

# SYDNEY METRO PITT STREET SOUTH OVER STATION DEVELOPMENT

Response to RFI (SSD 10376 &  
SSD 8876-2)

Prepared for

**PITT STREET DEVELOPER SOUTH PTY LTD**

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# 1. INTRODUCTION

This Report provides a response to the Request for Information (RFI) issued by the Department of Planning, Industry, and Environment (DPIE) during the assessment of the concept modification (SSD-8876-Mod-2) and detailed State Significant Development (SSD) development application (DA)(SSD-10376). The two applications relate to the proposed Sydney Metro Pitt Street South Over Station Development (OSD).

DPIE issued a letter to Pitt Street Developer South Pty Ltd (**the applicant**) on 19 October 2020. The letter requested additional information and clarification on the proposed amended development submitted to DPIE as part of the Response to Submissions Report dated 23 September 2020.

This Report includes revised specialist documentation to respond to the RFI in support of the proposed amended development which includes:

- Supplementary Architectural Design Report and updated Design Verification Statement prepared by Bates Smart (**Appendix A**).
- Supplementary Solar Access and Overshadowing Analysis prepared by Walsh Analysis (**Appendix B**).
- Amended Design Integrity Report prepared by Urbis (**Appendix C**).
- Revised Bicycle Parking Layouts prepared by Bates Smart (**Appendix D**).

## 2. RESPONSE TO REQUEST FOR INFORMATION

### 2.1. BUILDING FAÇADE

DPIE have requested that the applicant address the impacts associated with reducing the number of GRC columns on:

- the overall design of the project; and
- the thermal and energy performance of the project.

Please refer to **Appendix C** where the applicant has prepared an updated Design Integrity Report in response to Sydney Metro Design Review Panel (**DRP**) advice and endorsement of the revised façade design that reviews the GRC façade elements locations and dimensions. Noting the GRC elements are not structural columns but are embellishments to the curtain wall. Sydney Metro DRP have endorsed the specific spacing, dimensions and design of the GRC façade elements as contributing to the achievement of design excellence on the site.

In terms of the thermal and energy performance, the revised design and location of the GRC façade elements are not anticipated to negatively impact the overall thermal and energy performance of the project, and we note that the ESD commitments made in the concept SSD DA for the project must continue to be achieved for the project.

A final BASIX Certificate and ESD Statement will be provided to DPIE upon completion of the required modelling within one week of the submission of this Report to DPIE.

### 2.2. SOLAR ANALYSIS

The DPIE have requested that the applicant provide a supplementary shadow analysis detailing the amount of solar access the dwellings within Princeton Apartments would receive at half hourly intervals (nil, 0-30 minutes, 30-60 minutes, 60-90 minutes, 90-120 minutes and >120 minutes) between 9am and 3pm, 21 June (existing and proposed). Please refer to the detail at **Appendix B** demonstrating this breakdown.

The DPIE have requested clarification on the whether the proposed projection beyond the approved building envelope along the western elevation would impact on the solar access received by the dwellings within Princeton Apartments.

When compared to the approved building envelope with no projection along the western elevation, we note that the proposal results in a reduction of 3 minutes of direct solar access to nine apartments within the Princeton Apartments building in mid-winter. These apartments would not achieve more than 2 hours solar access in mid-winter as a result of the approved Concept envelope. The proposed projections do not impact the overall level of compliance with solar requirements within the Apartment Design Guide from that assessed and determined as acceptable in the Concept Consent.

### 2.3. OTHER

#### 2.3.1. Heritage Floor Space

The DPIE have sought clarity on how the Heritage Floor Space requirements under clause 6.11 of the *Sydney Local Environmental Plan 2012 (SLEP 2012)* will be satisfied by the proposal. We note that a standard requirement for the purpose of Heritage Floor Space may be imposed as a condition of consent on SSD-10376.

Such a standard condition for the project, imposed under clause 6.11 of the SLEP 2012, will require the applicant to purchase Heritage Floor Space and it must be allocated (purchased and transferred) to the development prior to the required timeframe as determined by the subject condition. The applicant will accept the imposition of such a condition to SSD-10376 as per standard practice for tall buildings within Central Sydney.

#### 2.3.2. Balconies

The DPIE have sought clarity on whether the proposed residential balconies within the development are reliant on clause 4.5A of SLEP 2012 for the exemption of gross floor area (**GFA**) calculation. We note there

may be a misunderstanding with respect of the inclusion of balconies as GFA within the development. In response we confirm:

- All balconies within the proposed development have been excluded from the calculation of GFA as per the standard SLEP 2012 definition which excludes balconies with a balustrade height less than 1.4m in height. These balconies cannot be fully enclosed and are not included as GFA, refer to Picture 1, Figure 1 below. As these balconies are not enclosed, there will be no impediment to the ventilation of bedrooms via windows off the balcony spaces.
- One of the window types of the proposed development is described by Bates Smart as a 'Juliette balcony', as a sliding door opening to a typical balustrade and permits additional outlook compared to other window types. It is noted that GFA for the adjacent bedroom to these 'Juliette balconies' has been included when calculating the Floor Space Ratio (**FSR**) for the site, and no exemption from the calculation of GFA is sought for these 'Juliette balconies'.
- The difference between these two window/balcony types as presented in the RTS Supplementary Design Report is illustrated in Figure 1 below.
- No exemption under clause 4.5A of SLEP 2012 is sought in the calculation of GFA for the proposed development under SLEP 2012.

**Figure 1** Comparison of 'balcony' types within the development.



*Picture 1 Detailed design of proposed balconies, excluded from GFA*

*Source: Bates Smart*



*Picture 2 Detailed design of proposed 'Juliette balconies', included in GFA*

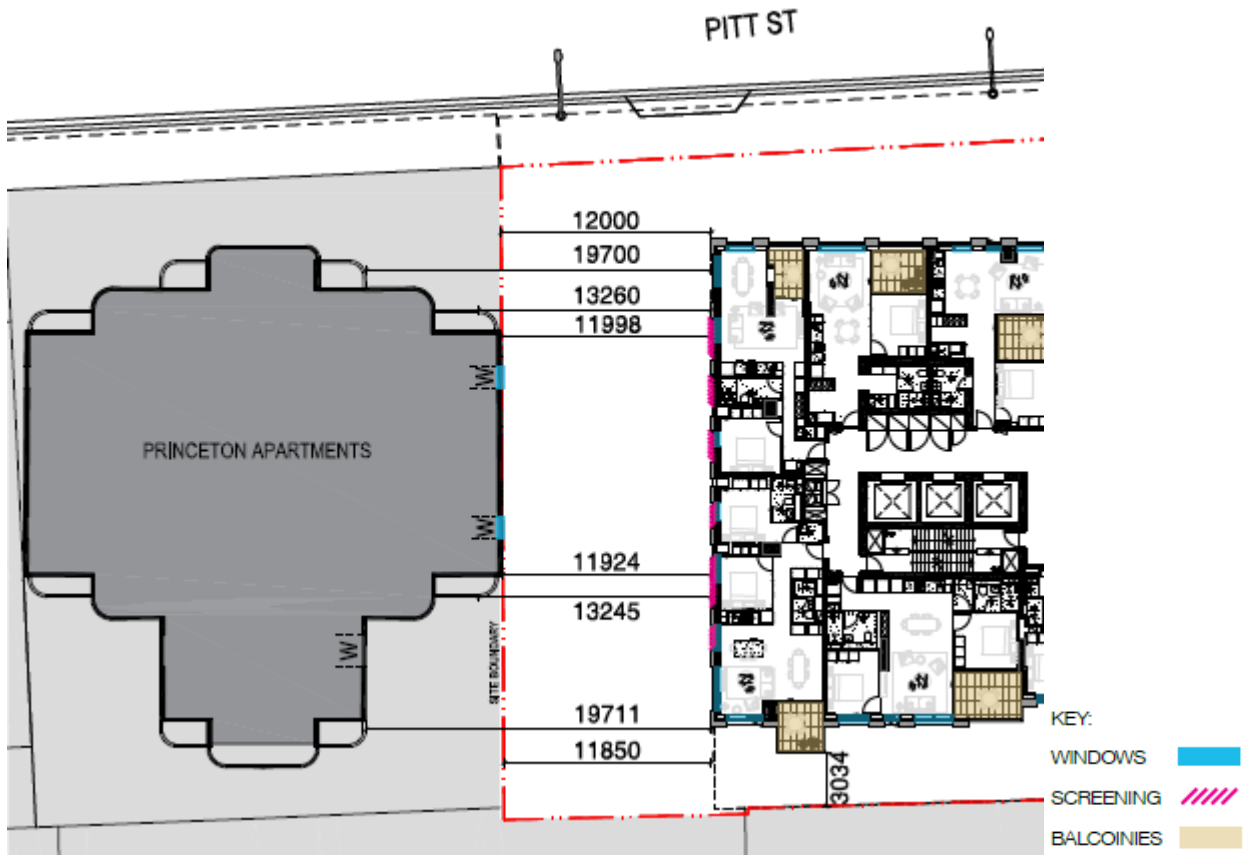
*Source: Bates Smart*

### **2.3.3. Privacy and Building Separation**

The DPIE have requested that the applicant demonstrates a reasonable level of privacy will be maintained between the proposed building and Princeton Apartments. Please refer below (included at **Appendix A**) to an illustration of both buildings and the location of windows and balconies within this setback zone.

As demonstrated below, all operable windows proposed on the site are located in excess of 12m from the Princeton Apartments. Further windows without screens are offset from the north facing windows of the Princeton Apartments, and also to the narrow side of any balconies on Princeton Apartments to protect existing privacy to these areas.

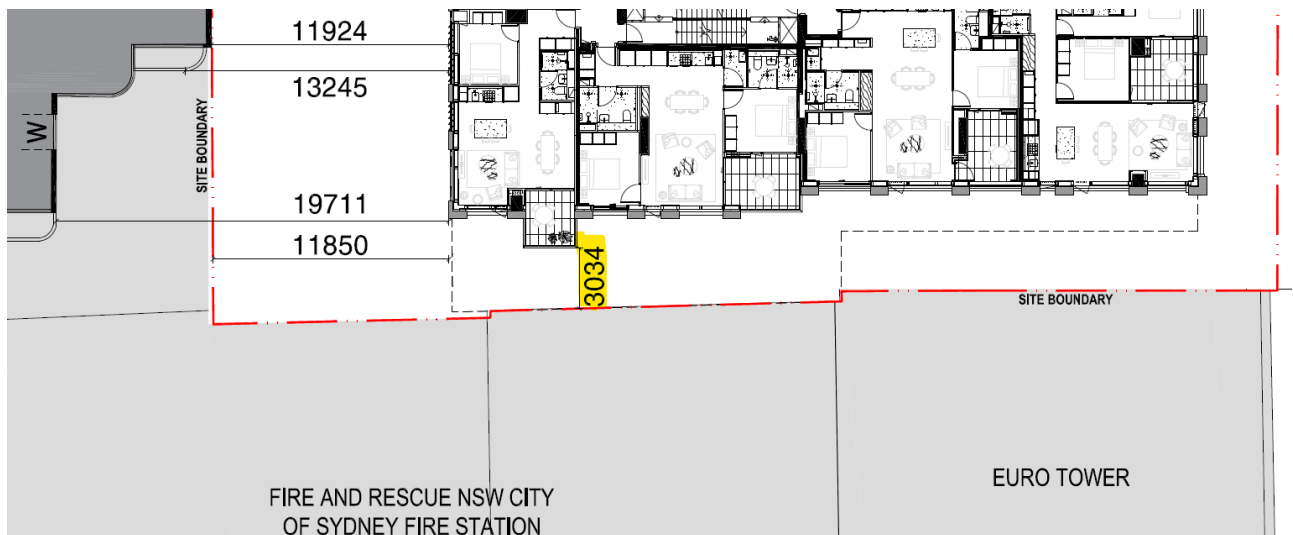
**Figure 2** Illustration of Location of Windows and Balconies



Source: Bates Smart

The DPIE have requested further confirmation that the amended development complies with the 3m setback requirement from the eastern (rear) boundary. Please refer below (included at **Appendix A**) to an illustration clearly demonstrating that the proposed development complies with a minimum 3m setback to the eastern site boundary.

**Figure 3** Minimum eastern boundary setback



Source: Bates Smart

## 2.3.4. Retail Bicycle Parking

The DPIE have requested confirmation on how the proposed 12 retail bicycle parking spaces will be accommodated within the development.

Within the RTS it was proposed to have the 12 retail bicycle parking spaces within the retail use on Level 2. This has been reviewed from an operational perspective and confirmed that it is more effective to house these bicycles with the resident bicycles on the Level 3 – Bike parking and apartment storage level.

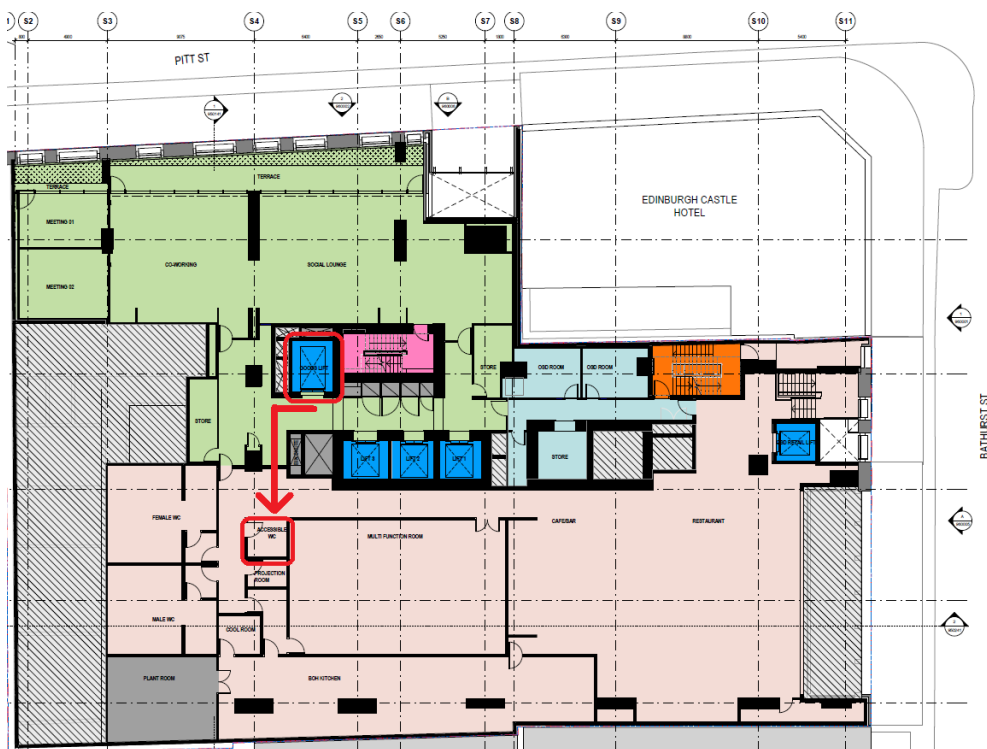
To be able to accommodate the additional bicycles, the storage within one apartment type (1BT1) has increased to accommodate 100% of the storage required by the Apartment Design Guide within the apartment, allowing this apartments storage provision to be removed from Level 3 allowing space to provide the retail bicycle provision.

The revised layout for Level 3 provided at **Appendix E** demonstrates that the following can be provided within Level 3:

- 104 dual bike and storage lockers;
- 75 vertical bike lockers;
- 12 resident visitor bike racks; and
- 12 retail bike racks.

The amended design provides EOT facilities for retail workers on Level 2 consisting of an accessible bathroom which will include a shower for retail employees. With the retail bicycles able to take the same route with the residents' bicycles, the route is accessible from the goods lift, illustrated in the following figure.

**Figure 4** Location of EOT facilities for retail workers on Level 2



Source: Bates Smart

## 2.3.5. Future Redevelopment of Edinburgh Castle Hotel

The DPIE have requested confirmation on how light and air will be secured to the bedroom and balcony of the typical one-bedroom unit located immediately to the south of the Edinburgh Castle Hotel southern site boundary in the event that the Edinburgh Castle Hotel is comprehensively redeveloped in the future.

It is noted that within the proposed development no operable window is proposed within 3m of the common site boundaries with the Edinburgh Castle Hotel site, in accordance with the relevant provisions of the



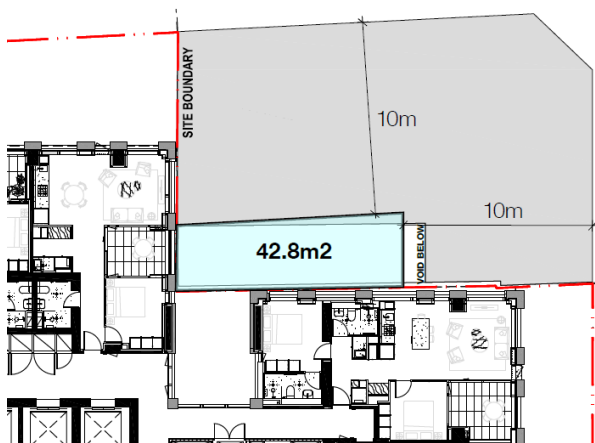
National Construction Code (NCC) and minimum building setback requirements within the Sydney Development Control Plan 2012.

However, it is noted that a balcony is proposed along the common boundary of the Edinburgh Castle Hotel site, and one window to a habitable room is reliant on light and air from this balcony.

As known by the DPIE the Edinburgh Castle Hotel is a heritage listed hotel, with a site area of approximately 300sqm. As such it is considered highly unlikely that the site would be comprehensively redeveloped to the maximum planning controls applicable to the site. Notwithstanding, this scenario has been considered and addressed as follows:

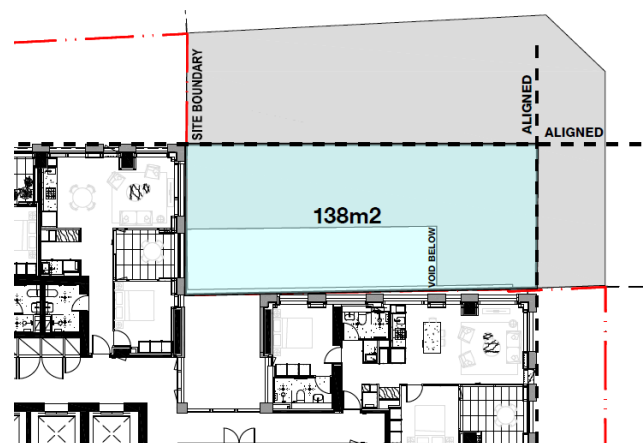
- The Edinburgh Castle Hotel site is already challenged for development above the heritage building by virtue of its heritage listing and allotment size.
- The Edinburgh Castle Hotel site is already sterilized for development above 55m in height in accordance with clause 6.16 of the SLEP 2012. As such, a 55m height control is considered the maximum building height feasible on the site.
- While alterations and additions to the Edinburgh Castle Hotel building up to height of 55m would practically triple the height of the existing building, we note that this would adjoin the proposed development up to Level 12. Level 12 represents the sixth residential floor of the building. As such, a maximum of six apartments within the proposed development would be affected by a comprehensive redevelopment of the Edinburgh Castle Hotel site to this maximum height limit.
- Once the Sydney DCP-required upper level setbacks above a heritage item (10m) are provided the remaining site area available for built form is limited to 42.8sqm. While it is considered unlikely above a heritage item, if the City of Sydney were to consider variation to the 10m upper level setback control, the maximum floor plate likely to be supported above the existing building is 138sqm, with setbacks aligning to that of the proposed OSD building.
- The diagrams included below demonstrate that a complaint floorplate above the heritage listed Edinburgh Castle Hotel (in this case, above an existing void on the site) would be significantly constrained such that it would be an unviable development proposition.

**Figure 5** Edinburgh Castle Hotel Development Options



Picture 3 Scenario 1 – 10m upper level setback applied

Source Bates Smart



Picture 4 Scenario 2 – aligned setbacks applied

Source: Bates Smart

- Any future redevelopment of the Edinburgh Castle Hotel site including any additions of a building form above the existing hotel would therefore rely upon being able to build to the common boundaries with the subject site. Should building separation be required, no additional building above the Edinburgh Castle Hotel site would be possible.

- Such a development up to a 55m height control with zero site setbacks is not considered feasible on the Edinburgh Castle Hotel site when a lift core and fire stairs in addition to structure are included within this floor plate.
- A more feasible redevelopment of the site may include a modest vertical extension above the existing hotel building. It is noted that the proposed development does not include any windows or balconies along the common boundary with the Edinburgh Castle Hotel up to RL 61.05m, which allows a generous zone above the existing building of about 25m (6-7 storeys) should modest vertical extensions ever be entertained by the adjacent landowner. It is also noted that the site may be eligible to secure the award of HFS under clause 6.10 of SLEP 2012.

As such, the comprehensive redevelopment of the adjacent site is not considered likely nor feasible.

### **2.3.6. Residential Design Quality**

An updated Design Verification Statement has been prepared by Bates Smart in support of the proposed development which addresses how the proposal meets the Design Quality Principles of SEPP 65. Refer to **Appendix A** for the updated Design Verification Statement.

### **3. CONCLUSION**

We trust that the information contained within this Report addresses the DPIE Request For Additional information dated 19 October 2020.

No changes to the proposed development as amended by the RTS package dated 23 September 2020 are sought through this response to DPIE's RFI. As such, the revised planning assessment and consolidated mitigation measures provided within the RTS package dated 23 September 2020 remain relevant to the proposed development in SSD-8876-Mod-2 and SSD-10376.

Overall, the proposal integrates with the Pitt Street South metro station and provides a residential development appropriate to the site and its setting. The design has been endorsed as achieving design excellence by the Sydney Metro DRP, meets the objectives of the ADG, addresses the strategic and statutory planning framework and will provide for the Sydney CBD's first build to rent accommodation building. Overall, the proposal is in the public interest and should be approved by the NSW DPIE, subject to conditions of consent.

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**APPENDIX A**

**SUPPLEMENTARY ARCHITECTURAL  
DESIGN REPORT**

**APPENDIX B**

**SUPPLEMENTARY SOLAR ACCESS  
AND OVERSHADOWING ANALYSIS**

# APPENDIX C

# AMENDED DESIGN INTEGRITY REPORT

# APPENDIX D

# REVISED BICYCLE PARKING LAYOUTS



