

Modification of Development Consent

Section 4.55(1A) of the *Environmental Planning and Assessment Act 1979*

As delegate of the Minister for Planning, I approve the modification of the development consent referred to in Schedule 1, subject to the conditions in Schedule 2.



Anthea Sargeant
Executive Director
Key Sites and Regional Assessments

Sydney

20 April 2022

SCHEDULE 1

Development consent: **SSD 6966** granted by the Independent Planning Commission on 03 October 2019

For the following: Construction, use and fitout of a 30-storey (RL 107) mixed-use building, including:

- a total GFA of 19,158 m² comprising 18,287 m² residential GFA (210 apartments) and 871 m² retail GFA
- public domain works
- fit-out and use of the Stage 1B basement car park including allocation of a maximum of 143 car parking spaces, of which 9 are for Key Worker Housing
- demolition of interim basement elements
- a signage zone to accommodate future building identification signage.

Applicant: Lendlease (Millers Point) Pty Ltd

Consent Authority: The Independent Planning Commission

The Land: 51A Hickson Road, Barangaroo Lot 500 DP 1264241
(formerly Lot 214 DP 1221076)

Modification: SSD 6966 (MOD 3): Modifications to a mixed-use building, including:

- changes to finished floor levels, building facades, internal layouts, rooftop plant and landscaping

- amended signage zones.

SCHEDULE 2

1. Schedule 1 – Approved Development is amended by the deletion of ~~bold and struck out~~ words and the insertion of **bold and underlined** words as follows:

Construction, use and fitout of a 30-storey (RL 107) mixed-use building, including:

- a total GFA of ~~21,425.3m²~~ **21,425m²** comprising ~~20,636m²~~ **20,636.9m²** residential GFA (212 apartments) and ~~789.3m²~~ **788.1m²** retail GFA
- public domain works
- fit-out and use of the Stage 1B basement car park including allocation of a maximum of 143 car parking spaces, of which 9 are for Key Worker Housing
- demolition of interim basement elements
- two signage zones to accommodate future building identification signage.

2. Schedule 2 Part A – Terms of Consent, Condition A2 is amended by the deletion of ~~bold and struck out~~ words and the insertion of **bold and underlined** words as follows:

TERMS OF CONSENT

A2. The development may only be carried out:

- (a) in compliance with the conditions of this consent;
- (b) in accordance with all written directions of the Planning Secretary;
- (c) in accordance with the EIS and Response to Submissions;
- (d) in accordance with the management and mitigation measures; and
- (e) in accordance with the approved plans in the table below:
- (f) generally in accordance with the following modification applications:
 1. Section 4.55(2) modification application (SSD 6966 mod 1) dated 11 January 2021 (prepared by Ethos Urban), Response to Submissions dated 26 April 2021 (prepared by Ethos Urban) and Additional Information dated 5 May 2021 (prepared by Ethos Urban), 26 May 2021 (prepared by Ethos Urban), 15 June 2021 (prepared by Lendlease) and 23 July 2021 (prepared by Lendlease)
 2. Section 4.55(1A) modification application (SSD 6966 mod 2) dated 12 November 2021 (prepared by Ethos Urban), Response to Request for Additional Information dated 19 January 2022 (prepared by Lendlease) and 28 January 2022 (prepared by Lendlease) and the Additional Information dated 31 January 2022 (prepared by Lendlease) and 7 February 2022 (prepared by Lendlease)
 3. **Section 4.55(1A) modification application (SSD 6966 mod 3) dated 17 December 2021 (prepared by Ethos Urban), Response to Request for Additional Information dated 24 February 2022 (prepared by Lendlease) and Additional Information dated 21 March 2022 (prepared by Lendlease).**

Architectural Drawings prepared by Renzo Piano Building Workshop <u>and Lendlease Integrated Solutions</u>			
Drawing No.	Revision	Name of Plan	Date
BR5 _ASD_PA1_0001	20	Context Plan	3 Nov 2020
	<u>21</u>		<u>5 Nov 2021</u>
BR5 _ASD_PA1_0002	24	Site Plan	12 Mar 2021
	<u>23</u>		<u>15 Dec 2021</u>
BR5 _ASD_PA1_0004	20	Setting Out	3 Nov 2020
	<u>21</u>		<u>5 Nov 2021</u>
BR5 _ASD_PA1_0005	20	Thermal Performance Assessment	12 Mar 2021
	<u>21</u>		<u>5 Nov 2021</u>
BR5 _ASD_PA1_1001	21	Plan Basement Level B4	21 Oct 2021
BR5 _ASD_PA1_1002	21	Plan Basement Level B3	21 Oct 2021

BR5_ASD_PA1_1003	21	Plan Basement Level B2	21 Oct 2021
BR5_ASD_PA1_1004	21	Plan Basement Level B1	21 Oct 2021
BR5_ASD_PA1_1005	21	Plan Basement Level B0	21 Oct 2021
BR5_ASD_PA1_2000	22 <u>24</u>	Plan Ground Floor Level 00	12 Mar 2021 <u>15 Dec 2021</u>
BR5_ASD_PA1_2001	20 <u>22</u>	Plan Podium Level P1	12 Mar 2021 <u>15 Dec 2021</u>
BR5_ASD_PA1_2002	24 <u>22</u>	Plan Podium Level P2	12 Mar 2021 <u>05 Nov 2021</u>
BR5_ASD_PA1_3001	24 <u>22</u>	Plan Lower Plate Level 01-14	12 Mar 2021 <u>05 Nov 2021</u>
BR5_ASD_PA1_3002	21	Plan Lower Plate Level 02	05 Nov 2021
BR5_ASD_PA1_3003	01	Plan Lower Plate Level 03-07	05 Nov 2021
BR5_ASD_PA1_3008	01	Plan Lower Plate Level 08-14	05 Nov 2021
BR5_ASD_PA1_3015	24 <u>22</u>	Plan Mid Plate Level 15-16	12 Mar 2021 <u>05 Nov 2021</u>
BR5_ASD_PA1_3017	24 <u>22</u>	Plan Lift Overrun Level 17	12 Mar 2021 <u>05 Nov 2021</u>
BR5_ASD_PA1_3018	24 <u>22</u>	Plan Upper Plate Level 18-21	12 Mar 2021 <u>05 Nov 2021</u>
BR5_ASD_PA1_3019	01	Plan Lower Plate Level 19-21	05 Nov 2021
BR5_ASD_PA1_3020	24 <u>22</u>	Plan Upper Plate Level 22-25	12 Mar 2021 <u>05 Nov 2021</u>
BR5_ASD_PA1_3026	20 <u>21</u>	Plan Skyhomes Level 26	12 Mar 2021 <u>05 Nov 2021</u>
BR5_ASD_PA1_3027	20 <u>21</u>	Plan Skyhomes Level 27	12 Mar 2021 <u>05 Nov 2021</u>
BR5_ASD_PA1_3028	20 <u>21</u>	Plan Roof Level 28	12 Mar 2021 <u>05 Nov 2021</u>
BR5_ASD_PA1_4001	20 <u>21</u>	Elevation North – West (Park)	12 Mar 2021 <u>05 Nov 2021</u>
BR5_ASD_PA1_4002	20 <u>22</u>	Elevation East (Hickson Road)	12 Mar 2021 <u>15 Dec 2021</u>
BR5_ASD_PA1_4003	20 <u>21</u>	Elevation South (Watermans Quay)	12 Mar 2021 <u>05 Nov 2021</u>
BR5_ASD_PA1_4004	20 <u>21</u>	Elevation South – West (Watermans Quay)	12 Mar 2021 <u>05 Nov 2021</u>
BR5_ASD_PA1_4005	20 <u>21</u>	North – West Enlarged Elevation (Park) – Low Rise	12 Mar 2021 <u>05 Nov 2021</u>
BR5_ASD_PA1_4006	20 <u>21</u>	North – West Enlarged Elevation (Park) – Mid Rise	12 Mar 2021 <u>05 Nov 2021</u>
BR5_ASD_PA1_4007	20 <u>22</u>	East Enlarged Elevation (Hickson Park) – Low Rise	12 Mar 2021 <u>15 Dec 2021</u>
BR5_ASD_PA1_4008	20 <u>21</u>	East Enlarged Elevation (Hickson Park) – Mid Rise	12 Mar 2021 <u>05 Nov 2021</u>
BR5_ASD_PA1_4201	20 <u>21</u>	Signage Zone – South West Elevation	12 Mar 2021 <u>05 Nov 2021</u>
BR5_ASD_PA1_4202	20 <u>22</u>	Signage Zone East Elevation (Hickson Road)	12 Mar 2021 <u>15 Dec 2021</u>
BR5_ASD_PA1_5001	20 <u>21</u>	Overall Section AA	12 Mar 2021 <u>05 Nov 2021</u>
BR5_ASD_PA1_5002	20 <u>21</u>	Overall Section BB	12 Mar 2021 <u>05 Nov 2021</u>
BR5_ASD_PA1_6001	20 <u>21</u>	Balcony Primary Facade Detail	12 Mar 2021 <u>05 Nov 2021</u>
BR5_ASD_PA1_6002	19	Open Cavity Primary Facade Detail	12 Mar 2021
BR5_ASD_PA1_6003	20 <u>21</u>	Open Cavity Primary Facade Detail – Sky Homes	12 Mar 2021 <u>05 Nov 2021</u>
BR5_ASD_PA1_6005	19	Closed Cavity Secondary Facade Detail	03 Nov 2021
BR5_ASD_PA1_6007	19	Louvred Metal Cladding	03 Nov 2020
BR5_ASD_PA1_6008	20	Opaque Cladding	12 Mar 2021

BR5 ASD_PA1_6009	20 <u>21</u>	Podium Facade Detail	12 Mar 2021 <u>05 Nov 2021</u>
BR5 ASD_PA1_6010	20 <u>21</u>	Lobby Facade Detail	12 Mar 2021 <u>05 Nov 2021</u>
BR5 _ASD_PA1_9000	20 <u>21</u>	GFA Calculation	12 Mar 2021 <u>05 Nov 2021</u>
BR5 _ASD_PA1_9002	24 <u>23</u>	GFA Calculation Plan – Sheet 2	12 Mar 2021 <u>15 Dec 2021</u>
BR5 _ASD_PA1_9003	24 <u>22</u>	GFA Calculation Plan – Sheet 3	12 Mar 2021 <u>05 Nov 2021</u>
BR5 _ASD_PA1_9004	24 <u>22</u>	GFA Calculation Plan – Sheet 4	12 Mar 2021 <u>05 Nov 2021</u>
BR5 ASD PA1 9005	01	GFA Calculation Plan – Street 5	5 Nov 2021
Landscape Drawings prepared by Grant Associates and McGregor Coxall			
Drawing No.	Revision	Name of Plan	Date
RPB430-GE-R5000-GA	R	General Arrangement	23/04/2019
BR3DU1GRD01	C	Ground Floor Landscape Plan	25/11/2020
BR3DU1GRD02	C	Ground Floor Landscape Section	25/11/2020
BR3DU1L0201	C <u>D</u>	P02 Landscape Plan	25/11/2020 <u>8/11/2021</u>
BR3DU1L0202	C <u>D</u>	P02 Landscape Sections	25/11/2020 <u>8/11/2021</u>
BR3DU1L02601	C <u>D</u>	Upper Deck Landscape Plan	25/11/2020 <u>8/11/2021</u>
BR3DU1L02602	C <u>D</u>	Upper Deck Landscape Sections	25/11/2020 <u>8/11/2021</u>

3. Schedule 2 Part A – Terms of Consent, Condition A24 is amended by the deletion of **bold and struck out** words and the insertion of **bold and underlined** words as follows:

SIGNAGE

- A24. Notwithstanding any future signage approval, only one of the ~~two~~ three approved signage zones located at the On Market Lobby and **only one of the two approved signage zones located at the** Key Worker Housing Lobby may contain signage at any one time.

4. Schedule 2 Part B – Gross Floor Area (GFA) Certification, Condition B6 is amended by the deletion of the **bold and struck out** words and the insertion of **bold and underlined** words as follows:

GROSS FLOOR AREA (GFA) CERTIFICATION

- B6. The GFA of the building must not exceed ~~21,425.3m²~~ **21,425m²**. Details confirming compliance must be submitted to the Certifying Authority prior to the issue of any Construction Certificate.

5. Schedule 2 Part B – BASIX Certification, Condition B20 is amended by the deletion of the **bold and struck out** words and the insertion of **bold and underlined** words as follows:

BASIX CERTIFICATION

- B20. The development must be implemented and all BASIX commitments thereafter maintained in accordance with BASIX Certificate No. ~~649695M-06~~ **649695M 08**, and an updated certificate issued if amendments are made. The BASIX certificate must be submitted to the Certifying Authority with all commitments clearly shown on the Construction Certificate plans.

6. Schedule 2 Part E – GFA and Height Certification, Condition E2 is amended by the deletion of the ~~bold and struck~~ out words and the insertion of **bold and underlined** words as follows:

GFA AND HEIGHT CERTIFICATION

- E2. A Registered Surveyor is to certify that the GFA of the building does not exceed ~~21,425.3m²~~ **21,425m²** and the height of the building does not exceed RL 107 m AHD. Details shall be provided to the PCA demonstrating compliance with this condition prior to the issue of any Occupation Certificate.

End of modification

(SSD 6966 MOD 3)