

Modification of Development Consent

Section 96(2) of the Environmental Planning and Assessment Act 1979

As delegate of the Minister for Planning, under delegation effective 16 February 2015, I approve the modification application referred to in Schedule 1, subject to the conditions in Schedule 2.

Anthea Sargeant
Executive Director
Key Sites and Industry Assessments

Sydney 2016

SCHEDULE 1

Concept Approval: **SSD_5878** granted by the delegate of the Minister for Planning on 05 December 2013

For the following: Development of the Sydney International Convention, Exhibition and Entertainment Precinct (SICEEP) – The Haymarket, Concept Proposal including:

- Indicative staging of demolition and development of future development plots;
- Land uses across the site including residential and non-residential uses;
- Street and laneway layouts and pedestrian routes;
- Open spaces and through-site links;
- Six separate development plots, development plot sizes and separation, building envelopes, building separation, building depths, building alignments, and benchmarks for natural ventilation and solar access provisions;
- A maximum total gross floor area of 197,236m² (excluding ancillary above ground car parking), comprised of:
 - A maximum of 49,545m² non-residential GFA; and
 - A maximum of 147,691m² residential GFA
- Above ground car parking including public car parking;
- Residential car parking rates;
- Design Guidelines to guide future development and the public domain; and
- A remediation strategy

Applicant: Lend Lease (Haymarket) Pty Ltd

The Authority: Minister for Planning

The Land: Sydney International Convention, Exhibition and Entertainment Precinct (SICEEP) – Darling Square (formerly The Haymarket), Darling Harbour

(Lot 1 DP612907, Lot 2 DP612907, Lot 200 DP1165804, Lot 201 DP1165804, Lot 205 DP771841, Lot 201 DP771841, Lot 1 DP827982, Lot 900 DP1132344, Lot 33 DP 870306, Lot 1 DP812844, Lot 2 DP827982, Lot 503 DP812423, Lot 868663 and Lot 1 DP812344).

Modification:

SSD 5878 MOD 2: the modification includes:

- increase the site-wide maximum GFA by 11,229m², comprising:
 - o 4,548m² non-residential GFA (increase from 52,120m² to 56,668m²); and
 - o 6,681m² residential GFA (increase from 147,691m² to 154,372m²).
- amendment to the form and height of the North Plot building envelope;
- realign Little Hay Street and corresponding amendment of the boundary between the North East and South East Plots;
- minor realignment of the site boundary adjacent to the North Plot and consequential increase of the site area by 1.3m² to 37,701.40m²; and
- amendment to the Darling Square Design Guidelines.

SCHEDULE 1

DESCRIPTION

- (a) Schedule 1 – the Description is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~bold struck out~~ words / numbers as follows:

Development of the Sydney International Convention, Exhibition and Entertainment Precinct (SICEEP) – ~~The Haymarket~~ **Darling Square**, Concept Proposal including:

- Indicative staging of demolition and development of future development plots;
- Land uses across the site including residential and non-residential uses;
- Street and laneway layouts and pedestrian routes;
- Open spaces and through-site links;
- Six separate development plots, development plot sizes and separation, building envelopes, building separation, building depths, building alignments, and benchmarks for natural ventilation and solar access provisions;
- A maximum total gross floor area of ~~197,236m²~~ **211,040m²** (excluding ancillary above ground car parking), comprised of:
 - A maximum of ~~49,545m²~~ **56,668m²** non-residential GFA; and
 - A maximum of ~~147,691m²~~ **154,372m²** residential GFA
- Above ground car parking including public car parking;
- Residential car parking rates;
- Design Guidelines to guide future development and the public domain; and
- A remediation strategy.

SCHEDULE 2

PART A ADMINISTRATIVE CONDITIONS

- (b) Schedule 2 Part A – Term of Approval A4 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~bold struck out~~ words / numbers as follows:

Development Description

- A4 The applicant shall carry out the project generally in accordance with the:
- a) Environmental Impact Statement, as amended by the Response to Submissions;
 - b) **Updated** Design Guidelines as set out in the Design Report, **dated 15 August 2016**;
 - c) Section 96(1A) application SSD 5878 MOD1 prepared by JBA Urban Planning Consultants dated October 2015; ~~and~~
 - d) **Section 96(2) application SSD 5878 MOD2 prepared by JBA Urban Planning Consultants dated March 2016 and updated by Response to Submissions dated 15 August 2016; and**
 - e) following drawings as set out in the table below, 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 Denton Corker Marshall			
Drawing No.	Revision	Name of Plan	Date
MCD AR D107	P5 <u>P7</u>	Proposed Site Plan	25/09/2013 <u>21/07/2016</u>

MCD AR D201	P3 P4	Parameter Plan 01 Maximum Building Envelope Plot Sizes	25/09/2013 <u>28/07/2016</u>
MCD AR D202	P3 P5	Parameter Plan 02 Maximum Envelope Plot Separation	25/09/2013 <u>28/07/2016</u>
MCD AR D203	P3 P5	Parameter Plan 03 Maximum Horizontal Building Envelope	25/09/2013 <u>29/07/2016</u>
MCD AR D204	P3 P5	Parameter Plan 04 Minimum Building Envelope Separation	25/09/2013 <u>29/07/2016</u>
MCD AR D205	P3 P4	Parameter Plan 05 Maximum Vertical Building Envelope	25/09/2013 <u>28/07/2016</u>
MCD AR D206	P3 P4	Parameter Plan 06 Proposed Land Use	25/09/2013 <u>28/07/2016</u>
MCD AR D207	P2	Parameter Plan 07 Maximum Building Plots Overlaid onto Existing Site Plan	25/09/2013
MCD AR D208	P2	Parameter Plan 08 Maximum Building Plots Overlaid onto Proposed Site Plan	25/09/2013

- (c) Schedule 2 Part A – Term of Approval A4 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~**bold struck out**~~ words / numbers as follows:

A7 The maximum height for the development shall be consistent with the Concept Proposal vertical building envelope parameter plans for each building as detailed below:

Plot and Building	Maximum Height - RL
North Plot	
-	RL 28.50 <u>RL 33.50</u>
North East Plot	
Podium	RL 25.03
NE1	RL 68.38
NE2	RL 38.10
NE3	RL 138.63
South East Plot	
Podium	RL 25.03
SE1	RL 99.85
SE2	RL 38.10
SE3	RL 68.38
South West Plot	
Podium	RL 25.03
SW1	RL 91.38
SW2	RL 38.10
SW3	RL 138.63
North West Plot	
-	RL 53.60
Darling Drive (Western) Plot	
W1	RL 75.20
W2	RL 75.20

- (d) Schedule 2 Part A – Term of Approval A6A is added by the insertion of the **bold and underlined** words / numbers as follows:

A6A Prior to the determination of any State significant development application relating to the North Plot, amended Parameter Plans and Design Guidelines shall be submitted to the Secretary for approval, showing:

- a) the replacement of 'Note C' on all relevant Parameter Plans with a new Note requiring an uninterrupted minimum 19 metre building separation to a height of 6.5m above ground level, with the separation reducing to 13.4m to accommodate the public stair / canopy and 16m at upper levels; and**
- b) revision of the Design Guidelines to reflect the change in condition A6A(a) above.**

Notwithstanding A6A(a) above, encroachments into the boulevard may be considered in accordance with Condition B4A.

- (e) Schedule 2 Part A – Term of Approval A8 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~bold struck out~~ words/numbers as follows:

Maximum Gross Floor Area (GFA)

A8 The maximum GFA for the development shall not exceed ~~197,236m²~~ **211,040m²** (excluding ancillary above ground car parking), comprised of a maximum of:

- b) ~~52,120m²~~ **56,668m²** non-residential GFA; and
- c) ~~147,691m²~~ **154,372m²** residential GFA

- (f) Schedule 2 Part B – condition B4A is added by the insertion of the **bold and underlined** words / numbers as follows:

B4A Future Development Applications for the North Plot shall demonstrate compliance with the requirements of Condition A6A and the approved Parameter Plans and the Design Guidelines.

Minor encroachments of the North Plot into the 'uninterrupted minimum 19 metre building separation' may be considered where it has been demonstrated that:

- a) the encroachment does not restrict pedestrian sightlines looking north and south along the boulevard at the western extent of the North Plot building;**
- b) pedestrian connectivity along the boulevard is not adversely affected;**
- c) the perception of openness and width of the boulevard is maintained from a pedestrian perspective;**
- d) any encroachments are designed to be lightweight and visually permeable; and**
- e) any encroachment does not result in an unacceptable visual pinch-point along the boulevard.**

End of modification to SSD 5878
(SSD 5878 MOD 2)