

Modification of Development consent

Section 96 (1A) of the *Environmental Planning and Assessment Act 1979*

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



Ben Lusher
Director
Key Sites Assessments

Sydney

24 April 2017

SCHEDULE 1

Application No.:	SSD 6626
Applicant:	Lend Lease (The Haymarket) Pty Ltd
Consent Authority:	Minister for Planning
Land:	Darling Square (formerly referred to as 'The Haymarket'), North East Plot (Lot 1 DP827982)
Approved Development:	Development of Darling Square, mixed use residential development including: • site preparation works including demolition of existing Sydney Entertainment Centre; • staged construction of 8 storey, 19 storey and 41 storey buildings, including a 5 storey podium, to be used for: • 2,050m² retail floorspace at ground floor level; • 445 above ground car parking spaces and storage; and • 581 residential apartments • various public domain improvements including • provision of footpath treatment to the northern and eastern frontages and associated landscaping along the northern boundary; and • interim surface treatments to the southern and western frontages. • provision of a vehicle access point at Hay Street and drop-off facility on Darling Drive; and • provision of signage zones and temporary signage zones for business and building identification.

Modification:**SSD 6626 MOD 1: Modifications to:**

- reduce the number of apartments from 581 to 577 residential apartments and the retail floor space from 2,050m² to 1986m²;
 - make internal amendments to the podium levels, including new public amenities, revised back of house facilities, and additional service parking spaces and storage cages;
 - provision of servicing facilities, bicycle parking and end of trip facilities for the North Plot and the Square;
 - minor internal revisions to some residential apartments; and
 - minor external amendments at the upper and lower levels, including refined interfaces with the public domain.
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The SSD approval is modified as follows.

SCHEDULE 2

- 1) Condition A3 is amended by the deletion of ~~struck-out~~ words / numbers and the insertion of **bold** and underlined 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 6626;
 - b) Environmental Impact Statement prepared by JBA Urban Planning Consultants Pty Ltd, dated November 2014;
 - c) Response to Submissions report prepared by JBA Urban Planning Consultants Pty Ltd, dated February 2015;
 - d) **The Section 96(1A) modification application SSD 6626, prepared by JBA Urban Planning Consultants Pty Ltd, dated 22 December 2016;**
 - e) The conditions of this consent; and
 - 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 Drawings prepared by Tzannes Associates Architecture and Urban Design			
Drawing No.	Revision	Name of Plan	Date
DHL_AD000001	E	DRAWING LIST AND CONTEXT PLAN	24/02/15
DHL_AD000100	F	SITE PLAN	24/10/15
DHL_AD000200	A	DEMOLITION PLAN	24/10/15
DHL_AD020100	H I	FLOOR PLAN GROUND	04/02/15 <u>03/04/17</u>
DHL_AD020200	G H	FLOOR PLAN NE2 MEZZ	24/10/14 <u>03/04/17</u>
DHL_AD030100	I J	FLOOR PLAN LEVEL 01	24/10/14 <u>03/04/17</u>
DHL_AD030200	H I	FLOOR PLAN LEVEL 02 – 04	24/10/14 <u>03/04/17</u>
<u>DHL_AD030210</u>	<u>A</u>	<u>FLOOR PLAN LEVEL 03</u>	<u>03/04/17</u>
<u>DHL_AD030220</u>	<u>A</u>	<u>FLOOR PLAN LEVEL 04</u>	<u>03/04/17</u>
DHL_AD030300	I J	FLOOR PLAN LEVEL 05	24/10/14 <u>03/04/17</u>
DHL_AD030400	I J	FLOOR PLAN LEVEL 06 – PODIUM	24/10/14 <u>05/04/17</u>
DHL_AD030500	I J	FLOOR PLAN LEVEL 07	24/10/14 <u>05/04/17</u>
DHL_AD030600	H I	FLOOR PLAN 08 – 18	24/10/14 <u>12/10/16</u>
DHL_AD030700	H I	FLOOR PLAN 19	24/02/15

DHL_AD030800	I	FLOOR PLAN LEVEL 20 – 37 33	24/10/14 12/10/16
<u>DHL_AD030801</u>	A	<u>FLOOR PLAN 34 - 37</u>	12/10/16
DHL_AD030900	H	FLOOR PLAN LEVEL 38 – 40 39	04/02/15 12/10/16
<u>DHL_AD030901</u>	A	<u>FLOOR PLAN LEVEL 40</u>	12/10/16
DHL_AD031000	G H	FLOOR PLAN LEVEL 41 – ROOF	04/02/15 12/10/16
DHL_AD031100	J	NE1 FLOOR PLAN LEVEL 01	24/02/15
DHL_AD031200	J	NE1 FLOOR PLAN LEVEL 02 – 15	24/02/15
DHL_AD031300	I	NE1 FLOOR PLAN LEVEL 06 – PODIUM	24/02/15
DHL_AD031400	I	NE1 FLOOR PLAN LEVEL 07 – 17	24/02/15
DHL_AD031500	I	NE1 FLOOR PLAN LEVEL 18 – PENTHOUSE	24/02/15
DHL_AD031600	G	NE1 FLOOR PLAN LEVEL 19 – PLANT / ROOF	04/02/15
DHL_AD031700	H I	NE2 FLOOR PLAN LEVEL 01 - 05	24/02/15 12/10/16
DHL_AD031800	H I	NE2 FLOOR PLAN LEVEL 06 – PENTHOUSE LOWER LEVEL	04/02/15 05/04/17
DHL_AD031900	H I	NE2 FLOOR PLAN LEVEL 07 – PENTHOUSE UPPER LEVEL	04/02/15 05/04/17
DHL_AD032000	G	NE2 FLOOR PLAN LEVEL 08 – PLANT	04/02/15
DHL_AD032100	H I	NE3 FLOOR PLAN LEVEL 01	24/02/15 12/10/16
DHL_AD032200	H I	NE3 FLOOR PLAN LEVEL 02 – 05	24/02/15 12/10/16
DHL_AD032300	H I	NE3 FLOOR PLAN LEVEL 06 – PODIUM	24/02/15 12/10/16
DHL_AD032400	H I	NE3 FLOOR PLAN LEVEL 07 – 37 33	24/02/15 12/10/16
<u>DHL_AD032401</u>	A	<u>NE3 FLOOR PLAN LEVEL 34 – 37</u>	12/10/16
DHL_AD032500	G H	NE3 FLOOR PLAN LEVEL 38 – 40 39 – PENTHOUSE OPTION	04/02/15 12/10/16
<u>DHL_AD032501</u>	A	<u>NE3 FLOOR PLAN LEVEL 40 – PENTHOUSE OPTION</u>	12/10/16
DHL_AD032600	G H	NE3 FLOOR PLAN LEVEL 41 - PLANT	04/02/15 12/10/16
DHL_AD041000	I J	SOUTH ELEVATION	04/02/15 05/04/17
DHL_AD041100	H I	ELEVATION SOUTH NE3	04/02/15 12/10/16
DHL_AD042000	H I	WEST ELEVATION	04/02/15 12/10/16

DHL_AD043000	H I	NORTH ELEVATION	04/02/15 12/10/16
DHL_AD044000	H I	EAST ELEVATION	04/02/15 12/10/16
DHL_AD044100	H I	ELEVATION EAST NE2	04/02/15 12/10/16
DHL_AD050100	H I	SECTION AA	04/02/15 12/10/16
DHL_AD050200	H	SECTION BB	04/02/15
DHL_AD070001	C	NE1 ADAPTABLE APARTMENT LAYOUT	24/02/15
DHL_AD070002	C	NE2 ADAPTABLE APARTMENT LAYOUT	24/02/15
Landscape Drawings prepared by Stuart Noble Associates			
Drawing No.	Revision	Name of Plan	Date
DA-1432-01	A	LANDSCAPE CONCEPT PLAN – 1	15 Oct 2014
DA-1432-02	A	LANDSCAPE CONCEPT PLAN – 2	15 Oct 2014
DA-1432-03	A	LANDSCAPE CONCEPT PLAN – 3	15 Oct 2014
Civil Drawings prepared by Hyder			
Drawing No.	Revision	Name of Plan	Date
PD-CI-7005	04	GENERAL NOTES	17/10/2014
PD-CI-7011	03	GENERAL ARRANGEMENT PLAN	17/10/2014
PD-CI-7021	05	SURVEY AND EXISTING SERVICES PLAN (DBYD)	04/11/2014
PD-CI-7022	03	SURVEY AND EXISTING SERVICES PLAN (ROBERT BIRD GROUP)	04/11/2014
PD-CI-7101	04	SITE CLEARANCE PLAN	04/11/2014
PD-CI-7151	03	BULK EARTHWORKS PLAN	17/10/2014
PD-CI-7201	03	SEDIMENT AND EROSION CONTROL PLAN	17/10/2014
PD-CI-7221	03	SEDIMENT AND EROSION CONTROL DETAILS	17/10/2014
PD-CI-7301	05	CIVIL WORKS AND STORMWATER PLAN	17/10/2014
PD-CI-7381	04	CIVIL WORKS DETAILS	17/10/2014
PD-CI-7521	04	STORMWATER DRAINAGE LONGITUDINAL SECTIONS AND PIT SCHEDULE	17/10/2014

PD-CI-7531	01	STORMWATER DRAINAGE CATCHMENT PLAN	17/10/2014
PD-CI-7532	01	STORMWATER DRAINAGE EXISTING CATCHMENT PLAN	17/10/2014
PD-CI-7541	03	STORMWATER DRAINAGE DETAILS SHEET 1	17/10/2014
PD-CI-7542	2	STORMWATER DRAINAGE DETAILS SHEET 2	17/10/2014
PD-CI-7581	04	WATER SENSITIVE URBAN DESIGN STRATEGY PLAN	17/10/2014
PD-CI-7586	04	WATER SENSITIVE URBAN DESIGN DETAILS	17/10/2014
PD-CI-7901	06	COMBINED SERVICES PLAN (DBYD)	17/10/2014
PD-CI-7902	04	COMBINED SERVICES PLAN (ROBERT BIRD GROUP)	17/10/2014
PD-CI-7911	02	COMBINED SERVICES SECTION	17/10/2014

- 2) Condition C10 is amended by the deletion of ~~struck-out~~ words / numbers and the insertion of **bold** and underlined words / numbers as follows:

Car Parking

C10 Car parking on site shall be provided as follows:

- a) 445 residential car parking spaces; and
- b) ~~2 courier~~ 8 service bays.

- 3) Condition C13 is amended by the deletion of ~~struck-out~~ words / numbers and the insertion of **bold** and underlined words / numbers as follows:

Bicycle Facilities

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

- a) ~~581~~ 577 residential storage cages within the podium;
- b) 60 residential visitor bicycle parking spaces within the podium;
- c) 10 retail (staff) bicycle parking spaces within the podium;
- d) 14 North Plot (staff) bicycle parking spaces within the podium; and
- e) ~~10~~ visitor bicycle parking spaces within the public domain on site or within the Darling Square open space, within vicinity of the site.

- 4) Condition C14 is amended by the deletion of ~~struck-out~~ words / numbers and the insertion of **bold** and underlined words / numbers as follows:

C14 The retail units within the North East Plot and the adjoining North Plot (SSD 7021) shall be afforded access to the secure ground floor podium to ensure that employees have access to the secure bicycle parking spaces and end of trip facilities. **The secure bicycle parking and end-of-trip facilities are to be made easily accessible from the North Plot and made available for use by the tenants of the mixed-use community and retail building within the North Plot (SSD 7021).**

5) Condition C15 is amended by the deletion of ~~struck-out~~ words / numbers and the insertion of **bold** and underlined words / numbers as follows:

C15 The layout, design and security of bicycle facilities either on-street or off-street must comply with the minimum requirements of *Australian Standard AS 2890.3 – 1993 Parking Facilities Part 3: Bicycle Parking Facilities* except that:

- a) all bicycle parking for occupants of residential buildings must be **Class 1 or** Class 2 bicycle facilities. Notwithstanding **Class 1 or** Class 2, bicycle lockers may also be designed to allow for stand up / hanging storage of bicycles;
- b) all bicycle parking for staff / employees of any land uses must be Class 2 bicycle facilities, and
- c) all bicycle parking for visitors of any land uses must be Class 3 bicycle rails.

6) Condition C34 is added by the insertion of **bold** and underlined words / numbers as follows:

Amended floor plans for Building NE3

C34 Prior to the issue of the relevant Construction Certificate, amended plans shall be submitted to the PCA demonstrating the apartments in the southwest corner on each levels 7-37 of Building NE3 (a total of 31 apartments) achieve:

- **A minimum balcony size of 9.4m²; and**
- **A minimum internal area of 81.3m².**

7) Condition F19 is added by the insertion of **bold** and underlined words / numbers as follows:

Shared Facilities between the North East Plot and the North Plot and Square

F19 Prior to issue of the relevant occupation certificate, the following facilities, services and utilities shall be made available for the North Plot tenants (as relevant to its operation) within the North East Plot:

- a) **back of house;**
- b) **loading bays;**
- c) **fire Egress;**
- d) **public and staff amenities;**
- e) **a minimum of 14 bicycle racks, 14 lockers and shower facilities; and**
- f) **electricity substation.**

The relevant access and usage rights shall be registered on the title of the relevant stratum in the North East Plot prior to issue of the relevant occupation certificate.

8) Condition G1 is amended by the deletion of ~~struck-out~~ words / numbers and the insertion of **bold** and underlined words / numbers as follows:

Loading and unloading

G1 All loading and unloading of service vehicles about the use of the premises **and the North Plot (refer to Condition F19)**, shall be carried out within the loading dock within the Building, unless this is not possible due to the size of the vehicle (refer to Condition F4).

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- 9) Condition G4 is amended by the deletion of ~~struck out~~ words / numbers and the insertion of **bold** and underlined words / numbers as follows:

Waste Management

- G4 Waste Management shall be undertaken in accordance with the Waste Management Plan Revision 4, prepared by Waste Audit and Consultancy Services dated 24 October 2014 and as amended by the Waste Management Plan, prepared by Waste Audit and Consultancy Services dated October 2016.

End of Modifications
