

Modification of Minister's Approval

Section 75W of the *Environmental Planning & Assessment Act 1979*

As delegate of the Minister for Planning under delegation effective on 16 February 2015, I, the Director, Key Sites Assessment, approve the modification of the project application referred to in Schedule 1, subject to the amendments to conditions in Schedule 2 and Statement of Commitments in Schedule 3.

Ben Lusher
Director
Key Sites Assessments

Sydney

18 DECEMBER

2015

SCHEDULE 1

Application No.:	MP11_0044
Proponent:	Lend Lease (Millers Point) Pty Limited
Approval Authority:	Minister for Planning
Land:	Lot 209 DP 1211553, Hickson Road, Barangaroo.
Project:	Construction of Commercial Building C3, allocation of car parking spaces, public domain works and remediation and associated works.
Modification Number:	MP11_0044 MOD 3
Modifications:	<p>The proposed changes comprise the following:</p> <ul style="list-style-type: none">• increase in the approved GFA from 117,968 sqm to 118,959 sqm as a result of:<ul style="list-style-type: none">○ increasing the retail floor space from 5,642 sqm to 7,402 sqm;○ increasing the commercial floor space from 109,238 sqm to 111,440 sqm inclusive of an 1,655 sqm office lobby; and○ allocation of the following:<ul style="list-style-type: none">- 1,453 sqm of floor space on level 1 of the podium for a potential child care centre; and- 3,265 sqm of floor space on levels 2 and 3 of the podium for a potential gymnasium.• increase in the number of car spaces allocated to building C3 to a maximum of 186 commercial spaces and 8 retail spaces;• minor changes to the building façade, lobby, podium and roof plant;• changes to the signage zones; and• shopfront typologies.

**SCHEDULE 2
AMENDMENTS TO CONDITIONS**

1. In Part A, delete Condition A1 in its entirety and insert the following new condition:

A1 DEVELOPMENT DESCRIPTION

Except as amended by this approval, project approval is granted for the following:

- piling and associated earthworks and remediation;
- construction and use of a new commercial building (C3) with a maximum GFA of 118,959 sqm comprised of:
 - 7,402 sqm of retail floor space (unless GFA is otherwise provided as a child care centre or gymnasium, as detailed below)
 - 111,440 sqm of commercial floor space, inclusive of a 1,655 sqm office lobby.
- allocation of 117 sqm of floor space within the basement car park;
- allocation of 1,453 sqm on podium level 1 for potential use as a child care centre (community uses GFA) in lieu of total approved retail floor space;
- allocation of up to 1,289 sqm on podium level 2 for potential use as a recreational facility (indoor) in lieu of the total approved retail floor space;
- allocation of up to 1,976 sqm on podium level 3 for potential use as a recreation facility (indoor) in lieu of the total approved commercial floor space.
- operation and use of car parking spaces (186 commercial, 8 retail spaces) allocated to C3 within part of the basement car park;
- 373 bicycle spaces located in the basement car park (the construction of which is subject of the Basement Car Park Approval) and 37 bicycle parking spaces within the temporary public domain adjacent to Hickson Road;
- 10 motorbike spaces;
- pedestrian and cycle access and circulation arrangements;
- signage zones on the building façade to accommodate building and business identification signage;
- temporary works and uses including:
 - creation of a temporary forecourt and landscaping along Hickson Road
 - surfacing of the surrounding streets and laneways including part of Globe Street, part of City Walk and part of Shelley Lane
 - hoardings.
- installation of utility services.

2. In Part A, amend Condition A2 as indicated in bold italics below:

A2 DEVELOPMENT IN ACCORDANCE WITH PLANS AND DOCUMENTATION

Environmental Assessment Report titled *Commercial Building C3 (MP11_0044) Barangaroo South and Appendices*, prepared by JBA Planning Consultants on behalf of Lend Lease (Millers Point) Pty Ltd, dated November 2011

Preferred Project Report titled *Commercial Building C3 (MP11_0044) Barangaroo South and Appendices*, prepared by JBA Urban Planning Consultants on behalf of Lend Lease (Millers Point) Pty Ltd, dated February 2012

Section 75W Modification Commercial Building C3 – MP11_0044 (MOD 2), Barangaroo South, prepared by JBA Urban Planning Consultants, dated October 2013

Commercial Building C3 - MP11_0044 (Mod 2) Response to Submissions, prepared by JBA Urban Planning Consultants, dated 27 March 2014

Section 75W Modification Commercial Building C3 – MP11_0044 (MOD 3), Barangaroo South, prepared by JBA Urban Planning Consultants, dated March 2015 including supplementary Design Statement titled “Section 75W Report MOD 3, MP11_0044 Commercial Building C3” prepared by RSHP Australia Pty Limited, dated 16 January 2015.

Commercial Building C3- MP11_0044 (Mod 3) Response to Submissions and Preferred Project Report prepared by JBA Urban Planning Consultants, dated August 2015, as amended by the submission from Lend Lease dated 29 October 2015 titled "Clarification of GFA Breakdown; and amendment to Condition B23, Condition E9, Condition A6 and Condition B3" as amended by emails from Lend Lease titled "C3 Mod 3- Awning Information" dated 1 September 2014, "Commercial Building C3, Barangaroo South" dated 10 November 2015 and "Commercial Building C3, Barangaroo South Lots and Areas" dated 10 November 2015.

Architectural Plans prepared by Rogers Stirk Harbour + Partners, Landscaping Plans prepared by Aspect Oculus

Drawing No.	Issue	Name of Plan	Date
RSHP-A-C3-0001	E H	Project Cover Sheet	13.09.13 15.12.2015
RSHP-A-C3-2100-P-00	C E	Context Plan	13.09.13 17.07.2015
RSHP-A-C3-2200-P-00	C E	Site Plan	13.09.13 17.07.2015
RSHP-A-C3_2300-P-00	C	Site Analysis	13.09.13
RSHP-A-C3-2400-P-00	C E	Site Plan Setting Out	13.09.13 17.07.2015
RSHP-A-C3-3100-P-00	C E	Plan Ground Floor Level 0	13.09.13 17.07.2015
RSHP-A-C3-3101-P-01	C E	Plan First Floor Level 1	13.09.13 17.07.2015
RSHP-A-C3-3102-P-02	C E	Plan Second Floor Level 2	13.09.13 17.07.2015
RSHP-A-C3-3103-P-03	D F	Plan Setback Floor Level 3	13.09.13 17.07.2015
RSHP-A-C3-3104-P-04	C E	Plan Low Rise Office Floor Level 4	13.09.13 17.07.2015
RSHP-A-C3-3105-P-05	C E	Plan Low Rise Office Floor Level 5	13.09.13 17.07.2015
RSHP-A-C3-3106-P-06	C	Plan Low Rise Office Floor Level 6	13.09.13
RSHP-A-C3-3107-P-07	C	Plan Low Rise Office Floor Level 7	13.09.13
RSHP-A-C3-3108-P-08	C	Plan Low Rise Office Floor Level 8	13.09.13
RSHP-A-C3-3109-P-09	C	Plan Low Rise Office Floor Level 9	13.09.13
RSHP-A-C3-3110-P-10	C	Plan Low Rise Office Floor Level 10	13.09.13
RSHP-A-C3-3111-P-11	C	Plan Low Rise Office Floor Level 11	13.09.13
RSHP-A-C3-3112-P-12	C	Plan Low Rise Office Floor Level 12	13.09.13
RSHP-A-C3-3113-P-13	C	Plan Low Rise Office Floor Level 13	13.09.13
RSHP-A-C3-3114-P-14	C	Plan Low Rise Office Floor Level 14	13.09.13
RSHP-A-C3-3115-P-15	C	Plan Low Rise Office Floor Level 15	13.09.13

RSHP-A-C3-3116-P-16	C	Plan Plant Low Rise Office Floor Level 16	13.09.13
RSHP-A-C3-3117-P-17	C D	Plan Low Rise Client/Transfer Floor Level 17	13.09.13 16.01.2015
RSHP-A-C3-3118-P-18	C E	Plan Low Rise Plant Floor Level 18	13.09.13 17.07.2015
RSHP-A-C3-3119-P-19	C	Plan Mid Rise Office Floor Level 19	13.09.13
RSHP-A-C3-3120-P-20	C	Plan Mid Rise Office Floor Level 20	13.09.13
RSHP-A-C3-3121-P-21	C	Plan Mid Rise Office Floor Level 21	13.09.13
RSHP-A-C3-3122-P-22	C	Plan Mid Rise Office Floor Level 22	13.09.13
RSHP-A-C3-3123-P-23	C	Plan Mid Rise Office Floor Level 23	13.09.13
RSHP-A-C3-3124-P-24	C	Plan Mid Rise Office Floor Level 24	13.09.13
RSHP-A-C3-3125-P-25	C	Plan Mid Rise Office Floor Level 25	13.09.13
RSHP-A-C3-3126-P-26	C	Plan Mid Rise Office Floor Level 26	13.09.13
RSHP-A-C3-3127-P-27	C	Plan Mid Rise Office Floor Level 27	13.09.13
RSHP-A-C3-3128-P-28	C	Plan Mid Rise Office Floor Level 28	13.09.13
RSHP-A-C3-3129-P-29	C D	Plan Mid Rise Office Floor Level 29	13.09.13 16.01.2015
RSHP-A-C3-3130-P-30	C	Plan Mid Rise Office Floor Level 30	13.09.13
RSHP-A-C3-3131-P-31	C	Plan Mid Rise Office Floor Level 31	13.09.13
RSHP-A-C3-3132-P-32	C	Plan Mid Rise Office Floor Level 32	13.09.13
RSHP-A-C3-3133-P-33	C	Plan Mid Rise Client Floor Level 33	13.09.13
RSHP-A-C3-3134-P-34	C E	Plan Plant Floor Level 34	13.09.13 17.07.2015
RSHP-A-C3-3135-P-35	C	Plan High Rise Office Floor Level 35	13.09.13
RSHP-A-C3-3136-P-36	C	Plan High Rise Office Floor Level 36	13.09.13
RSHP-A-C3-3137-P-37	C D	Plan High Rise Office Floor Level 37	13.09.13 17.07.2015
RSHP-A-C3-3138-P-38	C E	Plan High Rise Office Floor Level 38	13.09.13 17.07.2015
RSHP-A-C3-3139-P-39	C D	Plan High Rise Office Floor Level 39	13.09.13 17.07.2015
RSHP-A-C3-3140-P-40	C D	Plan High Rise Office Floor Level 40	13.09.13 17.07.2015
RSHP-A-C3-3141-P-41	C D	Plan High Rise Client Floor Level 41	13.09.13 17.07.2015

RSHP-A-C3-3142-P-42	C D	Plan High Rise Client Floor Level 42	13.09.13 17.07.2015
RSHP-A-C3-3143-P-43	C D	Plan High Rise Client Floor Level 43	13.09.13 17.07.2015
RSHP-A-C3-3144-P-44	C D	Plan High Rise Client Floor Level 44	13.09.13 17.07.2015
RSHP-A-C3-3145-P-45	C D	Plan High Rise Client Floor Level 45	13.09.13 17.07.2015
RSHP-A-C3-3146-P-46	C D	Plan High Rise Client Floor Level 46	13.09.13 17.07.2015
RSHP-A-C3-3147-P-47	C D	Plan High Rise Client Floor Level 47	13.09.13 17.07.2015
RSHP-A-C3-3148-P-48	C D	Plan High Rise Client Floor Level 48	13.09.13 17.07.2015
RSHP-A-C3-3149-P-49	C E	Plan Lower Plant Floor Level 49	13.09.13 17.07.2015
RSHP-A-C3-3150-P-50	C E	Plan Upper Plant Floor Level 50	13.09.13 17.07.2015
RSHP-A-C3-3151-P-51	C E	Plan Roof Level	13.09.13 17.07.2015
RSHP-A-C3-3152-P-52	C E	Plan Upper Roof Level	13.09.13 17.07.2015
RSHP-A-C3-3300-P-A	C	GFA – Plans Atypical Floors: GD-03,18,33,48,49,Rf	13.09.13
RSHP-A-C3-3310-P-L	C	GFA – Plans Low Rise Office Floors 04-17	13.09.13
RSHP-A-C3-3320-P-M	C	GFA – Plans Mid Rise Office Floors 19 -32	13.09.13
RSHP-A-C3-3330-P-H	C	GFA – Plans High Rise Office Floors 34-47	13.09.13
RSHP-A-C3-4100-S-AA	E G	Section AA	13.09.13 17.07.2015
RSHP-A-C3-4110-S-CC	B C	Section CC	13.09.13 17.07.2015
RSHP-A-C3-4120-S-BB	B D	Section BB	13.09.13 17.07.2015
RSHP-A-C3-5100-E-N	C E	Elevation North	13.09.13 17.07.2015
RSHP-A-C3-5200-E-N	C D	Signage Zone North Elevations	13.09.13 16.01.2015
RSHP-A-C3-5210-E-S	C D	Signage Zone South Elevations	13.09.13 16.01.2015
RSHP-A-C3-5220-E-E	C D	Signage Zone East Elevations	13.09.13 16.01.2015
RSHP-A-C3-5230-E-W	C D	Signage Zone West Elevations	13.09.13 16.01.2015
RSHP-A-C3-5110-E-S	C E	Elevation South	13.09.13 17.07.2015
RSHP-A-C3-5120-E-E	C E	Elevation East	13.09.13 17.07.2015

RSHP-A-C3-5130-E-W	C E	Elevation West	13.09.13 17.07.2015
RSHP-A-C3-6100-D-W	C D	Detailed Bay Glazed Lift Façade	13.09.13 16.01.2015
RSHP-A-C3-6110-W	C E	Detailed Bay Structural Brace Plant Level	13.09.13 17.07.2015
RSHP-A-C3-6120-S	C D	Detailed Bay Typical South Façade Office Floor + Plant Level	13.09.13 16.01.2015
RSHP-A-C3-6130-E	C D	Detailed Bay Typical East/West Façade	13.09.13 16.01.2015
RSHP-A-C3-6140-N	C D	Detailed Bay Typical North Façade Office Floor	13.09.13 16.01.2015
RSHP-A-C3-6150-D-N	C D	Detailed Bay Vertical Village	13.09.13 16.01.2015
PTW-A-C3-7100-P-00	A B	Detailed Bay – Podium East – Bay Study – City Walk	06.09.13 17.07.2015
PTW-A-C3-7110-P-00	A B	Detailed Bay - Podium East – Bay Study – Shelley Lane	06.09.13 17.07.2015
PTW-A-C3-7200-P-00	A B	Detailed Bay Podium West Typical	13.09.13 17.07.2015
PTW-A-C3-7210-P-00	A B	Detailed Bay Podium West Typical	13.09.13 17.07.2015
BC3-LD2-00-00-00	I L	C3 Planning Application – GROUND FLOOR PLAN	16.09.13 05.02.2015
BC3-LD2-00-00-01	B I	C3 Planning Application – LEVEL 1 PLAN (hand corrected)	12.09.13 15.12.2015
BC3-LD2-00-00-03	K N	C3 Planning Application – LEVEL 3 PODIUM PLAN	17.09.13 15.01.2015
BC3-LD-00-00-09	B	C3 Planning Application – LEVEL 09 PLAN	12.09.13
BC3-LD3-00-00-019	B	C3 Planning Application – LEVEL 19 PLAN	12.09.13
BC3-LSK-PA1-00-03	F I	C3 Planning Application – LEVEL 3 PODIUM PLAN	17.09.13 15.01.2015
BC3-LSK-PA1-00-00	F I	C3 Planning Application – GROUND FLOOR PLAN	16.09.13 06.02.2015
BC3-LSK-PA1-00-01	A	C3 Planning Application – LEVEL 01 PLAN	12.09.13
BC3-LSK-PA1-00-09	B	C3 Planning Application – LEVEL 09 PLAN	12.09.13
BC3-LSK-PA1-00-19	B	C3 Planning Application – LEVEL 19 PLAN	12.09.13
LLd_A_C3_3080	3	C3 Commercial Building Project Application MP11_0044 (PA3-S75W-1) Title Sheet	30.08.13
LLd_A_C3_3090	3 04	Bulk Excavation and Basement Car Parking Section 75W-1 Application MP11_0044 (PA3-S75W-1) Basement Level 1	30.08.13 13.01.2015
LLd_A_C3_3091	3 04	Bulk Excavation and Basement Car Parking Section 75W-1 Application MP11_0044 (PA3-S75W-1) Basement Level 2	30.08.13 10.12.2014
LLd_A_C3_3092	3	Bulk Excavation and Basement Car Parking Section 75W-1 Application MP11_0044 (PA3-S75W-1) Basement Level 3	30.08.13
LLd_A_C3_3098	3	Bulk Excavation and Basement Car Parking Section 75W-1 Application MP11_0044 (PA3-S75W-1) Cross Section 1-1	30.08.13

LLd_A_C3_3099	3	Bulk Excavation and Basement Car Parking Section 75W-1 Application MP11_0044 (PA3-S75W-1) Cross Section 2-2	30.08.13
<i>Architectural Plans for the Retail shopfront plans prepared by Tony Caro Architecture Pty Ltd</i>			
<i>A_RS_962</i>	<i>A</i>	<i>Retail Shopfront Options</i>	<i>2.10.2015</i>
<i>A_RS_963</i>	<i>B</i>	<i>Signage Strategy</i>	<i>3.10.2015</i>
<i>Architectural Plans for the Retail Signage Zone Diagrams prepared by PTW Architects</i>			
<i>S75W3_A900</i>		<i>Retail Signage Zone Diagram</i>	<i>20.07.2015</i>
<i>Architectural Plans for Podium Awnings prepared by Tony Caro Architecture Pty Ltd</i>			
<i>BC3 ASKDD0540</i>	<i>01</i>	<i>Untitled (canopy and awning location plan)</i>	<i>undated</i>
<i>BC3 ASKDD0541</i>	<i>01</i>	<i>West Podium Façade Awning Detail</i>	<i>undated</i>

3. In Part A, amend Condition A6 as shown in bold italics below:

A6 OTHER APPROVALS

- (1) The approval of the C3 commercial building in no way implies automatic approval for the following:
- the internal fit-out of the commercial office spaces and retail units
 - the internal fit-out, use and operation of the child care centre
 - the use of signage zones on the podium as identified in Statement of Commitment 5
 - the use of the basement car park as a public car park.
 - the internal fit-out, use and operation of the recreational facility (indoor).***
- (2) Separate approval(s) must be obtained from the relevant approval/consent authority for the above works and uses (where required).
- (3) In addition, the following approvals must be obtained separately:
- the detailed design of the temporary wind structures and temporary structures shall be developed in consultation with the Council and Transport for New South Wales, and submitted to the Director-General for approval prior to the installation of the temporary public domain works. In addition, the proponent shall submit a revised wind report, to the satisfaction of the Director-General, demonstrating that the installation of the temporary wind structures will ensure compliance with the 'comfort' criteria and and the 15m/s 'safety criterion' outlined in the Environmental Wind Report – Project Application, prepared by ARUP and dated 31 October 2011, at all test locations
 - a separate approval must be obtained from the relevant authorities for:
 - the reconfiguration of the intersection of Hickson Road and Napoleon Street, including the installation of traffic signals
 - if required, installation of any pedestrian management measures at the intersection of Hickson Road and Napoleon Street while construction works are being undertaken, should there be a need to redirect all pedestrian movements from western side of Hickson Road.
 - The detailed design of the building identification signage and business identification signage is to be submitted for the approval of the secretary prior to the issue of the relevant Construction Certificate. All signage must be consistent with the requirements of the Barangaroo South Built Form Principals and Urban Design Controls.
 - drawings of the final layout for Building C3 car parking and bicycle spaces are to be submitted to the Director-General for approval prior to the issue of the relevant construction certificate.

Note: The Urban Design Controls adopted by the Barangaroo Concept Plan, as modified, require that signage is not to exceed 60m² per sign.

4. In Part A, insert new Condition A11 as follows:

A11 RETAIL SHOP FRONTS

The available retail shop front designs for the ground floor retail tenancies (4 designs in total), are detailed in the Architectural Plans in Condition A2. The final details of the design that will be applied to each tenancy are to be submitted to the PCA to confirm consistency. The final detailed design applied to each tenancy must be submitted to the Department for their records within one month of the issue of the Construction Certificate for those works.

5. In Part A, insert new Condition A12 as follows:

A12 COMPLIANCE WITH CONDITION B7(1) OF BARANGAROO CONCEPT PLAN APPROVAL

Prior to the issue of a Construction Certificate for the works approved in this application (MOD 3), the Proponent is to submit information to the satisfaction of the Secretary to demonstrate how condition B7(1) of the Barangaroo Concept Plan approval (MP06_0162) will be satisfied.

6. In Part B, amend Condition B3 as shown in bold italics below:

B3 DETAILS OF COLOURS, MATERIALS AND FINISHES

- (1) External building materials and finishes shall be generally in accordance with details submitted with the project application EA and PPR and generally as depicted in the sample boards of materials and colours, prepared by Rogers Stirk Harbour & Partners (September 2013), Tony Caro Architects (Podium Finishes North West, West and South Elevations - September 2013) and PTW Architects (Podium Finishes East, South and North Elevations - September 2013).
- (2) Final design details of the awnings, construction banners, and roof feature including, where relevant, their proposed external materials and finishes, schedules and a sample board of materials and colours, shall be submitted to and approved by the Secretary prior to the issue of the relevant Construction Certificate for the relevant works.
- (3) ***Notwithstanding Condition B3(1) above, the external vertical blades on the Level 1 and Level 2 are to be terracotta and shall be generally in accordance with the amended detail provided on drawings PTW-A-C3-7100-P-00 Revision B dated 17.07.2015 and PTW-A-C3-7100-P-00 Revision B dated 17.7.2015.***
- (4) ***Where a child care centre is proposed in the area outlined 'Retail/Childcare' on RSHP-A-C3-3101-P-01 Revision E, drawings detailing the final design and location of the external doors to the outdoor terrace are to be submitted to the Department for their records.***

7. In Part B, delete Condition B22 in its entirety and insert the following new condition:

B22 NUMBER OF CAR PARKING SPACES

The maximum number of spaces to be provided for the development shall comply with the table below. Details confirming the parking numbers shall be submitted to the satisfaction of the Certifying Authority prior to the issue of the relevant Construction Certificate.

Car parking allocation	Number
<i>Commercial</i>	186
<i>Retail</i>	8
<i>Shared loading dock spaces</i>	36

8. In Part B, delete Condition B23 in its entirety and insert the following new condition:

B23 NUMBER OF BICYCLE PARKING SPACES

A minimum of 336 permanent bicycle spaces are to be provided for the development within the basement car park.

An additional 37 bicycle spaces are to be temporarily provided within the temporary landscaped forecourt fronting Hickson Road indicated on Drawing BC3-LD2-00-00-00, Revision L, dated 05.02.2015 prior to the issue of an Occupation Certificate for the building, unless:

- a) the site is being utilised in association with the construction of the C3 building or another approved project at Barangaroo South;*
- b) a Construction Certificate has been issued for the C1 building and its associated public domain; or*
- c) a Construction Certificate has been issued for the permanent public domain specifically on that land for Stage 1A Barangaroo South, as contemplated under SSD 6303; or*
- d) temporary public domain works are being provided on that land pursuant to another approval, including the Bulk Excavation and Basement Car Parking project approval (as modified).*

9. In Part B, amend Condition B30 as shown in bold italics below:

B30 GFA CERTIFICATION

*A Registered Surveyor is to certify that the Gross Floor Area (GFA) of the development of Building C3 does not exceed ~~117,968m²~~ **118,959 sqm**. Details shall be provided to the Certifying Authority demonstrating compliance with this condition prior to the issue of the relevant Construction Certificate.*

10. In Part B, insert new Condition B33 as follows:

B33 INFILL DESIGN FOR THE VERTICAL VILLAGES

Prior to the issue of the relevant Construction Certificate, the PCA is to be satisfied that the proposed design for the infill of the voids (vertical villages) is fully reversible, so that the flexible design intent for the vertical villages is not eroded.

11. In Part E, delete Condition E2 in its entirety and insert the following new condition:

E2 GFA AND HEIGHT CERTIFICATION

A Registered Surveyor is to certify that the Gross Floor Area (GFA) and height of Building C3 does not exceed a maximum of 118,959 sqm and RL 219 (to the top of the architectural roof feature). In addition, the height shall not exceed RL 209 to the top of the roof plant and RL 213 to the top of the fixed building management unit. Details shall be provided to the PCA demonstrating compliance with this condition prior to the issue of the relevant Occupation Certificate.

Notes:

- 1. 'Height' (building height) is as defined in Standard Instrument (Local Environmental Plans) Order 2006.*
- 2. The maximum height in relation to the protection of air space for Sydney airport as advised by the Commonwealth Department of Transport and Infrastructure on 23 February 2012, in relation to the Airports (Protection of Airspace) Regulation 2006 is RL 219 m.*

12. In Part E, delete Condition E9 in its entirety and insert the following new condition:

E9 CONSTRUCTION OF TEMPORARY PUBLIC DOMAIN WORKS

The proponent must construct temporary landscape / public domain works identified on Drawing BC3-LD2-00-00-00, Revision L, dated 05.02.2015 prior to the issue of the first Occupation Certificate enabling the use of the building.

However, in relation to the temporary landscape / public domain works, the relevant works are only required to be provided prior to the issue of the first Occupation Certificate enabling the use of the building if:

- a) the site is not being utilised in association with the construction of the C3 building or another approved project at Barangaroo South; or*
- b) a Construction Certificate has not been issued for the permanent use of the C1 development site; or*
- c) a Construction Certificate has not been issued for permanent public domain specifically on that land for Stage 1A Barangaroo South, as contemplated under SSD 6303; or*
- d) temporary landscape / public domain works are not being provided on that land pursuant to another approval, including the Bulk Excavation and Basement Car Parking project approval (as modified).*

13. In Part F, insert the new Condition E10 as follows:

F10 SIGNAGE STRATEGY

All future tenant and way-finding signage for the podium of the building is to comply with the Signage Strategy titled "Commercial Building C3 (Tower 1) Barangaroo South, International Towers Sydney (ITS), External Podium Signage Strategy" prepared by Urbanite Pty Ltd and dated 21.08.2015.

Note:

- a. This Signage Strategy does not apply to the primary podium and tower signage zones. Signage within these zones should be provided in accordance with the terms of Condition A6(3)(c) of this project approval.*
- b. Where there is an inconsistency between the Signage Strategy and the plans listed in Condition A2, the Signage Strategy shall prevail.*

**SCHEDULE 3
AMENDMENTS TO STATEMENT OF COMMITMENTS**

Replace Statement of Commitments in their entirety with the following revised Statement of Commitments.

Commitments and Requirement	Responsibility / Timing
Design	
1. Lend Lease commits to ensuring continuity in the design process and realisation of the submitted Commercial Building C3 design in the completed building by ensuring that Rogers Stirk Harbour + Partners has direct involvement in the design documentation phase.	Proponent, ongoing.
2. External building materials and finishes will be generally in accordance with the materials schedule included at Appendix D of the Section 75W Modification (Mod 2) prepared by JBA dated September 2013.	To be demonstrated by the proponent at the relevant construction certificate stage(s).
3. The public domain within the Commercial Building C3 site will be generally in accordance with the Landscape Design Statement prepared by Aspect Oculus included at Appendix E and the Public Domain Plan prepared by Aspect Oculus included at Appendix F of the Section 75W Modification (Mod 3) prepared by JBA dated March 2015 unless otherwise modified by a subsequent planning approval. The final arrangement and selection of plantings within the framework of the Public Domain Plan and Landscape Design Statement will take into consideration suitability having regard to the potential impacts resulting from the construction of nearby buildings. The Public Domain Plan will be fully integrated with the Barangaroo South Public Domain Guidelines, once finalised by the Technical Working Group.	To be demonstrated by the proponent at the relevant construction certificate stage(s).
4. Temporary landscaping and lighting will be provided within the Commercial Building C3 site generally in accordance with the Temporary Public Realm plan prepared by Aspect Oculus included at Appendix F of the Section 75W Modification (Mod 2) prepared by JBA dated September 2013, unless a construction certificate has been issued for the permanent buildings or public domain on the land, or for temporary public domain on the land pursuant to another planning approval. The final selection of plantings within the framework of the Temporary Public Realm Plan will take into consideration suitability having regard to the potential impacts resulting from the construction of nearby buildings.	To be demonstrated by the proponent at the relevant construction certificate stage(s).
5. The Architectural Drawings prepared by Rogers Stirk Harbour + Partners included at Appendix C of the Section 75W Modification (Mod 3) prepared by JBA dated March 2015 illustrate the maximum extent of signage zones for the tower facades. Within the maximum extent of signage zones: <ul style="list-style-type: none"> ▪ no more than two (2) building identification and/or business identification signs will be provided at high level on a maximum of two (2) facades of the building; and ▪ a maximum of two (2) building identification and/or business identification signs will be provided at podium level on a maximum of two facades of the building, ▪ a maximum of two (2) secondary building identification and/or business identification signs will be provided at podium level for each facade of the building. The final form and content of any proposed building and business identification signage will be subject to the approval of the Director General.	To be demonstrated by the proponent at the relevant construction certificate stage(s).
6. External and internal lighting will be provided around and throughout the building in accordance with AS 1680 and the BCA.	To be demonstrated by the proponent at the relevant construction certificate stage(s).
7. Internal light fittings within the commercial and retail areas will comply with NABERS and Green Star targets.	To be demonstrated by the proponent at the relevant construction certificate stage(s).
8. Specialist lighting will be provided within the building's entrance lobby to enhance the visual environment at ground level.	To be demonstrated by the proponent at the relevant construction certificate stage(s).
9. External building lighting will be installed to provide interest, highlighting architectural features. No light beam will be directed beyond the site's boundaries or upwards without falling directly on a surface to minimise light pollution. Lighting will be controlled by photoelectric cells or time switches.	To be demonstrated by the proponent at the relevant construction certificate stage(s).
10. Photovoltaic arrays will be provided at the roof level of the building	To be demonstrated by the proponent at the relevant construction certificate stage(s).
11. A complete electronic security system will be provided for the base building including a central supervisory system, access control system, CCTV system, intruder alarm system and intercommunication system.	To be demonstrated by the proponent at the relevant construction certificate stage(s).
12. The detailed design of Commercial Building C3 will address the recommendations of the Wind Report prepared by CPP included at Appendix P of the Environmental Assessment Report prepared by JBA Planning dated November 2011.	To be demonstrated by the proponent at the relevant construction certificate stage(s).

Commitments and Requirement	Responsibility / Timing
13. The design of any temporary structures that may be required (depending on the construction staging of the adjoining future buildings within Block 2 of Barangaroo South) to mitigate wind impacts will be submitted prior to the issue of a Construction Certificate relating to works at the ground plane.	To be demonstrated by the proponent at the relevant construction certificate stage(s).
Future separate applications	
14. Future planning approvals will be sought for the following where required: <ul style="list-style-type: none"> ▪ Fit out of the commercial office space; ▪ Fit out and operation of the retail units; ▪ Fitout and use of the child care centre; and ▪ Installation of any site wide infrastructure. 	Proponent, ongoing.
Public art	
15. Opportunities to implement art work within the Commercial Building C3 development will be further explored in accordance with the Public Art Strategy for Barangaroo South.	Proponent, ongoing.
Ecologically sustainable development	
16. Commercial Building C3 will be designed to achieve a 6 Star Green Star Office Design rating. In order to achieve a 6 Star Green Star Office Design rating, Lend Lease will target the initiatives set out in the ESD Report prepared by ARUP included at Appendix W of the Environmental Assessment Report prepared by JBA Planning dated November 2011.	To be demonstrated by the proponent at the relevant construction certificate stage(s).
17. Commercial Building C3 will achieve the ESD Performance Indicators for potable water consumption, reduction in flow to sewer, reductions in Greenhouse Gas emissions, use of renewable energy, micro climate, landscaping, transport, and waste as detailed in the approved Concept Plan (Mod 4) Statement of Commitments.	To be demonstrated by the proponent at the relevant construction certificate stage(s).
Operational waste management	
18. Commercial Building C3 operational waste will be managed generally in accordance with the methodology outlined in the Waste Management Plan prepared by ARUP included at Appendix L of the Environmental Assessment Report prepared by JBA Planning dated November 2011.	Proponent, ongoing.
Building Services and Fire Safety	
19. Electrical services will be completed in accordance with the relevant standards and applicable statutory requirements.	To be demonstrated by the proponent at the relevant construction certificate stage(s).
20. The detailed design of mechanical services will satisfy the relevant requirements of AS 1668.1-1998 and AS1688.2 – 1991 as applicable.	To be demonstrated by the proponent at the relevant construction certificate stage(s).
21. Fire detection, emergency warning and fire protection systems will be installed to comply with BCA requirements and other relevant legislation, generally in accordance with the measures outlined in Section 6 of the Building Services Report included at Appendix M of the Environmental Assessment Report prepared by JBA Planning dated November 2011.	To be demonstrated by the proponent at the relevant occupation certificate stage(s).
22. A detailed Fire Safety Strategy will be prepared and submitted as part of the relevant Construction Certificate documentation. The Fire Safety Strategy will be prepared in consultation with the NSW Fire Brigade, building certifiers, and relevant stakeholders.	To be prepared and submitted as part of the documentation for the relevant Construction Certificate (s).
Infrastructure and Services	
23. Appropriately sized new sewer and water connections will be provided to the building in consultation and agreement with Sydney Water.	To be demonstrated by the proponent prior to release of any occupation certificate.
24. Stormwater discharge will be generally in accordance with the Stormwater Management Plan prepared by ARUP included at Appendix O of the Environmental Assessment Report prepared by JBA Planning dated November 2011.	To be demonstrated by the proponent at the relevant construction certificate stage(s).
25. A suitably sized rainwater tank is to be provided for the collection and re-use of rainwater flows from the building's roof areas.	To be demonstrated by the proponent at the relevant construction certificate stage(s).
Accessibility	
26. The detailed design of Commercial Building C3, including access, emergency egress, paths of travel, lifts, ramps, stairs, accessible toilets, accessible parking, lighting and signage, will generally comply with the recommendations set out in the Accessibility Report prepared by Morris-Goding Accessibility Consulting included at Appendix AA of the Environmental Assessment Report prepared by JBA Planning dated November 2011.	To be demonstrated by the proponent at the relevant construction certificate stage(s).

Commitments and Requirement	Responsibility / Timing
Building Code of Australia	
27. The detailed design of Commercial Building C3 will comply with all relevant BCA requirements and Australia Standards generally in accordance with the recommendations of the BCA Assessment prepared by McKenzie Group Consulting included at Appendix Z of the Environmental Assessment Report prepared by JBA Urban Planning Consultants dated November 2011.	To be demonstrated by the proponent at the relevant construction certificate stage(s).
Operational Noise and Vibration	
28. Operational noise emissions from the site will comply with the noise limits and amenity and intrusiveness criteria detailed in Wilkinson Murray's Operational Acoustic Study included at Appendix Y of the Environmental Assessment Report prepared by JBA Planning dated November 2011.	To be demonstrated by the proponent at the relevant construction certificate stage(s).
29. Commercial Building C3 will be designed in accordance with Australian Standard 2107 Internal Design Sound Levels to ensure appropriate internal amenity is achieved.	To be demonstrated by the proponent at the relevant construction certificate stage(s).
30. The detailed design of Commercial Building C3 will meet the vibration levels specified in the DECCW Assessing Vibration technical guideline.	To be demonstrated by the proponent at the relevant construction certificate stage(s).
Travel Demand	
31. Lend Lease will prepare a Work Place Travel Plan for Commercial Building C3 to be completed prior to the first occupation certificate for the commercial tenant occupation.	To be prepared by the proponent prior to the first occupation certificate for the commercial tenant occupation.
Geotechnical and Structure	
32. Further detailed geotechnical site testing will be undertaken in accordance with the requirements of Australian Standard 2159 Piling – Design and Installation and Australian Standard 3600 – Concrete Structures, to determine the exposure classification and durability design requirements. The further detailed geotechnical testing will be used to inform the detailed structural design and documentation of Commercial Building C3.	To be demonstrated by the proponent at the relevant construction certificate stage(s).
33. The structural design and documentation of Commercial Building C3 will comply with all relevant Australian Standards and the BCA as outlined in the Structural Engineering Report prepared by ARUP included at Appendix BB of the Environmental Assessment Report prepared by JBA Planning dated November 2011.	To be demonstrated by the proponent at the relevant construction certificate stage(s).
Environmental, Construction and Site Management	
<p>34. Construction and site management relating to the construction of Commercial Building C3 will be in generally accordance with the Environmental, Construction and Site Management Plan prepared by Cardno & Lend Lease included at Appendix CC of the Environmental Assessment Report prepared by JBA Planning dated November 2011 including the following:</p> <ul style="list-style-type: none"> ▪ Construction Noise and Vibration Assessment prepared by Wilkinson Murray, which addresses the noise and vibration impacts on and off site (refer to Appendix EE of the EAR); ▪ Construction Traffic Management Plan prepared by ARUP, which addresses construction traffic impacts (refer to Appendix T of the EAR); ▪ Air Quality Impact Assessment prepared by AECOM, which addresses air quality and odour impacts (refer to Appendix FF of the EAR); and ▪ Waste Management Plan prepared by ARUP which addresses construction waste management (refer to Appendix L of the EAR). ▪ A requirement for preparation of a site wide strategy relating to the preparation of post construction dilapidation reports that includes a requirement for the Proponent to engage a suitably qualified person to prepare a post-construction dilapidation report: <ul style="list-style-type: none"> - At the completion of all excavation and piling works associated with the construction of the basement, Commercial Building C3, Commercial Building C4 and Commercial Building C5 works; and - At the completion of all construction works associated with the construction of the basement, Commercial Building C3, Commercial Building C4 and Commercial Building C5 works. ▪ In the event that barging of soil is undertaken, requirements for: <ul style="list-style-type: none"> - Management of Spillage of spoil during loading / movement of barges; - Procedures in the event of an incident (such as a fuel spill or collision with structures / vessels on the water); and - Reporting of any incidents, (such as a fuel spill) on the water. ▪ A requirement that Lend Lease notify and consult with the Harbour Master prior to material being loaded for transport via the water from the site, particularly in relation to vessel movements. 	Proponent, ongoing

Commitments and Requirement	Responsibility / Timing
35. Lend Lease commits to providing high quality hoardings around the site, including along the foreshore walk. Hoardings will be treated with graphics and other designs consistent with an overall coordinated high quality Barangaroo communications strategy to be endorsed by the Barangaroo Delivery Authority and submitted to the Director-General.	Proponent, ongoing
Consultation	
36. Consultation will be undertaken with the City of Sydney Council prior to the lodgement of a future application for the final public domain works.	Prior to the lodgement of a future application for the final public domain works.
37. Lend Lease will continue to undertake consultation in relation to the proposed Commercial Building C3 in accordance with the methodologies identified at Table 2 of the Environmental Assessment Report prepared by JBA Planning dated October 2011.	Proponent, ongoing
Piling and associated works	
38. The Commercial Building C3 Project Application works will be carried out in accordance with the Remedial Action Plan – Other Remediation Works (South) Area prepared by AECOM (including any RAP addendums that are proposed to be prepared and remedial work plan(s) as proposed to be prepared in conformance with these RAPs).	To be demonstrated by the proponent at the relevant construction certificate stage(s).
39. Lend Lease will obtain a Section A Site Audit Statement from the Site Auditor prior to the issue of an Occupation Certificate for Commercial Building C3.	To be demonstrated by the proponent at the relevant construction certificate stage(s).
Rail Corp 33kV Power Line	
40. Detailed plans demonstrating that the proposed development will have no impact on RailCorp 33KV power cable will be provided to RailCorp.	To be demonstrated by the proponent at the relevant construction certificate stage(s).
Vertical Villages	
41. A total of up to nine voids within the vertical villages can be filled in with GFA. The infill of the void area will not result in any additional GFA above the maximum approved GFA.	To be demonstrated by the proponent at the relevant occupation certificate stage.

END OF MODIFICATIONS - MP11_0044 MOD 3