

Modification of Development Consent

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

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



Annie Leung
Team Leader
Key Sites Assessments

Sydney

26 August 2022

SCHEDULE 1

Development consent:	SSD 10375 granted by the former Minister of Planning and Public Spaces on 26 February 2021
For the following:	Construction of the Pitt Street North Over Station Development, including: <ul style="list-style-type: none">• a commercial office tower with a maximum building height of RL 176.8• a 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:<ul style="list-style-type: none">○ commercial lobbies○ retail tenancies○ 200 bicycle storage and end of trip facilities○ 40 car parking spaces○ loading dock and associated facilities○ plant and circulation
Applicant:	Pitt Street Developer North Pty Ltd
Consent Authority:	Minister for Planning
The Land:	252 Pitt Street, Sydney Lot 20 DP1255509
Modification:	SSD 10375 MOD 2: Modification to the increase in height of the northern balustrade on Level 10 from 1300mm to 1800mm and changes to the wording of Condition B11 relating to the transfer of Heritage Floor Space (HFS).

SCHEDULE 2

The above approval is modified as follows:

- (a) Schedule 2 Part A – Terms of Consent, Condition A2 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struck out~~ words/numbers as follows:

TERMS OF CONSENT

A2. The development may only be carried out:

- (a) in compliance with the conditions of this consent;
- (b) in accordance with all written directions of the Planning Secretary;
- (c) in accordance with the EIS, Response to Submissions and additional information;
- (d) in accordance with Section 4.55(1A) Modification Application SSD-10375 MOD-1 Pitt Street North Over Station Development report, prepared by Urbis, dated 2 June 2022;
- (e) **in accordance with Pitt Street North SSD-10375 MOD-2 – Changes to Balustrade and Condition B11 Wording report, dated 1 August 2022, prepared by Urbis and received on 26 August 2022;**
- ~~(e)(f)~~ in accordance with the approved plans in the table below (except where modified by the conditions of this consent):

Architectural drawings prepared by Foster + Partners			
Drawing Number	Rev	Name of Plan	Date
SMCSWSPS-COX-OSN-AT-DWG-910013	F	SITE ROOF PLAN	13.05.22
SMCSWSPS-FOS-OSN-AT-DWG-910014	D	PUBLIC DOMAIN	29.10.20
SMCSWSPS-FOS-OSN-AT-DWG-930013	D	GROUND LEVEL	29.10.20
SMCSWSPS-FOS-OSN-AT-DWG-930014	D	GROUND FLOOR MEZZANINE LEVEL	29.10.20
SMCSWSPS-FOS-OSN-AT-DWG-930113	D	LEVEL 01	29.10.20
SMCSWSPS-FOS-OSN-AT-DWG-930213	D	LEVEL 02	29.10.20
SMCSWSPS-FOS-OSN-AT-DWG-930313	D	LEVEL 03	29.10.20
SMCSWSPS-FOS-OSN-AT-DWG-930413	D	LEVEL 04	29.10.20
SMCSWSPS-COX-OSN-AT-DWG-930513	F	LEVEL 05	13.05.22
SMCSWSPS-COX-OSN-AT-DWG-930613	F	LEVEL 06	13.05.22
SMCSWSPS-COX-OSN-AT-DWG-930713	F	LEVEL 07 - 08	13.05.22
SMCSWSPS-FOS-OSN-AT-DWG-930913	F	LEVEL 09	13.05.22
SMCSWSPS-COX-OSN-AT-DWG-931013	F	LEVEL 10	13.05.22
SMCSWSPS-COX-OSN-AT-DWG-931113	F	LEVEL 11	13.05.22
SMCSWSPS-FOS-OSN-AT-DWG-931213	D	LEVEL 12	29.10.20
SMCSWSPS-FOS-OSN-AT-DWG-931313	D	LEVEL 13 - 20	29.10.20
SMCSWSPS-FOS-OSN-AT-DWG-932113	D	LEVEL 21	29.10.20

SMCSWSPS-FOS-OSN-AT-DWG-932213	D	LEVEL 22	29.10.20
SMCSWSPS-FOS-OSN-AT-DWG-932313	D	LEVEL 23 - 33	29.10.20
SMCSWSPS-FOS-OSN-AT-DWG-933413	D	LEVEL 34	29.10.20
SMCSWSPS-COX-OSN-AT-DWG-933513	F	LEVEL 35	13.05.22
SMCSWSPS-COX-OSN-AT-DWG-933613	F	LEVEL 36	13.05.22
SMCSWSPS-COX-OSN-AT-DWG-933813	F	LEVEL 37	13.05.22
SMCSWSPS-COX-OSN-AT-DWG-934013	F	ROOF LEVEL – LEVEL 38	13.05.22
SMCSWSPS-FOS-OSN-AT-DWG-939513	D	BASEMENT 01 LEVEL	29.10.20
SMCSWSPS-COX-OSN-AT-DWG-950001	F	SECTION A-A	13.05.22
SMCSWSPS-COX-OSN-AT-DWG-950010	F	SECTION B-B	13.05.22
SMCSWSPS-COX-OSN-AT-DWG-960001	F	WEST ELEVATION - PITT STREET	13.05.22
SMCSWSPS-COX-OSN-AT-DWG-960002	F	SOUTH ELEVATION - PARK STREET	13.05.22
SMCSWSPS-COX-OSN-AT-DWG-960003	F	EAST ELEVATION - CASTLEREAGH STREET	13.05.22
SMCSWSPS-COX-OSN-AT-DWG-960004	F G	NORTH ELEVATION	13.05.22 02.08.22
SMSSWSPS-COX-OSN-AT-DWG-960005	B	WEST ELEVATION - ASHINGTON PLACE LIGHTWELL	13.05.22
Draft Subdivision plans prepared by Mark John Andrew			
Drawing Number	Name of Plan		Date
Sheets 1 to 3 of 3 Sheets	Deposited Plan Administration Sheet		31.03.20
Sheet 1 of 10 Sheets	Basement Level 2 and Below		31.03.20
Sheet 2 of 10 Sheets	Basement Level 1		31.03.20
Sheet 3 of 10 Sheets	Ground Level		31.03.20
Sheet 4 of 10 Sheets	Ground Floor Mezzanine		31.03.20
Sheet 5 of 10 Sheets	Level 1		31.03.20
Sheet 6 of 10 Sheets	Level 2		31.03.20
Sheet 7 of 10 Sheets	Level 3		31.03.20
Sheet 8 of 10 Sheets	Level 4		31.03.20
Sheet 9 of 10 Sheets	Level 5 to 2 Metres Above Highest Point of Approved Building Envelope		31.03.20
Sheet 10 of 10 Sheets	2 Metres Above Highest Point of Approved Building Envelope and Above		31.03.20

- (b) Schedule 2 Part B – Prior To Issue of Construction Certificate, Condition B11 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struckout~~ words/numbers as follows:

HERITAGE FLOOR SPACE

- B11. Prior to the issue of the first Construction Certificate for the development, the Applicant must obtain approval from the Planning Secretary confirming the required amount of Heritage Floor Space in accordance with the requirements of Clause 6.10 and 6.11 of the City of Sydney Local Environmental Plan 2012.

Prior to the issue of the **first** Construction **Occupation** Certificate **for the development or 1 July 2023, whichever is the earlier** ~~that would permit the overall floor space on the site to exceed 25,200 m², the Applicant must; purchase the required amount of Heritage Floor Space. The Applicant must submit to the satisfaction of the Certifying Authority certification from Council that the requirements for Heritage Floor Space transfer have been met.~~

- (a) **purchase 23,125 m² Heritage Floor Space in accordance with the requirements of Clause 6.10 and 6.11 of the City of Sydney Local Environmental Plan 2012. The Applicant must submit to the satisfaction of the Certifying Authority certification from Council that the requirements for Heritage Floor Space transfer have been met; or**
- (b) **submit to the Certifying Authority written evidence of a planning agreement executed between the Applicant and the Minister for Planning under Part 7 of the *Environmental Planning and Assessment Act 1979* which is in accordance with Clause 6.11A of the City of Sydney Local Environmental Plan 2012 and the Minister for Planning and Public Spaces' Alternative Heritage Arrangements Scheme (dated December 2021).**

End of modification
(SSD 10375 MOD 2)