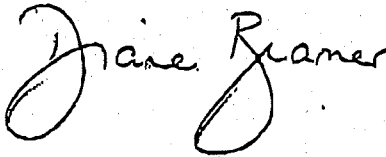


KING STREET WHARF

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979**DETERMINATION OF DEVELOPMENT APPLICATION NO 482-12-2002
(File S03/00380 Pt 1)****SUBDIVISION OF LAND INTO 3 LOTS
SITE 6, KING STREET WHARF, DARLING HARBOUR**

I, the Minister Assisting the Minister for Infrastructure and Planning, pursuant to section 80(1)(a) of the Environmental Planning and Assessment Act 1979 and clause 10 of State Environmental Planning Policy No 56 - Sydney Harbour Foreshores and Tributaries, determine the development application referred to in Schedule 1, by granting consent to the application subject to the conditions of consent in the attached Schedule 2.

- The reasons for the imposition of the conditions are to ensure proper access to and functioning of the lots; and public access to the foreshores.



**Diane Beamer, MP
Minister for Juvenile Justice
Minister for Western Sydney
Minister Assisting the Minister for Infrastructure and Planning
(Planning Administration)**

Sydney 4 June 2003

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SCHEDULE 1

Application made by: Multiplex Constructions Pty Ltd

To: The Minister for Infrastructure and Planning

Development Application: DA 482-12-2002

In respect of: Lot 13 in DP 237811 and Lot 160 in DP 1044016 and
Lot 1 in DP 1045193 of Site 6, King Street Wharf,
Darling Harbour

For the carrying out of: Subdivision to create 3 new lots being Lot 601, Lot
602 and Lot 603

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**NOTES RELATING TO THE MINISTER'S DETERMINATION OF DEVELOPMENT
APPLICATION No. 482-12-2002**

To ascertain the date upon which the consent becomes effective refer to section 83 of the Act.

To ascertain the date upon which the consent is liable to lapse refer to section 95 of the Act.

Section 97 of the Act confers upon an applicant who is dissatisfied with the determination of a consent authority a right of appeal to the Land and Environment Court exercisable within 12 months after receipt of this notice.

The applicant should ensure that all additional consents and agreements are obtained from other authorities, as relevant.

All reference to:

1. the consent authority means the Minister for Infrastructure and Planning;
2. the Council means the Council of the City of Sydney.

Any advice or notice to the consent authority shall be served on the Deputy Director-General of the Department of Urban and Transport Planning.

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SCHEDULE 2**CONDITIONS OF CONSENT****DEVELOPMENT APPLICATION NO 482-12-2002****GENERAL**

1. The development shall be carried out generally in accordance with Development Application DA 482-12-2002, and the documentary material listed below:
 - Statement of Environmental Effects, Development Application No 482-12-2002, Site 6, King Street Wharf, Stratum Subdivision prepared by JBA Urban Planning Consultants dated 6 February 2003.
 - Drawings (Prepared by Denny Linker and Co) as identified as follows:

- Ground Level and Above (Sheet 1)	Printed 13 Mar 2003 (Revision 4)
- Basement Level 1 (Sheet 2)	Printed 20 Dec 2002 (Revision 3)
- Basement Level 2 (Sheet 3)	Printed 20 Dec 2002 (Revision 3)
- Basement Level 3 (Sheet 4)	Printed 20 Dec 2002 (Revision 3)
- Basement Level 4 (Sheet 5)	Printed 20 Dec 2002 (Revision 3)

AS AMENDED BY THE FOLLOWING CONDITIONS

2. A separate application is to be submitted to the consent authority to approve the final plan of subdivision in accordance with Part 4A of the Environmental Planning and Assessment Act 1979.
3. Documentary easements for access must be created over the appropriate lots in the subdivision to provide access to lifts, lobbies, fire stairs, service areas and car parking areas, and created pursuant to Section 88B of the Conveyancing Act 1919 to the consent authority's satisfaction.
4. Documentary easements for services, drainage, support and shelter, use of plant, equipment and service rooms, repairs, maintenance or any other encumbrances and indemnities required for joint or reciprocal use of part or all of the proposed lots as a consequence of the subdivision, must be created over the appropriate lots in the subdivision pursuant to Section 88B of the Conveyancing Act 1919 to the consent authority's satisfaction.
5. The terms of the proposed easement for light and air along the northern boundary of Lot 602 must contain the provision that the easement may not be released, varied or modified without the concurrence of the consent authority.
6. Any Building Management Statement or Strata Management Statement must adequately address the ongoing maintenance, upgrading, redevelopment and structural adequacy of each stratum lot, to the consent authority's satisfaction.
7. The on-site commercial car parking spaces are not to be used by those other than an occupant or tenant of Lots 601 & 602 in the subdivision. The subdivision of the site is to include a Restriction on Use of Land pursuant to Section 88B of the Conveyancing Act 1919, in terms satisfactory to the consent authority, so burdening Lots 601 & 602 in the subdivision.

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8. Prior to the issue of a Subdivision Certificate under Part 4A of the Environmental Planning and Assessment Act 1979, written confirmation that you have obtained a (Subdivider) Compliance Certificate under Section 73 of the *Sydney Water Act 1994* must be submitted to the consent authority.

NOTE: Sydney Water may require you to construct works and/or pay developer charges, details of which will be provided in the Notice of Requirements from Sydney Water. Early advice from Sydney Water will avoid problems in providing water and sewerage services to your development and adverse impacts on building design and site layout. Application must be made through an authorised Water Servicing Co-ordinator. For details see the Sydney Water web site www.sydneywater.com.au or telephone 132 092.