

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, I approve the modification of the application referred to in Schedule 1, subject to the condition in Schedule 2.

These conditions are required to:

- prevent, minimise, and/or offset adverse environmental impacts;
- set standards and performance measures for acceptable environmental performance;
- require regular monitoring and reporting; and
- provide for the ongoing environmental management of the project.



Alan Bright

A/Director Metropolitan & Regional Projects South

Sydney

20 FEBRUARY 2012

SCHEDULE 1

Project Approval:

MP09_0200 granted by the Minister for Planning on 10 December 2010.

For the following:

Vehicle and Pedestrian Safety Project, including:

- Construction of an underground loading dock.
- Alteration of lifts and stairs and construction of new lift services and corridors.
- New opening in southern forecourt and construction of vehicle access ramp.
- Removal of recessed vehicle access path and existing guardhouse, and construction of new guardhouse.
- Forecourt improvement works, relocation of below ground services and modifications to the roof of the pedestrian tunnel to the existing adjoining car park.

Modification:

Modification 1

- Minor changes to the alignment and finishes of the approved entrance ramp.
- Additional levels within the envelope of the approved loading dock to provide for a new electrical substation level and 'utility level'.
- Minor changes to the internal configuration of the loading dock, Basement Level.
- Minor changes to the approved emergency fire egress.

SCHEDULE 2
CONDITIONS OF APPROVAL

PART A – ADMINISTRATIVE CONDITIONS

Condition A2 is modified as follows:

A2 *Development in Accordance with Plans and Documents*

The development shall be in accordance with the following plans, documentation and recommendations made therein:

A. Environmental Assessment Report (Volumes 1, 2 & 3) and Appendices prepared by Byrnes & Associates Pty Ltd on behalf of Sydney Opera House Trust, dated July 2010.			
B. Submissions Report and Appendices prepared by Byrnes & Associates Pty Ltd on behalf of Sydney Opera House Trust, dated 25 October 2010			
C. Archaeological Management Plan and Heritage Impact Assessment report prepared by GML in January 2010.			
D. Statement of Commitments prepared by Byrnes & Associates Pty Ltd on behalf of Sydney Opera House Trust, dated 25 October 2010 contained in Schedule 3.			
E. Architectural Drawings prepared by Johnson Pilton Walker Pty Ltd.			
F Conservation Management Plan 2003 – (3rd edition 2003) by James Semple Kerr.			
Drawing No.	Revision	Name of Plan	Date
EA-010	00	Locality Plan	2 June 2010
EA-050	00	Site Plan Existing	2 June 2010
EA-055	00	Site Plan Proposed	2 June 2010
EA-100	00	Basement 4 (Level -0.38')	2 June 2010
EA-130	00	Basement 1 (Level +/-001')	2 June 2010
EA-140	00	Ground (Level +012')	2 June 2010
EA-200	00	Basement 4 (Level -038') Reflected Ceiling Plan	2 June 2010
EA-300	00	Section X70_N	2 June 2010
EA-305	00	Section X48_N	2 June 2010
EA-310	00	Section X38_N	2 June 2010
EA-315	00	Section X30_N	2 June 2010
EA-320	00	Section X09_N	2 June 2010
EA-325	00	Section Y21_E	2 June 2010
EA-330	00	Section Y25_E	2 June 2010
EA-335	00	Section Y29_E	2 June 2010

EA-340	00	Section Y34_E & Proposed Vehicle Ramp	2 June 2010
EA-406	00	Vehicle Ramp Section B Proposed	2 June 2010
EA-415	00	Vehicle Ramp Section D	2 June 2010
EA-420	00	Vehicle Ramp Section E	2 June 2010
EA-440	00	Section JJ Vehicle Ramp and Pedestrian Tunnel	2 June 2010
EA-450	00	Delivery Dock_Elevation North	2 June 2010
EA-455	00	Delivery Dock_Elevation East	2 June 2010
EA-460	00	Delivery Dock_Elevation South	2 June 2010
EA-465	00	Delivery Dock_Elevation West	2 June 2010
EA-900	00	Existing Image 01 – From Macquarie St Roundabout	2 June 2010
EA-905	00	Proposed Image 01 – From Macquarie St Roundabout	2 June 2010
EA-910	00	Existing Image 02 – From Monumental Stairs	2 June 2010
EA-915	00	Proposed Image 02 – From Monumental Stairs	2 June 2010
EA-920	00	Existing Image 03 – From Monumental Stairs Detail	2 June 2010
EA-925	00	Proposed Image 03 – From Monumental Stairs Detail	2 June 2010

As amended by the following plans, documentation and recommendations made therein:

A. Environmental Assessment Report prepared by Byrnes & Associates Pty Ltd on behalf of Sydney Opera House Trust, dated November 2011.			
B. Architectural Drawings prepared by Scott Carver Pty Ltd.			
Drawing No.	Rev	Name of Plan	Date
49-FV-SC001-EA -100	0	Environmental Assessment Basement Level B4 Plan	25/11/2011
49-FV-SC001-EA -110	0	Environmental Assessment Basement Level B2 Plan	25/11/2011
49-FV-SC001-EA -120	0	Environmental Assessment Basement Level B1 Plan	25/11/2011
49-FV-SC001-EA -310	0	Environmental Assessment Sections W-E Sheet 3(X38_N & X30_N)	25/11/2011
49-FV-SC001-EA -320	0	Environmental Assessment Sections W-E Sheet 4 (X09_N)	25/11/2011
49-FV-SC001-EA -325	0	Environmental Assessment Sections N-S Sheet 1 (Y21_E)	25/11/2011
49-FV-SC001-EA -330	0	Environmental Assessment Sections N-	25/11/2011

		S Sheet 2 (Y25_E)	
49-FV-SC001-EA -338	0	Environmental Assessment Sections S-N Sheet 4 (Y29_W)	25/11/2011
49-FV-SC001-EA -340	0	Environmental Assessment Sections N-S Sheet 5 (Y34_E)	25/11/2011

Except for:

- (1) any modifications which are 'Exempt and Complying Development' or as may be necessary for the purpose of compliance with the BCA and any Australian Standards incorporated in the BCA; or
- (2) otherwise provided by the conditions of this approval.

Advising Note A10 to be inserted after existing A9 as follows:

A10 Separate approval under the Environment Protection and Biodiversity Conservation Act 1999

The proponent must obtain separate approval under the Environment Protection and Biodiversity Conservation Act 1999, as a consequence of the lapsing of the Bilateral Agreement between the Australian Government and the State of New South Wales relating to Actions approved and taken in accordance with the Bilaterally Accredited Management Plan for the Sydney Opera House. The proponent should contact Mahani Taylor, Director of the NSW Assessment Branch of Department of Sustainability, Environment, Water, Population and Communities by phone (02) 6274 1428 or email Mahani.Taylor@environment.gov.au to request the assessment requirements of the Australian government.