

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 3) and accompanying appendices prepared by File Planning & Development Services dated 29 August 2022;**
- 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-DA-A-00-05	LOT BOUNDARY / SITE AREA	2	18.09.20
AR-DA-A-00-07	PROPOSED SITE PLAN	10 12	05.08.21 11.08.22
AR-DA-A-00-09	BULK EARTH WORK PLAN	2	18.09.20
AR-DA-B-10-01	BASEMENT B2b-B2a	29	23.10.20
AR-DA-B-10-02	BASEMENT B1b-B1a	26	30.11.20
AR-DA-B-10-03	LEVEL 01-03	19	20.11.20
AR-DA-B-10-04	LEVEL 03-05	19 22	28.10.10 11.08.22
AR-DA-B-10-05	LEVEL 05-07	14 17	18.09.20 11.08.22
AR-DA-B-10-06	LEVEL 07-09	13	18.09.20
AR-DA-B-10-07	LEVEL 09-11	13	18.09.20
AR-DA-B-10-08	LEVEL 11-13	12	18.09.20
AR-DA-B-10-09	LEVEL 13-15	12	18.09.20
AR-DA-B-10-10	LEVEL 15-17	12	18.09.20
AR-DA-B-10-11	LEVEL 18-19	11	18.09.20
AR-DA-B-10-12	LEVEL 20-21	11	18.09.20
AR-DA-B-10-13	LEVEL 22-23	12	18.09.20
AR-DA-B-10-14	LEVEL 24-27	8	18.09.20
AR-DA-B-10-15	ROOF PLAN	5 8	18.09.20 11.08.22

Plan No.	Plan Name / Title	Revision	Date
AR-DA-B-11-61	DDA APARTMENTS-TYPE 3H AND 3F	3	18.09.20
AR-DA-B-11-62	LIVEABLE APARTMENTS	4	23.10.20
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 13	05.08.21 11.08.22
AR-DA-C-10-01	EAST & WEST ELEVATIONS – SIRIUS BUILDING	8	23.10.20
AR-DA-C-10-02	NORTH & SOUTH ELEVATIONS – OVERALL	6 10	18.09.20 11.08.22
AR-DA-C-10-03	NORTH & SOUTH ELEVATIONS – SIRIUS TOWER	6 10	18.09.20 11.08.22
AR-DA-C-10-04	EAST & WEST ELEVATIONS – CUMBERLAND BUILDING	4 6	18.09.20 11.08.22
AR-DA-C-10-05	MATERIALS BOARD	2	18.09.20
AR-DA-D-10-01	SECTIONS	7 10	18.09.20 11.08.22
AR-DA-D-10-02	SECTIONS	3 6	18.09.20 11.08.22
AR-C-11-01	TYPICAL FAÇADE DETAILS – WEST ELEVATION	1	18.09.20
AR-C-11-02	TYPICAL FAÇADE DETAILS – NORTH ELEVATION	1	18.09.20
AR-DA-T-40-23	APARTMENT SCHEDULE / MIX / STORAGE	6	23.10.20
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	0	25.11.21
L-DA-09	Landscape Plan - BASEMENT B2-B1	0	25.11.21
L-DA-010	Landscape Plan – LEVEL 01-03	0	25.11.21
L-DA-011	Landscape Plan – LEVEL 03-05	0	25.11.21
L-DA-012	Consolidated Ground floor / Public Domain Plan	0	25.11.21
L-DA-13	Landscape Plan – LEVEL 05-07	1	19.05.21
L-DA-14	Landscape Plan – LEVEL 07-09	1	19.05.21
L-DA-15	Landscape Plan – LEVEL 09-11	1	19.05.21

Plan No.	Plan Name / Title	Revision	Date
L-DA-16	Landscape Plan – LEVEL 11-13	I	19.05.21
L-DA-17	Landscape Plan – LEVEL 13-15	I	19.05.21
L-DA-18	Landscape Plan – LEVEL 15-17	I	19.05.21
L-DA-19	Landscape Plan – LEVEL 18-19	I	19.05.21
L-DA-20	Landscape Plan – LEVEL 20-21	I	19.05.21
L-DA-21	Landscape Plan – LEVEL 24-25	I	19.05.21
L-DA-22	Landscape Plan – LEVEL 27	I	19.05.21
L-DA-23	CONSOLIDATED ROOF PLAN	I	19.05.21
L-DA-24	TYPICAL PRIVATE ROOF TERRACE	J	19.05.21
L-DA-25	TYPICAL NON-ACCESSIBLE GREEN ROOF	I	19.05.21
L-DA-026	Planting Palette – TREES	O	29.10.21
L-DA-27	Planting Palette – GROUND FLOOR & COURTYARDS	I	19.05.21
L-DA-28	Planting Palette – GREEN ROOVES	I	19.05.21
L-DA-29	BOUNDARY WALL / FENCE PLAN	N	29.10.21
L-DA-30	CUMBERLAND STREET ELEVATION	I	19.05.21
L-DA-31	SITE CANOPY COVERAGE PLAN	I	19.05.21
L-DA-32	ROOF GARDEN ACCESS METHODOLOGY	C	19.05.21
L-DA-033	PROPOSED SITE CANOPY COVERAGE PLAN	I	25.11.21
L-DA-034	PROPOSED STREET TREE PLAN	I	25.11.21
L-DA-035	PUBLIC DOMAIN TREE CANOPY PLANS	D	25.11.21

STAGING

A22. Construction of the development may be carried out in stages, in accordance with the below table and Section 8.19 of the Applicant's EIS, with conditions to be satisfied prior to commencing work on the relevant stage.

Stage	Description
Construction certificate stage 1	Tree removal & pruning, internal strip out, façade rectification, demolition and excavation works, including any associated retention or strengthening works to allow demolition.
Construction certificate stage 2	New concrete structure, <u>and</u> associated inground services <u>and structural steel</u> .
Construction certificate stage 3	Structural Steel, façade works, <u>Architectural building and</u> internal fitout, <u>external wall framing</u> , and building services.
Construction certificate stage 4	<u>Façade</u> . External works, landscaping works and public domain (including external lighting and security).
<u>Construction certificate stage 5</u>	<u>External works, landscaping works and public domain (including external lighting and security).</u>

PART B PRIOR TO ISSUE OF A CONSTRUCTION CERTIFICATE

EXTERNAL WALLS AND CLADDING

B2. The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the BCA.

Before the issue of ~~Construction Certificate 3~~ **Construction Certificate 4**, the Applicant must provide the Certifier with documented evidence that the products and systems proposed for use in the construction of external walls **façade (i.e. elements including and past the weatherproofing line)** including finishes and claddings such as synthetic or aluminium composite panels comply with the requirements of the BCA. **For clarity, this Condition excludes structural elements (Construction Certificate 2) and external wall framing (Construction Certificate 3).**

The Applicant must provide a copy of the documentation given to the Certifier to the Planning Secretary within seven days after being accepted by the Certifier.

DESIGN EXCELLENCE AND INTEGRITY

B4. Prior to the issue of ~~Construction Certificate 3~~ **Construction Certificate 4**, the DIP is to review the architectural drawings, landscape drawings and samples of all external materials, including revised 3D photomontages, and provide confirmation to the Certifier that these are consistent with the approved design.

PUBLIC DOMAIN

B5. Prior to the issue of **Construction Certificate 5** ~~Construction Certificate 4~~, a detailed Public Domain Plan prepared by a suitably qualified architect, urban designer or landscape architect must be developed in consultation with PMNSW and Council and approved by PMNSW. The Public Domain Plan must document all works relating to the public domain at Cumberland Street, Gloucester Walk and the northern pocket park (identified as Lots 1 – 6, DP 776315 & Lot 7, DP 264080). This is to include, but not limited, to:

- (a) seating plan, including additional public seating on Gloucester Walk and Bunker Hill viewing area, and how it addresses heritage, retail frontages and pedestrian circulation
- (b) landscaping plan, including plant selection and how it will contribute to enhancing the natural heritage of The Rocks
- (c) 10 street trees (minimum size 200 L) in Cumberland Street (planted in accordance with Council's Street Tree Masterplan technical specifications)
- (d) four replacement trees on Gloucester Walk with species and sizes being determined in consultation with Council and PMNSW (planted in accordance with relevant Australian \landscaping and horticultural standards) tree maintenance arrangements over a 12 month establishment period
- (f) details of paving treatment
- (g) location of bins, bollards, lighting, digital infrastructure and the like
- (h) signage and wayfinding
- (i) bicycle parking facilities
- (j) upgrade of the northern pocket park.

The public domain plan is to include all relevant recommendations of the Crime Prevention Through Environmental Design Report prepared by Architectus, dated 21 October 2020.

The final approved Public Domain Plan must be submitted to the Planning Secretary and the Certifier, for information.

PUBLIC ART

B6. Prior to the issue of **Construction Certificate 5** ~~Construction Certificate 4~~, the final details of the public artwork must be developed in consultation with Council and PMNSW, with the final details submitted to the Planning Secretary for approval.

The Public Art must reflect the social and cultural history of the Sirius site, in accordance with public art strategy and curatorial rationale outlined in the Sirius Public Art Strategy, prepared by UAP, dated October 2020.

The public artwork must be in accordance with the Sydney DCP 2012, the Public Art Policy, and the Interim Guidelines: Public Art in Private Developments.

In finalising the Public Artwork, the Applicant must:

- (a) undertake suitable consultation and engagement with community groups
- (b) share and discuss the longlist of artists with Council's Public Art team prior to shortlisting
- (c) present the artists concepts to Council's Public Art Advisory Panel
- (d) explore and document further options to link with the Museum of Contemporary Art C3West initiative.

SITE LANDSCAPE PLAN

B7. Prior to the issue of **Construction Certificate 5** ~~Construction Certificate 4~~, a detailed site Landscape design, including plans and details drawn to scale, and technical specification, by a registered landscape architect or designer, must be prepared in consultation with Council and PMNSW. The Landscape Plan, including evidence of consultation with Council and PMNSW, the comments raised and how these have been addressed, must be submitted to the Planning Secretary for approval. These documents must include:

- (a) Location of existing and proposed structures on the site including, but not limited to, existing and proposed trees, paved areas, planted areas on slab, planted areas in natural ground, lighting and other features.
- (b) Details of earthworks and soil depths including mounding and retaining walls and planter boxes (if applicable). The minimum soil depths for planting on slab must be 1000mm for trees, 450mm for shrubs and 200mm for groundcovers.
- (c) Location, numbers, type and supply of plant species, with reference to the relevant Australian Standards (if applicable).
- (d) Details of planting procedure and maintenance.
- (e) Details of drainage, waterproofing and watering systems.

GREEN ROOFS

B8. Prior to the issue of **Construction Certificate 5** ~~Construction Certificate 4~~, a detailed green roof design including plans and details drawn to scale, and technical specification, by a registered landscape architect

or designer, must be prepared in consultation with Council and submitted to the Planning Secretary for approval. These documents must include:

- (a) A statement that includes details of proposed use of the green roof, accessibility, and any noise and privacy treatments.
- (b) Location of existing and proposed structures, services and hard landscaping on the rooftop, roof fixings and other structural elements that may interrupt waterproofing, including cross-sectional details of all components.
- (c) Details of earthworks including mounding and retaining walls and planter boxes (if applicable)
- (d) Details of the location, sizes and numbers of plants used with reference to relevant Australian Standards (if applicable), with preference for drought resistant species.
- (e) Details of the soil media/substrate type and depth.
- (f) Details of installation methodology e.g. safety considerations for working at height, location of maintenance hooks (if applicable) transport materials etc.
- (g) Details of accessible and inaccessible areas on the Green Roof. Where proposed to be inaccessible, Green Roofs are required to remain such during occupation of the property.
- (h) Details of drainage and irrigation systems, including overflow provisions and water retention cells in the drainage layer (if applicable).

B9. Prior to the issue of **Construction Certificate 5** ~~Construction Certificate 4~~, the following details are to be submitted to and approved by the Certifier:

- (a) Evidence the green roof has been assessed as part of the structural certification provided for the development; and
- (b) Evidence the green roof has been assessed as part of the waterproofing certification provided for the development.

CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

B13. Prior to the issue of ~~Construction Certificate 3~~ **Construction Certificate 4**, the architectural plans must be annotated to include relevant recommendations of the Crime Prevention Through Environmental Design Report, prepared by Architectus, dated 21 October 2020, and be submitted to the Certifier.

OUTDOOR LIGHTING

B31. Outdoor lighting must be designed, positioned and installed, including appropriate shielding and orientation, so as to not give rise to obtrusive light, interfere with traffic safety or detract from the amenity of surrounding properties, in accordance with Australian Standard AS 4282: 1997 Control of the obtrusive effects of outdoor lighting.

Prior to the issue of **Construction Certificate 5** ~~Construction Certificate 4~~, details demonstrating compliance with these requirements must be submitted to the Certifier.