



11 July 2025

2250417

Kiersten Fishburn
Secretary
Department of Planning, Housing and Infrastructure
4 Parramatta Square,
Parramatta, NSW, 2150

Attention: Janith De Silva, Senior Planning Officer

Dear Janith,

**Section 4.55(1A) Modification – (SSD-66973710)
100-300 Barangaroo Avenue, Barangaroo South**

This modification application has been prepared by Ethos Urban on behalf of Lendlease Investment Management Pty Ltd, pursuant to Section 4.55(1A) of the Environmental Planning and Assessment Act 1979 (EP&A Act) to modify the Development Consent SSD-66973710 relating to 100-300 Barangaroo Avenue, Barangaroo South (the site).

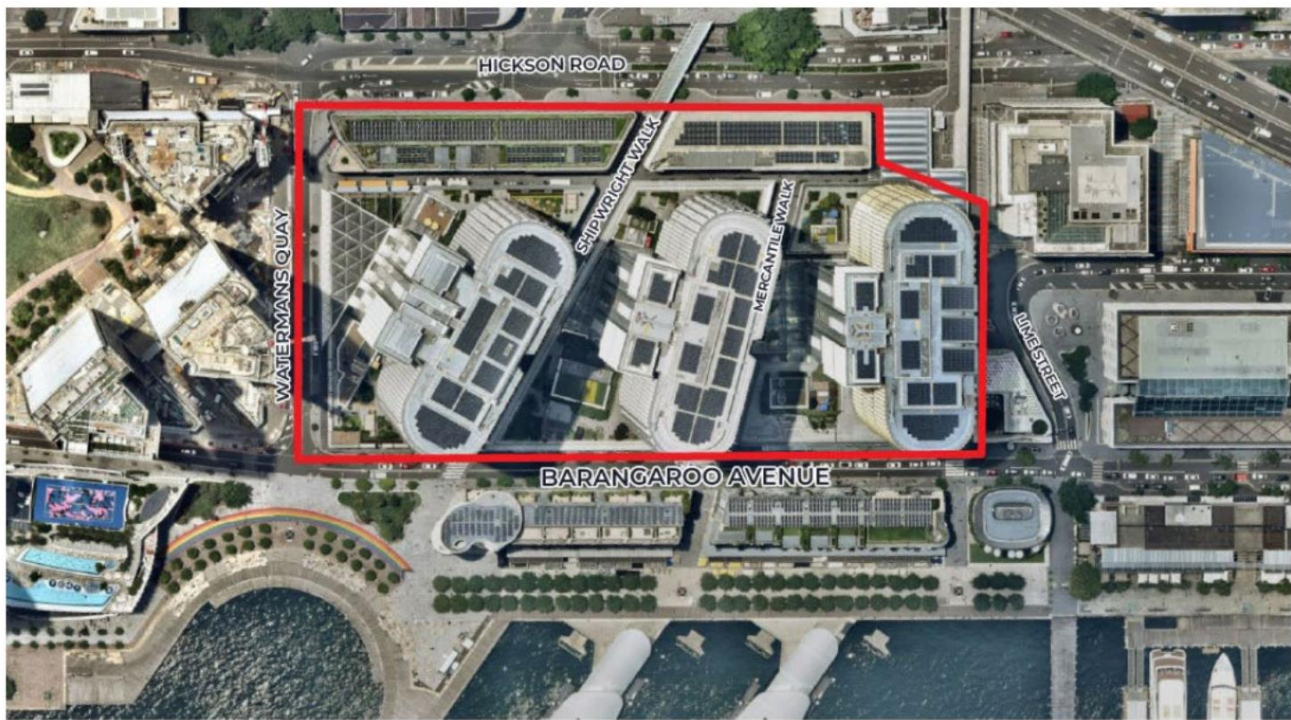
The modification seeks to amend the approved staging of works for the refurbishment of the end-of-trip facilities (EOT) servicing International Towers One, Two and Three, Daramu House and International House. No amendments to the physical works approved under SSD-66973710 are proposed as part of this modification application.

This application identifies the consent, describes the proposed modifications and provides an assessment of the relevant matters contained in section 4.55(1A) of the EP&A Act. This application is accompanied by revised Staging Drawings prepared by Hammond Studio (**Attachment A**).

1.0 Site Context and Description

Barangaroo is located on the northwestern edge of Central Sydney, bound by Sydney Harbour to the west and north and the historic precinct of Millers Point, the Rocks and the Sydney Harbour Bridge approach to the east. The 22-hectare Barangaroo precinct is generally rectangular in shape and has a 1.4 kilometre harbour foreshore frontage, with an eastern street frontage to Hickson Road. Development of Barangaroo precinct has significantly progressed, with the development of Barangaroo South largely complete.

This modification relates to the end of trip facilities located within the ground floor and basement levels 1 and 2 of International Towers One, Two and Three, Daramu House and International House (also referred to as Buildings C1-C5). These five buildings share a large basement that extends across three levels beneath the extent of the site, within which the end of trip facilities are located. The locational context of the site is shown in **Figure 1**



 The Site

 Not to Scale

Figure 1 Location of works

Source: Ethos Urban/ Near map

2.0 Strategic Context

The proposed modification remains consistent with the relevant Government plans, policies and guidelines that apply to the site as detailed in SSD-66973710. The proposed staging of works does not impact the SSD-66973710's consistency with the strategic framework.

3.0 Consent proposed to be modified

Development consent SSD-66973710 was granted by the Department of Planning, Housing and Infrastructure on 19 December 2024 for the refurbishment of the existing EOT facilities that currently service the commercial Buildings C1-C5.

The key works approved under SSD-66973710 are as follows:

- Internal alterations to ground floor, level B1 and level B2 of the shared basement that sits underneath Commercial Buildings C1 – C5, including:
 - Provision of additional access points.
 - Reconfiguration of EOT facilities layout.
 - Relocation of showers, bicycle parking and lockers across Level B1.
 - In fill of existing ramp between ground floor and Level B1 to provide additional electric bicycle storage.
 - Inclusion of individual, gender neutral EOT suites.
- Rationalisation of bicycle parking from 1,157 spaces to 660.
- Rationalisation in showers from 151 to 128.
- Increase in lockers from 1,602 to 2,200.

In addition to the above, two distinct construction stages were approved as part of SSD-66973710 (Stage 1 and Stage 2), which were designed to enable the decanting and ongoing use of the facilities by the building tenants during construction and delivery.

This modification application represents the first modification (MOD 1) to SSD-66973710.

4.0 Proposed modifications to the consent

The proposed modifications to the development consent relate to staging the delivery of the EOT facilities. The modification seeks to amend the approved construction stages to enable a separate preliminary stage in which demolition will be undertaken. The proposed stages are as follows:

- Stage 1A: Demolition works in the southern area.
- Stage 1B: Construction works in the southern area.
- Stage 2: Demolition and construction works in the northern area (i.e. no change to existing Stage 2 arrangement).

The inclusion of the new Stage 1A is driven by the timing implications caused by the requirement for fire engineering reporting to inform the main works construction. In the current staging arrangement, construction, including demolition is not able to start until such time as these fire engineering reports are prepared. This fire engineering work has no bearing or impact on the demolition process, and therefore, it is proposed to split the construction certificates to enable demolition to begin ahead of the issuing of these fire engineering requirements. It is reiterated that the staging for the purposes of organising these fire engineering reports has no bearing on the design or fire safety outcomes, and instead it ensures that a sufficient amount of time is given to resolve fire requirements, whilst not delaying the construction program.

The proposed staging is detailed in **Figure 2** to **Figure 4**. It is noted that no physical changes are proposed to the approved scheme as part of this modification application.

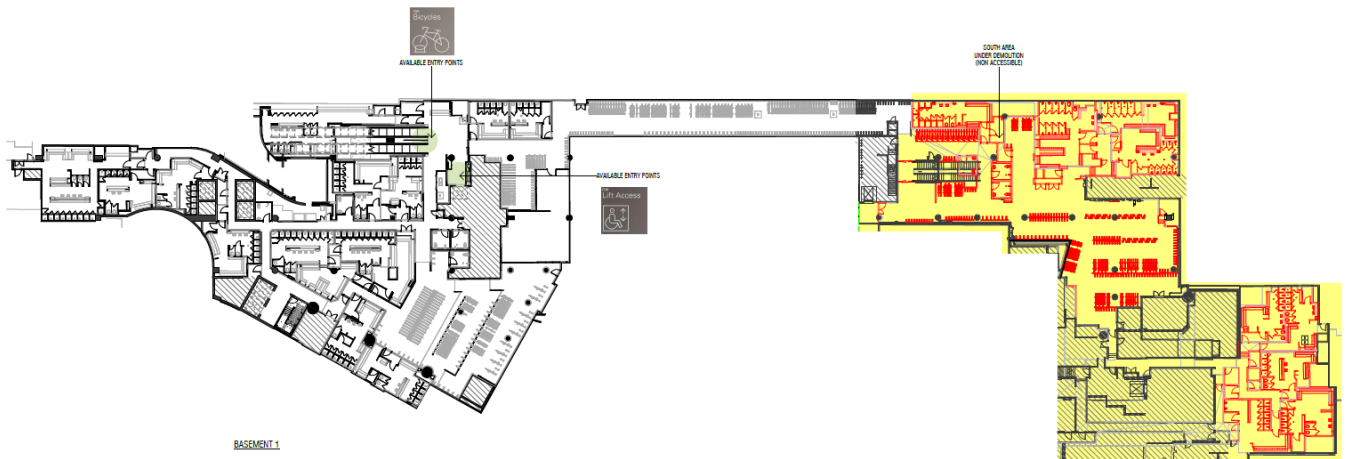


Figure 2 Stage 1A: Demolition works to the southern area

Source: Hammond Studio

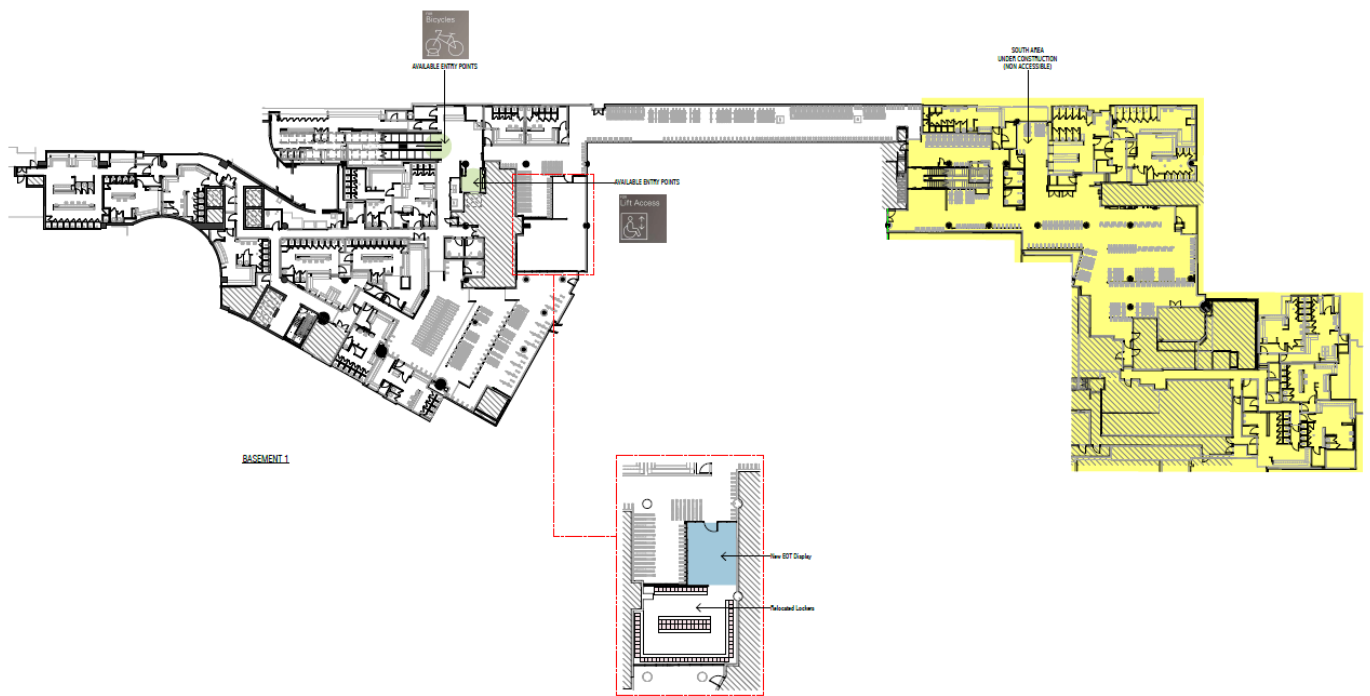


Figure 3 Stage 1B Construction works of the southern EOT facilities

Source: Hammond Studio

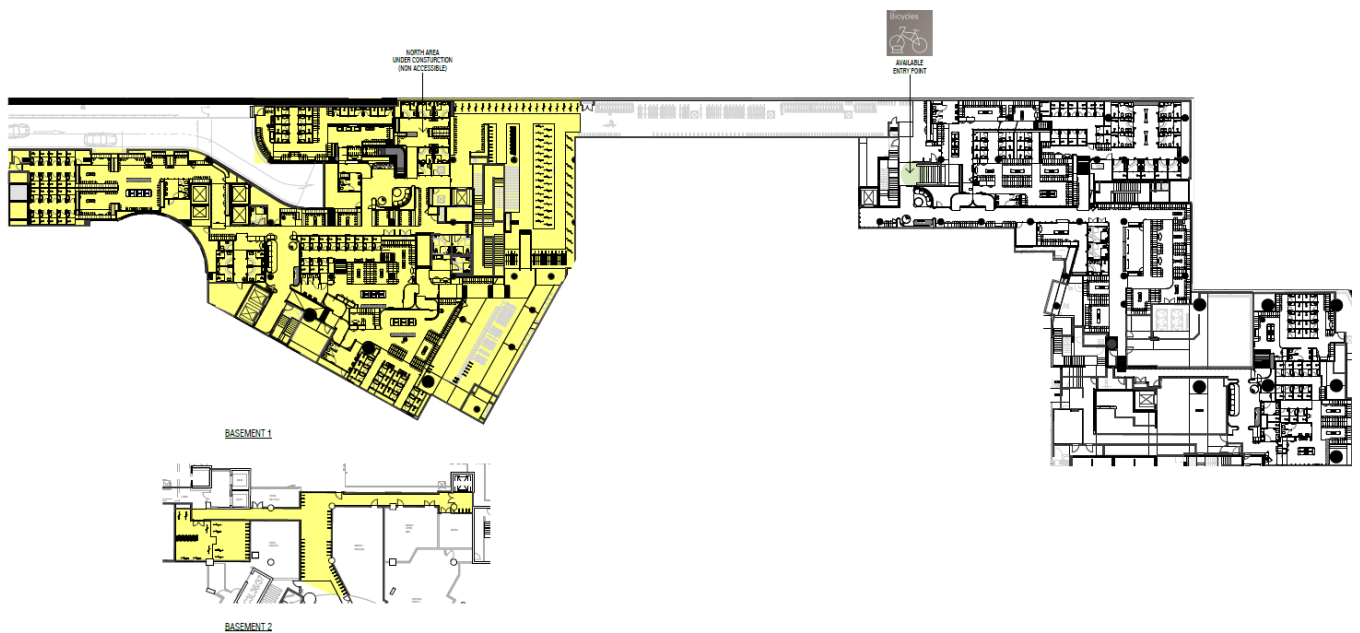


Figure 4 Stage 2: Demolition and Construction of the northern EOT facilities

Source: Hammond Studio

4.1 Modifications to conditions

The proposed modifications described in **Section 4.0** necessitate amendments to the consent conditions which are identified below. Words proposed to be deleted are shown in ~~bold strike through~~ and words to be inserted are shown in **bold italics**.

Part A General Conditions – Administrative Conditions

CONSTRUCTION STAGING

A18. Construction works must be staged in accordance with the staging plans, ~~DWG SK-80001, Rev D & DWG SK-80002, Rev D~~, **Indicative Staging Plan 1A Early Works SK-80000 (Rev A), Indicative Staging Plan 1B, Main Works CC SK-80001 (Rev A) and Indicative Overall Staging Plan Stage 2 – Main works CC SK-80002 (Rev E)** prepared by Hammond Studio dated ~~16 December 2024~~ **27 June 2025**.

Reason: This condition is required to be updated to reflect the proposed staging of SSD-66973710.

Part B Prior to Issue of Construction Certificate – Pre-Construction Requirements

BICYCLE PARKING

B7. Prior to the issue of the ~~first Construction Certificate~~ **Construction Certificate(s) for Stage 1B and Stage 2**, the Applicant must submit to the Certifier a Report demonstrating compliance with the following

- (a) compliance with Australian Standards for the layout, design and security of bicycle facilities;
- (b) provision of a minimum of 718 bicycle spaces including:
- (c) 58 ebike parking spaces with access to charging facilities

Reason: This condition is required to be updated to reflect the proposed staging of SSD-66973710.

ACCESS AND FACILITIES FOR PEOPLE WITH DISABILITIES

B8. Prior to the issue of the ~~first Construction Certificate~~ **Construction Certificate(s) for Stage 1B and Stage 2**, the Applicant must submit to the Certifier details prepared by a suitably qualified professional demonstrating that the building has been designed and will be constructed to provide access and facilities for people with a disability in accordance with the NCC.

Reason: This condition is required to be updated to reflect the proposed staging of SSD-66973710.

VENTILATION

B9. Prior to the issue of the ~~first Construction Certificate~~ **Construction Certificate(s) for Stage 1B and Stage 2**, the Applicant must submit to the Certifier details, prepared by a suitably qualified person certified by Clause A2.2(a)(iii) of the NCC, that any mechanical ventilation and/or air conditioning system for the development complies with the NCC and applicable Australian Standards, to ensure adequate levels of health and amenity to the occupants of the building and to ensure environment protection.

Reason: This condition is required to be updated to reflect the proposed staging of SSD-66973710.

COMPLIANCE WITH ACOUSTIC ASSESSMENT

B10. Prior to the issue of the ~~first Construction Certificate~~ **Construction Certificate(s) for Stage 1B and Stage 2**, the Applicant must submit a Report to the Certifier from a Professional Engineer demonstrating that the design of the Development has incorporated all performance parameters, requirements, engineering assumptions and recommendations contained in the acoustic report, prepared by NDY Group, dated 8 March 2024.

Reason: This condition is required to be updated to reflect the proposed staging of SSD-66973710.

5.0 Substantially the same development

Section 4.55(1A) of the EP&A Act states that a consent authority may modify a development consent if “it is satisfied that the development to which the consent as modified relates is substantially the same development

as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all)".

The development, as proposed to be modified, is substantially the same development as that originally approved in that it:

- The proposed modification does not alter any physical components of the approved development and only relates to construction staging of the EOT facilities.
- The key components of the existing approval remain as approved, including the purpose of the modification to upgrade existing EOT facilities, as well as the number and layout of bicycle parking spaces, showers and lockers.
- The proposed modifications will not result in any new environmental impacts, given that the modification only relates to construction staging.
- The development remains consistent with the objectives of the statutory instruments and planning controls applying to the site, including the *State Environmental Planning Policy (Precincts – Eastern Harbour City) 2021* (Eastern Harbour City SEPP) and the Barangaroo Concept Plan (as modified).

The Department can therefore be satisfied that the development consent, as proposed to be modified, will remain 'substantially the same' as the original development consent, with the proposed modifications representing only a minor amendment to the original consent conditions, having no additional environmental impact.

6.0 Environmental assessment

Section 4.55(1A) of the EP&A Act states that a consent authority may modify a development consent if “it is satisfied that the proposed modification is of minimal environmental impact”. Under section 4.55(3) the consent authority must also take into consideration the relevant matters to the application referred to in section 4.15(1) of the EP&A Act and the reasons given by the consent authority for the grant of the original consent.

The following assessment considers the relevant matters under section 4.15(1) and demonstrates that the development, as proposed to be modified, will be of minimal environmental impact.

6.1 State Environmental Planning Policies

Compliance with the relevant State Environmental Planning Policies is assessed in **Table 1** below. It is noted that much of the assessment undertaken in the original Environmental Impact Statement (EIS) prepared for the original SSD-66973710 remains relevant for this modification.

Table 1 Compliance Table – State Environmental Planning Policies

Matter	Consideration
State Environmental Planning Policy (Resilience and Hazards) 2021	With regard to contamination, no physical changes are proposed as a part of this modification application. The land remains suitable for its intended purposes, as considered as part of SSD-66973710.
State Environmental Planning Policy (Precincts – Eastern Harbour City) 2021	Barangaroo is identified as a State Significant Precinct under the <i>State Environmental Planning Policy (Precincts – Eastern Harbour) 2021</i> (EHSEPP). The proposed staging of the approve refurbishment of the existing EOT facilities which services Commercial Buildings C1 – C5 at Barangaroo South remains permissible in the B4 Mixed Use zone. No changes are proposed to the approved GFA areas as approved.
Biodiversity Conservation Act 2016	Section 7.14 requires the consent authority to take into consideration the likely impact of the proposed development on biodiversity values. No physical works are proposed as part of this modification. As such, the BDAR issued with the Department of Climate Change, Energy, the Environment and Water dated 22 March 2024, which identifies that there is no likely of the proposed development on biodiversity values continues to be applicable to this modification application.
State Environmental Panning Policy (Transport and Infrastructure) 2021	There are no physical works associated with this modification application, as such the modification application does not impact compliance with Section 2.121 or 2.119 of the Transport and Infrastructure SEPP.

6.2 Barangaroo Concept Plan

This modification application relates to the staging of the delivery of the approved EOT facilities which service Commercial Buildings C1 – C5. The existing basement is located within Block 3 of Barangaroo as identified under the approved Concept Plan (as modified). SSD-66973710 was designed to be consistent with the approved Concept Plan, and this modification application does not involve any physical modifications and only relates to staging. As such, this modification application remains consistent with the Barangaroo Concept Plan.

6.2.1 Numeric Concept Plan Controls

The proposed modification relates only to the staging of the delivery of the approved EOT facilities under SSD-66973710 and does propose any physical changes. As such, numeric compliance with the Barangaroo Concept Plan remains consistent with the approved scheme.

6.2.2 Bicycle Parking

The Barangaroo Concept Plan (as modified) includes specific controls pertaining to the provision of bicycle parking and EOT facilities to support the commercial floorspace of the related buildings. The proposed modification only relates to the staging of the delivery of the approved EOT facilities under SSD-66973710 and does not propose any physical changes, including to the amount of bicycle parking spaces, showers and lockers approved. As such, this modification application remains consistent with the bicycle parking requirements of the Barangaroo Concept Plan.

6.3 Other Environmental Issues

The proposed modification only relates to staging of the delivery of the development approved under SSD-66973710 and does not include any physical works. Given there are no physical changes proposed to the scheme, there are no anticipated environmental impacts that will result from this modification application.

6.4 Public Interest

The proposed modifications facilitating the staging the delivery of the EOT facilities will continue to be in the public interest for the following reasons:

- The proposed modification to stage the delivery of the EOT facilities, serves the public interest by facilitating for more efficient and timely completion of the works approved under SSD-66973710.
- The proposed modification will continue to facilitate the renewal of a significantly underutilised site at a critical location in Barangaroo.
- The proposed modification supports the delivery of integrated EOT facilities which have been designed to respond to the needs of the building tenants who are utilising the space.
- The proposed modification will continue to assist in the utilisation of public amenity in Barangaroo by providing a space in which tenants can efficiently transition to and from the site.

6.5 Reasons given for granting consent

SSD-66973710 was originally approved for the following reasons, which this modification application continues to comply with:

- The project would provide a range of benefits for the region and the State as a whole, including providing updated end of trip facilities to service the state significant Barangaroo South development.
- The project is permissible with development consent and is consistent with NSW Government policies including the Greater Sydney Regional Plan.
- The impacts on the community and the environment can be appropriately minimised, managed or offset to an acceptable level, in accordance with applicable NSW Government policies and standards.
- The issues raised by the community during consultation and in submissions have been considered and adequately addressed through changes to the project and the conditions of consent. Engagement on the project is considered to be in line with Undertaking Engagement Guidelines for State Significant Projects, including the community participation objectives outlined in these guidelines.
- Weighing all relevant considerations, the project is in the public interest.

The proposed modification does not depart from any of these original reasons to grant development consent.

7.0 Conclusion

This modification application seeks to amend the approved staging of the delivery of works for the refurbishment of the EOT facilities for International Towers One, Two and Three, Daramu House and International House in Barangaroo South, originally approved under SSD-66973710. No physical modifications to the original approved scheme are proposed.

In accordance with section 4.55(1A) of the EP&A Act, the consent authority may modify the consent as:

- The proposed modification is of minimal environmental impact; and
- Substantially the same development as development for which the consent was granted.

We trust that this information is sufficient to enable a prompt assessment of the proposed modification request.

Yours sincerely,



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