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Dear Annie,

SSD 8875 (Pitt Street North) and SSD 8876 (Pitt Street South) Over Station Development Concept Proposals

I refer to your invitation to comment on the above mentioned State Significant Development applications at 175-183 Castlereagh Street (Pitt Street North) and at 125-129 Bathurst Street (Pitt Street South) within Sydney CBD. It is understood that both sites are subject to Critical State Significant Infrastructure (CSSI) approval and the subject applications are concept proposals for the over station development component on the respective sites.

Both concept proposals seek consent for maximum building envelopes, maximum gross floor area, land uses, pedestrian and vehicle access, car parking, signage zones, future subdivision (if required) and structural, servicing and space provisioning integration with the station infrastructure under the CSSI approval. The applications also seek approval for strategies for stormwater management, ecological sustainable development, public art and design excellence.

The City has now had the opportunity to review the proposals. Unless otherwise specified, the following comments provided for your consideration relate to both proposals:

Design Excellence

Neither of the submitted Design Excellence Strategies (DEX Strategies) specify a competitive design process that involves either an architectural design competition or the preparation of design alternatives on a competitive basis, as defined in the Sydney Local Environmental Plan (LEP) 2012. Consequently, any detailed designs to emerge from the process outlined in the submitted DEX Strategies would be precluded from demonstrating design excellence in accordance with the *City of Sydney Competitive Design Policy*.

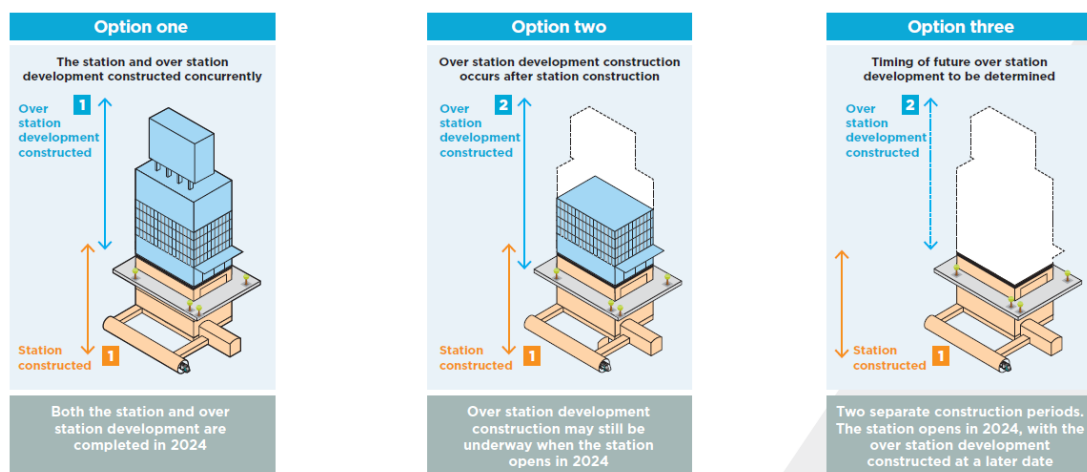
While the proposed DEX Strategies may improve tenderers' design submissions to achieve better design, it fails to set out an approach that entails a competitive design process to achieve excellent design outcomes. A competitive design process is a

prerequisite to Design Excellence as it serves to demonstrate the superior quality of a proposed development through the comparative evaluation of several competing design concepts. It cannot be known if a particular design is superior where there is no alternative for comparison.

It is noted that both the Sydney LEP 2012 and the *City of Sydney Competitive Design Policy* are identified in the SEARs as the relevant LEP and policy pertaining to design excellence applicable to these projects. Neither of the EIS reports nor the SEARs identify the *NSW Government Architect's Draft Design Excellence Competition Guidelines* as a relevant matter for consideration in any assessment.

Any concerns by the proponent that a design excellence process in accordance with the provisions of Sydney LEP 2012 might extend the duration and completion of the OSD and station development directly contradicts the staging scenarios presented in both of the EIS documents and the Sydney Metro Pitt Street community handout.

Specifically, Option 3 suggests an approach where the station is constructed first with the OSD built at a later stage (refer extract below). It is entirely feasible that a design excellence competition can be completed without impacting on timelines already contemplated by the proponent for the delivery of the projects.



Extract from Sydney Metro community booklet titled *"Pitt Street Over Station Development Concept State Significant Development Application Environmental Impact Statement Overview August 2018"*

It is also noted that all of the **benchmark examples** located in the City of Sydney in Appendix D.1 and D.2 of the applicant's DEX strategies such as Wynyard Place 10 Carrington Street, Sydney; EY building 200 George Street, Sydney; Central Park Sydney; Lumiere' Bathurst Street, Sydney; AHL headquarters and Hilton hotel George Street, Sydney; and, 5 Martin Place, Sydney **all were subject to design excellence competitions** either run according to the requirements of the Department of Planning and Environment or the City of Sydney Council.

The only exceptions shown are the AHL headquarters 478 George Street, Sydney and Wynyard Walk, that are both under 55 metres in height and **not subject to design excellence competition requirement**. Other benchmark examples are located in areas where design excellence is not a planning requirement. Notwithstanding this, Federation Square in Melbourne is the result of an open international design competition.

The Design Excellence strategy provided by the Applicant actually makes the case for why a design excellence competition is required to derive the benchmark projects

selected. **The applicant has completely failed to make the case for a waiver through their choice of benchmarks, and have undermined their rationale through their own published Options shown above.**

The City considers that the submitted DEX Strategies do not provide a suitable framework for the achievement of design excellence as defined in the relevant planning controls specified in the SEARs for the subject concept applications. On this basis, should the Department consider a competitive design process is not required prior to submission of future detailed applications for both sites, the City **objects** to the proposals.

Gross Floor Area

The Pitt Street North site seeks approval of a quantum of gross floor area (GFA). When combined with the station floor space, this would equate to a total maximum floor space ratio of 15.97:1. The EIS indicates that the maximum permitted under the LEP is 13.81:1 (without a design excellence 'bonus'). As such, a clause 4.6 variation request has been submitted with the application.

Given the conceptual nature of the application, that the precise mix of land uses is unknown, the structure of the LEP and the need to pro-rata any additional allowable floor space based on the land use, and that the granting of any 'bonus' is dependent on a building demonstrating design excellence following a LEP endorsed competitive design process, it is premature to approve an amount of GFA at this point in time. **Accordingly, the clause 4.6 variation request should not be supported.**

It is noted that for the Pitt Street South development, consent is not sought for a quantum of GFA.

Impacts on Princeton Apartments

With respect to Pitt Street South, concerns are raised about the building separation and amenity impacts between the proposed development and the north facing windows of the existing Princeton residential apartments to the south of the site at 308 Pitt Street. While a 12m tower setback to the south has been provided in accordance with building separation requirements of the Apartment Design Guide, the 3m podium setback from the top of the station component (RL58.75) up to RL 71.10 is unreasonably close. It is recommended that a continuous 12m tower setback (above RL58.75) is provided by the proposal to ensure reasonable amenity and outlook are preserved.

Transport

Podium car parking is proposed across 5 levels at Pitt Street North and across 3 levels at Pitt Street South. The SEARs for both applications requires that consideration is given to the *Eastern City District Plan*. Under Planning Priority E11 'Growing investment, business opportunities and jobs in strategic centres, Action 38 (part j) requires that development provides access to jobs, goods and services in centres by designing parking that can be adapted to future uses. The Department are encouraged to ensure that the height of the proposed podiums and number of levels envisaged within appropriately safeguards for future uses within those spaces other than car parking.

In addition, any above ground parking should be located towards the rear of the respective sites, screened by other active uses, and not visible from the public domain.

Flooding

The Department are requested to condition a requirement that the applicant demonstrate compliance with the City's Interim Floodplain Management Policy by submitting a Flood Assessment Report prepared by a suitably qualified and practicing floodplain management professional, as part of the future detailed SSDs, outlining:

1. Existing flood behaviour such as peak flood depth, velocity, flood hazards and rate of rise etc.;
2. Where required, flood compatible materials applicable in accordance with the section 6- Flood Compatible Materials of the Interim Floodplain management policy;
3. If applicable, appropriate measures to manage risk to life and property damage; and
4. Recommended flood planning level/s in accordance with the section 5 – Flood Planning Level of the Interim Floodplain Management policy.

The report must also include the flood impact assessment on existing flooding conditions from the proposed development.

With respect to the Pitt Street North proposal (SSD 8875), the proponent is advised that the City does not support preparation of a flood assessment using information extracted from the flood maps (PDF) available in the City's flood study reports as these can lead to approximation only. The applicant is advised to either approach the author (BMT WBM Pty Ltd) of the flood model in order to prepare their flood assessment report, or alternatively, the applicant can engage a suitable floodplain management professional to prepare the flood assessment reports for each site using the City's Flood Model. The City can provide the relevant flood model for a small processing fee.

The Department are also requested to condition a requirement for detailed stormwater and drainage design documentation including overland flow assessment and maintenance to be submitted with the detailed SSD applications for both sites.

Heritage

The Pitt Street North site is in close proximity to a number of locally listed heritage items such as the National Building at 150 Pitt Street and the NSW Masonic Club at 169-173 Castlereagh Street. The Pitt Street South site adjoins the Edinburgh Castle Hotel at 294-294B Pitt Street and the Metropolitan Fire Brigade Station at 211-217 Castlereagh Street. Concerns are raised about the physical impacts on the adjacent heritage buildings during excavation and construction works. The Department are encouraged to require the proponent to give specific consideration to those impacts which are to be addressed with the future detailed SSD applications to ensure the heritage significant buildings adjoining the site are protected in that regard.

For the Pitt Street North development, the building envelope footprint along the northern boundary should be modified to match the existing “indent” of the NSW Masonic Club building (169-173 Castlereagh St).

Signage

Within the applicant's Built Form and Urban Design Report are signage strategies for both sites.

The vertical projecting wall signage zones proposed at both sites are not supported and should be deleted from the respective signage strategies.

Sydney DCP 2012 does not permit projecting wall signs higher than 5m above ground level, unless otherwise provided for in a nominated signage precinct, which neither site is within. Also, each of the projecting signage locations have a much larger area than 0.5sq.m, which is not permitted by the DCP. Appropriately sited lower level signage is not likely to conflict with Metro signage as indicated by the documentation submitted.

With specific reference to the projecting wall signage zone at the Pitt Street South site, it will dominate the streetscape and adversely impacts on views towards the heritage significant Edinburgh Castle Hotel. The large sign is considered too close to and out of scale with the two storey heritage building.

The top of building signage zones at the Pitt Street North site may be acceptable if reduced to one sign per elevation with a maximum of two in total, and have a maximum vertical height equivalent to one typical floor of the building. Sky signs and other roof signs that project vertically above the roof of a building are not permitted by Sydney DCP 2012. It is noted that top of building signs are only to be allocated to a significant tenant of the building or to the building's owner, if the owner occupies a significant amount of floor space within the building relative to other tenants. Any approved signage strategy including top of building signage should include this caveat in accordance with the DCP.

Public Art

It is the City's preference that a combined Metro/OSD public art approach is developed for the five stations in the City of Sydney local government area, with funds allocated for public art for the Metro and OSDs consolidated toward a single, curated public art strategy.

With reference to the strategies submitted, art installations within the Pitt Street footway are not supported given the function of the Metro Station and interchange with other nearby transport modes. Concerns are raised that the other locations proposed for public art such as interior lobbies, soffit, and facade locations are not sufficiently 'public' and will conflict with public art proposed by Sydney Metro to be located in the station entrance halls. The Metro entrance halls are the preferred location for public art funded through the development of the OSDs and the Metro stations, concourses, tunnels, etc., are preferred locations of the Sydney Metro public art.

The City suggests that consolidating funds and development of a curated approach to public art will be the best way to achieve strong identities for the Metro Stations provided by significant works of art to these vital new public spaces.

Street activation

In general, the indicative floor plans with both applications indicate very poor overall street activation with lobby entries the only 'activation' to highly pedestrianised street frontages other than the concourse entries. Further investigation needs to be carried out into improved orientation of fire stairs, location of OSD risers and other back of house services and plant to try and alleviate visual impacts at street level. Particular reference is made to the Pitt Street North site and frontages along Park Street and Castlereagh Street, which would benefit from inserting retail tenancies to break up very long and inactive frontages.

Awnings and colonnades

Where a colonnade is to be provided fronting Park Street at the Pitt Street North site, the colonnade is to be a minimum height of 6m from finished floor level to the underside of the roof of the colonnade and with a **minimum width of 3m clear** from the outer face of the building to the inside face of the column to ensure appropriate pedestrian clearances are made available along the busy thoroughfare. The minimum width of 3m is to clear of all structures inclusive of any future outdoor dining. Greater than these dimensions are to be consistent across the full length of Park Street.

Where relevant, the future detailed SSDs should include a continuous awning to Pitt Street, Park Street, and Castlereagh Street frontages in accordance with the Awnings and Colonnades Map of Sydney Development Control Plan 2012. It should not be clear glass which has limited summer shade amenity and requires higher levels of maintenance. While the DCP is not strictly applicable to SSDs, the proponent is encouraged to be guided by those provisions for appropriate development on the respective sites.

Environmentally Sustainable Design (ESD)

The City considers that at concept proposal stage, it is essential that definitive performance targets are established for specific environmental performance issues with a clear focus on the three high impact / high opportunity areas including energy and carbon, mains potable water consumption, and waste avoidance, resource recovery and materials recycling.

With reference to the NSW Government's commitment to an aspirational objective of achieving net-zero emissions by 2050, by creating added economic value to the subject locations via public transport activation nodes, International Best Practice (6 Star) is a more appropriate target than well established and definitely not nation-leading design excellence that can readily result from a GreenStar 5 Star target.

With respect to Pitt Street North, the ESD report proposes no more than base compliance for the residential component via BASIX. The NSW government has already adopted higher BASIX targets for apartment development over 6 stories along the Parramatta Road Corridor via Urban Growth NSW's Planning and Design Guidelines. If higher than base compliance targets for apartment development along Parramatta Road apartment is considered appropriate then CBD sites of even higher economic value can accommodate the same targets.

The ESD report for the Pitt Street South proposal indicates mixed targets depending on the types of uses. For example, for the residential component GHD indicate a 4 Star GreenStar target however, the Green Building Council of Australia generally

take a whole of building approach and do not support separate targets for different parts (functions) of buildings. Thus, if the final approval is for a mixed office / residential or hotel / residential building the separate Green Star targets indicated in the report are not deliverable.

The sole metric for new build residential energy performance in NSW is BASIX (GreenStar does not provide an actual energy performance measure for residential development), with NatHERS a subsidiary input to BASIX scoring. Both reports are silent on any BASIX Energy and Water targets for any potential residential development.

The City request that it be invited to participate in any future workshops to help shape environmental performance outcomes for both sites.

Should you wish to speak with a Council officer about the above, please contact Maria O'Donnell, Specialist Planner on 9265 9333 or at modonnell@cityofsydney.nsw.gov.au

Yours sincerely,

A handwritten signature in black ink, appearing to read 'G Jahn', with a large loop at the bottom.

Graham Jahn AM
Director
City Planning | Development | Transport