

Modification of Development Consent

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

As delegate of the Minister for Planning under delegation dated 11 October 2017, I approve the modification application referred to in Schedule 1, subject to the conditions in Schedule 2.



Ben Lusher
Director
Key Sites Assessments

Date: 17 July 2018 · Sydney

SCHEDULE 1

Development Approval: SSD 7037 granted on 12 January 2018

For the following: Demolition and construction of a part seven / part nine storey mixed-use building (Building 1) and a six-storey mixed-use building (Building 2) with basement car parking, and adaptive re-use of the Baker's Terrace

Applicant: Golden Age & Hannas The Rocks Pty Ltd

Consent Authority: Minister for Planning

The Land: 85 Harrington Street and 68-72 Gloucester Street, The Rocks (Lot 1 in DP 777033)

Modification: SSD 7037 (MOD 1): Amend Conditions A2, B7, B8, B17, B37 and F6 to modify a drawing number reference, timing of construction certificates, mechanical ventilation design, percentage of adaptable units and waste management arrangements. Insert new Condition B37A relating to universal design features.

SCHEDULE 2

The above approval is modified as follows:

1. Condition A2 is amended by the insertion of **bold and underlined** words/numbers and the deletion of ~~strikethrough~~ words/numbers as follows:

TERMS OF CONSENT

A2 The Applicant, in acting on this consent, must carry out the development:

- a) in compliance with the conditions of this consent;
- b) in accordance with all written directions of the Secretary;
- c) generally in accordance with the State Significant Development Application SSD 7037 Environmental Impact Statement entitled 75-85 Harrington Street, The Rocks and accompanying appendices, prepared by Urbis and dated July 2016;
- d) generally in accordance with the Response to Submissions prepared by Urbis titled Response to Submissions, 85 Harrington Street, dated 9 August 2017;
- e) generally in accordance with the Revised Response to Submissions prepared by FJMT titled Response to Submissions Department of Planning and Environment, Harrington Street, dated 19 October 2017; and
- f) the following drawings:

Architectural Plans prepared by FJMT Architects			
Drawing No.	Revision	Name of Plan	Date
DA-1210	S	Demolition Plan	21/11/2017
DA-1200	R	Site plan	01/11/2017
DA-2000	R	Ground floor plan (Harrington Street)	01/11/2017
DA-2001	R	Level 0 floor plan	01/11/2017
DA-2002	R	Level 1 floor plan	01/11/2017
DA-2003	R	Level 2 floor plan	01/11/2017
DA-2004	S	Level 3 floor plan	21/11/2017
DA-2005	R	Level 4 floor plan	01/11/2017
DA-2006	R	Level 5 floor plan	01/11/2017
DA-2007	R	Level 6 floor plan	01/11/2017
DA-2008	R	Level 7 floor plan	01/11/2017
DA-2009	R	Level 8 floor plan	01/11/2017
DA-2010	R	Roof plan	01/11/2017
DA-2011	R	Basement level 1	01/11/2017
DA-2012	R	Basement level 2	01/11/2017
DA-2025	R	Adaptable and LHG compliant key	01/11/2017
DA-2030	R	Adaptable and Livable Housing Guide (units 204, 304,404)	01/11/2017
DA-2031	R	Adaptable and Livable Housing Guide (unit 504)	01/11/2017
DA-2032	R	Adaptable and Livable Housing Guide (units 205 and 305)	01/11/2017
DA-2033	R	Adaptable and Livable Housing Guide (units 601 and 603)	01/11/2017
DA-2034	R	Adaptable and Livable Housing Guide (units 602 and 702)	01/11/2017

DA-2035	R	Adaptable and Livable Housing Guide (units 701 and 703)	01/11/2017
DA-2800	R	GFA Plans	01 09 /11/2017
DA-3001	R	East elevation (Harrington Street) (outer)	01/11/2017
DA-3002	R	West elevation (Gloucester Street) (outer)	01/11/2017
DA-3003	R	North/ south elevations (outer)	01/11/2017
DA-3004	S	Cumberland Place elevations (outer)	21/11/2017
DA-3005	R	East elevation (Harrington Street) (inner)	01/11/2017
DA-3006	R	West elevation (Harrington Street) (inner)	01/11/2017
DA-3007	R	North/ south elevations (inner)	01/11/2017
DA-3008	S	Cumberland Place elevations (inner)	21/11/2017
DA-4100-1	R	Block 1 Section	01/11/2017
DA-4101	R	Block 1 North cross section	01/11/2017
DA-4102	R	Block 1 Longitudinal section	01/11/2017
DA-4150	R	Block 2 Longitudinal section	01/11/2017
DA-4151	R	Block 2 and Baker's Terrace cross section	01/11/2017
DA-4200	R	Indicative plenum detail	01/11/2017
DA-5004	R	Storage in Apartments	01/11/2017
DA-9401	R	Storage schedule	01/11/2017
Landscape Plans prepared by FJMT Architects			
Drawing No.	Revision	Name of Plan	Date
DA-8001	05	Tree Management Plan	08/08/2017
DA-8002	05	Ground Plane Plan	08/08/2017
DA-8003	04	Cumberland Place	08/08/2017
DA-8004	05	Level 8 terrace	08/08/2017
DA-8005	02	Level 5 terrace	08/08/2017
DA-8006	02	The Sandstone Alcove	08/08/2017
DA-8007	01	Communal terrace	08/08/2017
DA-8010	05	Section Elevations	08/08/2017
DA-8011	05	Section Elevations	08/08/2017
DA-8012	05	Section Elevations	08/08/2017
DA-8013	05	Section Elevations	08/08/2017

2. Condition B7 is amended by the insertion of **bold and underlined** words/numbers and the deletion of ~~strikethrough~~ words/numbers as follows:

COMPLIANCE WITH ACOUSTIC ASSESSMENT

B7 All performance parameters, requirements, engineering assumptions and recommendations contained in the Acoustic Assessment report, prepared by Acoustic Studio, dated 7 January 2016, must be implemented as part of the detailed design assessment and implemented into the design drawings prior to the commencement of the use of the premises and to the satisfaction of the Certifying Authority.

Prior to the issue of any ~~Construction Certificate~~ **the relevant Construction Certificate**, the construction drawings and construction methodology must be assessed and certified by a suitably qualified acoustic and vibration consultant to be in accordance with the requirements of the aforementioned Acoustic Assessment report.

3. Condition B8 is amended by the insertion of **bold and underlined** words/numbers and the deletion of ~~striketrough~~ words/numbers as follows:

ROAD AND RAIL NOISE AND VIBRATION CRITERIA FOR SENSITIVE DEVELOPMENTS

B8 The buildings must be designed and constructed so that the road traffic noise levels and the rail noise and vibration levels inside the buildings comply with the criteria specified in Development Near Rail Corridors and Busy Roads – Interim Guideline (Department of Planning, 2008). Details demonstrating compliance with this requirement are to be submitted to the Certifying Authority prior to the issuing of ~~any Construction Certificate~~ **the relevant Construction Certificate**.

4. Condition B17 is amended by the deletion of ~~striketrough~~ words/numbers as follows:

MECHANICAL VENTILATION

B17 The mechanical exhaust systems for the ground floor tenancies are to be designed to be capable of accommodating exhaust requirements in accordance with relevant Australia Standards, in order to allow for the event that any of the tenancies are approved for future use by food premises or other uses which require mechanical exhaust. ~~Any exhaust system servicing an area where food is being cooked must discharge exhaust air at roof level.~~

5. Condition B37 is amended by the insertion of **bold and underlined** words/numbers and the deletion of ~~striketrough~~ words/numbers as follows:

ADAPTABLE HOUSING

B37 Prior to issue of the relevant Construction Certificate, the Certifying Authority is to ensure that the building has been designed to accommodate a total of 42 **six** adaptable residential units and that the requirements are referenced on the relevant Construction Certificate drawings. In addition, information shall be provided confirming:

- (a) the required number of units are able to be adapted for people with a disability in accordance with the BCA; and
- (b) compliance with *Australian Standard AS4299 – Adaptable Housing*.

6. Insert new Condition B37(A) by the insertion of **bold and underlined** words/numbers as follows:

UNIVERSAL DESIGN

B37(A) Prior to issue of the relevant Construction Certificate, the Certifying Authority is to ensure that the building has been designed to accommodate a minimum of 20% of the total number of residential units incorporating the Livable Housing Guideline’s silver level universal design features and that the requirements are referenced on the relevant Construction Certificate drawings.

7. Condition F6 is amended by the insertion of **bold and underlined** words/numbers and the deletion of ~~striketrough~~ words/numbers as follows:

WASTE MANAGEMENT

- F6 Waste Management shall be undertaken in accordance with the Waste Management Plan, prepared by ~~Savills Project Management~~, dated January 2016, and **the licensed waste contractor per Condition E21.**

**End of Modification
(SSD 7037 MOD 1)**