

# Modification of Minister's Approval

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

As delegate of the Minister for Planning and Infrastructure under delegation dated 4 April 2013, I approve the modification of the Project Approval referred to in Schedule 1, subject to the conditions in Schedule 2 and the proponent's Statement of Commitments in Schedule 3.

Chris Wilson  
**Executive Director**  
**Development Assessment Systems and Approvals**

Sydney

2014

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### SCHEDULE 1

- Project Approval:** **MP 11\_0089** granted on 5 April 2013 by the Executive Director of Development Assessment Systems and Approvals of the Department of Planning and Infrastructure.
- For the following:** Project Approval for construction of a boutique hotel comprising:
- 60 hotel rooms;
  - a total GFA of 4,595.9m<sup>2</sup>;
  - 1,098m<sup>2</sup> of food and drink premises including three restaurants and a lounge;
  - conference and meeting facilities;
  - staff offices and amenities;
  - a rooftop deck and pool;
  - storage and loading facilities;
  - a single storey addition to the Clare Hotel and a two storey addition to the Administration Building; and
  - construction of a new glazed link between the two buildings to create a foyer and entry space for the hotel.
- Modification:** **MP 11\_0089 MOD 1:** modification includes:
- internal planning changes from the basement up to Level 3 including:
    - relocation of the heritage stair on the ground floor;
    - addition of two hotel rooms in lieu of meeting facilities at Level 1; and
    - a link bridge connecting the hotel to the bar is to be removed at Level 3.
  - changes to the layout of the roof top pool;
  - increasing the pool deck roof canopies by 100mm; and
  - external modifications including pattern and material changes to the façade.

## SCHEDULE 2

### CONDITIONS

The above approval is modified as follows:

- a) Condition A1 is amended by insertion of the **bold and underlined** words and deletion of ~~struck-out~~ words as follows:

#### A1. Development Description

Development approval is granted only to carrying out the development described in detail below:

- Construction of a boutique hotel comprising:
  - ~~60~~ **62** hotel rooms;
  - a total GFA of 4,595.9m<sup>2</sup>;
  - ~~1,098m<sup>2</sup>~~ **1,142.8m<sup>2</sup>** of food and drink premises including three restaurants and a lounge;
  - conference and meeting facilities;
  - staff offices and amenities;
  - a rooftop deck and pool; and
  - storage and loading facilities.
- A single storey addition to the Clare Hotel and a two storey addition to the Administration Building.
- Construction of a new glazed link between the two buildings to create a foyer and entry space for the hotel.

- b) Condition A2 is amended by insertion of the **bold and underlined** words and deletion of ~~struck-out~~ words as follows:

#### A2. Terms of Approval

The Proponent shall carry out the project in accordance with the following documentation:

- a) Environmental Assessment and supporting documents prepared by JBA Planning dated November 2012, **as amended by the Section 75W Modification (MOD 1) by JBA Planning dated 15 November 2013;**
- b) Preferred Project Report and Response to Submissions and supporting documents prepared by JBA Planning dated 5 March 2013; and
- c) following drawings, except for:
  - i. any modifications which are Exempt' or Complying Development;
  - ii. otherwise provided by the conditions of this approval.

<b>Architectural (or Design) Drawings prepared by Tonkin Zulaikha Greer</b>			
Drawing No.	Rev	Name of Plan	Date
A-001	A	Context Plan	2 November 2012
A-002	A	Site Analysis	2 November 2012
A-003	A	3D Images	2 November 2012
A-100 <b><u>A-100</u></b>	A <b><u>B</u></b>	Basement	<del>2 November 2012</del> <b><u>28 June 2013</u></b>
A-101 <b><u>A-101</u></b>	A <b><u>B</u></b>	Ground Floor	<del>2 November 2012</del> <b><u>28 June 2013</u></b>
A-102 <b><u>A-102</u></b>	A <b><u>B</u></b>	Level 1	<del>2 November 2012</del> <b><u>28 June 2013</u></b>
A-103 <b><u>A-103</u></b>	A <b><u>B</u></b>	Level 2	<del>2 November 2012</del> <b><u>28 June 2013</u></b>
A-104 <b><u>A-104</u></b>	B <b><u>B</u></b>	Level 3	<del>15 February 2013</del> <b><u>28 June 2013</u></b>
A-105 <b><u>A-105</u></b>	B <b><u>B</u></b>	Level 4	<del>15 February 2013</del> <b><u>28 June 2013</u></b>
A-106 <b><u>A-106</u></b>	B <b><u>B</u></b>	Pool Deck	<del>15 February 2013</del> <b><u>28 June 2013</u></b>

<b>Architectural (or Design) Drawings prepared by Tonkin Zulaikha Greer</b>			
A-107 <b>A-107</b>	B <b>B</b>	Roof	15 February 2013 <b>28 June 2013</b>
A-300 <b>A-300</b>	A <b>B</b>	Section 01	2 November 2012 <b>15 October 2013</b>
A-301 <b>A-301</b>	A <b>B</b>	Section 02	2 November 2012 <b>15 October 2013</b>
A-302 <b>A-302</b>	A <b>B</b>	Section 03	2 November 2012 <b>15 October 2013</b>
A-400 <b>A-400</b>	B <b>B</b>	East Elevation	15 February 2013 <b>15 October 2013</b>
A-401 <b>A-401</b>	B <b>B</b>	West Elevation	15 February 2013 <b>15 October 2013</b>
A-402 <b>A-402</b>	A <b>B</b>	North Elevation	2 November 2012 <b>15 October 2013</b>
A-403 <b>A-403</b>	A <b>B</b>	South Elevation	2 November 2012 <b>15 October 2013</b>
A-700 <b>A-700</b>	A <b>B</b>	Material Schedule	2 November 2012 <b>15 October 2013</b>
<b>Survey Drawings prepared by Degotardi, Smith and Partners</b>			
30826A38	A	Sheet 1	24 October 2012
<b>Stormwater Concept Drawings prepared by Mott MacDonald</b>			
MMD-313916-C-DR-CD-0003	P1	Concept Stormwater Layout Plan	24 October 2012

## SCHEDULE 3

### PROPONENTS STATEMENT OF COMMITMENTS

No.	Issue	Commitment	Timing
1	Design	The proposed development will be constructed in accordance with the Architectural Plans prepared by TZG and documentation submitted with the Project Application <b><u>as amended by the Section 75W Modification dated 15 November 2013, prepared by JBA.</u></b>	Ongoing.
2	ESD	The proposed development will be consistent with the recommendation of the ESD report prepared by WSP Built Ecology and dated 30 October 2012 and will be carried out in accordance with the measures outlined at Table 8 of that report.	Throughout construction works and during the occupation of the building.
3	Construction Management	An updated Construction Management Plan will be prepared once a building contractor is appointed, in accordance with the preliminary Construction Management Plan prepared by Frasers Broadway Pty Ltd and dated 1 November 2012.	Prior to commencement of works.
4	Accessibility	All publicly accessible areas of the building will be designed to equitable access for the mobility impaired in accordance with the Access Report prepared by Accessibility Solutions (NSW) Pty Ltd. The proposed development will comply with AS1428 and the City of Sydney Access DCP.	Prior to issue of the relevant Construction Certificate.
5	Waste Management	Waste management will be undertaken in accordance with the Waste Management Statement prepared by ARUP and dated 2 November 2012.	Ongoing
6	Plan of Management	The Preliminary Operational Management Plan prepared by Frasers Broadway Pty Ltd and dated 1 November 2012 will be updated once an operator is appointed for the management of the hotel.	Prior to occupation of the building.
7	Plan of Management	Mitigation measures outlined in the detailed Operational Management Plan will be implemented during the operation of the hotel.	Prior to and during occupation
8	Safety and Security	Details and requirements outlined in the Safety Management Plan, prepared by Elton Consulting and dated 30 October 2012 will be implemented.	During construction and prior to occupation of the building.
9	Fire Engineering	Fire Engineering Solutions will be developed in accordance with the recommendations of the Services Report prepared by WSP and dated 31 October 2012.	Prior to issue of a Construction Certificate.
10	Noise management	The plant selected for the building will be acoustically treated so as to meet the	Prior to occupation of the building.

No.	Issue	Commitment	Timing
		acoustic goals set in the Acoustic Report prepared by WSP Acoustics dated 31 October 2012.	
11	Noise management	Window and facade treatments to mitigate against acoustic privacy impacts will be adopted in accordance with the recommendations Acoustic Report prepared by WSP Acoustics dated 31 October 2012.	Prior to the issue of the relevant Construction Certificate
12	Heritage	The proposed works will be carried out in accordance with the recommendations of the Heritage Impact Statement and Specific Element Conservation Management Plan prepared by Paul Davies Pty Ltd and dated November 2012.	Throughout the duration of the construction and operation of the building.
13	Archaeology	If a relic is found during works, then the NSW Heritage Council will be advised and the site managed in accordance with their requirements.	As relevant
14	Public Art	Public Art will be designed in consultation with the City of Sydney Council and the Department of Planning and Infrastructure and installed in accordance with the approved Public Art Strategy.	Prior to the issue of a Final Occupation Certificate.
15	Geotechnical	Works will be carried out in accordance with the Geotechnical Investigation prepared by JK Geotechnics and dated 2 November 2012.	Prior to the issue of a Construction Certificate
16	Contamination	Works will be carried out in accordance with the Site Audit Report and Site Audit Statement prepared by AECOM and dated 2 November 2012.	Ongoing

**End of Modifications to MP 11\_0089 MOD 1**