

Modification of Concept Approval

Section 75W of the *Environmental Planning & Assessment Act 1979*

As delegate of the Minister for Planning, we modify the Concept Approval referred to in Schedule 1, subject to the conditions in Schedule 2.

MEMBER OF THE COMMISSION

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Sydney

2018

SCHEDULE 1

Concept Approval: **MP 07_0029** granted by the Planning Assessment Commission on 9 October 2007

For the following: Residential Development, including:

- demolition of existing buildings and tree removal;
- adaptive reuse of the former hospital building for residential housing and construction of 3 residential flat buildings comprising a total of 158 residential apartments;
- 2 level basement car parking for 138 car spaces;
- provision of a publicly accessible communal open space; and
- strata subdivision.

Proponent: Kaymet Corporation Pty Ltd

Approval Authority: Minister for Planning

The Land: 134-144 Pitt Street, Redfern

Modification: **MP 07_0029 MOD 1:** the modification includes:

- increase in height of Buildings B and C from four to six storeys
- increase in gross floor area (GFA) from 13,846 m² to 15,592 m² and the floor space ratio (FSR) from 2.0:1 to 2.25:1
- provision neighbourhood shops

SCHEDULE 2

The above Concept approval is modified as follows:

- (a) In Part A, Condition A1 of Schedule 2 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struckout~~ words/numbers as follows:

A1 DEVELOPMENT DESCRIPTION

Concept approval is granted only to the carrying out of the development solely within the concept plan area as described in the document titled "Environmental Assessment Former Rachel Forster Hospital 134-150 Pitt Street Redfern (Volume 1 & 2)" prepared by SJB Planning dated 28 June 2007, and **as amended by:**

- (a) **the modification application MP 07 0029 MOD 1, including the Environmental Assessment prepared by DMPS dated November 2016 and the Response to Submissions document prepared by DPMS dated October 2017,** including:

- (1) A residential development involving a maximum floor space ratio of ~~2:1~~ **2.25:1** which equates ~~13,846m²~~ **15,592 m²** gross floor area (GFA).
- (2) Maximum building heights and envelopes for each of the four residential development blocks.
- (3) Retention and adaptive reuse of the existing heritage building and **reconstruction of the former** colonnade on the site.
- (4) Public domain and landscape concept, including communal open space and pedestrian connections.

- (b) In Part A, Condition A2 of Schedule 2 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struckout~~ words/numbers as follows:

A2. DEVELOPMENT IN ACCORDANCE WITH PLANS AND DOCUMENTATION

- (1) The following plans and documentation (including any appendices therein) are approved as part of the Concept Plan:
 - (a) **"Environmental Assessment Former Rachel Forster Hospital 134-150 Pitt Street Redfern (Volume 1 & 2)"** prepared by SJB Planning and dated 28 June 2007.
 - (b) Draft Statement of Commitments prepared by SJB Planning and dated 28 June 2007, **as modified by the following:**
 - (i) **the modification application MP 07 0029 MOD 1, including the Environmental Assessment prepared by DMPS dated November 2016, and the Response to Submissions document prepared by DPMS dated October 2017.**
- (2) In the event of any inconsistencies,
 - (c) the Statement of Commitments in (1)(b) prevails to the extent of any inconsistency in the plans and documentation identified in (1)(a), and
 - (d) the modifications of the Concept Plan approval identified in Part B Schedule 2 prevail over the documentation listed in (1) above.

- (c) In Part B, Condition B1 of Schedule 2 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struckout~~ words/numbers as follows:

B1. BUILT FORM

- (1) Approval is given for residential development involving a maximum of 43,846m² **15,592.1 m²** gross floor area (GFA) equating to a maximum floor space ratio (FSR) of ~~2:1~~ **2.25:1**.
- (2) ~~Approval is given for~~ The maximum building heights and envelopes identified in Drawings **CP101 to CP106, and drawing CP300 provided in Attachment I. of the Response to Submissions prepared by DMPS and dated October 2017** A011 and A012 of Appendix A of the Environmental Assessment, **are approved subject to the following modifications:**
 - (a) Drawings CP106 and CP300 being amended to provide a minimum 2.6 metre setback from the western edge of the building envelope for Building A.**
- (3) Despite (1) and (2) above the future project application is to provide a comparison, and outline any variations from the above maximum GFA, heights and envelopes.
- (4) **Revised drawings reflecting the modifications outlined in (2) (a) above must be submitted to the Secretary within 3 months of the date of determination of MP07 0029 MOD 1**

- (d) In Part B, delete conditions B11 and B12 by ~~striking out~~ the following words/numbers:

~~B11 DEDICATION OF PUBLIC PARK~~

- ~~(a) A public park is to be provided, subject to the City of Sydney accepting dedication. The park will have an area of approximately 1060m² and will be located fronting Pit Street as indicated in the Site Plan Drawing No. A001 prepared by Lippmann Architects and Landscape Concept Diagram prepared by Oculus.~~

~~The following are to accompany the future Project Application:~~

- ~~• Record of City of Sydney Council's agreement to the dedication;~~
- ~~• A landscape plan demonstrating proposed landscape scheme consistent with the Landscape Concept Diagram and Principles prepared by Oculus;~~
- ~~• A landscape protection and maintenance strategy consistent with the Arboricultural Assessment and Development Impact Report prepared by Landscape Matrix; and~~
- ~~• Plans illustrating proposed subdivision of the land to enable dedication as public open space.~~
- ~~• Commitments by the proponent advising the proposed timing of the proposed landscape works, subdivision and dedication of the proposed open space.~~

~~The public open space will be remediated in accordance with the recommendations of the "Review of Previous Contamination Report" undertaken by Douglas and Partners and dated 29 May 2007. The timing of the proposed remediation will be advised at the Project Application Stage.~~

- ~~(b) If the City of Sydney Council refuses to accept dedication of the public park, the area is to be provided as communal open space servicing the residential development on site with public access also allowed. Details are to be provided with the future Project Application.~~

~~B12~~ — ~~SUBSEQUENT APPROVAL REGIME~~

~~Under Section 75P of the Act, the Minister will remain the consent authority under Part 3A of the Act for all development that has a Capital Investment Value over \$5 million.~~

In Part B, after Condition B10 insert new Condition B11 as follows:

B11 UPDATED STATEMENT OF COMMITMENTS

Within three months of the date of determination of MP 07_0029 MOD 1, the Proponent shall update the Statement of Commitments to:

- a) Re-word Statement of Commitments 1, 3, 5 and 6 to reflect the recommendations of the relevant technical reports prepared to support MP 07_0029 MOD 1; and
- b) Delete Statement of Commitment 4.

END OF MODIFICATION