

Modification of Development Consent

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

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



Keiran Thomas
Director
Regional Assessments

Sydney

4 September 2020

SCHEDULE 1

Development consent:	SSD 4972 granted by the Planning Assessment Commission, as delegate for the Minister for Planning on 5 August 2015.
For the following:	Redevelopment of the Four Points by Sheraton Hotel including: • Construction of a 25 storey tower, comprising 231 hotel rooms and approximately 5,775 sqm of commercial floorspace and approximately 4,810 sqm of convention, exhibition and function space; • Extension of the existing podium space to provide new convention and exhibition space; • External and internal demolition works; • Upgrades to the port cochere, building entries on Sussex Street, the hotel lobby and reception areas and other internal alterations; • Public domain works on Slip Street; and • Realignment of an existing pedestrian link through the site.
Applicant:	GL InvestmentCo Pty Ltd
Consent Authority:	Minister for Planning and Public Spaces
The Land:	161 Sussex Street Sydney, Lots 101 and 102 DP 1009697 Part Lot 601/1009796 Part Lot 2015/1234971
Modification:	SSD 4972 MOD 7: the modification seeks approval to use the current temporary layout of Wheat Road, permanently.

SCHEDULE 2

The above consent is modified as follows:

- (a) Schedule 2 Part A – Administrative and Development Contributions Conditions, Condition A2 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struck out~~ words/numbers as follows:

Development Description

A2 The Applicant shall carry out the project generally in accordance with the:

- a) Environmental Impact Statement prepared by JBA Urban Planning Consultants Pty Ltd, dated August 2012;
- b) as amended by the further Information and Response to Submissions prepared by JBA Urban Planning Consultants Pty Ltd, dated February 2013;
- c) as amended by the supplementary information provided by JBA Urban Planning Consultants Pty Ltd dated 27 March 2013 and 16 May 2013; and
- d) as amended by the Section 96 Modification Report titled Section 96(1A) Modification Application SSD-4972 (MOD 1) provided by JBA Urban Planning Consultants Pty Ltd dated 18 September 2013;
- e) as amended by the further information and Response to Submissions (MOD 1) prepared by JBA Urban Planning Consultants Pty Ltd dated 4 December 2013;
- f) as amended by the Section 96 Modification Report titled Section 96(1A) Modification Application – State Significant Development Application No. SSD 4972 (MOD 2) provided by JBA Urban Planning Consultants Pty Ltd dated 17 February 2014;
- g) as amended by the further information and Response to Submissions (MOD 2) prepared by JBA Urban Planning Consultants Pty Ltd dated 11 June 2014;
- h) as amended by the Section 96 Modification Report titled Section 96(2) Modification – State Significant Development Application No. SSD 4972 (MOD 3) provided by JBA Urban Planning Consultants Pty Ltd dated May 2014; and
- i) as amended by the further information and Response to Submissions (MOD 3) prepared by JBA Urban Planning Consultants Pty Ltd dated 30 July 2014;
- j) as amended by the Section 96(1A) Development Application Statement of Environmental Effects Modification 5 to SSD 4972 prepared by JBA Urban Planning Consultants Pty Ltd dated April 2015;
- k) as amended by the Section 96(2) Development Application Statement of Environmental Effects Modification 4 to SSD 4972 prepared by JBA Urban Planning Consultants Pty Ltd dated March 2015; and
- l) as amended by the Section 4.55(1A) Modification Application titled Section 4.55(1A) Application – State Significant Development Application No. SSD-4972-161 Sussex Street, Sydney (SSD 4972 MOD 7) prepared by GL InvestmentCo Pty Ltd ATF GL No.1 Trust dated 29 November 2018;**
- m) as amended by the further information and Response to Submissions (SSD 4972 MOD 7) prepared by GL Investment Co Pty Ltd ATF GL No.1 Trust dated 11 May 2020; and**
- n) the following drawings, except for:**
 - i) any modifications which are Exempt or Complying Development;
 - ii) otherwise provided by the conditions of this consent.

Architectural (or Design) Drawings prepared by Cox Architects Pty Ltd			
Drawing No.	Revision	Name of Plan	Date

<u>ZC-SK-A-16-06</u>	<u>6</u>	<u>Public Domain Plans – Wheat Road</u>	<u>19/08/2015</u>
<u>ZF-SK-A-66-0102</u>	<u>:</u>	<u>Wheat Road Stair</u>	<u>19/08/2015</u>
A-DA-0003	H	Public Domain - Lower Ground Level Plan	19/03/2015
A-DA-0004	F	Public Domain - Ground Level Plan	28/07/2014
A-DA-0010	B	Lower Ground Level - Demolition Plan	19/06/2012
A-DA-0011	B	Ground Level - Demolition Plan	19/06/2012
A-DA-0012	B	Mezzanine Level - Demolition Plan	19/06/2012
A-DA-0013	B	Level 1 - Demolition Plan	19/06/2012
A-DA-0200	Q	Lower Ground Level Floor Plan	19/03/2015
A-DA-0201	Q	Ground Level Floor Plan	01.04.2015
A-DA-0202	Q	Mezzanine Level Floor Plan	1/04/2015
A-DA-0203	R	Level 1 Floor Plan	1/04/2015
A-DA-0204	Q	Level 2 Floor Plan	1/04/2015
A-DA-0205	N	Level 3 Floor Plan	1/04/2015
A-DA-0206	N	Level 4 To Level 10- Typical Floor Plan	1/04/2015
A-DA-0207	N	Level 11 To Level 14- Typical Floor Plan	1/04/2015
A-DA-0208	S	Level 15- Plant Room Level Floor Plan	08/07/2015
A-DA-0209	S	Level 16- to Level 24 Typical Commercial Level Floor Plan	08/07/2015
A-DA-0210	R	Plant Level Plan (Level 25)	08/07/2015
A-DA-0211	Q	Roof Level Plan	08/07/2015
A-DA-301	P	North & South Elevations	08/07/2015
A-DA-0302	R	East Elevation	08/07/2015
A-DA-303	N	West Elevation	19/03/2015
A-DA-304	I	Slip Street - East Elevation	04/04/2014
A-DA-305	G	Slip Street Detail - East Elevation	04/04/2014
A-DA-310	G	South Coloured Elevation & External Materials Legend	19/03/2015
A-DA-311	G	North & Slip St Coloured Elevations	08/07/2015
A-DA-312	G	East Coloured Elevation	08/07/2015
A-DA-313	G	West Coloured Elevation	19/03/2015
A-DA-401	L	Section 01 & 02	04/04/2014
A-DA-402	M	Section 03 & 04	04/04/2014
A-DA-403	M	Section 05 & 06	04/04/2014
A-DA-404	G	Section 07	04/04/2014
Survey Drawings prepared by Dunlop Thorpe & Co Pty Ltd			
Drawing No.	Revision	Name of Plan	Date
17488/1	13/03/12	Plan of the Land comprised in certificate of title 101/1009697 – Sheet 1	7/9/2011
17488/2	13/03/12	Plan of the Land comprised in certificate of title	7/9/2011

		101/1009697 – Sheet 2	
Demolition Drawing Prepared by A+Design Group			
Drawing No.	Issue	Name of Plan	Date
ID-03	C	Ground Floor Demolition Plan	6/12/13
ID-04	C	Level 1 Demolition Plan	6/12/13
ID-30	B	Photo Stairs	6/12/13

- (b) Schedule 2 Part A – Administrative and Development Contributions Conditions, Condition A5 is amended by the insertion of the **bold and underlined** words / numbers as follows:

A5 Development Contributions

The applicant shall undertake precinct improvement works-in-kind to the public domain at Darling Harbour to the value of \$1,485,000 and generally in accordance with the Public Domain Improvements Plan submitted by SHFA dated March 2014 contained in Schedule 3. The amount of \$1,485,000 is subject to annual indexation from 5 August 2013 in accordance with CPI.

The scope of public domain improvement works-in-kind shall be included in a Public Domain Plan prepared by an architect, urban designer or landscape architect. The plan shall be submitted to SHFA for approval prior to the issue of a Construction Certificate for the public domain works.

The scope of works-in-kind cannot include any works approved or required to be carried out by any other condition of this approval, and shall only include permanent public domain works, not construction works associated with the hotel redevelopment or access arrangements during construction.

The public domain improvement works shall be completed in accordance with the SHFA approved Public Domain Plan before the final Occupation Certificate is issued in respect of the tower building or before the use of the tower building commences, whichever is the earlier.

The public domain improvement works-in-kind being amended in accordance with SSD 4972 MOD 7 and the Modification 7 drawings labelled ZC-SK-A-16-06 and ZF-SK-A-66-0102.

- (c) Schedule 2 Part A – Administrative and Development Contributions Conditions, is amended by the insertion of a new condition, Condition A11, as follows:

Wheat Road Configuration

A11. Within 12 months from the date of the approval of SSD 4972 MOD 7, the Applicant must obtain approval from the relevant roads authority and carry out the following works to Wheat Road:

- a) **Complete all the general maintenance items, including items identified as optional modifications, dot points 1 and 2 contained in the Sheraton Four Points Hotel Wheat Road Traffic Safety Review by Taylor Thomson Whitting (NSW) Pty Ltd, dated 4 February 2019; and**
- b) **Install a directional flood light that is directed to the centre of the Wheat Road pedestrian crossing as per the JDG Consulting email dated 19 April 2020.**

**End of modification
(SSD 4972 MOD 7)**