

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: 4 June 2020

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 30,329 m², with 10,465 m² in the Lands Building and 19,864 m² in the Education Building • maximum of 229 hotel rooms in the Education Building • fit out of ancillary guest and visitor facilities • 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 (Australia) 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 7: Internal and external design changes to the Education Building including: • reduce number of hotel rooms to 192 • relocate substation into south west corner of lower ground floor • new accessible entrance at Loftus Street laneway • reduce gross floor area by 1,352 m² • changes to façade elements and finishes.

SCHEDULE 2

The consent (SSD 7484) is modified as follows:

- (a) the development description is amended by 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 ~~30,329~~ **28,977** m², with 10,465 m² in the Lands Building and ~~19,864~~ **18,512** m² in the Education Building
- maximum of ~~229~~ **192** hotel rooms in the Education Building
- fit out of ancillary guest and visitor facilities
- 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) generally in accordance with the following modification applications:
 - i) Section 4.55(1) modification application (SSD 7484 Mod1) prepared by Ethos Urban Planning Consultants dated 18 and 30 April 2018
 - ii) Section 4.55(1A) modification application (SSD 7484 Mod 2) prepared by Ethos Urban Planning Consultants dated 22 August 2018
 - iii) 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
 - iv) Section 4.55 (1A) modification application (SSD 7484 Mod 5) prepared by Ethos Urban Planning Consultants dated 6 June 2019
 - v) 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
 - vi) Section 4.55(1A) Modification Application (SSD 7484 MOD 6) dated 2 December 2019 and Response to Submissions dated 26 February 2020 both prepared by Ethos Urban

vii) Section 4.55(2) Modification Application (SSD 7484 MOD 7) dated 28 January 2020 and Response to Submissions dated 6 May 2020, prepared by Ethos Urban

- g) 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
- h) remediation in accordance with the Preliminary Remediation Action Plan prepared by Environmental Earth Sciences, dated 14 December 2017 (if required)
- i) in accordance with the following drawings:

Demolition Drawings prepared by Make & HASSELL Architects			
Drawing No.	Rev	Name of Plan	Date
SP-DA-G-1500	03	Proposed Site Plan	08.05.19
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	06	Demolition Plans Lands Building – Lower Ground, Education Building – Basement Level 01	08.05.19
SP-DA-G-2298	06	Demolition Plans Lands Building – Lower Ground Mezzanine	08.05.19
SP-DA-G-2299	07	Demolition Plans Lands Building – Ground, Education Building – Lower Ground	08.05.19
SP-DA-G-2300	07	Demolition Plans Lands Building – Level 01, Education Building – Ground	08.05.19
SP-DA-G-2301	07	Demolition Plans Lands Building – Level 02, Education Building – Level 01	08.05.19
SP-DA-G-2302	07	Demolition Plans Lands Building – Level 03, Education Building – Level 02	08.05.19
SP-DA-G-2303	07	Demolition Plans Lands Building – Level 04, Education Building – Level 03	08.05.19
SP-DA-G-2304	07	Demolition Plans Lands Building – Level 05, Education Building – Level 04	08.05.19
SP-DA-G-2305	07	Demolition Plans Lands Building – Level 06, Education Building – Level 05	08.05.19
SP-DA-G-2306	06	Demolition Plans Lands Building – Level 07, Education Building – Level 06	08.05.19
SP-DA-G-2307	06	Demolition Plans Lands Building – Level 08, Education Building – Level 07	08.05.19
SP-DA-G-2308	07	Demolition Plans Lands Building – Level 09, Education Building – Level 08	08.05.19
SP-DA-G-2309	06	Demolition Plans Lands Building – Level 10, Education Building – Roof	08.05.19
SP-DA-G-2310	07	Demolition Plans Lands Building – Level 11, Education Building – Roof	08.05.19
SP-DA-G-2311	07	Demolition Plans Lands Building – Level 12, Education Building – Roof	08.05.19
SP-DA-G-2312	07	Demolition Plans Lands Building – Roof, Education Building – Roof	08.05.19

SP-DA-G-3100	07 <u>09</u>	Demolition Elevations Lands Building – South and Education Building 0 South	08.05.19 <u>18.02.20</u>
SP-DA-G-3101	07	Demolition Elevations Lands Building West	08.05.19
SP-DA-G-3102	07	Demolition Elevations Lands Building – North, Education Building – North	08.05.19
SP-DA-G-3103	06	Demolition Elevations Education Building – East	14.08.18
SP-DA-G-3104	07	Demolition Elevations Lands Building – East	08.05.19
SP-DA-G-3105	06 <u>09</u>	Demolition Elevations Education Building – West	14.08.18 <u>18.02.20</u>
SP-DA-G-3150	00	Demolition Courtyard Elevations, Lands Building – North Courtyard	08.05.19
SP-DA-G-3151	00	Demolition Courtyard Elevations, Lands Building – South Courtyard	08.05.19
SP-DA-G-3400	08	Demolition Sections Lands and Education Building – Section 01	08.05.19
SP-DA-G-3401	07	Demolition Sections Lands Building – Section 02	08.05.19
SP-DA-G-3402	07	Demolition Sections Education Building – Section 03	14.08.18
Architectural Drawings prepared by Make <u>and Webber</u> and HASSELL Architects			
Drawing No.	Rev	Name of Plan	Date
SP-DA-G-2496	06 <u>08</u>	Proposed Plans - Education Building – Basement Level 03	31.05.19 <u>10.12.19</u>
SP-DA-G-2497	04 <u>06</u>	Proposed Plans - Education Building – Basement Level 02	06.12.18 <u>10.12.19</u>
SP-DA-G-2498	04 <u>05</u>	Proposed Plans - Lands Building – Lower Ground, Education Building – Basement Level 01	08.05.19 <u>05.12.19</u>
SP-DA-G-2498-M	00	Proposed Plans Lands Building - Lower Ground Mezzanine, Education Building - Basement Level 01	08.05.19
SP-DA-G-2499	07 <u>10</u>	Proposed Plans - Lands Building – Ground, Education Building – Lower Ground	08.05.19 <u>10.12.19</u>
SP-DA-G-2500	07 <u>10</u>	Proposed Plans - Lands Building – Level 01, Education Building – Ground	08.05.19 <u>10.12.19</u>
SP-DA-G-2501	05 <u>07</u>	Proposed Plans - Lands Building – Level 02, Education Building – Level 01	08.05.19 <u>05.12.19</u>
SP-DA-G-2502	05 <u>08</u>	Proposed Plans - Lands Building – Level 03, Education Building – Level 02	08.05.19 <u>10.12.19</u>
SP-DA-G-2503	05 <u>07</u>	Proposed Plans - Lands Building – Level 04, Education Building – Level 03	08.05.19 <u>05.12.19</u>
SP-DA-G-2504	05 <u>07</u>	Proposed Plans - Lands Building – Level 05, Education Building – Level 04	08.05.19 <u>05.12.19</u>
SP-DA-G-2505	06 <u>09</u>	Proposed Plans - Lands Building – Level 06, Education Building – Level 05	08.05.19 <u>10.12.19</u>
SP-DA-G-2506	05 <u>09</u>	Proposed Plans Lands Building – Level 07, Education Building – Level 06	08.05.19 <u>02.05.20</u>

SP-DA-G-2507	05 07	Proposed Plans - Lands Building – Level 08, Education Building – Level 07	08.05.19 05.12.19
SP-DA-G-2508	05 07	Proposed Plans - Lands Building – Level 09, Education Building – Level 08	08.05.19 05.12.19
SP-DA-G-2509	05 07	Proposed Plans - Lands Building – Level 10, Education Building – Level 09	08.05.19 05.12.19
SP-DA-G-2510	04 06	Proposed Plans - Lands Building – Level 11, Education Building – Roof	08.05.19 05.12.19
SP-DA-G-2511	04	Proposed Plans Lands Building – Level 12, Education Building – Roof	08.05.19
SP-DA-G-2512	04	Proposed Plans Lands Building – Roof, Education Building – Roof	08.05.19
SP-DA-G-3200	06 09	Proposed Elevations - Lands Building – South, Education Building – South	08.05.19 29.04.20
SP-DA-G-3201	06	Proposed Elevations Lands Building – West	08.05.19
SP-DA-G-3202	06 08	Proposed Elevations - Lands Building – North, Education Building – North	08.05.19 05.12.19
SP-DA-G-3203	05 08	Proposed Elevations - Education Building – East	22.02.19 05.12.19
SP-DA-G-3204	06	Proposed Elevations Lands Building – East	08.05.19
SP-DA-G-3205	05 09	Proposed Elevations - Education Building – West	22.02.19 10.12.19
SP-DA-G-3210	04 07	Proposed Elevations - Education Building – Courtyard	28.09.18 05.12.19
SP-DA-G-3250	00	Proposed Courtyard Elevations, Lands Building – North Courtyard	08.05.19
SP-DA-G-3251	00	Proposed Courtyard Elevations, Lands Building – South Courtyard	08.05.19
SP-DA-G-3500	05 07	Proposed Sections - Lands and Education Building – Section 01	08.05.19 05.12.19
SP-DA-G-3501	03	Proposed Sections Lands Building – Section 02	08.05.19
SP-DA-G-3502	04 07	Proposed Sections –Education Building – Section 03	28.09.18 05.12.19
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 05	Façade Details - Education Building – Water Garden Villa	28.09.18 29.04.20
SP-DA-G-4103	02 06	Façade Details - Education Building – East and West Tower	28.09.18 10.12.19
SP-DA-G-4104	01 04	Façade Details - Education Building – Level 9 Infill Cladding	28.09.18 29.04.20
SP-DA-G-4105	01 02	<u>Façade Details</u> - Education Building – Cooling Towers	28.09.18 10.12.19

SP-DA-G-6000	06 <u>11</u>	Materials and Finishes Schedule	08.05.19 <u>29.04.20</u>
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- (c) Schedule 2 Part B – prior to issue of Construction Certificate add new Condition B7B with the insertion of the **bold and underlined** words / numbers as follows:

B7B Prior to the issue of the Construction Certificate for any façade and structural works relating to the substation, any works to the Education Building sandstone façade and selection of new materials and colours to accommodate the substation must be appropriately detailed and implemented in consultation with, and to the satisfaction of, the project Heritage Consultant, with details to be submitted to the satisfaction of the Certifying Authority.

Any original sandstone fabric and steel window grilles required to be removed shall be salvaged and retained on site for future use, in accordance with the approved Salvage Methodology Report.

- (d) Schedule 2 Part B – prior to issue of Construction Certificate Condition B12 (Loading and unloading areas) is amended by the insertion of the **bold and underlined** words / numbers and deletion of the **~~bold and struckout~~** words/numbers as follows:

B12 Prior to the issue of Construction Certificate 5 – Services (CC5), the Applicant shall prepare a loading and servicing management plan to the satisfaction of the Secretary that includes details on the:

- a) management of queuing along public roads as a result of the proposed loading area arrangement
- b) management of incidents at the access to the loading areas
- c) management of conflicts between vehicles accessing the site and pedestrian movements along Loftus Street and Gresham Street
- d) any other loading dock management details, such as predicted service vehicle movements during peak periods and any restrictions on service vehicles
- e) **management of the Loftus Street laneway as a pedestrian and accessible entry to the Education Building.**

Prior to the issue of the Construction Certificate for Modification 7, the Applicant is to update the loading and servicing management plan to demonstrate that the loading dock and DDA access through the Loftus Street laneway is managed to ensure freight and servicing vehicles do not impact traffic movements on Loftus Street, to the satisfaction of the Sydney Coordination Office. A copy is to be submitted to the Planning Secretary.

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

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 **and the Operational Waste Management Plan for the Education Building dated 6 December 2019, both** prepared by Foresight Environmental to the satisfaction of the PCA.

- (f) Schedule 2 Part B – prior to issue of Construction Certificate Condition B23 (Storage and handling of waste) 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 Mack Group **and**, the Operational Waste Management Plan for the Lands Building dated 12 September 2019 **and the Operational Waste Management Plan for the Education Building dated 6 December 2019, both** 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.

- (g) Schedule 2 Part B – prior to issue of Construction Certificate Condition B29 (Noise mitigation measures) is amended by the insertion of the **bold and underlined** words / numbers and deletion of the **~~bold and struckout~~** words/numbers as follows:

B29 Details of noise mitigation measures recommended in the Acoustic Report (prepared by Wood and Grieve Engineers, 2016) **and Acoustic Statement for MOD 7 prepared by Wood & Grieve Engineers, dated 6 December 2019** are to be detailed on the construction certificate drawings. Certification from an appropriately qualified acoustic engineer that the proposed measures will achieve compliance with the requirements of *State Environmental Planning Policy (Infrastructure) 2007* and other guidelines applicable to the development is required to be submitted to the PCA prior to the issue of the Construction Certificate – Façade.

- (h) Schedule 2 Part C – prior to commencement of works Condition C7 (Construction Pedestrian and Traffic Management Plan) is amended by the insertion of the **bold and underlined** words / numbers and deletion of the **~~bold and struckout~~** words/numbers as follows:

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:

- a) location of the proposed work zone
- b) haulage routes
- c) construction vehicle access arrangements
- d) proposed construction hours
- e) estimated number of construction vehicle movements
- f) construction program
- g) consultation strategy for liaison with surrounding stakeholders
- h) 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
- i) 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
- j) 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 7**. The CPTMP must be submitted and approved by the Coordinator General, Transport Coordination prior to the release of a Construction Certificate for works approved under MOD **4 7**.

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.

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

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 18,512** m² GFA)
 - ii) Lands Building (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)

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

- (j) Schedule 2 Part F – prior to occupation or commencement of use insert new Condition F5A by the insertion of the **bold and underlined** words / numbers as follows:

Loftus Street laneway Plan of Management

F5A Prior to the issue of the first Occupation Certificate, a Plan of Management (PoM) for quest movements through the Loftus Street laneway entrance demonstrating safe movement for pedestrians and management of potential conflicts between pedestrians and service vehicles is to be prepared and submitted to the satisfaction of the Certifying Authority. The PoM shall include, but not be limited to, the following:

- a) **implementation of physical measures to guide pedestrians and vehicles in appropriate use and paths of travel**
- b) **direct supervision of vehicle movements by staff**
- c) **a low speed limit for vehicles**
- d) **a right of way for pedestrians over vehicles at all times**
- e) **management of the entrance/ exit by staff**
- f) **details of direct ushering of quests to their location.**

- (k) Schedule 2 Part F – prior to occupation or commencement of use Condition F9 (Loading dock management) is amended by the insertion of the **bold and underlined** words / numbers and deletion of the **~~bold and struckout~~** words/numbers as follows:

F9. Prior to the issue of the relevant Occupation Certificate, a Loading Dock Management Plan (LDMP) shall be submitted to the PCA to ensure safe and efficient operation of the proposed loading area and minimise conflicts with pedestrian movements. The LDMP shall include the following:

- a) allocation of sufficient loading spaces
- b) restrictions on delivery and operating times to ensure deliveries do not occur during times of peak pedestrian movements
- c) **low speed limits**

- d) **supervision of vehicle movements by staff**
 - e) controls on duration of stays
 - f) measures to ensure there is no queuing of delivery vehicles including details of alternate parking locations to redirect vehicles when queuing occurs
 - g) controls on the placement of skips, pallets, etc.
 - h) procedures for tradesman access and parking
 - ~~i) allocation of delivery times for residential removalists~~
 - j) truck access routes.
- (l) Schedule 2 Part F – prior to occupation or commencement of use Condition F22 (Acoustic compliance) is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~**bold and struckout**~~ words/numbers as follows:
- F22 Prior to the issue of a relevant Occupation Certificate, evidence shall be submitted to the PCA demonstrating compliance with all recommendations of the Acoustic Report, prepared by Wood and Grieve Engineers, 2016) **and Acoustic Statement for MOD 7 prepared by Wood & Grieve Engineers, dated 6 December 2019**, and the development achieves compliance with the requirements of *State Environmental Planning Policy (Infrastructure) 2007* and other guidelines applicable to the development.
- (m) Schedule 2 Part G – post occupation Condition G6 (waste collection) 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:
- a) 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
 - b) 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
 - c) the storage and handling of waste associated with the premises must comply with 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 the Operational Waste Management Plan for the Education Building dated 6 December 2019, both** 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 7)