

Development Consent

Section 80 of the *Environmental Planning and Assessment Act 1979*

I, the Chief Executive Officer, of the Sydney Olympic Park Authority, pursuant to section 80(1) and 80(A) of the *Environmental Planning and Assessment Act 1979*, Clause 22 of the *Sydney Olympic Park Authority Act 2001*, and in accordance with the delegations invested to my office by the Minister for Planning, grant development consent to the development referred to in **SCHEDULE 1**, subject to the conditions in **SCHEDULE 2**.

These conditions are required to prevent, minimise, and/or offset adverse environmental impacts.



Charles Moore
Chief Executive Officer
Sydney Olympic Park Authority

Date: 3/08/2017

SCHEDULE 1

Development Application:	DA 03-03-2017
Application made by:	Bassam Aflak (Australia Avenue Developments Pty Ltd)
To:	Sydney Olympic Park Authority
In respect of:	Part Lot 10 in DP 1185060, Lot 73 and 75 DP 1134933, Sydney Olympic Park.
For the following:	Subdivision of unregistered lot (Lot 21 DP1228905) into four Torrens title stratum lots
Determination:	Consent granted subject to the conditions in the attached SCHEDULE 2
Date of commencement of consent	This development consent commences on the date identified / signed above. The determination shall lapse 5 years from this date.
Advisory Notes	<p>The Applicant (or any persons acting on this consent) is solely responsible that all additional consents and agreements are obtained from other authorities as relevant</p> <p>The Applicant has right to appeal to the Land and Environment Court in the manner as set out in the <i>Environmental Planning and Assessment Act 1979</i>, and the <i>Environmental Planning and Assessment Regulations 2000</i> (as amended)</p>

SCHEDULE 2

**CONDITIONS OF CONSENT
DEVELOPMENT APPLICATION NO. 03-03-2017**

1 Development Description

Development Consent is granted only to carrying out of the development as described, and on the land referred to, in **SCHEDULE 1** above.

These conditions of this consent do not relieve the proponent of its obligations under the *Environmental Planning and Assessment Act 1979*, and any other Act.

2 Development in accordance with Plans

The development shall be generally in accordance with the Development Application, and in accordance with the supporting documentation submitted with that application, including but not limited to, the following:

<p>Statement of Environmental Effects titled "Opal Tower, Site 68, Bennelong Parkway, Sydney Olympic Park"</p>

<p>Plans – Sheets 1 to 9 (inclusive) prepared by Joseph Monardo (LTS Lockley), titled "Plan of Subdivision of Lot 21 in DP1228905 and easement over Lot 22 in DP1228905, Lot 99 in DP 1218180 and Lot 102 in DP 1218180", Surveyor's Reference 40733-44137DP, Issue A, dated 23-02-2017</p>
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except for:

- (1) Any modifications as may be necessary for the purpose of compliance with the BCA and any Australian Standard incorporated in the BCA;
- (2) Otherwise provided by the Conditions of this Consent;
- (3) Otherwise as necessary to comply with other NSW and Commonwealth legislation.

3 Inconsistency between documents

In the event of any inconsistency between this consent and the drawings/documents referred to Condition No.2, the conditions of this consent prevail.

4 Commencement of Subdivision

The Subdivision shall be carried out in accordance with the requirements set out in *Section 81A of the Environmental Planning and Assessment Act 1979*.

5 Section 109 Subdivision Certificate

A Subdivision Certificate is to be obtained from an accredited subdivision certifier and/or the Sydney Olympic Park Authority, in accordance with *Section 109C(1)(d)* and *Section 109D(1)(d)* of the *Environmental Planning and Assessment Act 1979*.

Note: Sufficient information must be forwarded to the Certifying Authority illustrating compliance with the relevant requirements of the Conditions of *Development Consent*. Sufficient information may include but not limited to, reports or certifications issued by an appropriately qualified person. Please contact your relevant Certifying Authority to discuss requirements prior to submission of the application for Subdivision Certificate.

6 Section 88B Instrument

Prior to registration of the Subdivision Plan(s) with the NSW Land and Property Information Office, the person(s) acting on this consent must create all necessary documentary easements for access, services, drainage, encroaching structures, support and shelter, maintenance or any other encumbrances required for joint or reciprocal use of part or all of the proposed lots as a consequence of the subdivision pursuant to *Section 88B of the Conveyancing Act, 1919*.

Note: All instruments under Section 88B of the Conveyancing Act used to create easements or right-of-ways must include the condition that such easements or right-of-ways may not be varied, modified or released without the prior approval of the Authority.

7 Sydney Olympic Park Authority Approval

The person(s) acting on this consent must ensure that all subdivision plans and Section 88B instrument are submitted to the satisfaction of the Authority, prior to registration of the Subdivision Plan(s) with the NSW Land and Property Information Office.

END OF CONSENT