

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 14 September 2011, I approve the modification of the project application referred to in schedule 1, subject to the conditions in schedule 2.



Alan Bright
A/Director, Metropolitan & Regional Project South

Sydney

1 JUNE

2012

SCHEDULE 1

Project Approval:

MP09_0154 granted by the Minister for Planning on 23 February 2011

For the following:

Construction of a new mixed use residential, commercial and retail development consisting of a:

- 43 storey mixed use building consisting of a:
 - 5 storey podium accommodating retail/café tenancies, 4,876m² of commercial floor space and resident recreational facilities
 - 37 storey tower above containing 294 residential apartments
 - Plant within an enclosed roof structure on Level 43
 - Communal private open space on top of the Railway Enclosure Structure
- A seven level basement accommodating a total of 332 parking spaces;
- Public domain works comprising:
 - publicly accessible open space with associated landscaping works;
 - a pedestrian through site link between Railway Street and Cambridge Street; and
- Stratum subdivision of existing lot into two stratum lots and strata subdivision of the proposed residential stratum.

Modification 2:

- Staged Stratum subdivision into three stratum lots
- Excise of approximately 111m² of communal open space for the proposed expansion of an adjoining child care centre (subject to a separate development application)

SCHEDULE 2 CONDITIONS

The Project Approval for MP09_0154 is modified as follows:

- (a) Condition A1 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struck-out~~ words / numbers as follows:

Development Description

- A1. Development approval is granted only to carrying out the development described in detail below:

Construction of a new mixed use residential, commercial and retail development consisting of a:

- 43 storey mixed use building (maximum height RL 231m AHD) consisting of a
 - 5 storey podium accommodating retail/café tenancies, 4,876m² of commercial floor space and resident recreational facilities
 - 37 storey tower above containing 294 residential apartments
 - Plant within an enclosed roof structure on Level 43
 - Communal private open space on top of the Railway Enclosure Structure
- A seven level basement accommodating a total of 332 parking spaces; and
- Public domain works comprising:
 - publicly accessible open space with associated landscaping works;
 - a pedestrian through site link between Railway Street and Cambridge Street.
- **Staged** Stratum subdivision of existing lot into ~~two~~ **three** stratum lots and strata subdivision of the proposed residential stratum.

- (b) Condition A2 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struck-out~~ words / numbers as follows:

Approved Plan/Details

- A2 The development will be undertaken generally in accordance with MP No. 09_0154 and the Environmental Assessment dated August 2010, prepared by JBA Urban Planning Consultants Pty Ltd, except where amended by the Preferred Project Report dated December 2010, including all associated documents and reports, and the Statement of Commitments prepared by JBA Urban Planning Consultants Pty Ltd, and BASIX Certificates No. 348978M_03, 348980M_03 and 348983M_03 and the following drawings:

Architectural Drawings prepared for the Environmental Assessment / Preferred Project Report / Section 75W Application dated 10 November 2011 / <u>Section 75W Application dated 24 April 2012</u> by Mirvac Design Pty Ltd			
Drawing No.	Revision	Name of Plan	Date
PPR – 1000	03	Drawing Register	Nov 10
PPR – 1001	03	Locality & Context Plan	Nov 10
PPR – 1002	03 <u>04</u>	Site Plan	Nov 10 <u>22.05.12</u>

PPR – 1003	03	Site Analysis	Nov 10
PPR – 1004	03	Car parking Levels B6 & B7	Nov 10
PPR – 1005	03	Car parking Levels B4 & B5	Nov 10
PPR – 1006	03	Car parking Levels B2 & B3	Nov 10
PPR – 1007	03	Car parking Level B1	Nov 10
PPR – 1008	5	Level 1 (Ground) Floor Plan	30/01/2012
PPR – 1009	5 6	Level 2 – 5 Floor Plans	08/02/2012 <u>22.05.12</u>
PPR – 1010	4	Level 6 – 14 Floor Plans	10/11/2011
PPR – 1011	4	Level 15 – 24 Floor Plans	10/11/2011
PPR – 1012	4	Level 26-39 & Level 41 Floor Plans	10/11/2011
PPR – 1013	4	Level 40 & Level 42 Floor Plans	10/11/2011
PPR – 1014	4	Level 43 Plant Room, Mezzanine Plant Room & Roof Plans	10/11/2011
PPR – 1015	4	North Elevation	10/11/2011
PPR – 1016	4	South Elevation	10/11/2011
PPR – 1017	4	East Elevation	10/11/2011
PPR – 1018	4	West Elevation	10/11/2011
PPR – 1016	4	Section A – A	10/11/2011
PPR – 1020	4	Section B – B	10/11/2011
PPR – 1021	03	Pre-adaptable and Adaptable Mode Apartment Floor Plans Levels 12 - 42	Nov 10
PPR – 1022	01	Pre-adaptable and Adaptable Mode Apartment Floor Plans Levels 7 - 42	Nov 10
N/A	N/A	Indicative External Finishes Board	Dec 10
Landscape Master Plan prepared for the Environmental Assessment / Preferred Project Report / Section 75W Application dated 10 November 2011 by Aspect Studios			
Drawing No.	Revision	Name of Plan	Date
10028 L75W 01	3	Landscape Master Plan	09.11.2011
10028 L75W 02	1	Planting Palette	09.11.2011
10028 L75W 03	2	Street Tree Plan – Option One	16.05.2012

Stratum and Strata Subdivision Plans prepared for the Environmental Assessment / Preferred Project Report / Section 75W Application dated 10 November 2011 / <u>Section 75W Application dated 24 April 2012</u> by Denny Linker & Co Surveyors			
Drawing No.	Revision	Name of Plan	Date
<u>080406D-SUB 1</u>	=	<u>Plan of proposed Subdivision of Lot 6 in DP 1058962 (Stage 1 Subdivision)</u>	<u>27 Jan 2012</u>
080406D-SUB <u>2</u>	≠ <u>10</u>	Plan of proposed Subdivision of Lot 6 in DP 1058962 <u>(Stage 2 Subdivision)</u>	15 Nov 2010 <u>30 Jan 2012</u>
080406 DSP	9	Plan of Subdivision of proposed Lot 1 in the subdivision of Lot 6 DP 1058962	08 Nov 2011

except for:

- (1) any modifications which are 'Exempt and Complying Development' as identified in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 or as may be necessary for the purpose of compliance with the BCA and any Australian Standards incorporated in the BCA; and
 - (2) otherwise provided by the conditions of this approval.
- (c) Condition E37 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struck-out~~ words / numbers as follows:
- E37 Documentary easements for access must be created over the common area at the northern end of the top of the Railway Enclosure Structure (excluding the private communal open space **and the proposed child care open space area identified as proposed Lot 11 on the Stratum Subdivision Plan 080406D-SUB 1 dated 27 Jan 2012**) to allow use and access by all buildings within the Pacific Place precinct, pursuant to Section 88B of the Conveyancing Act 1919.

End of Modifications to MP09_0154