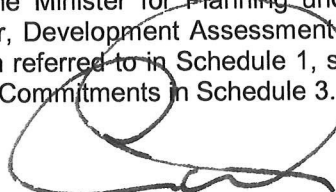


# Modification of Minister's Approval

## Section 75W of the *Environmental Planning & Assessment Act 1979*

As delegate of the Minister for Planning under delegation effective on 27 February 2013, I, the Executive Director, Development Assessment Systems & Approvals approve the modification of the project application referred to in Schedule 1, subject to the amendments to conditions in Schedule 2 and Statement of Commitments in Schedule 3.



Chris Wilson

Executive Director, Development Assessment Systems & Approvals

Sydney

25 JUNE

2014

### SCHEDULE 1

**Application No.:**

MP11\_0044

**Proponent:**

Lend Lease (Millers Point) Pty Limited

**Approval Authority:**

Minister for Planning

**Land:**

Lot 5 in DP 876514

**Project:**

Construction of Commercial Building C3, allocation of car parking spaces, public domain works and remediation and associated works.

**Modification Number:**

MP11\_0044 MOD 2

**Modifications:**

The proposed changes comprise the following:

- increase in the approved GFA from **115,448 m<sup>2</sup>** to **117,968 m<sup>2</sup>** as a result of:
  - decreasing the retail floor space from 7,021 m<sup>2</sup> to 5,624 m<sup>2</sup>;
  - increasing the commercial floor space from 105,448 m<sup>2</sup> to 109,238 m<sup>2</sup>, inclusive of an 1,740 m<sup>2</sup> office lobby; and
  - allocation of 117 m<sup>2</sup> of floor space within the basement car park, and 1,250 m<sup>2</sup> of floor space for a potential child care centre on level 1 of the podium.
- Increase in maximum building height for the installation of BMUs from RL 209m to RL 213m.
- increase in the number of car spaces allocated to building C3 to a maximum of car spaces comprising 182 commercial spaces and 7 retail spaces, and 10 motorbike spaces;
- decrease in the allocation of bicycle spaces to 373 spaces comprising 336 permanent spaces in the basement car park and 37 spaces in the landscaped forecourt/public domain;
- minor changes to façade detailing; and
- reconfiguration of the rooftop plant .

## SCHEDULE 2 AMENDMENTS TO CONDITIONS

1. In Part A, delete Condition A1 in its entirety and insert the following new condition:

### **A1 DEVELOPMENT DESCRIPTION**

Except as amended by this approval, project approval is granted for the following:

- piling and associated earthworks and remediation;
- construction and use of a new commercial building (C3) with a maximum GFA of 117,968 m<sup>2</sup> comprised of:
  - 5,624 m<sup>2</sup> of retail floor space
  - 109,238 m<sup>2</sup> of commercial floor space, inclusive of a 1,740 m<sup>2</sup> office lobby.
- allocation of 117 m<sup>2</sup> of floor space within the basement car park;
- allocation of 1,250 m<sup>2</sup> on podium level 1 for potential use as a child care centre;
- operation and use of car parking spaces (182 commercial, 7 retail spaces) allocated to C3 within part of the basement car park;
- 373 bicycle spaces located in the basement car park (the construction of which is subject of the Basement Car Park Approval) and 37 bicycle parking spaces within the temporary public domain adjacent to Hickson Road;
- 10 motorbike spaces;
- pedestrian and cycle access and circulation arrangements;
- signage zones on the building façade to accommodate building and business identification signage;
- temporary works and uses including:
  - creation of a temporary forecourt and landscaping along Hickson Road
  - surfacing of the surrounding streets and laneways including part of Globe Street, part of City Walk and part of Shelley Lane
  - hoardings.
- installation of utility services.

2. In Part A, delete Condition A2 in its entirety and insert the following new condition:

### **A2 DEVELOPMENT IN ACCORDANCE WITH PLANS AND DOCUMENTATION**

Environmental Assessment Report titled <i>Commercial Building C3 (MP11_0044) Barangaroo South and Appendices</i> , prepared by JBA Planning Consultants on behalf of Lend Lease (Millers Point) Pty Ltd, dated November 2011
Preferred Project Report titled <i>Commercial Building C3 (MP11_0044) Barangaroo South and Appendices</i> , prepared by JBA Urban Planning Consultants on behalf of Lend Lease (Millers Point) Pty Ltd, dated February 2012
<i>Section 75W Modification Commercial Building C3 – MP11_0044 (MOD 2), Barangaroo South</i> , prepared by JBA Urban Planning Consultants, dated October 2013
<i>Commercial Building C3 - MP11_0044 (Mod 2) Response to Submissions</i> , prepared by JBA Urban Planning Consultants, dated 27 March 2014

Architectural Plans prepared by Rogers Stirk Harbour + Partners, Landscaping Plans prepared by Aspect Oculus			
Drawing No.	Issue	Name of Plan	Date
RSHP-A-C3-0001	E	Project Cover Sheet	13.09.13
RSHP-A-C3-2100-P-00	C	Context Plan	13.09.13
RSHP-A-C3-2200-P-00	C	Site Plan	13.09.13
RSHP-A-C3_2300-P-00	C	Site Analysis	13.09.13
RSHP-A-C3-2400-P-00	C	Site Plan Setting Out	13.09.13
RSHP-A-C3-3100-P-	C	Plan Ground Floor Level 0	13.09.13

00			
RSHP-A-C3-3101-P-01	C	Plan First Floor Level 1	13.09.13
RSHP-A-C3-3102-P-02	C	Plan Second Floor Level 2	13.09.13
RSHP-A-C3-3103-P-03	D	Plan Setback Floor Level 3	13.09.13
RSHP-A-C3-3104-P-04	C	Plan Low Rise Office Floor Level 4	13.09.13
RSHP-A-C3-3105-P-05	C	Plan Low Rise Office Floor Level 5	13.09.13
RSHP-A-C3-3106-P-06	C	Plan Low Rise Office Floor Level 6	13.09.13
RSHP-A-C3-3107-P-07	C	Plan Low Rise Office Floor Level 7	13.09.13
RSHP-A-C3-3108-P-08	C	Plan Low Rise Office Floor Level 8	13.09.13
RSHP-A-C3-3109-P-09	C	Plan Low Rise Office Floor Level 9	13.09.13
RSHP-A-C3-3110-P-10	C	Plan Low Rise Office Floor Level 10	13.09.13
RSHP-A-C3-3111-P-11	C	Plan Low Rise Office Floor Level 11	13.09.13
RSHP-A-C3-3112-P-12	C	Plan Low Rise Office Floor Level 12	13.09.13
RSHP-A-C3-3113-P-13	C	Plan Low Rise Office Floor Level 13	13.09.13
RSHP-A-C3-3114-P-14	C	Plan Low Rise Office Floor Level 14	13.09.13
RSHP-A-C3-3115-P-15	C	Plan Low Rise Office Floor Level 15	13.09.13
RSHP-A-C3-3116-P-16	C	Plan Plant Low Rise Office Floor Level 16	13.09.13
RSHP-A-C3-3117-P-17	C	Plan Low Rise Client/Transfer Floor Level 17	13.09.13
RSHP-A-C3-3118-P-18	C	Plan Low Rise Plant Floor Level 18	13.09.13
RSHP-A-C3-3119-P-19	C	Plan Mid Rise Office Floor Level 19	13.09.13
RSHP-A-C3-3120-P-20	C	Plan Mid Rise Office Floor Level 20	13.09.13
RSHP-A-C3-3121-P-21	C	Plan Mid Rise Office Floor Level 21	13.09.13

RSHP-A-C3-3122-P-22	C	Plan Mid Rise Office Floor Level 22	13.09.13
RSHP-A-C3-3123-P-23	C	Plan Mid Rise Office Floor Level 23	13.09.13
RSHP-A-C3-3124-P-24	C	Plan Mid Rise Office Floor Level 24	13.09.13
RSHP-A-C3-3125-P-25	C	Plan Mid Rise Office Floor Level 25	13.09.13
RSHP-A-C3-3126-P-26	C	Plan Mid Rise Office Floor Level 26	13.09.13
RSHP-A-C3-3127-P-27	C	Plan Mid Rise Office Floor Level 27	13.09.13
RSHP-A-C3-3128-P-28	C	Plan Mid Rise Office Floor Level 28	13.09.13
RSHP-A-C3-3129-P-	C	Plan Mid Rise Office Floor Level 29	13.09.13

29			
RSHP-A-C3-3130-P-30	C	Plan Mid Rise Office Floor Level 30	13.09.13
RSHP-A-C3-3131-P-31	C	Plan Mid Rise Office Floor Level 31	13.09.13
RSHP-A-C3-3132-P-32	C	Plan Mid Rise Office Floor Level 32	13.09.13
RSHP-A-C3-3133-P-33	C	Plan Mid Rise Client Floor Level 33	13.09.13
RSHP-A-C3-3134-P-34	C	Plan Plant Floor Level 34	13.09.13
RSHP-A-C3-3135-P-35	C	Plan High Rise Office Floor Level 35	13.09.13
RSHP-A-C3-3136-P-36	C	Plan High Rise Office Floor Level 36	13.09.13
RSHP-A-C3-3137-P-37	C	Plan High Rise Office Floor Level 37	13.09.13
RSHP-A-C3-3138-P-38	C	Plan High Rise Office Floor Level 38	13.09.13
RSHP-A-C3-3139-P-39	C	Plan High Rise Office Floor Level 39	13.09.13
RSHP-A-C3-3140-P-40	C	Plan High Rise Office Floor Level 40	13.09.13
RSHP-A-C3-3141-P-41	C	Plan High Rise Client Floor Level 41	13.09.13
RSHP-A-C3-3142-P-42	C	Plan High Rise Client Floor Level 42	13.09.13
RSHP-A-C3-3143-P-43	C	Plan High Rise Client Floor Level 43	13.09.13
RSHP-A-C3-3144-P-44	C	Plan High Rise Client Floor Level 44	13.09.13
RSHP-A-C3-3145-P-45	C	Plan High Rise Client Floor Level 45	13.09.13
RSHP-A-C3-3146-P-46	C	Plan High Rise Client Floor Level 46	13.09.13
RSHP-A-C3-3147-P-47	C	Plan High Rise Client Floor Level 47	13.09.13
RSHP-A-C3-3148-P-48	C	Plan High Rise Client Floor Level 48	13.09.13
RSHP-A-C3-3149-P-49	C	Plan Lower Plant Floor Level 49	13.09.13
RSHP-A-C3-3150-P-50	C	Plan Upper Plant Floor Level 50	13.09.13
RSHP-A-C3-3151-P-51	C	Plan Roof Level	13.09.13
RSHP-A-C3-3152-P-52	C	Plan Upper Roof Level	13.09.13
RSHP-A-C3-3300-P-A	C	GFA – Plans Atypical Floors: GD-03,18,33,48,49,Rf	13.09.13
RSHP-A-C3-3310-P-L	C	GFA – Plans Low Rise Office Floors 04-17	13.09.13
RSHP-A-C3-3320-P-M	C	GFA – Plans Mid Rise Office Floors 19 -32	13.09.13
RSHP-A-C3-3330-P-H	C	GFA – Plans High Rise Office Floors 34-47	13.09.13
RSHP-A-C3-4100-S-AA	E	Section AA	13.09.13



RSHP-A-C3-4110-S-CC	B	Section CC	13.09.13
RSHP-A-C3-4120-S-BB	B	Section BB	13.09.13
RSHP-A-C3-5100-E-N	C	Elevation North	13.09.13
RSHP-A-C3-5200-E-N	C	Signage Zone North Elevations	13.09.13
RSHP-A-C3-5210-E-S	C	Signage Zone South Elevations	13.09.13
RSHP-A-C3-5220-E-E	C	Signage Zone East Elevations	13.09.13
RSHP-A-C3-5230-E-W	C	Signage Zone West Elevations	13.09.13
RSHP-A-C3-5110-E-S	C	Elevation South	13.09.13
RSHP-A-C3-5120-E-E	C	Elevation East	13.09.13
RSHP-A-C3-5130-E-W	C	Elevation West	13.09.13
RSHP-A-C3-6100-D-W	C	Detailed Bay Glazed Lift Façade	13.09.13
RSHP-A-C3-6110-W	C	Detailed Bay Structural Brace Plant Level	13.09.13
RSHP-A-C3-6120-S	C	Detailed Bay Typical South Façade Office Floor + Plant Level	13.09.13
RSHP-A-C3-6130-E	C	Detailed Bay Typical East/West Façade	13.09.13
RSHP-A-C3-6140-N	C	Detailed Bay Typical North Façade Office Floor	13.09.13
RSHP-A-C3-6150-D-N	C	Detailed Bay Vertical Village	13.09.13
PTW-A-C3-7100-P-00	A	Detailed Bay – Podium East – Bay Study – City Walk	06.09.13
PTW-A-C3-7110-P-00	A	Detailed Bay - Podium East – Bay Study – Shelley Lane	06.09.13
PTW-A-C3-7200-P-00	A	Detailed Bay Podium West Typical	13.09.13
PTW-A-C3-7210-P-00	A	Detailed Bay Podium West Typical	13.09.13
BC3-LD2-00-00-00	I	C3 Planning Application – GROUND FLOOR PLAN	16.09.13
BC3-LD2-00-00-01	B	C3 Planning Application – LEVEL 01 PLAN	12.09.13
BC3-LD2-00-00-03	K	C3 Planning Application – LEVEL 3 PODIUM PLAN	17.09.13
BC3-LD-00-00-09	B	C3 Planning Application – LEVEL 09 PLAN	12.09.13
BC3-LD3-00-00-019	B	C3 Planning Application – LEVEL 19 PLAN	12.09.13
BC3-LSK-PA1-00-03	F	C3 Planning Application – LEVEL 3 PODIUM PLAN	17.09.13
BC3-LSK-PA1-00-00	F	C3 Planning Application – GROUND FLOOR PLAN	16.09.13
BC3-LSK-PA1-00-01	A	C3 Planning Application – LEVEL 01 PLAN	12.09.13
BC3-LSK-PA1-00-09	B	C3 Planning Application – LEVEL 09 PLAN	12.09.13
BC3-LSK-PA1-00-19	B	C3 Planning Application – LEVEL 19 PLAN	12.09.13
LLd_A_C3_3080	3	C3 Commercial Building Project Application MP11_0044 (PA3-S75W-1) Title Sheet	30.08.13
LLd_A_C3_3090	3	Bulk Excavation and Basement Car Parking Section 75W-1 Application MP11_0044 (PA3-S75W-1) Basement Level 1	30.08.13
LLd_A_C3_3091	3	Bulk Excavation and Basement Car Parking Section 75W-1 Application MP11_0044 (PA3-S75W-1) Basement Level 2	30.08.13

LLd_A_C3_3092	3	Bulk Excavation and Basement Car Parking Section 75W-1 Application MP11_0044 (PA3-S75W-1) Basement Level 3	30.08.13
LLd_A_C3_3098	3	Bulk Excavation and Basement Car Parking Section 75W-1 Application MP11_0044 (PA3-S75W-1) Cross Section 1-1	30.08.13
LLd_A_C3_3099	3	Bulk Excavation and Basement Car Parking Section 75W-1 Application MP11_0044 (PA3-S75W-1) Cross Section 2-2	30.08.13

**3. In Part A, delete condition A6(3)(c) in its entirety and insert the following new condition:**

- (c) the detailed design of the building identification signage and business identification signage is to be submitted for the approval of the Secretary prior to the issue of the relevant Construction Certificate. All signage must be consistent with the requirements of the *Barangaroo South Built Form Principles and Urban Design Controls*.

**In Part A, after condition A9 insert new Condition A10:**

**A10 DESIGN MODIFICATIONS**

The proponent shall prepare revised drawings for the northern lobby, entrance to the basement car park and through-site link. The revised drawings shall ensure that:

- (1) the northern lobby and car park entrance is designed to further integrate with the building's podium and tower and surrounding public domain (this should include changes to roof form and alignment, materials and treatments); and
- (2) the through-site link's legibility from the public domain is enhanced through the use of appropriate materials and treatments.

The drawings shall be submitted to the Secretary for approval prior to the issue of the relevant Construction Certificate.

**4. In Part B, delete Condition B3 in its entirety and insert the following new condition:**

**B3 DETAILS OF COLOURS, MATERIALS AND FINISHES**

- (1) External building materials and finishes shall be generally in accordance with details submitted with the project application EA and PPR and generally as depicted in the sample boards of materials and colours, prepared by Rogers Stirk Harbour & Partners (September 2013), Tony Caro Architects (Podium Finishes North West, West and South Elevations - September 2013) and PTW Architects (Podium Finishes East, South and North Elevations - September 2013).
- (2) Final design details of the awnings, construction banners, and roof feature including, where relevant, their proposed external materials and finishes, schedules and a sample board of materials and colours, shall be submitted to and approved by the Secretary prior to the issue of the relevant Construction Certificate for the relevant works.

**5. In Part B, Delete Condition B22 in its entirety and insert the following new condition:**

**B22 NUMBER OF CAR PARKING SPACES**

The maximum number of spaces to be provided for the development shall comply with the table below. Details confirming the parking numbers shall be submitted to the satisfaction of the Certifying Authority prior to the issue of the relevant Construction Certificate.

Car parking allocation	Number
Commercial	182
Retail	7
Shared loading dock spaces	36

6. In Part B, Delete Condition B23 in its entirety and insert the following new condition:

**B23 NUMBER OF BICYCLE PARKING SPACES**

A minimum of 373 bicycle spaces are to be provided for the development, of which 336 are to be permanently located within the basement car park, and 37 are to be located within the landscaped forecourt fronting Hickson Road. Details shall be submitted to the satisfaction of the Certifying Authority prior to the issue of the relevant Construction Certificate.

**Note:** The 37 at-grade visitor parking spaces located within the Hickson Road forecourt shall be replaced with permanent spaces at a suitable location on site when the Stage 1A permanent public domain SSD application (SSD 6303) works are completed.

7. In Part B, delete Condition B30 in its entirety and insert the following new condition:

**B30 GFA CERTIFICATION**

A Registered Surveyor is to certify that the Gross Floor Area (GFA) of the development of Building C3 does not exceed 117,968 m<sup>2</sup>. Details shall be provided to the Certifying Authority demonstrating compliance with this condition prior to the issue of the relevant Construction Certificate.

8. In Part E, delete Condition E2 in its entirety and insert the following new condition:

**E2 GFA AND HEIGHT CERTIFICATION**

A Registered Surveyor is to certify that the Gross Floor Area (GFA) and height of Building C3 does not exceed a maximum of 117,968 m<sup>2</sup> and RL 219 m respectively. Details shall be provided to the PCA demonstrating compliance with this condition prior to the issue of the relevant Occupation Certificate.

**Notes:**

1. 'Height' (building height) is as defined in Standard Instrument (Local Environmental Plans) Order 2006.
2. The maximum height is RL 219 in relation to the protection of air space for Sydney airport as advised by the Commonwealth Department of Transport and Infrastructure on 23 February 2012, in relation to the *Airports (Protection of Airspace) Regulation 2006*.

9. In Part E, delete Condition E9 in its entirety and insert the following new condition:

**E9 CONSTRUCTION OF TEMPORARY PUBLIC DOMAIN WORKS**

The proponent must construct all temporary public domain works identified in drawing numbers BC3-LD2-00-00-00 Revision I, BC3-LSK-PA1-00-00 Revision F, and BC3-LD2-00-00-01 Revision B, prior to the issue of the first Occupation Certificate, unless a Construction Certificate has been issued to facilitate the construction of commercial building C1 (or permanent building in the same location) and associated public domain, the permanent public domain for Stage 1A at Barangaroo South, as contemplated under SSD 6303, or for temporary public domain on the land pursuant to another planning approval.

### SCHEDULE 3 AMENDMENTS TO STATEMENT OF COMMITMENTS

Delete the Statement of Commitments in their entirety replace them with the following:

Commitments and Requirement		Responsibility / Timing
<b>Design</b>		
1. Lend Lease commits to ensuring continuity in the design process and realisation of the submitted Commercial Building C3 design in the completed building by ensuring that Rogers Stirk Harbour + Partners has direct involvement in the design documentation phase.		Proponent, ongoing.
2. External building materials and finishes will be generally in accordance with the materials schedule included at Appendix D of the Section 75W Modification (Mod 2) prepared by JBA dated September 2013.		To be demonstrated by the proponent at the relevant construction certificate stage(s).
3. The public domain within the Commercial Building C3 site will be generally in accordance with the Landscape Design Statement prepared by Aspect Oculus included at Appendix E and the Public Domain Plan prepared by Aspect Oculus included at Appendix F of the Section 75W Modification (Mod 2) prepared by JBA Planning dated September 2013 unless otherwise modified by a subsequent planning approval.  The final selection of plantings within the framework of the Public Domain Plan and Landscape Design Statement will take into consideration suitability having regard to the potential impacts resulting from the construction of nearby buildings. The Public Domain Plan will be fully integrated with the Barangaroo South Public Domain Guidelines, once finalised by the Technical Working Group.		To be demonstrated by the proponent at the relevant construction certificate stage(s).
4. Temporary landscaping and lighting will be provided within the Commercial Building C3 site generally in accordance with the Temporary Public Realm plan prepared by Aspect Oculus included at Appendix F of the Section 75W Modification (Mod 2) prepared by JBA dated September 2013, unless a construction certificate has been issued for the permanent buildings or public domain on the land, or for temporary public domain on the land pursuant to another planning approval. The final selection of plantings within the framework of the Temporary Public Realm Plan will take into consideration suitability having regard to the potential impacts resulting from the construction of nearby buildings.  The Architectural Drawings prepared by Rogers Stirk Harbour + Partners included at Appendix C of the Section 75W Modification (Mod 2) prepared by JBA dated September 2013 illustrate the maximum extent of signage zones for the lower facades. Within the maximum extent of signage zones: <ul style="list-style-type: none"> <li>no more than two (2) building identification and/or business identification signs will be provided at high level on a maximum of two (2) facades of the building; and</li> <li>a maximum of two (2) building identification and/or business identification signs will be provided at podium level on a maximum of two facades of the building,</li> <li>a maximum of two (2) secondary building identification and/or business identification signs will be provided at podium level for each facade of the building.</li> </ul> The final form and content of any proposed building and business identification signage will be subject to the approval of the Director General.		To be demonstrated by the proponent at the relevant construction certificate stage(s).
6. External and internal lighting will be provided around and throughout the building in accordance with AS 1680 and the BCA.		To be demonstrated by the proponent at the relevant construction certificate stage(s).
7. Internal light fittings within the commercial and retail areas will comply with NABERS and Green Star targets.		To be demonstrated by the proponent at the relevant construction certificate stage(s).
8. Specialist lighting will be provided within the building's entrance lobby to enhance the visual environment at ground level.		To be demonstrated by the proponent at the relevant construction certificate stage(s).
9. External building lighting will be installed to provide interest, highlighting architectural features. No light beam will be directed beyond the site's boundaries or upwards without falling directly on a surface to minimise light pollution. Lighting will be controlled by photoelectric cells or time switches.		To be demonstrated by the proponent at the relevant construction certificate stage(s).
10. Photovoltaic arrays will be provided at the roof level of the building.		To be demonstrated by the proponent at the relevant construction certificate stage(s).
11. A complete electronic security system will be provided for the base building including a central supervisory system, access control system, CCTV system, intruder alarm system and intercommunication system.		To be demonstrated by the proponent at the relevant construction certificate stage(s).
12. The detailed design of Commercial Building C3 will address the recommendations of the Wind Report prepared by CPP included at Appendix P of the Environmental Assessment Report prepared by JBA Planning dated November 2011.		To be demonstrated by the proponent at the relevant construction certificate stage(s).
13. The design of any temporary structures that may be required (depending on the construction staging of the adjoining future buildings within Block 2 of Barangaroo South) to mitigate wind impacts will be submitted prior to the issue of a Construction Certificate relating to works at the ground plane.		To be demonstrated by the proponent at the relevant construction certificate stage(s).
<b>Future separate applications</b>		
14. Future planning approvals will be sought for the following where required: <ul style="list-style-type: none"> <li>Fit out of the commercial office space;</li> <li>Fit out and operation of the retail units;</li> <li>Fitout and use of the child care centre; and</li> <li>Installation of any site wide infrastructure.</li> </ul>		Proponent, ongoing.
<b>Public art</b>		
15. Opportunities to implement art work within the Commercial Building C3 development will be further explored in accordance with the Public Art Strategy for Barangaroo South.		Proponent, ongoing.
<b>Ecologically sustainable development</b>		
16. Commercial Building C3 will be designed to achieve a 6 Star Green Star Office Design rating. In order to achieve a 6 Star Green Star Office Design rating, Lend Lease will target the initiatives set out in the ESD Report prepared by ARUP included at Appendix W of the Environmental Assessment Report prepared by JBA Planning dated November 2011.		To be demonstrated by the proponent at the relevant construction certificate stage(s).
17. Commercial Building C3 will achieve the ESD Performance Indicators for potable water consumption, reduction in flow to sewer, reductions in Greenhouse Gas emissions, use of renewable energy, micro climate, landscaping, transport, and waste as detailed in the approved Concept Plan (Mod 4) Statement of Commitments.		To be demonstrated by the proponent at the relevant construction certificate stage(s).
<b>Operational waste management</b>		
18. Commercial Building C3 operational waste will be managed generally in accordance with the methodology outlined in the Waste Management Plan prepared by ARUP included at Appendix L of the Environmental Assessment Report prepared by JBA Planning dated November 2011.		Proponent, ongoing.
<b>Building Services and Fire Safety</b>		
19. Electrical services will be completed in accordance with the relevant standards and applicable statutory requirements.		To be demonstrated by the proponent at the relevant construction certificate stage(s).
20. The detailed design of mechanical services will satisfy the relevant requirements of AS 1668.1-1998 and AS1668.2 - 1991 as applicable.		To be demonstrated by the proponent at the relevant construction certificate stage(s).
21. Fire detection, emergency warning and fire protection systems will be installed to comply with BCA requirements and other relevant legislation, generally in accordance with the measures outlined in Section 6 of the Building Services Report included at Appendix M of the Environmental Assessment Report prepared by JBA Planning dated November 2011.		To be demonstrated by the proponent at the relevant construction certificate stage(s).

22. A detailed Fire Safety Strategy will be prepared and submitted as part of the relevant Construction Certificate documentation. The Fire Safety Strategy will be prepared in consultation with the NSW Fire Brigade, building certifiers, and relevant stakeholders.	To be prepared and submitted as part of the documentation for the relevant Construction Certificate (s).
<b>Infrastructure and Services</b>	
23. Appropriately sized new sewer and water connections will be provided to the building in consultation and agreement with Sydney Water.	To be demonstrated by the proponent prior to release of any occupation certificate.
24. Stormwater discharge will be generally in accordance with the Stormwater Management Plan prepared by ARUP included at Appendix O of the Environmental Assessment Report prepared by JBA Planning dated November 2011.	To be demonstrated by the proponent at the relevant construction certificate stage(s).
25. A suitably sized rainwater tank is to be provided for the collection and re-use of rainwater flows from the building's roof areas.	To be demonstrated by the proponent at the relevant construction certificate stage(s).
<b>Accessibility</b>	
26. The detailed design of Commercial Building C3, including access, emergency egress, paths of travel, lifts, ramps, stairs, accessible toilets, accessible parking, lighting and signage, will generally comply with the recommendations set out in the Accessibility Report prepared by Morris-Goding Accessibility Consulting included at Appendix AA of the Environmental Assessment Report prepared by JBA Planning dated November 2011.	To be demonstrated by the proponent at the relevant construction certificate stage(s).
<b>Building Code of Australia</b>	
27. The detailed design of Commercial Building C3 will comply with all relevant BCA requirements and Australia Standards generally in accordance with the recommendations of the BCA Assessment prepared by McKenzie Group Consulting included at Appendix Z of the Environmental Assessment Report prepared by JBA Urban Planning Consultants dated November 2011.	To be demonstrated by the proponent at the relevant construction certificate stage(s).
<b>Operational Noise and Vibration</b>	
28. Operational noise emissions from the site will comply with the noise limits and amenity and intrusiveness criteria detailed in Wilkinson Murray's Operational Acoustic Study included at Appendix Y of the Environmental Assessment Report prepared by JBA Planning dated November 2011.	To be demonstrated by the proponent at the relevant construction certificate stage(s).
29. Commercial Building C3 will be designed in accordance with Australian Standard 2107 Internal Design Sound Levels to ensure appropriate internal amenity is achieved.	To be demonstrated by the proponent at the relevant construction certificate stage(s).
30. The detailed design of Commercial Building C3 will meet the vibration levels specified in the DECCW Assessing Vibration technical guideline.	To be demonstrated by the proponent at the relevant construction certificate stage(s).
<b>Travel Demand</b>	
31. Lend Lease will prepare a Work Place Travel Plan for Commercial Building C3 to be completed prior to the first occupation certificate for the commercial tenant occupation.	To be prepared by the proponent prior to the first occupation certificate for the commercial tenant occupation.
<b>Geotechnical and Structure</b>	
32. Further detailed geotechnical site testing will be undertaken in accordance with the requirements of Australian Standard 2159 Piling – Design and Installation and Australian Standard 3600 – Concrete Structures, to determine the exposure classification and durability design requirements. The further detailed geotechnical testing will be used to inform the detailed structural design and documentation of Commercial Building C3.	To be demonstrated by the proponent at the relevant construction certificate stage(s).
33. The structural design and documentation of Commercial Building C3 will comply with all relevant Australian Standards and the BCA as outlined in the Structural Engineering Report prepared by ARUP included at Appendix BB of the Environmental Assessment Report prepared by JBA Planning dated November 2011.	To be demonstrated by the proponent at the relevant construction certificate stage(s).
<b>Environmental, Construction and Site Management</b>	
34. Construction and site management relating to the construction of Commercial Building C3 will be in generally accordance with the Environmental, Construction and Site Management Plan prepared by Cardno & Lend Lease included at Appendix CC of the Environmental Assessment Report prepared by JBA Planning dated November 2011 including the following: <ul style="list-style-type: none"> <li>Construction Noise and Vibration Assessment prepared by Wilkinson Murray, which addresses the noise and vibration impacts on and off site (refer to Appendix EE of the EAR);</li> <li>Construction Traffic Management Plan prepared by ARUP, which addresses construction traffic impacts (refer to Appendix T of the EAR);</li> <li>Air Quality Impact Assessment prepared by AECOM, which addresses air quality and odour impacts (refer to Appendix FF of the EAR); and</li> <li>Waste Management Plan prepared by ARUP which addresses construction waste management (refer to Appendix L of the EAR).</li> </ul> A requirement for preparation of a site wide strategy relating to the preparation of post construction dilapidation reports that includes a requirement for the Proponent to engage a suitably qualified person to prepare a post-construction dilapidation report: <ul style="list-style-type: none"> <li>At the completion of all excavation and piling works associated with the construction of the basement, Commercial Building C3, Commercial Building C4 and Commercial Building C5 works; and</li> <li>At the completion of all construction works associated with the construction of the basement, Commercial Building C3, Commercial Building C4 and Commercial Building C5 works.</li> </ul> In the event that barging of soil is undertaken, requirements for: <ul style="list-style-type: none"> <li>Management of Spillage of spoil during loading / movement of barges;</li> <li>Procedures in the event of an incident (such as a fuel spill or collision with structures / vessels on the water); and</li> <li>Reporting of any incidents, (such as a fuel spill) on the water.</li> </ul> A requirement that Lend Lease notify and consult with the Harbour Master prior to material being loaded for transport via the water from the site, particularly in relation to vessel movements.	Proponent, ongoing
35. Lend Lease commits to providing high quality hoardings around the site, including along the foreshore walk. Hoardings will be treated with graphics and other designs consistent with an overall coordinated high quality Barangaroo communications strategy to be endorsed by the Barangaroo Delivery Authority and submitted to the Director-General.	Proponent, ongoing
<b>Consultation</b>	
36. Lend Lease will continue to undertake consultation in relation to the proposed Commercial Building C3 in accordance with the methodologies identified at Table 2 of the Environmental Assessment Report prepared by JBA Planning dated October 2011.	Proponent, ongoing
<b>Piling and associated works</b>	
37. The Commercial Building C3 Project Application works will be carried out in accordance with the Remedial Action Plan – Other Remediation Works (South) Area prepared by AECOM (including any RAP addendums that are proposed to be prepared and remedial work plan(s) as proposed to be prepared in conformance with these RAPs).	To be demonstrated by the proponent at the relevant construction certificate stage(s).
38. Lend Lease will obtain a Section A Site Audit Statement from the Site Auditor prior to the issue of an Occupation Certificate for Commercial Building C3.	To be demonstrated by the proponent at the relevant construction certificate stage(s).
<b>Rail Corp 33kV Power Line</b>	
39. Detailed plans demonstrating that the proposed development will have no impact on RailCorp 33KV power cable will be provided to RailCorp.	To be demonstrated by the proponent at the relevant construction certificate stage(s).
<b>Further Consultation</b>	
40. Consultation will be undertaken with the City of Sydney Council prior to the lodgement of a future application for the final public domain works.	Prior to the lodgement of a future application for the final public domain works.

## END OF MODIFICATIONS - MP11\_0044 MOD 2