



Pitt Street North Over Station Development Modification 1

Design amendments and clarifications
State Significant Development Modification Assessment
(SSD 10375 MOD 1)

July 2022



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Cover image: Photomontage of development looking northwest (Source: SSD EIS)

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Glossary

Abbreviation	Definition
Council	City of Sydney
Department	Department of Planning and Environment
EIS	Environmental Impact Statement
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2021</i>
ESD	Ecologically Sustainable Development
LEP	Local Environmental Plan
Minister	Minister for Planning and Public Spaces
SEARs	Planning Secretary's Environmental Assessment Requirements
Planning Secretary	Secretary of the Department of Planning and Environment
SEPP	State Environmental Planning Policy
SSD	State Significant Development
SSI	State Significant Infrastructure

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1 Introduction

The modification application seeks approval for design amendments, comprising:

- changes to the opacity of glass panels, clarification of materials, enlargement of the mechanical exhaust louvres and increase in the height of a transom on the northern elevation of the podium and tower
- clarify the extent of corrugation details on the eastern and western elevations
- changes to the terrace doors on level 10 and level 11 from single width swing doors to sliding doors
- internal changes to approved plant rooms.

The application was lodged by Pitt Street Developer North Pty Limited (the Applicant) pursuant to section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

1.1 Background

Pitt Street North Over Station Development is in the central business district of the City of Sydney Local Government Area (LGA) between bound by Pitt Street to the west, Park Street to the south and Castlereagh Street to the east (**Figure 1**). The site is an irregular L shaped allotment with street frontages of approximately 28 m to Pitt Street, 81 m to Park Street and 48 m to Castlereagh with total site area of approximately 3,150 m².

The area is characterised by medium to high-density commercial developments with high rise residential development to the south. Directly north of the site are two heritage listed buildings, being the National Building (Ashington Place) and NSW Masonic Club (**Figure 2**). Directly south of the site is a high-density mixed-use tower consisting of a residential tower The Park Regis and 3 storey heritage listed Criterion Hotel. Immediately west of the site is the Citigroup Centre building. A 243 m tall (RL 265.27) mixed-use development with commercial offices above The Galleries. Other large-scale buildings in the vicinity of the site.

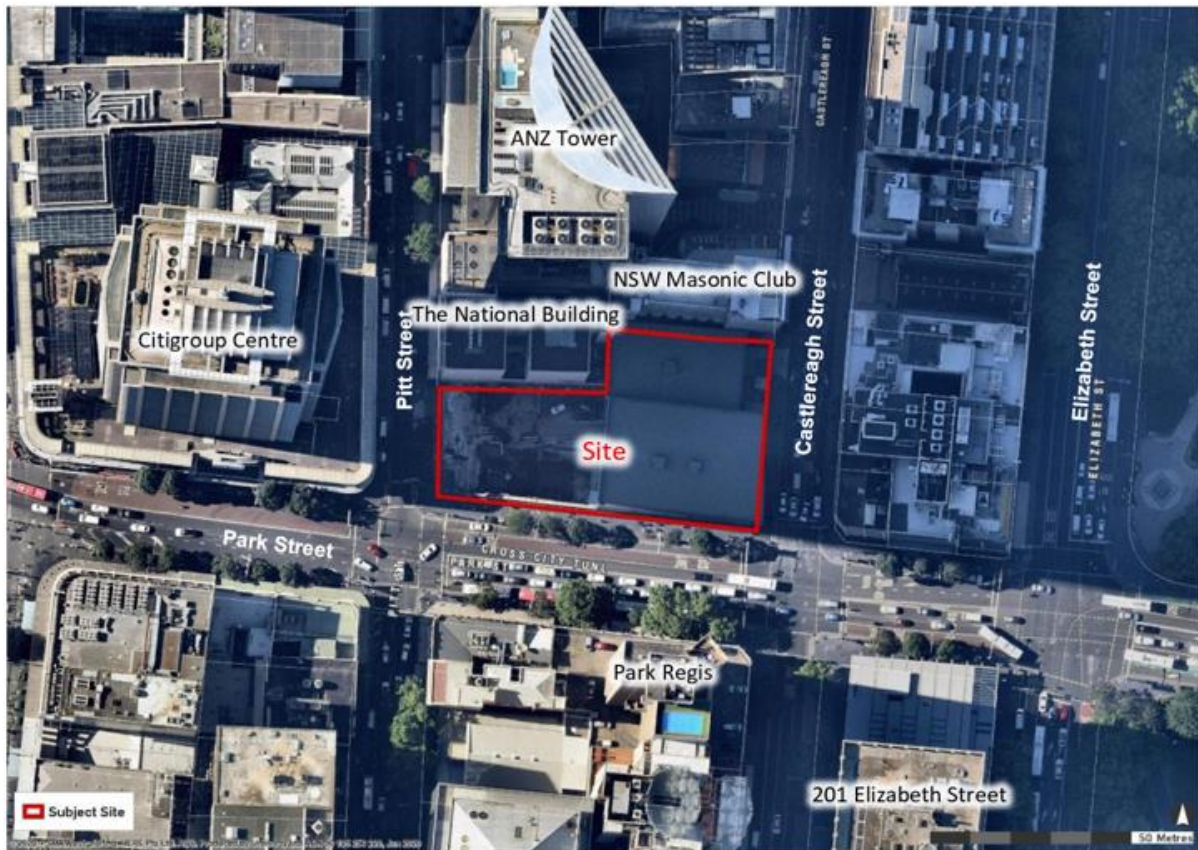


Figure 1 | Local context (Source: SSD EIS)



Figure 2 | The National Building “Ashington Place” (left) and NSW Masonic Club (right) (Source: SSD EIS)

1.2 Approval history

Concept Application (SSD 8875)

On 25 June 2019, the Minister for Planning approved the concept development application for Pitt Street North OSD (SSD 8875). The approval established:

- a maximum gross floor area 50,310 m² (including station floor space)

- a maximum building envelope, including street wall height and tower setbacks
- a maximum building height of RL 188.74
- podium level car parking for a maximum of 50 parking spaces
- conceptual land use for either a mixed-use or a commercial scheme (not both)
- a Design Excellence Strategy (DES) and Design Guidelines.

On the 26 June 2021, the SSD 8875 MOD 1 was approved under delegation to amend the building envelope, permit projections for sunshades and balustrades, and increase maximum GFA from 50,310 m² to 55 743 m².

Detail Design and Construction Application (SSD 10375)

On 26 February 2021, the Independent Planning Commission granted development consent for the detail design and construction of the Pitt Street North OSD (SSD 10375), comprising:

- commercial office tower with a maximum building height of RL 176.8
- maximum gross floor area of 55,743 m² (including gross floor area approved under CSSI 7400)
- staged stratum subdivision
- signage zones
- use of podium (approved under CSSI 7400) for:
 - commercial lobbies
 - retail tenancies
 - 200 bicycle storage and end of trip facilities
 - 40 car parking spaces
 - loading dock and associated facilities
 - plant and circulation

This modification application represents the first modification of the development consent SSD 10375.

2 Proposed modification

The application seeks the following modifications:

- changes to the opacity of glass panels, clarification of materials, enlargement of the mechanical exhaust louvres and increase in the height of a transom on the northern elevation of the podium and tower
- clarifying the extent of corrugation details on the eastern and western elevations
- changes to the terrace doors on level 10 and level 11 from single width swing doors to sliding doors
- internal changes to approved plant rooms.

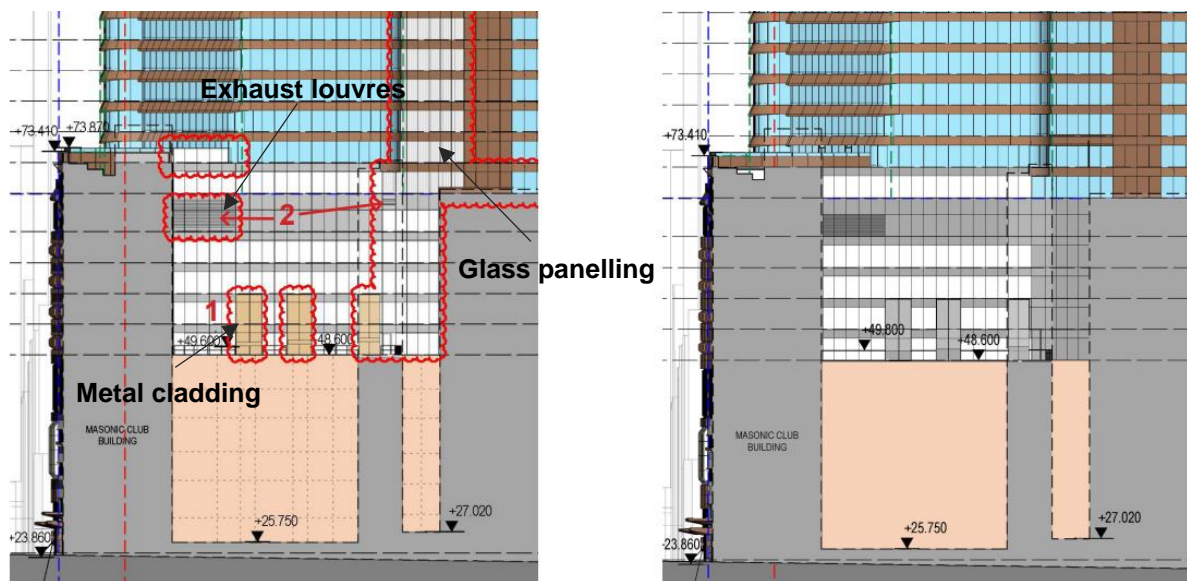


Figure 3 | Proposed northern elevation (left) compared to approved northern elevation (right) (Source: Modification Report)

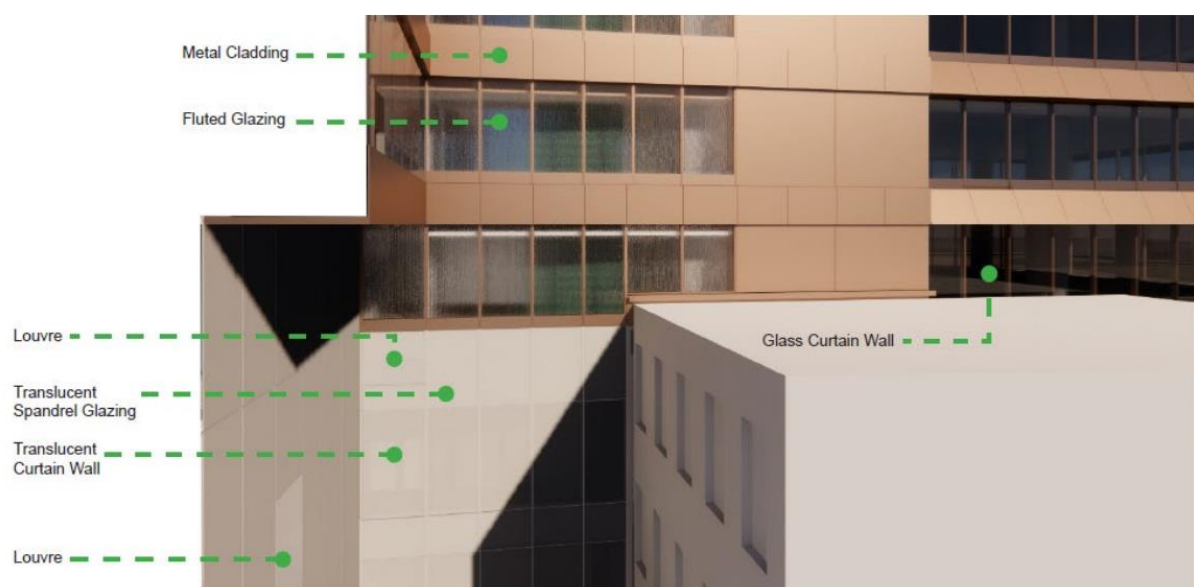


Figure 4 | CGI of proposed changes to the northern elevation (Source: Modification Report)

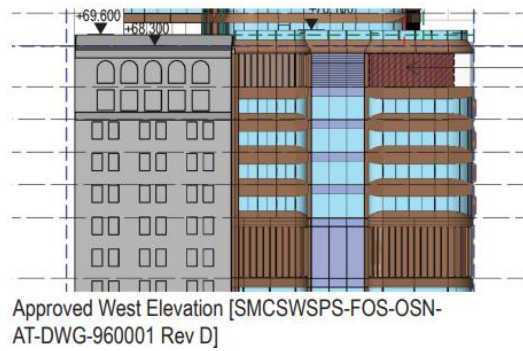
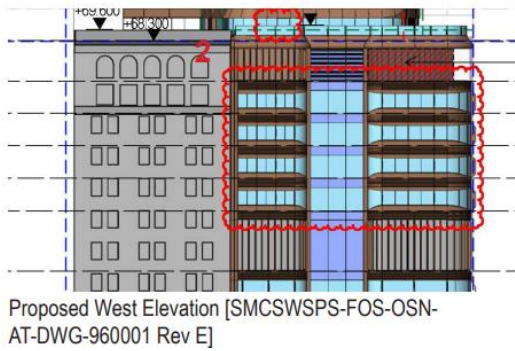
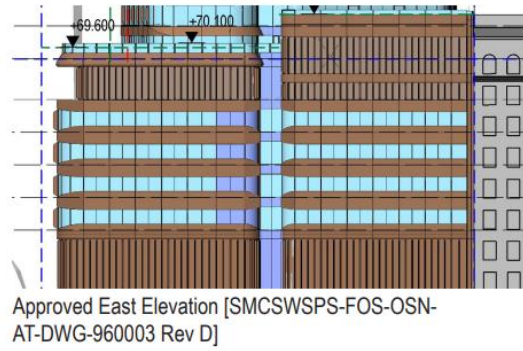
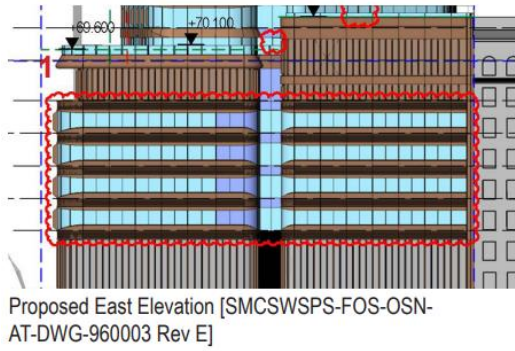


Figure 5 | Additional detailing clarifying the extent of corrugated details on the eastern and western elevations (Source: Modification Report)

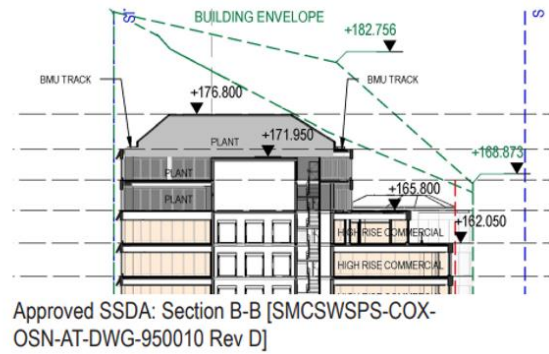
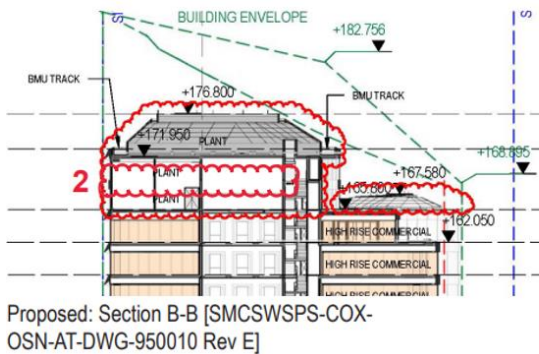


Figure 6 | Changes to roof plant rooms (Source: Modification Report)

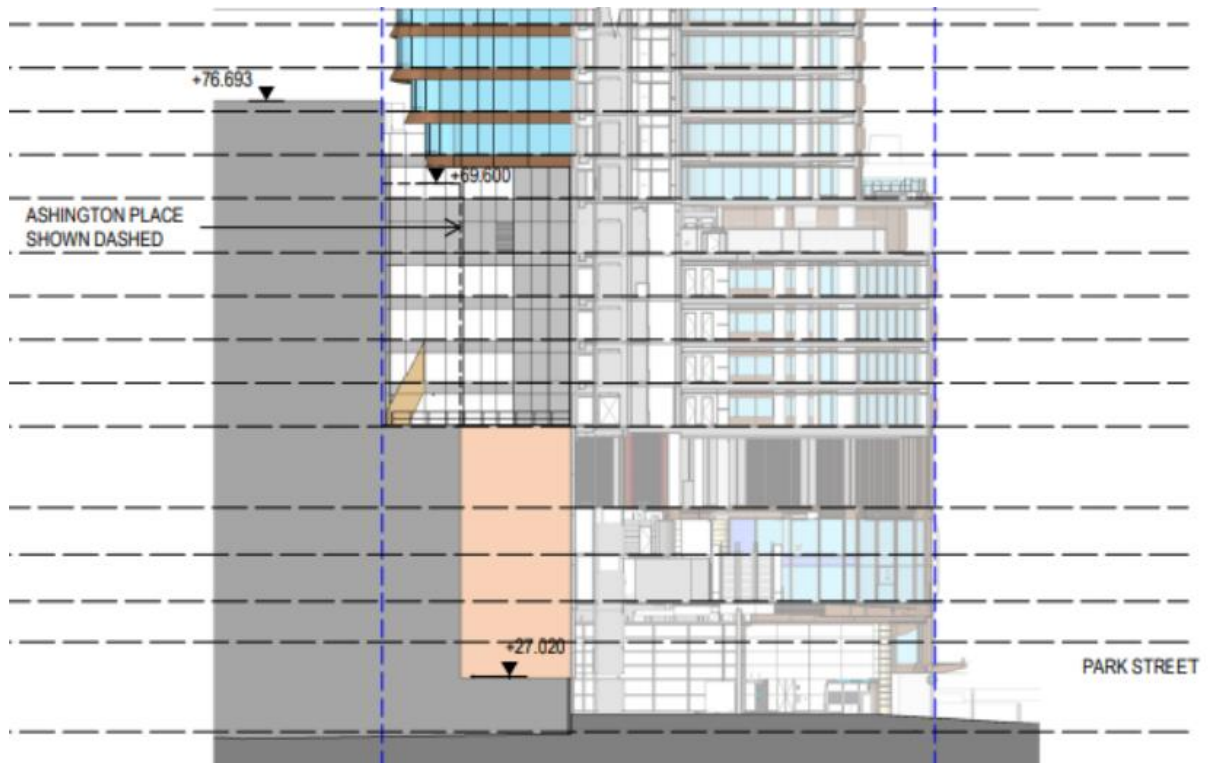
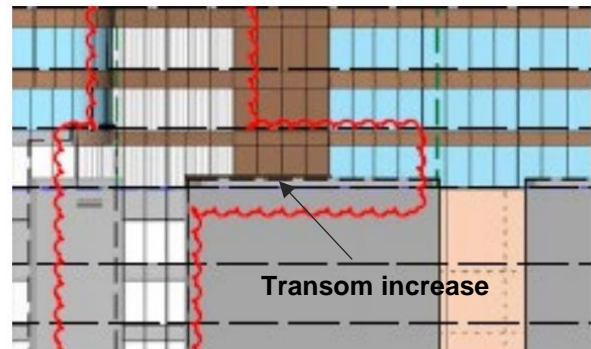


Figure 7 | Proposed additional elevation plan (Source: Modification Report)



Picture 11 Approved Northern Façade [SMCSW SPS-FOS-OSN-AT-DWG-960004 Rev D]



Picture 12 Proposed Northern Façade [SMCSW SPS-COX-OSN-AT-DWG-960004 Rev F]

Figure 8 | Proposed change to the height of the level 10 transom on the northern podium facade (Source: Modification Report)

3 Statutory context

3.1 Scope of modifications

Section 4.55(1A) of the EP&A Act outlines the matters that a consent authority must take into consideration when determining an application that seeks to modify an SSD application. The matters for consideration under section 4.55(1A) of the EP&A Act that apply have been considered in **Table 1**.

Table 1 | Assessment against section 4.55 of the EP&A Act

Section 4.55 (1A) Evaluation	Consideration
a) that the proposed modification is of minimal environmental impact, and	<p>The Department is satisfied the proposed modification will have minimal environmental impacts. The proposed changes to materials along the northern elevation and clarification of architectural details will not result in any adverse overshadowing, view loss, privacy or bulk and scale impacts.</p> <p>Further, the changes to the terrace doors on levels 10 and 11 from swing doors to sliding doors and internal changes to approved plant rooms will not impact on the amenity of the adjoining properties.</p> <p>Section 5 of this report provides an assessment of the impacts associated with the modification application.</p>
b) that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all), and	<p>The Department is satisfied the modification application is substantially the same development as the proposed modifications. The modifications proposed do not alter key aspects or elements of the original development as approved.</p>
c) the application has been notified in accordance with the regulations, and	<p>In accordance with the EP&A Regulation, due to the minor nature of the proposed modifications, the Department did not formally notify the application. However, the Department made the application publicly available on the Department's website.</p>
d) any submission made concerning the proposed modification has been considered.	<p>No submissions were received.</p>

3.2 Consent authority

The Minister for Planning is the consent authority for the application under section 4.5(a) of the EP&A Act. Under the Minister's delegation, the Team Leader, Key Sites Assessments, may determine the application as:

- a political disclosure statement has not been made
- no submissions in nature of an objection have been received.

3.3 Mandatory matters for consideration

The Department conducted a comprehensive assessment of the project against the mandatory matters for consideration as part of the original assessment of SSD 10375. The Department considers the modification application does not result in any significant changes that would alter the mandatory matters for consideration under section 4.15 of the EP&A Act and conclusions made as part of the original assessment.

Table 2 identifies the matters for consideration that apply to the proposed modification.

Table 2 | Section 4.15 Evaluation

Section 4.15(1) Evaluation	Consideration
(a)(i) any environmental planning instrument	The modified proposal is consistent with the relevant legislation, the Sydney Local Environmental Plan 2012.
(a)(ii) any proposed instrument	The draft Central Sydney Planning Strategy applies to the site. However, there is no specific provisions under the strategy that apply to the modification.
(a)(iii) any development control plan	Development Control Plans (DCP) do not apply to SSD. Further, there are no specific provisions under the relevant DCP that applies to the modification
a)(iv) any planning agreement	Not applicable.
(a)(iv) the regulations	The application meets the relevant requirements of the EP&A Regulation.
(b) the likely impacts of that development including environmental impacts on both the natural and built environments, and social and economic impacts in the locality	The Department considers the likely impacts of the development are acceptable and have been appropriately addressed (refer to Section 5 of this report).

c) the suitability of the site for the development	The site remains suitable for the development as assessed in the original application.
(d) any submissions	No submissions were received for this proposal.
(e) the public interest	The Department considers the modified proposal continues to be in the public interest as the changes are minor and will enable the delivery of the Pitt Street Over Station Development.

3.4 Objects of the Act

The Minister or delegate must consider the objects of the EP&A Act when making decisions under the EP&A Act. The Department is satisfied the proposed modifications are consistent with the objects of the EP&A Act.

3.5 Reason for Granting Consent

The proposed modification does not detract from the reasons for which the original consent was granted.

4 Engagement

4.1 Department's engagement

Due to the minor nature of the proposed modifications, the application was not publicly exhibited. However, the Department made the application publicly available on the Department's website and no submissions were received.

5 Assessment

In assessing the merits of the proposal, the Department has considered:

- the modification application and associated documents
- the Environmental Assessment and conditions of approval for the original application
- relevant environmental planning instruments, policies and guidelines
- the requirements of the EP&A Act and Regulation

On 7 June 2022, the Department received an amended modification application which deleted proposed changes to Condition B9 – Maximum Building Height and Condition B11 - Heritage Floor Space.

The amended application seeks the following modifications:

- changes to the opacity of glass panels, clarification of metal cladding and enlargement of the mechanical exhaust louvres on the northern elevation
- clarifying the extent of corrugation details on the eastern and western elevations
- changes to the terrace doors on level 10 and level 11 from single width swing doors to sliding doors
- internal changes to approved plant rooms.

The Department's assessment of the proposal is provided in **Table 3**.

Table 3 | Assessment of proposed changes

Modifications	Findings	Recommendations
Facade Materiality	<ul style="list-style-type: none"> • The modification application seeks to change the material and finishes of the northern elevation, including the use of fluted glazing in lieu of a glass curtain wall adjacent to the amenities and replacement of white spandrel glazing with metal cladding (Figure 3). • The Applicant notes the proposed amendments include clarification of the materials due to inconsistency in the approved plans, as well as minor material changes to improve constructability. • The Department acknowledges the proposed materials integrate well with the materials approved for the same facades within the 'Metro Station Box'. • The Department supports the changes as it has minimal impact on the public domain or 	Condition A2 has been updated to reflect the amended architectural drawings.

adjacent development and improves the internal amenity of the proposed building.

Exhaust louvres	<ul style="list-style-type: none">• The proposal seeks to enlarge the approved exhaust louvres on the northern elevation of the podium to match the mechanical intake / exhaust layout (Figure 3).• The Department notes Condition F11 ensures the operation of plant and equipment shall not give rise to an 'offensive noise' as defined in the <i>Protection of the Environment Operations Act 1997</i> and Regulation.• The Department supports the proposed changes as Condition F11 ensures the development does not impact on the amenity of adjoining development.	Condition A2 has been updated to reflect the amended architectural drawings.
Architectural clarification	<ul style="list-style-type: none">• The proposal seeks to clarify the corrugation detailing on the eastern and western elevations of the podium (Figure 5).• The Department notes the corrugated detailing was omitted from the approved drawings, however, was shown in all renders and supporting design reports.• The Department supports the proposed clarifications.	Condition A2 has been updated to reflect the amended architectural drawings.
Terrace door amendment	<ul style="list-style-type: none">• The proposal seeks to amend the terrace doors on levels 10 and 11 from single width swing doors to sliding doors.• The Department notes the amendments will not be visible from the public domain nor impact on the amenity of any adjoining development.• The Department supports the modification to the terrace doors as it improves the accessibility of outdoor communal spaces and does not have any effects of the surrounding properties.	Condition A2 has been updated to reflect the amended architectural drawings.

Additional plans	<ul style="list-style-type: none"> • The Applicant notes the north-west podium elevation was obscured in the approved General Arrangement Elevation West Elevation - Pitt Street Plan. The Applicant proposes to include an additional plan, titled General Arrangement Elevation West Elevation - North South Section (Figure 7) to illustrate secondary western facade obscured in the original approval. • The Department supports the additional plan as it provides clarity to the materials and finishes of the section of building obscured in the original approval. 	Condition A2 has been updated to reflect the amended architectural drawings.
Level 10 transom	<ul style="list-style-type: none"> • The modification application seeks to increase the height of the level 10 transom on the northern elevation (Figure 8). • The Applicant notes the proposed change is required to allow for adequate waterproofing structures between the adjoining building, Ashington Place. • The Department the proposed modification. 	Condition A2 has been updated to reflect the amended architectural drawings.

6 Evaluation

The Department has assessed the modification request and supporting information in accordance with the relevant requirements of the EP&A Act.

The Department's assessment concludes that the proposed modifications are appropriate as:

- the proposal is substantially the same development as the originally approved development and remains consistent with the Concept Approval
- the proposed changes are minor in nature and will have no discernible change from the approved design when viewed from the public domain
- the modification provides clarity to the design of Pitt Street South Over Station Development
- the changes will not result in any additional environmental impacts
- it complies with the relevant statutory provisions and remains consistent with relevant EPIs
- the modifications are considered negligible as a result was not referred to Council for comment

Consequently, the Department concludes the proposal is in the public interest and should be approved, subject to the recommended changes to existing conditions of consent as outlined in

Appendix B.

7 Recommendation

It is recommended that the Team Leader, Key Sites Assessments, as delegate of the Minister for Planning and Public Spaces:

- **considers** the findings and recommendations of this report
- **determines** that the application SSD 10375 MOD 1 falls within the scope of section 4.55(1A) of the EP&A Act
- **accepts and adopts** all of the findings and recommendations in this report as the reasons for making the decision to approve the modification
- **agrees** with the key reasons for approval listed in the draft notice of decision
- **modify** the consent SSD 10375
- **signs** the attached approval of the modification (**Appendix B**).

Recommended by:



Dorafa Chan
Planning Officer
Key Sites Assessments

Recommended by:



James Groundwater
Senior Planning Officer
Key Sites Assessments

8 Determination

The recommendation is **Adopted** by:



Annie Leung

Team Leader

Key Sites Assessments

as delegate of the Minister for Planning

Appendices

Appendix A – List of referenced documents

List of key documents relied on by the Department in its assessment:

- Modification Application
- Applicant's additional information

The above documents and relevant supporting information to this assessment report can be found on the Department's website:

<https://www.planningportal.nsw.gov.au/major-projects/projects/modification-1-clarification-architectural-details>

Appendix B – Recommended Modification of Development Consent