



Our ref: DOC19/186508

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Dear Marcus

**RE: Heritage Council comments on Concept Application for Pitt Street (South) Over Station Development (SSD 8876)**

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Thank you for your email seeking clarification of Heritage Council comments on minimising overshadowing to Hyde Park, provided for the Pitt Street (South) Over Station Development (OSD) State Significant Development application (email 27 February 2019).

On 10 September 2018, Heritage Division, on behalf of the Heritage Council, submitted a response for the EIS on public exhibition. In our response we outlined our understanding that the development for Pitt Street (South) OSD will be subject to future detailed design, including the form, architectural detailing and materials. It was recommended that future detailed design is developed in line with the heritage recommendations of the EIS, which included:

- *further design development should seek to mitigate impacts of the vertical street walls above the item where the building footprint above podium wraps around the building. Materiality and façade articulation of the podium should respond to the heritage item to better integrate the two sites and to activate the facades.*
- *overshadowing, particularly to the Memorial should be minimised in the further detailed design of the scheme. (EIS 2018, Section 8.9.1)*

In our response we quoted the EIS which specifically references minimising overshadowing of the ANZAC Memorial at Hyde Park. It is noted that the Shadow Study (Appendix H to the EIS) demonstrates that there will be no overshadowing of the ANZAC Memorial. We clarify that our concern is about the overshadowing of Hyde Park as a whole (including the ANZAC Memorial), as an item of heritage significance listed on the State Heritage Register (SHR 01871).

The Response to Submission includes the Updated *Pitt Street South Design Guidelines* (Appendix A). Under information for the *Built Form above the Podium* (page 14) it provided the following design guidelines:

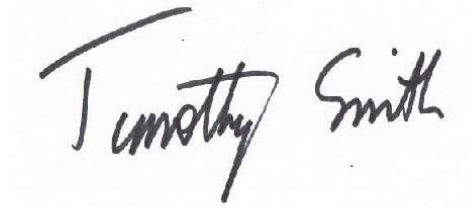
4. *Maximising solar access to the public domain, through:*
  - a. *Design and articulation of the built form above the podium to ensure no additional overshadowing to Hyde Park on June 21st, between 12pm and 2pm (required by SLEP 2012 Sun Access Plane controls).*
  - b. *Creation of opportunities to protect solar access to surrounding pedestrian environments.*

The above guidelines will assist in minimising overshadowing impacts to Hyde Park. Compliance with the Sydney Local Environment Plan (SLEP) 2012 Sun Access Plane Controls is an important consideration. There is no perceived benefit in adding a specific Condition of Approval that requires the proponent to 'minimise overshadowing' as put forward in the EIS, as this does not provide a quantifiable result or a measurable target. The proponent has indicated that they will comply with the Sun Access Plane Controls.

The Heritage Council maintains that overshadowing to Hyde Park should be minimised in the detailed design and future SSD approvals for the project. This would reduce any potential impacts to the significance of Hyde Park and its listed State heritage values, namely its Aesthetic Significance.

If you have any questions regarding the above clarification of comments for the Pitt Street (South) Over Station Development SSD 8876, please contact Alexander Timms, Senior Heritage Officer Major Projects at the Heritage Division, Office of Environment and Heritage, on (02) 8837 6067 or [Alexander.Timms@environment.nsw.gov.au](mailto:Alexander.Timms@environment.nsw.gov.au)

Yours sincerely

A handwritten signature in black ink that reads "Timothy Smith". The signature is written in a cursive style with a large, sweeping initial 'T'.

**TIM SMITH OAM**  
Director, Operations  
Heritage Division  
Office of Environment and Heritage  
**As Delegate of the Heritage Council of NSW**

6 March 2019