

# Modification of Development Consent

Section 4.55 (1A) of the *Environmental Planning and Assessment Act 1979*

As delegate of the Minister for Planning, I modify the consent referred to in Schedule 1, subject to the conditions in Schedule 2.



Anthony Witherdin  
**Director**  
**Regional Assessments**

Sydney 8 February 2019

## SCHEDULE 1

- Development consent:** SSD 7014 granted by the Planning Assessment Commission on 26 February 2015
- For the following:** Development at Four Points by Sheraton including:
- Construction of a two storey addition for an executive lounge and public bar on the rooftop with associated amenities and plant
  - 24 hours 7 days operation.
- Applicant:** GL InvestmentCo Pty Ltd ATF GL No.1 Trust
- Consent Authority:** Minister for Planning
- The Land:** 161 Sussex Street, Sydney
- Modification:** SSD 7014 MOD 4: the modification includes:
- continuation of the extended hours of operation (24 hours a day, 7 days a week) for a further 60 months.

## SCHEDULE 2

The consent (SSD 7014) is modified as follows:

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

### **Development in Accordance with Plans and Documentation**

- A3. The applicant shall carry out the project in accordance with the following documents and plans:
- a) EIS prepared by JBA Urban Planning Consultants Pty Ltd, dated July 2015;
  - b) RfS prepared by JBA Urban Planning Consultants Pty Ltd, dated 15 October 2015;
  - c) the modification application (SSD 7014 MOD 1) prepared ~~by~~ by JBA Urban Planning Consultants Pty Ltd, dated 24 August 2016;
  - d) the modification application (SSD 7014 MOD 2) prepared by JBA Urban Planning Consultants Pty Ltd dated 10 November 2016;
  - e) the modification application (SSD 7014 MOD 3) prepared by M&L Hospitality, dated 30 August 2017, and Response to Submissions dated 6 November 2017
  - f) the modification application (SSD 7014 MOD 4) prepared by Ethos Urban, dated 4 September 2018**
  - g)** the conditions of this consent; and
  - h)** the following drawings, except for:
    - i) any modifications which are Exempt of Complying Development;
    - ii) otherwise provided by the conditions of this consent.

<b>Architectural (or Design) Drawings prepared by Cox Richardson</b>			
<b>Drawing No.</b>	<b>Revision</b>	<b>Name of Plan</b>	<b>Date</b>
A-DA2-0101	04	SITE PLAN	27/05/2015
A-DA2-0201	02	EXISTING HOTEL LEVEL 10	27/05/2015
A-DA2-0202	04	EXECUTIVE LOUNGE – LEVEL 11	03/06/2015
A-DA2-0203	04	EXECUTIVE BAR – LEVEL 12	03/06/2015
A-DA2-0204	06	ROOF LEVEL	9/11/2016
A-DA2-0301	06	EAST & WEST ELEVATIONS	9/11/2016
A-DA2-0302	4	NORTH & SOUTH ELEVATIONS	12/08/2015
A-DA2-0303	3	WEST ELEVATION	12/08/2015
A-DA2-0304	3	EAST ELEVATION	12/08/2015
A-DA2-0305	3	NORTH ELEVATION	12/08/2015
A-DA2-0320	01	PYRMONT BRIDGE VIEW	27/05/2015
A-DA2-0321	01	SUSSEX ST VIEW	27/05/2015
A-DA2-0322	01	SUSSEX ST VIEW 2	27/05/2015
A-DA2-0323	02	AERIAL VIEW	27/05/2015
A-DA2-0401	03	GENERAL ARRANGEMENT – SECTION 01 PART 1	27/05/2015
A-DA2-0402	03	GENERAL ARRANGEMENT – SECTION 01 PART 2	27/05/2015
A-DA2-0403	03	GENERAL ARRANGEMENT – SECTION 02	27/05/2015
A-DA2-0404	03	GENERAL ARRANGEMENT – SECTION 03	03/06/2015

- (b) Schedule 2 Part A – Administrative Conditions, Condition A6 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~**bold and struckout**~~ words/numbers as follows:

**Hours of Operation – Level 12 Rooftop Bar**

A6. The rooftop bar located on Level 12 is permitted to operate 24 hours, 7 days per week for a period of ~~24-60~~ months from the date of the ~~approval of modification application SSD 7014 MOD 3~~ **conclusion of the second trial period, being 22 December 2019**. After this ~~24-60~~ month period, the approved hours of operation are 7 am to midnight Monday to Sunday. ~~unless otherwise approved by a modification application.~~

**Applications for a renewal of trial hours of operation should be lodged within 30 days of the expiry period and the Applicant will be allowed a period of 'grace' from the termination of the trial period until the new application has been determined. During this period, the premises may continue to trade during existing approved trial hours.**

**End of modification SSD 7014  
(SSD 7014 MOD 4)**