

Appendix C – Consistency with the Concept Approval (SSD-79316759)

Condition No.	Condition	Response	Compliance
Part A – General Conditions			
Determination of future development applications			
A4	In accordance with section 4.22 of the EP&A Act, all physical works and subsequent stages to the Development are to be subject of future development application(s), except for demolition works approved under this development consent as described in Schedule 3.	Noted.	Yes
A5	In accordance with section 4.24 of the EP&A Act, future development application(s) must be consistent with this development consent as described in Schedule 1 and subject to the conditions in Schedule 2 and Schedule 3, unless the consent authority imposes a condition requiring the modification or surrender of the concept consent in accordance with Section 4.24(4) of the EP&A Act.	In accordance with Section 4.24(4) of the EP&A Act, a future development application may be inconsistent with the concept consent if the consent authority grants conditions of consent which modify the concept approval. Amendments are proposed to the concept proposal as detailed in Section 3.2 of the EIS.	Yes

Design Excellence and Competitive Design Process			
A8	Prior to the lodgement of any future development application(s) for the detailed design, a competitive design process must be undertaken in accordance with the provisions of SLEP 2012 and the City of Sydney Competitive Design Policy.	A Design Excellence Competition was held between January and March 2025 in accordance with the provisions of the SLEP 2012 and the City of Sydney Competitive Design Policy. Refer to the Design Integrity Report prepared by Urbis and contained at Appendix J for further detail.	Yes
A9	The competitive design process is to be undertaken in accordance with the Design Excellence Strategy, prepared by Urbis, Revision 3, dated 31 October 2024, prepared in consultation with the Government Architect NSW (GANSW).	An Architectural Design Competition was undertaken in accordance with the Design Excellence Strategy (prepared by Urbis, revision 3, dated 31 October 2024) and in consultation with GANSW. The Design Competition was undertaken between 29 January 2025 and 24 March 2025. The Architectural Design Competition Report (the Competition Jury Report) was finalised and endorsed by the Jury on 22 April 2025. The Competition Jury Report confirms the process and outcome of the competition, a summary of each of the Competitor's final submissions and outlines the jury's rationale for selection of the winning scheme. Refer to the Design Integrity Report contained at Appendix J for further detail.	Yes

A10	A Design Integrity Panel (DIP) must be established by the Applicant prior to the lodgement of any future development application(s) for the detailed design. The DIP must comprise at least three of the members of the competition jury selected in consultation with the GANSW and in accordance with the GANSW's Design Excellence Competition Guidelines (being one nominee from each of the Applicant, GANSW and local authority).	A Design Integrity Panel (DIP / the Panel) was established in July 2025 (prior to the lodgement of any detailed development applications). Yes The Panel comprises three members which were members of the Competition Jury. The Panel was selected in consultation with the Government Architect NSW and in accordance with the GANSW's Design Excellence Competition Guidelines (being one nominee from each of the Applicant, GANSW and local authority). The Panel members include: - Paulo Macchia FRAIA (Chair) – GANSW nominee - Sandra Furtado – Applicant nominee - Kerry Clare – City of Sydney nominee. Details of the Design Integrity process are outlined in the Design Integrity Report prepared by Urbis and contained at Appendix J.
A11	Prior to the establishment of the DIP, a detailed DIP Terms of Reference must be prepared in consultation with the GANSW and a copy submitted to the Planning Secretary, clearly outlining: the role of the DIP to review and advise on the detailed building design to ensure the achievement of design excellence, complying with the requirements of this consent and built form controls;	Prior to the establishment of the DIP, a detailed DIP Terms of Reference was prepared in July 2025 in consultation with the Government Architect NSW and signed by the Panel members. Yes The Design Integrity Panel Terms of Reference include details on the role of the DIP in ensuring the achievement of design excellence, providing advice prior to the lodgement of any Detailed DAs, and associated governance arrangements.

	b. that the DIP will review and provide advice prior to the lodgement of any future development application(s), and be retained during the assessment and post-approval stages; and c. governance arrangements, including meeting frequency, secretariat functions, dispute resolution and deliverables.		
A12	The detailed design must be presented to a DIP prior to the lodgement of any future development application(s).	The detailed design of the development has been informed by a design integrity process held prior to lodgement, including the convening of two Design Integrity Panels for feedback on the design. Details of the Design Integrity process are outlined in the Design Integrity Report prepared by Urbis and contained at Appendix J.	Yes
Submission of Electronic CAD Models			
A13	Prior to the lodgement of any future development application(s) for the detailed design, an accurate 1:1 electronic CAD model of the envelope approved by this consent must be submitted to Council for Council's electronic Visualisation City Model.	An electronic CAD model of the concept envelope has been submitted to Council for Council's electronic Visualisation City Model.	Yes
A14	The data required to be submitted within the surveyed location must include and identify: a. above ground envelope design in accordance with the development consent; b. a current two points on the site boundary clearly marked to show their Northing and Easting MGA (Map Grid of Australia) coordinates, which must be based on Established Marks registered in the Department of Lands and Property Information's	The submitted model includes the information required by Condition A14.	Yes

SCIMS Database with a Horizontal Position Equal to or better than Class C.

The data is to be submitted as a DGN or DWG file on a Compact Disc. All modelling is to be referenced to the Map Grid of Australia (MGA) spatially located in the Initial Data Extraction file; and

- c. the electronic model must be constructed in accordance with Council's 3D CAD electronic model specification. The specification is available online at <http://www.cityofsydney.nsw.gov.au/development/applicationguide/application-process/model-requirements>.

Council's Modelling staff should be consulted prior to creation of the model. The data is to comply with all of the conditions of his consent.

Part B – Conditions to be satisfied in future development applications

Design Quality

B1	Future development application(s) for the detailed design must ensure that the development achieves a high-quality design and: a. the tower's form, design and detailing reduces the perception of bulk and scale of the building; b. the podium design (Ground floor to Level 3) responds to the existing pattern of the block, with reference to the highly patterned fine grain facades of the adjacent Macleay Street buildings;	The proposal achieves a high quality of design as discussed at Section 6 of the EIS and in the Design Report (Appendix H). The ground floor retail provides street activation to the corner of Macleay Street and McDonald Street. Residential lobbies are clearly visible from the public domain and accessible from Macleay Street and the Chimes Garden. The plant and lift overruns are incorporated into the form of the building and appropriately screened from the public domain and surrounding developments. Apartments in the proposal	Yes.
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	c. ensures that the solid to void ratio of the facades emulates the characteristic buildings in the locality; d. provides a mix of colours and materials, which considers the heritage context of the site and the predominant material in the locality; e. provides street activation strategies for the Macleay Street and McDonald Street frontages; f. the number, location and design of residential lobbies, ensuring that they are clearly visible from the public domain; g. ensures plant and lift overruns are incorporated into the roof form of the building and either provided with architectural roof features, or located and provided with parapet screening so they are not visible from the public domain or adjoining developments.	will receive high levels of daylight and sky view visibility. 79.5% of apartments will receive a minimum of two hours of direct sunlight between 9am and 3pm at mid-winter.	
B2	Future development application(s) for the detailed design that include the construction of building(s) must exhibit design excellence and have regard to the matters under Clause 6.21C of the SLEP 2012.	The proposed development has undergone a competitive design process, was unanimously selected as the winner against five invited architectural teams and has been subject to subsequent review by the Design Integrity Panel (DIP). The Competition Jury and DIP confirmed the proposal is capable of demonstrating design excellence. A detailed consideration of the proposal against Clause 6.21C of the Sydney LEP is included at Appendix B. The Applicant is committed to ensuring that design excellence is maintained throughout the design	Yes

development and subsequent phases of the project as detailed in the Design Integrity Report (**Appendix J**).

Building Envelope

B3	Future development application(s) for the detailed design must demonstrate that buildings are wholly contained within the building envelopes consistent with the plans listed in Schedule 2 Condition A1, as modified by any conditions of consent.	In accordance with Section 4.24(4) of the EP&A Act, a future development application may be inconsistent with the concept consent if the consent authority grants conditions of consent which modify the concept approval. Whilst the proposal is broadly consistent with the concept envelopes, minor amendments are proposed to the concept proposal as detailed in Section 3.2 of the EIS.	No – refer EIS.
B4	The approved concept building envelope establishes the maximum parameters for the competitive design process and the future built form on the site. The maximum permissible floor space and building height of the detailed design must be consistent with the relevant provisions of the SLEP 2012, the State Environmental Planning Policy (Housing) 2021 (Housing SEPP) and the conditions of this development consent, and the detailed design of the building may not necessarily end up occupying the entirety of the envelope.	The maximum floor space proposed on the site is consistent with the relevant controls. The height of building proposed for the site exceeds the height of building control by 5.96m and is supported by a Clause 4.6 variation request (Appendix K).	No – refer Appendix K.

Building Height and Gross Floor Area

B5	The maximum building height for the detailed design must not exceed the RLs (AHD) specified on the approved plans referenced in Schedule 2 Condition A1.	The proposal seeks a maximum building height of RL 83.6 which exceeds the concept building height by 5.96m.	No – refer Appendix K.
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In accordance with Section 4.24(4) of the EP&A Act, a future development application may be inconsistent with the concept consent if the consent authority grants conditions of consent which modify the concept approval.

The proposed height variation is supported by a Clause 4.6 Variation Request (Appendix K).

B6	The maximum achievable GFA for the detailed design must not exceed the maximum permitted under the Housing SEPP, being 5,029.05 m ² .	The proposal is subject to a 10% design excellence bonus on the maximum FSR. Therefore, the maximum GFA permissible on the site is 5,531.95m² The proposed development has a maximum GFA of 5,529m², which is compliant with the maximum permissible GFA of 5,531.95m² subject to the relevant design excellence bonuses.	Yes
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B7	The maximum GFA can only be achieved subject to demonstrating: a. compliance with the conditions of this concept approval; and b. being wholly contained within the approved building envelope.	The proposal seeks a maximum GFA of 5,529 sqm, inclusive of the design excellence bonus. The proposed development has undergone a competitive design process, was unanimously selected as the winner against five invited architectural teams and has been subject to subsequent review by the Design Integrity Panel (DIP). The Competition Jury and DIP confirmed the proposal is capable of demonstrating design excellence and is therefore subject to the design excellence bonus for floor space. The proposal is not wholly contained within the approved building envelope as detailed at Section 3.2 of the EIS.	No – refer to EIS.
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In accordance with Section 4.24(4) of the EP&A Act, a future development application may be inconsistent with the concept consent if the consent authority grants conditions of consent which modify the concept approval.

B8	Notwithstanding Schedule 2 Conditions B5 to B7, the detailed design may be eligible for a bonus under Clause 6.21D(3) of the Sydney Local Environmental Plan (SLEP) 2012, provided the consent authority is satisfied that the subsequent detailed design development application demonstrates design excellence and results from a competitive design process.	The proposal seeks approval for the design excellence bonus for both height and floor space ratio as the project has been subject to an architectural design competition and subsequent design integrity review and has been deemed capable of achieving design excellence.	Yes
B9	Building height and gross floor area are to be measured in accordance with the definitions contained in the SLEP 2012.	Building height and gross floor area have been measured in accordance with the definitions under Sydney Local Environmental Plan 2012. Gross floor area schedules are provided in the Architectural Plans attached at Appendix G .	Yes

Residential Amenity

B10	Future development application(s) must provide an assessment and demonstrate that the residential component of the detailed design satisfies the design principles for residential apartment development set out in Schedule 9 of the Housing SEPP and achieves amenity outcomes consistent with the Apartment Design Guide (ADG) design criteria, with particular attention to the following matters: a. ADG objectives 2F Building separation and 3F-1 Visual privacy;	The proposed development has been assessed against the requirements of Schedule 9 of the Housing SEPP and the Apartment Design Guide in the Design Report prepared by KHA and attached at Appendix H .	Yes
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	b. ADG objective 4B-1 Natural ventilation; c. ADG objective 4B-3 Natural cross ventilation; and d. ADG objective 4J Noise and pollution – with noise and natural ventilation addressed through siting and layout, facade treatment and design and lastly through attenuated passive ventilation devices.	
B11	Future development application(s) that include the construction of building(s) must have regard to the Apartment Mix objectives of the ADG, and to ensure greater diversity within the development, provide a minimum of 50% of the total apartments as studio dwellings.	23 of the 44 apartments are proposed as studio dwellings which comprises 52% of the proposed dwelling mix. Yes
B12	Future development application(s) that include the construction of building(s) must be accompanied by a BASIX certificate in accordance with the requirements of State Environmental Planning Policy (Sustainable Buildings) 2022.	This application is accompanied by a BASIX & NatHERS Assessment Report which contains a BASIX certificate demonstrating compliance with the relevant requirements and targets. Refer to Appendix R for further detail. Yes
Wind		
B13	Future development application(s) must include a wind assessment report, including wind tunnel testing, to ascertain the impacts of the development on the wind environment and conditions on the surrounding streets, neighbouring buildings, and communal external areas, private open space areas and any breezeways within the development.	This application is accompanied by a Pedestrian Wind Environment Assessment prepared by CPP Wind Engineering Consultants and attached at Appendix N . This wind assessment is based on physical wind tunnel testing and confirms that the development will have no adverse wind impacts on either pedestrians or users of the development, subject to the implementation of appropriate mitigation measures. Refer to Section 6.3.4 of the EIS for further detailed assessment. Yes

B14	Any recommendations of the wind assessment report and wind tunnel testing required by Schedule 2 Condition 0 must be incorporated into any detailed design submitted with any future development application(s).	The Wind Report concludes that the proposal is acceptable from a wind comfort and safety perspective and no further mitigation is required.	Yes
Noise Impact Assessment			
B15	Future development application(s) must be accompanied by a Noise and Vibration Impact Assessment, prepared in accordance with the relevant NSW Environment Protection Authority guidelines. The assessment must detail construction and operational noise and vibration impacts on nearby sensitive receivers and structures and outline the proposed management and mitigation measures that would be implemented.	This application is accompanied by a Noise and Vibration Impact Assessment (NVIA) prepared by E-Lab Consulting and attached at Appendix U . The NVIA has been prepared in accordance with the criteria set out by the NSW Environmental Protection Authority and details construction and operation noise and vibration impacts and associated mitigation measures. Refer to Section 6.8 of the EIS for further detailed assessment.	Yes
Affordable Housing			
B16	Future development application(s) must demonstrate that 15% of the total GFA of the project is allocated as affordable housing. For the purposes of this condition, affordable housing has the meaning as defined in Section 13 of Chapter 2, Part 1 of the Housing SEPP, and is to be managed by a registered community housing provider for a period of at least 15 years from the date of an Occupation Certificate being issued for the development.	The proposed development will provide 860m ² of affordable housing GFA, which is equivalent to 15% of the total GFA of the development. This affordable housing will be managed by a Community Housing Provider (Evolve Housing) for a period of 15 years, as confirmed in the Community Housing Provider Letter at Appendix L .	Yes

Waste Management			
B17	Future development application(s) must demonstrate that adequately sized waste management facilities including waste storage areas and truck access and loading comply with the Sydney Development Control Plan (SDCP) 2012 and Council's Guidelines for Waste Management in New Developments.	This application is accompanied by a Waste Management Plan prepared by SLR Consulting and attached at Appendix DD. The Waste Management Plan confirms that appropriate waste storage areas and waste vehicle access is provided for within the development, in accordance with the relevant Council guidelines. Refer to Section 6.11 of the EIS for further detailed assessment.	Yes
Parking Design			
B18	Future development application(s) must demonstrate: - that the design, layout, signage, line marking, lighting and physical controls of all off-street parking facilities comply with Australian Standard AS/NZS 2890.1 Parking facilities Part 1: Off-street car parking, AS/NZS 2890.2 Parking facilities Part 2: Off-commercial vehicle facilities and AS/NZS 2890.6 Parking facilities Part 6: Off-street parking for people with disabilities; and - that all vehicles can enter and depart the site in a forward direction.	The Transport Impact Assessment prepared by JMT Consulting (Appendix S) confirms that the basement car park has been designed in accordance with the relevant Australian Standards for off-street parking. The swept paths provided in the TIA confirm that all vehicles can enter and exit the site in a forward direction.	Yes
B19	Future development application(s) must demonstrate that all loading and unloading operations associated with servicing the site can be carried out within the confines of the site, at all times and not obstruct other properties/units or the public way.	The Transport Impact Assessment confirms that all loading and unloading operations, including waste collection, will be undertaken within the loading bay, which is located entirely within the confines of the site. Refer to Appendix S for further detail.	Yes

B20	Future development application(s) must include a swept path and vertical clearance assessment for the largest vehicle to access the loading area.	The largest vehicle intended to access the loading area is a 10.6m Council waste truck. Swept paths are provided within the Transport Impact Assessment which demonstrate that this vehicle can safely access the loading dock and enter and exit in a forward direction. The Waste Management Plan confirms that the proposed minimum vertical clearance of 4m is sufficient for the waste vehicle. Refer to Appendix S and Appendix DD for further detail.	Yes
B21	Future development application(s) must: a. include details of the location, number and class of bicycle parking; b. demonstrate that the minimum number of bicycle parking spaces and end of trip facilities comply with the rates specified in the SDCP 2012; c. demonstrate that the layout, design and security of bicycle facilities comply with Australian Standard AS 2890.3 Parking Facilities Part 3: Bicycle Parking Facilities.	The proposed development will provide 53 bicycle parking spaces within Basement Level 2, which exceeds the minimum requirements of the SDCP 2012. No end-of-trip facilities are provided considering the limited size of the proposed non-residential GFA (121m²). The proposed bicycle parking facilities will be provided in accordance with the relevant Australian Standards. Refer to the Transport Impact Assessment (Appendix S) for further detail regarding bicycle parking.	Yes
Landscaping and street trees			
B22	All street trees surrounding the site must be retained in any future development application(s).	The development proposes to retain all trees on and adjoining the site, including street trees. Refer to the Arboricultural Impact Assessment Report prepared by Urban Arbor (Appendix P) for further detail.	Yes

B23	Future development application(s) must include a detailed assessment of potential impacts on the existing street trees, including detailed root investigation to inform the design and construction methodologies for the future construction to avoid damage to structural roots.	The proposal is supported by an Arborist Report (Appendix P) which provides a detailed assessment of potential impacts of the proposal on existing street trees. The Arborist Report recommends root / tree sensitive design and construction for Trees 2 and 3 to retain them in a viable condition. The Applicant is willing to accept a condition of consent requiring construction to be undertaken in a sensitive manner and overseen by the project arborist, where required.	Yes
B24	The location of any new driveways must not require the removal of any existing street trees. The driveway must be appropriately set back so it does not have adverse impacts both below and above ground upon any existing street trees.	The development proposes to retain all trees on and adjoining the site, including street trees. No street trees will be impacted by the proposed driveway on McDonald Street. Refer to the Arboricultural Impact Assessment Report prepared by Urban Arbor (Appendix P) for further detail.	Yes
B25	Future development application(s) must demonstrate how the proposal maximises the provision of deep soil zones at ground level by achieving or exceed the Apartment Design Guide design criteria in Objective 3E-1. Deep soil zones must be unencumbered by built elements either above or below. This includes basements, on-site detention below, structures and balconies above.	The proposal provides 174 sqm (14% of the site area) as deep soil, exceeding the concept SSDA indicative provision of 10.3% (133.5sqm). The deep soil zone is provided in the southern 'Chimes Garden' and is unencumbered by built elements either above or below. Refer to the Design Report (Appendix H) and Section 6.6 of the EIS for further detail.	Yes
Public Art Strategy			
B26	Future development application(s) must include a preliminary Public Art Strategy. The preliminary Public Art Strategy must comply with	This application is accompanied by a Preliminary Public Art Strategy prepared by Art Pharmacy (Appendix JJ)	Yes

the SDCP 2012, the Public Art Policy, and the Interim Guidelines Public art in private developments, and detail:

- a. the potential locations for public art
- b. commit 1% of the construction budget to the provision of public art.

which has been prepared in accordance with the SDCP 2012, the Public Art Policy, and the Interim Guidelines Public art in private developments. Refer to **Section 6.11** of the EIS for further detail.

Land Contamination

B27	Future development application(s) must include reports and documentation to address the requirements of State Environmental Planning Policy (Resilience and Hazards) 2021 – Chapter 4 Remediation of Land.	This application is accompanied by a Preliminary Site Investigation, Detailed Site Investigation and a Remediation Action Plan prepared by JK Environments (Appendix Z, AA and BB) which address the requirements of State Environmental Planning Policy (Resilience and Hazards) 2021 – Chapter 4 Remediation of Land.	Yes
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Utilities

B28	Future development application(s) must include a Utility Services Infrastructure Assessment which addresses the existing capacity and any augmentation requirements of the development for the provision of utilities, including staging of infrastructure. The Utility Services Infrastructure Assessment must be prepared in consultation with relevant agencies and service providers.	This application is accompanied by an Infrastructure Due Diligence Report prepared by IGS (Appendix II) which assesses the existing capacity of key utilities surrounding the site, including electrical, water, sewer and telecommunications. The report also identifies where augmentation of these utilities is required. Refer to Section 6.11 of the EIS for further detailed assessment.	Yes
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Ecologically Sustainable Development

B29	Future development application(s) must incorporate Environmentally Sustainable Design (ESD) targets aligned with the Competition Brief endorsed by Government Architect NSW. This includes achieving a BASIX Energy score of at least +5 and full electrification, unless a minimum average 7-star NatHERS rating across the development demonstrates a superior environmental outcome.	This application is accompanied by an ESD Report prepared by IGS (Appendix R) which confirms that the proposal is capable of achieving at least BASIX Energy +5 and full electrification, or an average 7- star NatHERS rating across the development where this delivers a superior environmental outcome. The application is also accompanied by a BASIX & NatHERS Assessment Report (Appendix R) which confirms that the development meets the requirements of the BASIX assessment and achieves an average 7.5- star NatHERS rating.	Yes
Water Management / Flooding			
B30	Future development application(s) must include an integrated water management plan.	This application is accompanied by a Stormwater Management Plan (Appendix X) and a Flood Impact Risk Assessment and cover letter (Appendix Y) which assess the relevant impacts of the development in terms of water management and serve the same purpose as an integrated water management plan.	Yes
B31	Future development application(s) must include appropriate tie-in works to the existing footpath across the frontage of the adjoining property. The proposed raised footpath must be designed to minimise any increase in flood levels within the roadway.	The proposal is accompanied by a Flood Impact Risk Assessment (Appendix Y) which confirms that the 1% AEP flood levels surrounding the site have slightly decreased due to the new pedestrian path along McDonald Street.	Yes

B32	Future development application(s) must demonstrate compliance with the recommended flood planning levels (FPL) requirements as specified in Table 10 of the Flood Impact and Risk Assessment (FIRA), prepared by Arcadis, dated 13 March 2025.	The Flood Impact Risk Assessment (Appendix Y) confirms that the proposal complies with the recommended FPL requirements specified as part of the concept proposal.	Yes
Groundwater / Dewatering			
B33	Future development application(s) for the detailed design must consider groundwater impacts and address the following requirements: a. finalise the basement design for impact assessment purposes where proposed (tanked or drained); b. provide an assessment of predicted water take requirements including apportionment of water take by water sources at the site; c. ensure sufficient water entitlement is held in a water access licence(s) to account for the maximum predicted take for each water source prior to take occurring unless an exemption applies; d. include an assessment against the Aquifer Interference Policy (2012) including any necessary mitigation measures; e. demonstrate that adequate arrangements will be in place to ensure that the minimal impacts occur in accordance with DPE Water's Groundwater SSD Guidelines and Dewatering Guidelines and Minimum Requirements for Dewatering in NSW; and	This application is accompanied by a Hydrogeological Report prepared by EI Australia (Appendix W) which includes a Dewatering Management Plan and Groundwater Seepage Analysis. This report identifies that the proposed development will have a drained basement and outlines appropriate mitigation measures for the development in terms of dewatering, water take and groundwater impacts. The Hydrogeological Report has been prepared in accordance with the relevant policies including the Aquifer Interference Policy and the Minimum Requirements for Dewatering in NSW. The Hydrogeological Report confirms that a water access licence is not required for the proposed development and that an exemption applies. Refer to Section 6.11 of the EIS for further detailed assessment.	Yes

- f. demonstrate that any necessary approvals have been obtained for the discharge of any water from the site.

Crime Prevention through Environmental Design

B34	Future development application(s) shall be accompanied by a Crime Prevention Through Environmental Design (CPTED) Report which addresses how CPTED principles will be integrated into the development, in accordance with the <i>Crime Prevention and the Assessment of Development Applications Guidelines</i> .	A CPTED Report has been prepared by Notting Hill Advisory and is included at Appendix KK . Refer to Section 6.3.5 of the EIS.	Yes
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Archaeology

B35	Future development application(s) must have regard to the proposed archaeological excavation works outlined in the Archaeological Research Design and Excavation Methodology (ARDEM), prepared by Urbis and dated August 2025, prepared for the concept application.	The Archaeological Research Design and Excavation Methodology provided with the concept approval has been updated to reflect the detailed design SSDA and submitted with this proposal at Appendix FF .	Yes
B36	All reasonable steps must be taken to avoid harm, modification of or impact to heritage items and relics except as authorised by this approval. No relics of State significance are approved for excavation or impact under this, or any future development application.	No state significant relics are expected to be impacted by the proposal. The Archaeological Research Design and Excavation Methodology (Appendix FF) details how excavation works will be overseen by an archaeologist and if, in the unlikely instance any state significant relics are identified during the works, works will stop and consultation will occur with Heritage NSW in accordance with Section 146 of the <i>Heritage Act 1977</i> 'Notification of the discovery of relics'.	Yes

It is anticipated that a condition of consent will be placed on the detailed SSDA requiring excavation works to be undertaken in accordance with the ARDEM.

Built heritage

B37	Future development application(s) for the detailed design must be prepared in consultation with a suitably qualified and experienced heritage specialist to ensure that the visual impacts of the development are minimised.	This detailed SSD is accompanied by a Heritage Impact Statement (HIS) prepared by John Oultram Heritage & Design (Appendix EE) which confirms that the proposal will have a limited and acceptable impact on the setting and significance of the heritage items in the vicinity of the site and the Potts Point Heritage Conservation Area (HCA), including in terms of visual impact and bulk and scale. Refer to Section 6.10 of the EIS for further detailed assessment.	Yes
B38	Future development application(s) must demonstrate how the detailed design has considered the use of materiality, scale, form, articulation and colour to minimise visual impacts on surrounding heritage items and streetscapes.	The HIS (Appendix EE) outlines how the design of the development has considered surrounding heritage items and the HCA in order to minimise visual impacts. The HIS identifies that the slender tower form allows views to and from nearby heritage items to be maintained, with vertical and horizontal articulation allowing the development to reflect the finer grain of the local streetscape and respond appropriately to the bulk of the adjoining heritage items. The HIS also highlights how the materiality and form of the proposed development has been selected to respond to the diverse heritage character of the Potts Point HCA, referencing both Art Deco elements and the terraces on Macleay Street.	Yes

Overall, the HIS concludes that the proposal would have a limited and acceptable impact on the setting and significance of the heritage items in the vicinity and the Potts Point Heritage Conservation Area.

Refer to **Section 6.10** of the EIS for further detailed assessment.

B39	Future development application(s) must be accompanied by a Statement of Heritage Impact (SoHI) prepared by a suitably qualified and experienced heritage specialist which assesses the impacts on all heritage items and heritage conservation areas in the vicinity, with reference to their Statements of significance.	The HIS (Appendix EE) assesses the heritage impacts of the development, and includes reference to the statements of significance of all impacted items, including the Potts Point Heritage Conservation Area. Refer to Section 6.10 of the EIS for further detailed assessment.	Yes
B40	The Registered Aboriginal Parties (RAPs) must be kept informed about the SSD. The RAPs must continue to be provided with the opportunity to be consulted about the Aboriginal cultural heritage management requirements of the SSD.	The Registered Aboriginal Parties have been kept informed about the SSD in accordance with the process detailed in the ACHAR (Appendix GG).	Yes