

# Modification of Development Consent

Section 4.55(1A) of the *Environmental Planning and Assessment Act 1979*

As delegate of the Minister for Planning, I approve the modification of the development consent referred to in Schedule 1, subject to the conditions in Schedule 2.

Anthea Sargeant  
**Executive Director**  
**Key Sites and Regional Assessments**

Sydney

April 2022

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## SCHEDULE 1

**Development consent:** **SSD 6966** granted by the Independent Planning Commission on 03 October 2019

**For the following:** Construction, use and fitout of a 30-storey (RL 107) mixed-use building, including:

- a total GFA of 19,158 m<sup>2</sup> comprising 18,287 m<sup>2</sup> residential GFA (210 apartments) and 871 m<sup>2</sup> retail GFA
- public domain works
- fit-out and use of the Stage 1B basement car park including allocation of a maximum of 143 car parking spaces, of which 9 are for Key Worker Housing
- demolition of interim basement elements
- a signage zone to accommodate future building identification signage.

**Applicant:** Lend Lease (Millers Point) Pty Ltd

**Consent Authority:** The Independent Planning Commission

**The Land:** 51A Hickson Road, Barangaroo Lot 500 DP 1264241  
(formerly Lot 214 DP 1221076)

**Modification:** SSD 6966 (MOD 3): Modifications to a mixed-use building, including:

- changes to finished floor levels, building facades, internal layouts, rooftop plant and landscaping
- amended signage zones.

## SCHEDULE 2

1. Schedule 1 – Approved Development is amended by the deletion of ~~bold and struck out~~ words and the insertion of **bold and underlined** words as follows:

Construction, use and fitout of a 30-storey (RL 107) mixed-use building, including:

- a total GFA of ~~21,425.3m<sup>2</sup>~~ **21,425m<sup>2</sup>** comprising ~~20,636m<sup>2</sup>~~ **20,636.9m<sup>2</sup>** residential GFA (210 ~~212~~ apartments) and ~~789.3m<sup>2</sup>~~ **788.1m<sup>2</sup>** retail GFA
- public domain works
- fit-out and use of the Stage 1B basement car park including allocation of a maximum of 143 car parking spaces, of which 9 are for Key Worker Housing
- demolition of interim basement elements
- two signage zones to accommodate future building identification signage.

2. Schedule 2 Part A – Terms of Consent, Condition A2 is amended by the deletion of ~~bold and struck out~~ words and the insertion of **bold and underlined** words as follows:

### TERMS OF CONSENT

A2. The development may only be carried out:

- (a) in compliance with the conditions of this consent;
- (b) in accordance with all written directions of the Planning Secretary;
- (c) in accordance with the EIS and Response to Submissions;
- (d) in accordance with the management and mitigation measures; and
- (e) in accordance with the approved plans in the table below:
- (f) generally in accordance with the following modification applications:
  1. Section 4.55(2) modification application (SSD 6966 mod 1) dated 11 January 2021 (prepared by Ethos Urban), Response to Submissions dated 26 April 2021 (prepared by Ethos Urban) and Additional Information dated 5 May 2021 (prepared by Ethos Urban), 26 May 2021 (prepared by Ethos Urban), 15 June 2021 (prepared by Lendlease) and 23 July 2021 (prepared by Lendlease)
  2. Section 4.55(1A) modification application (SSD 6966 mod 2) dated 12 November 2021 (prepared by Ethos Urban), Response to Request for Additional Information dated 19 January 2022 (prepared by Lendlease) and 28 January 2022 (prepared by Lendlease) and the Additional Information dated 31 January 2022 (prepared by Lendlease) and 7 February 2022 (prepared by Lendlease)
  3. **Section 4.55(1A) modification application (SSD 6966 mod 3) dated 17 December 2021 (prepared by Ethos Urban), Response to Request for Additional Information dated 24 February 2022 (prepared by Lendlease) and Additional Information dated 21 March 2022 (prepared by Lendlease).**

<b>Architectural Drawings prepared by Renzo Piano Building Workshop and Lendlease Integrated Solutions</b>			
<b>Drawing No.</b>	<b>Revision</b>	<b>Name of Plan</b>	<b>Date</b>
BR5 _ASD_PA1_0001	<del>20</del>	Context Plan	<del>3 Nov 2020</del>
	<b><u>21</u></b>		<b><u>5 Nov 2021</u></b>
BR5 _ASD_PA1_0002	<del>24</del>	Site Plan	<del>12 Mar 2021</del>
	<b><u>23</u></b>		<b><u>15 Dec 2021</u></b>
BR5 _ASD_PA1_0004	<del>20</del>	Setting Out	<del>3 Nov 2020</del>
	<b><u>21</u></b>		<b><u>5 Nov 2021</u></b>
BR5 _ASD_PA1_0005	<del>20</del>	Thermal Performance Assessment	<del>12 Mar 2021</del>
	<b><u>21</u></b>		<b><u>5 Nov 2021</u></b>
BR5 _ASD_PA1_1001	21	Plan Basement Level B4	21 Oct 2021
BR5 _ASD_PA1_1002	21	Plan Basement Level B3	21 Oct 2021

BR5_ASD_PA1_1003	21	Plan Basement Level B2	21 Oct 2021
BR5_ASD_PA1_1004	21	Plan Basement Level B1	21 Oct 2021
BR5_ASD_PA1_1005	21	Plan Basement Level B0	21 Oct 2021
BR5_ASD_PA1_2000	<del>22</del> <b>24</b>	Plan Ground Floor Level 00	<del>12 Mar 2024</del> <b>15 Dec 2021</b>
BR5_ASD_PA1_2001	<del>20</del> <b>22</b>	Plan Podium Level P1	<del>12 Mar 2024</del> <b>15 Dec 2021</b>
BR5_ASD_PA1_2002	<del>24</del> <b>22</b>	Plan Podium Level P2	<del>12 Mar 2024</del> <b>05 Nov 2021</b>
BR5_ASD_PA1_3001	<del>24</del> <b>22</b>	Plan Lower Plate Level 01-14	<del>12 Mar 2024</del> <b>05 Nov 2021</b>
<b>BR5_ASD_PA1_3002</b>	<b>21</b>	<b>Plan Lower Plate Level 02</b>	<b>05 Nov 2021</b>
<b>BR5_ASD_PA1_3003</b>	<b>01</b>	<b>Plan Lower Plate Level 03-07</b>	<b>05 Nov 2021</b>
<b>BR5_ASD_PA1_3008</b>	<b>01</b>	<b>Plan Lower Plate Level 08-14</b>	<b>05 Nov 2021</b>
BR5_ASD_PA1_3015	<del>24</del> <b>22</b>	Plan Mid Plate Level 15-16	<del>12 Mar 2024</del> <b>05 Nov 2021</b>
BR5_ASD_PA1_3017	<del>24</del> <b>22</b>	Plan Lift Overrun Level 17	<del>12 Mar 2024</del> <b>05 Nov 2021</b>
BR5_ASD_PA1_3018	<del>24</del> <b>22</b>	Plan Upper Plate Level 18-21	<del>12 Mar 2024</del> <b>05 Nov 2021</b>
<b>BR5_ASD_PA1_3019</b>	<b>01</b>	<b>Plan Lower Plate Level 19-21</b>	<b>05 Nov 2021</b>
BR5_ASD_PA1_3020	<del>24</del> <b>22</b>	Plan Upper Plate Level 22-25	<del>12 Mar 2024</del> <b>05 Nov 2021</b>
BR5_ASD_PA1_3026	<del>20</del> <b>21</b>	Plan Skyhomes Level 26	<del>12 Mar 2024</del> <b>05 Nov 2021</b>
BR5_ASD_PA1_3027	<del>20</del> <b>21</b>	Plan Skyhomes Level 27	<del>12 Mar 2024</del> <b>05 Nov 2021</b>
BR5_ASD_PA1_3028	<del>20</del> <b>21</b>	Plan Roof Level 28	<del>12 Mar 2024</del> <b>05 Nov 2021</b>
BR5_ASD_PA1_4001	<del>20</del> <b>21</b>	Elevation North – West (Park)	<del>12 Mar 2024</del> <b>05 Nov 2021</b>
BR5_ASD_PA1_4002	<del>20</del> <b>22</b>	Elevation East (Hickson Road)	<del>12 Mar 2024</del> <b>15 Dec 2021</b>
BR5_ASD_PA1_4003	<del>20</del> <b>21</b>	Elevation South (Watermans Quay)	<del>12 Mar 2024</del> <b>05 Nov 2021</b>
BR5_ASD_PA1_4004	<del>20</del> <b>21</b>	Elevation South – West (Watermans Quay)	<del>12 Mar 2024</del> <b>05 Nov 2021</b>
BR5_ASD_PA1_4005	<del>20</del> <b>21</b>	North – West Enlarged Elevation (Park) – Low Rise	<del>12 Mar 2024</del> <b>05 Nov 2021</b>
BR5_ASD_PA1_4006	<del>20</del> <b>21</b>	North – West Enlarged Elevation (Park) – Mid Rise	<del>12 Mar 2024</del> <b>05 Nov 2021</b>
BR5_ASD_PA1_4007	<del>20</del> <b>22</b>	East Enlarged Elevation (Hickson Park) – Low Rise	<del>12 Mar 2024</del> <b>15 Dec 2021</b>
BR5_ASD_PA1_4008	<del>20</del> <b>21</b>	East Enlarged Elevation (Hickson Park) – Mid Rise	<del>12 Mar 2024</del> <b>05 Nov 2021</b>
BR5_ASD_PA1_4201	<del>20</del> <b>21</b>	Signage Zone – South West Elevation	<del>12 Mar 2024</del> <b>05 Nov 2021</b>
BR5_ASD_PA1_4202	<del>20</del> <b>22</b>	Signage Zone East Elevation (Hickson Road)	<del>12 Mar 2024</del> <b>15 Dec 2021</b>
BR5_ASD_PA1_5001	<del>20</del> <b>21</b>	Overall Section AA	<del>12 Mar 2024</del> <b>05 Nov 2021</b>
BR5_ASD_PA1_5002	<del>20</del> <b>21</b>	Overall Section BB	<del>12 Mar 2024</del> <b>05 Nov 2021</b>
BR5_ASD_PA1_6001	<del>20</del> <b>21</b>	Balcony Primary Facade Detail	<del>12 Mar 2024</del> <b>05 Nov 2021</b>
BR5_ASD_PA1_6002	19	Open Cavity Primary Facade Detail	12 Mar 2021
BR5_ASD_PA1_6003	<del>20</del> <b>21</b>	Open Cavity Primary Facade Detail – Sky Homes	<del>12 Mar 2024</del> <b>05 Nov 2021</b>
BR5_ASD_PA1_6005	19	Closed Cavity Secondary Facade Detail	03 Nov 2021
BR5_ASD_PA1_6007	19	Louvred Metal Cladding	03 Nov 2020
BR5_ASD_PA1_6008	20	Opaque Cladding	12 Mar 2021

BR5 ASD_PA1_6009	<del>20</del> <u>21</u>	Podium Facade Detail	<del>12 Mar 2021</del> <u>05 Nov 2021</u>
BR5 ASD_PA1_6010	<del>20</del> <u>21</u>	Lobby Facade Detail	<del>12 Mar 2021</del> <u>05 Nov 2021</u>
BR5 _ASD_PA1_9000	<del>20</del> <u>21</u>	GFA Calculation	<del>12 Mar 2021</del> <u>05 Nov 2021</u>
BR5 _ASD_PA1_9002	<del>24</del> <u>23</u>	GFA Calculation Plan – Sheet 2	<del>12 Mar 2021</del> <u>15 Dec 2021</u>
BR5 _ASD_PA1_9003	<del>24</del> <u>22</u>	GFA Calculation Plan – Sheet 3	<del>12 Mar 2021</del> <u>05 Nov 2021</u>
BR5 _ASD_PA1_9004	<del>24</del> <u>22</u>	GFA Calculation Plan – Sheet 4	<del>12 Mar 2021</del> <u>05 Nov 2021</u>
<b>BR5 ASD PA1 9005</b>	<b>01</b>	<b>GFA Calculation Plan – Street 5</b>	<b>5 Nov 2021</b>
<b>Landscape Drawings prepared by Grant Associates and McGregor Coxall</b>			
<b>Drawing No.</b>	<b>Revision</b>	<b>Name of Plan</b>	<b>Date</b>
RPB430-GE-R5000-GA	R	General Arrangement	23/04/2019
BR3DU1GRD01	C	Ground Floor Landscape Plan	25/11/2020
BR3DU1GRD02	C	Ground Floor Landscape Section	25/11/2020
BR3DU1L0201	<del>C</del> <u>D</u>	P02 Landscape Plan	<del>25/11/2020</del> <u>8/11/2021</u>
BR3DU1L0202	<del>C</del> <u>D</u>	P02 Landscape Sections	<del>25/11/2020</del> <u>8/11/2021</u>
BR3DU1L02601	<del>C</del> <u>D</u>	Upper Deck Landscape Plan	<del>25/11/2020</del> <u>8/11/2021</u>
BR3DU1L02602	<del>C</del> <u>D</u>	Upper Deck Landscape Sections	<del>25/11/2020</del> <u>8/11/2021</u>

3. Schedule 2 Part A – Terms of Consent, Condition A24 is amended by the deletion of **bold and struck out** words and the insertion of **bold and underlined** words as follows:

#### **SIGNAGE**

- A24. Notwithstanding any future signage approval, only one of the ~~two~~ three approved signage zones located at the On Market Lobby and **only one of the two approved signage zones located at the** Key Worker Housing Lobby may contain signage at any one time.

4. Schedule 2 Part B – Gross Floor Area (GFA) Certification, Condition B6 is amended by the deletion of the **bold and struck out** words and the insertion of **bold and underlined** words as follows:

#### **GROSS FLOOR AREA (GFA) CERTIFICATION**

- B6. The GFA of the building must not exceed ~~21,425.3m<sup>2</sup>~~ **21,425m<sup>2</sup>**. Details confirming compliance must be submitted to the Certifying Authority prior to the issue of any Construction Certificate.

5. Schedule 2 Part B – BASIX Certification, Condition B20 is amended by the deletion of the **bold and struck out** words and the insertion of **bold and underlined** words as follows:

#### **BASIX CERTIFICATION**

- B20. The development must be implemented and all BASIX commitments thereafter maintained in accordance with BASIX Certificate No. ~~649695M\_06~~ **649695M\_08**, and an updated certificate issued if amendments are made. The BASIX certificate must be submitted to the Certifying Authority with all commitments clearly shown on the Construction Certificate plans.

6. Schedule 2 Part E – GFA and Height Certification, Condition E2 is amended by the deletion of the ~~bold and struck~~ out words and the insertion of **bold and underlined** words as follows:

**GFA AND HEIGHT CERTIFICATION**

- E2. A Registered Surveyor is to certify that the GFA of the building does not exceed ~~21,425.3m<sup>2</sup>~~ **21,425m<sup>2</sup>** and the height of the building does not exceed RL 107 m AHD. Details shall be provided to the PCA demonstrating compliance with this condition prior to the issue of any Occupation Certificate.

**End of modification**

**(SSD 6966 MOD 3)**

DRAFT