

# Modification of Development Consent

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

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



Anthea Sargeant  
**Executive Director**  
**Key Sites and Industry Assessments**

Sydney 30 November 2016

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## SCHEDULE 1

- Development Consent:** **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
- Consent 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 MOD 2:** the modification includes:
- consolidation of existing lots on the site and stratum subdivision into five lots.

## SCHEDULE 2

The above consent is modified as follows:

- (a) Schedule 2 Part A – Administrative Condition A1 is amended by the insertion of the **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 (~~SSD 5824 MOD 1~~) **to Development Consent SSD 5824** prepared by JBA dated November 2015 **and Response to Submissions dated 3 February 2016;**
  - e) **Section 96(1A) modification application (SSD 5824 MOD 2) prepared by JBA dated August 2016 and Response to Submissions dated 27 October 2016, updated on 23 November 2016;**
  - e)f The conditions of this consent; and
  - f)g 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	01	Demolition Plan – Shell House	25.09.2015
DA0008	00	Demolition Plan – 285 George Street	17.03.2014
DA0009	02	Excavation Plan	25.09.2015
DA1000	00	Existing Site Plan	19.03.2014
DA2000	02	Proposed Site Plan	25.09.2015
DA2002	02	Lower Basement Level	25.09.2015
DA2003	02	Basement Level	25.09.2015
DA2004	02	Hunter Connection Level	25.09.2015
DA2005	02	Concourse Level	25.09.2015
DA2006	02	George Street Level	25.09.2015
DA2007	02	Wynyard Lane Level	25.09.2015
DA2008	02	Carrington Street Level	25.09.2015
DA2009	02	Upper Ground Level	25.09.2015
DA2010	02	Mezzanine Level	25.09.2015
DA2011	02	Office Level 01	25.09.2015
DA2012	02	Office Level 02	25.09.2015
DA2013	02	Office Level 03	25.09.2015

DA2014	02	Office Level 04	25.09.2015
DA2015	02	Office Level 05	25.09.2015
DA2016	02	Office Level 06	25.09.2015
DA2017	02	Office Level 07	25.09.2015
DA2018	02	Office Level 08	25.09.2015
DA2019	02	Office Level 09	25.09.2015
DA2020	02	Office Level 10	25.09.2015
DA2021	02	Office Level 11	25.09.2015
DA2022	02	Office Level 12	25.09.2015
DA2023	02	Office Level 13	25.09.2015
DA2024	02	Office Level 14	25.09.2015
DA2025	02	Office Level 15	25.09.2015
DA2026	02	Office Level 16	25.09.2015
DA2027	02	Office Level 17	25.09.2015
DA2028	02	Office Level 18	25.09.2015
DA2029	02	Office Level 19	25.09.2015
DA2030	02	Office Level 20	25.09.2015
DA2031	02	Office Level 21	25.09.2015
DA2032	02	Office Level 22	25.09.2015
DA2033	02	Office Level 23	25.09.2015
DA2034	02	Office Level 24	25.09.2015
DA2035	02	Office Level 25	25.09.2015
DA2036	02	Office Level 26	25.09.2015
DA2037	02	Office Level 27	25.09.2015
DA2038	02	Office Level 28 Plant	25.09.2015
DA2039	02	Office Level 29 Plant	25.09.2015
DA2040	02	Office Level 30 Plant	25.09.2015
DA2041	02	Roof Plan	25.09.2015
DA2100	02	Proposed Elevation A (East)	25.09.2015
DA2101	02	Proposed Elevation B (South)	25.09.2015
DA2102	02	Proposed Elevation C (West)	25.09.2015
DA2103	02	Proposed Elevation D (North)	25.09.2015
DA2201	02	Proposed Section 02	25.09.2015
DA2202	02	Proposed Section 07	25.09.2015
DA2220	02	Proposed Section 1 Carrington to George Street Laneway	25.09.2015
DA2221	02	Proposed Section 2 Concourse Section	25.09.2015
DA2222	02	Proposed Section 3 Office Lobby to George Street	25.09.2015
DA2223	02	Proposed Section 04 Retail on George Street	25.09.2015
DA2224	02	Proposed Section 5 Carrington to George Street Laneway	25.09.2015

DA2300	02	Proposed Shell House Elevations	25.09.2015
DA2301	02	Proposed 285-287 George Street	25.09.2015
DA2310	02	Concept Plan Envelope Compliance	25.09.2015
DA5000	02	Typical Cladding Detail 1	25.09.2015
DA5001	02	Typical Cladding Detail 2	25.09.2015
DA5002	02	Typical Cladding Detail 3	25.09.15
DA6000	01	GFA Schedule	04.04.2016
<b>Landscape and Public Domain Drawings prepared by Oculus</b>			
<b>Drawing No.</b>	<b>Revision</b>	<b>Name of Plan</b>	<b>Date</b>
L-M-010	F	MEZZANINE TERRACE	13.11.2015
L-04-010	F	285 GEORGE ST LEVEL 04 TERRACE	13.11.2015
L-09-010	F	LEVEL 09/10 TERRACES	13.11.2015
L-10-012	F	LEVEL 12 RESTAURANT TERRACE	13.11.2015
L-27-010	F	LEVEL 27 OFFICE TERRACE	13.11.2015
L-00-200	F	TERRACE SECTIONS	13.11.2015
L-00-300	F	PLANTING PALETTE	13.11.2015
L-100	F	PUBLIC DOMAIN CONCEPT PLAN	22.01.2016
L-110	F	PUBLIC DOMAIN MATERIALS	22.01.2016
<b>Stratum Subdivision Drawings prepared by RPS</b>			
<b>Drawing No.</b>	<b>Revision</b>	<b>Name of Plan</b>	<b>Date</b>
<u>PR127248.</u> <u>DDP.PPR2</u>	<u>M</u>	<u>LOCATION PLAN</u> <u>PLAN OF SUBDIVISION OF LOT 10 IN DP595978,</u> <u>LOT 1,2 AND 4 IN DP853331, LOT 22 IN DP56723,</u> <u>23 IN DP59753</u> <u>(SHEET 1 OF 12)</u>	<u>22/11/2016</u>
<u>PR127248.</u> <u>DDP.PPR2</u>	<u>M</u>	<u>BASEMENT &amp; BELOW</u> <u>PLAN OF SUBDIVISION OF LOT 10 IN DP595978,</u> <u>LOT 1,2 AND 4 IN DP853331, LOT 22 IN DP56723,</u> <u>23 IN DP59753</u> <u>(SHEET 2 OF 12)</u>	<u>22/11/2016</u>
<u>PR127248.</u> <u>DDP.PPR2</u>	<u>M</u>	<u>HUNTER CONNECTION</u> <u>PLAN OF SUBDIVISION OF LOT 10 IN DP595978,</u> <u>LOT 1,2 AND 4 IN DP853331, LOT 22 IN DP56723,</u> <u>23 IN DP59753</u> <u>(SHEET 3 OF 12)</u>	<u>22/11/2016</u>
<u>PR127248.</u> <u>DDP.PPR2</u>	<u>M</u>	<u>CONCOURSE</u> <u>PLAN OF SUBDIVISION OF LOT 10 IN DP595978,</u> <u>LOT 1,2 AND 4 IN DP853331, LOT 22 IN DP56723,</u> <u>23 IN DP59753</u> <u>(SHEET 4 OF 12)</u>	<u>22/11/2016</u>
<u>PR127248.</u> <u>DDP.PPR2</u>	<u>M</u>	<u>GEORGE STREET</u> <u>PLAN OF SUBDIVISION OF LOT 10 IN DP595978,</u> <u>LOT 1,2 AND 4 IN DP853331, LOT 22 IN DP56723,</u> <u>23 IN DP59753</u> <u>(SHEET 5 OF 12)</u>	<u>22/11/2016</u>

<u>PR127248.</u> <u>DDP.PPR2</u>	<u>M</u>	<u>WYNYARD LANE</u> <u>PLAN OF SUBDIVISION OF LOT 10 IN DP595978,</u> <u>LOT 1,2 AND 4 IN DP853331, LOT 22 IN DP56723,</u> <u>23 IN DP59753</u> <u>(SHEET 6 OF 12)</u>	<u>22/11/2016</u>
<u>PR127248.</u> <u>DDP.PPR2</u>	<u>M</u>	<u>CARRINGTON STREET</u> <u>PLAN OF SUBDIVISION OF LOT 10 IN DP595978,</u> <u>LOT 1,2 AND 4 IN DP853331, LOT 22 IN DP56723,</u> <u>23 IN DP59753</u> <u>(SHEET 7 OF 12)</u>	<u>22/11/2016</u>
<u>PR127248.</u> <u>DDP.PPR2</u>	<u>M</u>	<u>UPPER GROUND</u> <u>PLAN OF SUBDIVISION OF LOT 10 IN DP595978,</u> <u>LOT 1,2 AND 4 IN DP853331, LOT 22 IN DP56723,</u> <u>23 IN DP59753</u> <u>(SHEET 8 OF 12)</u>	<u>22/11/2016</u>
<u>PR127248.</u> <u>DDP.PPR2</u>	<u>M</u>	<u>MEZZANINE TO LEVEL 6</u> <u>PLAN OF SUBDIVISION OF LOT 10 IN DP595978,</u> <u>LOT 1,2 AND 4 IN DP853331, LOT 22 IN DP56723,</u> <u>23 IN DP59753</u> <u>(SHEET 9 OF 12)</u>	<u>22/11/2016</u>
<u>PR127248.</u> <u>DDP.PPR2</u>	<u>M</u>	<u>OFFICE LEVEL 07 AND ABOVE</u> <u>PLAN OF SUBDIVISION OF LOT 10 IN DP595978,</u> <u>LOT 1,2 AND 4 IN DP853331, LOT 22 IN DP56723,</u> <u>23 IN DP59753</u> <u>(SHEET 10 OF 12)</u>	<u>22/11/2016</u>
<u>PR127248.</u> <u>DDP.PPR2</u>	<u>M</u>	<u>SECTION A-A</u> <u>PLAN OF SUBDIVISION OF LOT 10 IN DP595978,</u> <u>LOT 1,2 AND 4 IN DP853331, LOT 22 IN DP56723,</u> <u>23 IN DP59753</u> <u>(SHEET 11 OF 12)</u>	<u>22/11/2016</u>
<u>PR127248.</u> <u>DDP.PPR2</u>	<u>M</u>	<u>SECTION B-B ADDITIONAL SECTION SHOWING</u> <u>WYNYARD LANE PEDESTRIAN LINK</u> <u>PLAN OF SUBDIVISION OF LOT 10 IN DP595978,</u> <u>LOT 1,2 AND 4 IN DP853331, LOT 22 IN DP56723,</u> <u>23 IN DP59753</u> <u>(SHEET 12 OF 12)</u>	<u>22/11/2016</u>

(b) Schedule 2 is amended by the insertion of a new Part (PART G – Prior to Stratum Subdivision) and the following new conditions shown in **bold and underlined** as follows:

## **PART G - PRIOR TO STRATUM SUBDIVISION**

### **G1. ACCESS**

**Documentary easements for access must be created over the appropriate lots in the subdivision to provide for public access and access to lifts, lobbies, fire stairs, service areas, loading areas and car parking areas, and created pursuant to Section 88B of the Conveyancing Act 1919.**

### **G2. SERVICES**

**Documentary easements for services, drainage, support and shelter, use of plant, equipment, loading areas and service rooms, repairs, maintenance and any other encumbrances and indemnities required for joint or reciprocal use of part or all of the**

proposed lots as a consequence of the subdivision, must be created over the appropriate lots in the subdivision pursuant to Section 88B of the *Conveyancing Act 1919*.

### **G3. RIGHTS OF WAY**

Documentary rights of footway and carriageway must be created over the appropriate lots in the subdivision to provide the necessary access to areas within the site including fire stairs, fire control rooms, parking, loading and service areas, and created pursuant to Section 88B of the *Conveyancing Act 1919*.

### **G4. SURVEYS / CERTIFICATES / WORKS AS EXECUTED PLANS**

The following Items must be lodged with Council either (i) when the engineering works are completed or (ii) prior to issue of any Subdivision or Occupation Certificate:

- (a) All works-as-executed plans (to a standard suitable for microfilming) under the hand of a Chartered Professional Engineer or a Registered Surveyor.
- (b) A certificate from a Chartered Professional Engineer Certifying that all Works are constructed generally in accordance with the Construction Certificate.
- (c) A certificate from a Registered Engineer (NPER) verifying that any structural elements within the development have been constructed to withstand all loads likely to be imposed on them during their lifetime.
- (d) Where drainage lines are covered by easements a certificate shall be submitted by a Registered Surveyor indicating that all drainage lines and associated structures lie wholly within any easements required by this approval.

### **G5. WATER AUTHORITY COMPLIANCE CERTIFICATE**

Prior to issuing a subdivision certificate, a Compliance Certificate shall be provided to the certifying authority showing that the development has met with the detailed requirements of the relevant water supply authority.

### **G6. CAR PARKING RESTRICTIONS**

Except as otherwise allocated in this development consent, the car parking spaces, exclusive of service spaces, are not to be used by those other than persons attending the site.

These requirements are to be enforced through the following:

- (a) restrictive covenant placed on title pursuant to Section 88B of the *Conveyancing Act, 1919*, and
- (b) a sign visible at exits (excluding fire stairs and individual unit entries) from car parking areas.

All costs associated with the above requirements are to be borne solely by the Proponent.

End of modification to SSD 5824  
(SSD 5824 MOD 2)