

Modification of Development Consent

Section 4.55(2) of the *Environmental Planning and Assessment Act 1979*

As delegate of the Minister for Planning and Public Spaces, I approve the modification of the development consent referred to in Schedule 1, subject to the conditions in Schedule 2.



Anthony Witherdin
Director
Key Sites Assessments

Sydney

18 December 2019

SCHEDULE 1

Development consent: SSD 7484 granted by the Minister for Planning on 24 April 2018

For the following: Stage 2 development consent for the adaptive reuse of the Sandstone Precinct for tourist and visitor accommodation, including:

- demolition of existing improvements and alterations to the Lands and Education Buildings
- maximum gross floor area of 30,683m², with 10,819m² in the Lands Building and 19,864m² in the Education Building
- maximum of 290 hotel rooms, with 61 in the Lands Building and 229 in the Education Building
- fit out of ancillary guest and visitor facilities
- improvements and construction of a roof extension to the Lands Building, with a maximum height of RL 38.00
- construction of a roof extension to the Education Building, with a maximum height of RL 60.03
- excavation and construction of three basement levels and a subterranean link beneath Loftus Street, provision of loading bay facilities and 60 bicycle parking spaces.

Applicant: Pontiac Land Pty Ltd

Consent Authority: Minister for Planning and Public Spaces

The Land: Sandstone Precinct comprising:

- Lands Building: 23-33 Bridge Street, Sydney (Lot 1877 in DP 8770000)
- Education Building: 35-39 Bridge Street, Sydney (Lot 56 in DP 729620)
- Loftus Street, between Bridge Street and Bent Street

Modification: SSD 7484 MOD 4: Design changes to the Lands Building including:

- delete 61 guest rooms and modify the internal layout

- introduce hotel amenities including food and beverage, associated kitchen spaces, business suites, library, lounge, event and function rooms
- roof changes including retaining/ reinstating the historic roof profile and materials for all southern and street facing northern roofs, roof link insertions providing access to the northern dome and use of the northern roof terraces
- reduce the gross floor area by 354 m².

SCHEDULE 2

The consent (SSD 7484) is modified as follows:

- (a) The development description is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~bold and struckout~~ words/numbers as follows:

Stage 2 development consent for the adaptive reuse of the Sandstone Precinct for tourist and visitor accommodation, including:

- demolition of existing improvements and alterations to the Lands and Education Buildings
- maximum gross floor area of ~~30,683~~ **30,329** m², with ~~10,819~~ **10,465** m² in the Lands Building and 19,864 m² in the Education Building
- maximum of ~~290~~ **229** hotel rooms, ~~with 61 in the Lands Building and 229~~ in the Education Building
- fit out of ancillary guest and visitor facilities
- ~~improvements and construction of a roof extension to the Lands Building, with a maximum height of RL 38.00~~
- construction of a roof extension to the Education Building, with a maximum height of RL 60.03
- excavation and construction of three basement levels and a subterranean link beneath Loftus Street, provision of loading bay facilities and 60 bicycle parking spaces.

- (b) Schedule 2 Part A – Administrative Condition A3 (Terms of Consent) is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~bold and struckout~~ words/numbers as follows:

A3 The Applicant, in acting on this consent, must carry out the development:

- a) in compliance with the conditions of this consent
- b) in accordance with all written directions of the Secretary
- c) generally in accordance with the State significant development application SSD 7484 Environmental Impact Statement prepared by JBA Urban Planning Consultants Pty Ltd, dated November 2016
- d) generally in accordance with the State significant development application SSD 7484 Response to Submissions report prepared by JBA Urban Planning Consultants Pty Ltd, dated April 2017
- e) generally in accordance with the State significant development application SSD 7484 Response to Request for Further Information prepared by Ethos Urban, dated 6 December 2017
- f) the Section 4.55(1) modification application (SSD 7484 Mod1) prepared by Ethos Urban Planning Consultants dated 18 and 30 April 2018
- g) the Section 4.55(1A) modification application (SSD 7484 Mod 2) prepared by Ethos Urban Planning Consultants dated 22 August 2018
- h) the Section 4.55(2) modification application (SSD 7484 Mod 3) prepared by Ethos Urban dated 16 October 2018 and Response to Submission prepared by Ethos Urban Planning dated 6 March 2019
- i) the Section 4.55 (1A) modification application (SSD 7484 Mod 5) prepared by Ethos Urban Planning Consultants dated 6 June 2019
- j) **the Section 4.55(2) Modification Application (SSD 7484 MOD 4), dated 26 June 2019, Response to Submissions dated 25 October 2019 and Additional Information dated 21 November 2019, all prepared by Ethos Urban**

- k) generally in accordance with the endorsed conservation management plans, prepared by GBA Heritage dated May 2017 and endorsed by the Heritage Council NSW, June 2017
- l) remediation in accordance with the Preliminary Remediation Action Plan prepared by Environmental Earth Sciences, dated 14 December 2017 (if required)
- m) in accordance with the following drawings:

Demolition Drawings prepared by Make & HASSELL Architects			
Drawing No.	Rev.	Name of Plan	Date
SP-DA-G-1500	02 <u>03</u>	Proposed Site Plan	28.09.18 <u>08.05.19</u>
SP-DA-G-2295	06	Demolition Plans Education Building – Basement Level 03	31.05.19
SP-DA-G-2296	05	Demolition Plans Education Building – Basement Level 02	14.08.18
SP-DA-G-2297	05 <u>06</u>	Demolition Plans Lands Building – Lower Ground, Education Building – Basement Level 01	14.08.18 <u>08.05.19</u>
SP-DA-G-2298	05 <u>06</u>	Demolition Plans Lands Building – Lower Ground Mezzanine	14.08.18 <u>08.05.19</u>
SP-DA-G-2299	06 <u>07</u>	Demolition Plans Lands Building – Ground, Education Building – Lower Ground	14.08.18 <u>08.05.19</u>
SP-DA-G-2300	06 <u>07</u>	Demolition Plans Lands Building – Level 01, Education Building – Ground	14.08.18 <u>08.05.19</u>
SP-DA-G-2301	06 <u>07</u>	Demolition Plans Lands Building – Level 02, Education Building – Level 01	14.08.18 <u>08.05.19</u>
SP-DA-G-2302	06 <u>07</u>	Demolition Plans Lands Building – Level 03, Education Building – Level 02	14.08.18 <u>08.05.19</u>
SP-DA-G-2303	06 <u>07</u>	Demolition Plans Lands Building – Level 04, Education Building – Level 03	14.08.18 <u>08.05.19</u>
SP-DA-G-2304	06 <u>07</u>	Demolition Plans Lands Building – Level 05, Education Building – Level 04	14.08.18 <u>08.05.19</u>
SP-DA-G-2305	06 <u>07</u>	Demolition Plans Lands Building – Level 06, Education Building – Level 05	14.08.18 <u>08.05.19</u>
SP-DA-G-2306	05 <u>06</u>	Demolition Plans Lands Building – Level 07, Education Building – Level 06	14.08.18 <u>08.05.19</u>
SP-DA-G-2307	05 <u>06</u>	Demolition Plans Lands Building – Level 08, Education Building – Level 07	14.08.18 <u>08.05.19</u>
SP-DA-G-2308	06 <u>07</u>	Demolition Plans Lands Building – Level 09, Education Building – Level 08	21.08.18 <u>08.05.19</u>
SP-DA-G-2309	05 <u>06</u>	Demolition Plans Lands Building – Level 10, Education Building – Roof	14.08.18 <u>08.05.19</u>
SP-DA-G-2310	06 <u>07</u>	Demolition Plans Lands Building – Level 11, Education Building – Roof	21.08.18 <u>08.05.19</u>
SP-DA-G-2311	06 <u>07</u>	Demolition Plans Lands Building – Level 12, Education Building – Roof	21.08.18 <u>08.05.19</u>

SP-DA-G-2312	06 <u>07</u>	Demolition Plans Lands Building – Roof, Education Building – Roof	21.08.18 <u>08.05.19</u>
SP-DA-G-3100	06 <u>07</u>	Demolition Elevations Lands Building, South Education Building South	14.08.18 <u>08.05.19</u>
SP-DA-G-3101	06 <u>07</u>	Demolition Elevations Lands Building West	14.08.18 <u>08.05.19</u>
SP-DA-G-3102	06 <u>07</u>	Demolition Elevations Lands Building – North, Education Building – North	14.08.18 <u>08.05.19</u>
SP-DA-G-3103	06	Demolition Elevations Education Building – East	14.08.18
SP-DA-G-3104	06 <u>07</u>	Demolition Elevations Lands Building – East	14.08.18 <u>08.05.19</u>
SP-DA-G-3105	06	Demolition Elevations Education Building – West	14.08.18
<u>SP-DA-G-3150</u>	<u>00</u>	<u>Demolition Courtyard Elevations, Lands Building – North Courtyard</u>	<u>08.05.19</u>
<u>SP-DA-G-3151</u>	<u>00</u>	<u>Demolition Courtyard Elevations, Lands Building – South Courtyard</u>	<u>08.05.19</u>
SP-DA-G-3400	07 <u>08</u>	Demolition Sections Lands and Education Building – Section 01	14.08.18 <u>08.05.19</u>
SP-DA-G-3401	06 <u>07</u>	Demolition Sections Lands Building – Section 02	14.08.18 <u>08.05.19</u>
SP-DA-G-3402	07	Demolition Sections Education Building – Section 03	14.08.18
Architectural Drawings prepared by Make and HASSELL Architects			
Drawing No.	Rev.	Name of Plan	Date
SP-DA-G-2496	06	Proposed Plans Education Building – Basement Level 03	31.05.19
SP-DA-G-2947	04	Proposed Plans Education Building – Basement Level 02	06.12.18
SP-DA-G-2498	04 <u>05</u>	Proposed Plans Lands Building – Lower Ground, Education Building – Basement Level 01	06.12.18 <u>08.05.19</u>
<u>SP-DA-G-2498-M</u>	<u>00</u>	<u>Proposed Plans Lands Building - Lower Ground Mezzanine, Education Building - Basement Level 01</u>	<u>08.05.19</u>
SP-DA-G-2499	06 <u>07</u>	Proposed Plans Lands Building – Ground, Education Building – Lower Ground	20.12.18 <u>08.05.19</u>
SP-DA-G-2500	06 <u>07</u>	Proposed Plans Lands Building – Level 01, Education Building – Ground	22.02.19 <u>08.05.19</u>
SP-DA-G-2501	04 <u>05</u>	Proposed Plans Lands Building – Level 02, Education Building – Level 01	06.12.18 <u>08.05.19</u>
SP-DA-G-2502	04 <u>05</u>	Proposed Plans Lands Building – Level 03, Education Building – Level 02	06.12.18 <u>08.05.19</u>
SP-DA-G-2503	04 <u>05</u>	Proposed Plans Lands Building – Level 04, Education Building – Level 03	06.12.18 <u>08.05.19</u>
SP-DA-G-2504	04 <u>05</u>	Proposed Plans Lands Building – Level 05, Education Building – Level 04	06.12.18 <u>08.05.19</u>
SP-DA-G-2505	05 <u>06</u>	Proposed Plans Lands Building – Level 06, Education Building – Level 05	06.12.18 <u>08.05.19</u>

SP-DA-G-2506	04 05	Proposed Plans Lands Building – Level 07, Education Building – Level 06	06.12.18 08.05.19
SP-DA-G-2507	04 05	Proposed Plans Lands Building – Level 08, Education Building – Level 07	06.12.18 08.05.19
SP-DA-G-2508	04 05	Proposed Plans Lands Building – Level 09, Education Building – Level 08	06.12.18 08.05.19
SP-DA-G-2509	04 05	Proposed Plans Lands Building – Level 10, Education Building – Level 09	06.12.18 08.05.19
SP-DA-G-2510	03 04	Proposed Plans Lands Building – Level 11, Education Building – Roof	28.09.18 08.05.19
SP-DA-G-2511	03 04	Proposed Plans Lands Building – Level 12, Education Building – Roof	28.09.18 08.05.19
SP-DA-G-2512	03 04	Proposed Plans Lands Building – Roof, Education Building – Roof	28.09.18 08.05.19
SP-DA-G-3200	05 06	Proposed Elevations Lands Building – South, Education Building – South	22.02.19 08.05.19
SP-DA-G-3201	05 07	Proposed Elevations Lands Building – West	22.02.19 08.05.19
SP-DA-G-3202	05 06	Proposed Elevations Lands Building – North, Education Building – North	22.02.19 08.05.19
SP-DA-G-3203	05	Proposed Elevations Education Building – East	22.02.19
SP-DA-G-3204	05 06	Proposed Elevations Lands Building – East	22.02.19 08.05.19
SP-DA-G-3205	05	Proposed Elevations Education Building – West	22.02.19
SP-DA-G-3210	04	Proposed Elevations Education Building – Courtyard	28.09.18
<u>SP-DA-G-3250</u>	<u>00</u>	<u>Proposed Courtyard Elevations, Lands Building – North Courtyard</u>	<u>08.05.19</u>
<u>SP-DA-G-3251</u>	<u>00</u>	<u>Proposed Courtyard Elevations, Lands building – South Courtyard</u>	<u>08.05.19</u>
SP-DA-G-3500	04 05	Proposed Sections Lands and Education Building – Section 01	28.09.18 08.05.19
SP-DA-G-3501	02 03	Proposed Sections Lands Building – Section 02	11.10.16 08.05.19
SP-DA-G-3502	04	Proposed Sections Education Building – Section 03	28.09.18
SP-DA-G-4000	00	Façade Details Lands Building – NW Glass Roof and NE Pergola	17.10.16
SP-DA-G-4001	00	Façade Details Lands Building – Southern Metal Roof	17.10.16
SP-DA-G-4100	02	Façade Details Education Building – Glass Bay	28.09.18
SP-DA-G-4101	00	Façade Details Education Building – Glass Bay Corner	17.10.16
SP-DA-G-4102	02	Façade Details Education Building – Water Villa	28.09.18
SP-DA-G-4103	02	Façade Details Education Building – East and West Tower	28.09.18
SP-DA-G-4104	01	Façade Details Education Building – Level 9 Infill Cladding	28.09.18
SP-DA-G-4105	01	Education Building – Cooling Towers	28.09.18

SP-DA-G-6000	05 06	Materials and Finishes Schedule	27.02.19 08.05.19
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- (c) Schedule 2 Part B – Prior to issue of Construction Certificate Condition B9 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the **~~bold and struckout~~** words/numbers as follows:

B9 The following information shall be submitted to the Heritage Council NSW or its delegate prior to the issue of the nominated Construction Certificate:

Documentation	Construction Certificate
Detailed drawings for all new, prominent elements, such as staircases and elevators, throughout both buildings	CC4 Structure
Further details regarding the proposed adaptation of the 'Strong Room' for use as a guest lounge in the Lands Building	CC4 Structure
Diagrams showing the method of reticulating new services throughout both buildings	CC5 Services
Details showing the proposed modifications to significant balustrades in both buildings	CC4 Structure
Further detailed design information, with input from a structural engineer, clearly indicating the impacts and implications of proposed works associated with the pool and spa in the Education Building on the place's heritage significance and fabric	CC4 Structure
Further detailed design information, with input from a structural engineer, clearly indicating the impacts and implications of proposed works associated with the rooftop water "villa" in the Education building	CC4 Structure
Details of junction between the exceptionally significant roof structures and the replacement roof	CC4 Structure
Elevations showing proposed alterations to exceptionally significant roof structures at the Lands Building. It is recommended that alterations to significant fabric are minimised and that the new roof is designed so that it can be removed without permanent damage to the significant structures <u>Details showing the rooftop link insertions to the Lands Building, works proposed to the Northern Dome and northern roof terraces, including details and specifications for the retention of the heritage pitched roofs and new materials</u>	CC4 Structure
<u>Details showing the new glazed facade in the northern courtyard (replacing the removed lift shaft, motor room and fire stair), including proposed articulation to strengthen the horizontal expression</u>	<u>CC4 Structure</u>

- (d) Schedule 2 Part B – Prior to issue of Construction Certificate Condition B22 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the **~~bold and struckout~~** words/numbers as follows:

Storage and Handling of Waste

B22 The building plans and specifications accompanying the Construction Certificate 4 – Structure (CC4) shall demonstrate that an appropriate area will be provided within the premises for the storage of garbage bins and recycling containers and all waste and recyclable material generated by this premises will meet the requirements of the Waste

Management Plan, dated 11 December 2018 and prepared by the Mack Group and the Operational Waste Management Plan for the Lands Building dated 12 September 2019, prepared by Foresight Environmental to the satisfaction of the PCA.

- (e) Schedule 2 Part B – Prior to issue of Construction Certificate Condition B23 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the **~~bold and struckout~~** words/numbers as follows:

B23 The Waste Management Plan dated 11 December 2018 and prepared by the Mack Group **and the Operational Waste Management Plan for the Lands Building dated 12 September 2019, prepared by Foresight Environmental** is to be finalised and approved by the PCA prior to the first Construction Certificate for Foundations/In Ground Structure (CC3) being issued. The Plan shall be generally in accordance with Council's *Policy for Waste Minimisation in New Development 2005* and include areas for back of house waste separation and collection. All requirements of the approved Waste Management Plan must be implemented during construction of the development.

- (f) Schedule 2 Part B – Prior to issue of Construction Certificate Condition B27 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the **~~bold and struckout~~** words/numbers as follows:

Environmental Performance

B27 Prior to the issue of the first Construction Certificate 4 – Structure, the Applicant is to provide a natural ventilation strategy to the satisfaction of the Secretary, prepared in consultation with the Government Architect NSW. This strategy is to demonstrate that the spaces created by the roof extensions to the ~~Lands and~~ Education Buildings will be comfortable for the intended use throughout the year, by exploring and implementing all reasonable opportunities to maximise the use of natural ventilation rather than mechanical ventilation and having regard to industry best practice.

- (g) Schedule 2 Part C – Prior to commencement of works Condition C7 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the **~~bold and struckout~~** words/numbers as follows:

Construction Pedestrian and Traffic Management Plan (CPTMP)

- C7. Prior to the commencement of any works on site the Applicant shall prepare a Construction Pedestrian and Traffic Management Plan (CPTMP) in consultation with the CBD Coordination Office and the Sydney Light Rail Team within TfNSW. The CPTMP needs to specify, but not limited to, the following:
- location of the proposed work zone
 - haulage routes
 - construction vehicle access arrangements
 - proposed construction hours
 - estimated number of construction vehicle movements
 - construction program
 - consultation strategy for liaison with surrounding stakeholders
 - any potential impacts to general traffic, cyclists, pedestrians and bus services within the vicinity of the site from construction vehicles during the construction of the proposed works
 - cumulative construction impacts of projects including Sydney Light Rail Project and Sydney Metro. Existing CPTMPs for developments within or around the development site should be referenced in the CPTMP to ensure that coordination of work activities are managed to minimise impacts on the road network
 - should any impact be identified, the duration of the impacts and measures proposed to mitigate any associated general traffic, public transport, pedestrian and cyclist impacts should be clearly identified and included in the CPTMP.

The CPTMP is to be updated to reflect the approved MOD 3 and MOD 5 and submitted to the Co-ordinator General, Transport Coordinator for endorsement, prior to the issue of construction certificate 3.

The CPTMP endorsed for the Sandstone Precinct main works by Sydney Coordination Office within TfNSW in September 2018, must be updated to reflect the works approved under MOD 4. The CPTMP must be submitted to and approved by the Coordinator General, Transport Coordination prior to the release of a Construction Certificate for works approved under MOD 4.

Prior to the commencement of work, the Applicant shall submit a copy of the CBD Coordination Office endorsed CPTMP to the PCA and the Secretary.

- (h) Schedule 2 Part F – Prior to occupation or commencement of use Condition F7 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the **~~bold and struckout~~** words/numbers as follows:

GFA and Height Certification

F7. A Registered Surveyor is to certify that:

- a) the development does not exceed the approved gross floor areas of the:
 - i) Education Building (19,864 m² GFA)
 - ii) Lands Building (~~10,819~~ **10,465** m² GFA)
- b) the development (excluding satellite dishes and balustrades) does not exceed the approved extension heights of the:
 - i) Education Building (RL 60.03)
 - ii) ~~Lands Building (RL 38.00).~~

Details shall be provided to the PCA demonstrating compliance with this condition prior to the issue of the final Occupation Certificate.

- (i) Schedule 2 Part F – Post occupation insert new Condition F27 with the **bold and underlined** words / numbers as follows:

F27. The Applicant shall develop a Transport Access Guide (TAG) to manage transport movements in the vicinity of the site. The TAG must be submitted to and approved by the Sydney Coordination Office within TfNSW, prior to the issue of the Occupation Certificate, and:

- **include suitable nearby drop off/ pick up locations**
- **identify areas where drop off/ pick up is prohibited and instruct visitors to avoid use of these areas**
- **identify suitable nearby Taxi Zones**
- **address the need for new drop off/ pick up bays, including required approvals and timeframes for delivery, or provide suitable alternatives**
- **be implemented and maintained by the operators of the premises and be made available to staff, clients, customers and visitors at all times.**

- (j) Schedule 2 Part G – Post occupation Condition G1 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the **~~bold and struckout~~** words/numbers as follows:

G1. The hotel and ancillary guest and visitor facilities uses within the hotel shall not operate outside the following hours:

Use	Proposed hours of operation
Hotel	24 hours / 7 days a week
Ballroom / event spaces / meeting rooms	6am – 2am / 7 days a week
Bars	6.30am – 2am / 7 days a week
Restaurants	6.30am – 10.30pm / 7 days a week
Gyms / pool / spas	6.30am – 10pm / 7 days a week
Guest lounges	24 hours / 7 days a week
<u>Lands Building Northern terraces</u>	<u>7 am – 12 midnight / 7 days a week</u>

- (k) Schedule 2 Part G – Post occupation insert new Condition G1A-C with the **bold and underlined** words / numbers as follows:

Use of the Northern Terraces, Lands Building

G1A. The use of the Northern Terraces must comply with the noise emission criteria nominated by the NSW Liquor Administration Board, at the nearest residential boundary.

G1B. The LA10, 15-minute noise level emitted from the use of the Northern terraces, Lands Building, must not exceed the background noise level (LA90, 15minute) in any Octave Band Centre Frequency (31.5 Hz to 8 kHz inclusive) by more than 5dB between 7am and midnight when assessed at the boundary of any affected residence.

G1C. Patron numbers are limited to a maximum of 80 patrons, on the northern terraces in the Lands Building.

- (l) Schedule 2 Part G – Post occupation Condition G6 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~**bold and struckout**~~ words/numbers as follows:

G6. Prior to an Occupation Certificate being issued and/or commencement of the use, whichever is earlier, the building owner must ensure that there is a contract with a licensed contractor for the removal of all waste. No garbage is to be placed on the public way, e.g. footpaths, roadways, plazas, reserves, at any time. In addition:

- garbage and recycling must not be placed on the street for collection more than half an hour before the scheduled collection time. Bins and containers are to be removed from the street within half an hour of collection
- the collection of waste and recycling must only occur between 7.00am and 8.00pm weekdays and 9.00am and 5.00pm weekends and public holidays, to avoid noise disruption to the surrounding area
- the storage and handling of waste associated with the premises must comply the approved Waste Management Plan, dated 11 December 2018 and prepared by the Mack Group **and the Operational Waste Management Plan for the Lands Building, dated 12 September 2019 and prepared by Foresight Environmental** and be generally in accordance with Council's *Policy for Waste Minimisation in New Developments 2005*.

**End of modification
(SSD 7484 MOD 4)**