

Modification of Approval



Restoration and refurbishment of the Sirius Site (SSD_10384)

2-60 Cumberland Street, the Rocks

Prepared on behalf of Sirius Developments Pty Ltd

August 5, 2022

Document control

Authors

Reviewed by	Michael File, Director
Prepared by	Anna Johnston, Associate

Project summary

Applicant	Sirius Developments Pty Ltd
Land to be developed	2-60 Cumberland Street, The Rocks
Legal description	Lot 100 in DP264104 and Lot 101 in DP264104
Project description	Restoration and refurbishment of the Sirius Site

Contents

Document control	2
Executive Summary.....	4
1 Background.....	7
2 Subject site	8
3 Proposed modification.....	9
4 Statutory context.....	11
4.1 Section 4.55(1A) of the Act.....	11
4.2 State Environmental Planning Policy (State Significant Development) 2005	12
4.3 Sydney Harbour Foreshores and Waterways Area DCP	12
4.4 State Environmental Planning Policies	12
4.5 Assessment against Section 4.51 of the EP&A Act	13
5 Consideration of issues	14
5.1 Design excellence	14
5.2 Heritage	14
5.3 Apartment Design Guide Compliance	14
5.4 Accessibility	15
5.5 BCA compliance.....	15
6 Conclusion	16
Appendix A Proposed amendments to conditions	17
Appendix B Updated Architectural Drawings.....	21
Appendix C Updated Renders.....	22
Appendix D Updated Landscape Plans	23
Appendix E Heritage Advice	24
Appendix F ADG Compliance.....	25
Appendix G Accessibility advice	26
Appendix H BCA advice.....	27
Appendix I BASIX Certificates	28
Figure 1: Subject site and surrounding context (Source: Architectus).....	8

Executive Summary

This modification application seeks approval for series of design development updates to approved alterations and additions to the Sirius Building at at 2–60 Cumberland Street, the Rocks (Lot 100 in DP264104 and Lot 101 in DP264104).

The alterations and additions were approved on 18 June 2021 as State Significant Development to accommodate a mixed-use development comprising 76 residential apartments, commercial (SOHO apartments) and retail premises and associated works.

The design development updates have been incorporated to improve the overall building design and amenity and enable building compliance. These changes have also been informed by additional site survey and site investigation.

The key changes are summarised in the table below and detailed in updated architectural and landscape drawings.

Summary of proposed modifications

Aspect of development	Proposed changes
Window arrangements in general facade	<ul style="list-style-type: none"> Window configuration adjusted to suit internal spaces, coordination with services and BCA compliance. Sun hoods over the glazing deleted to the eastern and western façade. Glazing has been remodeled to achieve compliance. This is in line with the original building design without the added projection.
Configurations and access from Gloucester Walk and Cumberland Street	<ul style="list-style-type: none"> Lobby entry canopies adjusted to provide privacy to adjacent apartments. Through site link updated design with soffit adjustment. Retail feature shroud deleted and bifold door revised to a sliding door to remove encroachment over boundary.
Pool and rooftop configurations	<ul style="list-style-type: none"> Pool layouts adjusted to account for better terrace access, safety clearances and pool fence compliance. Addition of façade access equipment including abseil anchors, access ladders and safety rails. Solar panel layouts coordinated with the façade and maintenance access strategy including the addition of the required access walkways and ladders.
Apartment entry from main lobby	<ul style="list-style-type: none"> Removal of apartment entry from main lobby due to compliance issue with apartment opening directly onto a lobby. Entry door was deleted from the lobby and access was redirected to the courtyard from Cumberland Street. Internal apartment layout was reconfigured to accommodate this change.
DDA apartments	<ul style="list-style-type: none"> Layout adjustments to minimise post adaptation changes.
SOHO apartments	<ul style="list-style-type: none"> Internal layouts of SOHO apartments adjusted to better suit the space.

Aspect of development	Proposed changes
Courtyards	<ul style="list-style-type: none"> • Courtyard levels adjusted to better utilise the available space, based on additional survey, site investigations, and structural constraints.
Internal apartment layouts	<ul style="list-style-type: none"> • Adjustments to internal apartment layouts including as follows: <ul style="list-style-type: none"> – Some internal apartment bathroom and laundry wet areas have been adjusted or mirrored to be better stacked for services reticulation and reduction of bulkheads. – Some apartment layouts have been updated to accommodate buyer change requests.
Service and plant rooms	<ul style="list-style-type: none"> • Service rooms have been adjusted to suit the design • Bin rooms adjusted for better access and amenity.
Bike racks on Gloucester Walk	<ul style="list-style-type: none"> • Bike racks have been redistributed along Gloucester Walk to sit entirely within the site boundary. • The number of bike racks have been maintained.
Western bulk excavation levels	<ul style="list-style-type: none"> • Western bulk excavation levels amended to accommodate services clearances.
Apartment amalgamation	<ul style="list-style-type: none"> • Amalgamation of 2x1 Bed apartments (B1a.B1b.01 and B2a.B2b.01) as part of a purchaser request. 2x1 Bed apartments are amended to 1x 2 Bed. • AG Solar and Cross Ventilation compliance figures have been adjusted to reflect change in dwelling numbers. • Unit mix has been updated.
Juliet balcony	<ul style="list-style-type: none"> • Replaced with punch windows for waterproofing/drainage and BCA compliance.
Balconies with metal balustrades	<ul style="list-style-type: none"> • Replaced with frameless glass for consistency with revised Juliet Balconies.
Cumberland building awning	<ul style="list-style-type: none"> • Cumberland Building Awning heights lifted to match Sydney DCP requirements.
Terrace fixtures	<ul style="list-style-type: none"> • BBQs added to terraces at client request.
Podium Cores 1, 2, 3 and 5 western glazing line	<ul style="list-style-type: none"> • Podium Cores 1, 2, 3 and 5 western glazing line adjusted to accommodate structural and services development.
Landscaping changes	<ul style="list-style-type: none"> • General coordination to align with updated architectural layouts including coordination with available deep soil planting depths, solar panel arrangements, facade access walkways and equipment and courtyard layouts. • Courtyard amendments based on site investigations and structural limitations. • Tree planting arrangement modified to suit available deep soil planting depth areas. Overall canopy cover for the precinct has been maintained.

It is considered that the proposed modifications could be approved under the provisions of Section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* (the Act) relating to modifications involving minimal environmental impact. These provisions are relevant to the proposed modifications given that the changes do not result in any additional dwellings, do not make significant changes to the building design or built form, would not have any additional impacts on the surrounding area and maintain an appropriate level of amenity for future residents.

The proposed modifications do not impact on the consistency of the development with the *State Environmental Planning Policy (State Significant Development) 2005* or the *Sydney Harbour Foreshores and Waterways Area Development Control Plan* which apply to the site. Compliance with all other relevant SEPPs is also maintained.

The application is accompanied by the following documentation which demonstrates the suitability of the proposed changes:

- Updated Architectural Drawings and Landscape Drawings outlining the proposed changes
- Updated 3D renders
- Heritage advice taking into consideration the removal of the approved Juliette balconies and balustrades
- Updated ADG compliance statement and schedule confirming that an appropriate level of compliance with the ADG can be maintained
- Updated Accessibility advice confirming that compliance with DDA Premises Standards and Australian Standards can be achieved
- Updated BCA advice confirming that the development is capable of achieving compliance with the Building Code of Australia 2019 Amendment 1 subject to normal design development and assessment
- Updated BASIX certificates.

The amended plans will also be reviewed by the Design Integrity Panel (DIP) to confirm whether they maintain the design excellence qualities of the Competition-winning scheme. This review is currently being coordinated. The DIP's advice will be provided prior to the determination of the modification.

1 Background

On 18 June 2021 State Significant Development Approval was granted for the alterations and additions to the Sirius building including restoration and refurbishment for a mixed-use development including:

- A gross floor area of 8,419.20sqm
- 76 residential apartments, commercial (SOHO apartments) and retail premises
- Cumberland Street building with retail, pool and basement vehicle access
- Pedestrian through site link between Cumberland Street and Gloucester Walk
- Landscaping, public art and off-site public domain works.

The approval was subsequently modified on 28 March 2022 to allow for removal of two trees adjacent to the site, and amend the landscape plans to include a number of replacement trees.

This modification application seeks approval for series of design development updates to improve the overall building design and amenity enable building compliance and respond to additional site survey and site investigations.

2 Subject site

The Sirius site comprises approximately 2,666sqm of land located at 2–60 Cumberland Street, the Rocks (Lot 100 in DP264104 and Lot 101 in DP264104). It is currently developed as residential flat buildings which were previously used as social housing.

The Sirius site is located within the Rocks and is immediately surrounded by:

- Cumberland Street to the west, and the southern approaches to the Sydney Harbour Bridge beyond (a State heritage listed item, known as Sydney Harbour Bridge approaches group including pylons, pedestrian stairs and access roads)
- A small pocket park and public motorcycle parking area north with the National heritage listed Sydney Harbour Bridge beyond
- Gloucester Walk to the east beyond which there is a substantial level change with a sandstone wall. A number of buildings have rear private open space which faces the wall, including a number of State Heritage buildings
- A commercial office building adjacent to the site to the south (86 Cumberland Street, The Rocks).

The site is included within the Rocks Conservation Area on the Place Management NSW Section 170 Heritage and Conservation Register. The site itself is not listed as a heritage item, however it is surrounded by a number of State Heritage Items.



Figure 1: Subject site and surrounding context (Source: Architectus)

3 Proposed modification

The proposed modification has been prepared to capture design development updates to improve the overall building design and amenity, enable building compliance and respond to additional site survey and site investigations.

The key changes are summarised in the table below and detailed in the attached updated architectural drawings (Appendix B) and updated landscape drawings (Appendix D).

The modification would require changes to the conditions of approval to reflect the amended plan dates and references as outlined at Appendix A.

Table 1: Summary of proposed modifications

Aspect of development	Proposed changes
Window arrangements in general facade	<ul style="list-style-type: none"> Window configuration adjusted to suit internal spaces, coordination with services and BCA compliance. Sun hoods over the glazing deleted to the eastern and western facade. Glazing has been remodeled to achieve compliance. This is in line with the original building design without the added projection.
Configurations and access from Gloucester Walk and Cumberland Street	<ul style="list-style-type: none"> Lobby entry canopies adjusted to provide privacy to adjacent apartments. Through site link updated design with soffit adjustment. Retail feature shroud deleted and bifold door revised to a sliding door to remove encroachment over boundary.
Pool and rooftop configurations	<ul style="list-style-type: none"> Pool layouts adjusted to account for better terrace access, safety clearances and pool fence compliance. Addition of facade access equipment including abseil anchors, access ladders and safety rails. Solar panel layouts coordinated with the facade and maintenance access strategy including the addition of the required access walkways and ladders.
Apartment entry from main lobby	<ul style="list-style-type: none"> Removal of apartment entry from main lobby due to compliance issue with apartment opening directly onto a lobby. Entry door was deleted from the lobby and access was redirected to the courtyard from Cumberland Street. Internal apartment layout was reconfigured to accommodate this change.
DDA apartments	<ul style="list-style-type: none"> Layout adjustments to minimise post adaptation changes.
SOHO apartments	<ul style="list-style-type: none"> Internal layouts of SOHO apartments adjusted to better suit the space.
Courtyards	<ul style="list-style-type: none"> Courtyard levels adjusted to better utilise the available space, based on additional survey, site investigations, and structural constraints.
Internal apartment layouts	<ul style="list-style-type: none"> Adjustments to internal apartment layouts including as follows: <ul style="list-style-type: none"> Some internal apartment bathroom and laundry wet areas have been adjusted or mirrored to be better stacked for services reticulation and reduction of bulkheads.

Aspect of development	Proposed changes
	<ul style="list-style-type: none"> – Some apartment layouts have been updated to accommodate buyer change requests.
Service and plant rooms	<ul style="list-style-type: none"> • Service rooms have been adjusted to suit the design • Bin rooms adjusted for better access and amenity.
Bike racks on Gloucester Walk	<ul style="list-style-type: none"> • Bike racks have been redistributed along Gloucester Walk to sit entirely within the site boundary. • The number of bike racks have been maintained.
Western bulk excavation levels	<ul style="list-style-type: none"> • Western bulk excavation levels amended to accommodate services clearances.
Apartment amalgamation	<ul style="list-style-type: none"> • Amalgamation of 2x1 Bed apartments (B1a.B1b.01 and B2a.B2b.01) as part of a purchaser request. 2x1 Bed apartments are amended to 1x 2 Bed. • ADG Solar and Cross Ventilation compliance figures have been adjusted to reflect change in dwelling numbers. • Unit mix has been updated.
Juliet balcony	<ul style="list-style-type: none"> • Replaced with punch windows for waterproofing/drainage and BCA compliance.
Balconies with metal balustrades	<ul style="list-style-type: none"> • Replaced with frameless glass for consistency with revised Juliet Balconies.
Cumberland building awning	<ul style="list-style-type: none"> • Cumberland Building Awning heights lifted to match Sydney DCP requirements.
Terrace fixtures	<ul style="list-style-type: none"> • BBQs added to terraces at client request.
Podium Cores 1, 2, 3 and 5 western glazing line	<ul style="list-style-type: none"> • Podium Cores 1, 2, 3 and 5 western glazing line adjusted to accommodate structural and services development.
Landscaping changes	<ul style="list-style-type: none"> • General coordination to align with updated architectural layouts including coordination with available deep soil planting depths, solar panel arrangements, facade access walkways and equipment and courtyard layouts. • Courtyard amendments based on site investigations and structural limitations. • Tree planting arrangement modified to suit available deep soil planting depth areas. Overall canopy cover for the precinct has been maintained.

4 Statutory context

4.1 Section 4.55(1A) of the Act

Section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* (the Act) sets out provisions relating to modifications involving minimal environmental impact. These provisions are relevant to the proposed modifications given that the changes do not result in any additional dwellings, do not make significant changes to the building design or built form, would not have any additional impacts on the surrounding area and maintain an appropriate level of amenity for future residents.

Section 4.55(1A) of the Act enables a consent authority to modify a consent subject to the considerations which are outlined and addressed in Table 2 below.

Table 2: Consideration of Section 4.55(1A) of the Act

Section 4.55(1A) matter	Consideration
(a) it is satisfied that the proposed modification is of minimal environmental impact	<p>The proposed modification does not include any major changes to the design or built form that would result in any significant environmental impacts. The total number of apartments would be reduced by one, meaning any impacts resulting from the future resident population would be largely unchanged compared to the approved development.</p> <p>The proposed modification has been considered against the ADG (Appendix F) and whilst there are minor reductions in the level of compliance for some aspects, a high level of amenity is able to be retained.</p>
(b) it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all), and	<p>The development is substantially the same development as was approved, noting that the changes are limited to minor design development updates.</p>
(c) it has notified the application in accordance with— (i) the regulations, if the regulations so require, or (ii) a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and	<p>Department of Planning and Environment will notify the modification in accordance with any relevant requirements.</p>
(d) it has considered any submissions made concerning the proposed modification within any period prescribed by the regulations or provided by the development control plan, as the case may be.	<p>Any submissions made would be considered in Council’s assessment of the modification.</p>

4.2 State Environmental Planning Policy (State Significant Development) 2005

The zones and controls which apply to the site are located within *State Environmental Planning Policy (State Significant Development) 2005* (SSP SEPP).

Under the SEPP the site is zoned B8 Metropolitan Centre with maximum height of buildings ranging from RL38.2m to RL41.4m and a maximum GFA of 7,010sqm. However, clause 14 sets out exceptions to development standards in the situation that the building is not demolished including for gross floor area up to a maximum of 8,420sqm.

The proposed modification does not make any changes to the proposed land use, building height or gross floor area. Accordingly, the development as modified would continue to comply with the relevant provisions of the SSD SEPP.

4.3 Sydney Harbour Foreshores and Waterways Area DCP

The *Sydney Harbour Foreshores and Waterways Area Development Control Plan 2005* (the Sydney Harbour DCP) applies to the site and was prepared to accompany the *Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005* (Sydney Harbour Catchment SEPP) which aims to ensure that the catchment, foreshores, waterways and islands of Sydney Harbour are recognised, protected and maintained as an outstanding natural asset and public asset of national and heritage significance for existing and future generations.

A full assessment against the DCP was provided as part of the original SSD application. The proposed modification does not make any changes which would impact on compliance with the relevant provisions of the Sydney Harbour DCP.

4.4 State Environmental Planning Policies

The proposed modification complies with all relevant provisions of State Environmental Planning Policies (SEPPs) as outlined in the original SSD application and updated as relevant in Table 3 below.

Table 3: Assessment against relevant SEPPs

Policy	Consideration
SEPP 65 – Apartment Design Guide	SEPP 65 seeks to promote good design of apartments through the establishment of the Apartment Design Guide. The proposed modifications have been considered against the relevant requirements of the Apartment Design Guide (Appendix F). Whilst the proposed modifications make some changes to the level of ADG compliance these are understood to be necessary to accommodate the existing structural limitations and upgrade requirements and overall will maintain an appropriate level of amenity. This is discussed further in Section 0.
SEPP (Buildings Sustainability Index: BASIX) 2004	SEPP BASIX requires all residential developments to achieve mandated levels of energy and water efficiency, as well as thermal comfort. Updated BASIX certificates (Appendix I) have been prepared to demonstrate that the development, as proposed to be modified, can achieve the relevant BASIX sustainability ratings.

4.5 Assessment against Section 4.51 of the EP&A Act

Table 4: Assessment against s4.15(1) of the EP&A Act

Section 4.51 matter	Consideration
The provisions of any environmental planning instrument	See Section 4.2.
The provisions of any proposed instrument that is or has been the subject of public consultation under this Act or that has been notified by the consent authority.	Not applicable.
The provisions of any Development Control Plan	See Section 4.3
The provisions of any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F	Not relevant.
The provisions of the <i>Environmental Planning and Assessment Regulations 2000</i> (the Regulations), to the extent that they prescribe matters for the purposes of this paragraph	Clause 61 of the Regulations set out additional matters for consideration by a consent authority for the purposes of 4.15(1) of the EP&A Act. None of these matters is relevant to the proposed modification.
The provisions of any coastal zone management plan (within the meaning of the Coastal Protection Act 1979)	Not applicable
The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality	The development will not result in any significant adverse social, environmental or economic impacts as outlined in Section 5. The development will deliver a benefit in the form renewal of an existing building and activation and enhancement of the surrounding public domain.
The suitability of the site for the development	The site has been demonstrated to be suitable for the development through original approval.
Any submissions made in accordance with this Act or the regulations	Any submissions received during the notification of the proposed modification will be considered as part of DPE's assessment.
The public interest	The proposal is considered to be in the public interest as it supports renewal of an existing building and activation and enhancement of the surrounding public domain.

5 Consideration of issues

5.1 Design excellence

The adaptive reuse of the Sirius building was subject to a design excellence process in accordance with Clause 7 of Appendix 18 of State Significant Precincts SEPP. Under these provisions, a design competition is required to be held where a proposal involves “alterations to the existing building” on the Sirius site.

BVN’s architectural scheme was unanimously selected by the Competition Jury as the winning scheme.

To ensure that the ‘design excellence qualities’ in the Competition-winning scheme as identified by the Jury are maintained through design development, in construction drawings and into the physical completion of the project, BVN were appointed as the Lead Design Architect for the project and a Design Integrity Panel (DIP) established to review the development at key stages.

The DIP reviewed and endorsed the design submitted as part of the original State Significant Development Application.

The amended plans will also be reviewed by the Design Advisory Panel (DIP) to confirm whether they maintain the design excellence qualities of the Competition-winning scheme. This is currently being coordinated and the DIP’s advice will be provided prior to the determination of the modification.

5.2 Heritage

Urbis has reviewed the proposed changes to the Juliette balconies and associated metal balustrades which form part of the existing approval to replace the approved doors to these balconies with operable casement windows to match the window system found elsewhere throughout the building (Appendix E).

Urbis notes that, while the reinstatement of sympathetic new balustrades in keeping with the design of the original balustrades is the ideal heritage outcome, it is nonetheless recognised that there are issues with hydraulic drainage, safety compliance and ongoing maintenance that will arise from their installation.

Urbis considers that installing the approved balustrades while introducing new elements to the building in order to meet hydraulic drainage and safety compliance – namely, external downpipes and a new, taller glass balustrade behind the reintroduced metal – would generate detrimental impacts on the visual presentation and coherency of the Sirius. They also note that the existing balconies – which are approved for removal under the SSD – do not, in themselves, make a defining contribution to the character or significance of the Sirius building, being utilitarian elements that do not meaningfully enhance the building’s prominent presentation to The Rocks and beyond.

Urbis concludes that the deletion of the balconies would not have any unreasonable heritage impacts, subject to archival drawing of one of the metal balustrades and preparation of a photographic archival recording of a selection of representative examples, in order to retain evidence of this original building element.

5.3 Apartment Design Guide Compliance

An updated compliance statement and compliance schedule has been prepared to support this modification application to address ongoing design development, building upgrades, and more detailed understanding of existing building condition (Appendix F).

The modification has resulted in a small change to the dwelling mix arising from the amalgamation of 2x one bedroom apartments into a single two bedroom apartment. This has impacted on the percentage of apartments achieving the ADG criteria for solar access and cross ventilation. Notwithstanding, overall the development is able to meet these criteria with:

- 70.7 % of apartments achieving two hours of solar access in midwinter
- 81.4% of apartments with natural cross ventilation.

Other key changes to the level of ADG compliance are summarised below:

- **Deep soil:** Minor reduction in deep soil from 19.8sqm to 18.04sqm as a result of existing below ground structures around the SOHO apartments. The development as approved was already below the ADG requirements for 7% deep soil as result of constraints of the existing development.
- **Ceiling heights:** existing building modules will have a have a ceiling height typically of approximately 2.35m (reduced from 2.4) although this varies across the existing building. Due to existing structural conditions, and required acoustic upgrades, it is not possible to achieve 2.4m clear for typical ceilings.
- **Bedroom sizes:** There are instances where the existing structure, or required thermal, acoustic, and services upgrades limit clear widths. Where non-compliance occurs, it is in a secondary or tertiary bedroom, and the smallest is around 8.7sqm, compared to the required 9sqm.
- **Bedroom dimensions:** There are instances where the existing structure, or required thermal, acoustic, and services upgrades limit clear widths. Where non-compliance occurs, it is in a secondary or tertiary bedroom, and the shortest dimension is around 2.74m (compared to the required 3m) allowing approximately 700mm circulation at the foot of the bed.
- **Private open space and balconies:**
 - Depth of new balconies has reduced from 1.5m-2m to 1.27m-1.75m. This is part of the ongoing design development and structural limitations. New balcony additions range in area from to 4.0sqm to 5.6sqm.
 - One ground floor apartment cannot comply with the required 15sqm private open space. An outdoor area of 11.3sqm is provided on Cumberland Street which is limited by the existing building footprint and relationship to the site boundary.

Whilst the proposed modifications make some changes to the level of ADG compliance these are understood to be necessary to accommodate the existing structural limitations and upgrade requirements and overall will maintain an appropriate level of amenity.

5.4 Accessibility

Morris Goding Access Consultants have reviewed the modification documentation and have confirmed that compliance with DDA Premises Standards and Australian Standards can be achieved (Appendix G).

5.5 BCA compliance

Philip Chun Building Compliance has reviewed the modification documentation and advises that it has provided BCA assessment comments regarding compliance to the design team (Appendix H). This advice also notes that proposed works will be capable of achieving compliance with the *Building Code of Australia 2019 Amendment 1* subject to normal design development and assessment required at the next stage of documentation prior to the issue of the relevant Construction Certificate/s.

6 Conclusion

It is considered that the proposed modifications could be approved under the provisions of Section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* (the Act) relating to modifications involving minimal environmental impact. These provisions are relevant to the proposed modifications given that the changes do not result in any additional dwellings, do not make significant changes to the building design or built form, would not have any additional impacts on the surrounding area and maintain an appropriate level of amenity for future residents.

The proposed modifications do not impact on the consistency of the development with the *State Environmental Planning Policy (State Significant Development) 2005* or the *Sydney Harbour Foreshores and Waterways Area Development Control Plan* which apply to the site. Compliance with all other relevant SEPPs is also maintained.

The application is accompanied by the following documentation which demonstrates the suitability of the proposed changes:

- Updated Architectural Drawings and Landscape Drawings outlining the proposed changes
- Updated 3D renders
- Heritage advice taking into consideration the removal of the approved Juliette balconies and balustrades
- Updated ADG compliance statement and schedule confirming that an appropriate level of compliance with the ADG can be maintained
- Updated Accessibility advice confirming that compliance with DDA Premises Standards and Australian Standards can be achieved
- Updated BCA advice confirming that the development is capable of achieving compliance with the Building Code of Australia 2019 Amendment 1 subject to normal design development and assessment
- Updated BASIX certificates.

The amended plans are also being reviewed by the Design Integrity Panel (DIP) to confirm whether they maintain the design excellence qualities of the Competition-winning scheme. The DIP's advice will be provided prior to the determination of the modification.

Appendix A Proposed amendments to conditions

The following amendments are proposed to the conditions of consent (shown by bold strikethrough / underlined text)

SCHEDULE 2 PART A ADMINISTRATIVE CONDITIONS

Terms of Consent

A1. The development may only be carried out:

- a) in compliance with the conditions of this consent;
- b) in accordance with all written directions of the Planning Secretary;
- c) in accordance with the EIS, Response to Submissions (RtS) and Further RtS;
- d) generally in accordance with the following modification applications:
 - i) Section 4.55(1A) modification application (SSD 10384 MOD 1) and accompanying appendices prepared by File Planning & Development Services dated 5 November 2021; Responses to Request for further information and accompanying appendices prepared by File Planning & Development Services dated 9 December 2021 and 2 February 2022;
 - ii) **Section 4.55(1A) modification application (SSD 10384 MOD 2) and accompanying appendices prepared by File Planning & Development Services dated [insert date];**
- e) in accordance with the approved plans in the table below (except where modified by a condition):

(The following table outlines the plan references to be updated)

Plan No.	Plan Name / Title	Revision	Date
Architectural plans prepared by BVN			
AR-A-00-05	LOT BOUNDARY / SITE AREA	2	18.09.20
AR-DA-A-00-07	PROPOSED SITE PLAN	10 <u>11</u>	05.08.21 <u>17.06.22</u>
AR- DA -A-00-09	BULK EARTH WORK PLAN	2 <u>3</u>	18.09.20 <u>17.06.22</u>
AR-DA-B-10-01	BASEMENT B2b-B2a	29 <u>33</u>	23.10.20 <u>04.07.22</u>
AR-DA-B-10-02	BASEMENT B1b-B1a	26 <u>30</u>	30.11.20 <u>04.07.22</u>
AR-DA-B-10-03	LEVEL 01-03	19 <u>23</u>	20.11.20 <u>04.07.22</u>
AR-DA-B-10-04	LEVEL 03-05	19 <u>21</u>	28.10.10 <u>17.06.22</u>
AR-DA-B-10-05	LEVEL 05-07	14 <u>16</u>	18.09.20 <u>17.06.22</u>
AR-DA-B-10-06	LEVEL 07-09	13 <u>15</u>	18.09.20 <u>17.06.22</u>
AR-DA-B-10-07	LEVEL 09-11	13 <u>15</u>	18.09.20 <u>17.06.22</u>
AR-DA-B-10-08	LEVEL 11-13	12 <u>15</u>	18.09.20 <u>21.06.22</u>
AR-DA-B-10-09	LEVEL 13-15	12 <u>15</u>	18.09.20 <u>21.06.22</u>

Plan No.	Plan Name / Title	Revision	Date
AR-DA-B-10-10	LEVEL 15-17	12	18.09.20
		<u>15</u>	<u>21.06.22</u>
AR-DA-B-10-11	LEVEL 18-19	11	18.09.20
		<u>14</u>	<u>21.06.22</u>
AR-DA-B-10-12	LEVEL 20-21	11	18.09.20
		<u>14</u>	<u>21.06.22</u>
AR-DA-B-10-13	LEVEL 22-23	12	18.09.20
		<u>15</u>	<u>21.06.22</u>
AR-DA-B-10-14	LEVEL 24-27	8	18.09.20
		<u>10</u>	<u>17.06.22</u>
AR-DA-B-10-15	ROOF PLAN	5	18.09.20
		<u>7</u>	<u>17.06.22</u>
AR-DA-B-11-61	DDA APARTMENTS-TYPE 3H AND 3F	3	18.09.20
		<u>6</u>	<u>04.07.22</u>
AR- DA -B-11-62	LIVEABLE APARTMENTS	4	23.10.20
		<u>7</u>	<u>04.07.22</u>
AR-B-21-01	BASEMENT B2b-B2a DEMOLITION	4	18.09.20
AR-B-21-02	BASEMENT B1b-B1a DEMOLITION	4	18.09.20
AR-B-21-03	LEVEL 01-03 DEMOLITION	4	18.09.20
AR-DA-B-21-04	LEVEL 03-05 DEMOLITION	5	23.10.20
AR-B-21-05	LEVEL 05-07 DEMOLITION	4	18.09.20
AR-B-21-06	LEVEL 07-09 DEMOLITION	4	18.09.20
AR-B-21-07	LEVEL 09-11 DEMOLITION	4	18.09.20
AR-B-21-08	LEVEL 11-13 DEMOLITION	4	18.09.20
AR-B-21-09	LEVEL 13-15 DEMOLITION	4	18.09.20
AR-B-21-10	LEVEL 15-17 DEMOLITION	4	18.09.20
AR-B-21-11	LEVEL 17-19 DEMOLITION	4	18.09.20
AR-DA-B-21-12	LEVEL 19-21 DEMOLITION	4	18.09.20
AR-B-21-13	LEVEL 21-23 DEMOLITION	4	18.09.20
AR-B-21-14	LEVEL 23-24 DEMOLITION	4	18.09.20
AR-B-21-15	LEVEL 24-25 & PLANT DEMOLITION	4	18.09.20
AR-B-31-01	DEMOLITION EAST AND WEST ELEVATIONS	5	23.10.20
AR-B-31-02	DEMOLITION NORTH AND SOUTH ELEVATIONS	4	18.09.20
AR-DA-C-10-00	EAST & WEST ELEVATIONS – STREETSCAPE	11	05.08.21
		<u>12</u>	<u>21.06.22</u>
AR-DA-C-10-01	EAST & WEST ELEVATIONS – SIRIUS BUILDING	8	23.10.20
		<u>11</u>	<u>21.06.22</u>
AR-DA-C-10-02	NORTH & SOUTH ELEVATIONS – OVERALL	6	18.09.20
		<u>9</u>	<u>21.06.22</u>
AR-DA-C-10-03	NORTH & SOUTH ELEVATIONS – SIRIUS TOWER	6	18.09.20
		<u>9</u>	<u>21.06.22</u>
AR-DA-C-10-04	EAST & WEST ELEVATIONS – CUMBERLAND BUILDING	4	18.09.20
		<u>5</u>	<u>17.06.22</u>
AR-DA-C-10-05	MATERIALS BOARD	2	18.09.20
		<u>4</u>	<u>17.06.22</u>
AR-DA-D-10-01	SECTIONS	7	18.09.20
		<u>9</u>	<u>17.06.22</u>
AR-DA-D-10-02	SECTIONS	3	18.09.20
		<u>5</u>	<u>17.06.22</u>
AR-C-11-01	TYPICAL FAÇADE DETAILS – WEST ELEVATION	1	18.09.20

Plan No.	Plan Name / Title	Revision	Date
		<u>3</u>	<u>17.06.22</u>
AR-C-11-02	TYPICAL FAÇADE DETAILS – NORTH ELEVATION	1 <u>3</u>	18.09.20 <u>17.06.22</u>
AR-DA-T-40-23	APARTMENT SCHEDULE / MIX / STORAGE	6 <u>8</u>	23.10.20 <u>17.06.22</u>
AR-DA-U-10-01	GFA LEVEL B2b-11	11	27.10.20
AR-DA-U-10-02	GFA LEVEL 12-PLANT	9	18.09.20
AR-DA-U-10-03	GFA SCHEDULE	11	27.10.20
Landscape plans prepared by 360°			
L-DA-01	Cover Page		
L-DA-08	Landscape Plan - BASEMENT B4-B3	Q <u>P</u>	25.11.21 <u>21.06.22</u>
L-DA-09	Landscape Plan - BASEMENT B2-B1	Q <u>P</u>	25.11.21 <u>21.06.22</u>
L-DA-010	Landscape Plan – LEVEL 01-03	Q <u>P</u>	25.11.21 <u>21.06.22</u>
L-DA-011	Landscape Plan – LEVEL 03-05	Q <u>P</u>	25.11.21 <u>21.06.22</u>
L-DA-012	Consolidated Ground floor / Public Domain Plan	Q <u>P</u>	25.11.21 <u>21.06.22</u>
L-DA-13	Landscape Plan – LEVEL 05-07	† <u>J</u>	19.05.21 <u>21.06.22</u>
L-DA-14	Landscape Plan – LEVEL 07-09	† <u>J</u>	19.05.21 <u>21.06.22</u>
L-DA-15	Landscape Plan – LEVEL 09-11	† <u>J</u>	19.05.21 <u>21.06.22</u>
L-DA-16	Landscape Plan – LEVEL 11-13	† <u>J</u>	19.05.21 <u>21.06.22</u>
L-DA-17	Landscape Plan – LEVEL 13-15	† <u>J</u>	19.05.21 <u>21.06.22</u>
L-DA-18	Landscape Plan – LEVEL 15-17	† <u>J</u>	19.05.21 <u>21.06.22</u>
L-DA-19	Landscape Plan – LEVEL 18-19	† <u>J</u>	19.05.21 <u>21.06.22</u>
L-DA-20	Landscape Plan – LEVEL 20-21	† <u>J</u>	19.05.21 <u>21.06.22</u>
L-DA-21	Landscape Plan – LEVEL 24-25	† <u>J</u>	19.05.21 <u>21.06.22</u>
L-DA-22	Landscape Plan – LEVEL 27	† <u>J</u>	19.05.21 <u>21.06.22</u>
L-DA-23	CONSOLIDATED ROOF PLAN	† <u>J</u>	19.05.21 <u>21.06.22</u>
L-DA-24	TYPICAL PRIVATE ROOF TERRACE	J <u>K</u>	19.05.21 <u>21.06.22</u>
L-DA-25	TYPICAL NON-ACCESSIBLE GREEN ROOF	† <u>J</u>	19.05.21 <u>21.06.22</u>
L-DA-026	Planting Palette – TREES	Q <u>P</u>	29.10.21 <u>21.06.22</u>
L-DA-27	Planting Palette – GROUND FLOOR & COURTYARDS	† <u>J</u>	19.05.21 <u>21.06.22</u>

Plan No.	Plan Name / Title	Revision	Date
L-DA-28	Planting Palette – GREEN ROOVES	† <u>J</u>	19.05.21 <u>21.06.22</u>
L-DA-29	BOUNDARY WALL / FENCE PLAN	N <u>P</u>	29.10.21 <u>21.06.22</u>
L-DA-30	CUMBERLAND STREET ELEVATION	† <u>J</u>	19.05.21 <u>21.06.22</u>
L-DA-31	SITE CANOPY COVERAGE PLAN	† <u>E</u>	19.05.21 <u>21.06.22</u>
L-DA-32	ROOF GARDEN ACCESS METHODOLOGY	C <u>D</u>	19.05.21 <u>21.06.22</u>
L-DA-033	PROPOSED SITE CANOPY COVERAGE PLAN	† <u>J</u>	25.11.21 <u>21.06.22</u>
L-DA-034	PROPOSED STREET TREE PLAN	† <u>J</u>	25.11.21 <u>21.06.22</u>
L-DA-035	PUBLIC DOMAIN TREE CANOPY PLANS	D <u>E</u>	25.11.21 <u>21.06.22</u>

Appendix B Updated Architectural Drawings

Appendix C Updated Renders

Appendix D Updated Landscape Plans

Appendix E Heritage Advice

Appendix F ADG Compliance

Appendix G Accessibility advice

Appendix H BCA advice

Appendix I BASIX Certificates