

Modification of Development Consent

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

As delegate of 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.



Annie Leung
Team Leader
Key Sites Assessments

Sydney

24 November 2021

SCHEDULE 1

Development consent:	SSD 10376 granted by the Independent Planning Commission on 14 April 2021
For the following:	Construction of the Pitt Street South Over Station Development, including: <ul style="list-style-type: none">• a residential tower with a maximum building height of RL 165.15• 234 dwellings to be used for Build-to-Rent Housing,• a maximum gross floor area of 21,995 m² (excluding gross floor area approved under CSSI 7400)• staged stratum subdivision• use of podium (approved under CSSI 7400) for:<ul style="list-style-type: none">○ residential entry and residential communal spaces○ retail entry and a food and drink premises on level two○ bicycle storage and end of trip facilities○ loading dock and associated facilities○ plant and circulation○ landscaping.
Applicant:	Pitt Street Developer South Pty Ltd
Consent Authority:	Minister for Planning and Public Spaces
The Land:	125 Bathurst Street, Sydney Lot 10 DP1255507
Modification:	SSD 10376 MOD 1: Modification to amend maximum building height from RL 165.35 to RL 166.35, relocate louvres, reconfigure layout of adaptable apartments and to add an additional window to level 7.

SCHEDULE 2

The above approval is modified as follows:

- (a) Schedule 1 – Development Consent is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struckout~~ words/numbers as follows:

- Development:** Concept Development Application for Pitt Street South Over Station Development including:
- a residential tower with a maximum building height of RL ~~165.15~~ **166.35**
 - 234 dwellings to be used for rental accommodation,
 - a maximum gross floor area of 21,995 m² (excluding gross floor area approved under CSSI 7400)
 - staged stratum subdivision
 - use of podium (approved under CSSI 7400) for:
 - residential entry and residential communal spaces
 - retail entry and a food and drink premises on level two
 - bicycle storage and end of trip facilities
 - loading dock and associated facilities
 - plant and circulation
 - landscaping.

- (b) 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 ~~struckout~~ 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 and RtS;
- (d) in accordance with the Section 4.55(1A) Application to Amend SSD 10376 | 125 Bathurst Street Sydney, prepared by Urbis, dated 2 August 2021;**
- (e)** in accordance with the management and mitigation measures;
- (f)** in accordance with the approved plans in the table below (except where modified by the conditions of this consent):

Architectural drawings prepared by Bates Smart			
Drawing Number	Rev	Name of Plan	Date
SMCSWSPS-BAT-OSS-AT-DWG-910041	H	SITE PLAN	08.12.20
SMCSWSPS-BAT-OSS-AT-DWG-930041	F	L00 GROUND LEVEL - GENERAL ARRANGEMENT PLAN	12.11.20
SMCSWSPS-BAT-OSS-AT-DWG-930141	F	L01 - GENERAL ARRANGEMENT PLAN	12.11.20
SMCSWSPS-BAT-OSS-AT-DWG-930241	G	L02 - GENERAL ARRANGEMENT PLAN	12.11.20
SMCSWSPS-BAT-OSS-AT-DWG-	G	L03 - GENERAL ARRANGEMENT PLAN	08.12.20

930341			
SMCSWSPS-BAT-OSS-AT-DWG-930441	G	L04 - GENERAL ARRANGEMENT PLAN	08.12.20
SMCSWSPS-BAT-OSS-AT-DWG-930541	G	L05 - GENERAL ARRANGEMENT PLAN	08.12.20
SMCSWSPS-BAT-OSS-AT-DWG-930641	H	L06 - GENERAL ARRANGEMENT PLAN	08.12.20
SMCSWSPS-BAT-OSS-AT-DWG-930642	F	L06 MEZZANINE - GENERAL ARRANGEMENT PLAN	12.11.20
SMCSWSPS-BAT-OSS-AT-DWG-930741	I J	L07 - GENERAL ARRANGEMENT PLAN	08.12.20 18.06.21
SMCSWSPS-BAT-OSS-AT-DWG-930841	I	L08 - GENERAL ARRANGEMENT PLAN	08.12.20
SMCSWSPS-BAT-OSS-AT-DWG-931041	E	L09-10 - TYPICAL LOWRISE GENERAL ARRANGEMENT PLAN	08.12.20
SMCSWSPS-BAT-OSS-AT-DWG-931141	E E	L11-13 - TYPICAL LOWRISE GENERAL ARRANGEMENT PLAN	08.12.20 18.06.21
SMCSWSPS-BAT-OSS-AT-DWG-931441	H	L14-32 - HIGHRISE GENERAL ARRANGEMENT PLAN	08.12.20
SMCSWSPS-BAT-OSS-AT-DWG-933341	D E	L33-34 - HIGHRISE GENERAL ARRANGEMENT PLAN	08.12.20 18.06.21
SMCSWSPS-BAT-OSS-AT-DWG-933541	H	L35 - GENERAL ARRANGEMENT PLAN	08.12.20
SMCSWSPS-BAT-OSS-AT-DWG-933641	H	L36 - GENERAL ARRANGEMENT PLAN	08.12.20
SMCSWSPS-BAT-OSS-AT-DWG-933741	F	L37 PLANT - GENERAL ARRANGEMENT PLAN	12.11.20
SMCSWSPS-BAT-OSS-AT-DWG-933841	F	L38 PLANT - GENERAL ARRANEGMENT PLAN	12.11.20
SMCSWSPS-BAT-OSS-AT-DWG-933941	F	L39 ROOF - GENERAL ARRANGEMENT PLAN	12.11.20
SMCSWSPS-BAT-OSS-AT-DWG-939542	F	B01 MEZZANINE - GENERAL ARRANGEMENT PLAN	12.11.20
SMCSWSPS-BAT-OSS-AT-DWG-950141	G H	SECTION A-A	12.11.20 18.06.21
SMCSWSPS-BAT-OSS-AT-DWG-950241	F G	SECTION B-B	12.11.20 18.06.21
SMCSWSPS-BAT-OSS-AT-DWG-960001	I J	NORTH ELEVATION - BATHURST STREET	26.11.20 18.06.21
SMCSWSPS-BAT-OSS-AT-DWG-	H I	WEST ELEVATION - PITT STREET	26.11.20 18.06.21

960002			
SMCSWSPS-BAT-OSS-AT-DWG-960003	H I	SOUTH ELEVATION	26.11.20 <u>18.06.21</u>
SMCSWSPS-BAT-OSS-AT-DWG-960004	J K	EAST ELEVATION	08.12.20 <u>18.06.21</u>
SMCSWSPS-BAT-OSS-AT-DWG-970041	H	GFA AND LAND USE PLANS - PODIUM LEVELS	12.11.20
SMCSWSPS-BAT-OSS-AT-DWG-970141	G	GFA AND LAND USE PLANS - TOWER LEVELS	12.11.20

- (c) Schedule 2 Part B – Terms of Consent, Condition B11 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struck out~~ words/numbers as follows:

B11. The maximum height of the approved building must not exceed RL ~~165.45~~ **166.35** m AHD, including plant and lift overruns, **but excluding** communication devices, antennas, satellite dishes, masts, flagpoles, chimneys, flues and the like. Details confirming compliance with this condition must be submitted to the Certifying Authority prior to the issue of the relevant Construction Certificate.

**End of modification
(SSD 10376 MOD 1)**