

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.



Anthony Witherdin
Director
Key Sites Assessments

Sydney

10 December 2019

SCHEDULE 1

Development consent:	SSD 6960 granted by the Planning Assessment Commission on 7 March 2017
For the following:	Construction of the Stage 1B basement including remediation, bulk excavation, interim public domain, interim roadway, services, infrastructure and associated works.
Applicant:	Lendlease (Millers Point) Pty Ltd
Consent Authority:	Minister for Planning and Public Spaces
The Land:	Lot 214 DP 1221076
Modification:	SSD 6960 MOD 3: Increase in non-residential Gross Floor Area within the basement from 26 m ² to 65 m ² and amend the basement layout.

SCHEDULE 2

The above approval is modified as follows:

1. Part A – Administrative Conditions – Condition A1 is amended by the deletion of ~~struck-out~~ words and the insertion of **bold and underlined** words as follows:

A1 DEVELOPMENT DESCRIPTION

Except as amended by this consent, development consent is granted for the following:

- (a) remediation, bulk excavation and construction of the Stage 1B basement including provision of basement slabs over four (4) levels to support future car parking;
- (b) construction, fit out and use of common facilities within the basement such as plant rooms, loading docks, waste rooms and storage;
- (c) construction of structural cores for the future Stage 1B residential buildings and above ground basement elements such as access ramps, risers, fire stairs and lifts;
- (d) use of ~~26 m²~~ **65 m²** of gross floor area (GFA) within level **B0 and** B1 of the basement for basement uses ~~and additional GFA for end of trip facilities on level B0~~;
- (e) provision of interim public domain, associated landscaping and temporary construction of part of Barangaroo Avenue; and
- (f) provision of services and infrastructure within and adjacent to the basement and permanent stormwater infrastructure between Hickson Road and Darling Harbour.

2. Part A – Administrative Conditions – Condition A2 is amended by the deletion of ~~struck-out~~ words and the insertion of **bold and underlined** words as follows:

A2 DEVELOPMENT IN ACCORDANCE WITH PLANS AND DOCUMENTATION

The development will be undertaken in accordance the following documents and plans:

Environmental Impact Statement entitled ‘State Significant Development – Environmental Impact Statement – Stage 1B Basement – Barangaroo South’ and accompanying appendices, prepared by JBA Urban Planning Consultants Pty Ltd and dated February 2016
Environmental Impact Statement entitled ‘Section 4.55(1A) Modification Application Barangaroo South Stage 1 Basement SSD15 6960’, and accompanying appendices prepared by Ethos Urban and dated 15 October 2018.
Environmental Impact Statement entitled ‘Section 4.55(1A) Modification Application – Design Modifications to Stage 1B Basement Barangaroo South’, and accompanying appendices prepared by Ethos Urban and dated 30 May 2019.
<u>Environmental Impact Statement entitled ‘Section 4.55(1A) Modification Application – Modifications to Stage 1B Basement Barangaroo South’, and accompanying appendices prepared by Ethos Urban and dated 6 November 2019.</u>
Response to Submissions report entitled ‘Response to Submissions – Barangaroo Stage 1B Basement (SSD_6960)’ and accompanying appendices, prepared by JBA Urban Planning Consultants Pty Ltd and dated 8 September 2016, as updated by: <ul style="list-style-type: none">• The document entitled ‘Stage 1B Basement (SSD 15_6960) - Detailed Response to Submissions Addendum – TfNSW Submission’ submitted by Lend Lease on 22 September 2016;• Email entitled ‘Stage 1B Basement RTS Documentation’ and accompanying attachments, prepared by Lend Lease and submitted on 10 October 2016;• Email entitled ‘Stage 1B Basement RTS Further Information’ and accompanying attachments, prepared by Lend Lease and submitted on 1 November 2016; and• The document entitled ‘Stage 1B Basement (SSD 15_6960) – Response to Further Council Submission’ submitted by Lend Lease 15 November 2016.
Response to Submissions report entitled ‘SSD 6960 Mod 1 Response to Submissions Stage 1B Basement, Barangaroo South’ and accompanying appendices, prepared by Ethos Urban and dated 12 March 2019.

'Barangaroo South – Stage 1B Basement and Residential Towers, Revised SEPP 55 Letter, Hickson Road, Millers Point. State Significant Development Applications 6960, 6964, 6965 & 6966', prepared by AECOM Australia Pty Limited and dated 27 June 2016			
'Human Health and Ecological Risk Assessment, Declaration Site (Development Works) Remediation Works Area – Barangaroo', prepared by AECOM Australia Pty Limited and dated 9 June 2011			
'Human Health and Ecological Risk Assessment, VMP Remediation Works (Addressing the NSW EPA Declaration 21122, Millers Point)', prepared by AECOM Australia Pty Limited and dated 25 October 2012			
'Remedial Action Plan, NSW EPA Declared Remediation Site 21122 and Block 4 (Stage 1b) Development Works, Barangaroo, Millers Point, NSW', prepared by AECOM Australia Pty Limited and dated 24 July 2013			
'Site Audit Report - Remedial Action Plan, Declaration Area and Block 4, Barangaroo', prepared by ENVIRON Australia Pty Ltd and dated July 2013'			
Site Audit Statements (No. GN 447A and No. GN 439B-3), approved by Mr. Graeme Nyland (EPA accredited Site Auditor) and dated 31 July 2013			
'Addendum to the Remedial Action Plan, NSW EPA Declared Remediation Site 21122 and Block 4 (Stage 1b) Development Works, Barangaroo, Millers Point, NSW - Offsite Treatment/Transport of Contaminated Material', prepared by AECOM Australia Pty Limited and dated 15 October 2016			
'VMP/Block 4 Remedial Action Plan Addendum - Part Stage 1B Public Domain (Watermans Quay), Hickson Road, Millers Point, Barangaroo South', prepared by AECOM Australia Pty Limited and dated 19 April 2016			
'Human Health and Ecological Risk Assessment, Stage 1C Development (ROWN Area), Barangaroo South', prepared by AECOM Australia Pty Limited and dated 10 December 2014			
'Remedial Action Plan Barangaroo South Stage 1B Waterfront Public Domain', prepared by AECOM Australia Pty Limited and dated 22 January 2016			
'Site Audit Report, Remedial Action Plan, Barangaroo South, Stage 1B Waterfront Public Domain', prepared by Ramboll Environ Australia Pty Ltd and dated 24 February 2016			
Site Audit Statement (No. GN 439B-4), approved by Mr. Graeme Nyland (EPA accredited Site Auditor) and dated 24 February 2016			
EPA Accredited Site Auditor Letter entitled 'Re: Barangaroo, Stage 1B Basement and Residential Towers (SSD 6960), Associated Works Areas, SEPP 55 Consideration', prepared by Ramboll Environ Australia Pty Ltd and dated 1 August 2016			
Statement of Commitments in Schedule 3			
Architectural drawings prepared by Lend Lease Design and Renzo Piano Building Workshop and landscape drawings prepared by Grant Associates			
Drawing No.	Revision	Name of Plan	Date
BB2_PA2_A000	D E	Title Sheet	18/03/2019 29/08/2019
BB2_PA2_A001	B	Aerial Location Plan	30/08/2016
BB2_PA2_A002	B	Survey Plan	19/05/2016
BB2_PA2_A003	B	Demolition, Excavation and Services Zone Plan	30/08/2016
BB2_PA2_A100	C D	Basement Plan Level B0	3/08/2018 29/08/2019
BB2_PA2_A101	D E	Basement Plan Level B1	5/02/19 29/08/2019
BB2_PA2_A102	C D	Basement Plan Level B2	3/08/2018 29/08/2019
BB2_PA2_A103	C D	Basement Plan Level B3	3/08/2018 29/08/2019
BB2_PA2_A104	C D	Basement Plan Level B4	3/08/2018 29/08/2019

BB2_PA2_A105	C	Basement Plan Level B5	3/08/2018
BB2_PA2_A300	E	Section 01	14/05/19
BB2_PA2_A301	E	Section 02	14/05/19
BB2_PA2_A302	E	Section 03	14/05/19
BB2_PA2_A303	E	Section 04	14/05/19
BB2_PA2_A400	C	Building Elements – Ground Floor	3/08/2018
BB2_PA2_A401	C	Building Elements – Podium P1	3/08/2018
BB2_PA2_A402	C	Building Elements – Podium P2	3/08/2018
BB2_PA2_A501	C	Building Elements – Elevations	3/08/2018
RPB430_GE_BMT000	I	Extent of Landscape Works	31/07/2018
RPB430_GE_BMT001	N	General Arrangement	31/07/2018
RPB430_SE_BMT002	M	Section: Watermans Quay	26/08/2016
RPB430_SE_BMT003	M	Section: Barangaroo Avenue	26/08/2016
RPB430_SE_BMT004	H	Section: Hickson Road	26/08/2016
RPB430_SE_BMT005	I	Section: Watermans Quay (Northern Footpath)	26/08/2016
RPB430_SE_BMT006	J	Section: Barangaroo Avenue (Western Footpath)	26/08/2016
RPB430_SE_BMT007	M	Section: Barangaroo Avenue (Eastern Footpath)	26/08/2016

3. Part B – Prior to Issue of the Relevant Construction Certificate – Condition B28 is amended by the deletion of ~~struck-out~~ words and the insertion of **bold and underlined** words as follows:

B28 AREAS FOR BICYCLE PARKING AND END OF TRIP FACILITIES

Prior to the issue of the relevant Construction Certificate, documentation including plans shall be submitted to the satisfaction of the Certifying Authority identifying the location of areas for bicycle parking, and the location and ~~total gross floor area~~ for end of trip facilities (storage, change rooms and showers) within level B0 **and B1** of the basement.

The bicycle parking areas shall be provided in the ~~upper levels~~ **on Levels B1 and B0** of the basement, grouped together in convenient, accessible areas close to main entries. The areas shall be sized to accommodate the provision of bicycle parking and end of trip facilities (storage, change rooms and showers) in accordance with the rates identified in the Barangaroo Concept Plan MP 06_0162 (as modified).

4. Part E – Prior to Occupation or Commencement of Use – Condition E3 is amended by the deletion of ~~struck-out~~ words and the insertion of **bold and underlined** words as follows:

E3 GFA CERTIFICATION

A Registered Surveyor is to certify that the Gross Floor Area (GFA) of the development approved by this consent does not exceed ~~26 m²~~ **65 m²** for basement uses on level B1 **and B0**, ~~and an additional allocation of GFA for end trip facilities on level B0 as required by Condition B28~~. Details shall be provided to the Certifying Authority demonstrating compliance with this condition prior to the issue of the relevant Occupation Certificate.

**End of modification
(SSD 6960 MOD 3)**