

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.



Nick Hubble
A/Chief Executive Officer
Sydney Olympic Park Authority

Date: 17/8/16

Ref: DA 04-07-2016
(File No. 16/484)

SCHEDULE 1

Development Application:	DA 04-07-2016
Application made by:	Karimbla Constructions Services (NSW) P/L – Walter Gordon
To:	Sydney Olympic Park Authority
In respect of:	Lot 84 DP 855929 100 Bennelong Parkway (including easements over Lots 73 & 75 in DP 1134933), Sydney Olympic Park
For the following:	Staged strata subdivision of existing lot (Lot 84 DP 855929) and implementation of a Strata Development Contract (SDC).
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. 04-07-2016

1 Development Description

Development Consent is granted only to carrying out of the development as described in, 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 & Documents

The development shall be generally in accordance with Development Application number 04-07-2016, and in accordance with the supporting documentation submitted with that application, including, but not limited to, the following:

Surveyors Ref	Name of Plan	Date
40492-42813CP Sheet 1-14 (inclusive) of 14	Strata Development Contract Concept Plan 100 Bennelong Parkway, Sydney Olympic Park	06.07.2016
Statement of Environmental Effects titled 'Staged strata subdivision with Strata Development Contract' prepared by Karimbla Constructions Services (NSW) / Meriton Property Services dated 6 July 2016		
Strata Development Contract Ref: 40492-42960 StrataDevtCont 20-07-2016v2		

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 Approval;
- (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 Subdivision (General)

The strata subdivision of the development shall be carried out in accordance with the requirements set out in *Section 81A of the Environmental Planning and Assessment Act 1979* and the survey plans to be submitted to and approved by the Authority or the Principal Certifying Authority. Such plans to be submitted together with the required fee for the approval of the final plan under the Strata Schemes (Freehold Development) Act 1973, with the strata lots to accurately reflect the approved plans and requirements of SSD 6246. The strata subdivision and any subsequent strata subdivision of the subject site must be in accordance with the car parking and storage allocation approved in SSD 6246. All

parking spaces and storage areas which are to be part of a strata lot are to be shown as part of the strata lot number that corresponds to the unit that the parking space or storage area has been allocated to. Car parking spaces shall not be given separate strata lot numbers and all visitor parking spaces are to be included in common property.

5 Compliance with Previous Approval

Prior to the lodgement any Strata Plan for registration with NSW Government Land and Property Information, the person acting on this consent must submit to the Authority a plan demonstrating that parking, visitor spaces, storage and bicycle parking has been provided for in accordance with the requirements of SSD 6246.

6 Section 109 Subdivision Certificate

A Strata Subdivision Certificate shall 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* and the requirements set out in the Strata Schemes Development Act.

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.

7 Section 88B Instrument

Prior to registration of the Subdivision Plan(s) with the NSW Land & 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.

8 Sydney Olympic Park Authority Approval

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