

**ANGEL PLACE
LEVEL 8, 123 PITT STREET
SYDNEY NSW 2000**

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27 October 2021

Mr James Groundwater
Senior Planning Officer
Key Sites Assessment
Department of Planning, Industry and Environment

Dear James

SECTION 4.55(1A) APPLICATION TO AMEND SSD 10376 | 125 BATHURST STREET SYDNEY

This letter has been prepared by Urbis on behalf of Pitt Street Developer South Pty Limited (the applicant) with regards to a Section 4.55(1A) application to modify SSD 10376 which applies to the Pitt Street South Over Station Development (OSD) at 125 Bathurst Street, Sydney.

The modification application seeks to revise the maximum RL building height of the development, relocate louvres from the southern façade to the western facade, revise the adaptable apartment floor plans, and add a window on Level 7 of the approved State Significant Development (SSD).

In accordance with condition B6 of SSD 10376, the Planning Secretary is required to determine whether any proposed modifications to the approved architectural drawings require review by the Sydney Metro Design Review Panel (DRP) or other appropriate person(s).

In our view the modifications proposed are very minor and relate only to the further design development of the scheme completed since development consent was granted through to construction level detailing. Notably the proposed changes do not amend the key components of the scheme that were considered fundamental to the success of the Architectural Design as outlined in the Design Integrity Report submitted with the SSDA. As such, it is our view that the proposed modifications do not require review by the Sydney Metro DRP or any other person outside of the typical DPIE modification application assessment.

This letter is prepared to seek the Secretary's confirmation that condition B6 has been satisfied to enable the determination of the modification application.

This letter is accompanied by the following documentation:

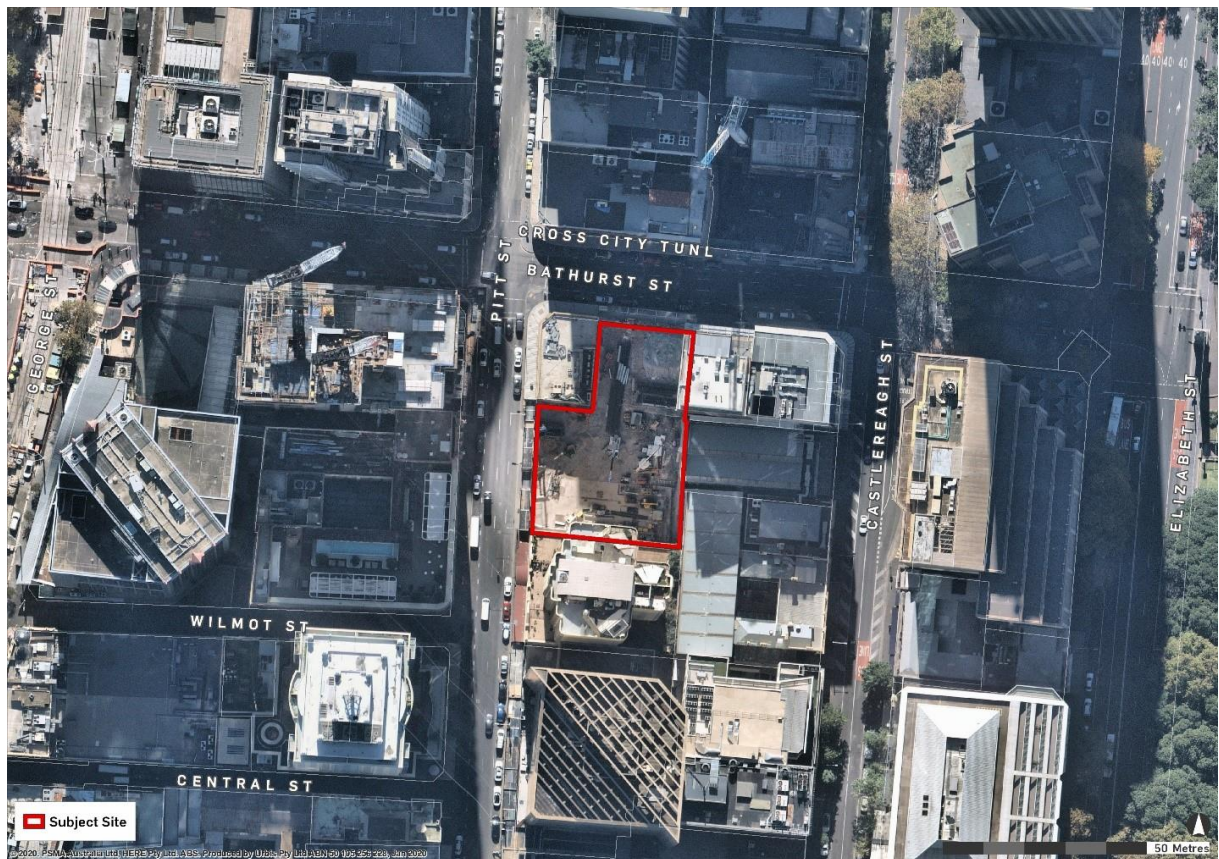
- Approved Architectural Plans (**Attachment A**)
- Proposed Amended Architectural Plans (**Attachment B**)
- Design Integrity Report (**Attachment C**)

1. SITE BACKGROUND

The site is generally described as 125 Bathurst Street, Sydney (the site) and is situated on the south-east corner of Bathurst Street and Pitt Street (see **Figure 1**). The site occupies a single allotment and is legally described as Lot 10 in Deposited Plan 1255507. The site is an irregular L shaped allotment

with street frontages of approximately 32.03m to Pitt Street (west) and 24.05m to Bathurst Street (north). It has a north-western internal boundary measuring 21.835m, northern internal boundary measuring 13.485m, southern boundary measuring 37.21m and eastern boundary measuring 54.235m resulting in an overall site area of approximately 1,710sqm.

Figure 1 Subject Site



Source: Urbis / Near Map

The site is centrally located within the Sydney CBD which forms part of the Sydney City Local Government Area (LGA). The Sydney CBD is situated approximately 3 kilometres south of North Sydney CBD and 8 kilometres north-east of Sydney International Airport.

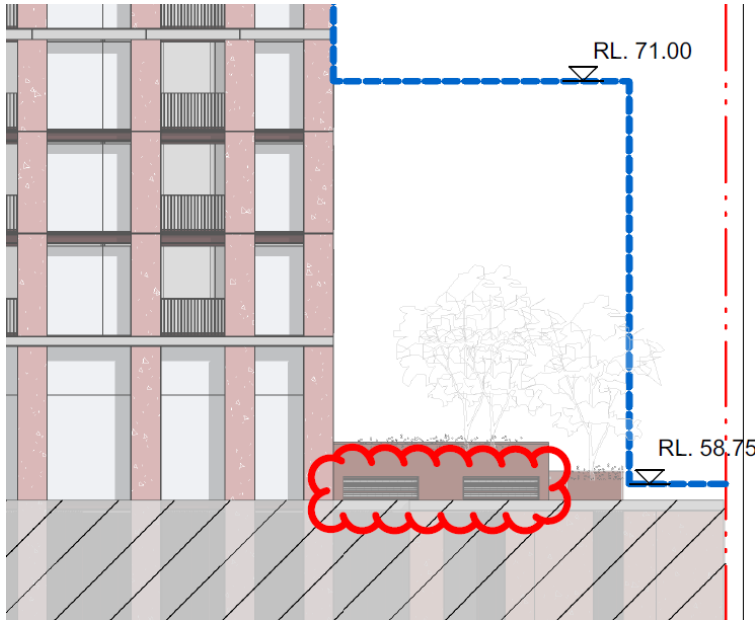
2. PROPOSED MODIFICATIONS

The Section 4.55(1A) modification application proposes to amend various conditions and the approved Architectural Plans in SSD 10376. The proposed modifications are summarised below:

- Revise the approved plans to delete louvres on the southern façade at level 06 and relocate louvres to the western façade of the plant at level 06.

Updates provided in the Architectural Plan reflect the revised louvre location illustrated in **Figure 2**. This is a minor change to the window façade and is necessary due to the stair pressurisation intake being relocated.

Figure 2 Louvre location on western elevation (blue line indicates approved building envelope)



Source: BatesSmart

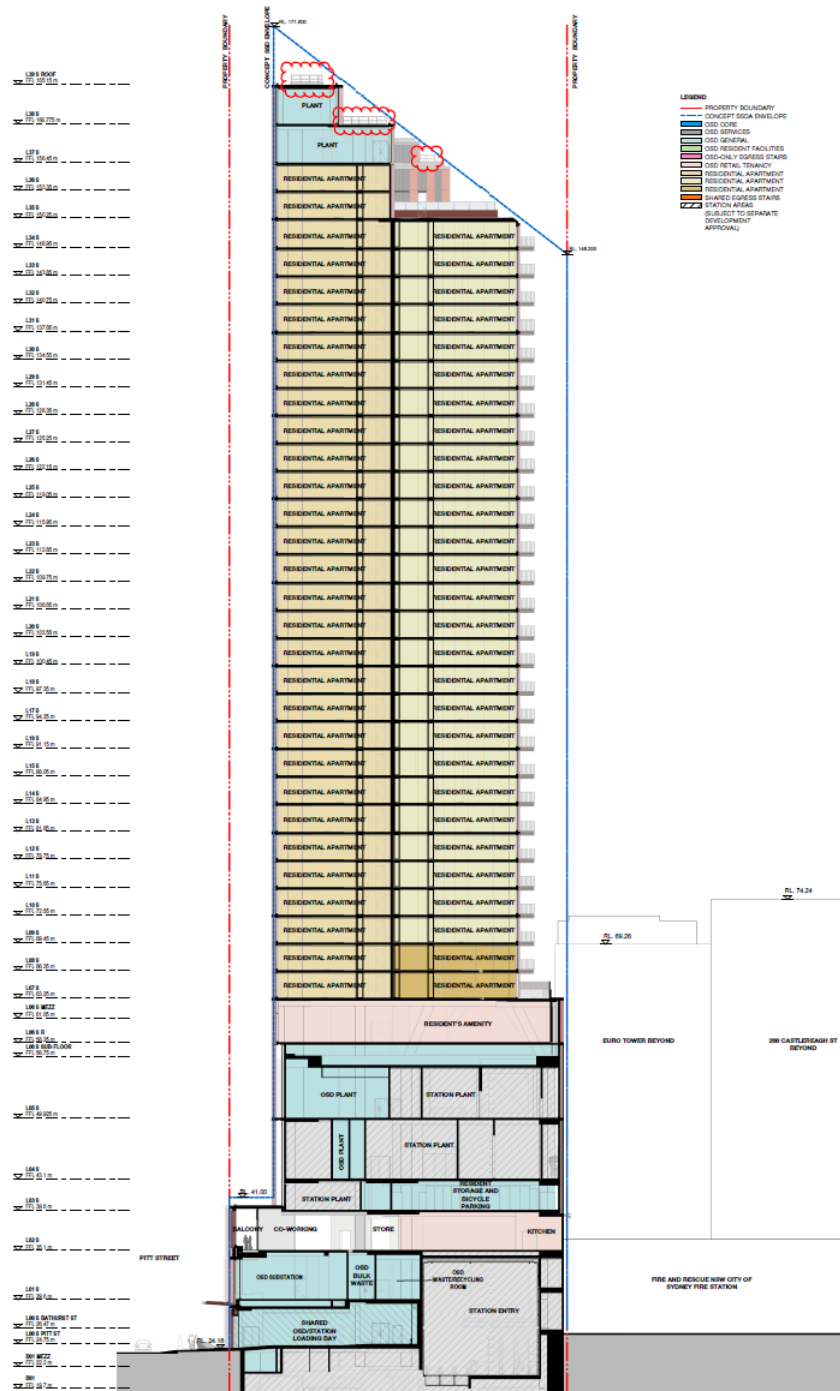
- Revise condition B11 which notes the approved maximum building height (RL) and permits certain building services that protrude beyond the maximum height.

The maximum building height permitted by condition B11 requires minor uplift from RL165.35 to reach an overall height of **RL166.35** to allow for the building envelope to include:

- Two hot water generator flues protruding 600mm above RL165.35
- Six air terminals protruding 800mm above RL165.35
- Top of handrail protruding 1m above RL165.35

The Architectural Plan illustrating the proposed components of the building that will exceed RL 165.35 within this amendment is illustrated in **Figure 3**.

Figure 3 Pitt Street South OSD proposed building envelope



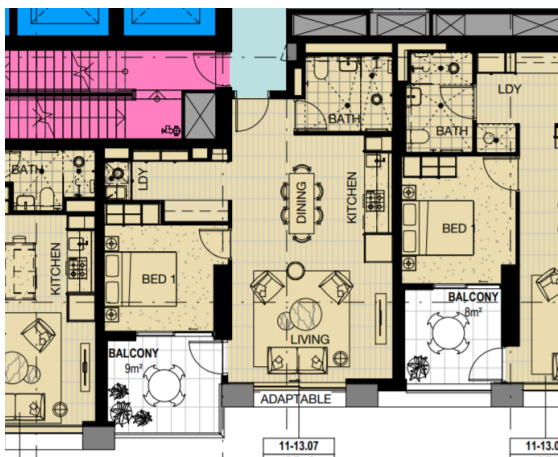
Picture 1 Building Section A-A

Source: BatesSmart

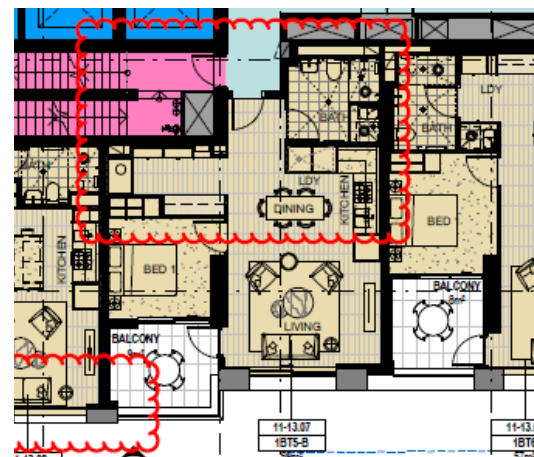
- Minor update to the nominated Adaptable Apartments to reconfigure floorplan design to incorporate Australian Standard AS2499 stated in condition B30. The changes required include:

- Minor changes to five adaptable apartments (3 x typical one bedroom, 2 x typical two bedroom) on Level 11-13.06 (DWG-931141) and Level 33-34.06 (DWG-933341).
- Levels 11-13 have altered the bathroom configuration to allow greater space for accessibility and moveability through the doorway and bathroom and more clearly labelled 'adaptable one bed apartment'. This is shown through red clouding in **Figure 4**, extracted from the updated Architectural Plans.
- Level 33-34 plans have re-located the laundry location to allow for greater space within the bathroom and doorway, enhancing accessibility and moveability. Also, providing clearer labelling of 'adaptable two bed apartment'. This is clouded red in **Figure 5** extracted from the updated Architectural Plans.

Figure 4 Adaptable Apartment updates Levels 11-13



Picture 2 Approved Plans

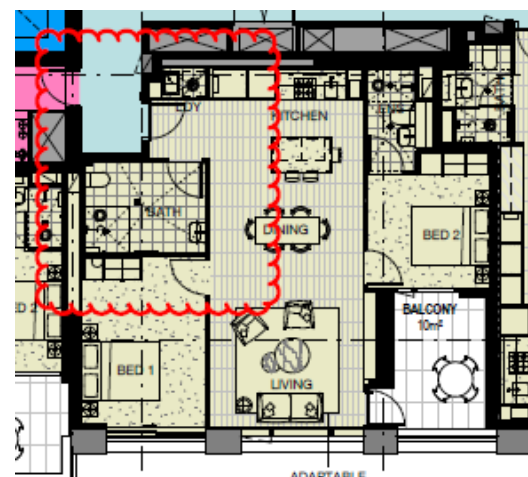


Picture 3 Proposed Revised Plans

Figure 5 Adaptable Apartment updates Levels 33-34



Picture 4 Approved Plans
Source: BatesSmart



Picture 5 Proposed Revised Plans

- Minor update to level 7 of the architectural plans to include a window on the northern edge of level 7, at apartment 7.05 – bedroom 3. The conversion of this panel to a window is required to comply with the NCC and updates to architectural plans are illustrated in **Figure 6** below.

Figure 6 Level 07 window update



Picture 6 Approved Level 07 Plans

Picture 7 Proposed Level 07 Plan

Source: BatesSmart

3. CONSIDERATION

In support of the view that the proposed changes are minor and do not affect the quality of the architectural design and the modification application does not require referral to the Sydney Metro DRP, we note the following:

- The maximum height of the prevailing roof form, including the roof slab and any major lift core or services, is not proposed to be amended.
- Minimal protrusions (maximum increase of 1m) are proposed to the current maximum building height which is both numerically and objectively minor compared to the scale and height of the approved development.
- The proposed changes to the maximum building height is intended to facilitate the minor protrusion of the approved roof profile for minor building elements, there are no alterations to the predominant architectural design of the building.
- As the proposed protrusions are for small roof top elements, they do not significantly impact view corridors.
- The addition of one window instead of a glass panel on level 07 improves the amenity to the affected apartment with no detriment to surrounding properties. The addition of this one window is also to achieve required NCC compliance.
- The updated adaptable apartments floorplan enhances all five adaptable apartments in accordance with AS4299 (1995) as stated in condition B30 of the conditions of consent.
- The modifications do not change the approved land uses of the OSD.

- The proposed modification does not include any changes to the maximum gross floor area, Floor Space Ratio or Car Parking approved within the development.
- The development as modified will continue to comply with the relevant Design Quality Guidelines as summarised below:
 - The proposed modifications do not impact the approved podium form and articulation of the podium from the public domain. The location of additional louvres on level 06 are setback from Pitt Street and will have negligible visibility from the public domain and surrounding buildings.
 - The proposed modifications have negligible impact on the approved built form above the podium. Specifically, the changes to the adaptable apartments are internal, and do not impact privacy or interface considerations between the site and adjacent properties. The proposed rooftop elements and balustrades are minor in the context of the building and are positioned away from adjacent properties.
 - Design and articulation of roof forms has considered the retention of view to St Mary's Cathedral from Century Tower (343 - 357 Pitt Street, Sydney).
 - Overshadowing to adjacent properties and to Hyde Park will not have any measurable impact from the minor modification of building services protruding above the building height.
 - The proposed modifications do not impact the public domain at the Pitt Street metro station, including to the pedestrian movement and interchange function of Bathurst Street.

The proposed modifications to the approved maximum building height, adaptable apartment floor plans, and addition of one window have been assessed as part of the Section 4.55(1A) modification application and are considered appropriate and to result in a minimal environmental impact. Further as outlined in this letter the changes are minor and do not detract from the architectural quality of the approved development as originally assessment in the Design Integrity Report.

Having considered all relevant matters, we conclude that the proposed modifications are appropriate for the site and approval is recommended, subject to appropriate conditions of consent, without referral to the Sydney Metro DRP or other appropriate person(s).

Please do not hesitate to contact the undersigned should you require any additional information regarding this modification application.

Yours sincerely,



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