

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 concept plan referred to in schedule 1, subject to the conditions in schedule 2.



Chris Ritchie
Acting Director
Industry, Key Sites and Social Projects

Sydney *21 JANUARY*

2014

SCHEDULE 1

- Concept Approval:** Discovery Point Concept Plan 2011 granted by the Minister for Planning on 5 May 2011 and as amended on 15 June 2012 and 13 March 2013.
- For the following:** Concept approval for development solely within the concept plan area including:
- use of the site for a mixed use development with associated public open space;
 - indicative building envelopes for 14 buildings to a maximum height of 79.65m AHD;
 - basement level, ground and above ground car parking;
 - road works to support the development;
 - public pedestrian and cycle pathway; and
 - landscaping areas throughout the site.
- Modification:** Discovery Point Concept Plan MOD 3 for:
- amendment to building envelopes 8, 9 and 10; and
 - relocation of the vehicle access ramp at Spark Lane to Chisholm Street.

SCHEDULE 2 CONDITIONS

The above approval is modified as follows:

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

A2. Development in Accordance with Plans and Documentation

The approval shall be generally in accordance with MP 10_0003 and the Environmental Assessment prepared by JBA Planning dated August 2010, except where amended by:

- the Preferred Project Report prepared by JBA Planning dated December 2010, and
- the Section 75W modification **(MOD 1)** by Australand dated April 2012, and
- the Section 75W modification **(MOD 2)** by JBA Planning dated November 2012, and
- **the Section 75W modification (MOD 3) by JBA Planning dated June 2013, and**
- **the Addendum to concept plan modification (MOD 3) by JBA Planning dated 12 September 2013, and**
- the following drawings and documents:

Architectural Drawings prepared by Bates Smart			
Drawing No.	Revision	Name of Plan	Date
DA1-001	A	Location Plan	16.06.2010
DA1-002	D	Site Analysis	16.12.2010
DA3-001 <u>DA3-001</u>	G <u>I</u>	Proposed Building Envelopes	30.01.2012 <u>28.08.2013</u>
DA3-B01	H	Proposed Basement Extent	16.10.2012
DA3-002	C	Building 1B Envelope Parameters	23.02.2011
DA3-003	B	Building 1C Envelope Parameters	10.12.2010
DA3-004	C	Building 2 Envelope Parameters	23.02.2011
DA3-005	B	Building 3 Envelope Parameters	10.12.2010
DA3-006	B	Building 4 Envelope Parameters	10.12.2010
DA3-007	B	Building 5 Envelope Parameters	10.12.2010
DA3-008	B	Building 6 Envelope Parameters	10.12.2010
DA3-009	A	Building 7 Envelope Parameters	16.06.2010
DA3-010 <u>DA3-010</u>	B <u>G</u>	Building 8 Envelope Parameters	10.12.2010 <u>23.08.2013</u>
DA3-011 <u>DA3-011</u>	B <u>E</u>	Building 9 Envelope Parameters	10.12.2010 <u>23.08.2013</u>
DA3-012 <u>DA3-012</u>	B <u>F</u>	Building 10 Envelope Parameters	10.12.2010 <u>23.08.2013</u>
DA3-013	B	Building 11 Envelope Parameters	10.12.2010
DA3-014	B	Building 12 Envelope Parameters	10.12.2010
DA3-015	B	Building 13 Envelope Parameters	23.02.2011
DA3-016	A	Building 14 Envelope Parameters	16.06.2010
DA3-101	C	Street Layout	14.12.2010
DA3-200 <u>DA3-200</u>	F <u>G</u>	Extent of Above Ground Parking – Ground Floor Level	13.10.2012 <u>05.06.2013</u>

DA3-201	E	Extent of Above Ground Parking – First Floor Level	13.10.2012
Documents			
Reference	Revision	Title	Date
10710	May 2012	Discovery Point Concept Plan Development Design Guidelines	24/05/2012

- b) Condition A8 is amended by insertion of the **bold and underlined** words and deletion of ~~struck-out~~ words as follows:

A8. Building Height

All future buildings erected on the site shall not exceed the building heights approved by the Concept Plan diagram ~~DA3-001D~~ **DA3-001I**, prepared by Bates Smart Architects, dated ~~23 February 2014~~ **28 August 2013**. No buildings shall exceed the building heights (inclusive of all lift over-runs, vents, chimneys, aerials (of whatever type), construction cranes, rooftop gardens and trees, etc) approved by the Department of Infrastructure and Transport, dated 15 December 2010 and Sydney Airport Corporation, dated 16 December 2010, **or any subsequent approvals from the Department of Infrastructure and Transport and Sydney Airport Corporation.**

- c) Condition A9 is amended by insertion of the **bold and underlined** words and deletion of ~~struck-out~~ words as follows:

A9. Built Form

Building footprints and setbacks are to be generally consistent with the Concept Plan building envelope parameter diagrams for each site, except where amended by the Department of Planning's Modifications in Part B. Future development should be consistent with the Discovery Point Concept Plan Building Separation Diagram ~~DA3-001D~~ **DA3-001I** prepared by Bates Smart Architects, dated ~~23 February 2014~~ **28 August 2013**, except where amended by the Department of Planning's Modifications in Part B.