

ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979

**MODIFICATION OF DEVELOPMENT CONSENT GRANTED UNDER SECTION 80
OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

(FILE NO. SO1/02352 PT 7)

I, Izlem Boylu, Senior Planner, Urban Assessments, as delegate of the Minister for Infrastructure and Planning, under Instrument of Delegation dated 8 August 2002 pursuant to Section 96 (1A) of the *Environmental Planning & Assessment Act, 1979*, modify the development consent referred to in the attached Schedule 1 in the manner set out in the attached Schedule 2.

The reasons for the imposition of conditions are:

- (1) To ensure the creation of a high quality urban environment;

Izlem Boylu
Senior Planner
Urban Assessments

Sydney,

2003

SCHEDULE 1 –THE DEVELOPMENT

PART A—TABLE

Application Number:	MOD 76-7-2003 modifying DA 321-11-2001
On land comprising:	Site 6, King Street Wharf, Darling Harbour
Original Development:	Erection and fitout of a multi-storey commercial building on Site 6, the construction of an underground car park and coach parking facility at Site 1, and the construction of the road network and public domain areas within King Street Wharf
Proposed Amendment:	Alterations to sunshades, basement configuration and installation of temporary pedestrian link to Site 6 North
Development consent granted by:	Delegate of the Minister for Infrastructure and Planning
On:	11 November 2003
As modified:	Under Section 96 (2) of the Act on 17 April 2003 (MOD 78-10-2002) Under Section 96(1A) of the Act on 8 July 2002 (MOD 27-5-2002) Under Section 96(1A) of the Act on 26 June 2003 (MOD 106-11-2002)

PART B—NOTES RELATING TO THE MODIFICATION OF DEVELOPMENT CONSENT NO. 321-11-2001

Responsibility for other approvals / agreements

The applicant is solely responsible for ensuring that all additional consents and agreements are obtained from other authorities, as relevant.

Appeals

The applicant has the right to appeal to the Land and Environment Court under Section 97 of the *Environmental Planning and Assessment Act, 1979*. The right to appeal is only available within 3 months after the date on which the applicant received this notice.

Appeals—Third Party

For designated development, a third party has the right to appeal to the Land and Environment Court on the merits of this decision under Section 98 of the *Environmental Planning and Assessment Act, 1979*. The right to appeal is only available within 28 days of the date of commencement of this consent.

A third party right to appeal to this development consent is available under Section 123, subject to Section 101, of the *Environmental Planning and Assessment Act, 1979*.

Legal notices

Any advice or notice to the consent authority shall be served on the Director-General.

PART C—DEFINITIONS

The definitions within this modification are consistent with the definitions in Schedule 1 of the consent to development application DA 321-11-2001.

SCHEDULE 2

MODIFICATION OF DEVELOPMENT CONSENT TO DEVELOPMENT APPLICATION NO 321-11-2001

Condition No 1 is amended as follows:

GENERAL – APPROVED DEVELOPMENT

1. Development at the site shall be carried out generally in accordance with DA 321-11-2001-I comprising:

- Statement of Environmental Effects prepared by JBA Urban Planning Consultants dated September 2002, as amended by drawings
 - AR01FSA Rev 06
 - AR02FSA Rev 06
 - AR03FSA Rev 06
 - AR04FSA Rev 05
- Statement of Environmental Effects prepared by JBA Urban Planning Consultants dated October 2001.
- Appendices to Statement of Environmental Effects:

A: Survey Plan prepared by Denny Linker Surveyor;
D: Traffic and parking report prepared by Transport and Traffic Planning Associates;
E: Public Domain plan and landscape and urban design report prepared by Oculus;
F: Energy Efficiency Report prepared by Adamus Consulting Practice;
G: Report assessing compliance with the Building Code of Australia prepared by City Plan Services;
H: Objection to height development standard pursuant to State Environmental Planning Policy No.1 (SEPP 1) prepared by JBA Urban Planning Consultants;
J: Heritage Report prepared by Godden Mackay & Logan;
K: Reflectivity Study prepared by Hyder Consulting (Australia);
M: Acoustic Report prepared by Acoustic Logic Consultants;
N: Wind Report prepared by Sydney University Wind Engineering Services.

As amended by subsequent plans dated 16 January, 2002 and the following additional documents:

- Acoustic Assessment of Proposed Coach Layover Facility Operation prepared by Acoustic Logic Consultancy dated 15 February, 2002;
- King Street Wharf Coach Parking Facility – Ventilation Design Study Adamus Consulting Practice dated 2/02/02;
- Architectural drawings prepared by Cox Richardson/Crone Associates:

STAGE 2 DA – Site 6 North

LOCATION PLAN	DA-001	02	2-Nov-01
SITE PLAN	DA-002	02	2-Nov-01
PLAN BASEMENT 4	A-J15B4	11	25-Nov-02

PLAN BASEMENT 3	A-J15B3	11	25-Nov-02
PLAN BASEMENT 2	A-J15B2	11	25-Nov-02
PLAN BASEMENT 1	A-J15B1	11	25-Nov-02
SITE 6 (ZONE J) GROUND FLOOR - NORTH GENERAL ARRANGEMENT	A-J500	04	1-Feb-02
SITE 6 (ZONE J) LEVEL 1 – NORTH GENERAL ARRANGEMENT	A-J2501	02	12-Dec-01
SITE 6 (ZONE J) LEVEL 2 – NORTH GENERAL ARRANGEMENT	A-J2502	02	12-Dec-01
PLAN LEVEL 3	DA-011	02	2-Nov-01
PLAN LEVEL 4	DA-012	02	2-Nov-01
PLAN LEVEL 5	DA-013	02	2-Nov-01
PLAN LEVEL 6	DA-014	02	2-Nov-01
SITE 6 (ZONE J) LEVEL 7 – NORTH GENERAL ARRANGEMENT	A-J2507	04	17-Jan-02
PLAN LEVEL 8	DA-016	02	2-Nov-01
PLAN LEVEL 9	DA-017	02	2-Nov-01
PLAN LEVEL 10	DA-018	02	2-Nov-01
PLAN LEVEL 11	DA-019	02	2-Nov-01
PLAN LEVEL 12	DA-020	02	2-Nov-01
PLAN LEVEL 13	DA-021	02	2-Nov-01
PLAN LEVEL 14	DA-022	02	2-Nov-01
SITE 6 (ZONE J) LEVEL 15 – NORTH GENERAL ARRANGEMENT	A-J2515	03	17-Jan-02
SITE 6 (ZONE J) LEVEL 16 – NORTH GENERAL ARRANGEMENT	A-J2516	03	17-Jan-02
SITE 6 (ZONE J) LEVEL 17 LMR – NORTH GENERAL ARRANGEMENT	A-J2517	03	17-Jan-02
SITE 6 (ZONE J) LEVEL 17 ROOF PLAN – NORTH GENERAL ARRANGEMENT	A-J2518	05	11-Feb-02
SITE 6 NORTH BUILDING (J) WEST ELEVATION	SK021	02	11-Feb-02
SITE 6 NORTH BUILDING (J) SOUTH ELEVATION	SK076	04	18-Mar-03
SITE 6 NORTH BUILDING (J) EAST ELEVATION	SK023	02	11-Feb-02
SITE 6 NORTH BUILDING (J) NORTH ELEVATION	SK024	02	11-Feb-02
SITE 6 NORTH BUILDING (J) SECTION AA	A-J4101	04	17-Jan-02
SITE 6 NORTH BUILDING (J) SECTION BB	A-J4102	04	17-Jan-02
WEST FAÇADE DETAILS	DA-033	02	2-Nov-01
NORTH FAÇADE DETAILS	DA-034	01	26-Oct-01
SOUTH FAÇADE DETAILS	DA-035	02	2-Nov-01
DETAIL SECTION / ELEVATIONS	DA-036	01	26-Oct-01
SITE 6 NORTH BUILDING (J) PLAN SUNSCREEN EXTENT	DA-037	01	26-Oct-01
SITE 6 NORTH BUILDING (J) SETOUT ELEVATIONS EAST & NORTH PODIUM	A-J3311	02	12-Dec-01

SITE 6 NORTH BUILDING (J) SETOUT ELEVATIONS WESTERN PODIUM	A-J3312	02	12-Dec-01
SITE 6 NORTH BUILDING (J) NORTH PODIUM SECTION SHEET 01	A-J4401	01	24-Nov-01
SITE 6 NORTH BUILDING (J) NORTH FAÇADE SECTIONS	A-J4421	05	19-Dec-01
SITE 6 NORTH BUILDING (J) WEST & NORTH WEST FAÇADE SECTIONS	A-J4422	05	19-Dec-01
SITE 6 NORTH BUILDING (J) TOWER FAÇADE DETAILS SHEET 02	A-J6F22	05	19-Dec-01
SITE 6 NORTH BUILDING (J) TOWER FAÇADE DETAIL SHEET 03	A-J6F23	01	19-Dec-01
SITE 6 NORTH BUILDING (J) EXTRUSION DETAILS SHEET 02	A-J6F26	03	19-Dec-01
SITE 6 NORTH BUILDING (J) WEST PART ELEVATION FRIT PATTERN	SK015	01	5-Dec-01
SITE 6 (ZONES J/H) GROUND FLOOR KEY PLAN	A-J1500	03	1-Feb -02

STAGE 2 DA – Site 1

SITE PLAN	DA-050	02	2-Nov-01
PLAN GROUND LEVEL COACH ENTRY/STREET LEVEL	DA-051	02	2-Nov-01
PLAN BASEMENT 1 LOADING LOCK / CARPARK ENTRY PLAN	DA-052	02	2-Nov-01
PLAN BASEMENT 2 COACH PARKING LAYOUT	DA-053	02	2-Nov-01
PLAN BASEMENT 4 LOADING DOCK AND CAR PARKING PLAN	DA-054	02	2-Nov-01
PLAN BASEMENT 5 CARPARKING PLAN	DA-055	02	2-Nov-01
SECTION 'A' – COACH RAMP	DA-056	02	2-Nov-01
SECTION 'B' – CARPARKING / LOADING DOCK	DA-057	02	2-Nov-01
SECTION 'C' - CARPARKING / LOADING DOCK	DA-058	02	2-Nov-01
SECTION 'D' – COACH RAMP	DA-059	02	2-Nov-01
SECTION 'E' – LOADING RAMP	DA-060	02	2-Nov-01
SITE 1 (ZONES F/G/L/K) BASEMENT 2 KEYPLAN	SK027	03	25-02-02
SITE 1 (ZONES F/G/L/K) BASEMENT 1 KEYPLAN	SK028	02	14-02-02

- Colours and Finishes Board, prepared by Cox Richardson/Crone Associates

As amended by the following - MOD 27-05-2002:

- Submission by JBA-Urban Planning Consultants dated 6 May, 2002;
- Submission by JBA-Urban Planning Consultants dated 10 July, 2002;
- Fit-out report prepared by Woods Bagot – Project No.2.25.1220/Issue A dated 8 April, 2002;
- BCA Report prepared by City Plan Services – Report No.22171/RE220409 Dated April 2002;

- e. Performance Statement from George Floth dated 7/05/02 confirming that the fit-out will achieve a SEDA rating of 4-5 stars, which is consistent with Clause 52 of Stage 2 DA 321-11-2001;
- f. The architectural plans for the internal office fit-out prepared by Woods Bagot and listed as follows:

Plan No./Rev No.	Plan Title	Date
ID 2602 – Rev P01	Furniture Plan – Level 2	08 Apr 2002
ID 2603 – Rev P01	Furniture Plan – Level 3	08 Apr 2002
ID 2604 – Rev P01	Furniture Plan – Level 4	08 Apr 2002
ID 2605 – Rev P01	Furniture Plan – Level 5	08 Apr 2002
ID 2606 – Rev P01	Furniture Plan – Level 6	08 Apr 2002
ID 2607 – Rev P01	Furniture Plan – Level 7	08 Apr 2002
ID 2608 – Rev P01	Furniture Plan – Level 8	08 Apr 2002
ID 2609 – Rev P01	Furniture Plan – Level 9	08 Apr 2002
ID 2610 – Rev P01	Furniture Plan – Level 10	08 Apr 2002
ID 2611 – Rev P01	Furniture Plan – Level 11	08 Apr 2002
ID 2612 – Rev P01	Furniture Plan – Level 12	08 Apr 2002
ID 2613 – Rev P01	Furniture Plan – Level 13	08 Apr 2002
ID 2614 – Rev P01	Furniture Plan – Level 14	08 Apr 2002
ID 2615 – Rev P01	Furniture Plan – Level 15	08 Apr 2002

As amended by the following – MOD 76-7-2003;

- a. Statement of Environmental Effects prepared by JBA Urban Planning Consultants dated 18 July 2003.
- b. Architectural drawings prepared by Cox Richardson/Crone Associates:

Plan No./Rev No.	Plan Title	Date
A-J15B1 Rev 17	Site 6 (Zones J/H) Basement 1 Key Plan	16 Jul 2003
A-J15B2 Rev 16	Site 6 (Zones J/H) Basement 2 Key Plan	16 Jul 2003
A-J15B3 Rev 16	Site 6 (Zones J/H) Basement 3 Key Plan	16 Jul 2003
A-J15B4 Rev 16	Site 6 (Zones J/H) Basement 4 Key Plan	16 Jul 2003
A-J1500 Rev 05	Site 6 (Zones J/H) Ground Floor Key Plan	16 Jul 2003
SK023 Rev 08	Site 6 North Building (J) East Elevation	16 Jul 2003

- c. Site 6 Pedestrian Link – Temporary Works Plan for Site 6 North Tower Occupation, prepared by Oculus (DA -L006 Revision B, dated 1 July 2003)