

Modification of Development Consent

Section 4.52 of the *Environmental Planning and Assessment Act 1979*

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



The Hon Rob Stokes MP
NSW Minister for Planning and Public Spaces

Sydney

6th July

2020

File: SSD 8874 MOD 1

SCHEDULE 1

Development consent:	SSD 8874 granted by the Minister for Planning on 18 December 2018
For the following:	Concept Development Application for Victoria Cross Over Station Development including: <ul style="list-style-type: none">• a maximum building envelope, including street-wall and setbacks for the over station development• a maximum building height of RL 230, or 168 metres, providing:<ul style="list-style-type: none">○ approximately 40 commercial storeys and 2 additional storeys for rooftop plant for the high-rise portion of the building envelope○ approximately 13 storeys for the lower eastern portion of the building envelope at RL 118 or 55 metres• a maximum gross floor area (GFA) of 60,000m², excluding station floor space• basement car parking for a maximum of 150 parking spaces.
Applicant:	Lendlease (Victoria Cross) Pty Limited
Consent Authority:	Minister for Planning and Public Spaces
The Land:	155-167 Miller Street, 181 Miller Street & 187-189 Miller Street, North Sydney (SP 35644 (which incorporates lots 40 and 41 of Strata Plan 81092 and lots 37, 38 and 39 of Strata Plan 79612), Lot 15/DP 69345, Lot 1 & 2/DP 123056, Lot 10/DP 70667, Lot A/DP 160018, Lot 1/DP 633088, Lot 1/DP 1230458)
Modification:	The modification application seeks approval to: <ul style="list-style-type: none">• reduce the building envelope above the Miller Street special area setback area• relocate building massing from the low-rise levels of the tower to the high-rise levels of the tower• reduce the Berry Street setback from 5 metres to 4.5 metres• increase the maximum gross floor area from 60,000m² to 61,500m² (excluding station floor space under separate approval)• allow projections beyond the building envelope.

SCHEDULE 2

The consent (SSD 8874) is modified as follows:

1. The description of the approved development is amended by the deletion of struck-out words and the insertion of **bold and underlined** words as follows:

Concept Development Application for Victoria Cross Over Station Development including:

- a maximum building envelope, including street-wall and setbacks for the over station development
 - a maximum building height of RL 230, or 168 metres, providing:
 - ~~approximately 40 commercial storeys and 2 additional storeys for rooftop plant for the high-rise portion of the building envelope~~
 - ~~approximately 13 storeys for the lower eastern portion of the building envelope at RL 118 or 55 metres~~
 - a maximum gross floor area (GFA) of 60,000 **61,500**m², excluding station floor space
 - basement car parking for a maximum of 150 parking spaces.
2. Schedule 2 Part A – Terms of Consent, Condition A2 is amended by the deletion of the struck-out words/numbers and the insertion of the **bold and underlined** words / numbers as follows:

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 and Response to Submissions;
- (d) **in accordance with the Modification Application Planning Report, dated October 2019 and Response to Submissions, dated 1 May 2020, both prepared by Urbis;**

~~(e)~~**(e)** in accordance with the approved plans in the table below:

Architectural Drawings – Building Envelope prepared by Bates Smart		
Dwg. No.	Name of Plan	Date
A01.001 Rev 3-8	Building Envelope - Indicative Ground Floor Plan	08.08.18 <u>22.04.20</u>
A01.002 Rev 3-8	Building Envelope - Miller Street Elevation	08.08.18 <u>22.04.20</u>
A01.003 Rev 3-8	Building Envelope - East West Section	08.08.18 <u>22.04.20</u>
A01.004 Rev 3-8	Building Envelope - North West Axonometric	08.08.18 <u>22.04.20</u>
A01.005 Rev 3-8	Building Envelope - South West Axonometric	08.08.18 <u>22.04.20</u>

3. Schedule 2 Part A – Terms of Consent, Condition A15 is amended by the deletion of the struck-out words/numbers and the insertion of the **bold and underlined** words / numbers as follows:

A15. Future development application(s) for the development must demonstrate that the building is contained within the building envelopes consistent with the plans listed in Condition A2, **with the exception of the following architectural features:**

- (a) **sunshades and associated bracing on the northern elevation of the tower may project beyond the approved envelope by up to 500 mm;**

(b) vertical sunshades and associated bracing on the southern elevation of the tower (up to RL 126) may project beyond the approved envelope by up to 110 mm.

4. Schedule 2 Part A – Terms of Consent, Condition A17 is amended by the deletion of the ~~struck-out~~ words/numbers and the insertion of the **bold and underlined** words / numbers as follows:

A17. The maximum height for the development shall be consistent with the building envelope elevation plans for the building as detailed below:

Part	Maximum Height - RL to Australian Height Datum
Tower maximum height	RL 230
Southern edge/extent of tower chamfer along southern edge	RL 227
Eastern podium form	RL 418 <u>89</u>

5. Schedule 2 Part A – Terms of Consent, Condition A18 is amended by the deletion of the ~~struck-out~~ words/numbers and the insertion of the **bold and underlined** words / numbers as follows:

A18. The maximum GFA for the over station development shall not exceed 60,000 **61,500** sqm

**End of modification
(SSD 8874 MOD 1)**