

Modification of Development Consent

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

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



Amy Watson
Team Leader
Key Sites Assessments

Sydney

15 December 2021

SCHEDULE 1

Development consent:	SSD 7388 granted by the Planning Assessment Commission on 28 June 2016
For the following:	IMAX redevelopment, including: <ul style="list-style-type: none">• demolition of the existing IMAX building, tourist office and amenities block• construction of a new 25 storey building and separate 2 storey building• hotel, serviced apartments, retail and entertainment uses• 170 car parking spaces within the podium and 239 bicycle spaces at ground level• realignment of Wheat Road• upgrade to the surrounding public domain including a new playground and relocation of heritage items• installation of a City Screen and signage zones.
Applicant:	Grocon (Darling Harbour) Developments Pty Ltd
Consent Authority:	Minister for Planning
The Land:	31 Wheat Road, Darling Harbour (including airspace over Harbour Street) Lots 401, 402, 403, 404 and 405 DP 862501, Lot 800, 801 and 805 DP 1164281, Lot 2, 4 and 9 DP 1048307, Lot 60, 64 and 65 DP 1009964, Lot 11 DP 1125890, Lot 210 and 217 DP 1130038, Lot 8 DP 1048307 and Lot 1010 DP 1147364
Modification:	SSD 7388 MOD14: reconfigure the ground and first floors of the Ribbon building, increase gross floor area, and amend outdated conditions of consent

SCHEDULE 2

1. the Development description in Schedule 1 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struckout~~ words/numbers as follows:

IMAX redevelopment, including:

- demolition of the existing IMAX building, tourist office and amenities block;
- construction of a new 25 storey building and separate 2 storey building;
- hotel, serviced apartments, retail and entertainment uses;
- 170 car parking spaces within the podium and ~~229~~ **152** bicycle spaces at ground level;
- realignment of Wheat Road;
- upgrade to the surrounding public domain including a new playground and **relocation retention** of heritage items;
- installation of a City Screen **static LED sign** and signage zones.

2. Schedule 2 Part A – Administrative and Development Contribution Conditions, Condition A2 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struckout~~ words/numbers as follows:

A2 The Applicant shall carry out the project generally in accordance with the:

- a) Environmental Impact Statement (EIS) prepared by JBA Urban Planning Consultants Pty Ltd, dated December 2015;
- b) Response to Submissions (RtS) and Amendments to Proposed Development prepared by JBA Urban Planning Consultants Pty Ltd, dated March 2016;
- c) Additional information submitted subsequent to the RtS;
- d) Plan of Management dated 26 April 2016;
- e) following drawings as set out in the table below, except for:
 - i) any modifications which are Exempt or Complying Development;
 - ii) otherwise provided by the conditions of this consent.
- f) Section 96(2) modification application (SSD 7388 MOD 3), prepared by JBA Urban Planning and dated 8 June 2016, as amended by Response to Submissions prepared by Ethos Urban and dated 24 August 2017.
- g) Section 96(1A) modification application (SSD 7388 MOD 4), prepared by JBA Urban Planning and dated 28 June 2017, as amended by Response to Submissions prepared by Ethos Urban and dated 28 August 2017 and updated on 21 September 2017.
- h) Section 96(1A) modification application (SSD 7388 MOD 5), prepared by JBA Urban Planning and dated 31 August 2017, as amended by email and attachments from Ethos Urban and dated 26 October 2017
- i) Section 4.55(2) modification application (SSD 7388 MOD 6), prepared by Ethos Urban and dated 6 April 2018, as amended by Response to Submissions prepared by Ethos Urban and dated 23 August 2018
- j) Section 4.55(1A) modification application (SSD 7388 MOD 8), prepared by Ethos Urban and dated 7 May 2019, and additional information, prepared by Ethos Urban and dated 4 June 2019.
- k) Section 4.55(1A) modification application (SSD 7388 MOD 7), prepared by Ethos Urban and dated 13 December 2018, and additional information, prepared by Ethos Urban and dated 1 April 2019 and 31 May 2019
- l) Section 4.55(1A) modification application (SSD 7388 MOD 10), prepared by Ethos Urban and dated 22 October 2019, and additional information, prepared by Ethos Urban dated 18 December 2019 and 28 February 2020
- m) Section 4.55(1A) modification application (SSD 7388 MOD 12), prepared by Ethos Urban and dated 3 March 2021

- n) Section 4.55(1A) modification application (SSD 7388 MOD 11), prepared by Ethos Urban and dated 3 March 2021, and additional information, prepared by Ethos Urban dated 22 April 2022 and by Greateon Development dated 25 May 2021
- o) Section 4.55(1A) modification application (SSD 7388 MOD 13), prepared by Ethos Urban and dated 3 March 2021 and additional information, prepared by Ethos Urban dated 30 April 2020
- p) Section 4.55(1A) modification application (SSD 7388 MOD 14), prepared by Ethos Urban and dated 19 October 2021 and additional information, prepared by Ethos Urban dated 25 November 2021 and 3 December 2021**

Architectural (or Design) Drawings prepared by Hassell			
Drawing No.	Revision	Name of Plan	Date
ARC-HSL-DD-1052	U V	GFA Area Schedule	09.12.19 <u>08.09.21</u>
ARC-HSL-DD-1060	H	Draft Lease Plan	09.06.19
ARC-HSL-DD-1078	N O	Lease Line Relationship Plans – Sheet 1	23.01.20 <u>08.09.21</u>
ARC-HSL-DD-1079	N	Lease Line Relationship Plans – Sheet 2	26.03.18
ARC-HSL-DD-1079.1	G	Lease Line Relationship Plans – Sheet 3	26.03.18
ARC-HSL-DD-1080	I	Demolition Plan	23.01.20
ARC-HSL-DD-1090	Q R	Lower Site Plan	23.01.20 <u>08.09.21</u>
ARC-HSL-DD-1091	H	Upper Site Plan	10.8.18
ARC-HSL-DD-1100	W X	GA Plans – Ground Floor	23.01.20 <u>08.09.21</u>
ARC-HSL-DD-1101	S I	GA Plans – Podium L01	23.01.20 <u>08.09.21</u>
ARC-HSL-DD-1102	P	GA Plans – Podium L02	19.06.19
ARC-HSL-DD-1103	M	GA Plans – Podium L03	10.04.19
ARC-HSL-DD-1104	M	GA Plans – Podium L04	10.04.19
ARC-HSL-DD-1105	M	GA Plans – Hotel and Serviced Apartments L05 and L06	10.04.19
ARC-HSL-DD-1106	K1	GA Plans – Hotel and Serviced Apartments L07 and L08	12.06.18
ARC-HSL-DD-1107	J1	GA Plans – Hotel and Serviced Apartments L09 and L10	12.06.18
ARC-HSL-DD-1108	J1	GA Plans – Hotel and Serviced Apartments L11 and L12	12.06.18
ARC-HSL-DD-1109	J1	GA Plans – Hotel and Serviced Apartments L13 and L14	12.06.18
ARC-HSL-DD-1110	J1	GA Plans – Hotel and Serviced Apartments	12.06.18

		L15 and L16	
ARC-HSL-DD-1111	J1	GA Plans – Hotel and Serviced Apartments L17 and L18	12.06.18
ARC-HSL-DD-1112	J1	GA Plans – Hotel and Serviced Apartments L19 and L20	12.06.18
ARC-HSL-DD-1112.1	H	GA Plans – Hotel L21 and L22	27.03.19
ARC-HSL-DD-1112.2	I	GA Plans – Hotel L23 and L24	27.03.19
ARC-HSL-DD-1113	N	GA Plans – Roof	27.03.19
ARC-HSL-DD-1150	M	GA Elevations – Sheet 1	12.06.18
ARC-HSL-DD-1151	M	GA Elevations – Sheet 2	19.06.19
ARC-HSL-DD-1152	N	GA Elevations – Sheet 3	27.03.19
ARC-HSL-DD-1153	O	GA Elevations – Sheet 4	19.06.19
ARC-HSL-DD-1154	F	GA Elevations – Building 2	19.06.19
ARC-HSL-DD-1200	L1	GA Sections – Sheet 1	12.06.18
ARC-HSL-DD-1201	O	GA Sections – Sheet 2	27.03.19
ARC-HSL-DD-1202	M1	GA Sections – Sheet 3	12.06.18
ARC-HSL-DD-1203	M1	GA Sections – Sheet 4	12.06.18
ARC-HSL-DD-1204	O P	GA Sections – Sheet 5	27.03.19 08.09.21
ARC-HSL-DD-1350	E	Section Details	23.10.17
ARC-HSL-DD-1930	F	Materials and Finishes Palette	23.10.17
ARC-HSL-DD-SK-018.1	B	Bicycle Parking and end-of-trip Class B Facility	12.04.17
ARC-HSL-DD-1950	F	Artist's Impression 1	23.10.17
ARC-HSL-DD-1951	F	Artist's Impression 1	23.10.17
ARC-HSL-DD-1952	F	Artist's Impression 1	23.10.17
ARC-HSL-DD-005.1	D	Schedule of Accommodation Hotel Rooms	23.10.17
ARC-HSL-DD-005.2	D	Schedule of Accommodation Serviced Apartments and Retail	23.10.17
SK-029	F	Loading Bay: Refuse Areas	05.04.18
SK-030	G	Refuse Areas Detail	05.04.18
Public Domain / Landscape Drawings prepared by Aspect Studios			
Drawing No.	Revision	Name of Plan	Date
12023-LDA01	H	Public Domain Context Plan	06.12.19
12023-S96 01	B	Public Domain Plan	06.12.19
12023-S96 02	B	Public Domain Sections	06.12.19
12023-LDA04	H	Playground Detail Plan	06.12.19
12023-S96-03	B	Eastern Public Domain	06.12.19

12023-LDA06	H	Public Domain Planting Plan	06.12.19
1203-LDA07	B	Public Domain -Northern Waterfront Interface	06.12.19
12023-LDA08	H	Public Domain Bike Parking Plan	December 2020
SK530		Eastern Pedestrian Clear Widths	23.01.20
RMS Clearance Diagrams prepared by Hassell			
Drawing No.	Revision	Name of Plan	Date
ARC-HSL-DD1070	M N	Ground Floor Proposed Clearances to RMS Roadway Structures	23.01.20 08.09.21
ARC-HSL-DD1071	G	Podium Level Proposed Clearances to RMS Roadway Structures	26.03.18
ARC-HSL-DD1072	F	Hotel Level Proposed Clearances to RMS Roadway Structures	26.03.18
ARC-HSL-DD1073	H	Proposed Clearances to RMS Roadway Structures	26.03.18
ARC-HSL-DD1074	F	Temporary Construction Screen Clearances to RMS Roadway Structures	26.03.18
ARC-HSL-DA1075	H	Temporary Construction Screen Clearances to RMS Roadway Structures	26.03.18
ARC-HSL-DD1076	F	Upper Hotel Levels Cantilever over RMS Roadway	26.03.18
ARC-HSL-DD1077	F	Proposed Cantilever over RMS Roadway	23.10.17
Signage Zone Plans			
Drawing No.	Revision	Name of Plan	Date
	H	Signage Matrix	17.08.20
SK026.1	B	Signage Types & Locations South Elevation	18.09.17
SK026.2	B	Signage Types & Locations East Elevation	18.09.17
SK026.3	D	Signage Types & Locations West Elevation	17.08.20
SK026.4	C	Signage Types & Locations North Elevation	11.09.19
SHF-DDA-7000-DA	B	SHFA Building Signage Locations	22.04.2021
General Building Envelope Materials and Finishes Plans prepared by Hassell			
Drawing No.	Revision	Name of Plan	Date
	C	General Building Envelope Materials & Matrix	23.10.17
SK027.1	A	Materials and Finishes View from North-West	23.10.17
SK027.2	A	Materials and Finishes View from South-West	23.10.17
SK027.3	A	Materials and Finishes View from South-East	23.10.17
SK027.4	C1	Materials and Finishes View from North	20.10.17
Architectural (or Design) Drawings prepared by Drew Dickson Architects			

Drawing No.	Revision	Name of Plan	Date
SHF-DDA-0100-DA	B	SHFA Building Site Plan	22.04.21
SHF-DDA-1000-DA	A	SHFA Building L00 GA Plan	22.01.21
SHF-DDA-1001-DA	A	SHFA Building L01& L02 GA Plan	22.01.21
SHF-DDA-2000-DA	A	SHFA Building Elevations	22.01.21
SHF-DDA-3000-DA	A	SHFA Building Sections	22.01.21

3. Schedule 2 Part A – Terms of Approval, Condition A5A is added by the insertion of the **bold and underlined** words / numbers as follows:

A5A This consent does not approve the relocation of the Carousel and Organ within the public domain.

4. Schedule 2 Part B – Prior to Issue of Construction Certificate, Condition B61 is amended by the deletion of the ~~struckout~~ words / numbers as follows:

Heritage

~~B61 A methodology for the disassembly and relocation of the Carousel and Organ in line with the guidelines and policies including in the Conservation Management Plan for the item, shall be prepared and submitted to the Department for approval prior to any below ground works and the issue of a Construction Certificate for Stage 2.~~

5. Schedule 2 Part C – Prior to Commencement of Works, Condition C16 is amended by the deletion of the ~~struckout~~ words / numbers as follows:

~~C16 Prior to the relocation of the Carousel and Organ, detailed archival recording of the items shall be undertaken. Copies of the archival recording shall be lodged with the Heritage Division and Council.~~

6. Schedule 2 Part C – Prior to Commencement of Works, Condition E18 is amended by the deletion of the ~~struckout~~ words / numbers as follows:

~~E18 A Green Travel Plan and transport access guide shall be prepared and submitted to the Certifying Authority prior to the issue of the final Occupation Certificate. The Green Travel Plan shall include a monitoring requirement in relation to the future demand for the expansion of visitor bicycle parking spaces within the public domain.~~

7. Schedule 2 Part C – Prior to Commencement of Works, Condition E21 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struckout~~ words/numbers as follows:

E21 A new enclosure structure (and ancillary structures) shall be provided for the **retained relocated Carousel and Organ** prior to the issue of an Occupation Certificate. The design of the new enclosure and ancillary structures shall be in accordance with the Carousel and Band Organ Conservation Management Plan and undertaken in consultation with an appropriately qualified Heritage Consultant.

**End of modification
(SSD 7388 MOD 14)**