

# Modification of Minister's Approval

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

As delegate of the Minister for Planning, I approve the modification of the Concept Plan application referred to in Schedule 1, subject to the conditions in Schedule 2.

These conditions are required to:

- prevent, minimise, and/or offset adverse environmental impacts;
- set standards and performance measures for acceptable environmental performance;
- require regular monitoring and reporting; and
- provide for the ongoing environmental management of the development.

A/Executive Director  
Infrastructure & Industry Assessments  
**Department of Planning and Environment**

Sydney

2015

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### SCHEDULE 1

<b>Application Number:</b>	MP 09_0076 MOD 2
<b>Proponent:</b>	Sovereign Wynyard Centre Pty Ltd
<b>The Authority:</b>	Minister for Planning
<b>The Land:</b>	Land between George and York Streets including Thakral House, the Menzies Hotel, Shell House, Wynyard Park, stratum above and below Wynyard Land and stratum underneath Carrington Street, York Street and Wynyard Park, Sydney.
<b>Project Approval:</b>	Mixed use development and Wynyard Station upgrade granted by the Planning Assessment Commission on 3 April 2012.
<b>For the Following:</b>	Concept Plan Approval for the One Carrington Street (formerly CityOne) development, including the upgrade of the eastern access ways to Wynyard Station, and retail and commercial development.
<b>Modification:</b>	<b>MP 09_0076 MOD 2</b> , the modification includes: <ul style="list-style-type: none"><li>• inclusion of 285-287 George Street within the site;</li><li>• increase of the maximum GFA;</li><li>• expansion of the tower building envelope;</li><li>• retention of Wynyard Lane as a one way street;</li><li>• increase in car parking; and</li><li>• revised public benefit offer.</li></ul>

The Concept Plan for MP 09\_0076 is modified as follows:

## SCHEDULE 2 PART A – TERMS OF APPROVAL

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

### A1. DEVELOPMENT DESCRIPTION

Concept Plan approval is granted to the development as described below:

- (a) upgrade of the eastern access ways to Wynyard Station including retail areas and concourse layout;
- (b) indicative building envelope to a maximum height to RL159.7 AHD on the land between Carrington Street and George Street;
- (c) use of the site for a mixed use development including commercial offices, business premises, shops, general retail food and drink premises, health/medical centre, public amenities, transport facilities; and tenant car parking;
- (d) development of former Shell House **and 285-287 George Street** including refurbishments for the purpose of commercial and retail use.

subject to compliance with the modifications of this approval.

- (b) Schedule 2 Part A – Term of Approval A2 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~bold struck out~~ words/numbers as follows:

### A2. DEVELOPMENT IN ACCORDANCE WITH THE PLANS AND DOCUMENTATION

~~The EA, except where amended by the PPR (including the Revised Statement of Commitments included in Schedule 4 of this approval), the updated Walkway Assessment prepared by Halcrow, and the Station Egress Report prepared by Stephen Grubits submitted to the Department on 24 November 2011, and the following drawings are approved as part of the Concept Plan:~~

Architectural Drawings prepared by Hassell		
Drawing No.	Name of Plan	Date
Sheet 01	West Elevation – Indicative Envelope	December 2010
Sheet 02	South Elevation – Indicative Envelope	January 2011
Sheet 04	Perspective Views – Indicative Envelope	January 2011
SK-011	Proposed Plan – York Street	04.01.2011
SK-012	Proposed Plan – Carrington Street	04.01.2011
SK-013	Proposed Plan – George Street	28.11.2011
SK-014	Proposed Plan – Concourse	28.11.2011
SK-015	Proposed Plans – Hunter Street Connection Level	04.01.2011
SK-016	Proposed Plans – Basement B3	17.03.2011
SK-017	Proposed Plans – Basement B4	17.03.2011
SK-018	Proposed Plans – Basement B5	17.03.2011
SK-019	Proposed Plan – Typical Low Rise Office Level	17.03.2011
SK-020	Proposed Plan – Typical Mid Rise Office Level	17.03.2011
SK-021	Proposed Plan – Typical High Rise Office Level	17.03.2011
SK-25	Indicative Massing Elevation	17.03.2011
SK-20	South Elevation	04.01.2011
SK-21	East Elevation	04.01.2011
SK-22	North Elevation	18.01.2011
SK-23	West Elevation	04.01.2011
SK-26	Section 01	17.03.2011
SK-25	Section 02	04.01.2011

SK-51	Section – Concourse	20.12.2010
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The approval shall be generally in accordance with MP09 0076 and the Environmental Assessment prepared by JBA, dated January 2011, except where amended by:

- a) the Revised Statement of Commitments included in Schedule 4 of this approval;
- b) the Preferred Project Report prepared by JBA and dated March 2011;
- c) the updated Walkway Assessment prepared by Halcrow, and the Station Egress Report prepared by Stephen Grubits submitted to the Department on 24 November 2011;
- d) ~~The Section~~ the S75W application (MP09 0076 MOD1) dated 12 September 2013 prepared by JBA Urban Planning Consultants Pty Ltd (as amended on 29 November 2013 and 20 December 2013) and correspondence dated 21 February 2014 prepared by Brookfield Office Properties
- e) the S75W application (MP09 0076 MOD2) dated May 2014 prepared by JBA Urban Planning Consultants Pty Ltd, Updated Response to Submissions dated 25 September 2014 and Draft Voluntary Planning Agreement and Amendment to Concept Plan (MOD 2) dated 22 May 2015; and
- f) the following drawings:

<u>Architectural Drawings prepared by Make + Architectus</u>			
<u>Drawing No.</u>	<u>Revision</u>	<u>Name of Plan</u>	<u>Date</u>
S75W8000	00	Building Envelope Diagrams	17.03.2014
S75W8010	00	Site Plan	17.03.2014
S75W8011	00	Building Envelope 1	17.03.2014
S75W8012	00	Building Envelope 2	17.03.2014
S75W8013	00	Sections 1	17.03.2014
S75W8014	00	Sections 2	17.03.2014
S75W8015	00	Elevations 1	17.03.2014
S75W8016	00	Elevations 2	17.03.2014
S75W8020	00	Proposed Lot 4 Stratum Modification	17.03.2014

except for as modified by the following pursuant to Section 75O(4) of the Act.

- (c) Schedule 2 Part A – Term of Approval A5 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~**bold struck out**~~ words/numbers as follows:

#### **A5. MAXIMUM GROSS FLOOR SPACE AREA (GFSA)**

The maximum **GFSA** for the on the site shall not exceed:

- a. ~~79,370~~ **84,621**m<sup>2</sup> – the section of site being development located east of Carrington Street; and
- b. 5,926m<sup>2</sup> – the section of site being development located west of Carrington Street (excludes the paid ticket area and platform areas).

**End of Trip Facilities such as showers, change rooms and lockers can be excluded from the calculation of GFA up to a maximum of 3,463m<sup>2</sup>.**

- (d) Schedule 2 Part A – Term of Approval A6 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~**bold struck out**~~ words/numbers as follows:

#### **A6. VOLUNTARY PLANNING AGREEMENT (VPA)**

Prior to the determination of any future Application, pursuant to this Concept Plan, the Proponent shall provide written evidence to the ~~Director-General~~ **Secretary** that it has executed a Voluntary Planning Agreement with Transport for NSW consistent with terms outlined in the ~~PPR, Revised Statement of Commitments and subsequent Commercial~~

~~Offer dated May 2011 and Supplementary Proposal dated August 2011~~ **Draft Voluntary Planning Agreement dated May 2015.** The Voluntary Planning Agreement shall include at a minimum the following principles:

- Brookfield is to provide a through-site pedestrian Transit Hall linking George Street to the Wynyard Station concourse in accordance with Item 2 of the Statement of Commitments.
- The resolution of the detailed design of the Transit Hall is to be undertaken in consultation with Transport for NSW in accordance with Items 2(c) and 2(d) of the Statement of Commitments.

## **SCHEDULE 2 PART B – MODIFICATIONS**

- (e) Schedule 2 Part B – Modification B1 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~bold struck out~~ words/numbers as follows:

### **B1. CITYONE CONCEPT PLAN DESIGN CRITERIA**

The CityOne Concept Plan Design Criteria shall be modified as follows:

- a. Under the heading 'Building Design – Controls' the following controls under the first bullet point are to be deleted:
- 3.5m setback on Carrington Street between RL56 (37m) and RL 63.6 (45m); and
  - 4m setback at ground level from the Carrington Street site boundary to provide the potential to continue the existing colonnade to the southern end of Carrington Street;
- b. Reference to 'Design Excellence' – 'Objectives' and 'Controls' shall be deleted.

~~The modified CityOne Concept Plan Design Criteria shall be submitted to and approved by the Department prior to determining any future application on the site.~~

- (f) Schedule 2 Part B – Modification B3 is deleted by the ~~bold struck out~~ words/numbers as follows:

### ~~B3 – TENANT CAR PARKING~~

~~A maximum 81 tenant car parking spaces are to be provided on the portion of the site on the eastern side of Carrington Street. The existing car parking spaces provided in the Wynyard car park shall remain to be used as public car parking.~~

## **SCHEDULE 3 FUTURE ENVIRONMENTAL ASSESSMENT REQUIREMENTS (FEAR)**

- (g) Schedule 3 – FEAR 3 is deleted by the ~~bold struck out~~ words/numbers as follows:

### ~~3. WYNYARD LANE~~

~~Any future application for works east of Carrington Street incorporating the use of Wynyard Lane as part of the pedestrian concourse (being offsite works) shall be provided with a Traffic Management Plan (TMP) prepared in consultation with TfNSW and the City of Sydney that addresses the closure of the section of Wynyard Lane to traffic as outlined in the PPR and shall set out alternative traffic arrangements and conditions, for approval by the relevant authority.~~

- (h) Schedule 3 – FEAR 3 is added by the insertion of the **bold and underlined** words / numbers and as follows:

### **3. MAXIMUM CAR PARKING PROVISION**

**A maximum of 89 car parking spaces are to be provided on the portion of the site on the eastern side of Carrington Street. The existing car parking spaces provided in the Wynyard car park shall remain to be used as public car parking.**

- (i) Schedule 3 – FEAR 9 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the **~~bold struck out~~** words/numbers as follows:

### **9. HERITAGE**

Any future application for works east of Carrington Street shall demonstrate consistency with the recommendations Section 9 of the Heritage Impact Assessment Report prepared by HBO & EMTB Heritage Pty Ltd dated 12 October 2010 and submitted with the EA **except as amended by the Heritage Impact Statement prepared by Godden Mackay Logan dated March 2014.**

## **SCHEDULE 4 STATEMENT OF COMMITMENTS**

- (j) Schedule 4 Statement of Commitments – Statements 1a, 1b, 2f and 7a are amended by the insertion of the **bold and underlined** words / numbers and deletion of the **~~bold struck out~~** words/numbers as follows:

<b>Subject</b>	<b>Commitment</b>	<b>Timing</b>
1. Public Benefit	<p>a. <b><u>Thakral The Proponent</u></b> will construct a new through site link between George Street and Carrington Street and associated public infrastructure works <b><u>to an equivalent value of \$20,000,000 as identified in the letter to the Department of Planning included at Appendix C of the PPR prepared by JBA dated March 2011, consistent with terms outlined in the Draft Voluntary Planning Agreement dated May 2015</u></b></p> <p>b. The proponent will enter into a Project Delivery Agreement with Transport for NSW, <b><u>relating to the delivery of public infrastructure works on land generally west of Carrington Street.</u></b></p>	<p>To be demonstrated with the relevant Project Application.</p> <p>To be demonstrated prior to a determination of an application for physical works on land generally east of Carrington Street.</p>
2. Design – Concourse areas	<p>a. The detailed design of the development east of Carrington Street is to provide a provisional minimum total combined pedestrian exit to the east via George Street and the Hunter Connection of 20 metres (including the 4 metre width of the Hunter Connection) and unimpeded flow to the street. The detailed design of the eastern exit is to demonstrate that the unimpeded combined exit width to the east is via the most convenient route from the concourse to street level, and must not be impeded by obstructions to pedestrian movement.</p> <p>b. Thakral will undertake further detailed pedestrian demand modelling to confirm that the 20 metre provisional total combined width of pedestrian exit to George Street (including the 4 metre width of the Hunter Connection) is the appropriate requirement to ensure the necessary exit widths to meet pedestrian demand to 2060, and to test the performance of proposed access ways and vertical transport (escalators, stairs, lifts etc) as part of the resolution of the detailed design of the eastern concourse. Thakral commits to ensuring that the design of the eastern access way accords with Transport NSW functional specification requirements.</p>	<p>To be demonstrated with any relevant Project Application relating to works east of Carrington Street.</p> <p>To be demonstrated with any relevant Project Application relating to works east of Carrington Street</p>

Subject	Commitment	Timing
	<p>c. Thakral will undertake further ongoing consultation and agreement with Transport NSW in relation to resolution of the detailed design of the eastern concourse, and will ensure that the eastern concourse design will allow for full and seamless integration with the future Wynyard Station concourse designs west of Carrington Street.</p> <p>d. The Project Delivery Agreement will include detailed information on proposed materials, fixtures and finishes. Proposed materials, surfaces, lighting etc to be used in the public station accessways will be coordinated with Transport for NSW and where necessary, the City of Sydney Council, to ensure that the Wynyard Precinct reads as a totality.</p> <p>e. The future Project Application for the development of CityOne Wynyard will be required to demonstrate the manner in which the detailed design satisfies the design criteria included at Appendix G of the PPR.</p>	<p>To be demonstrated with any relevant Project Application relating to works east of Carrington Street</p> <p>To be demonstrated as part of the Project Delivery Agreement.</p>
	<p>f. The detailed design of the development is to accommodate the existing pedestrian connections to the Hunter Connection and the Met Centre as shown on the Concept Plan Drawings <del>prepared by Hassell</del>. This requirement relates to the final location of the connections. During the demolition and construction stages of the project, these connections may be temporarily closed or altered in accordance with any Demolition or Construction Management Plan prepared in relation to items 11 and 12 of this Statement of Commitments. If any temporary closure (or partial closure) of the Hunter Connection or Met Centre connection is necessary, the period of temporary closure will be minimised as much as is practicably possible.</p> <p>g. A consistent quality in design is to be achieved for retail premises outside the paid area of Wynyard Station. The detailed design of the location and configuration of retail premises is to be resolved as part of any project application relating to the detailed design of the non-paid concourse areas.</p> <p>h. A signage strategy will be prepared for the development to the satisfaction of Transport NSW and consistent with Transport NSW's Interchange Guidelines.</p>	<p>To be demonstrated with any relevant Project Application relating to works east of Carrington Street</p> <p>To be demonstrated with any Project Application relating to the design of the new station concourse (unpaid areas)</p> <p>To be submitted with any Project Application for the concourse.</p>
7. Wynyard Lane	<p><del>a. Thakral will seek a separate approval from the City of Sydney Council for the closure of Wynyard Lane at both the northern and southern ends of the development site to remove all conflict between vehicles and pedestrians (other than emergency vehicle access) and allow unimpeded pedestrian flow in an east west direction across Wynyard Lane, generally in accordance with the concept illustrated Option 1 of the PPR prepared by JBA dated March 2011.</del></p> <p>b. The detailed design of any public domain works proposed in relation to the closure of Wynyard Lane will be subject to further ongoing consultation with Transport NSW and City of Sydney Council and will be documented in the detailed project application relating to construction of the eastern concourse.</p>	<p><del>To be demonstrated with any relevant Project Application relating to works east of Carrington Street</del></p> <p>To be demonstrated with any relevant Project Application relating to works east of Carrington Street</p>

**End of Modifications to MP 09\_0076  
(MP 09\_0076 MOD 2)**