

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 modified conditions in Schedule 2.



Anthony Witherdin
Director
Key Sites Assessment

Sydney 28 March 2019

SCHEDULE 1

Development consent:	SSD 8876 granted by the Minister for Planning on 25 June 2019
For the following:	<p>Concept Development Application for Pitt Street South Over Station Development including:</p> <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 171.6 metres• podium level car parking for a maximum of 34 parking spaces• conceptual land use for either one of a residential or a commercial scheme (not both). <p>Gross Floor Area does not form part of the application and is not approved by this consent.</p>
Applicant:	Sydney Metro
Consent Authority:	Minister for Planning and Public Spaces
The Land:	125-129 Bathurst Street Lot 1 DP 60293 131-135 Bathurst Street Lot 1 DP 59101 296-300 Pitt Street Lot 1 DP 436359 302 Pitt Street Lot 1 DP 62668
Modification:	SSD 8876 (MOD 1): Modification to conditions to correct an administration error and amend the environmental performance targets for a residential building.

SCHEDULE 2

The above approval is modified as follows:

1. Condition A24 is amended by the insertion of the **bold and underlined words/number** and the deletion of ~~bold strikethrough~~ words/numbers as follows:

A24. Prior to the lodgement of the first detailed development application, the Applicant shall revise the Sydney Metro Pitt Street South Over Station Development Design Guidelines (November 2018), to the satisfaction of the Planning Secretary, as follows:

- (a) insert new **clause 12** in *(Built Form above the Podium)*
 - (i) Side and rear setback above the podium of:

a) a minimum 3 m continuous setback to the eastern boundary

b) a minimum 12 metres above the podium with permitted reduction to minimum 3 metres within the structure reservation zone in accordance with Condition ~~A17~~ **A18** for essential structural support and service to integrate the over station development with the station below.

Alternative options must be considered before any built form is proposed within the structure reservation zone. Any structure or built forms within the structure reservation zone must be designed to minimise its impacts to the outlook and amenity of the adjoining Princeton Apartments (304 – 308 Pitt Street, Sydney).

2. Condition B10 is amended by the insertion of the **bold and underlined words/number** and the deletion of ~~bold strikethrough~~ words/numbers as follows:

B10. For future detailed development application(s) the proposed minimum performance targets for environmental performance are:

- (a) If the entire site is a residential building:
 - (i) **Achieve minimum** BASIX ~~35~~ **30** Energy; and,
 - (ii) Exceed minimum compliance with BASIX Water.
- (b) If the entire site is a commercial / office building:
 - (i) 5 Star NABERS Energy; and,
 - (ii) 3.5 Star NABERS Water.
- (c) Green Star ratings:
 - (i) If the building is predominantly residential, then 5 Star Green Star; or,
 - (ii) If the building is predominantly office / commercial, then 5 Star Green Star.

End of modification
(SSD 8876 MOD 1)