

11 August 2021

At 5.00 pm

## **Local Planning Panel**



**Agenda**

- 1. Disclosures of Interest**
- 2. Confirmation of Minutes**
- 3. Development Application: 410 Pitt Street, Haymarket - D/2020/1387**



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1. Register to speak by calling Secretariat on 9265 9702 or emailing [secretariat@cityofsydney.nsw.gov.au](mailto:secretariat@cityofsydney.nsw.gov.au) before 10.00am on the day of the meeting.
2. Check the recommendation in the LPP report before speaking, as it may address your concerns so that you just need to indicate your support for the recommendation.
3. Note that there is a three minute time limit for each speaker and prepare your presentation to cover your major points within that time.
4. Avoid repeating what previous speakers have said and focus on issues and information that the LPP may not already know.
5. If there is a large number of people interested in the same item as you, try to nominate three representatives to speak on your behalf and to indicate how many people they are representing.

At the start of each LPP meeting, the Chair may re-order agenda items so that those items with speakers can be dealt with first.

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## **Item 1.**

### **Disclosures of Interest**

In accordance with section 4.9 of the Code of Conduct for Local Planning Panel Members, all Panel members are required to sign a declaration of interest in relation to each matter on the agenda.

Pursuant to the provisions of Clause 15 of Schedule 4B of the Environmental Planning and Assessment Act 1979, members of the Local Planning Panel are required to disclose pecuniary interests in any matter on the agenda for this meeting of the Local Planning Panel.

Panel members are also required to disclose any non-pecuniary interests in any matter on the agenda for this meeting of the Local Planning Panel.

In both cases, the nature of the interest must be disclosed.



## **Item 2.**

### **Confirmation of Minutes**

Minutes of the following meeting of the Local Planning Panel, which have been endorsed by the Chair of that meeting, are submitted for noting:

Meeting of 30 June 2021

**Item 3.****Development Application: 410 Pitt Street, Haymarket - D/2020/1387**

File No.: D/2020/1387

**Summary**

<b>Date of Submission:</b>	21 December 2020, amendments received 16 April 2021, 29 June 2021
<b>Applicant:</b>	Tricon Management Group Pty Ltd
<b>Architect:</b>	Durbach Block Jagers
<b>Developer:</b>	Tricon Management Group Pty Ltd
<b>Owner:</b>	R Criola, B Ingham
<b>Planning Consultant:</b>	Mecone
<b>Heritage Consultant:</b>	Hericon Consulting
<b>DAP:</b>	11 March 2021
<b>Cost of Works:</b>	\$23,517,007.50
<b>Zoning:</b>	B8 Metropolitan Centre Zone, proposal is permissible with consent
<b>Proposal Summary:</b>	<p>Detailed development application for the demolition of the existing building and construction of a new 33 storey hotel accommodation building.</p> <p>Stage 1 concept approval D/2015/661 was approved by the Land and Environment Court on 19 May 2016 for a building envelope for a 31 storey accommodation hotel at the site. A competitive design process was undertaken in accordance with the concept approval. The competition jury selected the scheme prepared by Durbach Block Jagers. The subject application is a design development of the scheme.</p>

The development application was notified between 22 December 2020 and 2 February 2021. Forty submissions were received in response to the proposal, therefore the application is referred to the Local Planning Panel for determination.

Issues raised in submissions include objections to additional height, view loss, privacy and amenity impacts, solar impacts, building separation, BCA compliance, waste arrangements, pedestrian and traffic impacts, safety and anti-social behaviour, noise impacts, construction impacts, and social impacts. The impacts of the proposal are largely considered to align with the concept approval. Amended plans have been submitted to address issues associated with additional height. Conditions of consent are recommended to address operational and construction impacts where appropriate.

The application was considered by the Design Advisory Panel on 11 March 2021. The panel noted that the podium design of the proposal differed from the competition winning scheme and recommended the competition jury be reconvened to consider the application.

The reconvened competition jury met on 12 April 2021 to consider the application. The jury advised that the design has retained the potential for design excellence.

Additional information was requested from the applicant on the 23 March 2021 and 15 June 2021 relating to view loss, overshadowing, wind impacts, landscaping, Environmentally Sustainable Design (ESD), waste management, and social impacts. The application has been amended and further information provided to address assessment issues.

**Summary Recommendation:** The development application is recommended for approval, subject to conditions.

- Development Controls:**
- (i) City of Sydney Act 1988
  - (ii) State Environmental Planning Policy No. 55 - Remediation of Land
  - (iii) State Environmental Planning Policy (Affordable Rental Housing) 2009
  - (iv) Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005
  - (v) Sydney Local Environmental Plan 2012
  - (vi) Sydney Development Control Plan 2012
  - (vii) Central Sydney Development Contributions Plan 2013

- Attachments:**
- A. Recommended Conditions of Consent
  - B. Selected Drawings

## **Recommendation**

It is resolved that consent be granted to Development Application No. D/2020/1387 subject to the conditions set out in Attachment A to the subject report.

## **Reasons for Recommendation**

The application is recommended for approval for the following reasons:

- (A) The proposal is consistent with the concept approval (as amended) that applies to the site.
- (B) The proposal is consistent with the objectives of the B8 Metropolitan Centre Zone.
- (C) The proposal satisfies the relevant controls relating to hotel accommodation.
- (D) The proposal satisfies the design excellence provisions of clause 6.21 of Sydney LEP 2012.

## Background

### The Site and Surrounding Development

1. The site is identified as Lot 1 in DP 69787 and is located at 410 Pitt Street, Haymarket. The site is located on the eastern side of Pitt Street between Goulburn Street to the north and Campbell Street to the south.
2. The site has an area of approximately 345sqm with a western frontage to Pitt Street of 6.4 metres. The site contains a six storey building with a ground floor commercial use and boarding house use above.
3. The site is not heritage listed or located within a heritage conservation area.
4. The site is located within Central Sydney in an area characterised by a mix of commercial and residential buildings and land uses. The scale of surrounding development ranges from two storeys to 38 storey tower buildings.
5. To the north of the site at 398-408 Pitt Street is the 'Miramar' apartment building, which is listed in Schedule 5 of Sydney LEP as an item of local heritage significance the "Former Sydney Tourist Hotel facade". The heritage facade is 5 storeys and functions as a podium to the residential tower above. To the south of the site at 412 Pitt Street is a fourteen storey hotel building built circa 1930 that is currently undergoing redevelopment works. To the east, the site adjoins 414-418 Pitt Street a site containing a six storey podium building with two residential towers above 35 storeys and 38 storeys in height. To the west of the site opposite at 403 - 427 Pitt Street is the local heritage item "CB Hotel including ground level shops, 1930 addition on Goulburn Street and interior".
6. A site visit was carried out on 25 February 2021. Photos of the site and surrounds are provided below.

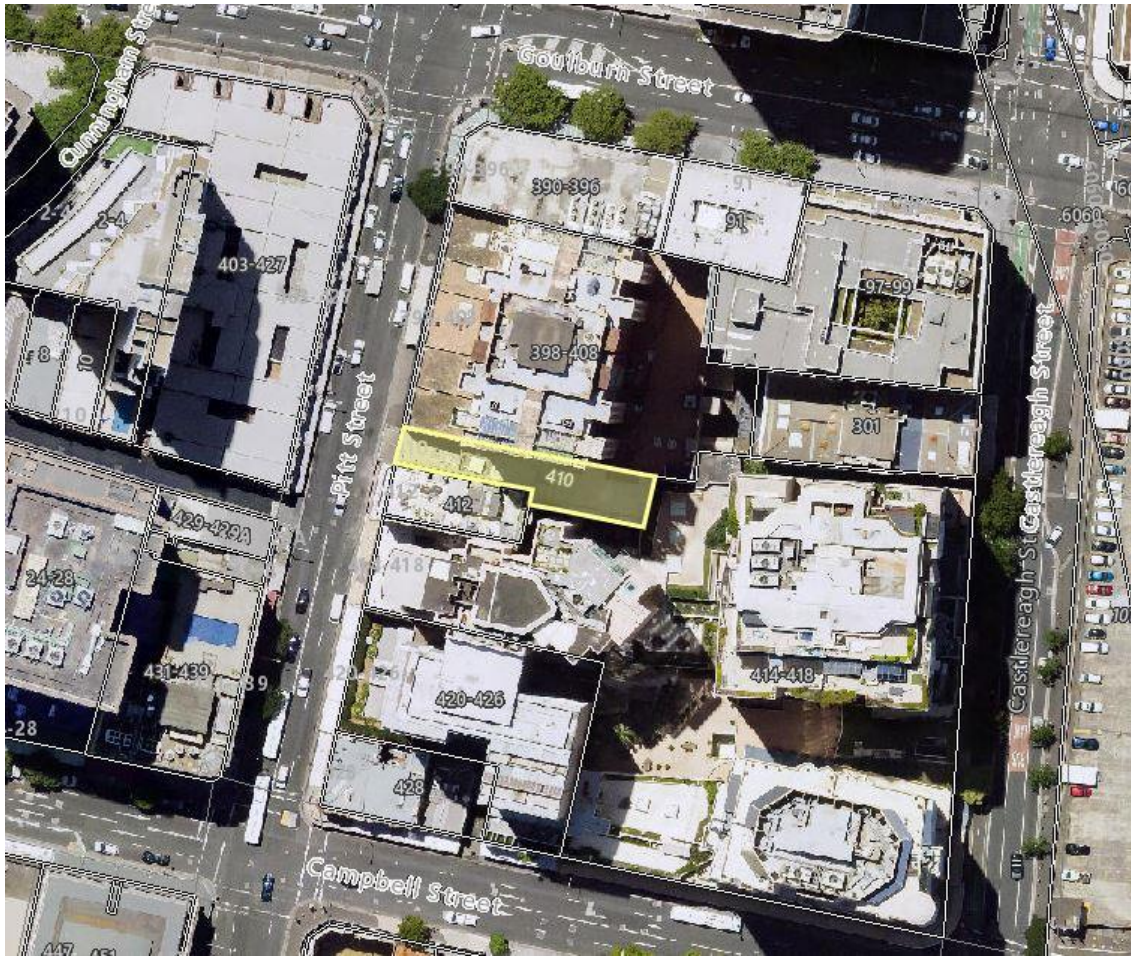


Figure 1: Aerial view of site and surrounds



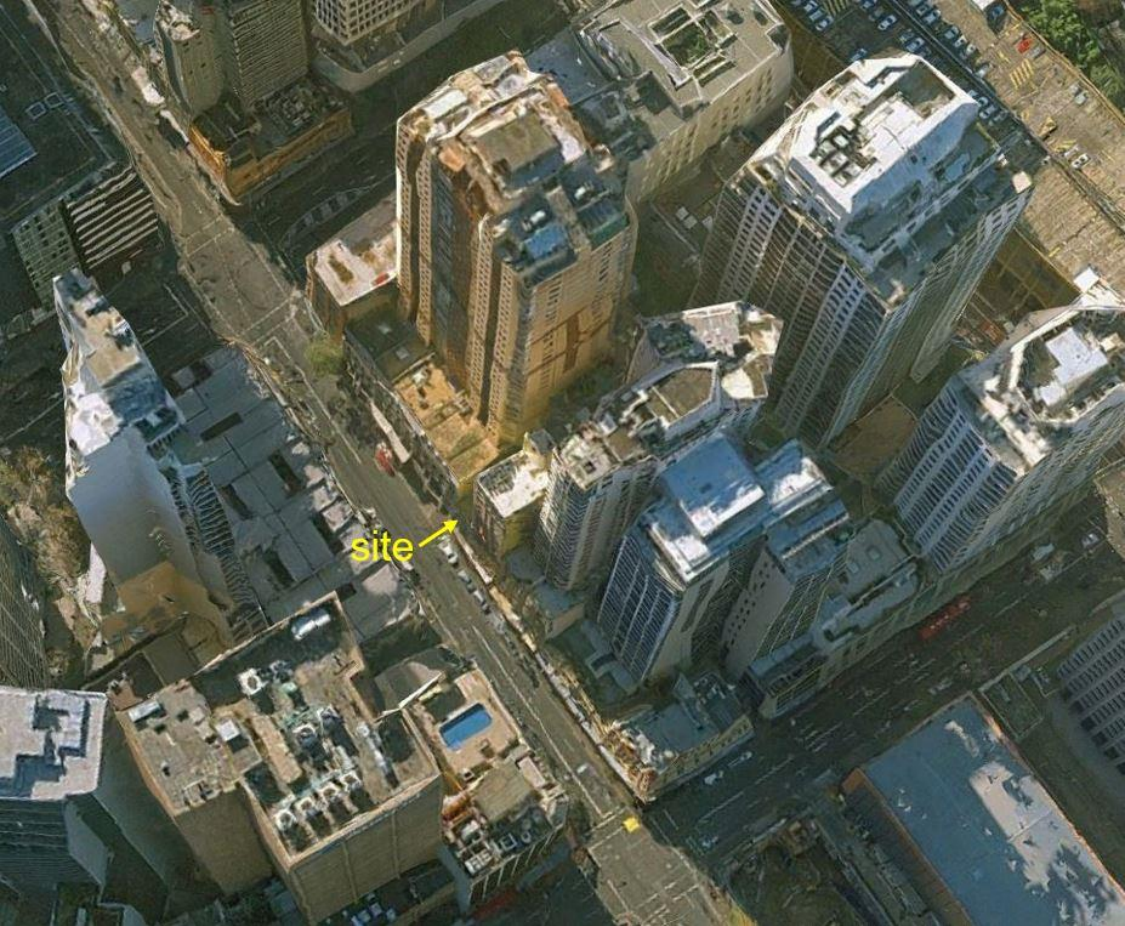


Figure 2: Aerial view of site





Figure 3: Site viewed from Pitt Street looking east





Figure 4: Site viewed from Pitt Street looking south





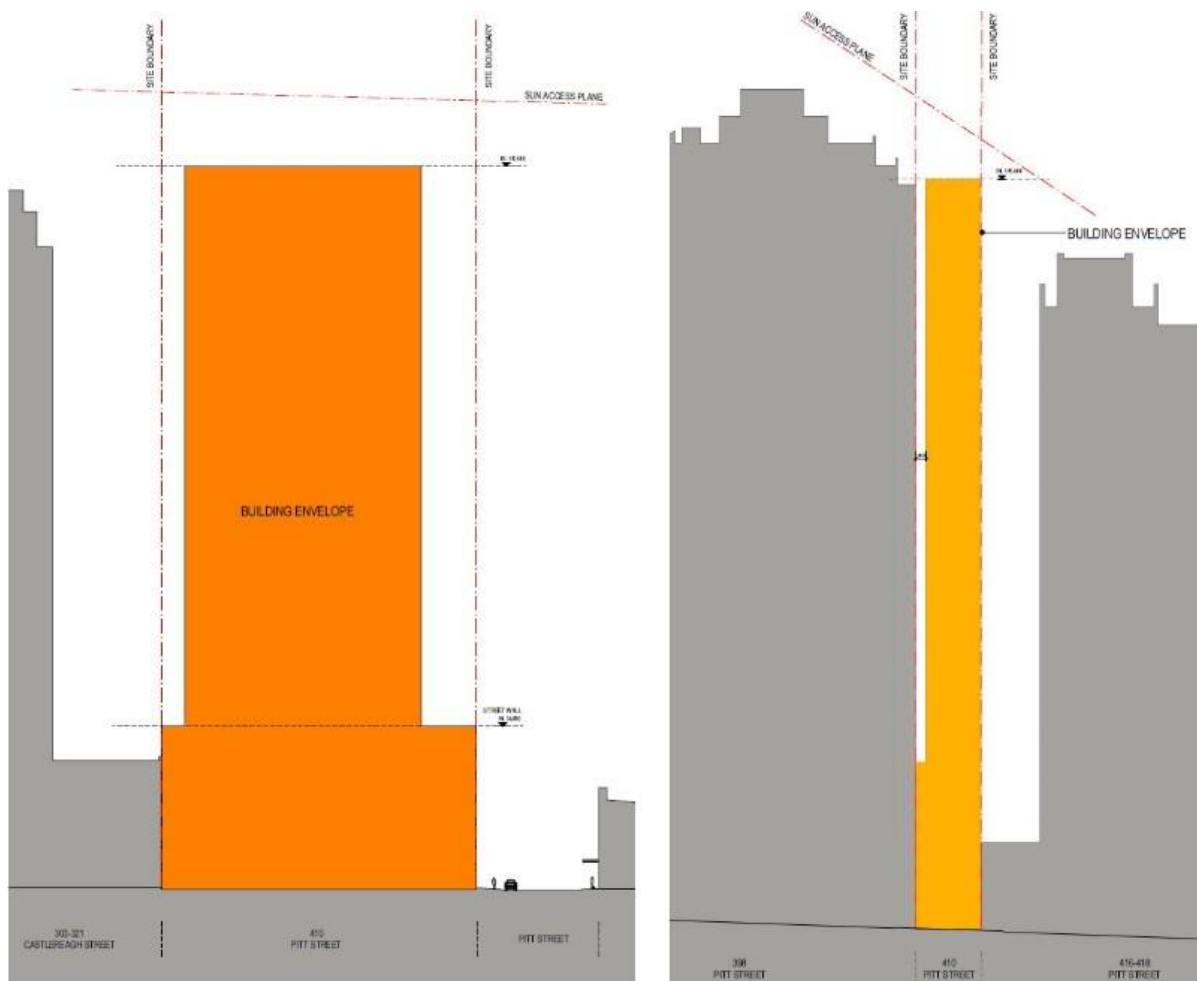
Figure 5: Site viewed from Pitt Street looking north

## History Relevant to the Development Application

### Development Applications

7. The following applications are relevant to the current proposal:

- **D/2015/661** – Development consent was granted approval by the Land and Environment Court on 19 May 2016 for 'Stage 1 building envelope for a new 31 storey accommodation hotel at 410 Pitt Street, Haymarket'. Two drawings of the approved building envelope are shown in the figure below. In accordance with Condition 3(d), the number of storeys for the development is an item not approved in the concept approval.



**Figure 6:** Approved concept building envelope drawings: north elevation (left), and north - south section (right)

- **D/2015/661/A** - was approved on 19 September 2019. This modification application approved amendments to Condition 5 relating to the submission of a design excellence strategy.

- A concurrent Section 4.55 application **D/2015/661/B** was lodged seeking to amend the approved building envelope to accommodate the detailed hotel building design under consideration in this application. This application is subject to a separate delegated assessment and has been approved.

### **Competitive Design Process**

8. Following on from and in accordance with the conditions of the Stage 1 approval, a competitive design alternatives process (design competition) was held for the development of the site during February to March 2020.
9. Four architectural firms participated in the design competition including:
  - (a) Scott Carver
  - (b) Durbach Block Jagers
  - (c) Sissons Architects
  - (d) SJB Architecture
10. The competition jury selected the scheme submitted by Durbach Block Jagers as the winning entry and recommended it as being capable of achieving design excellence.
11. A selection of images from the winning scheme presented during the design competition is provided below.





Figure 7: Design competition image: Pitt Street



Figure 8: Design competition image: Goulburn Street



Figure 9: Design competition image: Pitt Street looking south



**Design Advisory Panel**

12. The submitted development application was considered by the Design Advisory Panel (DAP) on 11 March 2021. The panel made the following comments on the application:
- (a) The podium design of the proposal differs from the competition winning scheme. A design statement is needed to explain the rationale for the departure including the removal of the original facade.
  - (b) Privacy issues for the adjoining apartments in relation to internal light wells be reviewed.
  - (c) Further information is needed on materiality.
  - (d) The panel recommends the design changes be referred to the judging panel for their review and recommendations.

**Amendments**

13. Following the DAP meeting and preliminary assessment of the proposed development by Council Officers, a request for additional information and amendments was sent to the applicant on 23 March 2021 raising the following items in addition to the DAP comments:
- (a) Further information to assess view loss impact and overshadowing analysis for adjoining apartment buildings required.
  - (b) Confirmation as to whether a substation is required.
  - (c) Updated wind assessment for street level, podium courtyard and flying balcony required.
  - (d) Further and coordinating landscaping details required.
  - (e) Required NABERS targets within the competition brief to be incorporated within application.
  - (f) Clarified and updated waste arrangements to be provided.
  - (g) Further detailed social impacts including the relocation of residents.

**Competition Jury**

14. The competition jury reconvened on the 12 April 2020 to review the proposal. A summary of the jury comments is provided as follows:
- (a) Where areas of the facade do not receive much light (lightwells and voids) materials would need to provide necessary reflectivity to allow light to penetrate lower levels of the tower.
  - (b) The success of smaller hotel room sizes would come down to the quality of joinery and design.
  - (c) The panel are satisfied with the materials and samples presented in the meeting.



- (d) The panel recognise that due to the constraints of the site, the original facade would have been difficult to retain. The development needs to be buildable. An alternative design solution is supported. The proposed contemporary podium design sits comfortably within the context of the site.
- (e) The panel are satisfied with the progression of the design and are satisfied that it has retained the potential for design excellence. Further design revisions can revert to the City for resolution.

### **Amendments**

15. Amendments and additional information in response to Council's letter and the reconvened jury were received on 16 April and 11 May 2021.
16. Further amendments and information were received on 26 & 29 June 2021 in relation to:
  - (a) View loss
  - (b) Overshadowing
  - (c) Privacy
  - (d) Materials
  - (e) Waste details

### **Compliance Action**

17. The site is subject to an ongoing compliance investigation regarding the current building condition.
18. There is also currently a dispute between the owners of the subject site and the owners of 412 Pitt Street regarding a sewer line to the existing building. The sewer line was recently blocked and resulted in overflow within neighbouring sites. The proposal will create a new sewer connection in Pitt Street.

### **Proposed Development**

19. The application seeks consent for the following:
  - Demolition of the existing building
  - Construction of a 33 storey, 173 room hotel building. The building consists of a six storey podium and 27 floor tower above with one basement level, including a ground level lobby with bicycle parking and end of trip facilities, level 1 café, level 2 lounge area, level 6 meeting and courtyard area, level 31 flying balcony and pool, level 32 spa deck
  - Operation of a hotel 24 hours a day, 7 days per week.

20. Plans and elevations of the proposed development are provided below.



Figure 10: Proposal image

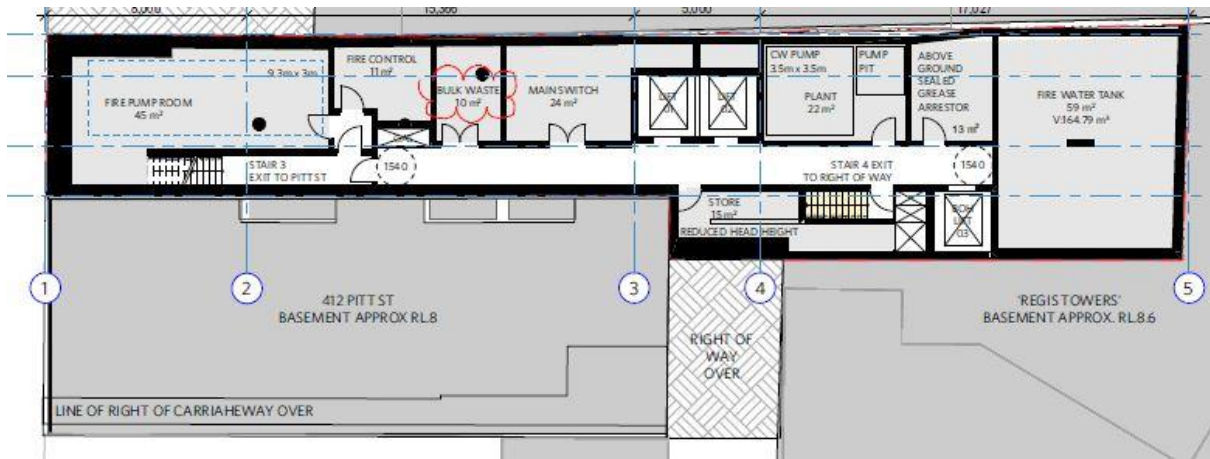


Figure 11: Basement plan

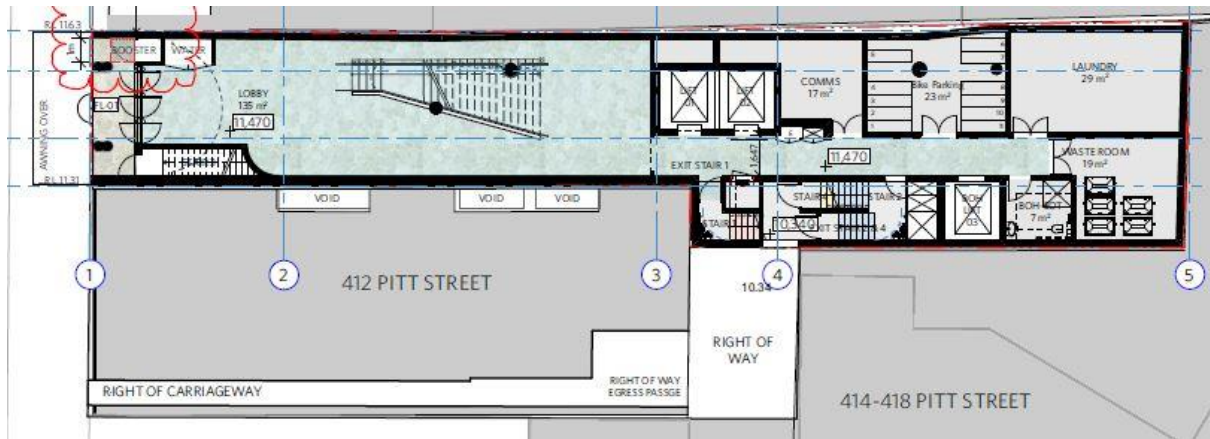


Figure 12: Ground floor plan

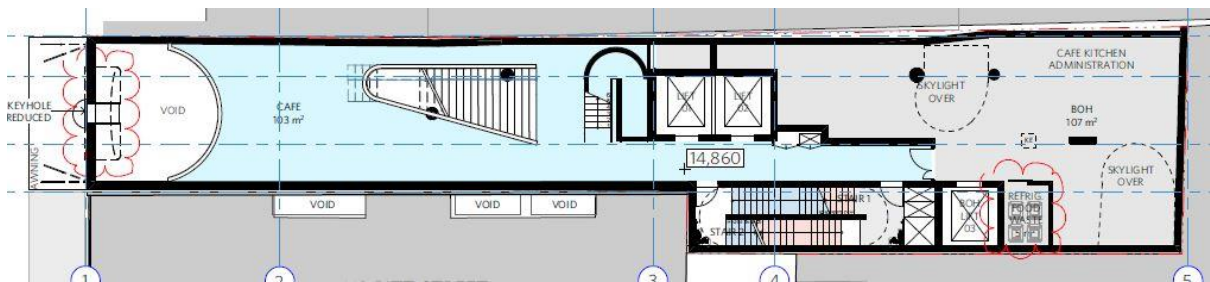


Figure 13: Level 1 plan

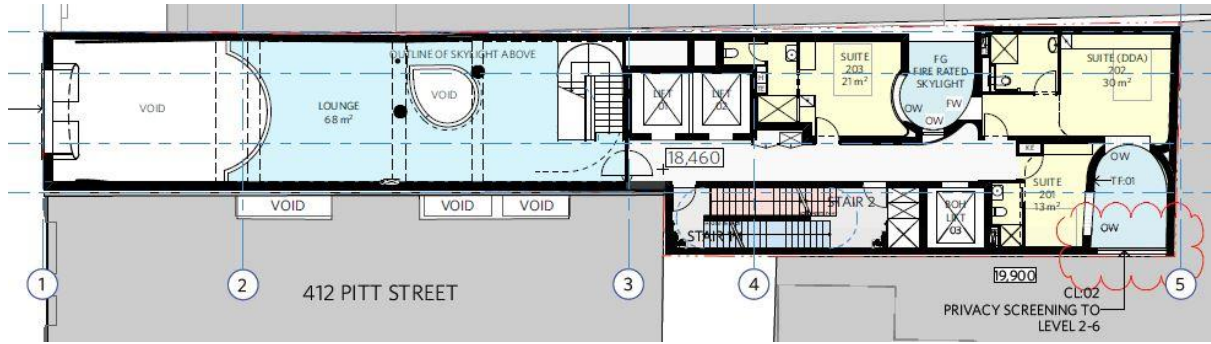


Figure 14: Level 2 plan



Figure 15: Levels 3-4 plan

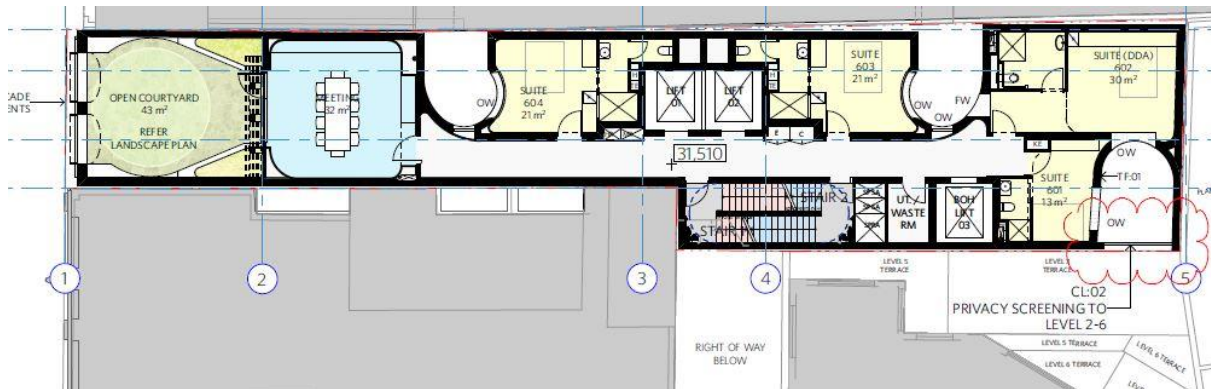


Figure 16: Level 6 plan



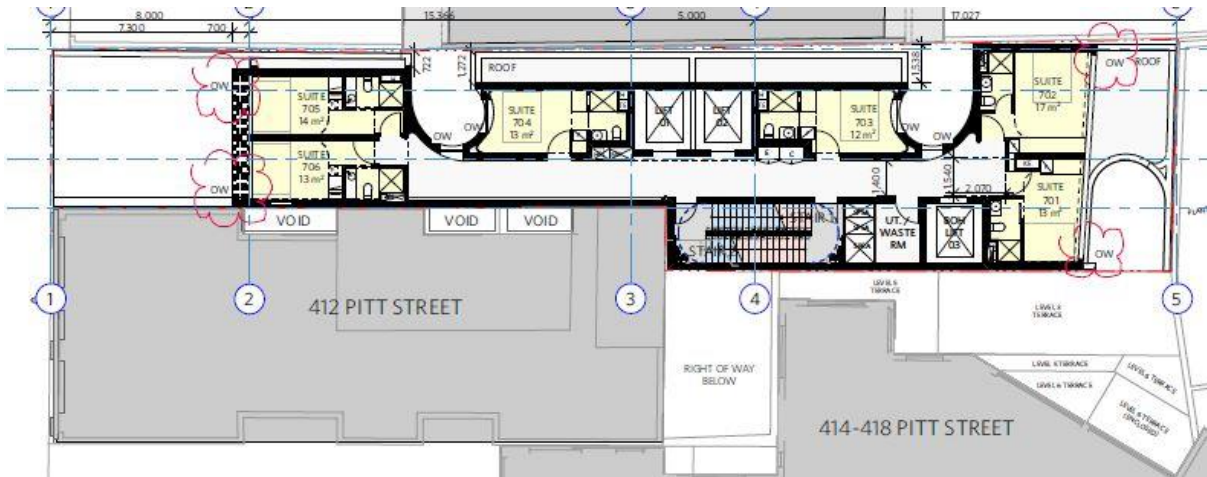


Figure 17: Typical floorplan levels 7 - 29

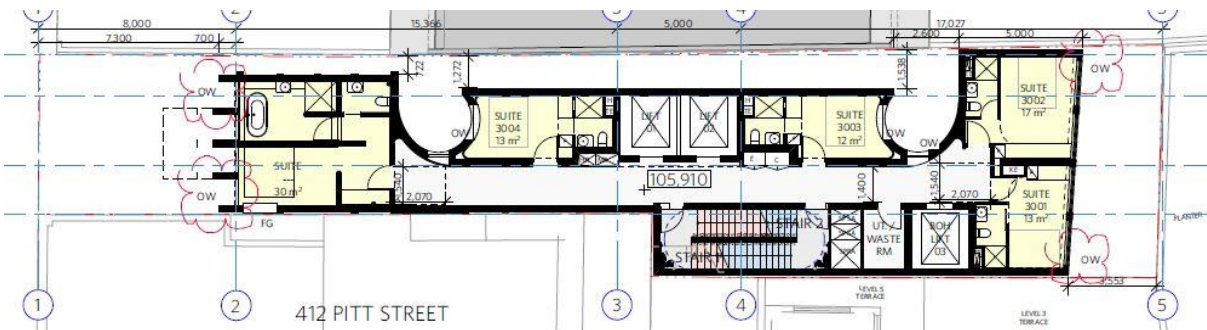


Figure 18: Level 30 plan

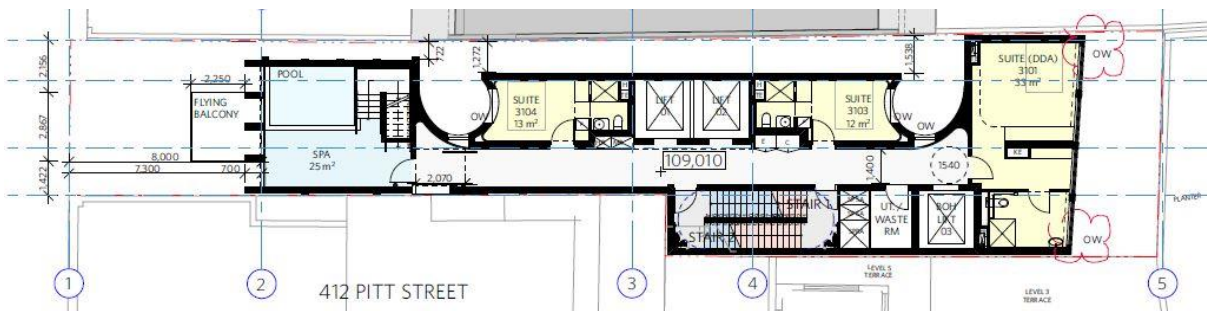


Figure 19: Level 31 plan

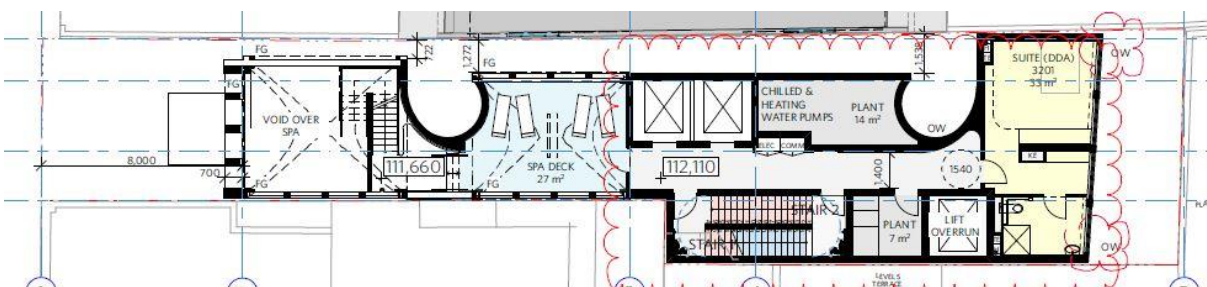


Figure 20: Level 32 plan





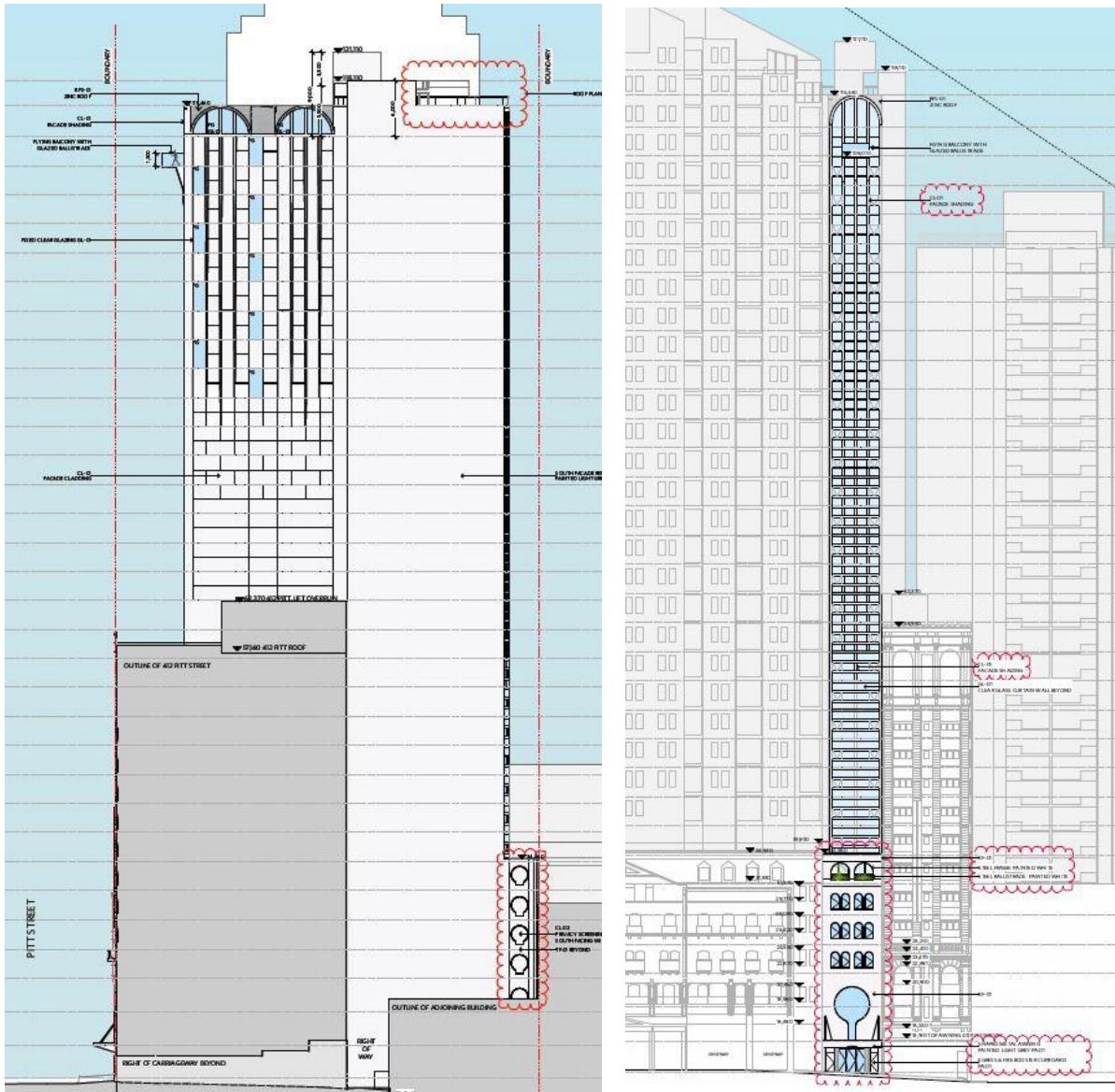


Figure 23: South elevation (left), west elevation (right)

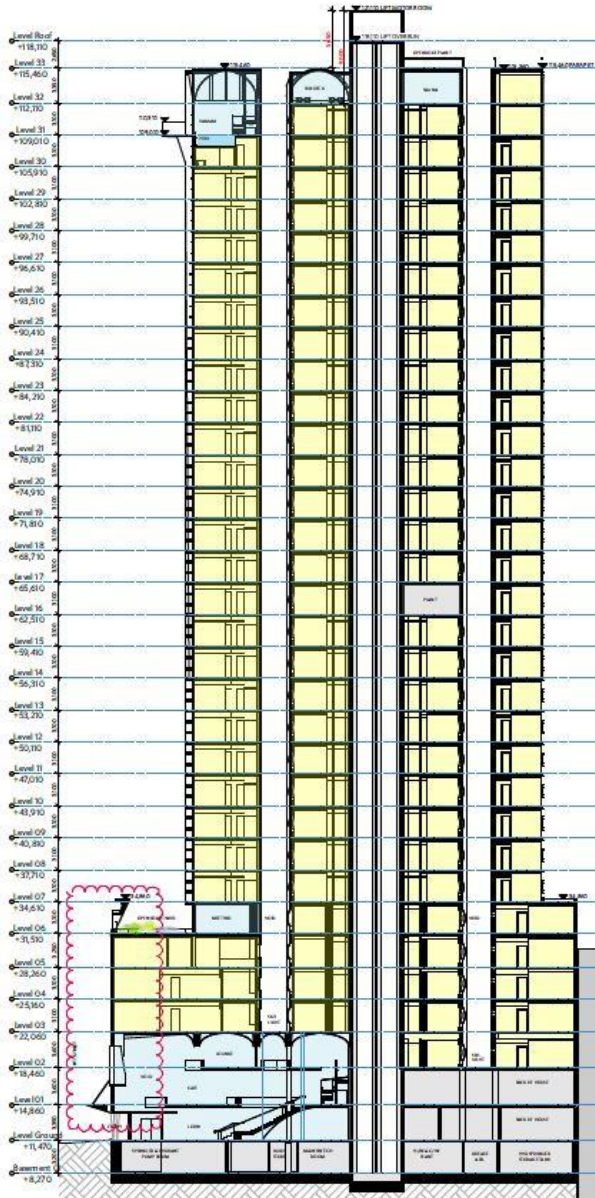




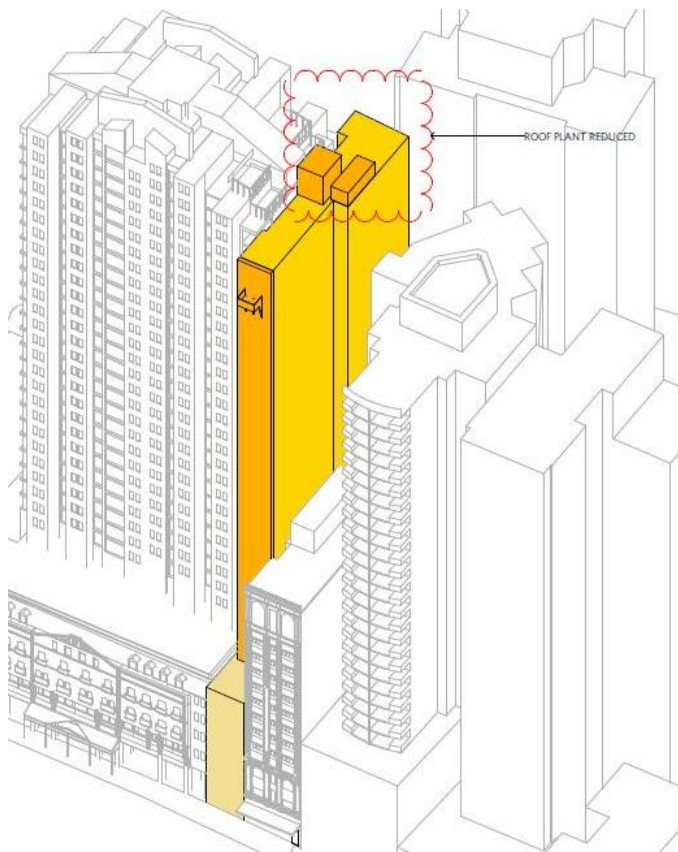


Figure 25: Proposal image: Pitt Street

## Assessment

### Concept Approval

21. In accordance with Section 4.24 of the Environmental Planning and Assessment Act 1979 (EP&A Act), a detailed development application cannot be inconsistent with a concept approval that is in force for the site.
22. As noted above concept approval D/2015/661 was approved by the Land and Environment Court on 19 May 2016 for 'Stage 1 building envelope for a new 31 storey accommodation hotel at 410 Pitt Street, Haymarket'.
23. The applicant has lodged a concurrent modification application D/2015/661/B to amend the concept approval in response to the design of the competition winning scheme and its design development; and for additional height to accommodate lift and stair overruns atop the roof as illustrated in the figure below.



**Figure 26:** Building envelope axonometric drawing

24. An assessment of the increased building envelope has been undertaken as part of the assessment of modification D/2015/661/B. The proposed building envelope was amended in response to Council staff assessment in relation to view loss. The modification application as amended has been approved in D/2015/661/B.
25. The subject proposal is not inconsistent with the amended building envelope. The proposal is not inconsistent with the conditions of consent for the concept approval.
26. The proposed development has been assessed under Section 4.15 of the EP&A Act.

## State Environmental Planning Policies

### State Environmental Planning Policy No 55 - Remediation of Land

27. The aim of State Environmental Planning Policy (SEPP) No 55 is to ensure that a change of land use will not increase the risk to health, particularly in circumstances where a more sensitive land use is proposed.
28. A preliminary site investigation report has been submitted as part of the application. The report concludes that the existing building may contain hazardous materials including lead based paints and asbestos, but that there was no evidence of contaminated material within fill materials on the site.
29. The Council's Health Unit is satisfied that, subject to conditions, the site remains suitable for continued commercial use as proposed.

### State Environmental Planning Policy (Affordable Rental Housing) 2009

30. The aim of State Environmental Planning Policy (SEPP) (Affordable Rental Housing) is to provide a consistent planning regime for the provision and maintenance of affordable rental housing and to facilitate the delivery of new affordable rental housing.
31. Part 3 of the SEPP addresses the retention of existing affordable housing. The applicant has identified that the current use of the premises as a boarding house providing low cost rental accommodation.
32. Under Clause 50, the consent authority when considering an application demolish a building that provides affordable housing is to take into account the guidelines and the matters contained in cl 50(2) as follows:
  - (a) whether there is likely to be a reduction in affordable housing on the land to which the application relates,
  - (b) whether there is available sufficient comparable accommodation to satisfy the demand for such accommodation,
  - (c) whether the development is likely to cause adverse social and economic effects on the general community,
  - (d) whether adequate arrangements have been made to assist the residents (if any) of the building likely to be displaced to find alternative comparable accommodation,
  - (e) the extent to which the development contributes to any cumulative loss of affordable housing in the local government area,
  - (f) the structural soundness of the building, the extent to which the building complies with any relevant fire safety requirements and the estimated cost of carrying out work necessary to ensure the structural soundness of the building and the compliance of the building with the fire safety requirements,
  - (g) whether the imposition of a condition requiring the payment of a monetary contribution for the purposes of affordable housing would adequately mitigate the reduction of affordable housing resulting from the development,

- (h) in the case of a boarding house, the financial viability of the continued use of the boarding house.
33. The Commissioners' findings in the approval of D/2015/661 included the following at paragraph 75:
- "In balancing the obligations for retaining and mitigating the loss of existing affordable rental housing, including the items in sub-cl 50(2) of SEPP ARH, with the extremely poor condition of the existing boarding house; the accepted evidence of the cost of fire safety works and other essential building works; and the evidence of the lack of financial viability of the existing boarding house; I am satisfied that the proposal to demolish the existing structure is acceptable."
34. This finding is considered to remain applicable to the current application for the applicable items for consideration under cl 50(2) of SEPP ARH and demolition of the existing building is recommended for approval.
35. The application included a proposed relocation plan to assist existing residents of the hotel to be relocated prior to demolition of the existing building. The plan was reviewed by Council's Safe City Unit, Social Unit and Homelessness Unit. Meetings were also held with the applicant to discuss the issue, including updates regarding the current building condition and issues with the sewer line over the adjoining property.
36. An updated relocation plan has been provided outlining a framework to assist residents relocate prior to demolition. It is recommended that a more detailed plan be prepared that caters to individual needs of the residents prior to demolition with ongoing consultation with residents and support networks occurring prior. This is included as a recommended condition of consent.
37. Under Clause 51 a contribution applies for the reduction of affordable housing. The Commissioners' findings in the approval of D/2015/661 included at paragraph 53: "I am satisfied that the rental yield is below 6% when calculated in accordance with formula at sub-cl 51(5) of SEPP ARH." An updated rental yield assessment has been provided as part of this application and estimates a rental yield of 1.56%. For a yield of 3% or less, no contribution is applicable pursuant to cl 51(4)(a). The findings of the report are generally accepted and no contribution under the SEPP ARH is applicable for the proposal.

### **Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005**

38. The site is located within the designated hydrological catchment of Sydney Harbour and is subject to the provisions of the above SREP. The SREP requires the Sydney Harbour Catchment Planning Principles to be considered in the carrying out of development within the catchment.
39. The site is within the Sydney Harbour Catchment and eventually drains into Sydney Harbour. However, the site is not located in the Foreshores Waterways Area or adjacent to a waterway and therefore, with the exception of the objective of improved water quality, the objectives of the SREP are not applicable to the proposed development. The development is consistent with the controls contained within the deemed SEPP.

## Local Environmental Plans

### Sydney Local Environmental Plan 2012

40. An assessment of the proposed development against the relevant provisions of the Sydney Local Environmental Plan 2012 is provided in the following sections.

#### Part 2 Permitted or prohibited development

Provision	Compliance	Comment
2.3 Zone objectives and Land Use Table	Yes	The site is located in the B8 Metropolitan Centre zone. The proposed development is defined as 'hotel or motel accommodation' and is permissible with consent in the zone. The proposal generally meets the objectives of the zone.

#### Part 4 Principal development standards

Provision	Compliance	Comment
4.3 Height of buildings	N/A	The site is located within 'Area 3' on the height of buildings map. The maximum height is determined by a sun access plane under Clause 6.17. The development is below the sun access plane.
4.4 Floor space ratio 6.3 Additional floor space in Central Sydney 6.4 Accommodation floor space 6.6 End of journey floor space 6.8 End of journey floor space 6.21 Design Excellence	Yes	A maximum FSR of 15.49 applies to the development.  This comprises of a base FSR of 8:1 and additional floor space in accordance with:  CI 6.4 for Accommodation floor space - 6:1  CI 6.6 End of journey floor space - equal to the floor space occupied by these facilities up to a maximum of 0.3:1 (in this instance (0.09:1)  CI 6.21(7) Design Excellence (up to 1.4:1  A FSR of 14.3:1 is proposed.

#### Part 5 Miscellaneous provisions

Provision	Compliance	Comment
5.10 Heritage conservation	Yes	The site is not identified as a heritage item, nor is it located within a heritage conservation area.

Provision	Compliance	Comment
		<p>The site is located in proximity of three local heritage listed items:</p> <p>398-408 Pitt Street - "Former Sydney Tourist Hotel facade"</p> <p>403-427 Pitt Street - "CB Hotel including ground level shops, 1930 addition on Goulburn Street and interior"</p> <p>420-428 Pitt Street - "Chamberlain Hotel including interior"</p> <p>Council's Heritage Specialist has reviewed the proposal and advised that in its amended form it would preserve the significance of these heritage items.</p>

### Part 6 Local provisions – height and floor space

Provision	Compliance	Comment
Division 1 Additional floor space in Central Sydney		
Subdivision 2 Types of additional floor space 6.4 Accommodation floor space	Yes	<p>The proposed development is eligible for an additional floor space ratio of 6:1.</p> <p>Refer to floor space discussion above.</p>
Subdivision 3 Heritage floor space 6.11 Utilisation of certain additional floor space requires allocation of heritage floor space	Yes	<p>A condition is recommended requiring the allocation of HFS in accordance with the LEP and DCP.</p>
Division 3 Height of buildings and overshadowing		
6.16 Erection of tall buildings in Central Sydney	Addressed in concept approval	<p>The clause applies to development in Central Sydney for a building with a height of greater than 55 metres.</p> <p>Development consent is not to be granted on land with a site area of less than 800sqm unless:</p> <p>The building will have a freestanding tower each face of which will be able to be seen from a public place, and</p>

Provision	Compliance	Comment
		<p>The development will provide adequate amenity and privacy for occupants of the building and will not significantly adversely affect the amenity and privacy of occupants of neighbouring buildings, and</p> <p>The ground floor of all sides of the building facing the street will be used for the purposes of business or retail premises.</p> <p>Compliance with this provision was considered in detail by the LEC in the appeal of the concept application D/2015/661. The proposed development was deemed to adequately address the provision.</p> <p>Particular aspects of the building design are addressed in further detail under the heading 'Issues' below.</p>
6.17 Sun access planes	Yes	<p>The maximum building height permitted on the site is restricted by the Belmore Park 1A sun access plane area.</p> <p>The proposed building has a maximum height of RL 121.1 which is located below the sun access plan as illustrated in Figures 22 &amp; 23.</p>
Division 4 Design excellence		
6.21 Design excellence	Yes	<p>A competitive design process was undertaken in accordance with the concept approval and Sydney DCP 2012.</p> <p>This application was reviewed by the Design Advisory Panel and the reconvened competition jury who advised the proposal has retained the potential for design excellence.</p> <p>See further discussion under the heading 'Discussion'.</p>

**Part 7 Local provisions – general**

Provision	Compliance	Comment
Division 1 Car parking ancillary to other development		
7.7 Retail premises 7.9 Other land uses	Yes	No off street parking facilities proposed in accordance with concept approval D/2015/661.
Division 4 Miscellaneous		
7.14 Acid Sulfate Soils	Yes	The submitted preliminary environmental site investigation has noted the likelihood of encountering ASS as low given the proposed depth of excavation.
7.16 Airspace operations	Yes	The proposed development will not penetrate the Obstacle Limitation Surface as shown on the Obstacle Limitation Surface Map for Sydney Airport.
7.20 Development requiring or authorising preparation of a development control plan	Yes	The proposed development is located in Central Sydney and has a height that exceeds 55m. Under the clause a DCP is required to be prepared for the land.  Section 4.23 of the EP&A Act allows for the approval of a concept development application to fulfil the requirement for preparing a DCP.  Concept approval D/2015/661 applies to the site.

**Development Control Plans****Sydney Development Control Plan 2012**

41. An assessment of the proposed development against the relevant provisions within the Sydney Development Control Plan 2012 is provided in the following sections.

**Section 2 – Locality Statements**

42. The site is not located within a locality area.



## Section 3 – General Provisions

Provision	Compliance	Comment
3.2. Defining the Public Domain	Yes	<p>The proposal results in minimal additional overshadowing to public spaces.</p> <p>The development provides an active frontage to the site.</p> <p>Whilst not noted as requiring an awning, an awning is provided that is consistent with the adjoining building.</p> <p>A wind impact assessment report has been provided as part of the application. Report concludes that wind conditions for pedestrians in local area remain suitable.</p> <p>A reflectivity report has been provided as part of the application. The report concludes that there would not be adverse reflectivity outcomes in the area.</p>
3.3 Design Excellence and Competitive Design Processes	Yes	<p>A competitive design process was required in accordance with the DCP and conditions of the concept approval.</p> <p>A competitive design alternatives process was undertaken prior to the submission of this detailed development application.</p>
3.6 Ecologically Sustainable Development	Yes	NABERS Energy Hotel Star Rating to be achieved for the proposal.
3.7 Water and Flood Management	Yes	The site is not identified as being flood affected.
3.9 Heritage	Yes	<p>The site is not identified as a heritage item, nor is it located within a heritage conservation area.</p> <p>The concept of demolition was approved in the concept approval, with detailed demolition to form part of this application.</p> <p>The site is located in proximity of three local heritage listed items:</p> <p>398-408 Pitt Street - "Former Sydney Tourist Hotel façade"</p>

Provision	Compliance	Comment
		<p>403-427 Pitt Street - "CB Hotel including ground level shops, 1930 addition on Goulburn Street and interior"</p> <p>420-428 Pitt Street - "Chamberlain Hotel including interior"</p> <p>Council's Heritage Specialists has reviewed the proposal and advised that in its amended form it would preserve the significance of these heritage items.</p>
3.11 Transport and Parking	Yes	<p>The findings of the Commissioner in the approval of D/2015/661 included that use of the public domain for the servicing of the hotel use, transport, service vehicle parking and coach parking were acceptable.</p> <p>The proposal is consistent with these approved arrangements.</p> <p>Conditions are included to finalise operational matters prior to the use commencing.</p>
3.12 Accessible Design	Yes	The proposal provides equitable access.
3.13 Social and Environmental Responsibilities	Yes	The proposed development provides adequate passive surveillance and is generally designed in accordance with the CPTED principles.
3.14 Waste	Yes	<p>The findings of the Commissioner in the approval of D/2015/661 included that use of the public domain for the servicing of the hotel use including waste servicing was acceptable.</p> <p>A condition is to ensure the proposed development complies with the relevant provisions of the City of Sydney Guidelines for Waste Management in New Development.</p>
3.15 Late Night Trading Management	Yes	<p>The site is located within the Late Night Management Area in which 24 hour 7 days a week indoor trading is permitted.</p> <p>The 24 hour hotel trading is considered to be suitable.</p>

Provision	Compliance	Comment
		The use of outdoor areas would be restricted to 10.00pm. Additional outdoor trading may be sought subject to trial periods.
3.16 Signage and Advertising	N/A	No advertising proposed.

## Section 4 – Development Types

### 4.2 Residential Flat, Commercial and Mixed Use Developments

Provision	Compliance	Comment
4.2.1 Building height		
4.2.1.2 Floor to ceiling heights and floor to floor heights	Acceptable	<p>Proposed floor to floor heights.</p> <p>Basement - 3.2m</p> <p>Ground level - 3.39 (including 10.59m void area)</p> <p>Level 1 &amp; 2 - 3.6m</p> <p>Levels 3 to 32 - 3.1m</p> <p>Level 32 - 3.35m</p> <p>The provided floor to floor heights are lower than that specified in the DCP.</p> <p>The heights provide adequate amenity for the proposed use and are considered to be acceptable for the proposal.</p>
4.2.2 Building setbacks	N/A	Setbacks provided in accordance with Section 5 and the approved building envelope.
4.2.3 Amenity		
4.2.3.1 Solar access	Yes	<p>The application has provided shadow diagrams and views from the sun.</p> <p>The proposal will result in minimum additional overshadowing as compared to the approved concept building envelope.</p>

Provision	Compliance	Comment
4.2.3.4 Design features to manage solar access	Yes	Extensive glazing avoided.
4.2.3.5 Landscaping	Yes	Landscaping plan provided. Landscape design supported in principle.
4.2.3.11 Acoustic privacy	Yes	Acoustic report provided that demonstrates required noise levels can be achieved.
4.2.4 Fine grain, architectural diversity and articulation	Yes	Building frontage less than 40m.
4.2.6 Waste and recycling Management	Yes	<p>The findings of the Commissioner in the approval of D/2015/661 included that use of the public domain for the servicing of the hotel use including waste servicing was acceptable.</p> <p>A condition is recommended to ensure the proposed development complies with the relevant provisions of the City of Sydney Guidelines for Waste Management in New Development.</p>

#### 4.4.8 Visitor accommodation

Provision	Compliance	Comment
4.4.8.1 General	Yes	<p>Hotel is self-contained</p> <p>Staff to be on site</p> <p>No triple bunks proposed</p>
4.4.8.3 Additional provisions for hotels, private hotels and motels	Yes	Rooms sized greater than 6.5sqm.

### Section 5 – Specific Areas

#### 5.1 Central Sydney

Provision	Compliance	Comment
5.1.1 Street frontage heights	Yes	Street frontage height of 23.4m provided in accordance with the approved concept approval building envelope.

Provision	Compliance	Comment
5.1.2 Building setbacks	Yes	Setback above frontage height of 8m with an articulation zone of 750mm to accommodate fenestration that formed part of the design competition winning scheme.  Side and rear boundaries in accordance with approved envelope.
5.1.6 Building exteriors	Yes	Selected materials reinforce the masonry character of Central Sydney.  Large expanses of glass avoided.  Materiality supported by competition jury.
5.1.10 Sun access planes	Refer to comment above.	Sun planes defined under cl 6.17 of SLEP 2012 and illustrated within the DCP.

## Draft Planning Controls

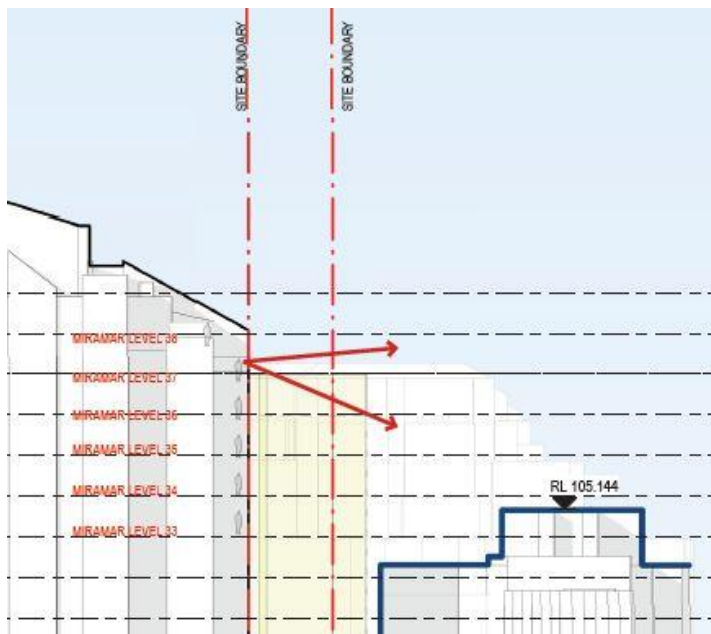
### Central Sydney Planning Framework

43. The 'Planning Proposal: Central Sydney 2020' and amendments to Sydney Development Control Plan 2012, have been publicly notified and endorsed by Council at its meeting on 14 December 2020, and are a matter for consideration for the subject application.
44. The proposal remains permissible within the B8 Metropolitan Centre Zone and remains consistent with the zone objectives.
45. The permitted maximum floor space for the proposal remains consistent with the concept approval.
46. The permitted maximum height remains governed by the Belmore Park Sun Access Plane.
47. The planning proposal includes an amendment to Clause 6.16 Erection of tall buildings in Central Sydney. The amendment would require buildings over a height greater than 55m be located on a site of more than 1,000 square metres in area. The subject site is less than 1,000sqm in area but remains consistent with the concept approval.

## Discussion

### View Loss

48. A number of objectors from the 'Miramar' apartments located at 398-408 Pitt Street to the north of the site raised concern that the proposal would result in view loss from south facing windows and balcony areas from apartments.
49. View loss assessment was undertaken in the assessment of modification application D/2015/661/B and the subject application.
50. The issue of view loss was addressed by the Commissioner in granting the concept approval as follows (in summary):
  - (a) View loss affects south-facing windows to only the upper levels of apartments from levels 33 to 36 and part of views from level 37.
  - (b) South-facing windows are located close to the boundary and are therefore vulnerable.
  - (c) Amenity of the Miramar Apartments borrowed from the undeveloped site should not reduce the building envelope otherwise able to be achieved and the loss of outlook from the apartments is not a reason for refusal.
51. Extracts from the view loss assessment study considered by the court are shown in the figures below.



**Figure 27:** View loss study section illustrating devastating view loss to apartments on levels 33 to 36

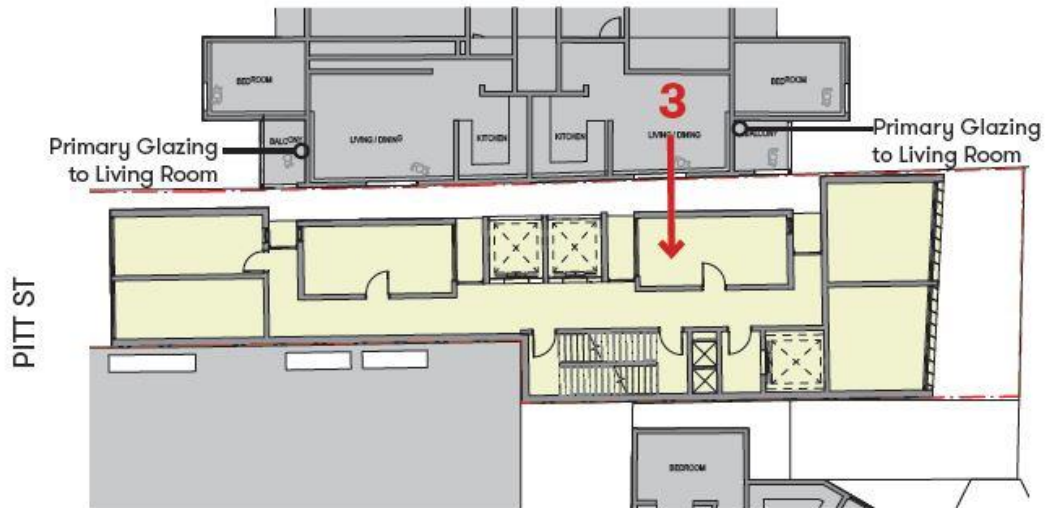


Figure 28: View loss study floor plan

52. The considered view loss study demonstrated that view loss to apartments on levels 33 to 36 would be total loss of views to the south. Views from apartments on levels 37 and 38 were retained with some affectation as shown in the images below.

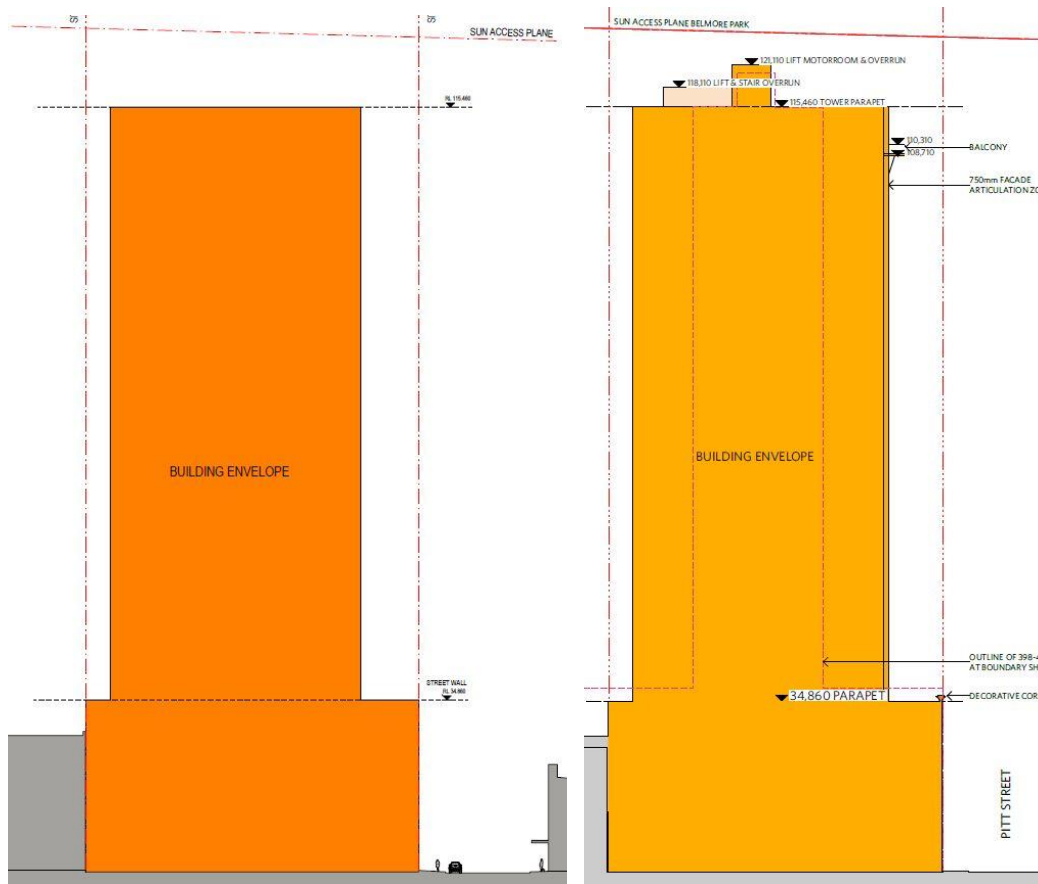


Figure 29: Appeal view loss study images eastern-facing apartment level 37



Figure 30: Appeal view loss study images western-facing apartment level 37

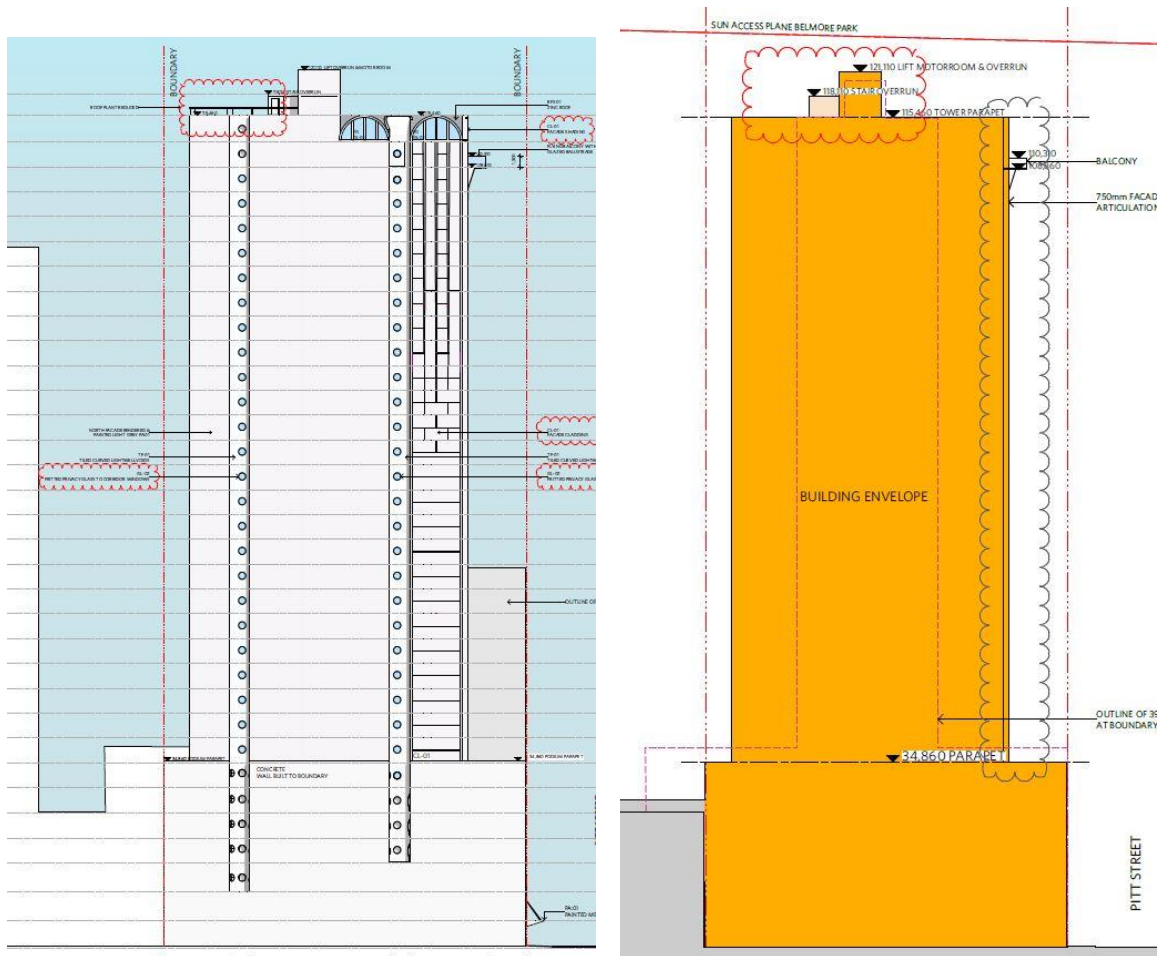
53. The subject application as lodged included an increase to the building height to accommodate lift and stair overruns. The proposed increased height is illustrated in the plans lodged as part of the related modification application D/2015/661/B.



**Figure 31:** Approved concept building envelope east west section (left), and as lodged to be modified in D/2015/661/B (right)

54. A view loss study was submitted as part of requested additional information for assessment of the application. As a result of feedback from the assessment of the view loss study and onsite inspections of a number of the affected upper level apartments of the 'Miramar' building, the application was modified to reduce the lift and stair overrun area. The application as amended is shown in the images below.





**Figure 32:** Amended north elevation plan (left) and building envelope east west section plan D/2015/661/B (right)

- 55. A view loss study of the amended plans was provided as part of additional information. Extracts from the study are provided in the follow figures below.



**Figure 33:** View loss study images eastern facing apartment level 37, proposal as amended



**Figure 34:** View loss study images western facing apartment level 37, proposal as amended

56. Applicable planning controls for the development do not provide a control for view loss assessment, therefore the planning principle established in Tenacity Consulting v Warringah Council [2004] NSWLEC 140 is a relevant methodology to assess the view loss assessment of the proposal as follows:

First step: assessment of views to be affected

57. Views impacted by the additional building height include district views of the city skyline to the south east and south and to water - land interfaces with Botany Bay and the ocean.

Second step: consider from what part of the property the views are obtained

58. Views are observed from living areas within apartments, wintergardens on level 37 and external balcony areas. Views are both standing and sitting with standing views observing more of the skyline.

Third step: assessment of the extent of the impact

59. On level 38 district and water views are retained for both east and west facing apartments with the central lift overrun obscuring some elements of the view. The additional view loss is rated as minor.
60. On level 37 from the east-facing apartment, district views to the southeast are retained. Views from the wintergarden and living area are impacted as shown in Figure 33. Views to the southeast are retained with views to the south impacted. The additional view loss is rated as moderate.
61. On level 37 from the west-facing apartment, views from the wintergarden, living area and balcony to the southeast are impacted, views to the south are retained as shown in Figure 34. The additional view loss is rated as minor.

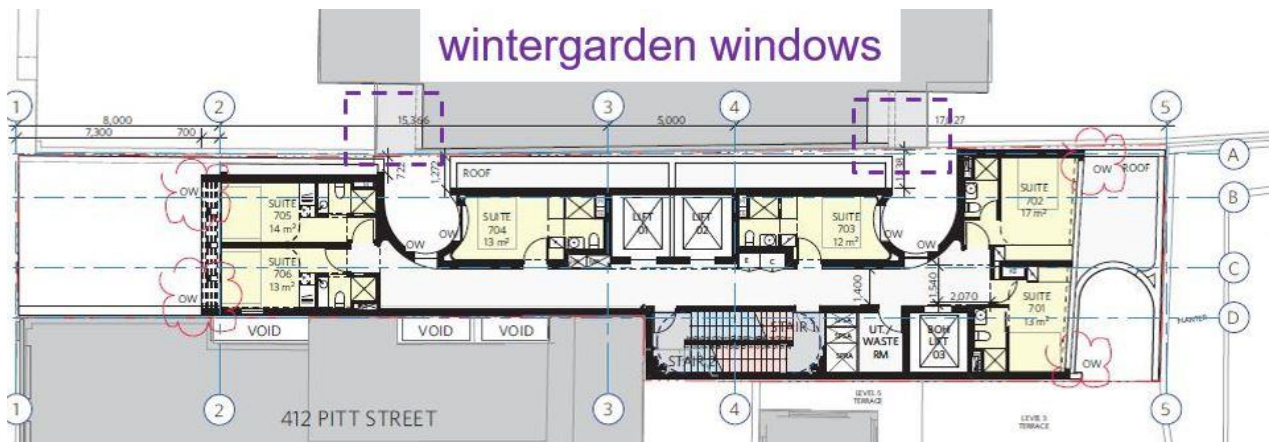
Fourth step: reasonableness of the proposal.

62. As noted in the assessment above, the proposal remains compliant with the maximum height and FSR controls for the development. The additional height sought above the approved concept building envelope is located centrally within the building for lift and stair overruns. Views to the southeast and southwest of the city skyline and land water interface are retained for a number of apartments, with the east-facing level 37 apartment most affected. Views to the south east are retained from areas of this apartment as shown in Figure 33.
63. The assessment comments of the Commissioner in the assessment and approval of the building envelope are relevant in terms of the close relationship of the Miramar building to the southern boundary and its current borrowing of amenity from the undeveloped site at 410 Pitt Street.
64. In conclusion, the proposal as amended is considered to provide an acceptable level of view loss impact with reference to the matters to be considered within the view loss planning principle.

### **Design Excellence**

65. The application seeks to utilise additional floor space for the development pursuant to Clause 6.27(7)(b) of SLEP 2012, being a building that demonstrates design excellence. A competitive design process has been undertaken for the development in accordance with a design excellence strategy as required under the concept approval for the site. The application has been prepared as a development of the winning scheme.
66. The subject application was considered by the Design Advisory Panel (DAP) on 11 March 2021. The panel made the following comments on the application:
  - (a) The podium design of the proposal differs from the competition winning scheme. A design statement is needed to explain the rationale for the departure including the removal of the original façade.
  - (b) Privacy issues for the adjoining apartments in relation to internal light wells be reviewed.
  - (c) Further information is needed on materiality.
  - (d) The panel recommends the design changes be referred to the judging panel for their review and recommendations.
67. The competition jury reconvened on the 12 April 2020 to review the proposal. A summary of the jury comments is provided as follows:
  - (a) Where areas of the façade do not receive much light (lightwells and voids) materials would need to provide necessary reflectivity to allow light to penetrate lower levels of the tower.
  - (b) The success of smaller hotel room sizes would come down to the quality of joinery and design.
  - (c) The panel are satisfied with the materials and samples presented in the meeting.

- (d) The panel recognise that due to the constraints of the site, the original façade would have been difficult to retain. The development needs to be buildable. An alternative design solution is supported. The proposed contemporary podium design sits comfortably within the context of the site.
- (e) The panel are satisfied with the progression of the design and are satisfied that it has retained the potential for design excellence. Further design revisions can revert to the City for resolution.
68. Further amendments and additional information have been provided as part of assessment of the application to address:
- View loss
  - Overshadowing
  - Confirmation of not requiring a substation
  - Wind tunnel testing
  - Visual privacy details
  - Glazing details
  - Landscaping
69. The provided details are considered to address the majority of design issues raised. Visual privacy from corridor windows remains one outstanding issue. Operable windows are located within the lightwells at each end of the corridor within proximity of the south-facing corner windows of the Miramar apartment building to the north as shown on the typical level 7 to 29 floor plans in the figure below.



**Figure 35:** Typical floor plan levels 7 to 29 with location of wintergarden windows on adjoining building dashed

70. These windows are proposed to include fritted glass as a privacy measure and also allow for light to the corridor. Details of the operability of the windows are not included and may result in privacy impacts to the adjoining building where windows are in the open position. It is recommended that further design details be provided as a condition of consent to ensure privacy will be retained whilst any windows are opened.

71. Subject to the resolution of issues through conditions of consent. The proposal is considered to demonstrate design excellence as recommended by the competition jury and is eligible for additional floor space up to 10% for the base FSR and accommodation floor space as detailed in the FSR calculation above in accordance with Clause 6.21(7) of SLEP 20212.

## Consultation

### Internal Referrals

72. The application was discussed with Council's Building Services Unit, Environmental Health Unit, Heritage and Urban Design Unit, Public Domain Unit, Safe City Unit, Surveyors, Transport and Access Unit, Tree Management Unit and Waste Management Unit who advised the proposal is acceptable subject to conditions. Where appropriate, these conditions are included in the recommended conditions.

### External Referrals

#### NSW Police

73. The application was notified to NSW Police for any comment. No response was received.

### Advertising and Notification

74. In accordance with the City of Sydney Community Participation Plan 2019, the proposed development was notified between 22 December 2020 and 2 February 2021. A total of 1928 properties were notified and 40 submissions were received.

75. The submissions raised the following issues:

(a) **Issue:** View Loss

Concerns have been expressed that the proposal would result in view loss to apartments in the adjoining apartment building.

**Response:**

View loss has been considered in the assessment of the application and the application was amended to address this issue. Discussion of view loss is included above and the impacts are considered to be acceptable in the circumstances of the application.

(b) **Issue:** Additional height and FSR

Concerns have been expressed that the proposed increases in height are not in accordance with the concept approval and would contravene an undertaking given by the applicant during the court case for the concept approval D/2015/661.

**Response:**

A separate concurrent modification application D/2015/661/B was lodged to amend the building envelopes approved in the concept approval. This modification application has been approved.

Details of the undertaking made during the Land and Environment court case are not known. The applicant for the concept application and court case differs to that of the subject application. The merits of the application are considered within this report.

(c) **Issue:** Design Excellence

Concerns have been expressed that the proposal does not exhibit design excellence as required under cl 6.21 of Sydney LEP 2012.

**Response:**

Design excellence of the proposal has been considered including a review by the Design Advisory Panel and the reconvened competition jury. The proposal is considered to exhibit design excellence as discussed within this report.

(d) **Issue:** Privacy Impacts

Concerns have been expressed that the proposal would result in privacy impacts to adjoining apartments.

**Response:**

Privacy impacts of the proposal have been considered in the assessment of the proposal with minor amendments to address some lower level windows on the southern boundary. Subject to further details to address privacy of operable corridor windows the proposal is considered to provide appropriate privacy measures.

(e) **Issue:** Impact on character of area

Concerns have been expressed that the proposal would result in negative impacts to the character of the area.

**Response:**

The proposal is considered to align with the concept approval and will not result in negative impacts to the character of the area.

(f) **Issue:** Solar impacts

Concerns have been expressed that the proposal would result in the loss of ambient light to adjoining apartments and that the solar access planning principle should be applied to the proposal.

**Response:**

The solar impacts of the proposal align with the concept approval with only minor additional overshadowing resulting from additional height from lift and stair overruns. The shadowing impacts have been assessed against the relevant controls. The solar access planning principle does not apply in this instance.

(g) **Issue:** Building separation

Concerns have been expressed that insufficient building separation is provided from the adjoining apartment building and that a separation in accordance with the apartment design guidelines (ADG) should be provided.

**Response:**

Building separation is provided in accordance with the concept approval. The ADG does not apply to the proposal.

(h) **Issue:** Building code compliance

Concerns have been expressed that the proposal relies on a number of performance solutions to achieve building code compliance and that the proposed material may not be BCA compliant.

**Response:**

The proposal includes a BCA report that has been reviewed by Council's Health and Building Unit who have supported the proposal subject to conditions. BCA compliance of all materials will be required to be confirmed at the construction certificate stage and any changes to materials will require approval.

(i) **Issue:** Waste

Concerns have been expressed that the proposed arrangements are inadequate and would result in amenity and noise impacts to surrounding neighbours.

**Response:**

General waste arrangements including use of the public domain for collection were approved as part of the concept approval granted by the Land and Environment Court. The details of waste facilities have been reviewed by Council's Waste Unit and recommendations have been included as part of the provided amended plans.



(j) **Issue:** Traffic and pedestrian impacts

Concerns have been expressed that the proposal would result in traffic and pedestrian impacts within the local street network.

**Response:**

The general traffic impacts of the proposal including the use of the public domain for servicing of the hotel were approved as part of the concept approval granted by the Land and Environment Court. The details of this application align with the concept approval.

(k) **Issue:** Safety and egress

Concerns have been expressed that in an emergency situation there would be an unsafe number of guests and residents existing onto the street.

**Response:**

Emergency egress is to be provided for the proposal in accordance with the BCA.

(l) **Issue:** Anti-social behaviour

Concerns have been expressed that the proposal would result in anti-social from guests. Concern was also expressed that guests may use a roof top bar.

**Response:**

There is no roof top bar proposed. An operation plan of management has been included as part of the proposal that includes strategies to minimise anti-social behaviour.

(m) **Issue:** Loss of property value

Concerns have been expressed that the proposal would result in a loss in property values to neighbouring property owners.

**Response:**

No evidence has been provided that demonstrates the proposal would result in a loss to property value.

(n) **Issue:** Construction Impacts

Concerns have been expressed that the proposal would result in unacceptable construction impacts to neighbouring sites.

**Response:**

The application has included an assessment of construction noise and vibration impacts and measures to be implemented to minimise impacts to surrounding sites. This report has been reviewed by Council's Health Unit and the proposal is supported subject to conditions to minimise construction impacts.

(o) **Issue:** Amenity Impacts

Concerns have been expressed that the proposal would result in amenity impacts including noise, odour and smoke to adjoining residents.

**Response:**

Amenity impacts of the proposal have been considered and conditions have been included where appropriate to minimise issues.

(p) **Issue:** Wind Impacts

Concerns have been expressed that the proposal would result in wind tunnelling impacts in the local area.

**Response:**

Wind impact analysis included wind tunnel testing has been provided as part of the application and has demonstrated that appropriate wind conditions will be achieved in the public domain.

(q) **Issue:** Displacement of existing residents of Cosy Hotel

Concerns have been expressed that insufficient consideration has been given to the displacement of existing residents of the Cosy Hotel who currently reside within the existing premises.

**Response:**

The application included a proposed relocation plan to assist existing residents of the hotel to be relocated prior to demolition of the existing building. The plan was reviewed by Council's Safe City Unit, Social Unit and Homelessness Unit. Meetings were also held with the applicant to discuss the issue including updates regarding the current building condition and issues with the sewer line over the adjoining property.

An updated relocation plan has been provided outlining a framework to assist residents relocate prior to demolition. It is recommended that a more detailed plan be prepared that caters to individual needs of the residents prior to the issues of any construction certificate for demolition, with ongoing consultation with residents and support networks.

## Financial Contributions

### Levy under Section 61 of the City of Sydney Act 1988

76. The cost of the development is in excess of \$200,000. The development is therefore subject to a levy under the Central Sydney Development Contributions Plan 2013.
77. A condition requiring payment of the levy has been included in the recommend conditions of consent.

**Contribution under SEPP (Affordable Rental Housing) 2009**

78. A contribution is not required having regard to the matters for consideration under cl 51 of SEPP ARH. Refer to discussion above.

**Relevant Legislation**

79. Environmental Planning and Assessment Act 1979.
80. City of Sydney Act 1988.

**Conclusion**

81. This detailed development application for the demolition of the existing building and construction of a new 33 storey hotel accommodation building has been considered against the relevant planning controls and the stage 1 concept approval approved by the Land and Environment Court (as amended).
82. The development application was notified between 22 December 2020 and 2 February 2021. Forty submissions were received in response to the proposal. Issues raised in submissions include objections to additional height, view loss, privacy and amenity impacts, solar impacts, building separation, BCA compliance, waste arrangements, pedestrian and traffic impacts, safety and anti-social behaviour, noise impacts, construction impacts, and social impacts. The impacts of the proposal are largely considered to align with the concept approval. Amended plans have been submitted to address issues associated with additional height. Conditions of consent have been recommended to address operational and construction aspects of the proposal where appropriate.
83. The application was considered by the Design Advisory Panel on 11 March 2021. The panel noted that the podium design of the proposal differed from the competition winning scheme and recommended the competition jury be reconvened to consider the application.
84. The reconvened competition jury met on 12 April 2021 to consider the application. The jury advised that the design has retained the potential for design excellence.
85. Additional information was requested from the applicant on the 23 March 2021 and 15 June 2021 relating to view loss and overshadowing, wind impacts, landscaping, ESD, waste management, and social impacts. The application has been amended and further information provided to address these assessment issues.
86. The application is recommended for approval subject to conditions.

**ANDREW THOMAS**

Executive Manager Planning and Development

Shannon Rickersey, Senior Planner

# **Attachment A**

<b>Recommended Conditions of Consent</b>
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## SCHEDULE 1A

### APPROVED DEVELOPMENT/DESIGN MODIFICATIONS/COVENANTS AND CONTRIBUTIONS/USE AND OPERATION

**Note:** Some conditions in Schedule 1A are to be satisfied prior to issue of a Construction Certificate and some are to be satisfied prior to issue of Occupation Certificate, where indicated.

#### (1) APPROVED DEVELOPMENT

- (a) Development must be in accordance with Development Application No. D/2020/993 dated 21 December 2020 and the following drawings prepared by Durbach Block Jagers:

Drawing Number	Drawing Name	Date
A-DA-110-001 Rev 2	GA Plans Basement 1	16.04.21
A-DA-110-002 Rev 2	GA Plans Ground Level	16.04.21
A-DA-110-003 Rev 2	GA Plans Level 1	16.04.21
A-DA-110-004 Rev 3	GA Plans Level 2	17.06.21
A-DA-110-005 Rev 3	GA Plans Typical Levels 3-4	17.06.21
A-DA-110-006 Rev 3	GA Plans Typical Levels 5	17.06.21
A-DA-110-007 Rev 3	GA Plans Level 6	17.06.21
A-DA-110-008 Rev 2	GA Plans Typical Levels 7-29	16.04.21
A-DA-110-009 Rev 2	GA Plans Level 16	16.04.21
A-DA-110-010 Rev 2	GA Plans Level 30	16.04.21
A-DA-110-011 Rev 2	GA Plans Level 31	16.04.21
A-DA-110-012 Rev 4	GA Plans 32	25.06.21
A-DA-110-013 Rev 4	GA Plans Roof Plan	25.06.21
A-DA-210-001 Rev 4	GA Elevation North Elevation	25.06.21
A-DA-210-002 Rev 2	GA Elevation East Elevation	16.04.21
A-DA-210-003 Rev 4	GA Elevation South Elevation	25.06.21
A-DA-210-004 Rev 2	GA Elevation West Elevation	16.04.21
A-DA-310-003 Rev 2	GA Sections Section CC	16.04.21
A-DA-310-004 Rev 4	GA Sections Section DD	25.06.21

Drawing Number	Drawing Name	Date
A-DA-730-001 Rev 3	Diagrams Materials & Finishes Schedule	17.06.21

and as amended by the conditions of this consent.

- (b) In the event of any inconsistency between the approved plans and supplementary documentation, the drawings will prevail.

**(2) COMPLIANCE WITH SUBMITTED MATERIALS AND SAMPLES BOARD**

The design details of the proposed building facade including all external finishes, colours and glazing must be in accordance with the materials schedule and sample board, and specifications prepared by Durbach Block Jagers dated 17.06.21.

**(3) DESIGN MODIFICATIONS**

The design of the building must be modified as follows:

- (a) Details of privacy measures for the operable windows located within corridors are to be provided.
- (b) Details and specifications of the 'fritted glass' are to be provided.
- (c) Details of all roof top plant are to be specified in plan and elevation.

The modifications are to be submitted to and approved by Council's Area Planning Manager prior to the issue of a Construction Certificate.

**(4) DESIGN QUALITY EXCELLENCE**

- (a) As the proposal has been awarded bonus floor space for achieving design excellence and in order to ensure the design quality excellence of the development is retained to completion:
  - (i) The design architect comprising Durbach Block Jagers is to have direct involvement in the design documentation, contract documentation and construction stages of the project including signing off any required certifications at DA, S4.55 applications, Construction Certificate and Occupation Certificate stages;
  - (ii) The design architect(s) is/are to have full access to the site and is/are to be authorised by the applicant to respond directly to Council where information or clarification is required in resolving design issues throughout the life of the project;
  - (iii) Evidence of the design architect's commission must be provided to the Council prior to release of the Construction Certificate.

- (b) The design architect of the project is not to be changed without prior notice and approval of the Council's Director Planning, Development and Transport.

The Accredited Certifier and Principle Certifier must be satisfied that the above matters are complied with prior to the issue of a relevant Construction and Occupation Certificates, in accordance with written confirmation from Council.

**(5) BUILDING HEIGHT**

- (a) The height of the building must not exceed RL 121.110 (AHD) to the top of the building lift overrun and RL 115.46 (AHD) to the parapet of the building.
- (b) Prior to an Occupation Certificate being issued, a Registered Surveyor must provide certification that the height of the building accords with (a) above, to the satisfaction of the Principal Certifier.

**(6) FLOOR SPACE RATIO - CENTRAL SYDNEY**

The following applies to Floor Space Ratio:

- (a) The Floor Space Ratio of the proposal must not exceed 14.31 calculated in accordance with the *Sydney Local Environmental Sydney Local Environmental Plan 2012*. For the purpose of the calculation of FSR, the Gross Floor Area of the approved development is 4,937sqm.
- (b) Prior to an Occupation Certificate being issued, a Registered Surveyor must provide certification of the total and component Gross Floor Areas (by use) in the development, utilising the definition under *Sydney Local Environmental Plan 2012* applicable at the time of development consent, to the satisfaction of the Principal Certifier.
- (c) Prior to a Construction Certificate being issued, Council's written verification must be obtained, confirming that 536sqm of heritage floor space was allocated (purchased and transferred) to the development.
- (d) The developer may enter into a planning agreement with Council to purchase heritage floor space in accordance with Council's 'Alternative Heritage Floor Space Allocation Scheme' policy in the event that the requirement in (c) is not able to be satisfied.

**(7) SECTION 61 CONTRIBUTIONS PAYABLE - REGISTERED QUANTITY SURVEYOR'S DETAILED COST REPORT - SUBMITTED AND VERIFIED PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE**

A cash contribution comprising 1% of the total cost of the development is payable to the City of Sydney pursuant to section 61 of the *City of Sydney Act 1988* and the *Central Sydney Development Contributions Plan 2013* in accordance with the following:

- (a) Prior to a Construction Certificate being issued, evidence must be provided of Council's written verification of the amount of the contribution as required in (b) below, and then that the levy has been paid to the Council in accordance with this condition. Payment may be by EFTPOS (debit card

only), CASH or a BANK CHEQUE made payable to the City of Sydney. Direct debit, personal or company cheques will not be accepted.

- (b) The contribution must not be paid to the City of Sydney until it is accompanied by separate written verification by the City of Sydney of the specific amount payable. In order to obtain such verification, the "City of Sydney Registered Quantity Surveyor's Detailed Cost Report" indicating the itemised cost of the development must be completed and submitted to Council by the Principal Certifier, together with copies of the plans the subject of the application for the Construction Certificate. A copy of the required format for the "City of Sydney Registered Quantity Surveyor's Detailed Cost Report" may be obtained from the City of Sydney One Stop Shop, any of the Neighbourhood Service Centres and the City of Sydney's website ([www.cityofsydney.nsw.gov.au](http://www.cityofsydney.nsw.gov.au)).
- (c) The Council will consider the documentation submitted under subclause (b) and determine the cost of the proposed development having regard to the information submitted and to such other matters as it considers appropriate and will notify the Principal Certifier accordingly.
- (d) The items to be included in the calculation of the cost of development are demolition works, site remediation including decontamination, excavation and site preparation, construction costs, fit out, professional fees as part of the design (including design competitions) documentation and implementation process, fixed building machinery, equipment and appliances, kitchens and bar areas, car parking, air conditioning plant and equipment, services (fire, mechanical ventilation, electrical, hydraulic), ceilings, fire protection devices, installation of services (power, water, sewer, telephone), lifts and other essential machinery, floor coverings, *Building Code of Australia* compliance works, replacement of existing materials, fixtures and fittings, construction related insurance, assessment and construction related fees, charges and GST and any other matter not expressly excluded in (e) below. Any item for which an exemption has been granted is still to be included in the total cost of development, together with an itemised value to enable the City to calculate the value of the exemption.
- (e) The items to be excluded in the calculation of the cost of development are the cost of land, marketing expenses (excluding display suites etc), finance and interest, building insurance after practical completion, drapery, commercial stock inventory, loose furniture, loose equipment, loose electrical appliances, minor maintenance of existing retained fixtures (patching, repainting) and stamp duty.

Please contact Council's Planning Administration staff at [Planningsystemsadmin@cityofsydney.nsw.gov.au](mailto:Planningsystemsadmin@cityofsydney.nsw.gov.au) to confirm the amount payable, prior to payment.

#### **(8) RESTRICTION ON STRATA SUBDIVISION**

Any strata subdivision of the hotel to create individual lots for hotel rooms is not permitted.

#### **(9) HOURS OF OPERATION**

The hours of operation are regulated as follows:



Hotel:

Internal

- (a) The hours of operation are 24-hour operation, 7 days a week.

External

- (b) External areas including the level 6 open courtyard and level 31 flying balcony are to be used only between the hours of 7:00am to 10:00pm, Monday to Sunday.

#### **(10) VISITOR AND TOURIST ACCOMMODATION - USE AND OPERATION**

The use and operation of the premises must comply with the requirements of Schedule 2 (Standards for Places of Shared Accommodation) of the Local Government (General) Regulation, 2005 under the Local Government Act 1993, the Public Health Act, 2010 and regulations thereunder and *Sydney Development Control Plan 2012 – 4.4.8*.

#### **(11) NEIGHBOURHOOD AMENITY**

- (a) Signs must be placed in clearly visible positions within the hotel requesting people/guests using open court yards, open spaces, terraces and/or when leaving the premises to do so quietly, having regard to maintaining the amenity of the area. The signage must be in bold letters not less than 25mm in height on a contrasting background.
- (b) The management must ensure that the behaviour of patrons entering and leaving the premises does not detrimentally affect the amenity of the neighbourhood.

#### **(12) NO SPEAKERS OR MUSIC OUTSIDE**

Speakers and/or noise amplification equipment must not be installed and music must not be played in any of the outdoor areas associated with the premises including the public domain. Speakers located within the premises must not be placed so as to direct the playing of music towards the outdoor areas associated with the premises.

#### **(13) NOISE – COMMERCIAL PLANT**

- (a) Noise from commercial plant and industrial development must not exceed a project amenity/intrusiveness noise level or maximum noise level in accordance with relevant requirements of the NSW EPA [Noise Policy for Industry 2017 \(NPfI\)](#) unless agreed to by the City's Area Planning Manager. Further:
- (i) Background noise monitoring must be carried out in accordance with the long-term methodology in [Fact Sheet B](#) of the NPfI unless otherwise agreed by the City's Area Planning Manager.
- (ii) Commercial plant is limited to heating, ventilation, air conditioning, refrigeration and energy generation equipment.

- (b) An  $L_{Aeq,15 \text{ minute}}$  (noise level) emitted from the development must not exceed the  $L_{A90, 15 \text{ minute}}$  (background noise level) by more than 3dB when assessed inside any habitable room of any affected residence or noise sensitive commercial premises at any time. Further:
  - (i) The noise level and the background noise level must both be measured with all external doors and windows of the affected residence closed.
  - (ii) Background noise measurements must not include noise from the development but may include noise from necessary ventilation at the affected premise.
- (c) Corrections in [Fact Sheet C](#) of the NPfI are applicable to relevant noise from the development measured in accordance with this condition, however duration corrections are excluded from commercial noise.

#### **(14) EMISSIONS**

- (a) The use of the premises must not give rise to the emission of gases, vapours, dusts or other impurities which are a nuisance, injurious or prejudicial to health.
- (b) Gaseous emissions from the development must comply with the requirements of the *Protection of the Environment Operations Act 1997* and *Protection of the Environment Operations (Clean Air) Regulation 2010*.
- (c) Uses that produce airborne particulate matter must incorporate an effective dust collection system.

#### **(15) MINIMISE IMPACT OF POOL ON NEIGHBOURING PROPERTIES**

- (a) To minimise the impact of the pool on adjoining properties and to ensure the safety of the pool/spa area, the design and construction of the swimming pool/spa and associated equipment and fencing must comply with the following requirements:
  - (i) The *Swimming Pools Act 1992* and Regulations.
  - (ii) The swimming pool must have safety barriers installed in accordance with the requirements of AS 1926.1 - 2007 - 'Safety barriers for swimming pools' and AS 1926.2 - 2007 'Location of safety barriers for swimming pools'.
  - (iii) Australian Standards 1926.3 - Water Recirculation and Filtration; and
  - (iv) *Protection of the Environment Operations Act 1997*

#### **(16) SWIMMING POOL/SPA**

Swimming and/or spa pool/s and pool surrounds must be maintained in accordance with the *Public Health (General) Regulation 2012*. Note: Guidance may also be obtained from the NSW Health Department's *Public Swimming Pool and Spa Pool Guidelines*.

## **(17) MICROBIAL CONTROL IN WATER SYSTEMS**

The installation, operation and maintenance of water-cooling or warm water systems installed on the premises must comply with the following:

- (a) AS/NZS 3666:1:2011 - Air-handling and water systems of buildings- Microbial Control Part 1: Design, installation and commissioning.
- (b) AS/NZS 3666:2:2011 - Air-handling and water systems of building- Microbial Control Part 2: Operation and maintenance.
- (c) AS/NZS 3666:3:2011 - Air-handling and water systems of buildings- Microbial Control Part 3: Performance based maintenance of cooling water systems.
- (d) AS/NZS 3666:4:2011 – Air-handling and water stems of buildings-Microbial Control Part 4: Performance – based maintenance of air – handling systems (ducts and components).

**Note:** The occupier of premises at which a water-cooling system is installed, must notify the council in writing on the prescribed form, of the installation of all water-cooling tower systems within the premises - Public Health Act 2010. Warm water systems other than hospitals (which also includes nursing homes, declared mental health facilities, private health facilities) are exempt from notifying Council.

Notification forms are available on Council's website  
[www.cityofsydney.nsw.gov.au](http://www.cityofsydney.nsw.gov.au)

## **(18) SEPARATE FITOUT APPLICATIONS FOR CAFÉ**

- (a) No consent is granted or implied for the fit-out of the café.
- (b) A development consent or Complying Development Certificate (as appropriate) is required to be obtained for the fit out of each individual tenancy prior that fit out commencing.

## **(19) SIGNAGE STRATEGY**

A separate development application is to be submitted seeking approval of a signage strategy for the building. The signage strategy development application must include information and scale drawings of the location, type, construction, materials and total number of signs appropriate for the building.

## SCHEDULE 1B

### PRIOR TO CONSTRUCTION CERTIFICATE/COMMENCEMENT OF WORK/HEALTH AND BUILDING

#### (20) EXISTING RESIDENT RELOCATION PLAN

- (a) The relocation plan for existing residents accompanying this development application has not been approved by this consent.
- (b) Prior to any demolition of the existing building, a revised detailed relocation assistance plan for existing residents is to be approved by Council's Area Planning Manager.
- (c) The relocation plan is to be prepared with consultation with residents and their individual needs and is to provide reasonable timeframes and measures of relocation assistance.

#### (21) DEMOLITION/SITE RECTIFICATION (if cost is under \$50m)

The following conditions apply to the development:

- (a) Demolition or excavation must not commence until a Construction Certificate has been issued for construction of the substantive building.
- (b) Prior to the Construction Certificate being issued, documentary evidence must be provided to Council that the owner of the site has entered into a Deed with Council, the cost of preparation and execution of such Deed (including stamp duty and registration fees) to be borne by the applicant, which contains such conditions as the Council reasonably requires to ensure the matters set out in this condition are adequately provided for.
- (c) Without limiting the generality of paragraph (b), the Deed must provide for:
  - (i) a bank guarantee to be provided in the sum of \$86,250.00 dollars as security for the costs of such works provided that:
    - a. the maximum liability under the Deed must not exceed \$86,250.00 dollars; and
    - b. the Council may accept a lesser amount as security if substantiated by detailed design and Quantity Surveyor costing for works which meet the objectives of the condition.
  - (ii) Council is to be given sufficient contractual rights to be able to ensure that in any of the following events namely:
    - a. demolition of the existing building has commenced but not been completed;
    - b. the existing building has been demolished; or
    - c. the site has been excavated; or
    - d. the erection of the structure has commenced;

- (iii) that it, or any person authorised by it, may enter the site and carry out such works at the cost of the applicant (or such other person as the Consent Authority may approve) as may be then appropriate in the circumstances in each of the abovementioned events, to:
  - a. make the building safe and of an appearance acceptable to Council at ground level;
  - b. allow the ground level to be landscaped and of an appearance acceptable to Council from any public vantage point; or
  - c. for the hole to be covered to allow it to be landscaped and made attractive from any public vantage-point; or
  - d. in the event that the new building is constructed beyond the ground floor, to allow any hoardings to be removed and the ground floor development to be completed to a tenable stage;

AND to call on such bank guarantee to cover the cost thereof.

- (d) If the site is commenced to be developed and there is suspension in activity for 6 months (or suspensions of activity which in the aggregate exceed 6 months), resulting in a building site which has an appearance not acceptable to Council, then the Council will have the readily enforceable rights to:
  - (i) require certain works including but not limited to those works necessary to achieve the results referred to in sub-clause (c) (ii)a – d to take place on the site; and
  - (ii) in the event of default, have the right to enter and carry out these works and to call upon security in the nature of a bank guarantee to cover the cost of the works.
- (e) The Deed may provide for the release of the Bank Guarantee upon practical completion of the approved development.

## **(22) EXTERNAL WALLS AND CLADDING FLAMMABILITY**

The external walls of the building including attachments must comply with the relevant requirements of the Building Code of Australia (BCA). Prior to the issue of a Construction Certificate and Occupation Certificate the Accredited Certifier and the Principal Certifier must:

- (a) Be satisfied that suitable evidence is provided to demonstrate that the products and systems proposed for use or used in the construction of external walls including finishes and claddings such as synthetic or aluminium composite panels comply with the relevant requirements of the BCA; and
- (b) Ensure that the documentation relied upon in the approval processes include an appropriate level of detail to demonstrate compliance with the BCA as proposed and as built.



## **(23) ENERGY EFFICIENCY OF BUILDINGS**

The design of the building and its services must achieve a rating of 4.5 stars under the NSW Office and Environment and Heritage (OEH) National Australian Built Environment Rating System (NABERS Energy). This can be demonstrated by:

- (a) Entering into a Commitment Agreement with OEH, to deliver this star rating:
  - (i) for the base building, being services traditionally supplied as 'common' such as air conditioning, lifts and common area lighting;
  - (ii) or for the whole building where there is to be one tenant to occupy the whole building.

The applicant must provide a copy of the completed Commitment Agreement with their Construction Certificate application; and

- (b) Providing a copy of the independent energy assessment report to OEH and submitted with the Construction Certificate application, that follows the current OEH guidelines. This report must be based on the same documents as those submitted with the Construction Certificate.

Note: Definitions referred to in clause (a) above:

- (i) Commitment Agreement means an agreement that is set out in accordance with OEH NABERS Commitment Agreement, which is made/signed between OEH and the applicant/building owner/building manager, to design, build and commission the premises to an agreed star rating.
- (ii) Star rating refers to the benchmarking system applied by OEH for measuring the energy efficiency of a building and known as NABERS the National Australian Built Environment Rating System.
- (iii) Base building means central services and common areas of a building.
- (iv) Tenancies means office space within a building covering tenant light and power. This may include tenancy air conditioning if this has been installed to service particular tenant loads but does not include central services.
- (v) Whole building means all of the building, being the fabric of the building itself and all services and fit-outs.

## **(24) ECOLOGICALLY SUSTAINABLE DEVELOPMENT**

- (a) Sustainability measures outlined within the report prepared by Jones Nicholson Pty Ltd, Ref: 19010862 Rev 1.2 Dated 23.04.21 are to be included in the Construction Certificate plans and documentation prior to the issue of a Construction Certificate.

## **(25) PUBLIC ART**

- (a) Prior to the issue of any Construction Certificate the preliminary public art plan is to be revised to include a project budget and be approved by Council's Area Planning Manager.
- (b) Final details of the proposed public artwork must be submitted to and approved by Council's Area Planning Manager prior to issue of any Construction Certificate for above ground works.

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.

Note: Public art must be reviewed and endorsed by the City's Public Art Team and/or the Public Art Advisory Panel prior to submission for Council approval. Further information is available online at <http://www.cityofsydney.nsw.gov.au/explore/arts-and-culture/public-art>

Please contact the Public Art Team at [publicartreferrals@cityofsydney.nsw.gov.au](mailto:publicartreferrals@cityofsydney.nsw.gov.au) for further information.

- (c) Public art work must be installed to the City's satisfaction prior to the issue of any Occupation Certificate.

## **(26) ACCESSIBLE GREEN ROOFS**

- (a) A detailed green roof design including plans and details drawn to scale, and technical specification, by a registered landscape architect or qualified landscape designer, must be submitted to and approved by Council's Area Coordinator Planning Assessments / Area Planning Manager prior to the issue of a Construction Certificate. These documents must include:
  - (i) A statement that includes details of proposed use of the green roof, accessibility, and any noise and privacy treatments.
  - (ii) Location and details of existing and proposed services, walls, balustrades, hard surfaces, furniture, wind acoustic screen to Pitt Street, fixings and other structural elements that may interrupt waterproofing, including cross-sectional details of all components.
  - (iii) Engineers report confirming structural capacity of building for proposed roof terrace loads.
  - (iv) Details demonstrating all furniture, free standing pots are fixed to the slab to comply with wind report recommendation.
  - (v) Details of soil types and depth including any mounding.
  - (vi) Planting details, and location, numbers, type and supply size of plant species, with reference to Australian Standards and preference for drought resistant species that contribute to habitat creation and biodiversity.

- (vii) Details of drainage and irrigation systems, including overflow provisions and water retention cells in the drainage layer.
  - (viii) Green roof maintenance plan. This plan is to be complied with during occupation of the property.
  - (ix) Maintenance methodology for safe working at height including access requirements, location of any anchor points, gates, and transport of materials such as green waste removal.
  - (x) A plan outlining the intended strategy for decommissioning if green wall planting works fail. This is to ensure green wall is maintained is throughout its life.
- (b) Prior to the issue of a Construction Certificate, structural and waterproofing certifications for the green roof are to be submitted to and approved by the Principal Certifying Authority.
  - (c) Inaccessible green roofs must remain inaccessible for the lifetime of the property.

#### **(27) ARCHAEOLOGICAL ASSESSMENT**

An archaeological assessment undertaken by a suitably qualified archaeologist must be submitted to and approved by Council's Heritage Specialist prior to the issue of a Construction Certificate. The report must assess whether the proposed works have the potential to disturb any archaeological remains and the need for any archaeological investigation prior to commencement of any works on site. The report should also recommend measures and documentation to be undertaken during the process of demolition and excavation work.

Recommendations by the archaeological assessment are to be implemented during the process of demolition and excavation work.

Should the assessment report suggest the site may contain relics and the proposed work may disturb them, council may request the applicant to amend the proposal so that the relics are properly protected or interpreted.

#### **(28) ARCHAEOLOGICAL DISCOVERY DURING EXCAVATION**

- (a) Should any relics be unexpectedly discovered on the site during excavation, all excavation or disturbance to the area is to stop immediately and the Heritage Council of NSW should be informed in accordance with section 146 of the Heritage Act 1977.
- (b) Should any Aboriginal objects be unexpectedly discovered then all excavation or disturbance of the area is to stop immediately and NSW Government Office of Environment and Heritage is to be informed in accordance with Section 89A of the *National Parks and Wildlife Act 1974*
- (c) Should any archaeological remains or Aboriginal objects be discovered, a copy of recording of the finds and the final archaeological summary report is to be submitted to Council prior to the Occupational Certificate;
- (d) If the discovery is on Council's land, Council must be informed.

## **(29) PHOTOGRAPHIC ARCHIVAL DOCUMENTATION**

Prior to a Construction Certificate being issued, an archival photographic recording of the existing building is to be prepared to Council's satisfaction. The recording is to be in digital form and prepared in accordance with the NSW Heritage Division guidelines titled "Photographic Recording of Heritage Items using Film or Digital Capture". One copy of the record is to be submitted to Council to be lodged with Council's Archives.

The form of the recording is to be as follows:

- (a) The Development Application number must be noted on the submitted information.
- (b) Include a summary report detailing the project description, date and authorship of the photographic record, method of documentation and limitations of the photographic record.
- (c) Include written confirmation, issued with the authority of both the applicant and the photographer that the City of Sydney is granted a perpetual non-exclusive licence to make use of the copyright in all images supplied, including the right to make copies available to third parties as though they were Council images. The signatures of both the applicant and the photographer must be included.
- (d) The report is to be submitted on a USB or digital file transfer in PDF/A format, (created directly from the digital original), with the digital catalogue of images containing the following data for each location, image subject/description and date.
- (e) The electronic images are to be taken with a minimum 8 megapixel camera, saved as JPEG TIFF or PDF files with a size of approximately 4-6MB, and cross referenced to the digital catalogue sheets and base plans. Choose only images that are necessary to document the process and avoid duplicate images.

## **(30) SITES IN THE VICINITY OF A HERITAGE ITEM – MAJOR DEVELOPMENT**

- (a) A protection strategy for the duration of the construction works, is to be submitted to and approved by Council's Area Planning Manager prior to the issue of any Construction Certificate. The Strategy is to detail how the proposed works will ensure that the building at 398-408 Pitt St (1856) is to be suitably protected and stabilized during the construction process including from any construction waste, dust, damp, water runoff, vibration or structural disturbance or damage.

Additionally, the protection strategy is to include:

- (i) Construction debris on neighbouring properties, in drainage lines or in cavities between the boundary walls of the adjacent buildings, is to be removed progressively as the works progress.
- (ii) A geotechnical report detailing the investigation of the location and depth of footings of the adjacent buildings. This report should address details of lateral ground movement, advice of any additional boundary

offsets that may be required as a result of the location of footings and on the suitability of structural engineer's proposals for underpinning or other support to adjacent footings.

**(31) BICYCLE PARKING AND END OF TRIP FACILITIES**

- (a) The minimum number of bicycle parking spaces and end of trip facilities to be provided for the development must comply with the table below.

Bicycle Parking Type	Number	Requirements
Non-residential (staff)	2	Spaces must be Class 2 (i) bicycle facilities
Non-residential visitor	9	Spaces must be Class 2 or Class 3 (i) bicycle rails
End of Trip Facility Type	Number	
Showers with change area	1	
Personal lockers	5	

Notes:

- (i) *Australian Standard AS 2890.3:2015 refers to class 1 as class ‘A’, class 2 as class ‘B’, and class 3 as class ‘C’.*
- (b) The layout, design and security of bicycle facilities must comply with the minimum requirements of *Australian Standard AS 2890.3:2015 Parking Facilities Part 3: Bicycle Parking Facilities*. The details must be submitted to and approved by the Principle Certifying Authority confirming prior to the **Construction Certificate** being issued.

**(32) COST OF SIGNPOSTING**

All costs associated with signposting of any kerbside parking restrictions and traffic management measures associated with the development shall be borne by the developer.

**(33) ASSOCIATED ROADWAY COSTS**

All costs associated with the construction of any new road works including kerb and gutter, road pavement, drainage system and footway shall be borne by the developer. The new road works must be designed and constructed in accordance with the City’s “Development Specification for Civil Works Design and Construction”.

**(34) CONSTRUCTION PEDESTRIAN AND TRAFFIC MANAGEMENT PLAN**

- (a) The proponent is to prepare a Construction Pedestrian and Traffic Management Plan (CPTMP) in consultation with the Sydney Coordination



Office within TfNSW, TfNSW, City of Sydney. The CPTMP needs to specify, but not limited to, the following:

- Location of the proposed work zone;
- Proposed crane location;
- 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 CBD and South East Light Rail (CSELR) project. Existing CPTMP's 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 CBD road network;
- Impacts to the existing Inner West Light Rail Operations on Hay Street; and
- Should any impacts 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.

- (b) The proponent is to submit a copy of the final CPTMP plan to Council, who will liaise with the Coordinator General CBD Coordination Office regarding the plan. Subject to endorsement from the Coordinator General CBD Coordination Office, Council will review the plan. The final plan must be approved by Council prior to the issue of any **Construction Certificate** being issued.

**(35) RODENT TREATMENT PROGRAMME – PRE-DEMOLITION AND/OR EXCAVATION**

- (a) Prior to the commencement of any demolition and/or excavation works, a programme of baiting and monitoring of rodent activity is to be put in place at the site.
- (b) A licensed Pest Control Operative must carry out all pest control work and prepare a report, confirming that there is no evidence of any rodent activity at the site prior to the commencement of any works on site. The report must be submitted to and be approved by Council's Area Coordinator Planning Assessments/Area Planning Manager.

**(36) DEMOLITION, EXCAVATION AND CONSTRUCTION NOISE AND VIBRATION MANAGEMENT PLAN**

A site specific noise management plan must be submitted to the Council. The Plan must be prepared by a suitably qualified person who possesses the qualifications to render them eligible for membership of the Australian Acoustic Society, Institution of Engineers Australia or the Australian Association of Acoustic Consultants.

The plan must include but not be limited to the following:-

- (a) identification of noise sensitive receivers near to the site.
- (b) A prediction as to the level of noise impact likely to affect the nearest noise sensitive receivers from the use and proposed number of high noise intrusive appliances intended to be operated onsite. A statement should also be submitted outlining whether or not predicted noise levels will comply with the noise criteria stated within the *City of Sydney Construction Hours /Noise Code of Practice 1992* for the typical construction hours of 07.00am to 7.00pm. Where resultant site noise levels are likely to be in exceedance of this noise criteria then a suitable proposal must be given as to the duration and frequency of respite periods that will be afforded to the occupiers of neighbouring property.
- (c) A representative background noise measurement ( $L_{A90, 15 \text{ minute}}$ ) should be submitted, assessed in the vicinity of any potentially affected receiver locations and measured in accordance with AS 1055:1.2.1997.
- (d) Confirmation of the level of community consultation that has/is and will be undertaken with Building Managers/ occupiers of the main adjoining noise sensitive properties likely to be most affected by site works and the operation of plant/machinery particularly during the demolition and excavation phases.
- (e) Confirmation of noise monitoring methodology that is to be undertaken during the main stages of work at neighbouring noise sensitive properties in order to keep complaints to a minimum and to ensure that noise from site works complies with the noise criteria contained within City's Construction Noise Code.
- (f) What course of action will be undertaken following receipt of a complaint concerning offensive noise.
- (g) Details of any noise mitigation measures that have been outlined by an acoustic consultant or otherwise that will be deployed on site to reduce noise impacts on the occupiers of neighbouring noise sensitive property to a minimum.
- (h) What plant and equipment is to be used on site, the level of sound mitigation measures to be undertaken in each case and the criteria adopted in their selection taking into account the likely noise impacts on the occupiers of neighbouring property and other less intrusive technologies available.

**(37) COMPLIANCE WITH DEMOLITION, EXCAVATION & CONSTRUCTION NOISE AND VIBRATION MANAGEMENT PLAN**

- (a) All works conducted on site which form part of this development must be carried out in accordance with the submitted Demolition, Excavation and Construction Management Plan.
- (b) Where all such control measures have been implemented and the resultant noise and/ or vibration levels at any sensitive receiver still exceed the council's applicable criteria stated in the Construction Hours/Noise Code 1992 and are giving rise to sustained complaints then the contractor must provide regular, appropriate and sustained periods of respite in consultation with Council's Health and Building unit. Approval to vary the authorised noise and vibration levels must be received in writing by the proponent from Council prior to activities being undertaken that exceed sanctioned emission levels. (Use where respite periods not specified under the approved DEC NMP)

Such periods must be set and agreed to by Council's Health and Building Unit.

**(38) COMPLIANCE WITH THE ACOUSTIC REPORT PRIOR TO CONSTRUCTION AND OR OCCUPATION CERTIFICATES**

- (a) All relevant performance parameters (including but not limited to requirements, engineering assumptions and recommendations) in the DA Acoustic Report prepared by "**Day Design**", Ref: **6863-2.1R Rev A, dated 04 December 2020**; must be implemented in the development prior to the commencement of its use.
- (b) Prior to the issue of any relevant Construction Certificate, the final construction drawings and final construction methodology must be assessed and reported to be in accordance with the requirements of the DA Acoustic Report in (a) above, with reference to relevant documentation. This must be done by a Suitably Qualified Acoustic Consultant\* (see definition below). This work will be to the satisfaction of the accredited certifier.
- (c) Prior to the issue of any Occupation Certificate, a Suitably Qualified Acoustic Consultant\* is to provide a written Acoustic Verification Report to the satisfaction of the Principal Certifier that the development complies with the requirements set out in the Report and in (a) and (b) above.

**Note:** *Suitably Qualified Acoustic Consultant* means a consultant who possesses the qualifications to render them eligible for membership of the Australian Acoustical Society, Institution of Engineers Australia or the Association of Australian Acoustical Consultants at the grade of member firm.

- (d) All physical aspects of the building's structure installed in order to meet performance parameters in accordance with this condition must be maintained at all times.

**(39) TEMPORARY GROUND ANCHORS, TEMPORARY SHORING AND PERMANENT BASEMENT/RETAINING WALLS AFFECTING THE ROAD RESERVE**

For temporary shoring including ground anchors affecting the road reserve, a separate application under Sections 138/139 of the *Roads Act 1993* must be submitted to and approved by Council.

**(40) ASBESTOS REMOVAL WORKS**

- (a) All works removing asbestos containing materials must be carried out by a suitably licensed asbestos removalist duly licensed with Safework NSW, holding either a Friable (Class A) or a Non-Friable (Class B) Asbestos Removal Licence which ever applies.

A copy of the relevant licence must be made available to any authorised Council officer on request within 24 hours.

- (b) Five days prior to the commencement of licensed asbestos removal, Safework NSW must be formally notified of the works. All adjoining properties and those opposite the development must be notified in writing of the dates and times when asbestos removal is to be conducted. The notification must identify the licensed asbestos removal contractor and include a contact person for the site together with telephone number and email address.
- (c) All work must be carried out in accordance with the *Work Health and Safety Regulation 2017* and the NSW Government and SafeWork NSW document entitled *How to manage and control asbestos in the work place: Code of Practice (Safework NSW) December 2011* and the *City of Sydney Managing Asbestos Policy dated 21 October 2013 and associated guidelines*.
- (d) The asbestos removalist must use signs and barricades to clearly indicate the area where the asbestos removal work is being performed. Signs must be placed in positions so that people are aware of where the asbestos removal work area is and should remain in place until removal is completed and clearance to reoccupy has been granted. Responsibilities for the security and safety of the asbestos removal site and removal must be specified in the asbestos removal control plan (where required). This includes inaccessible areas that are likely to contain asbestos.
- (e) Warning signs must be placed so they inform all people nearby that asbestos removal work is taking place in the area. Signs must be placed at all of the main entry points to the asbestos removal work area where asbestos is present. These signs must be weatherproof, constructed of light-weight material and adequately secured so they remain in prominent locations. The signs must be in accordance with AS 1319 -1994 *Safety Signs for the Occupational Environment* for size, illumination, location and maintenance.
- (f) Asbestos waste must only be transported and disposed of at an EPA licensed waste facility.

- (g) No asbestos products are to be reused on the site (i.e. packing pieces, spacers, formwork or fill etc).
- (h) No asbestos laden skips or bins are to be left in any public place without the written approval of Council.
- (i) A site notice board must be located at the main entrance to the site in a prominent position and must have minimum dimensions of 841mm x 594mm (A1) with any text on the notice to be a minimum of 30 point type size.

The site notice board must include the following:

- (i) contact person for the site;
- (ii) telephone and facsimile numbers and email address; and
- (iii) site activities and time frames.

#### **(41) HAZARDOUS MATERIALS SURVEY REQUIRED**

A Hazardous Materials Survey Report must be prepared by a certified Occupational Hygienist (*Australia Institute of Occupational Hygienists*) and submitted to the satisfaction of Council's Area Coordinator Planning Assessments / Area Planning Manager prior to any demolition / refurbishment work commencing at the site. The report must identify and record the type, location and extent of any hazardous materials on the site and make recommendations as to their safe management and/or removal to ensure the site is made safe for demolition, construction and future use/occupation.

#### **(42) COMPLIANCE WITH HAZARDOUS MATERIALS SURVEY REPORT**

All of the recommendations for management and/or removal of hazardous materials on the site, as outlined in the Hazardous Materials Survey Report, as approved must be complied with.

Prior to the issue of any Occupation Certificate, certification must be submitted to the Principal Certifier from a certified Occupational Hygienist (*Australia Institute of Occupational Hygienists*) confirming that all hazardous materials identified have been contained, managed or removed in accordance with the recommendations given in the approved Hazardous Materials Survey Report and that the site is safe for future occupation in accordance with the approved use.

#### **(43) DEMOLITION, EXCAVATION AND CONSTRUCTION MANAGEMENT**

- (a) Prior to the commencement of demolition and/or excavation work the following details must be submitted to and be approved by the Principal Certifier:
  - (i) Plans and elevations showing distances of the subject building from the location of adjoining and common/party walls, and (where applicable) the proposed method of facade retention.
  - (ii) A Demolition Work Method Statement prepared by a licensed demolisher who is registered with the Work Cover Authority. (The

demolition by induced collapse, the use of explosives or on-site burning is not permitted.)

- (iii) An Excavation Work Method Statement prepared by an appropriately qualified person.
- (iv) A Waste Management Plan for the demolition and or excavation of the proposed development.
- (v) Plans and elevations showing the location, construction and installation of temporary site fencing and any temporary structures used in connection with the construction of the development.

**Note:** Temporary structures, including hoardings and scaffolding, proposed for erection on City-owned and controlled land (footways and roadways), must comply with the City's *Guidelines for Hoardings and Scaffolding* and be approved by Council under the provisions of the Local Government Act 1993 and the Roads Act 1993 prior to installation.

- (b) Such statements must, where applicable, be in compliance with AS2601-2001 Demolition of Structures, the *Work, Health and Safety Act 2011* and Regulation; Council's *Policy for Waste Minimisation in New Developments 2005*, the *Waste Avoidance and Resource Recovery Act 2001*, and all other relevant acts and regulations and must include provisions for:
  - (i) A Materials Handling Statement for the removal of refuse from the site in accordance with the *Waste Avoidance and Resource Recovery Act 2001*.
  - (ii) The name and address of the company/contractor undertaking demolition/excavation works.
  - (iii) The name and address of the company/contractor undertaking off site remediation/disposal of excavated materials.
  - (iv) The name and address of the transport contractor.
  - (v) The type and quantity of material to be removed from site.
  - (vi) Location and method of waste disposal and recycling.
  - (vii) Proposed truck routes, in accordance with this development consent.
  - (viii) Procedures to be adopted for the prevention of loose or contaminated material, spoil, dust and litter from being deposited onto the public way from trucks and associated equipment and the proposed method of cleaning surrounding roadways from such deposits.

**(Note: With regard to demolition of buildings, dust emission must be minimised for the full height of the building. A minimum requirement is that perimeter scaffolding, combined with chain wire and shade cloth must be used, together with continuous water spray during the demolition process. Compressed air must not be used to blow dust from the building site).**



- (ix) Measures to control noise emissions from the site.
  - (x) Measures to suppress odours.
  - (xi) Enclosing and making the site safe.
  - (xii) Induction training for on-site personnel.
  - (xiii) Written confirmation that an appropriately qualified Occupational Hygiene Consultant has inspected the building/site for asbestos, contamination and other hazardous materials, in accordance with the procedures acceptable to SafeWork NSW.
  - (xiv) An Asbestos and Hazardous Materials Clearance Certificate by a person approved by the SafeWork NSW.
  - (xv) Disconnection of utilities.
  - (xvi) Fire Fighting. (Fire fighting services on site are to be maintained at all times during demolition work. Access to fire services in the street must not be obstructed).
  - (xvii) Access and egress. (Demolition and excavation activity must not cause damage to or adversely affect the safe access and egress of the subject building or any adjacent buildings).
  - (xviii) Waterproofing of any exposed surfaces of adjoining buildings.
  - (xix) Control of water pollution and leachate and cleaning of vehicles tyres (proposals must be in accordance with the *Protection of the Environmental Operations Act 1997*).
  - (xx) Working hours, in accordance with this development consent.
  - (xxi) Any SafeWork NSW requirements.
- (c) The approved work method statements and a waste management plan as required by this condition must be implemented in full during the period of construction.

**(44) EROSION AND SEDIMENT CONTROL - BETWEEN 250 AND 2,500SQM**

Prior to the commencement of demolition/excavation/construction work, an Erosion and Sediment Control Plan (ESCP) must be submitted to and be approved by the Principal Certifier. The ESCP must:

- (a) Conform to the specifications and standards contained in *Managing Urban Stormwater: Soils and Construction* (Landcom, 2004); the *Guidelines for Erosion and Sediment Control on Building Sites* (City of Sydney, 2004); and the *NSW Protection of the Environment Operations Act 1997*.
- (b) Include a drawing(s) that clearly shows:
  - (i) location of site boundaries and adjoining roads
  - (ii) approximate grades and indications of direction(s) of fall

- (iii) approximate location of trees and other vegetation, showing items for removal or retention
  - (iv) location of site access, proposed roads and other impervious areas
  - (v) existing and proposed drainage patterns with stormwater discharge points
  - (vi) north point and scale
- (c) Specify how soil conservation measures will be conducted on site including:
- (i) timing of works
  - (ii) locations of lands where a protective ground cover will, as far as is practicable, be maintained
  - (iii) access protection measures
  - (iv) nature and extent of earthworks, including the amount of any cut and fill
  - (v) where applicable, the diversion of runoff from upslope lands around the disturbed areas
  - (vi) location of all soil and other material stockpiles including topsoil storage, protection and reuse methodology
  - (vii) procedures by which stormwater is to be collected and treated prior to discharge including details of any proposed pollution control device(s)
  - (viii) frequency and nature of any maintenance program
  - (ix) other site-specific soil or water conservation structures.

#### **(45) CLASSIFICATION OF WASTE**

Prior to the exportation of waste (including fill or soil) from the site, the waste materials must be classified in accordance with the provisions of the *Protection of the Environment Operations Act 1997* and the *NSW DECC Waste Classification Guidelines, Part 1: Classifying Waste (July 2009)*. The classification of the material is essential to determine where the waste may be legally taken. The *Protection of the Environment Operations Act 1997* provides for the commission of an offence for both the waste owner and the transporters if the waste is taken to a place that cannot lawfully be used as a waste facility for the particular class of waste. For the transport and disposal of industrial, hazardous or Group A liquid waste advice should be sought from the EPA.

#### **(46) HAZARDOUS AND INDUSTRIAL WASTE**

Hazardous and/or industrial waste arising from the demolition/operational activities must be removed and/or transported in accordance with the requirements of the NSW Work Cover Authority pursuant to the provisions of the following:

- (a) *Protection of the Environment Operations Act 1997*

- (b) *Protection of the Environment Operations (Waste) Regulation 2005*
- (c) *Waste Avoidance and Resource Recovery Act 2001*
- (d) *Work Health and Safety Act 2011*
- (e) *Work Health and Safety Regulation 2017.*

**(47) IMPORTED FILL MATERIALS**

All fill imported onto the site must be validated to ensure the imported fill is suitable for the proposed land use from a contamination perspective. Fill imported on to the site shall also be compatible with the existing soil characteristic for site drainage purposes.

The City may require details of appropriate validation of imported fill material to be submitted with any application for future development of the site. Hence all fill imported onto the site should be validated by either one or both of the following methods during remediation works:

- (a) Imported fill must be accompanied by documentation from the supplier which certifies that the material is not contaminated based upon analyses of the material for the known past history of the site where the material is obtained; and/or
- (b) Sampling and analysis of the fill material shall be conducted in accordance with NSW EPA (1995) Sampling Design Guidelines.

**(48) NOTIFICATION – NEW CONTAMINATION EVIDENCE**

Council's Area Planning Manager and the Principal Certifier must be notified of any new information which comes to light during remediation, demolition or construction works which has the potential to alter previous conclusions about site contamination.

**(49) STOCKPILES**

- (a) No stockpiles of soil or other materials must be placed on footpaths or nature strips unless prior approval has been obtained from the City's Construction Regulation Team.
- (b) All stockpiles of soil or other materials must be placed away from drainage lines, gutters or stormwater pits or inlets.
- (c) All stockpiles of soil or other materials likely to generate dust or odours must be covered.
- (d) All stockpiles of contaminated soil must be stored in a secure area and be covered if remaining more than 24 hours

**(50) FUTURE FOOD USE - MECHANICAL VENTILATION PROVISION**

Prior to the issue of a Construction Certificate, the mechanical exhaust systems and/or shafts must be designed to allow for the discharge of effluent air above roof level and must be designed with capacity to accommodate exhaust ducts and mechanical ventilation systems for all commercial tenancies proposed with

the potential to become a food premises in future. Systems must be designed in accordance with *AS1668.2 – The Use of Ventilation and Air-conditioning in Buildings – Mechanical Ventilation in Buildings*, and *AS1668.1 – The Use of Ventilation and Air-conditioning in Buildings – Fire and Smoke Control in Buildings*.

#### **(51) MECHANICAL VENTILATION**

- (a) The premises must be ventilated in accordance with the *Building Code of Australia* and *AS1668.1 and AS1668.2 - The Use of Ventilation and Air-conditioning in Buildings - Mechanical Ventilation in Buildings*.
- (b) Details of any mechanical ventilation and/or air conditioning system complying with *AS1668.1 and AS1668.2 - The Use of Ventilation and Air-conditioning in Buildings - Mechanical Ventilation in Buildings*, the *Building Code of Australia* and relevant Australian Standards must be prepared and certified in accordance with Clause A5.2(1)(e) of the *Building Code of Australia*, to the satisfaction of the Accredited Certifier prior to the issue of a Construction Certificate.
- (c) Prior to issue of any Occupation Certificate and following the completion, installation, and testing of all the mechanical ventilation systems, a Mechanical Ventilation Certificate of Completion and Performance in accordance with Clause A5.2(1)(e) of the *Building Code of Australia*, must be submitted to the Principal Certifier.

#### **(52) SWIMMING POOL - WASTE AND OVERFLOW WATERS**

Swimming pool waste and overflow waters must be collected and directed to the sewer in accordance with the requirements of Sydney Water, and details are to be submitted with the application for a Construction Certificate to the satisfaction of Council or the accredited certifier and approved by the Accredited Certifier.

#### **(53) DILAPIDATION REPORT**

Subject to the receipt of permission of the affected landowner, dilapidation report/s of adjoining buildings are to be prepared by an appropriately qualified practising structural engineer and submitted for the approval of the Accredited Certifier:

- (a) prior to the commencement of demolition/excavation works; and
- (b) on completion of construction demolition/excavation works.

#### **(54) PHOTOGRAPHIC RECORD / DILAPIDATION REPORT - PUBLIC DOMAIN**

Prior to an approval for demolition being granted or a Construction Certificate being issued, whichever is earlier, a photographic recording of the public domain site frontages is to be prepared and submitted to Council's satisfaction.

The recording must include clear images of the building facade adjoining the footpath, the footpath, nature strip, kerb and gutter, driveway crossovers and laybacks, kerb ramps, road carriageway, street trees and plantings, parking restriction and traffic signs, and all other existing infrastructure along the street.

The form of the recording is to be as follows:-

- (a) A PDF format report containing all images at a scale that clearly demonstrates the existing site conditions;
- (b) Each image is to be labelled to identify the elements depicted, the direction that the image is viewed towards, and include the name of the relevant street frontage;
- (c) Each image is to be numbered and cross referenced to a site location plan;
- (d) A summary report, prepared by a suitable qualified professional, must be submitted in conjunction with the images detailing the project description, identifying any apparent existing defects, detailing the date and authorship of the photographic record, the method of documentation and limitations of the photographic record;
- (e) Include written confirmation, issued with the authority of both the applicant and the photographer that the City of Sydney is granted a perpetual non-exclusive license to make use of the copyright in all images supplied, including the right to make copies available to third parties as though they were Council images. The signatures of both the applicant and the photographer must be included.

Any damage to the public way including trees, footpaths, kerbs, gutters, road carriageway and the like must immediately be made safe and functional by the applicant. Damage must be fully rectified by the applicant in accordance with the City's standards prior to a Certificate of Completion being issued for Public Domain Works or before an Occupation Certificate is issued for the development, whichever is earlier.

#### **(55) PUBLIC DOMAIN LEVELS AND GRADIENTS**

Prior to the issue of any Construction Certificate, a Public Domain Levels and Gradients submission for the building and site frontages must be submitted to and approved by the City's Public Domain Unit. The submission must be prepared in accordance with the City's *Public Domain Manual* and submitted with a completed *Application for Public Domain Levels and Gradients*. Information on how to complete the submission can be downloaded from the City's website at <https://www.cityofsydney.nsw.gov.au/development/public-domain-works/da-associated-works>.

Any requirements to comply with Disability Discrimination Act at the entrance to a building or publicly accessible space must be resolved inside the site boundary.

Note: Public Domain Levels and Gradients plans are to be included with Public Domain Plan – Detailed Documentation for Construction Condition submission.

#### **(56) STORMWATER AND DRAINAGE - MINOR DEVELOPMENT**

The drainage system is to be constructed in accordance with the City's standard requirements as detailed in the City of Sydney's Stormwater Drainage Manual. The development is to be designed so that the flow of pollutants from the site due to stormwater is reduced.

The requirements of Sydney Water regarding the on-site detention (OSD) of stormwater must be ascertained and complied with. Evidence of the approval must be submitted to Council prior to any Construction Certificate other than demolition.

**(57) DEWATERING**

Prior approval must be sought from the City's Public Domain Unit to discharge any groundwater into the City's stormwater drainage system.

Other options for the disposal of groundwater include disposal to sewer with prior approval from Sydney Water, or off-site disposal by a liquid waste transporter for treatment/disposal to an appropriate waste treatment/processing facility.

**(58) NO OBSTRUCTIONS**

All public footways and paths of travel must be free from obstructions. If services are required to be relocated to clear paths of travel then this must be undertaken at the developer's expense. All obstructions are to be removed prior to the issue of any Occupation Certificate.

**(59) PUBLIC DOMAIN DAMAGE BOND**

- (a) A Public Domain Damage Bond calculated on the basis of 36 square metres of granite site frontage must be lodged with Council in accordance with the City of Sydney's adopted Schedule of Fees and Charges. The Public Domain Damage Bond must be submitted as an unconditional bank guarantee or insurance bond as per the Council's Performance Bond Policy in favour of Council as security for repairing any damage to the public domain in the vicinity of the site (Guarantee).
- (b) The Guarantee must be lodged with Council prior to an approval for demolition being granted or any Construction Certificate being issued, whichever is earlier.
- (c) The Guarantee in this condition will be retained in full until the final Occupation Certificate has been issued, or the public domain works bond has been lodged and any rectification works to the footway and Public Domain, are completed to Council's satisfaction. The Guarantee will be released in full unless rectification works are required where upon 90% of the total securities will be released, with the remaining 10% to be retained for the duration of a 6 months Defect Liability Period.

**(60) PROTECTION OF STONE KERBS**

- (a) The existing stone kerbs on the Pitt St frontage of the site are to be retained and properly protected during demolition, excavation and construction works.
- (b) To avoid damage to stone kerbs during excavation and construction works for the development, temporary removal and storage of the stone kerbs may be approved by Council. Removed, serviceable stone kerbs (i.e. those that are in good condition as agreed by Council officers) must be re-installed in accordance with the City of Sydney's standard details and specifications after the construction works have been completed. A temporary concrete



kerb will need to be constructed to retain the footpath until the stone kerbs can be reinstalled.

- (c) Note the following:
- (i) all costs associated with the works are to be borne by the developer.
  - (ii) Damaged kerbs are to be replaced to match existing to Council's satisfaction or as otherwise advised by Council officers.
  - (iii) Where new vehicle crossings or temporary crossings are to be constructed to access the property, the affected kerb stones should be salvaged and reused wherever possible.
  - (iv) All new driveway laybacks and kerbs are to be constructed with stone kerbs to match existing stones or as specified by City officers.
  - (v) Council approval is required before kerbs are removed.
  - (vi) Council approval is required prior to the cutting of existing stone kerbs for stormwater kerb outlets.
  - (vii) Stone kerbs and gutters may be bonded in accordance with the City of Sydney's adopted Schedule of Fees and Charges. If so, this will be included with the Public Domain Damage Bond.

#### **(61) TACTILE GROUND SURFACE INDICATORS AND HANDRAILS**

All tactile ground surface indicators, handrails and other elements required to provide access into the building / property must be located entirely within the private property boundary.

#### **(62) WASTE AND RECYCLING MANAGEMENT - COMMERCIAL**

- (a) The Waste and Recycling Management Plan accompanying this Development Application has not been approved by this consent.
- (b) A Waste and Recycling Management Plan is to be approved by the Accredited Certifier prior to a Construction Certificate being issued. The plan must comply with the Council's *Guidelines for Waste Management in New Developments 2018*. All requirements of the approved Building Waste and Recycling Management Plan must be implemented during construction of the development.

#### **UPON COMPLETION OF THE DEVELOPMENT**

- (c) Prior to any Occupation Certificate being issued or the use commencing, whichever is earlier, the Principal Certifier must ensure that waste handling works have been completed in accordance with: the Waste and Recycling Management Plan; other relevant development consent conditions; and Council's *Guidelines for Waste Management in New Developments 2018*.

### **(63) WASTE AND RECYCLING MANAGEMENT**

The proposal must comply with the relevant provisions of Council's *Guidelines for Waste Management in New Developments 2018* which requires facilities to minimise and manage waste and recycling generated by the proposal.

### **(64) UTILITY SERVICES**

To ensure that utility authorities are advised of the development:

- (a) Prior to the issue of a Construction Certificate a survey is to be carried out of all utility services within and adjacent to the site including relevant information from utility authorities and excavation if necessary, to determine the position and level of services.
- (b) Prior to the commencement of work the applicant is to obtain written approval from the utility authorities (e.g. Energy Australia, Sydney Water, and Telecommunications Carriers) in connection with the relocation and/or adjustment of the services affected by the construction of the underground structure. Any costs in the relocation, adjustment or support of services are to be the responsibility of the developer.

### **(65) SYDNEY WATER CERTIFICATE**

A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation.

Application must be made through an authorised Water Servicing Coordinator. Please refer to the Building Developing and Plumbing section on the web site [www.sydneywater.com.au](http://www.sydneywater.com.au) then refer to "Water Servicing Coordinator" under "Developing Your Land" or telephone 13 20 92 for assistance.

Following the submission of the application a "Notice of Requirements" will advise of water and sewer infrastructure to be built and charges to be paid. Please make early contact with the Coordinator, since building of water/sewer infrastructure can be time consuming and may impact on other services and building, driveway or landscape design.

The Section 73 Certificate must be submitted to Council or the Principal Certifier prior to an Occupation Certificate or subdivision/strata certificate being issued.

## SCHEDULE 1C

### DURING CONSTRUCTION/PRIOR TO OCCUPATION/COMPLETION

#### (66) PHYSICAL MODELS

- (a) Prior to the issue of any Occupation Certificate an accurate 1:500 scale model of the development as constructed must be submitted to and approved by Council's Area Coordinator Planning Assessments/Area Planning Manager for the City Model in Town Hall House.

Note:

- (i) The models must be constructed in accordance with the Model Specifications available online at <http://www.cityofsydney.nsw.gov.au/development/application-guide/application-process/model-requirements> Council's modellers must be consulted prior to construction of the model.
- (ii) The models are to comply with all of the conditions of the Development Consent.
- (iii) The models must be amended to reflect any further modifications to the approval (under Section 4.55 of the *Environmental Planning and Assessment Act*) that affect the external appearance of the building.

#### (67) SUBMISSION OF ELECTRONIC CAD MODELS PRIOR TO OCCUPATION CERTIFICATE

- (a) Prior to any Occupation Certificate being issued, an accurate 1:1 electronic CAD model of the completed development must be submitted to and approved by Council's Area Coordinator Planning Assessments/Area Planning Manager for the electronic Visualisation City Model.
- (b) The data required to be submitted within the surveyed location must include and identify:
- (i) building design above and below ground in accordance with the development consent;
- (ii) all underground services and utilities, underground structures and basements, known archaeological structures and artefacts;
- (iii) 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 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.

- (c) The electronic model must be constructed in accordance with the City's 3D CAD electronic model specification. The specification is available online at

<http://www.cityofsydney.nsw.gov.au/development/application-guide/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 the Development Consent.

**(68) LANDSCAPING OF THE SITE**

All landscaping in the approved plans is to be completed prior to any Occupation Certificate being issued.

**(69) WASTE AND RECYCLING COLLECTION CONTRACT**

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.

**(70) VISITOR AND TOURIST ACCOMMODATION - PLANS OF MANAGEMENT**

Plans of Management must be submitted and approved by Council's Health and Building Unit prior to any Occupation Certificate being issued. The Plans of Management must include the minimum criteria as stipulated in Council's *Sydney Development Control Plan 2012 – 4.4.8*.

**(71) SURVEY**

All footings, walls and floor slabs adjacent to a boundary must be set out by a registered surveyor. On commencement of brickwork or wall construction a survey and report, prepared by a Registered Surveyor, must be submitted to the Principal Certifier indicating the position of external walls in relation to the boundaries of the allotment. Any encroachments by the subject building over adjoining boundaries or roads must be removed prior to continuation of building construction work.

**(72) SURVEY CERTIFICATE AT COMPLETION**

A Survey Certificate prepared by a Registered Surveyor must be submitted to the Principal Certifier at the completion of the building work certifying the location of the building in relation to the boundaries of the allotment.

**(73) ENCROACHMENTS – PUBLIC WAY**

No portion of the proposed structure (other than footpath awning), including gates and doors during opening and closing operations, shall encroach upon Council's footpath area.

**(74) ENCROACHMENTS – NEIGHBOURING PROPERTIES**

No portion of the proposed structure shall encroach onto the adjoining properties

**(75) OCCUPATION CERTIFICATE TO BE SUBMITTED**

An Occupation Certificate must be obtained from the Principal Certifier and a copy submitted to Council prior to commencement of occupation or use of the whole or any part of a new building, an altered portion of, or an extension to an existing building.

## **(76) HOURS OF WORK AND NOISE – CBD**

The hours of construction and work on the development must be as follows:

- (a) All work, including demolition, excavation and building work, and activities in the vicinity of the site generating noise associated with preparation for the commencement of work (eg loading and unloading of goods, transferring of tools etc) in connection with the proposed development must only be carried out between the hours of 7.00am and 7.00pm on Mondays to Fridays, inclusive, and 7.00am and 5.00pm on Saturdays, and no work must be carried out on Sundays or public holidays.
- (b) All work, including demolition, excavation and building work must comply with the *City of Sydney Code of Practice for Construction Hours/Noise 1992* and Australian Standard 2436-2010 *Guide to Noise Control on Construction, Maintenance and Demolition Sites*.
- (c) Notwithstanding the above, the use of a crane for special operations, including the delivery of materials, hoisting of plant and equipment and erection and dismantling of on site tower cranes which warrant the on-street use of mobile cranes outside of above hours can occur, subject to a permit being issued by Council under Section 68 of the Local Government Act 1993 and/or Section 138 of the Roads Act 1993.

Note: Works may be undertaken outside of hours, where it is required to avoid the loss of life, damage to property, to prevent environmental harm and/or to avoid structural damage to the building. Written approval must be given by the Construction Regulation Unit, prior to works proceeding.

The *City of Sydney Code of Practice for Construction Hours/Noise 1992* allows extended working hours subject to the approval of an application in accordance with the Code and under Section 4.55 of the *Environmental Planning and Assessment Act 1979*.

## **(77) NOTIFICATION OF EXCAVATION WORKS OR USE OF HIGH NOISE EMISSION APPLIANCES/PLANT**

The immediately adjoining neighbours must be given a minimum of 48 hours notice that excavation, shoring or underpinning works or use of high noise emission appliances / plant are about to commence.

## **(78) USE OF HIGH NOISE EMISSION APPLIANCES / PLANT**

- (a) The operation of high noise emission appliances, plant and/or machinery such as pile – drivers, rock breakers and hydraulic hammers and those which are not listed in Groups B, C, D, E or F of Schedule 1 of the *City of Sydney Code of Practice for Construction Hours/Noise 1992* and Australian Standard 2436-2010 *Guide to Noise Control on Construction, Maintenance and Demolition Sites* is restricted to the hours of:
  - (i) **9.00am-12.00pm and 1.00pm-4.00pm Mondays to Friday**
  - (ii) **9.00am-1.00pm on Saturdays**
  - (iii) **No work is permitted on Sundays or Public Holidays**

- (b) All reasonable and feasible steps must be undertaken to ensure that the work, including demolition, excavation and building complies with the *City of Sydney Code of Practice for Construction Hours/Noise 1992* and Australian Standard 2436- 2010 *Guide to Noise Control on Construction, Maintenance and Demolition Sites*.

#### **(79) LOADING AND UNLOADING DURING CONSTRUCTION**

The following requirements apply:

- (a) All loading and unloading associated with construction activity must be accommodated on site.
- (b) If it is not feasible for loading and unloading to take place on site, a Works Zone on the street may be considered by Council.
- (c) A Works Zone may be required if loading and unloading is not possible on site. If a Works Zone is warranted an application must be made to Council at least 8 weeks prior to commencement of work on the site. An approval for a Works Zone may be given for a specific period and certain hours of the days to meet the particular need for the site for such facilities at various stages of construction. The approval will be reviewed periodically for any adjustment necessitated by the progress of the construction activities.
- (d) In addition to any approved Works Zone, provision must be made for loading and unloading to be accommodated on site once the development has reached ground level.
- (e) The structural design of the building must allow the basement and/or the ground floor to be used as a loading and unloading area for the construction of the remainder of the development.
- (f) Where hoisting activity over the public place is proposed to be undertaken including hoisting from a Works Zone, a separate approval under Section 68 of the Local Government Act 1993 must be obtained.

#### **(80) NO OBSTRUCTION OF PUBLIC WAY**

The public way must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances. Non-compliance with this requirement will result in the issue of a notice by Council to stop all work on site.

#### **(81) USE OF MOBILE CRANES**

The following requirements apply:

- (a) Mobile cranes operating from the road must not be used as a method of demolishing or constructing a building.



- (b) For special operations including the delivery of materials, hoisting of plant and equipment and erection and dismantling of on site tower cranes which warrant the on-street use of mobile cranes, permits must be obtained from Council for the use of a mobile crane. The permits must be obtained 48 hours beforehand for partial road closures which, in the opinion of Council will create minimal traffic disruptions and 4 weeks beforehand in the case of full road closures and partial road closures which, in the opinion of Council, will create significant traffic disruptions.
- (c) Special operations and the use of mobile cranes must comply with the approved hours of construction. Mobile cranes must not be delivered to the site prior to 7.30am without the prior approval of Council.

**(82) APPLICATION FOR HOARDINGS AND SCAFFOLDING INSTALLED ON OR ABOVE A PUBLIC ROAD AND OPERATING HOISTING DEVICES INCLUDING BUILDING MAINTENANCE UNITS OVER A PUBLIC ROAD**

- (a) A separate application under Section 68 of the *Local Government Act 1993* and Section 138 of the *Roads Act 1993* is to be made to Council to erect a hoarding and/or scaffolding (temporary structures) on or above a public road (footway and/or roadway).
- (b) Where an approval (Permit) is granted allowing the placement of temporary structures on or above a public road the structures must comply fully with Council's *Hoarding and Scaffolding Policy; Guidelines for Hoardings and Scaffolding*; and the conditions of approval (Permit) granted including:
  - (i) maintaining a current and valid approval for the full duration that the temporary structure/s is in place;
  - (ii) maintaining temporary structure/s in a structurally sound and stable condition for the full duration of installation (Clause 2.11.1);
  - (iii) bill posters and graffiti being removed within 24 hours of their placement (Clause 2.11.2);
  - (iv) maintaining temporary structures and the public place adjoining the work site in a clean and tidy condition including repainting and/or repair of graphics (Clauses 2.11.1, 2.11.4, 2.14.1 and 3.9.3);
  - (v) maintaining a watertight deck (Type B hoardings) to prevent liquids including rainwater, falling onto the footway/roadway surfaces (Clauses 3.9.1 and 3.9.4);
  - (vi) approved site sheds on the decks of a Type B hoarding being fully screened from the public place (Clause 3.9.5);
  - (vii) material and equipment not being placed or stored on the deck of Type B hoardings, unless specifically approved by Council (Clause 3.9.4);
  - (viii) providing and maintaining operational artificial lighting systems under Type B hoardings including at high-bay truck entry points (Clause 3.9.9); and

- (ix) ensuring all required signage is provided and maintained (Clauses 3.9.3, 3.9.6, 3.9.8, 3.10.1 and 4.2).

If it is proposed to operate a hoisting device including a building maintenance unit above a public road which swings, hoists material/equipment and/or slews any part of the device over the public road, a separate application under Section 68 of the *Local Government Act 1993* and Section 138 of the *Roads Act 1993* must be made to Council to obtain approval.

**Note:** 'Building maintenance unit' means a power-operated suspended platform and associated equipment on a building specifically designed to provide permanent access to the faces of the building for maintenance (*Work Health and Safety Regulation 2011*).

### **(83) COVERING OF LOADS**

All vehicles involved in the excavation and/or demolition process and departing the property with demolition materials, spoil or loose matter must have their loads fully covered before entering the public roadway.

### **(84) LOADING AND SERVICE MANAGEMENT PLAN**

The Loading and Service Management Plan must be submitted to and approved by Council prior to any **Occupation Certificate** being issued. The plan prepared by JMT Consulting on 30 November 2020 should consider as the basis of preparing the Final Loading and Service Management and must include, but is not limited to the following:

- Confirm that the waste collection will be scheduled between 5.30am to 6.30am from Monday to Saturday (an agreement with private waste contractor to be attached).
- Ensure that all the deliveries will be *outside* the peak hours.
- Details on how the loading and servicing will be managed and used by all building tenants including hotel, shop, restaurant, café and similar. The plan shall be managed either by a schedule showing all tenants when they can use the area, or by a register managed on site to allow tenants to reserve a time period for their deliveries.
- Details of how hotel drop-off/pick-up (including taxis) will be managed.
- Details of how hotel guests with private vehicle will be managed.
- Once approved, this management plan will need to be provided to all tenants and external users of the loading area.

### **(85) COACH PARKING MANAGEMENT PLAN**

A Coach Parking Management Plan must be submitted to and approved by Council prior to the **Occupation Certificate** for the site/use being granted. The plan must include, but is not limited to providing the following:

- The anticipated numbers of coach arrivals per week,
- Time of day the arrivals,
- Length of stay,
- Bus types and
- Procedures to address the arrivals (including luggage handling and management).

## **(86) TRANSPORT ACCESS GUIDE**

A Transport Access Guide, including a strategy for the future distribution of the Guide to staff, clients, customers and visitors to the site, must be submitted to and approved by Council prior to the Occupation Certificate for the site/use being issued.

The Transport Access Guide is to include (but not limited to) the following:

- 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
- Suitable nearby Taxi Zones
- Public Transport options adjacent to the site
- Pedestrian access to the site
- Bicycle Parking and cycleway networks to the site

## SCHEDULE 2

### PRESCRIBED CONDITIONS

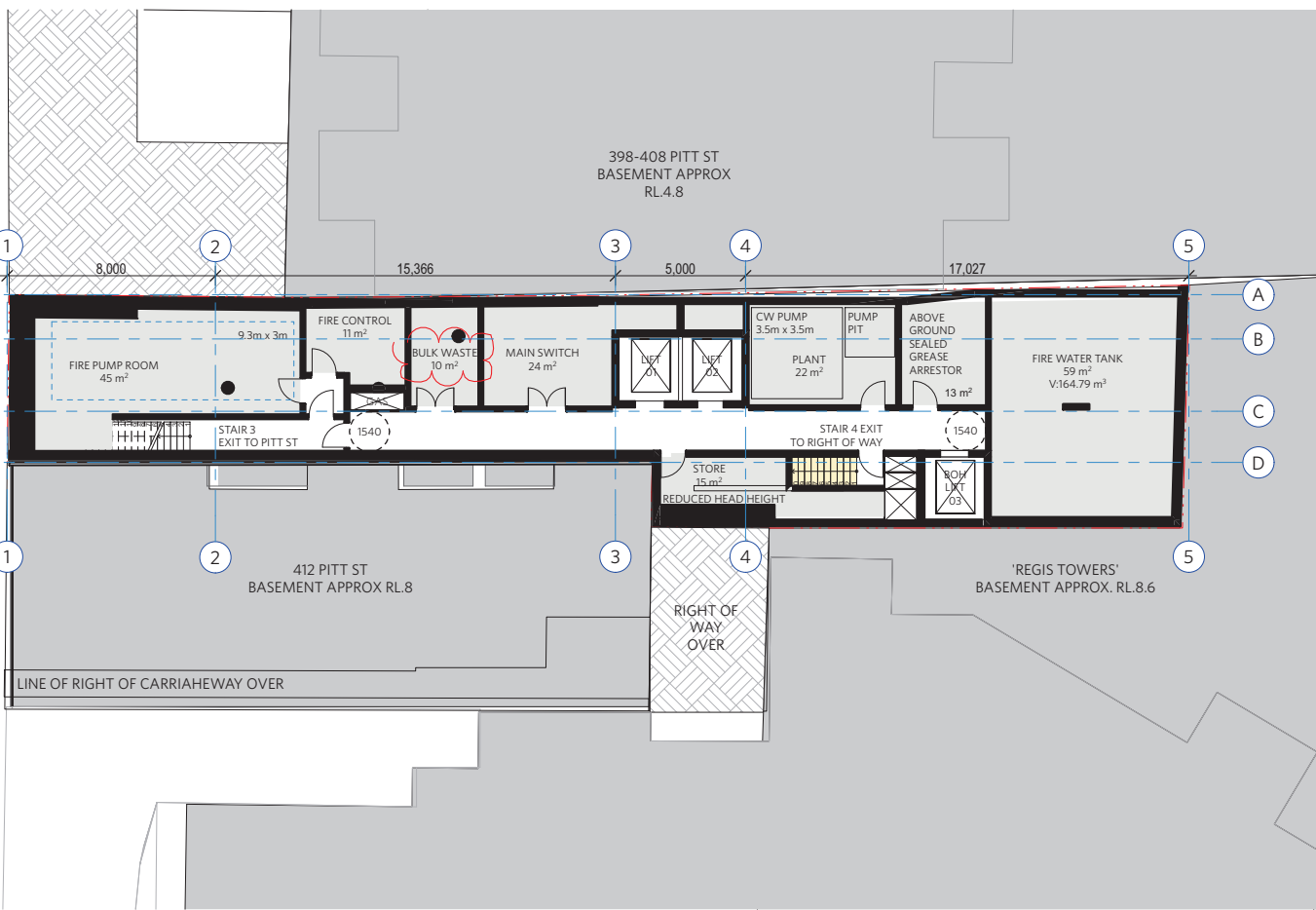
The prescribed conditions in accordance with Division 8A of the *Environmental Planning and Assessment Regulation 2000* apply:

- Clause 98 Compliance with *Building Code of Australia* and insurance requirements under the *Home Building Act 1989*
- Clause 98A Erection of signs
- Clause 98B Notification of *Home Building Act 1989* requirements
- Clause 98C Conditions relating to entertainment venues
- Clause 98D Conditions relating to maximum capacity signage
- Clause 98E Conditions relating to shoring and adequacy of adjoining property

Refer to the NSW State legislation for full text of the clauses under Division 8A of the *Environmental Planning and Assessment Regulation 2000*. This can be accessed at: <http://www.legislation.nsw.gov.au>

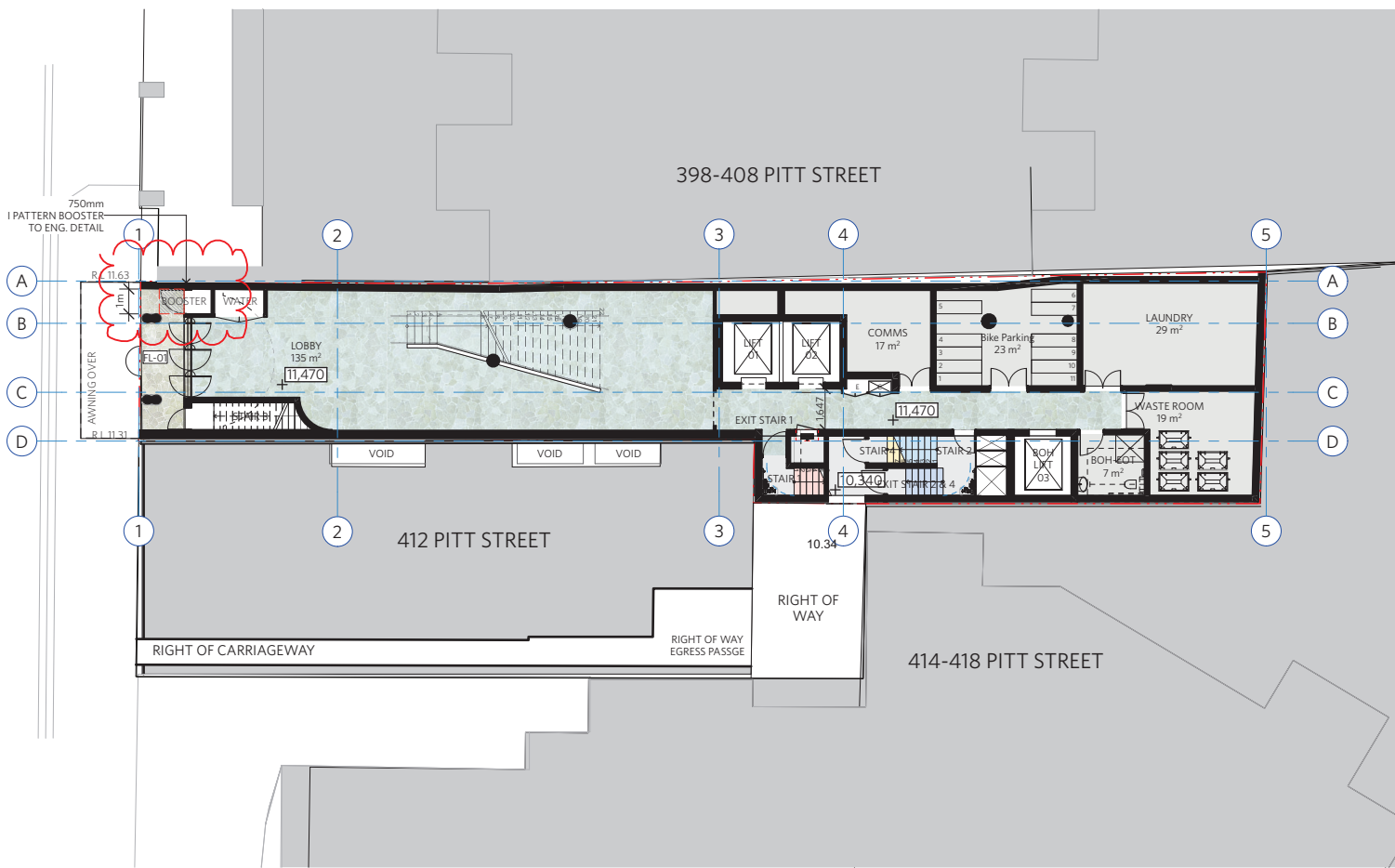
# **Attachment B**

**Selected Drawings**

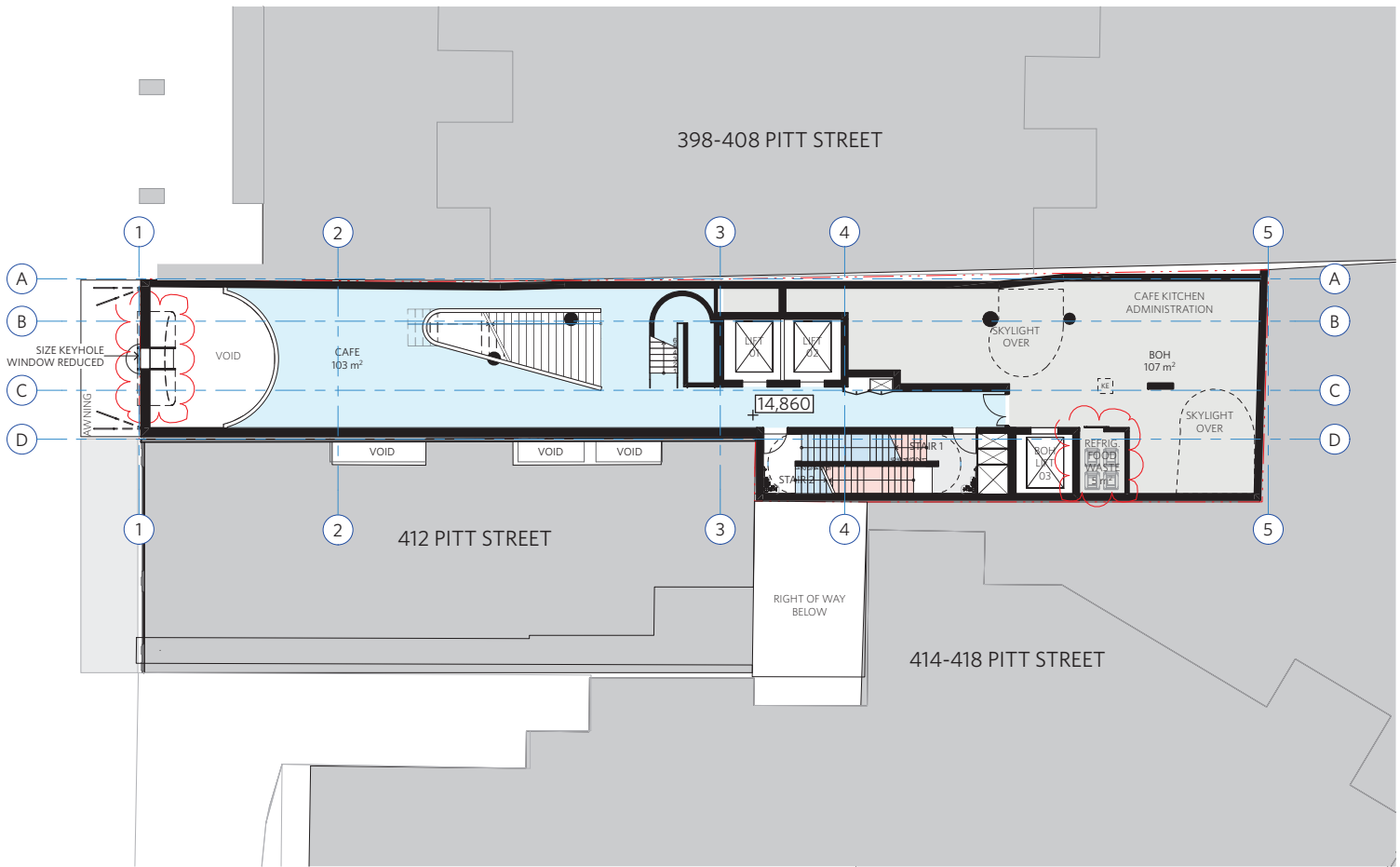


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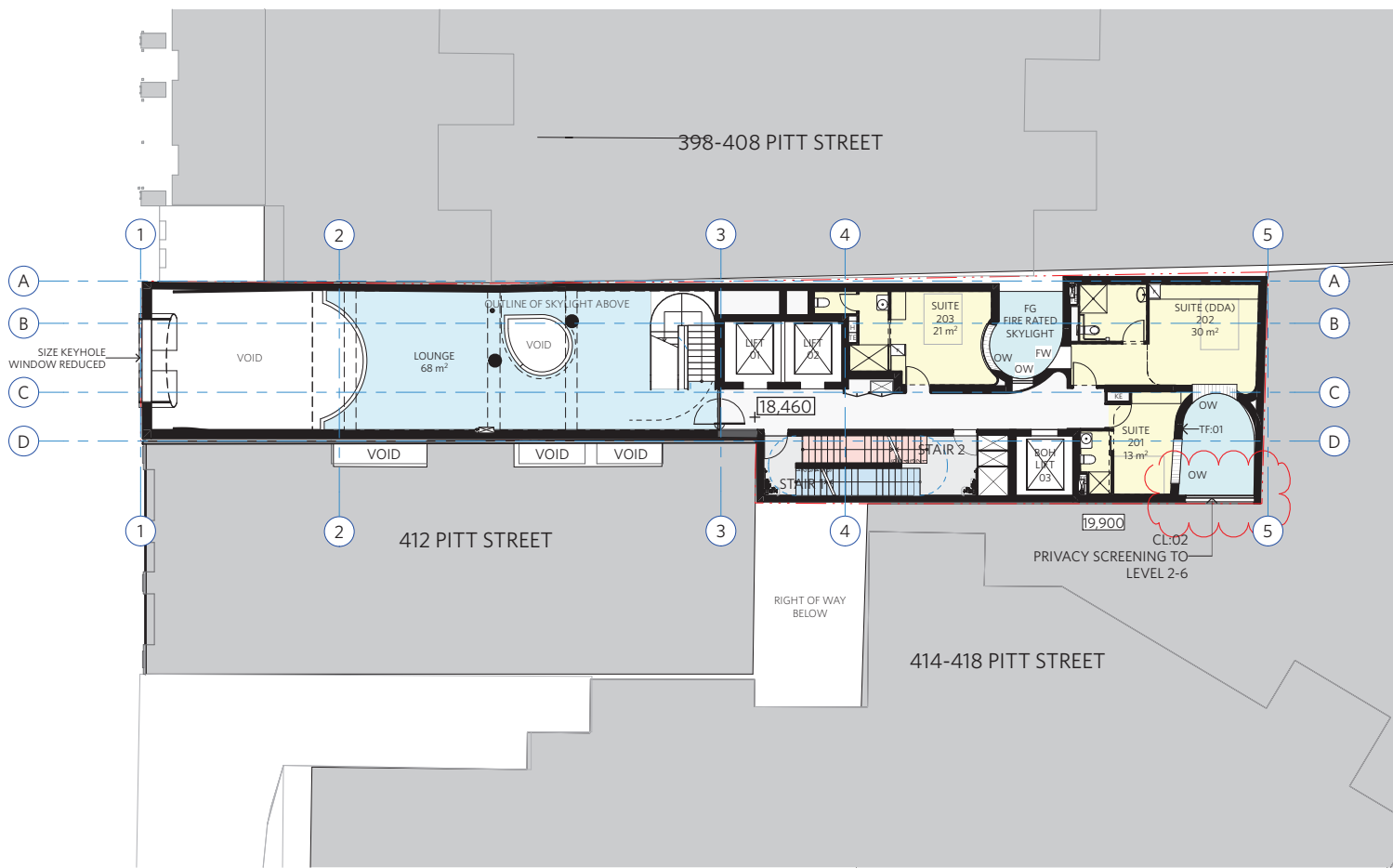




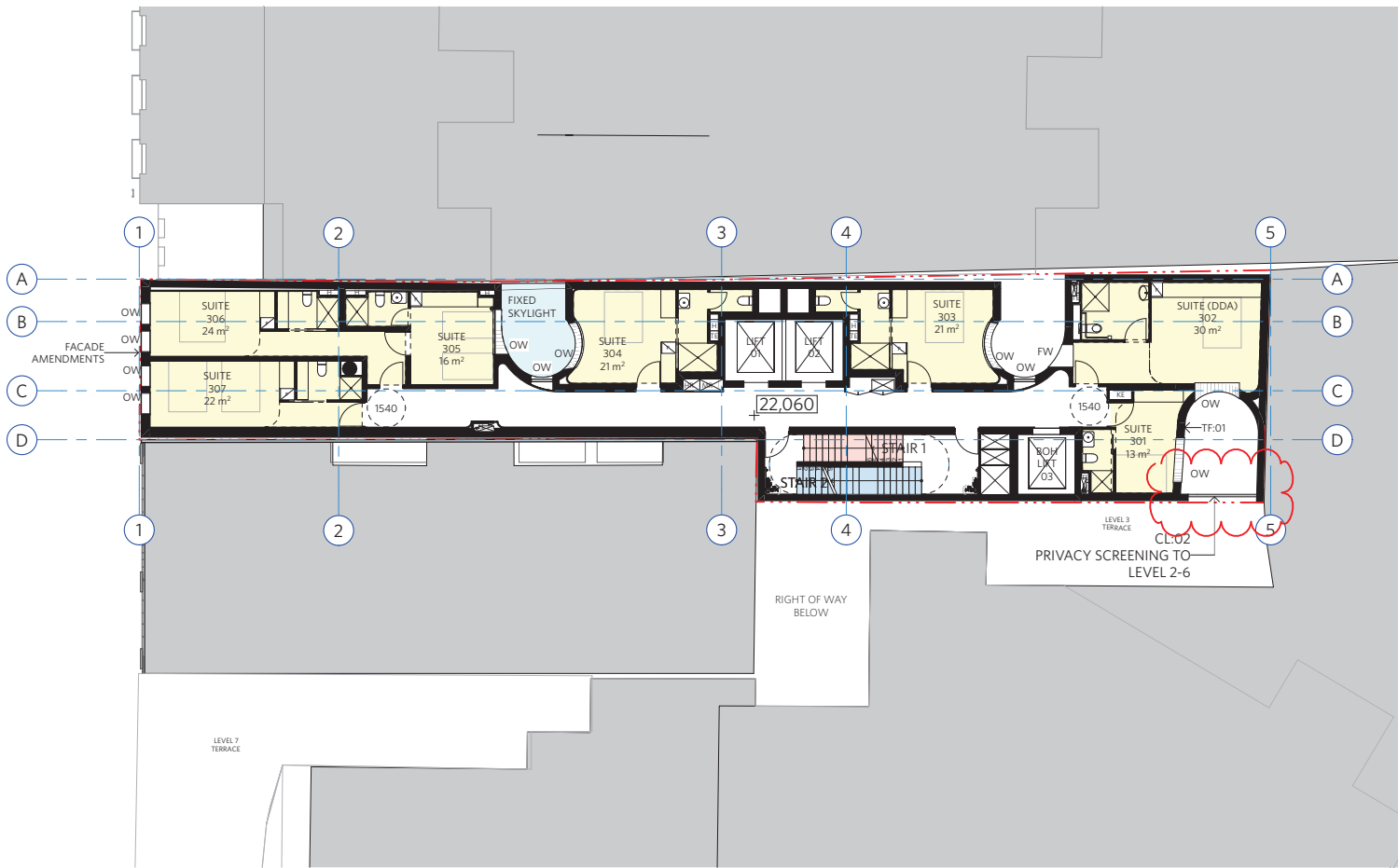
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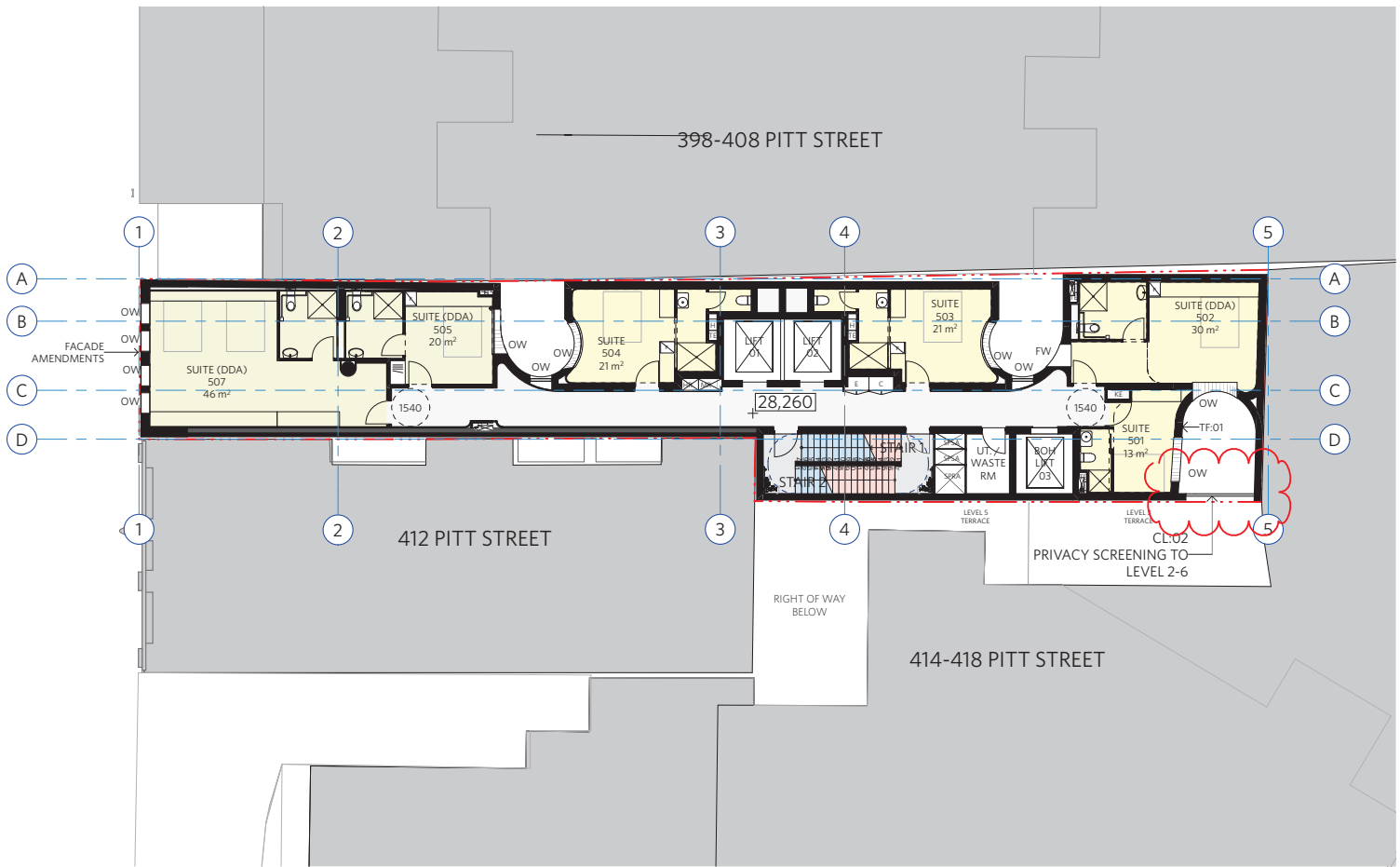


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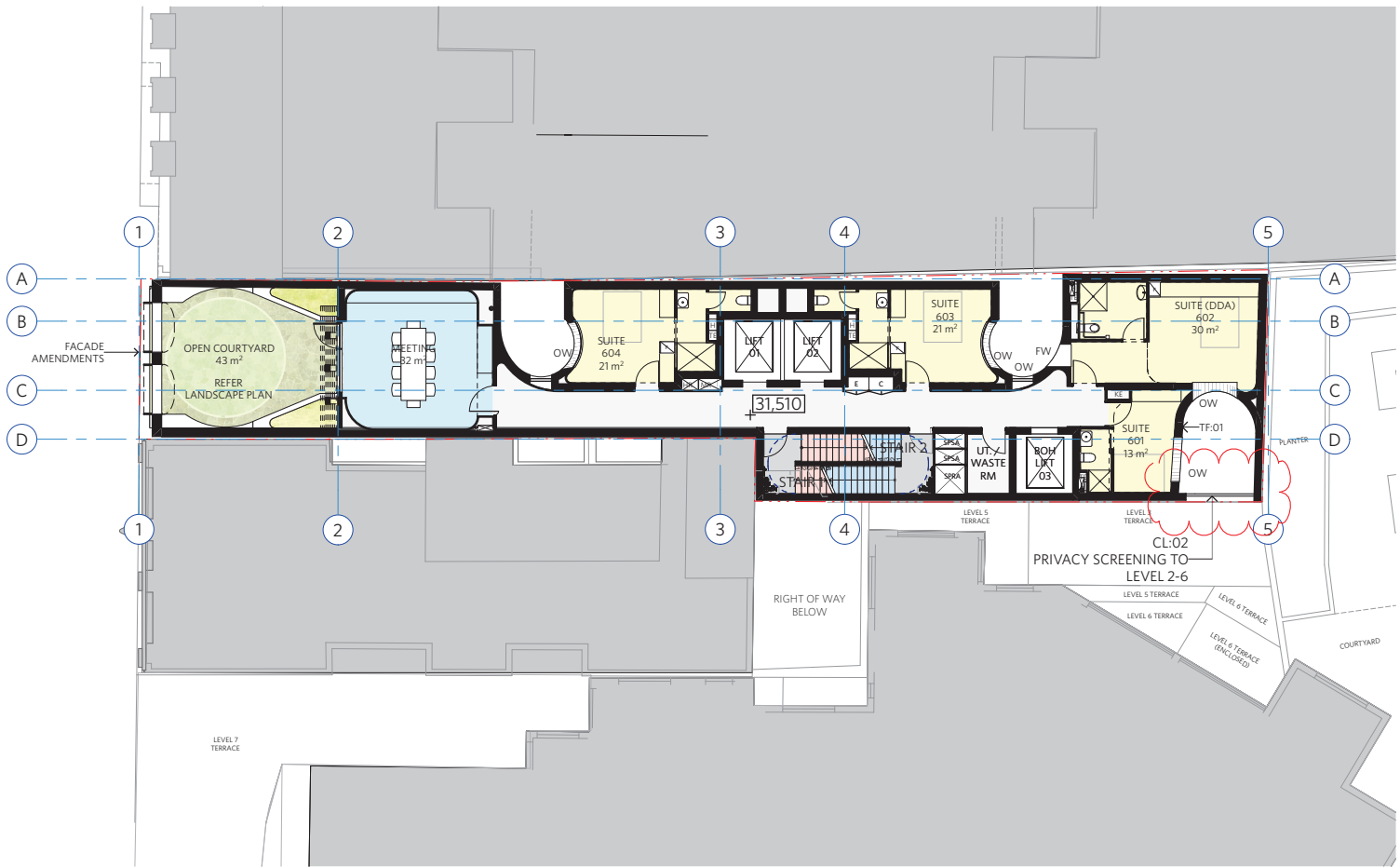
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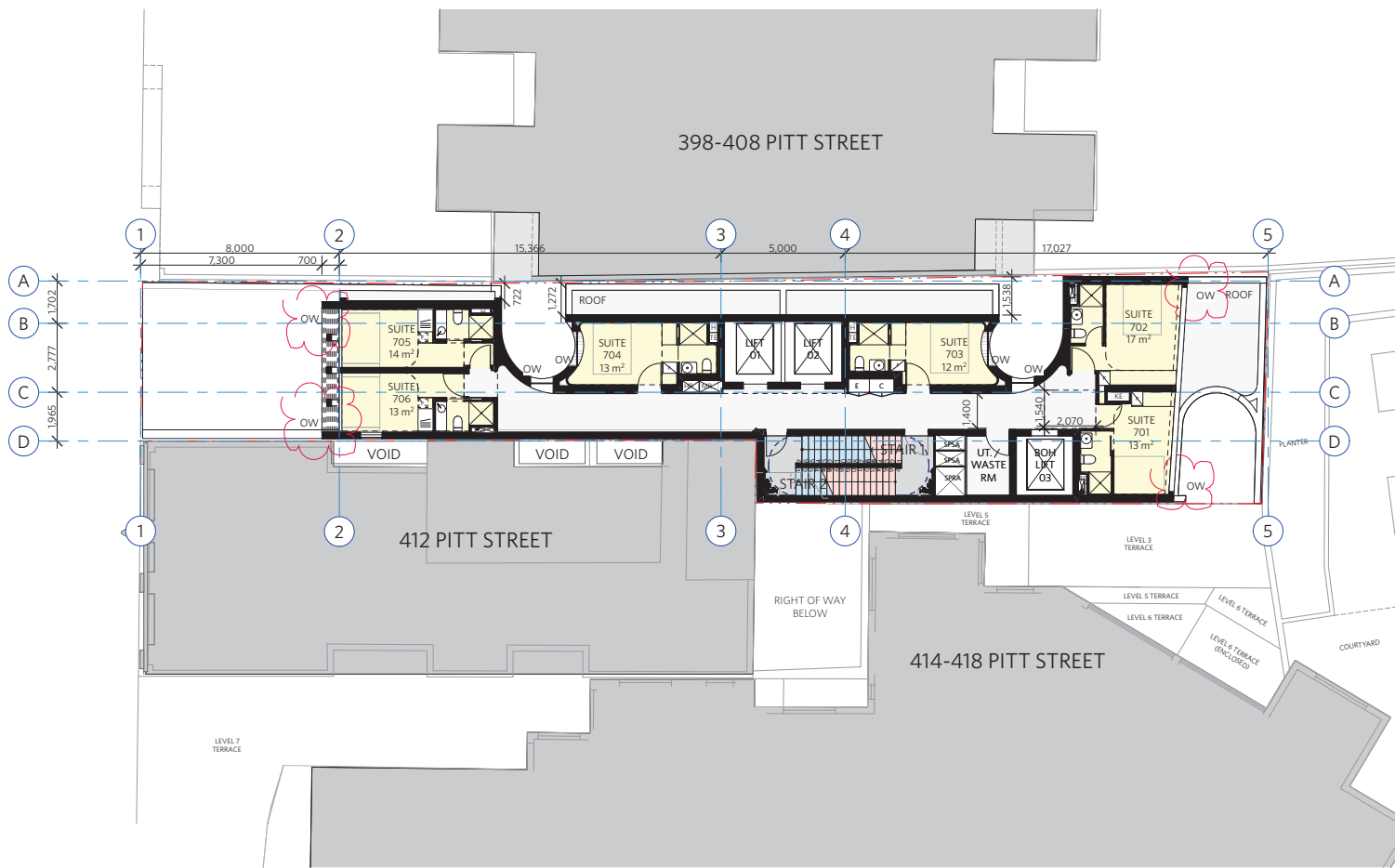
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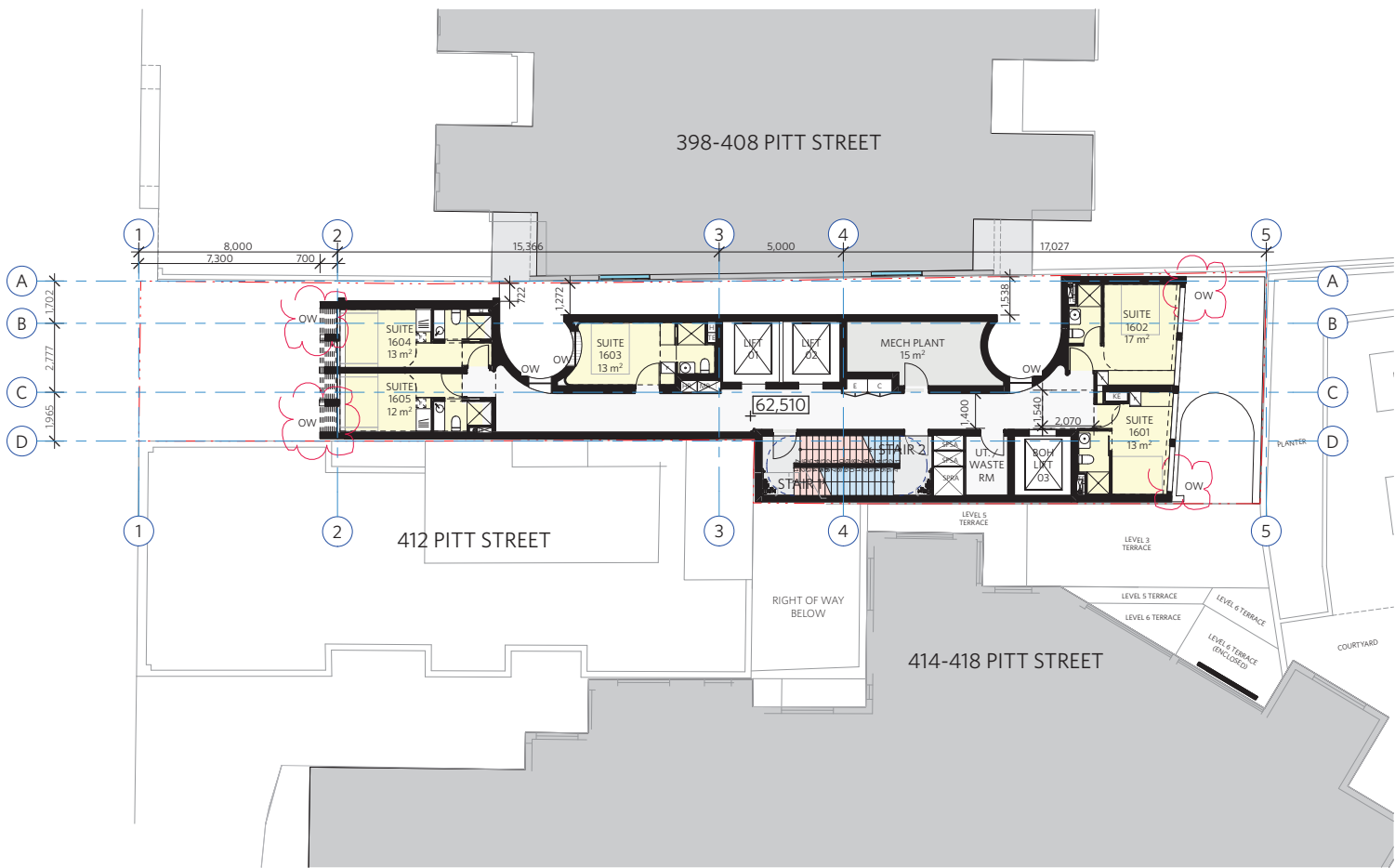


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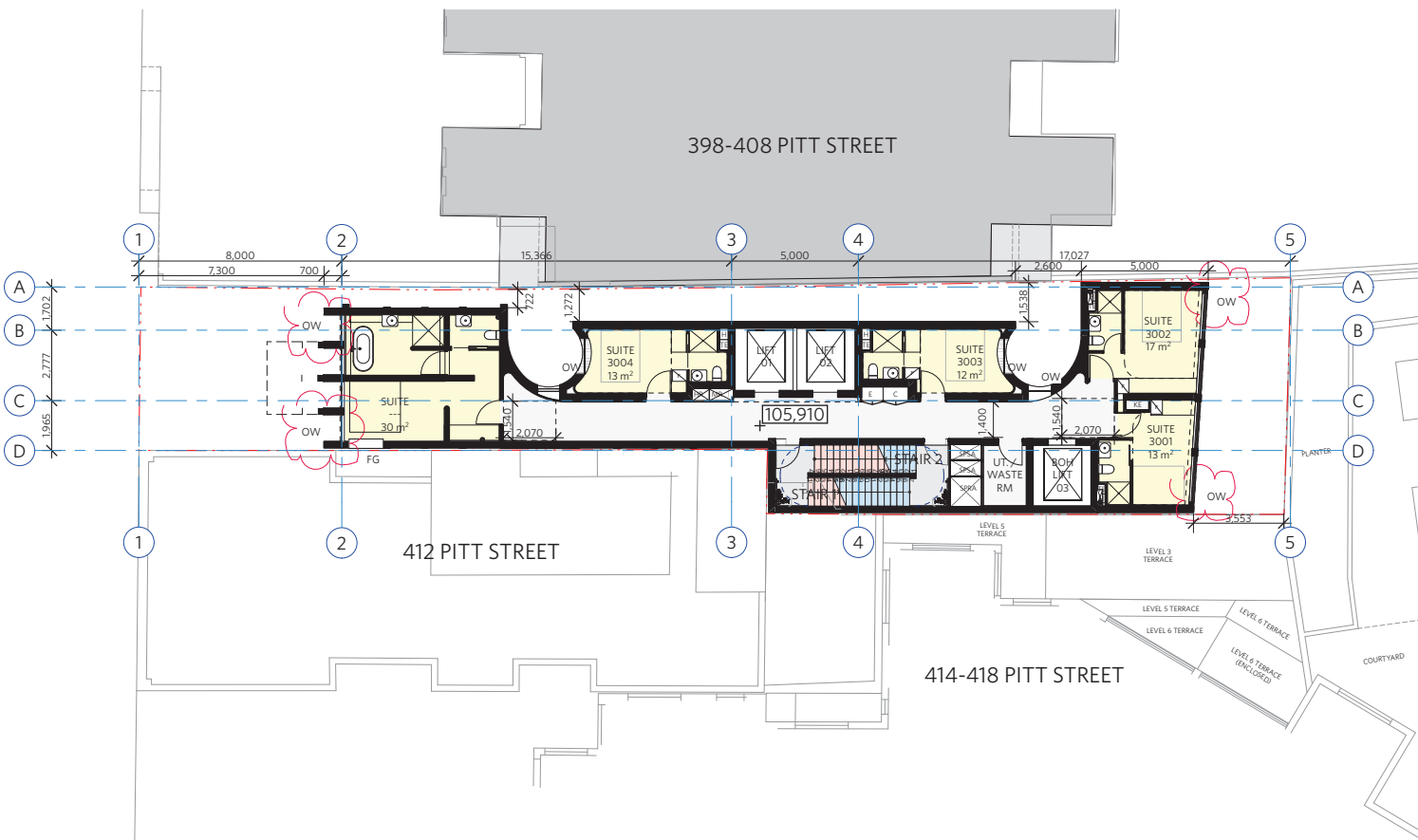


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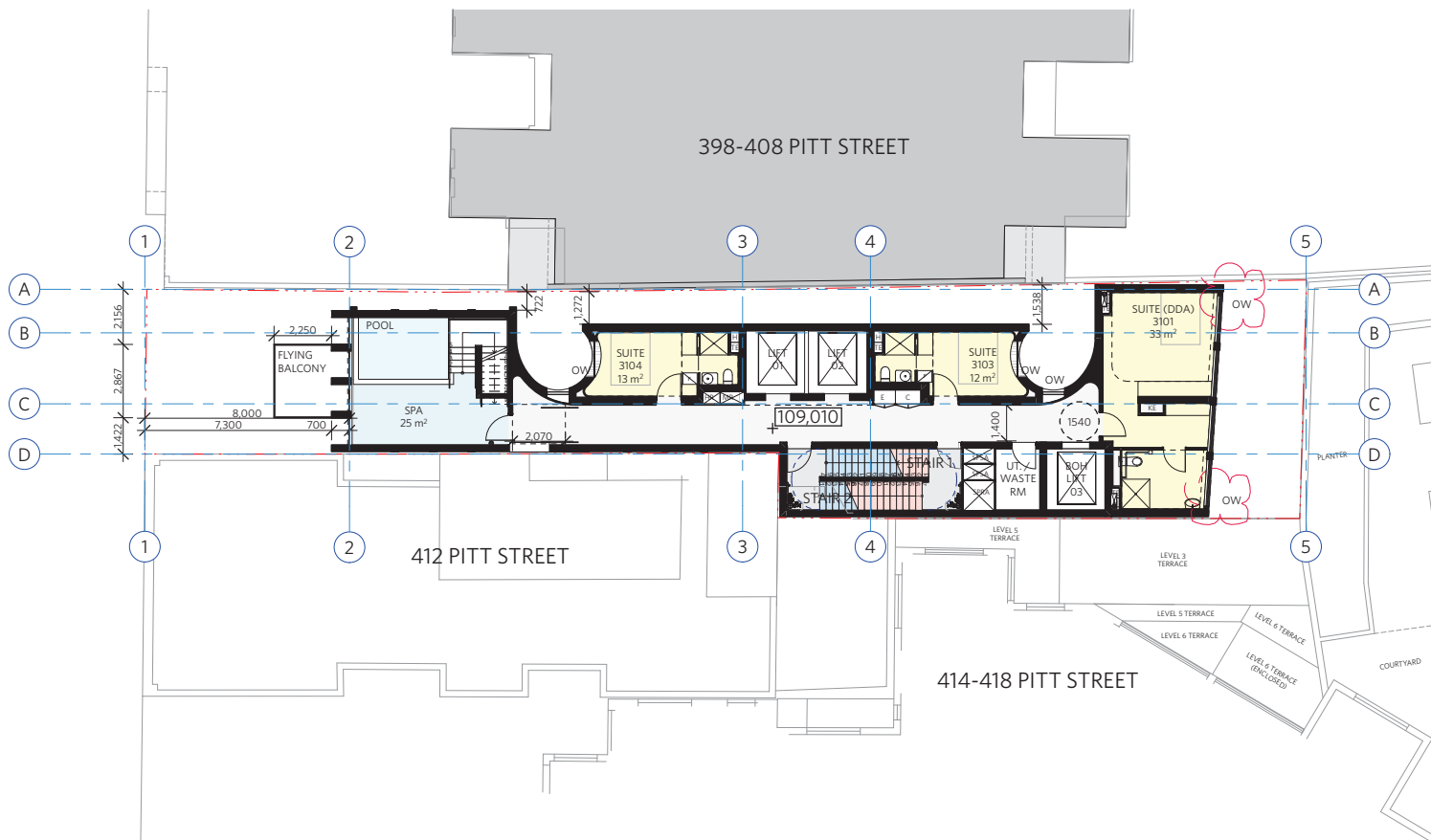




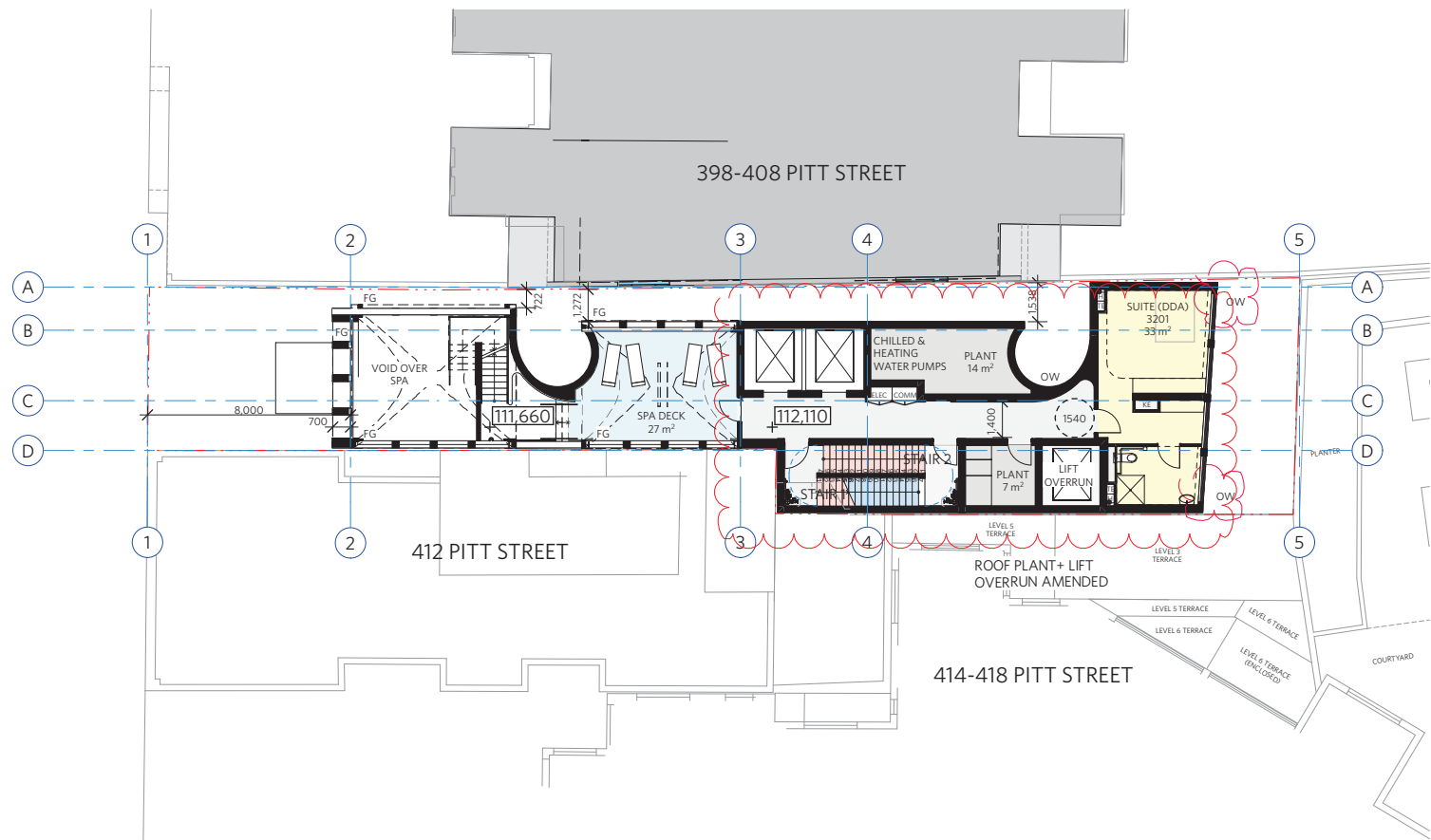
<b>NOTES</b> DO NOT SCALE OF DRAWINGS No part of this design is to be altered or reproduced without written permission. © Copyright Durbach Block Jaggers 2020. All rights reserved.	<b>LEGEND</b> AC Air Conditioning DP Downpipe DSP Drainage Point E Electrical Switchboard FG Fixed glazing FH Fire Hydrant FHR Fire Hose Reel FIP Fire Indicator Panel G Gas Point GA Gate H Hoistap HR Hydraulic Riser HRL Handrail LO Louvres (operable) OF Overflow OW Operable window MF Mosaic tiled finish MR Mechanical/Electrical Riser RD Roller Door RF Rendered finish SW Sliding window	<b>ISSUE STATUS</b> <table border="1"> <tr> <th>NO.</th> <th>DESCRIPTION</th> <th>DATE</th> </tr> <tr> <td>1</td> <td>DEVELOPMENT APPLICATION</td> <td>14/12/20</td> </tr> <tr> <td>2</td> <td>DESIGN MODIFICATIONS AS CLOUDED</td> <td>03/04/21</td> </tr> </table>	NO.	DESCRIPTION	DATE	1	DEVELOPMENT APPLICATION	14/12/20	2	DESIGN MODIFICATIONS AS CLOUDED	03/04/21	<b>PROJECT NO.</b> 1708 <b>DATE DRAWN</b> Oct 2020 <b>SCALE</b> 1/200 @ A3 	<b>CHECKED</b> CB <b>DRAWN</b> IC	<b>JOB</b> 410 PITT STREET 410 PITT STREET HAYMARKET NSW 2000 AUSTRALIA	<b>TITLE</b> GA Plans Level 16	<b>CLIENT</b> TRICON MANAGEMENT GROUP P/L 2 TEBBUTT ST LEICHHARDT NSW 2040	<b>ISSUE</b> DA ISSUE	<b>REV.</b> 2	<b>DRAWING NO.</b> A-DA-110-009	<b>DURBACH BLOCK JAGGERS</b> Level 2, 9 Roslyn Street Potts Point NSW 2011 Tel: (02) 8297 3500 Fax: (02) 8297 3510 d@durba.com.au
			NO.	DESCRIPTION	DATE															
1	DEVELOPMENT APPLICATION	14/12/20																		
2	DESIGN MODIFICATIONS AS CLOUDED	03/04/21																		
96																				



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97																				



<b>NOTES</b> DO NOT SCALE OF DRAWINGS No part of this design is to be altered or reproduced without written permission. © Copyright Durbach Block Jaggers 2020. All rights reserved.	<b>LEGEND</b> AC Air Conditioning DP Downpipe DSP Drainage Point E Electrical Switchboard FG Fixed glazing FH Fire Hydrant FHR Fire Hose Reel FIP Fire Indicator Panel G Gas Point GA Gate H Hoistcap HR Hydraulic Riser HRL Handrail LO Louvers (operable) OF Overflow OW Operable window MF Mosaic tiled finish MR Mechanical/Electrical Rise RD Roller Door RF Rendered finish SW Sliding window	<b>ISSUE STATUS</b> <table border="1"> <tr> <th>NO.</th> <th>DESCRIPTION</th> <th>DATE</th> </tr> <tr> <td>1</td> <td>DEVELOPMENT APPLICATION</td> <td>12/20</td> </tr> <tr> <td>2</td> <td>DESIGN MODIFICATIONS AS CLOUDED</td> <td>04/21</td> </tr> </table>	NO.	DESCRIPTION	DATE	1	DEVELOPMENT APPLICATION	12/20	2	DESIGN MODIFICATIONS AS CLOUDED	04/21	<b>PROJECT NO.</b> 1708 <b>DATE DRAWN</b> Oct 2020 <b>SCALE</b> 1/200 @ A3 	<b>CHECKED</b> CB <b>DRAWN</b> IC	<b>JOB</b> 410 PITT STREET 410 PITT STREET HAYMARKET NSW 2000 AUSTRALIA	<b>TITLE</b> GA Plans Level 31	<b>CLIENT</b> TRICON MANAGEMENT GROUP P/L 2 TEBBUTT ST LEICHHARDT NSW 2040	<b>ISSUE</b> DA ISSUE	<b>REV.</b> 2	<b>DRAWING NO.</b> A-DA-110-011	<b>DURBACH BLOCK JAGGERS</b> Level 2, 9 Roslyn Street Potts Point NSW 2011 Tel (02) 8297 3500 Fax (02) 8297 3530 durbach@blockjagers.com
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2	DESIGN MODIFICATIONS AS CLOUDED	04/21																		
98																				



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LEGEND	
AC	Air Conditioning
DF	Downpipe
DSP	Drainage Point
E	Electrical Switchboard
FG	Fixed glazing
FH	Fire Hydrant
FHR	Fire Hose Reel
FIP	Fire Indicator Panel
G	Gate
GA	Gate
H	Hoistap
HR	Hydraulic Riser
HRL	Handrail
LO	Louvers (operable)
OF	Overflow
OW	Operable window
MF	Mosaic tiled finish
MR	Mechanical/Electrical Riser
RD	Roller Door
RF	Rendered finish
GP	Gas Point
SW	Sliding window

ISSUE STATUS		
REV	DESCRIPTION	DATE
1	DEVELOPMENT APPLICATION	12/20
2	DESIGN MODIFICATIONS AS CLOUDED	14/04/21
3	PRIVACY SCREEN ADDED TO SOUTH PODIUM FACADE	06/06/21
4	ROOF PLANT AMENDED	25/06/21

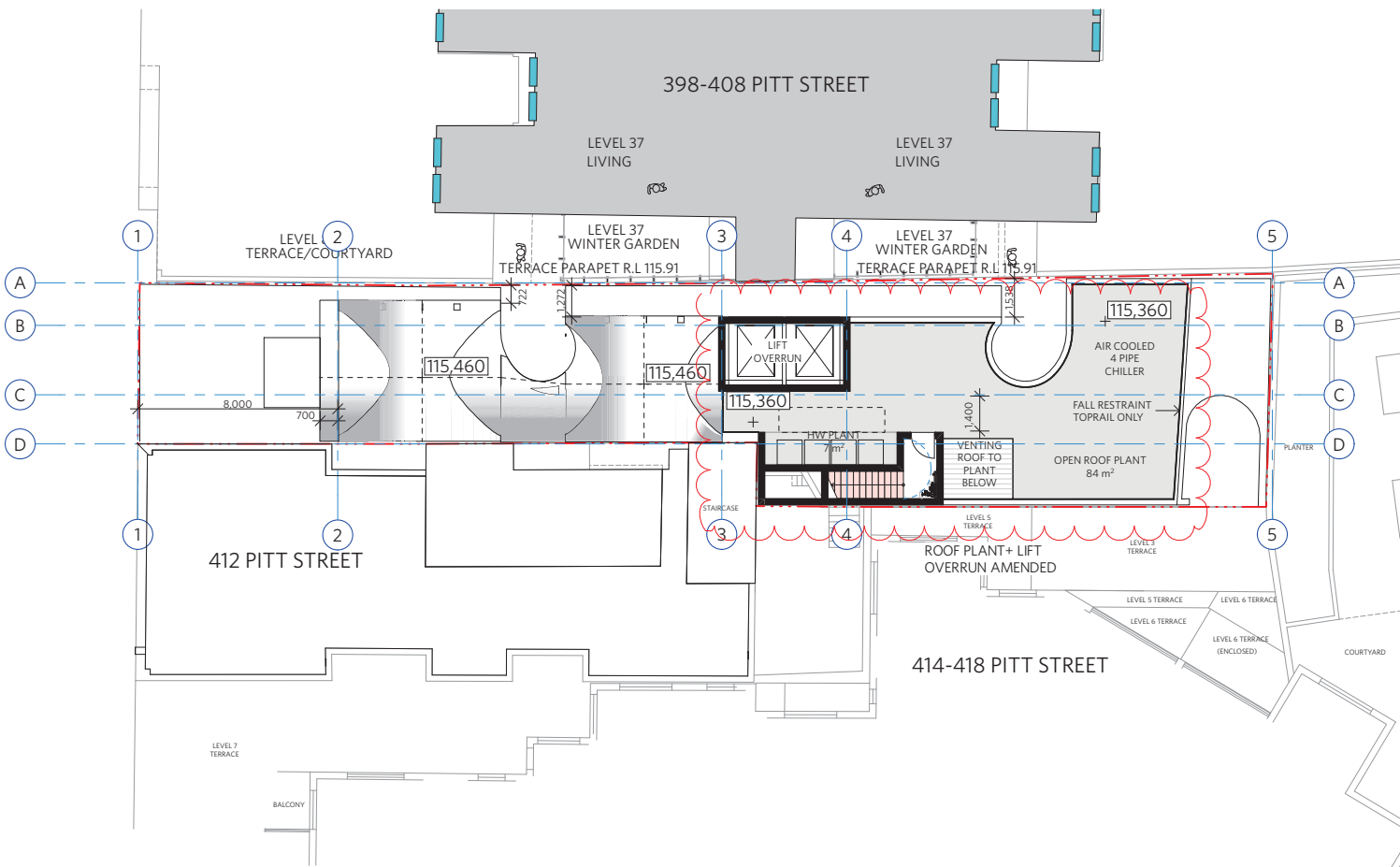
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DATE DRAWN	Oct 2020
SCALE	1/200 @ A3

CHECKED	CB
DRAWN	IC
CLIENT	TRICON MANAGEMENT GROUP P/L 2 TEBBUTT ST LEICHHARDT NSW 2040

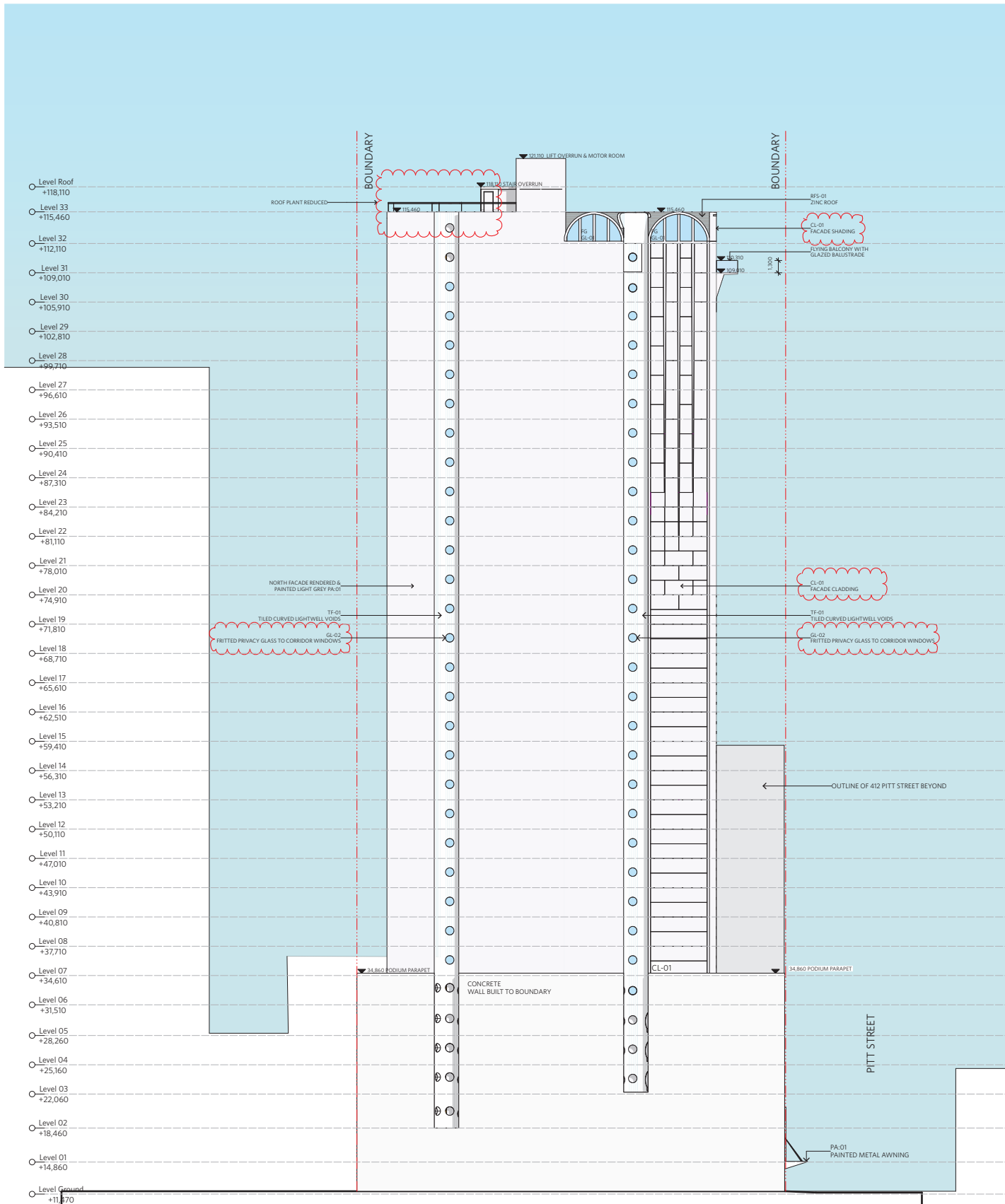
TITLE		
410 PITT STREET 410 PITT STREET HAYMARKET NSW 2000 AUSTRALIA		
GA Plans Level 32		
ISSUE	REV.	DRAWING NO.
DA ISSUE	4	A-DA-110-012

**DURBACH BLOCK JAGGERS**

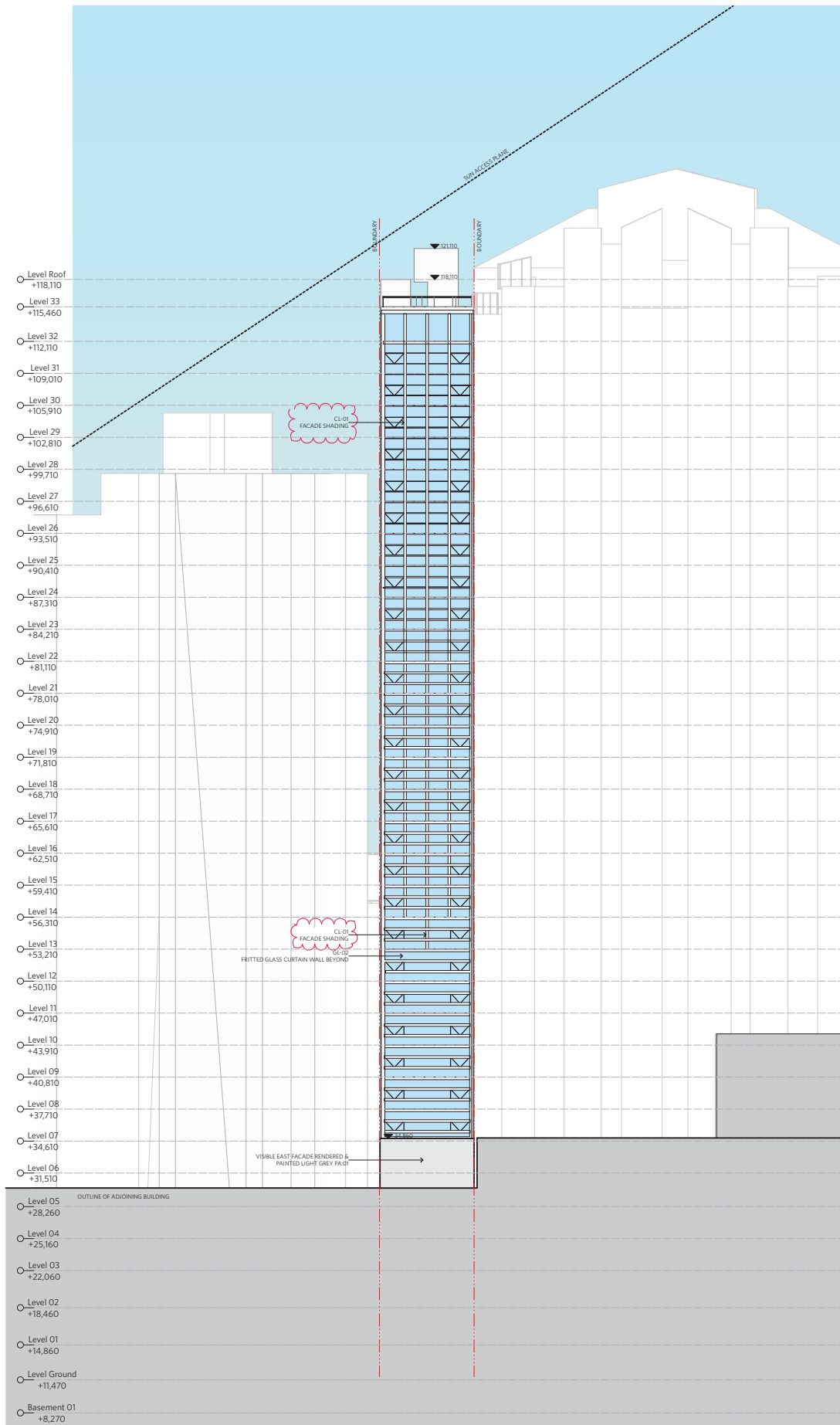
Level 2, 9 Roslyn Street  
 Pyrmont NSW 2009  
 Tel: (02) 8297 3500  
 Fax: (02) 8297 3510  
 durbach@blockjagers.com



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			REV	DESCRIPTION	DATE																	
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4	ROOF PLANT AMENDED	25/06/21																				
<b>CLIENT</b> TRICON MANAGEMENT GROUP P/L 2 TEBBUTT ST LEICHHARDT NSW 2040	<b>ISSUE</b> DA ISSUE	<b>REV.</b> 4	<b>DRAWING NO.</b> A-DA-110-013																			

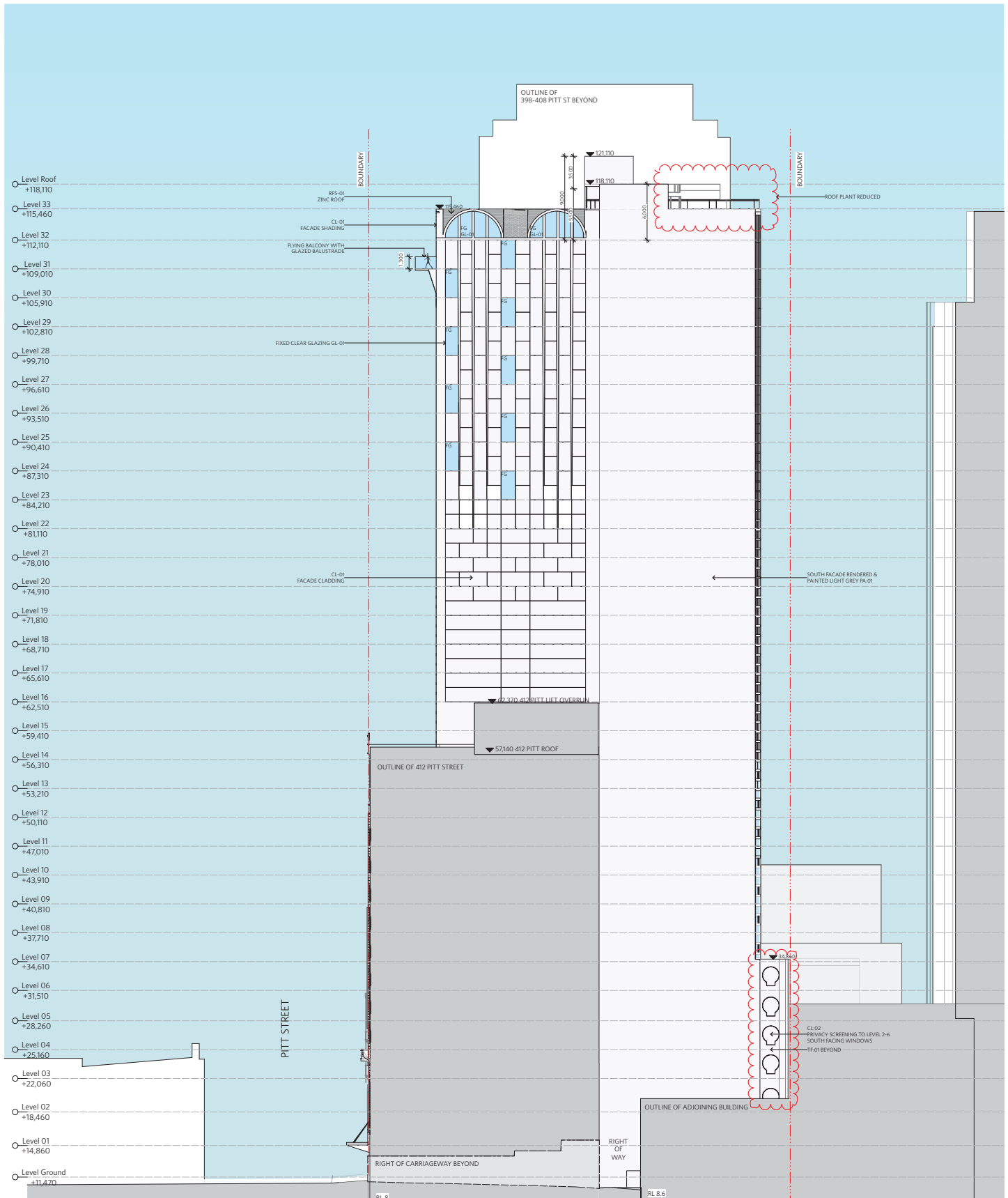


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			REV	DESCRIPTION	DATE																			
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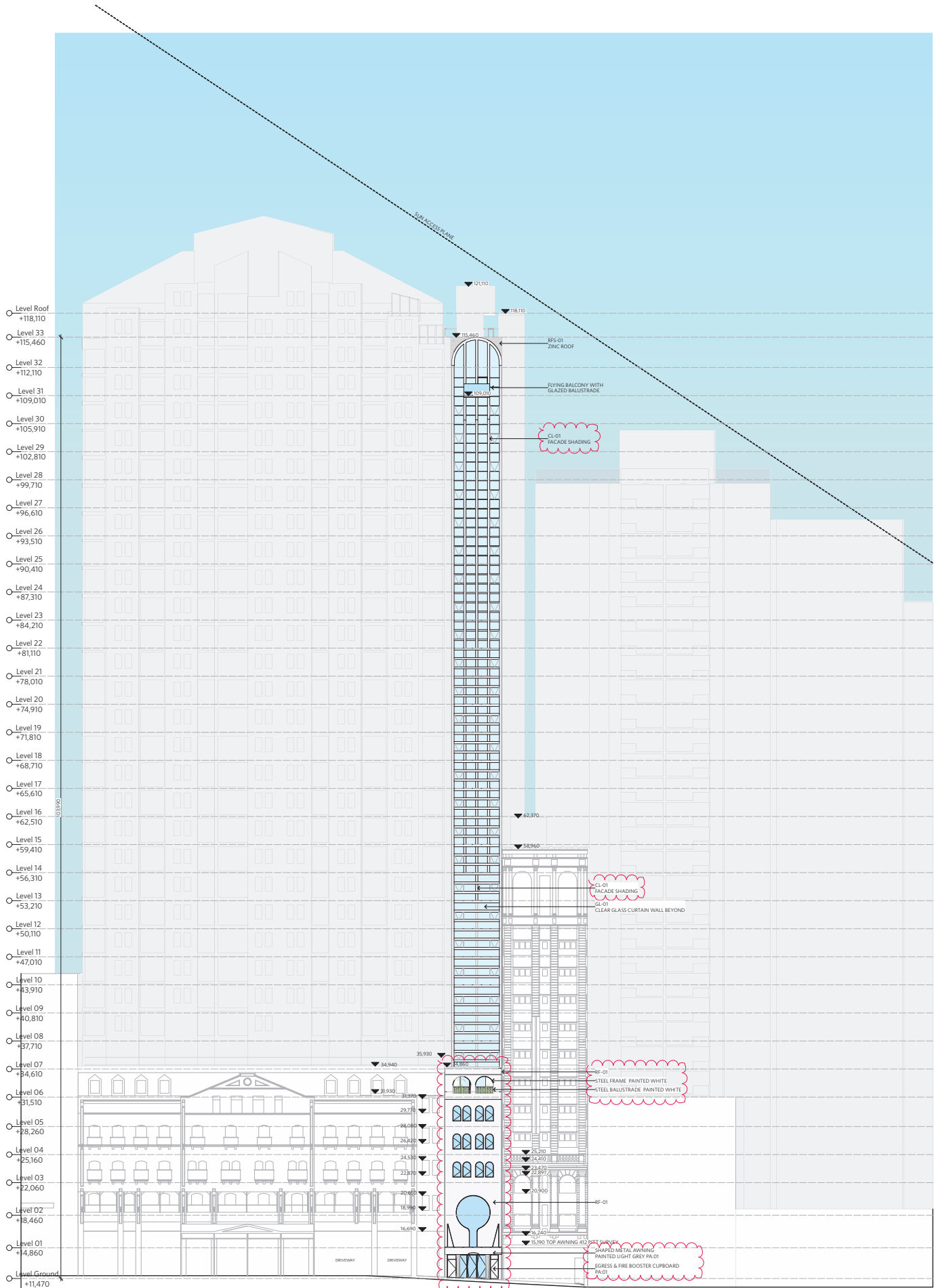
<b>NOTES</b> DO NOT SCALE DRAWINGS No part of this design is to be altered or reproduced without written permission. © Copyright Durbach Block Jaggers 2020. All rights reserved.	<b>LEGEND</b> AC Air Conditioning DP Downpipe DSP Drainage Point E Electrical Switchboard FG Fixed glazing FH Fire Hydrant FHR Fire Hose Reel FIB Fire Indicator Panel G Gate H Hoistrop HR Hydraulic Riser HRL Handrail LO Louvres (operable) OF Overflow OW Operable window MF Mosaic tiled finish MR Mechanical/Electrical Riser RD Roller Door RF Rendered finish SW Sliding window	<b>ISSUE STATUS</b> <table border="1"> <tr> <th>NO.</th> <th>DESCRIPTION</th> </tr> <tr> <td>1</td> <td>DEVELOPMENT APPLICATION</td> </tr> <tr> <td>2</td> <td>DESIGN MODIFICATIONS AS CLOUDED</td> </tr> </table>	NO.	DESCRIPTION	1	DEVELOPMENT APPLICATION	2	DESIGN MODIFICATIONS AS CLOUDED	<b>PROJECT NO.</b> 1708 <b>DATE DRAWN</b> Oct 2020 <b>SCALE</b> 1/400 @ A3 	<b>CHECKED</b> CB <b>DRAWN</b> IC	<b>JOB</b> 410 PITT STREET 410 PITT STREET HAYMARKET NSW 2000 AUSTRALIA	<b>TITLE</b> GA Elevation East Elevation	<b>CLIENT</b> TRICON MANAGEMENT GROUP P/L 2 TEBBUTT ST LEICHHARDT NSW 2040	<b>ISSUE</b> DA ISSUE	<b>REV.</b> 2	<b>DRAWING NO.</b> A-DA-210-002	<b>DURBACH BLOCK JAGGERS</b> Level 2, 9 Roslyn Street Pyrmont NSW 1501 Tel (02) 8297 3500 Fax (02) 8297 3550 info@durblockjaggers.com
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2	DESIGN MODIFICATIONS AS CLOUDED																
<b>102</b>																	





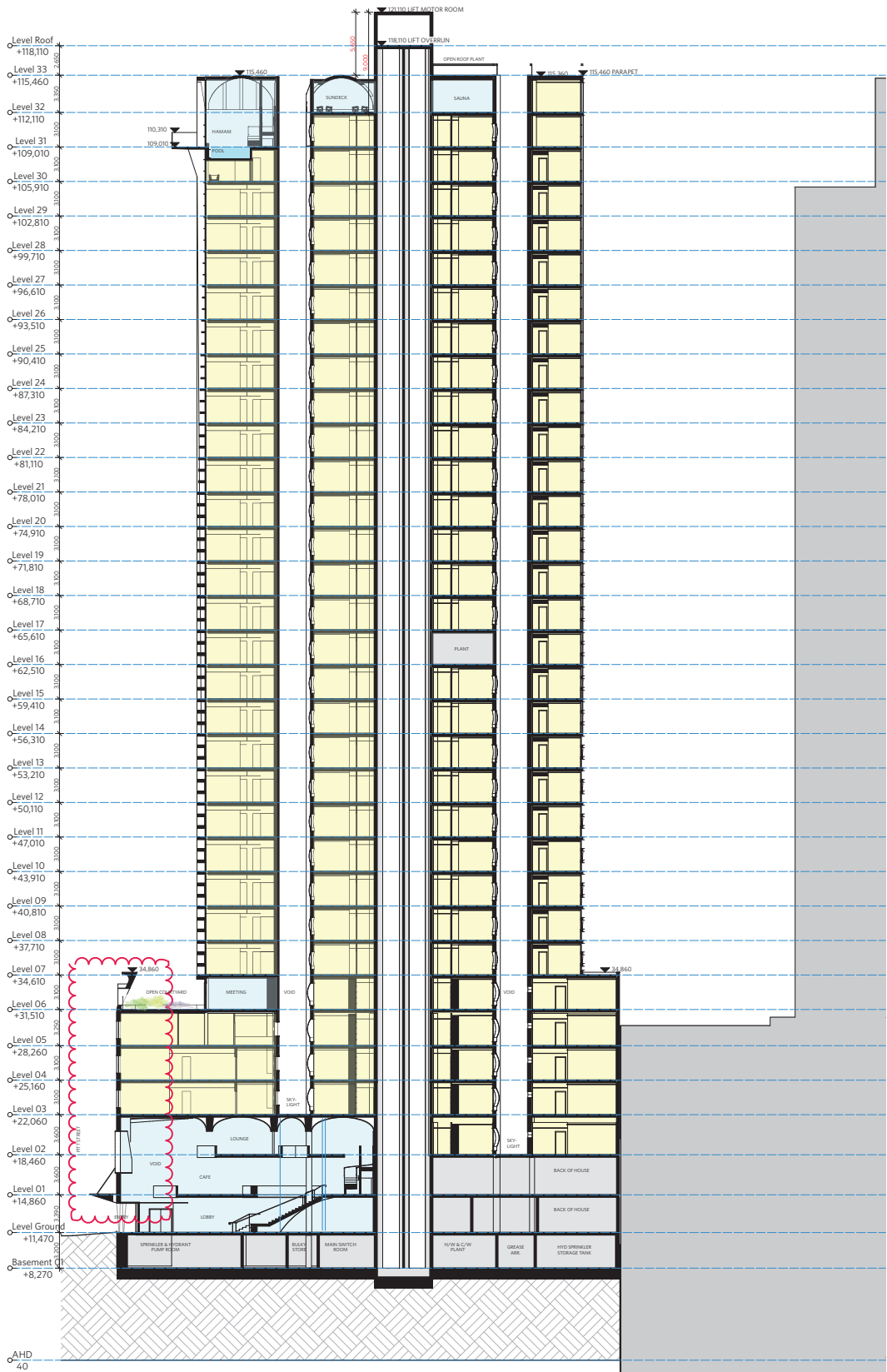
**SOUTH ELEVATION**  
1:400

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<b>PROJECT NO.</b> 1708 <b>DATE DRAWN</b> Oct 2020 <b>SCALE</b> 1/400 @ A3 	<b>CHECKED</b> CB <b>DRAWN</b> IC	<b>JOB</b> 410 PITT STREET 410 PITT STREET HAYMARKET NSW 2000 AUSTRALIA	<b>TITLE</b> GA Elevation South Elevation	<b>ISSUE</b> DA ISSUE	<b>REV.</b> 4	<b>DRAWING NO.</b> A-DA-210-003																			



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			NO.	DESCRIPTION												
1	DEVELOPMENT APPLICATION															
2	DESIGN MODIFICATIONS AS CLOUDED															
<b>CLIENT</b> TRICON MANAGEMENT GROUP P/L 2 TEBBUTT ST LEICHHARDT NSW 2040																

104



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**LEGEND**

AC	Air Conditioning
DF	Downpipe
DSP	Drainage Point
E	Electrical Switchboard
FG	Fixed glazing
FH	Fire Hydrant
FHR	Fire Hose Reel
FIP	Fire Indicator Panel
G	Gate Point
GA	Gate
H	Hoistap
HR	Hydraulic Riser
HRL	Handrail
LO	Louvers (operable)
OF	Overflow
OW	Operable window
MF	Mosaic tiled finish
MR	Mechanical/Electrical Riser
RD	Roller Door
RF	Rendered finish
SW	Sliding window

**ISSUE STATUS**

NO.	DESCRIPTION
1	DEVELOPMENT APPLICATION
2	DESIGN MODIFICATIONS AS CLOUDED

**PROJECT NO.**  
1708

**CHECKED**  
CB

**DRAWN**  
IC

**DATE DRAWN**  
Oct 2020

**SCALE**  
1/400 @ A3

**SCALE BAR**  
0m 2m 4m 8m

**JOB**  
410 PITT STREET  
410 PITT STREET HAYMARKET NSW  
2000 AUSTRALIA

**CLIENT**  
TRICON MANAGEMENT GROUP P/L  
2 TEBbutt ST LEICHHARDT NSW 2040

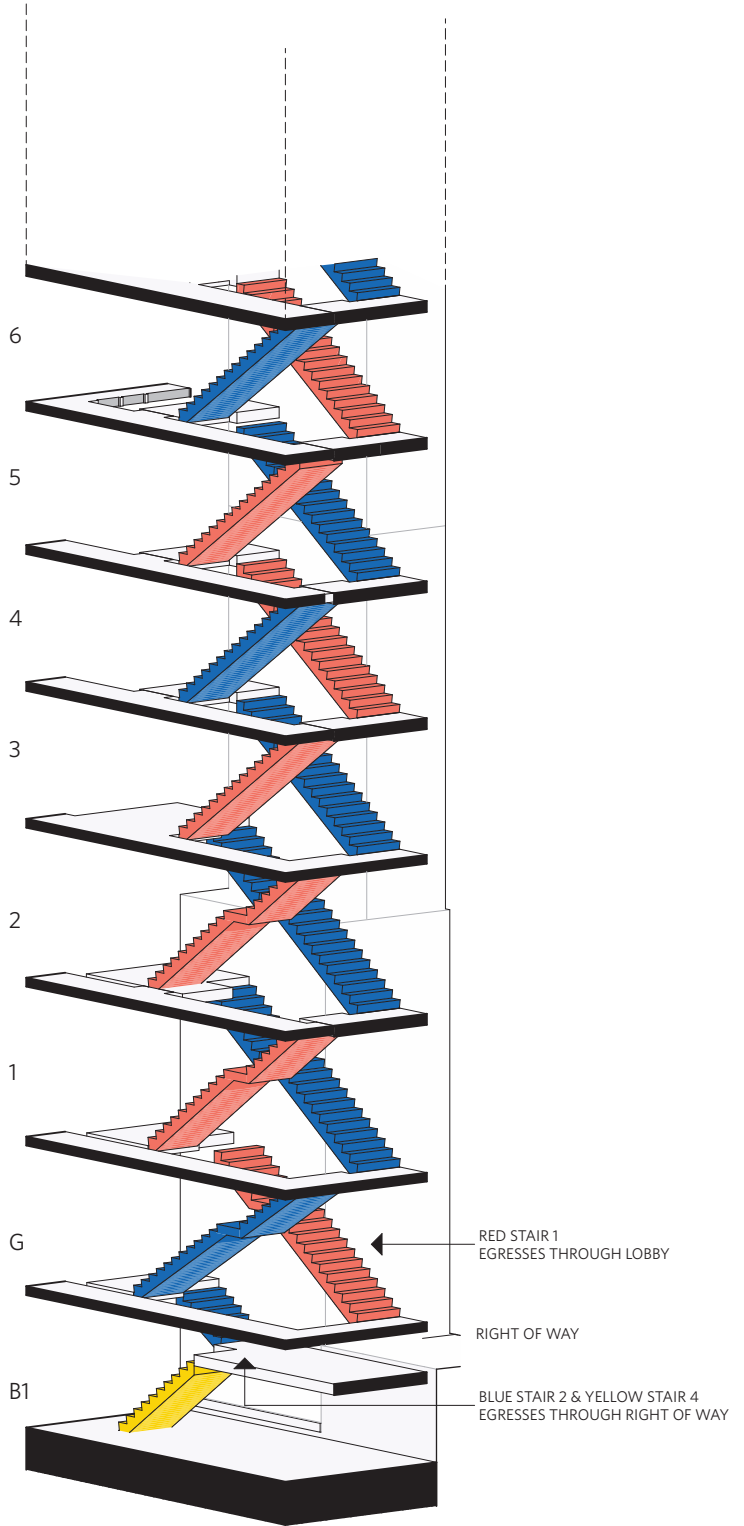
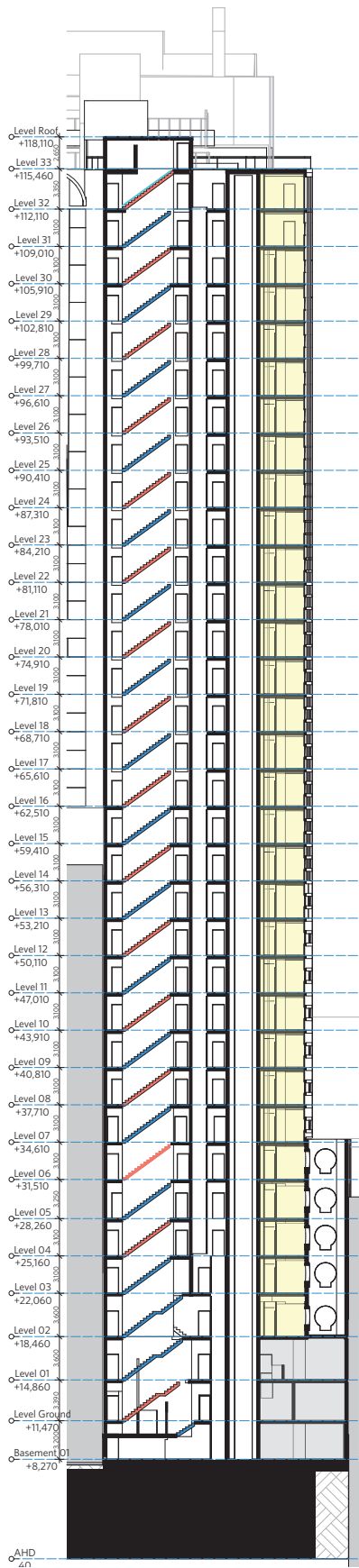
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GA Sections  
Section CC

<b>ISSUE</b>	<b>REV.</b>	<b>DRAWING NO.</b>
DA ISSUE	2	A-DA-310-003

**DURBACH BLOCK JAGGERS**

Level 2, 9 Roslyn Street  
Potts Point NSW 2011  
Tel: (02) 8297 3500  
Fax: (02) 8297 3510  
durbach@blockjagers.com

105



Scissor Stair

NOTE: WALLS HIDDEN FOR VIEW

NOTES

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LEGEND

AC	Air Conditioning	H	Hoistap
ADP	Downpipe	HR	Hydraulic Riser
DSP	Drainage Point	HL	Handrail
E	Electrical Switchboard	LO	Louvers (operable)
FG	Fixed glazing	OF	Overflow
FH	Fire Hydrant	OW	Operable window
FHR	Fire Hose Reel	MF	Mosaic tiled finish
FIP	Fire Indicator Panel	MR	Mechanical/Electrical Riser
G	Gate Point	RD	Roller Door
GA	Gate	RF	Rendered finish
		SW	Sliding window

ISSUE STATUS

REV	DESCRIPTION	DATE
1	DEVELOPMENT APPLICATION	17/08/20
2	DESIGN MODIFICATIONS AS CLOUDED	18/08/20
3	PRIVACY SCREEN ADDED TO SOUTH PODIUM FACADE	18/08/20
4	ROOF PLANT AMENDED	25/06/21

PROJECT NO.

1708
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CHECKED

CB
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JOB

410 PITT STREET 410 PITT STREET HAYMARKET NSW 2000 AUSTRALIA
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TITLE

GA Sections Section DD
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106

DATE DRAWN

Oct 2020
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DRAWN

IC
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SCALE

1/400 @ A3
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CLIENT

TRICON MANAGEMENT GROUP P/L 2 TEBBUTT ST LEICHHARDT NSW 2040
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ISSUE

DA ISSUE
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REV.

4
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DRAWING NO.

A-DA-310-004
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DURBACH BLOCK JAGGERS

Level 2, 9 Roslyn Street  
Potts Point NSW 2011  
Tel (02) 8297 3500  
Fax (02) 8297 3510  
durbachblockjaggers.com



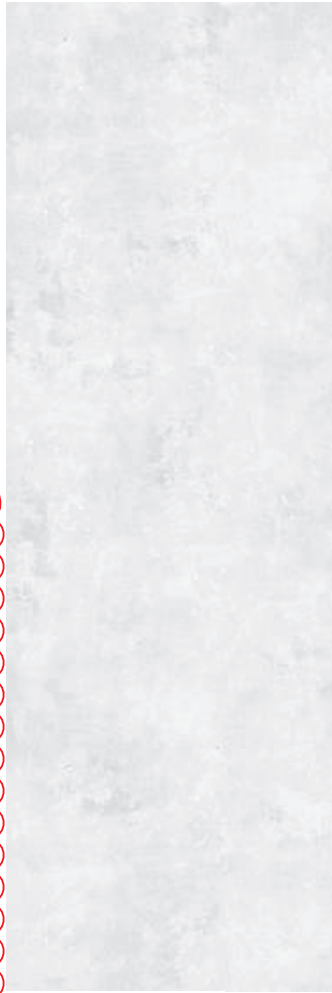
# Materials & Finishes Schedule



CL:01 Aluminium Stabilised Foam (Closed cell)



CL:02 Aluminium Stabilised Foam (Open cell)



RF:01 Stucco Lustrro Render



TF:01 High Gloss White Tiles



RFS:01 Zinc Roof



GL:01 Clear Glazing



GL:02 Fritted Glazing (East)



FL:01 Stone Crazy Pavers



Window Reveals - Polished Aluminium Finish

<b>NOTES</b> DO NOT SCALE OF DRAWINGS No part of this design is to be altered or reproduced without written permission. © Copyright Durbach Block Jaggers 2020. All rights reserved.	<b>LEGEND</b> AC Air Conditioning DP Downpipe DSP Drainage Point E Electrical Switchboard FG Fixed glazing FH Fire Hydrant FHR Fire Hose Reel FIP Fire Indicator Panel G Gas GA Gate H Hoistap HR Hydraulic Riser HRL Handrail LO Louvres (operable) OF Overflow OW Operable window MF Mosaic tiled finish MR Mechanical/Electrical Rise RD Roller Door RF Rendered finish SW Sliding window	<b>ISSUE STATUS</b> <table border="1"> <tr> <th>NO.</th> <th>DESCRIPTION</th> </tr> <tr> <td>1</td> <td>DEVELOPMENT APPLICATION</td> </tr> <tr> <td>2</td> <td>DESIGN MODIFICATIONS AS CLOUDED</td> </tr> <tr> <td>3</td> <td>PRIVACY SCREEN ADDED TO SOUTH PODIUM FACADE</td> </tr> </table>	NO.	DESCRIPTION	1	DEVELOPMENT APPLICATION	2	DESIGN MODIFICATIONS AS CLOUDED	3	PRIVACY SCREEN ADDED TO SOUTH PODIUM FACADE	PROJECT NO. 1708	CHECKED CB	JOB 410 PITT STREET 410 PITT STREET HAYMARKET NSW 2000 AUSTRALIA	<b>TITLE</b> DIAGRAMS Materials & Finishes Schedule	ISSUE DA ISSUE	REV. 3	DRAWING NO. A-DA-730-001	CLIENT TRICON MANAGEMENT GROUP P/L 2 TEBBUTT ST LEICHHARDT NSW 2040	DUBBACH BLOCK JAGGERS Level 2, 9 Roslyn Street Pyrmont NSW 2009 Tel: (02) 8297 3500 Fax: (02) 8297 3550 d@dbcblockjaggers.com
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