

Modification of Development Consent

Section 96(1A) of the Environmental Planning and Assessment Act 1979

As delegate of the Minister for Planning, under delegation effective 16 February 2015, I approve the modification application referred to in Schedule 1, subject to the conditions in Schedule 2.



Ben Lusher
Director
Key Sites Assessments

Sydney 11 AUGUST 2016

SCHEDULE 1

Development Approval: SSD_5824 granted by the delegate of the Minister for Planning on 25 September 2015

For the following:

Development of One Carrington Street including:

- demolition of The Menzies Hotel, 301 George Street and eastern access ways to Wynyard Station, development above Wynyard Lane and partial demolition of Shell House and 285-287 George Street;
- upgrade of the eastern access ways to Wynyard Station including provision of a new Transit Hall, through site link, retail areas and concourse layout;
- construction and use of a 27 storey commercial building on the land between Carrington Street and George Street;
- construction of a retail / commercial loading dock and two levels of basement comprising 89 tenant car spaces and end of trip facilities;
- refurbishment of 285-287 George Street and Shell House for commercial and retail uses;
- signage zones; and
- public domain upgrades surrounding the site.

Applicant: Sovereign Wynyard Centre Pty Ltd

The Authority: Minister for Planning

The Land: Site referred to as 'One Carrington Street' including: Thakral House 301 George Street, Shell House 2-12 Carrington Street, the Menzies Hotel 14 Carrington Street, 285 and 287 George Street and strata above and below Wynyard Lane.

Modification: SSD 5824 MOD1: the modification includes:

- amendments to various building setbacks;
- revision of the external finishes;
- internal and external alterations;

- widening of the through site link pedestrian bridge over Wynyard Lane;
- provision of additional retail units fronting Carrington Street and Wynyard Lane;
- additional excavation at basement level;
- amendment of vehicular access arrangements, basement ramps, car parking layout and loading dock configurations; and
- deletion of the third level basement and reduction in the number of car parking spaces by seven spaces (from 89 to 82 spaces).

SCHEDULE 2

PART A ADMINISTRATIVE CONDITIONS

- (a) Schedule 2 Part A – Administrative Condition A1 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the **bold struck out** words / numbers as follows:

Terms of Consent

- A1 The Applicant shall carry out the project generally in accordance with the:
- a) State Significant Development Application SSD 5824;
 - b) Environmental Impact Statement prepared by JBA Planning dated May 2014;
 - c) Response to Submissions report prepared by JBA Planning dated 25 September 2014 and addendum report dated 21 November 2014;
 - d) Section 96(1A) modification application to Development Consent SSD 5824 prepared by JBA dated November 2015;**
 - d)e)** The conditions of this consent; and
 - e)f)** The following drawings, except for:
 - i) any modifications which are Exempt or Complying Development;
 - ii) otherwise provided by the conditions of this consent.

Architectural (or Design) Drawings prepared by Make + Architectus			
Drawing No.	Revision	Name of Plan	Date
DA0002	00	General Notes and Symbols	19.03.2014
DA0006	00	Demolition Plan – Site	17.03.2014
DA0007	00 <u>01</u>	Demolition Plan – Shell House	17.03.2014 <u>25.09.2015</u>
DA0008	00	Demolition Plan – 285 George Street	17.03.2014
DA0009	00 <u>02</u>	Excavation Plan	17.03.2014 <u>25.09.2015</u>
DA1000	00	Existing Site Plan	19.03.2014
DA2000	00 <u>02</u>	Proposed Site Plan	19.03.2014 <u>25.09.2015</u>
DA2002	00 <u>02</u>	Lower Basement Level	19.03.2014 <u>25.09.2015</u>
DA2003	00 <u>02</u>	Basement Level	19.03.2014 <u>25.09.2015</u>
DA2004	00 <u>02</u>	Hunter Connection Level	19.03.2014 <u>25.09.2015</u>
DA2005	00 <u>02</u>	Concourse Level	19.03.2014 <u>25.09.2015</u>
DA2006	00 <u>02</u>	George Street Level	19.03.2014 <u>25.09.2015</u>
DA2007	00 <u>02</u>	Wynyard Lane Level	19.03.2014 <u>25.09.2015</u>
DA2008	00 <u>02</u>	Carrington Street Level	19.03.2014 <u>25.09.2015</u>

DA2009	00 <u>02</u>	Upper Ground Level	19.03.2014 <u>25.09.2015</u>
DA2010	00 <u>02</u>	Mezzanine Level	19.03.2014 <u>25.09.2015</u>
DA2011	00 <u>02</u>	Office Level 01	19.03.2014 <u>25.09.2015</u>
DA2012	00 <u>02</u>	Office Level 02	19.03.2014 <u>25.09.2015</u>
DA2013	00 <u>02</u>	Office Level 03	19.03.2014 <u>25.09.2015</u>
DA2014	00 <u>02</u>	Office Level 04	19.03.2014 <u>25.09.2015</u>
DA2015	00 <u>02</u>	Office Level 05	19.03.2014 <u>25.09.2015</u>
DA2016	00 <u>02</u>	Office Level 06	19.03.2014 <u>25.09.2015</u>
DA2017	00 <u>02</u>	Office Level 07	19.03.2014 <u>25.09.2015</u>
DA2018	00 <u>02</u>	Office Level 08	19.03.2014 <u>25.09.2015</u>
DA2019	00 <u>02</u>	Office Level 09	19.03.2014 <u>25.09.2015</u>
DA2020	01 <u>02</u>	Office Level 10	11.09.2014 <u>25.09.2015</u>
DA2021	00 <u>02</u>	Office Level 11	19.03.2014 <u>25.09.2015</u>
DA2022	00 <u>02</u>	Office Level 12	19.03.2014 <u>25.09.2015</u>
DA2023	00 <u>02</u>	Office Level 13	19.03.2014 <u>25.09.2015</u>
DA2024	00 <u>02</u>	Office Level 14	19.03.2014 <u>25.09.2015</u>
DA2025	00 <u>02</u>	Office Level 15	19.03.2014 <u>25.09.2015</u>
DA2026	00 <u>02</u>	Office Level 16	19.03.2014 <u>25.09.2015</u>
DA2027	00 <u>02</u>	Office Level 17	19.03.2014 <u>25.09.2015</u>
DA2028	00 <u>02</u>	Office Level 18	19.03.2014 <u>25.09.2015</u>
DA2029	00 <u>02</u>	Office Level 19	19.03.2014 <u>25.09.2015</u>
DA2030	00 <u>02</u>	Office Level 20	19.03.2014 <u>25.09.2015</u>

DA2031	<u>00</u> <u>02</u>	Office Level 21	19.03.2014 <u>25.09.2015</u>
DA2032	<u>00</u> <u>02</u>	Office Level 22	19.03.2014 <u>25.09.2015</u>
DA2033	<u>00</u> <u>02</u>	Office Level 23	19.03.2014 <u>25.09.2015</u>
DA2034	<u>00</u> <u>02</u>	Office Level 24	19.03.2014 <u>25.09.2015</u>
DA2035	<u>00</u> <u>02</u>	Office Level 25	19.03.2014 <u>25.09.2015</u>
DA2036	<u>00</u> <u>02</u>	Office Level 26	19.03.2014 <u>25.09.2015</u>
DA2037	<u>00</u> <u>02</u>	Office Level 27	19.03.2014 <u>25.09.2015</u>
DA2038	<u>00</u> <u>02</u>	Office Level 28 Plant	19.03.2014 <u>25.09.2015</u>
DA2039	<u>00</u> <u>02</u>	Office Level 29 Plant	19.03.2014 <u>25.09.2015</u>
DA2040	<u>00</u> <u>02</u>	Office Level 30 Plant	19.03.2014 <u>25.09.2015</u>
DA2041	<u>00</u> <u>02</u>	Roof Plan	19.03.2014 <u>25.09.2015</u>
DA2100	<u>00</u> <u>02</u>	Proposed Elevation A (East)	19.03.2014 <u>25.09.2015</u>
DA2101	<u>00</u> <u>02</u>	Proposed Elevation B (South)	19.03.2014 <u>25.09.2015</u>
DA2102	<u>00</u> <u>02</u>	Proposed Elevation C (West)	19.03.2014 <u>25.09.2015</u>
DA2103	<u>00</u> <u>02</u>	Proposed Elevation D (North)	19.03.2014 <u>25.09.2015</u>
DA2201	<u>00</u> <u>02</u>	Proposed Section 02	19.03.2014 <u>25.09.2015</u>
DA2202	<u>00</u> <u>02</u>	Proposed Section 07	19.03.2014 <u>25.09.2015</u>
DA2220	<u>00</u> <u>02</u>	Proposed Section 1 Carrington to George Street Laneway	19.03.2014 <u>25.09.2015</u>
DA2221	<u>00</u> <u>02</u>	Proposed Section 2 Concourse Section	19.03.2014 <u>25.09.2015</u>
DA2222	<u>00</u> <u>02</u>	Proposed Section 3 Office Lobby to George Street	19.03.2014 <u>25.09.2015</u>
DA2223	<u>00</u> <u>02</u>	Proposed Section 04 Retail on George Street	19.03.2014 <u>25.09.2015</u>
DA2224	<u>00</u> <u>02</u>	Proposed Section 5 Carrington to George Street Laneway	19.03.2014 <u>25.09.2015</u>

DA2300	01 <u>02</u>	Proposed Shell House Elevations	17.03.2014 <u>25.09.2015</u>
DA2301	01 <u>02</u>	Proposed 285-287 George Street	17.03.2014 <u>25.09.2015</u>
DA2310	01 <u>02</u>	Concept Plan Envelope Compliance	17.03.2014 <u>25.09.2015</u>
DA5000	00 <u>02</u>	Typical Cladding Detail 1	19.03.2014 <u>25.09.2015</u>
DA5001	00 <u>02</u>	Typical Cladding Detail 2	19.03.2014 <u>25.09.2015</u>
<u>DA5002</u>	<u>02</u>	<u>Typical Cladding Detail 3</u>	<u>25.09.15</u>
DA6000	00 <u>01</u>	GFA Schedule	17.03.2014 <u>04.04.2016</u>
Landscape and Public Domain Drawings prepared by Oculus			
Drawing No.	Revision	Name of Plan	Date
L-M-010	C <u>F</u>	MEZZANINE TERRACE	21.03.2014 <u>13.11.2015</u>
L-04-010	C <u>F</u>	<u>285 GEORGE ST</u> LEVEL 04 TERRACE	21.03.2014 <u>13.11.2015</u>
L-09-010	C <u>F</u>	LEVEL 09/ <u>10</u> TERRACES	21.03.2014 <u>13.11.2015</u>
L-10-010 <u>L-10-012</u>	C <u>F</u>	LEVEL 10-12 RESTAURANT TERRACE	21.03.2014 <u>13.11.2015</u>
L-27-010	C <u>F</u>	LEVEL 27 OFFICE TERRACE	21.03.2014 <u>13.11.2015</u>
L-00-200	C <u>F</u>	TERRACE SECTIONS	21.03.2014 <u>13.11.2015</u>
L-00-300	C <u>F</u>	PLANTING PALETTE	21.03.2014 <u>13.11.2015</u>
L-100	C <u>F</u>	PUBLIC DOMAIN CONCEPT PLAN	21.03.2014 <u>22.01.2016</u>
L-110	C <u>F</u>	PUBLIC DOMAIN MATERIALS	21.03.2014 <u>22.01.2016</u>

SCHEDULE 2
PART B PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

- (b) Schedule 2 Part B – Condition B9 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the **~~bold struck out~~** words/numbers as follows:

Car Parking

B9 A total of ~~89~~ **82** tenant car parking spaces are permitted within the basement levels of the site.

- (c) Schedule 2 Part B – Condition B12 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~bold struck out~~ words/numbers as follows:

Bicycle Parking and End of Trip Facilities

B12 A minimum of 446 bicycle parking spaces and end of trip facilities comprising ~~46~~ **44** showers and 446 lockers are to be provided on the site. Details shall be submitted to the satisfaction of the PCA prior to the issue of the relevant Construction Certificate for services and finishes works.

The layout, design and security of bicycle facilities either on-street or off-street must comply with the minimum requirements of Australian Standard AS 2890.3- 1993 *Parking Facilities Part 3: Bicycle Parking Facilities*. Alternative designs can be accepted if they meet the objectives of the standard. The applicant needs to ensure that:

- a) all bicycle parking for staff/employees of any land use must use a secure access facility that is not readily open to the general public; and
- b) all bicycle parking for visitors of any land use must be facilities to which the bicycle frame and both wheels can be locked.

The applicant shall investigate the potential for increasing the width of the access points for bicycles from Wynyard Lane to the basement parking levels from 1.6 metres to 1.8 metres.

Note: If a basement storage area exists on title, that is large enough to store a bike and is no smaller than a class 1 bike locker, this can be counted as a space.

- (d) Schedule 2 Part B – Condition B13 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~bold struck out~~ words/numbers as follows:

Basement Car Park Operation

B13 Details shall be provided to the satisfaction of the PCA, with the application for a Construction Certificate, which demonstrate that the vehicular access to the basement from Wynyard Lane and internal vehicular circulation complies with the amended car park design as described in the addendum traffic statement titled 'Proposed Car Park Operation Submission to DOPE', reference 13S123000, prepared by GTA Consultants dated 21 November 2014 **and the 'Transport Assessment Review for Section 96 Application', reference 12S1213000, prepared by GTA Consultants dated 9 November 2015 and updated by letter prepared by GTA Consultants dated on 9 February 2016.**

- (e) Schedule 2 Part B – Condition B28 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~bold struck out~~ words/numbers as follows:

Outdoor Lighting

B28 Lighting designs certified by a practicing lighting engineer are to be submitted for Council approval prior to the issue of a Construction Certificate for public domain works. The lighting designs shall provide for:

- c) Smartpole lighting to the southern side of Margaret Street (along the site's frontage) to Council's specifications complying with AS1158 Category V1 for roadway and Category ~~P1 + 4 Lux~~ **vertical P2** illumination for footpaths.
- d) Council's standard wall mounted lighting in Wynyard Lane (along the site's frontage) complying with AS1158 Category ~~P1 + 4 Lux~~ **vertical P2** illumination.

- (f) Schedule 2 Part B – Condition B28 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~bold struck out~~ words/numbers as follows:

Stormwater and Drainage Management

B32 Prior to ~~a~~ **the issue of the relevant** Construction Certificate ~~being issued~~, details of the proposed stormwater disposal and drainage from the development including details of the provision and maintenance of overland flow paths must be submitted to and approved by Sydney Water in consultation with Council. All approved details for the disposal of stormwater and drainage are to be implemented in the development.

- a) Any proposed connection to the Council's underground drainage system will require the owner to enter into a Deed of Agreement with the Council and obtain registration on Title of a Positive Covenant prior to Construction Certificate being issued and prior to the commencement of any related work within the public way.
- b) The requirements of Sydney Water with regard to the on-site detention of stormwater must be ascertained and complied with. Evidence of the approval of Sydney Water to the on-site detention must be submitted to the PCA prior to **a the issue of the relevant** Construction Certificate ~~being issued~~;
- c) An "Application for Approval of Stormwater Drainage Connections" must be submitted to the Council with the appropriate fee at the time of lodgement of the proposal for connection of stormwater to the Council's drainage system; and
- d) A Positive Covenant must be registered on the title for all drainage systems involving On-site Detention (OSD) to ensure maintenance of the approved OSD system regardless of the method of connection.

- (g) Schedule 2 Part B – Condition B38 is added by the insertion of the **bold and underlined** words/numbers as follows:

Access to Public Car Park

B38. Prior to the issue of the relevant Construction Certificate, the applicant shall submit drawings to the PCA demonstrating compliance with the fire and life safety requirements of the Building Code of Australia for the approach, entrance and ramp to the Wynyard Lane public car park.

- (h) Schedule 2 Part B – Condition B39 is added by the insertion of the **bold and underlined** words/numbers as follows:

Safety Assessment of Proposed Arrangements Along Wynyard Lane

B39. Prior to the issue of the relevant Construction Certificate, the applicant shall undertake a Stage 2 (Concept Plan) Road Safety Audit for the proposed changes along Wynyard Lane as provided in the revised Public Domain Concept Plan (PDCP), in accordance with Austroads Guide to Road Safety Part 6: Road Safety Audit by and independent TfNSW accredited road safety auditor. Based on the results of the road safety audit, the applicant shall review the design drawings and implements safety measures as required.

End of modification to SSD 5824
(SSD 5824 MOD1)