

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.



Ben Lusher
Acting Director
Key Site Assessments

Sydney 20 July 2015

SCHEDULE 1

Development Approval: SSD_6013 granted by the delegate of the Minister for Planning on 7 May 2015

For the following: Development of The Haymarket, Mixed Use Commercial and Public Car Park including:

- site preparation works including demolition of existing structures, tree removal, minor excavation, and site remediation as required;
- staged construction of a 12 storey building to be used for commercial premises, and above ground car parking;
- various public domain improvements including provision (part) new east-west pedestrian laneway (known as Dickson's Lane) linking Darling Drive to the Boulevard, upgrading of existing footpaths, provision of street trees, and provision of bicycle parking facilities;
- building identification signage and wall advertising sign.

Applicant: Lend Lease (Haymarket) Pty Ltd

The Authority: Minister for Planning

The Land: North West Plot, Darling Square (formerly the Haymarket), Sydney International Convention, Exhibition and Entertainment Precinct (Lot 1 DP 612907, Lot 2 DP 612907, Lot 201 DP 1165804, Lot 1 DP 827982, Lot 900 DP 1132344 and Lot 2 DP 827982)

Modification: SSD 6013 MOD1: the modification includes:

- increase the GFA from 38,565m² to 41,435m² (+2,870m²);
- increase the building height from 12 storeys to 13 storeys (+1 storey), with an associated maximum height increase of 2.35m;
- revised building and façade design; and
- revised internal car park design, commercial floor space design and layout, including reconfiguration and amendments to the provision of vehicle, bicycle and motorcycle parking spaces.

SCHEDULE 2

PART A ADMINISTRATIVE CONDITIONS

- (a) Schedule 2 Part A – Administrative Condition A3 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

- A3 The Applicant shall carry out the project generally in accordance with the:
- a) State Significant Development Application SSD 6013;
 - b) Environmental Impact Statement prepared by JBA Urban Planning Consultants Pty Ltd dated May 2013;
 - c) Response to Submissions report prepared by JBA Urban Planning Consultants Pty Ltd dated February 2014;
 - d) **Section 96(2) modification to Development Consent SSD 6013 dated March 2015;**
 - d) e) The conditions of this consent; and
 - e) f) 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 Lend Lease Design or Woods Bagot for Lend Lease			
Drawing No.	Revision	Name of Plan	Date
SNW DA30005	02	Site Plan – Demolition	24.01.14
SNW-DA30006 <u>DA1000</u>	02 <u>A</u>	Site Plan – Detail Excavation <u>Detailed Excavation</u>	24.01.14 <u>10.03.15</u>
SNW-DA30100 <u>DA2001</u>	05 <u>B</u>	Ground Floor Plan <u>General Arrangement Plan – Ground Floor</u>	24.01.14 <u>20.05.15</u>
SNW-DA30101 <u>DA2002</u>	03 <u>A</u>	Car Park Level 1 <u>General Arrangement Plan – Carpark Level 1</u>	24.01.14 <u>10.03.15</u>
SNW-DA30102 <u>DA2003</u>	02 <u>A</u>	Car Park Level 2 <u>General Arrangement Plan – Carpark Level 2</u>	24.01.14 <u>10.03.15</u>
SNW-DA30103 <u>DA2004</u>	02 <u>A</u>	Car Park Level 3 <u>General Arrangement Plan – Carpark Level 3</u>	24.01.14 <u>10.03.15</u>
SNW-DA30104 <u>DA2005</u>	02 <u>A</u>	Car Park Level 4 <u>General Arrangement Plan – Carpark Level 4</u>	24.01.14 <u>10.03.15</u>
SNW-DA30105 <u>DA2007</u>	02 <u>A</u>	Car Park Level 4A <u>General Arrangement Plan – Level 5</u>	24.01.14 <u>10.03.15</u>
SNW-DA30106 <u>DA2008</u>	02 <u>A</u>	Typical Floor Plan – Levels 5,6 & 7 <u>General Arrangement Plan – Level 6</u>	24.01.14 <u>10.03.15</u>
<u>DA2009</u>	<u>A</u>	<u>General Arrangement Plan – Level 7</u>	<u>10.03.15</u>
SNW-DA30108 <u>DA2010</u>	02 <u>A</u>	Floor Plan General Arrangement Plan – Level 8	24.01.14 <u>10.03.15</u>

<u>SNW-DA30109</u> <u>DA2011</u>	02 <u>A</u>	<u>Floor Plan General Arrangement</u> <u>Plan – Level 9</u>	<u>24.01.14</u> <u>10.03.15</u>
<u>SNW-DA30110</u> <u>DA2012</u>	02 <u>A</u>	<u>Floor Plan General Arrangement</u> <u>Plan – Level 10</u>	<u>24.01.14</u> <u>10.03.15</u>
<u>SNW-DA30111</u> <u>DA2013</u>	02 <u>A</u>	<u>Floor Plan General Arrangement</u> <u>Plan – Level 11 and – Plant</u>	<u>24.01.14</u> <u>10.03.15</u>
<u>DA2014</u>	<u>A</u>	<u>General Arrangement Plan – Level</u> <u>12 Plant</u>	<u>10.03.15</u>
<u>SNW-DA30112</u> <u>DA2015</u>	02 <u>A</u>	<u>General Arrangement Plan – Roof</u> <u>Plan</u>	<u>24.01.14</u> <u>10.03.15</u>
<u>SNW-DA30301</u> <u>DA3001</u>	02 <u>A</u>	<u>General Arrangement Elevations</u> <u>and Sections – Section AA</u>	<u>24.01.14</u> <u>10.03.15</u>
<u>SNW-DA30302</u> <u>DA3002</u>	03 <u>A</u>	<u>General Arrangement Elevations</u> <u>and Sections – Section BB</u>	<u>24.01.14</u> <u>10.03.15</u>
<u>SNW-DA30303</u> <u>DA3003</u>	03 <u>A</u>	<u>General Arrangement Elevations</u> <u>and Sections – Section CC</u>	<u>24.01.14</u> <u>10.03.15</u>
<u>SNW-DA30304</u> <u>DA3004</u>	02 <u>A</u>	<u>General Arrangement Elevations</u> <u>and Sections – Section DD</u>	<u>24.01.14</u> <u>10.03.15</u>
<u>SNW-DA30305</u> <u>DA3005</u>	02 <u>A</u>	<u>General Arrangement Elevations</u> <u>and Sections – Section EE</u>	<u>24.01.14</u> <u>10.03.15</u>
<u>SNW-DA30400</u> <u>DA3101</u>	02 <u>C</u>	<u>General Arrangement Elevations</u> <u>and Sections – Elevation – North</u> <u>Elevation</u>	<u>24.01.14</u> <u>20.05.15</u>
<u>SNW-DA30401</u> <u>DA3102</u>	02 <u>A</u>	<u>General Arrangement Elevations</u> <u>and Sections – Elevation – East</u> <u>Elevation</u>	<u>24.01.14</u> <u>10.03.15</u>
<u>SNW-DA30402</u> <u>DA3103</u>	02 <u>A</u>	<u>General Arrangement Elevations</u> <u>and Sections – Elevation – South</u> <u>Elevation</u>	<u>24.01.14</u> <u>10.03.15</u>
<u>SNW-DA30403</u> <u>DA3104</u>	02 <u>A</u>	<u>General Arrangement Elevations</u> <u>and Sections – Elevation – West</u> <u>Elevation</u>	<u>24.01.14</u> <u>10.03.15</u>
<u>SNW-DA39100</u>	02	<u>Staging Option – Ground Floor Plan</u>	<u>20.01.14</u>
<u>SNW-DA39101</u>	02	<u>Staging Option – Car Park Level 1</u>	<u>20.01.14</u>
<u>SNW-DA39102</u>	02	<u>Staging Option – Car Park Level 2</u>	<u>20.01.14</u>
<u>SNW-DA39103</u>	02	<u>Staging Option – Car Park Level 3</u>	<u>20.01.14</u>
<u>SNW-DA39104</u>	02	<u>Staging Option – Car Park Level 4</u>	<u>20.01.14</u>
<u>SNW-DA39105</u>	02	<u>Staging Option – Car Park Level 4A</u>	<u>20.01.14</u>
<u>SNW-DA39106</u>	02	<u>Staging Option – Roof Plan</u>	<u>20.01.14</u>
<u>SNW-DA39301</u>	02	<u>Staging Option – Section AA</u>	<u>20.01.14</u>
<u>SNW-DA39302</u>	02	<u>Staging Option – Section BB</u>	<u>20.01.14</u>
<u>SNW-DA39400</u>	02	<u>Staging Option – North Elevation</u>	<u>20.01.14</u>
<u>SNW-DA39401</u>	02	<u>Staging Option – East Elevation</u>	<u>20.01.14</u>
<u>SNW-DA39402</u>	02	<u>Staging Option – South Elevation</u>	<u>20.01.14</u>
<u>SNW-DA39403</u>	02	<u>Staging Option – West Elevation</u>	<u>20.01.14</u>

Landscape Drawings prepared by Hassell Limited <u>or Aspect Studios</u>			
Drawing No.	Revision	Name of Plan	Date
L001 <u>14076-NW Plot-001</u>	D <u>A</u>	Drawing List and Drawing Layout	27.01.14 <u>May 2015</u>
L101	D	Tree Removal Plan	27.01.14
L201 <u>14076-NW Plot-201</u>	D <u>A</u>	Scope of Works Plan <u>General Arrangement</u>	27.01.14 <u>May 2015</u>
L202	D	Dicksons Lane Plan	27.01.14
L210 <u>14076-NW Plot-210</u>	D <u>A</u>	Paving Plan	27.01.14 <u>May 2015</u>
L211 <u>14076-NW Plot-211</u>	D <u>A</u>	Planting Plan	27.01.14 <u>May 2015</u>
L212 <u>14076-NW Plot-212</u>	D <u>A</u>	Urban Elements Plan	27.01.14 <u>May 2015</u>
L301	D	Sectional Elevations	27.01.14
Civil Drawings prepared by Hyder Consulting Pty Ltd			
Drawing No.	Revision	Name of Plan	Date
PD-CI-2201	04	Sediment and Erosion Control Plan	31.01.14
PD-CI-2301	04 <u>07</u>	Civil Works and Stormwater Plan <u>Civil Works, Stormwater, Pavement, Signs and Linemarking Plan</u>	31.01.14 <u>10.03.15</u>
PD-CI-2401	04	Combined Services Plan	17.01.14
SKCPD060	02 <u>03</u>	Proposed Floor Level Grading and Flood Level (including Climate Change) Plan	31.01.14 <u>18.03.15</u>

- (b) Schedule 2 Part A – Administrative Condition A9 is amended by the insertion of the **bold and underlined** words / numbers as follows:

Future Development Applications

A9 The following shall be subject of separate Development Application/s under Part 4 of the Act (except where exempt and complying development applies):

- strata subdivision; and
- fit out and use of the ground floor tenancies.

Any Development Applications for the fitout of the ground floor tenancies shall be generally compliant with the Building Design and Laneway Visual Assessment submitted with the RTS.

Any future use of the outdoor terrace space (as shown on Drawing DA2001 dated 20.05.15) must be:

- **limited to outdoor dining and related to the use of the retail tenancy;**
- **limited to the north of the building entrance only; and**
- **ensure safe and equitable access to the building.**

SCHEDULE 2

PART C PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

- (c) Schedule 2 Part C – Condition C13 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~**bold struck out**~~ words/numbers as follows:

Bicycle Facilities

C13 Minimum bicycle parking on site shall be provided as follows:

- ~~146~~ **160** bicycle parking spaces; and
- 32 visitor parking spaces.

- (d) Schedule 2 Part C – Condition C36 is added by the insertion of the **bold and underlined** words / numbers as follows:

End of Trip Bicycle Facilities

C36 Prior to the issue of a relevant Construction Certificate, the applicant must submit further details to the Department of Planning and Environment showing how the fit out and maintenance of the end of trip cycling facilities will ensure maximum transparency and enhance the high quality appearance of the building.

SCHEDULE 2

PART F PRIOR TO OCCUPATION OR COMMENCEMENT OF USE

- (e) Schedule 2 Part F – Condition F2 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~bold struck out~~ words / numbers as follows:

Public Car Park

F2 Prior to the issue of the Final Occupation Certificate ~~for Stage 1~~, appropriate external signage which advises the number of car spaces available shall be installed and at minimum a parking assist system shall be installed which indicates the number of car spaces available on each level.

- (f) Schedule 2 Part F – Condition F20 is amended by the deletion of the ~~bold struck out~~ words / numbers as follows:

~~Public Domain~~

~~F20 Should the building be constructed in two stages as proposed in the EIS, a Stage 1 public domain and landscape works plan shall be prepared and is to include:~~

- ~~• details for provision of pavement and pathways that are generally consistent with the approved landscape drawings;~~
- ~~• tree planting at the northern frontage as per the landscape plan;~~
- ~~• preliminary landscaping treatment at the western street frontage. Any landscaping shall ensure that this does not create any pinch points or potential blind spots for crime; and~~
- ~~• 32 visitor bicycle parking spaces at the northern street frontage as proposed.~~

~~The Stage 1 public domain and landscape works plan is to be submitted to and approved by the department. Evidence of this shall be submitted to the PCA prior to the issue of any occupation certificate. The PCA shall ensure the works have been completed in accordance with the approved Stage 1 public domain and landscape works plan.~~

- (g) Schedule 2 Part F – Condition F16 is amended by the insertion of the **bold and underlined** words / numbers as follows:

Installation of Water Efficient Taps

F16 All taps and shower heads installed must be water efficient with at least a 4-star rating under the Water Efficiency and Labelling Scheme (WELS), **where available**. The details are to be submitted for the consent of the Certifying Authority, prior to an Occupation Certificate being issued.

End of modification to SSD 6013