and stacks and similar structures shown on A2.209 (Level 04) and A2.213 (Roof Plan), ~~a~~All plumbing and drainage, including sewerage drainage stacks, ventilation stacks and water service pipes shall be concealed within the building. Plumbing other than stormwater downpipes shall not be attached to the external surfaces of the building.

END OF MODIFICATION TO MP09_0081