

PITT STREET SOUTH
OVER STATION
DEVELOPMENT

SUBMISSIONS REPORT



Table of Contents

Table of Contents	2
Executive Summary	7
1. Introduction and Project Overview	11
1.1. Introduction.....	11
1.2. Planning context	13
1.3. Overview of the Project.....	14
1.4. Changes to the Project as exhibited.....	15
1.4.1. Pitt Street South Design Guidelines	15
1.4.2. Signage	16
1.5. Additional information supporting this report	16
1.6. Purpose and structure of the report	16
2. Overview of the exhibited development	18
2.1. Overview of the development proposal as described by the Environmental Impact Statement.....	18
2.1.1. Location of the site.....	18
2.1.2. Project objectives.....	19
2.1.3. Description of the development.....	19
2.1.4. Project need and benefits	20
2.1.5. Summary of potential environmental impacts and mitigation measures	21
2.2. Clarification of Project scope	22
2.2.1. Delineation between station and OSD	22
2.2.2. Station design and public domain work.....	25
2.2.3. Concept versus detailed development application	25
2.2.4. Pitt Street Station.....	26
3. Community and stakeholder consultation	27
3.1. Overview	27
3.2. Consultation associated with the public exhibition of the EIS	27
3.2.1. Consultation Activities.....	27
3.2.2. Community contact and information points	28
3.2.3. Community information sessions	28
3.2.4. Engagement summary.....	28
3.2.5. Display materials	29
3.2.6. EIS overview document.....	29
3.3. Key issues raised at community information sessions	29
3.4. Consultation during the preparation of this report.....	30
3.5. Ongoing consultation and engagement activities	30
3.6. Next steps.....	31
4. Submissions received	32
4.1. Respondents	32
4.2. Overview of submissions – government agencies and key stakeholder submissions.....	32
4.2.1. Government Architect NSW	32
4.2.2. NSW Office of Environment and Heritage.....	33
4.2.3. Fire and Rescue NSW	33

4.2.4.	NSW Environment Protection Authority	33
4.2.5.	NSW Department of Industry	33
4.2.6.	Heritage Council of NSW	33
4.2.7.	Civil Aviation Safety Authority	33
4.2.8.	Sydney Airport	33
4.2.9.	Sydney Water	34
4.2.10.	Water NSW.....	34
4.2.11.	Ausgrid	34
4.2.12.	City of Sydney Council.....	34
4.3.	Overview of submissions – community submissions.....	35
4.3.1.	Summary of issues raised in community submissions	35
5.	Response to government agency, key stakeholder and Council submissions	38
5.1.	Overview	38
5.2.	NSW Office of Environment and Heritage	38
5.3.	Fire and Rescue NSW	39
5.4.	NSW Environment Protection Authority	39
5.5.	NSW Department of Industry	39
5.6.	Heritage Council of NSW	39
5.7.	Civil Aviation Safety Authority	40
5.8.	Sydney Airport	41
5.9.	Sydney Water	41
5.10.	Water NSW.....	41
5.11.	Ausgrid	41
5.12.	City of Sydney Council.....	41
5.12.1.	Design excellence.....	41
5.12.2.	Impact on Princeton Apartments.....	48
5.12.3.	Transport	48
5.12.4.	Flooding.....	49
5.12.5.	Heritage.....	49
5.12.6.	Signage	49
5.12.7.	Public art	50
5.12.8.	Street activation.....	50
5.12.9.	Awnings and colonnades.....	51
5.12.10.	ESD	52
6.	Response to the issues raised in community submissions.....	53
6.1.	Overview	53
6.2.	Submissions making comment	53
6.3.	Submissions in support.....	53
6.3.1.	Building height	53
6.3.2.	Station entry	53
6.3.3.	Building use.....	54
6.4.	Submissions in objection	54
6.4.1.	Overshadowing and solar access impacts to the Princeton Apartments ...	54
6.4.2.	Loss of privacy to adjacent properties.....	57
6.4.3.	Overshadowing of Hyde Park	59

6.4.4.	Overdevelopment of the site	60
6.4.5.	Loss of private views	62
6.4.6.	Wind impacts	68
6.4.7.	Heritage impact	68
6.4.8.	Building setbacks.....	70
6.4.9.	Vehicular and pedestrian movement.....	71
6.4.10.	Acoustic impact	72
6.4.11.	Station plant impacts	73
6.4.12.	Communications and engagement	73
7.	Amended Project.....	75
7.1.	Design Guidelines.....	75
7.1.1.	Amendment 1	75
7.1.2.	Amendment 2	75
7.1.3.	Amendment 3	76
7.1.4.	Amendment 4	76
7.1.5.	Amendment 5	76
7.2.	Signage	76
8.	Additional information and assessment.....	77
8.1.	Built form and setbacks.....	77
8.1.1.	Street frontage setbacks	77
8.1.2.	Western and eastern setback impacts	81
8.1.3.	Southern setback.....	82
8.1.4.	Additional potential mitigation measures.....	85
8.2.	Design guidelines	86
8.2.1.	Relationship with Station Design Precinct Plan.....	86
8.2.2.	Connection between station boxes and podium.....	87
8.2.3.	Streetscape presentation of station boxes	88
8.2.4.	Additional planning principles or design parameters	89
8.2.5.	Sun Access Plane control.....	89
8.2.6.	Signage strategy.....	90
8.3.	Land use options	90
8.3.1.	Comparative analysis	90
8.3.2.	Analysis of floorplate size	90
8.3.3.	Analysis of loading facilities	91
8.3.4.	Residential interface	93
8.4.	Design excellence.....	94
8.4.1.	Unreasonable and unnecessary nature of competition design process.....	94
8.4.2.	Achievement of intent of SLEP 2012.....	95
8.4.3.	Assessment against the Government Architect NSW's draft Design Excellence Competition Guidelines 2018.....	
8.4.4.	Summary	97
8.5.	Other issues	97
8.5.1.	Section drawings	97
8.5.2.	Capital Investment Value estimate.....	97
8.5.3.	Motorcycle parking.....	97

9.	Environmental impact assessment of the Amended Project	98
9.1.	Revised environmental ratings.....	98
9.2.	Revised mitigation measures.....	101
10.	Conclusion.....	109
10.1.	Next steps.....	110
Glossary and Abbreviations.....		111
Appendices		113
A.	Updated Pitt Street South Design Guidelines.....	113
B.	Additional Building Envelope Sections.....	113
C.	Community Consultation Information Session Contact Information.....	113
D.	Community Information Session A0 Boards.....	113
E.	EIS Overview Document.....	113
F.	Summary of Issues Raised at Community Information Sessions	113
G.	Issues Categories and where to find responses to issues raised in submissions.....	113
H.	Government Architect NSW Endorsement Letter	113
I.	City of Sydney Correspondence	113
J.	ESD Report Addendum	113
K.	Supplementary Overshadowing Impact Sensitivity Analysis Report.....	113
L.	Media release issued prior to exhibition of the concept SSD Application	113
M.	Section demonstrating proposed levels in relation to the Princeton apartments.....	113

Figure 1 – Sydney Metro alignment.....	12
Figure 2 – CSSI and SSD development process.....	13
Figure 3 – The proposed OSD building envelope.....	15
Figure 4 – Photomontage of the indicative OSD design	15
Figure 5 – Location Plan	18
Figure 6 – Exhibited proposed building envelope (axonometric diagram viewed from the south-west)	20
Figure 7 – Plan of proposal demonstrating location of transfer slab at RL 58.25	24
Figure 8 – Three contemplated construction scenarios in relation to construction of the integrated station development	44
Figure 9 – Sydney Metro delivery strategy	47
Figure 10 – Plan demonstrating the allocation of substantial space to Pitt Street Station uses	51
Figure 11 – Princeton Apartments: Low rise, north east, proposed view	63
Figure 12 – Princeton Apartments: High rise, north east, proposed view.....	64
Figure 13 – Greenland Centre: Low rise, east, proposed view	65
Figure 14 – Greenland Centre: Mid rise, east, proposed view	65
Figure 15 – Greenland Centre: High rise, east, proposed view	66
Figure 16 – Century Tower: Low rise, north east, proposed view	67
Figure 17 – Century Tower: High rise, north east, proposed view	67
Figure 18 – Concept proposal setbacks above the podium, demonstrating alignment with the Princeton Apartments	78
Figure 19 – Demonstration of surrounding street setbacks above building podiums	79
Figure 20 – Section of the development, demonstrating the structural transition from the OSD to the station structure.....	84
Figure 21 – Approved privacy mitigation measures under D/2014/464.....	85
Figure 22 – Demonstration of the OSD envelope complying with the Hyde Park West 3 Sun Access Plane	89
Figure 23 – Desired commercial floor plate noted in the Strategic Land Use Analysis.....	91
Figure 24 – Ground level loading arrangement (residential scheme).....	92
Figure 25 – Ground level loading arrangement (commercial)	92
Figure 26 – First level loading arrangement (commercial).....	93
Table 1 – Submissions Report structure.....	16
Table 2 – Summary of potential environmental impacts	21
Table 3 – Planning pathway relationship between concept SSD Application	24
Table 4 – Community contact and information points	28
Table 5 – Community information sessions.....	28
Table 6 – Proposed ongoing engagement activities	30
Table 7 – Submissions received by respondent type.....	32
Table 8 – Key issues raised in submissions	35
Table 9 – Summary of bulk and scale controls under the SDCP 2012	81
Table 10 – Risk assessment matrix.....	98
Table 11 – Environmental Risk Assessment	99
Table 12 – Revised mitigation measures.....	101

Executive Summary

Sydney Metro

Sydney Metro is Australia's biggest public transport project. A new stand-alone metro railway system, this 21st century network will deliver 31 metro stations and 66 kilometres of new metro rail for Australia's biggest city - revolutionising the way Sydney travels. Services start in the first half of 2019 on Australia's first fully-automated railway.

Sydney Metro was identified in *Sydney's Rail Future*, as an integral component of the *NSW Long Term Transport Master Plan*, a plan to transform and modernise Sydney's rail network so it can grow with the city's population and meet the future needs of customers. In early 2018, the Future Transport Strategy 2056 was released as an update to the NSW Long Term Transport Master Plan and Sydney's Rail Future. Sydney Metro City & Southwest is identified as a committed initiative in the Future Transport Strategy 2056.

Sydney Metro is comprised of four projects:

Sydney Metro Northwest - formerly the 36-kilometre North West Rail Link. This \$8.3 billion project is now under construction and will open in the first half of 2019 with a metro train every four minutes in the peak.

Sydney Metro City & Southwest - a new 30-kilometre metro line extending the new metro network from the end of Sydney Metro Northwest at Chatswood, under Sydney Harbour, through the central business district (CBD) and south west to Bankstown. It is due to open in 2024 with an ultimate capacity to run a metro train every two minutes each way through the centre of Sydney.

Sydney Metro West - a new underground railway connecting the Parramatta and Sydney CBDs. This once-in-a-century infrastructure investment will double the rail capacity of the Parramatta to Sydney CBD corridor and will establish future capacity for Sydney's fast growing west. Sydney Metro West will serve five key precincts at Westmead, Parramatta, Sydney Olympic Park, The Bays and the Sydney CBD. The project will also provide an interchange with the T1 Northern Line to allow faster connections for customers from the Central Coast and Sydney's north to Parramatta and the Sydney CBD.

Sydney Metro Western Sydney Airport - servicing the city's new international airport and connecting customers and travellers with the rest of Sydney, it will open in 2026 at the same time as the airport.

Sydney's new metro, together with signalling and infrastructure upgrades across the existing Sydney suburban rail network, will increase the capacity of train services entering the Sydney CBD - from about 120 an hour currently to up to 200 services beyond 2024. That's an increase of up to 60 per cent capacity across the network to meet demand.

Sydney Metro City & Southwest comprises two core components - the Chatswood to Sydenham project, and the Sydenham to Bankstown conversion.

Planning approval for Chatswood to Sydenham was granted in January 2017, and construction has commenced under a Critical State Significant Infrastructure (CSSI) Approval. The CSSI Approval enables construction of buildings which will be integrated with and will sit above the station developments, including at Pitt Street Station in the Sydney CBD.

Sydney Metro is also currently seeking approval to construct and operate the Sydenham to Bankstown component of Sydney Metro City & Southwest. This project is subject to a separate CSSI Application currently being considered by the NSW Department of Planning and Environment (DPE).

The Project

The Pitt Street South over station development (the Project) comprises a concept State Significant Development Application (concept SSD Application) for the construction of an over station development (OSD) above the southern portal of the approved Pitt Street Station (SSD 8876).

The concept proposal includes a building envelope, development parameters and strategies for building within the envelope and the use of the OSD spaces approved within the station under the CSSI Approval. No physical works are proposed under the concept SSD Application. Approval for the final building design and construction of the project will be the subject of a future detailed SSD Application.

The concept proposal would result in the OSD being fully integrated within the station development, and the associated ground plane, and public domain works which will be delivered under the terms of the CSSI Approval.

The delineation of scope of works to be delivered under this concept SSD Application and the CSSI Approval is further discussed in Section 2.2 of this Submissions Report (Submissions Report).

An Environmental Impact Statement (EIS) titled *Pitt Street South Over Station Development - Concept State Significant Development Application* was prepared to support Sydney Metro's application for concept approval of the Project in accordance with the requirements of section 4.22 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

Further information on the Project is provided in Chapters 1 (Introduction and Project overview) and 2 (Overview of the exhibited development) of this Submissions Report as well as Chapter 4 of the exhibited EIS.

Consultation on the Environmental Impact Statement

The EIS supporting the concept SSD Application was placed on public exhibition by DPE for a period of 28 days, from 16 August - 12 September 2018.

During the exhibition period, members of the community, relevant government agencies and key stakeholders were able to review the EIS and its accompanying studies online or at the static display location at the City of Sydney Council (Council) and Customs House.

They were able to make a written submission to DPE for consideration in its assessment of the Project. During the public exhibition period, the community was also able to participate in consultation and engagement activities undertaken by Sydney Metro.

The consultation activities undertaken by Sydney Metro included:

- Tuesday 28 August, 11am – 2pm at the Wesley Conference Centre, 220 Pitt Street, Sydney
- Thursday 30 August, 4pm – 7pm at the Primus Hotel, 339 Pitt Street, Sydney
- Tuesday 4 September, 11am – 2pm at the Primus Hotel, 339 Pitt Street, Sydney
- Thursday 6 September, 4pm – 7pm at the Wesley Conference Centre, 220 Pitt Street, Sydney

During the preparation of the Submissions Report, further consultation has been undertaken with Council and DPE.

Further information on consultation undertaken is provided in Chapter 3 (Community and stakeholder consultation) of this Submissions Report.

Overview of submissions

During public exhibition of the concept SSD Application, 93 submissions were received by DPE. Of these submissions, 11 were from government agencies, Council and other key stakeholders, and the remaining 82 were received from members of the local community, interest / community groups and businesses.

Key issues for government agencies, Council and key stakeholders included:

- comments about the achievement of design excellence through the proposed *Design Excellence Strategy*
- comments about privacy impacts regarding the proposed southern setback between RL58.75 to RL71.0
- comments about the impacts of the proposal on the amenity of surrounding residents

Sydney Metro's response to key issues raised in each government agency, key stakeholder and Council submissions are provided in Chapter 5 (Response to government agency, key stakeholder and Council submissions) of this Submissions Report.

A number of issues raised in the submissions fall outside of the scope of this concept SSD Application and relate to matters under the CSSI Approval. These include the following issues:

- Clarification of project scope and the delineation of the OSD and the Station works approved under the CSSI
- The proposal's classification as a 'concept' development application.
- The detailed design and extent of station and public domain works

These matters are discussed in further detail in Section 2.2 (Clarification of Project scope) of this Submissions Report.

The amended Project

In response to the submissions received, Sydney Metro has made the following amendments to the concept proposal:

- a commitment for future discussion and assessment of signage to occur at the detailed SSD Application stage
- the provision of amended *Pitt Street South Design Guidelines* (Appendix A) to help shape the future OSD and its integration with the station and public domain

Further information regarding the amended Project is provided in Chapter 7 (Amended Project) of this Submissions Report.

Additional information

To assist in the final assessment of the concept SSD Application, DPE requested additional information to be provided on the following matters:

- further exploration around the proposed setbacks, particularly to the street frontages, as well as the interface of the development to the Princeton Apartments to the south
- a number of clarifications regarding the Design Guidelines and how they would relate to the OSD, as well as the integrated station development

- further clarification regarding the nature of the application proposing a residential or commercial outcome at the site

These matters are addressed in Chapter 8 (Additional information and assessment) of this Submissions Report.

In order to respond to issues raised in submissions, this Submissions Report also includes the following:

- Additional Building Envelope Section (Appendix B)
- Ecologically Sustainable Development Report Addendum (Appendix J)
- Supplementary Overshadowing Sensitivity Analysis Report (Appendix K)

Environmental Impact Statement

Potential impacts resulting from the amended Project would generally be reduced or be consistent with impacts of the exhibited Project as described in the EIS. The environmental impacts are considered in Chapter 8 (Additional information and assessment) and Chapter 9 (Environmental impact assessment of the amended Project) of this Submissions Report.

Next steps

DPE on behalf of the Minister for Planning (the Minister) will review the EIS, submissions received, and this Submissions Report. Once DPE has completed its assessment, a draft assessment report will be prepared for the Secretary of DPE.

The assessment report will then be provided to the Minister for consideration and determination. The Minister will then make a determination, with any conditions considered appropriate.

The Minister's determination, including any conditions of approval and the Secretary's report, will be published on DPE's website immediately after determination, together with a copy of this Submissions Report.

1. Introduction and Project Overview

This chapter provides an overview of the concept SSD Application and outlines the purpose and content of this Submissions Report.

1.1. Introduction

Sydney Metro is Australia's biggest public transport project.

A new stand-alone metro railway system, this 21st century network will deliver 31 metro stations and 66 kilometres of new metro rail for Australia's biggest city - revolutionising the way Sydney travels. Services start in the first half of 2019 on Australia's first fully-automated railway.

Sydney Metro was identified in *Sydney's Rail Future* as an integral component of the *NSW Long Term Transport Master Plan*, a plan to transform and modernise Sydney's rail network so it can grow with the city's population and meet the future needs of customers. In early 2018 the *Future Transport Strategy 2056* was released as an update to the *NSW Long Term Transport Master Plan* and *Sydney's Rail Future*. Sydney Metro City & Southwest is identified as a committed initiative in the *Future Transport Strategy 2056*.

Sydney Metro is comprised of four projects (shown in Figure 1):

Sydney Metro Northwest - formerly the 36-kilometre North West Rail Link. This \$8.3 billion project is now under construction and will open in the first half of 2019 with a metro train every four minutes in the peak.

Sydney Metro City & Southwest - a new 30-kilometre metro line extending the new metro network from the end of Sydney Metro Northwest at Chatswood, under Sydney Harbour, through the CBD and south west to Bankstown. It is due to open in 2024 with an ultimate capacity to run a metro train every two minutes each way through the centre of Sydney.

Sydney Metro West - a new underground railway connecting the Parramatta and Sydney central business districts. This once-in-a-century infrastructure investment will double the rail capacity of the Parramatta to Sydney central business district (CBD) corridor and will establish future capacity for Sydney's fast growing west. Sydney Metro West will serve five key precincts at Westmead, Parramatta, Sydney Olympic Park, The Bays Precinct and the Sydney CBD. The project will also provide an interchange with the T1 Northern Line to allow faster connections for customers from the Central Coast and Sydney's north to Parramatta and the Sydney CBD.

Sydney Metro Western Sydney Airport - servicing the city's new international airport and connecting customers and travellers with the rest of Sydney, it will open in 2026 at the same time as the airport.

Sydney's new metro, together with signalling and infrastructure upgrades across the existing Sydney suburban rail network, will increase the capacity of train services entering the Sydney CBD - from about 120 an hour currently to up to 200 services beyond 2024. That's an increase of up to 60 per cent capacity across the network to meet demand.

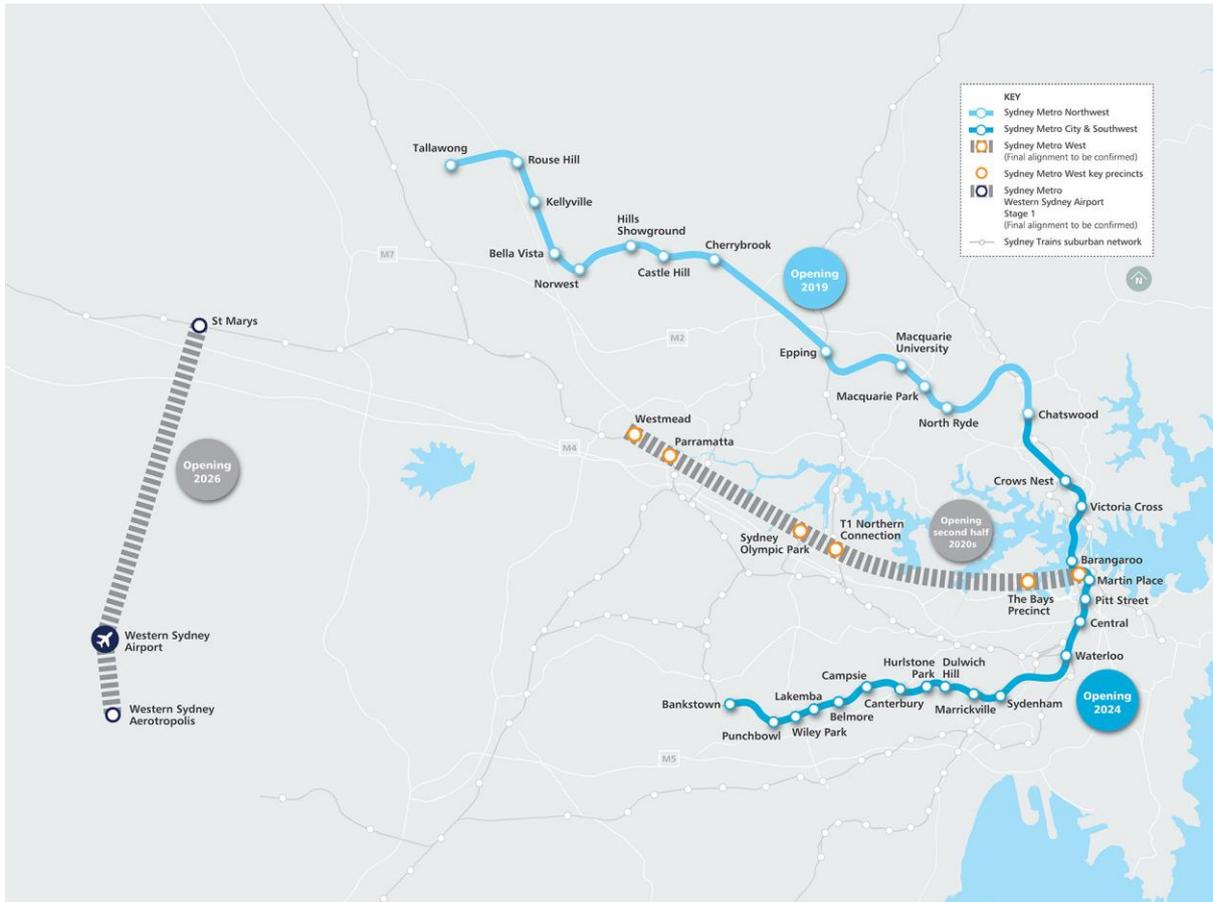


Figure 1 – Sydney Metro alignment

Sydney Metro City & Southwest comprises two core components - the Chatswood to Sydenham project, and the Sydenham to Bankstown upgrade.

A Critical State Significant Infrastructure (CSSI) Application for the Chatswood to Sydenham component was approved by the Minister for Planning in January 2017 and construction has commenced.

This component includes delivering new 15.5-kilometre twin tunnels from Chatswood, under Sydney Harbour through Sydney's CBD to Sydenham, with six new metro stations, together with new underground platforms at Central.

The CSSI Approval includes below and above ground structures necessary for the delivery of each station. The approval also enables the construction of over station development (OSD) which will be integrated with and will sit above the stations, including at Pitt Street Station in the Sydney CBD.

The CSSI Approval also includes the delivery of all public domain works, pedestrian and vehicular access and circulation through the site to ensure the development appropriately integrates with the surrounding public domain and road network.

Sydney Metro is also seeking approval to construct and operate the Sydenham to Bankstown component of the Sydney Metro City & Southwest project. This project is subject to a separate CSSI Application currently being considered by the NSW Department of Planning and Environment (DPE).

The Pitt Street South OSD project (the Project) comprises a concept State Significant Development (SSD) Application for the construction of an OSD at the southern portal of Pitt Street Station and includes a building envelope and development parameters and strategies for a future building at this location. It also includes the use of OSD spaces approved within the station under the CSSI Approval and for the OSD to be fully integrated with Pitt Street Station. No physical works are proposed under this concept SSD Application.

1.2. Planning context

While the Pitt Street Station southern portal and OSD will form a single integrated station development, the planning pathways defined under the *Environmental Planning and Assessment Act 1979* (EP&A Act) require separate assessment for each component of the development. The approved station works (CSSI Approval) are subject to the provisions of Part 5.1 of the EP&A Act (now referred to as Division 5.2). This concept SSD Application is being made under Part 4 of the EP&A Act and comprises a 'concept application' in accordance with section 4.22 of the EP&A Act. It forms the first stage of the Project and sets the planning framework against which a future detailed SSD application for the Pitt Street South OSD will be assessed. The detailed SSD Application will be lodged in the future for the final design and construction of the development.

State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP) identifies development considered to be State significant. Under the criteria in Clause 19(2) of Schedule 1 of the SRD SEPP, this concept application is SSD as it is within a rail corridor, is associated with railway infrastructure, is for the purpose of residential or commercial premises and has a capital investment value which is over \$30 million. This development is therefore State significant development for the purposes of section 4.36 of the EP&A Act.

The EP&A Act requires that an Environmental Impact Statement (EIS) be prepared for SSD Applications, including particulars of the location, nature and scale of the development and an assessment of the development's environmental impacts under section 4.15 of the EP&A Act. The EIS must be prepared in accordance with the requirements referred to in the EP&A Act and the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation) including the Secretary's Environmental Assessment Requirements (SEARs) for the preparation of the EIS.

The EIS associated with this application has been exhibited by DPE and is now under assessment by DPE.

A graphic illustrating the CSSI and SSD development process and the associated development applications is provided in Figure 2 below.

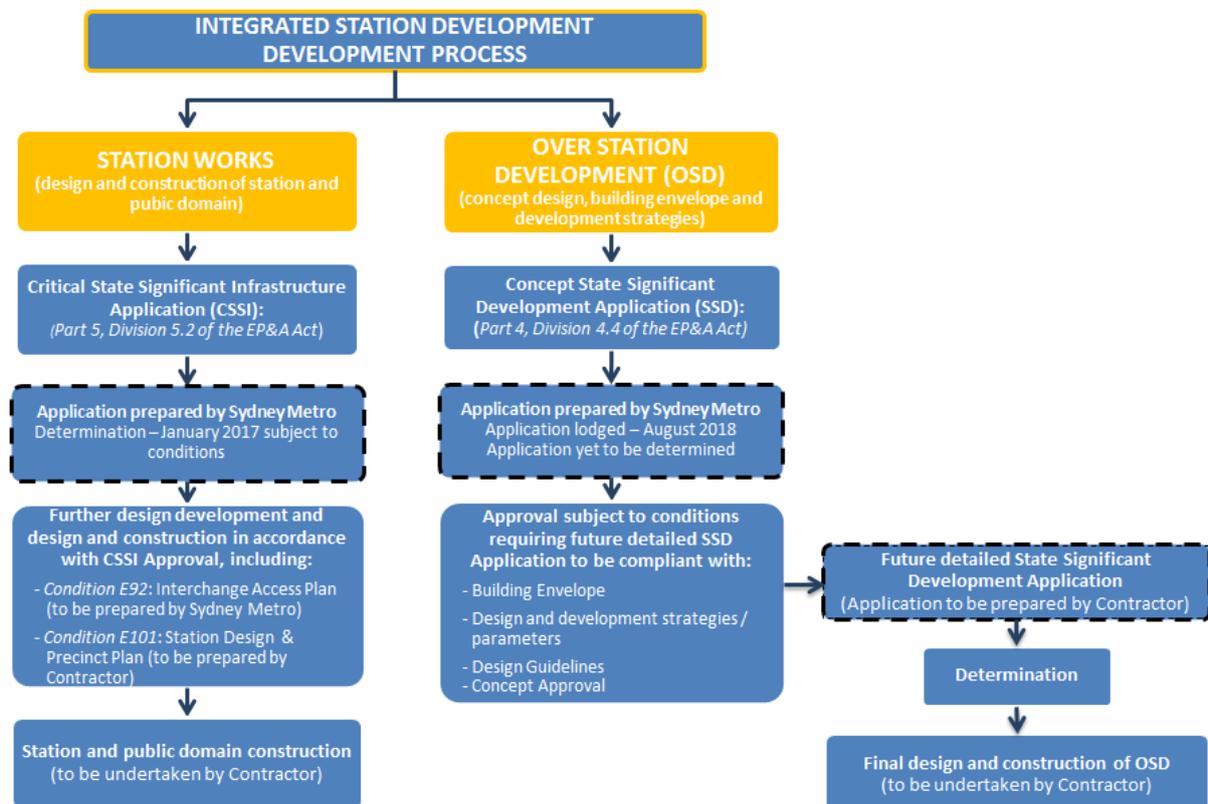


Figure 2 – CSSI and SSD development process

1.3. Overview of the Project

The exhibited EIS for the Pitt Street South concept SSD Application included the following development description:

- a maximum building envelope
- a maximum building height of Relative Level (RL) 171.6, which equates to approximately 35 residential storeys or 30 commercial office storeys, including the podium height of RL 71 which equates to approximately 8 storeys above ground
- conceptual use of the OSD component for the purposes of (subject to further detailed applications):
 - residential accommodation; or
 - commercial office premises
- use of the conceptual OSD space provisioning within the footprint of the CSSI Approval (both above and below ground), including the OSD lobby areas, podium car parking, storage facilities, services and back-of-house facilities
- car parking for a maximum of 34 spaces located across three levels of the podium

The concept SSD Application also seeks approval for the future subdivision (if required) and strategies to guide the detailed design of the future OSD, including pedestrian and vehicular access, utility service provision, management of stormwater and drainage, public art and the achievement of ecologically sustainable development. The application is also accompanied by the Design Excellence Strategy (July 2018) and Design Guidelines to which the future detailed design would need to respond.

The building envelope as proposed in the EIS and a photomontage of the indicative OSD design are shown at Figure 3 and Figure 4 respectively.

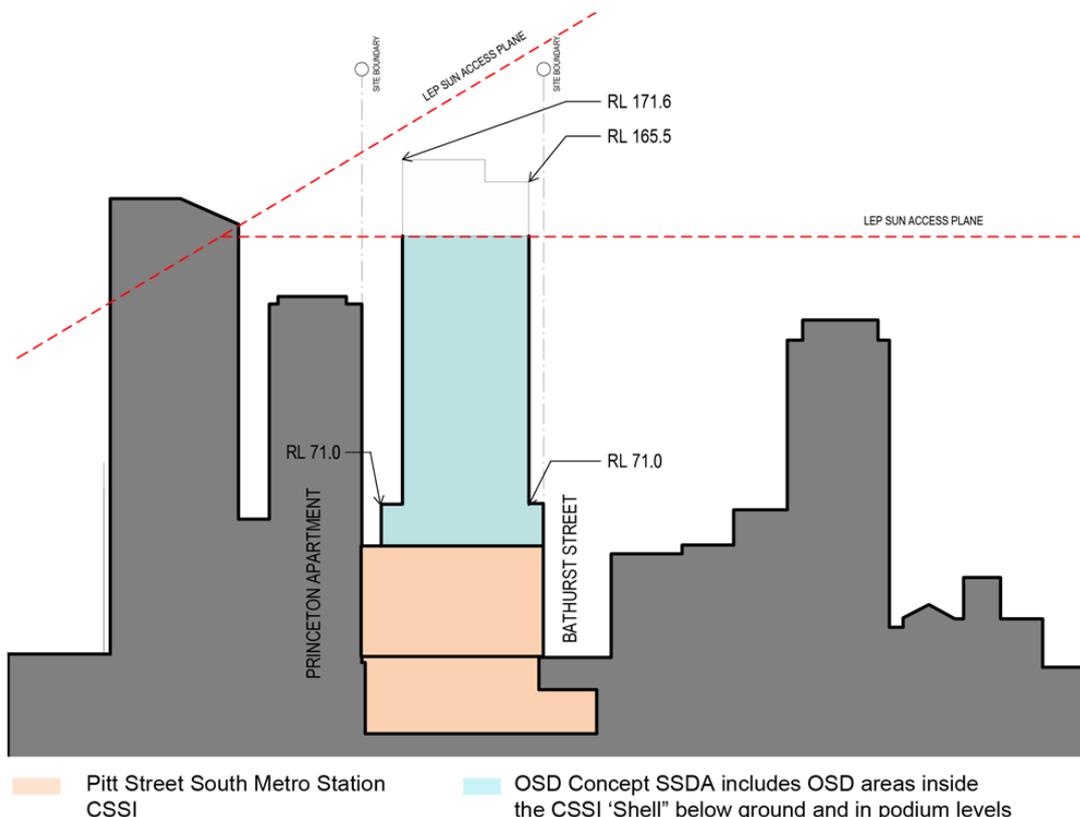


Figure 3 – The proposed OSD building envelope

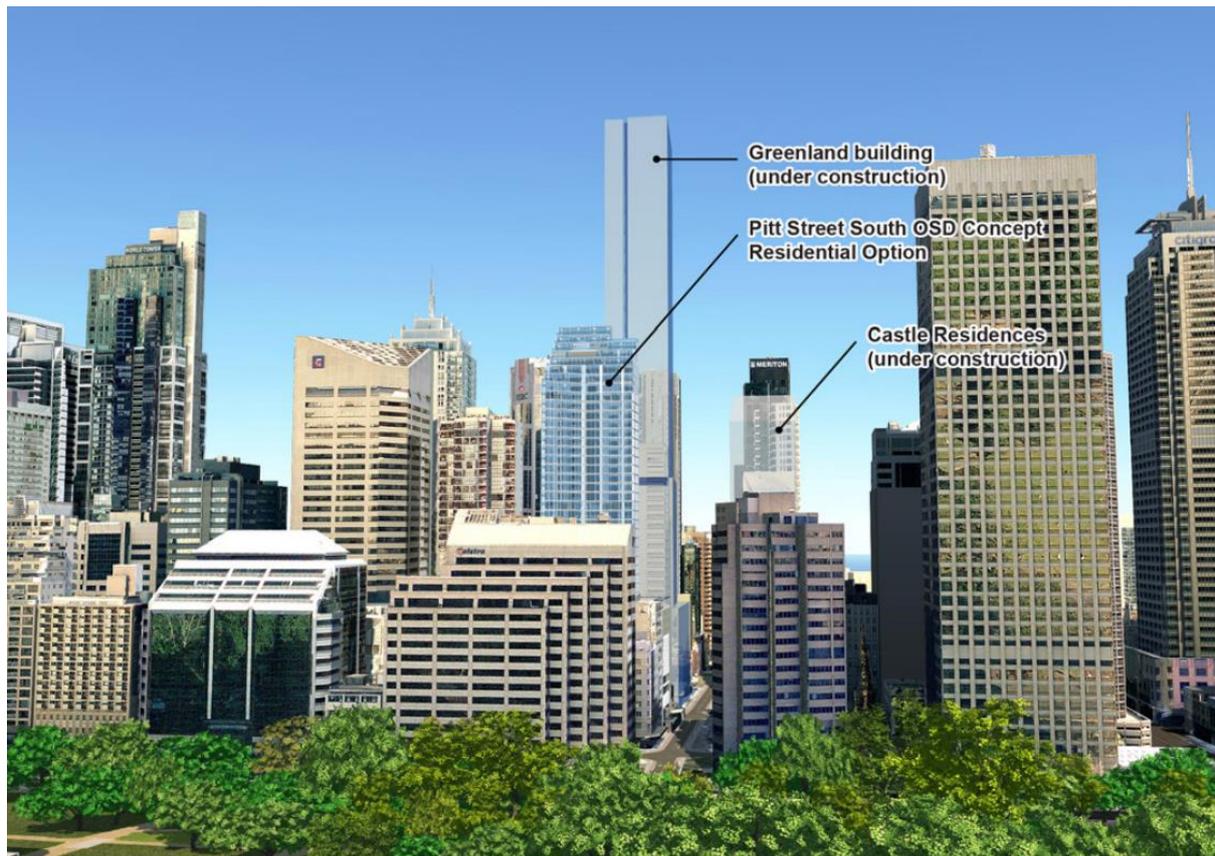


Figure 4 – Photomontage of the indicative OSD design

1.4. Changes to the Project as exhibited

In response to a request for further information by DPE and in order to respond to key issues raised in submissions, the following has been provided:

- an updated *Pitt Street South Design Guidelines*
- an update to consider signage at the detailed SSD Application stage

These changes are discussed further below.

1.4.1. Pitt Street South Design Guidelines

To ensure that the detailed design of the building form at the site adequately responds to the surrounding context, the Pitt Street South Design Guidelines have been updated. The updated guidelines are provided at Appendix A.

The guidelines now include additional information to explain their relationship to the Sydney Metro City & Southwest: Chatswood to Sydenham Design Guidelines and to further emphasize the importance of integration between the station and OSD elements and surrounding heritage buildings.

The guidelines have also been updated to include additional design considerations with respect to signage, landscaping within the tower and safety for cyclists and pedestrians at driveway crossings. Further detail regarding these updates is provided in Chapter 7.

1.4.2. Signage

DPE has requested that a review of the proposed signage strategy be undertaken in response to Council's submission. The size and detail of signage will be reviewed at the detailed design stage with consideration of Council's comments, with details provided as part of a future detailed SSD Application for consideration.

1.5. Additional information supporting this report

In response to a request for further information by DPE and in order to respond to key issues raised in submissions, the following additional studies have been prepared by Sydney Metro to illustrate and supplement the Submissions Report:

- Additional Building Envelope Sections (Appendix B)
- Supplementary Overshadowing Impact Sensitivity Analysis Report (Appendix K)
- Ecological Sustainability Report Addendum (Appendix J)

1.6. Purpose and structure of the report

During public exhibition of the concept SSD Application, 93 submissions were received by DPE, including 11 from government agencies. The Secretary of DPE provided copies of the submissions to Sydney Metro with a formal request for a written response to the issues raised.

This Submissions Report responds to the issues raised during the exhibition period, proposes changes to the concept proposal as exhibited (Chapter 7), and responds to additional information requests from DPE (Chapter 8).

Sydney Metro has considered all submissions made pursuant to the requirements of the EP&A Act. This report provides Sydney Metro's formal Response to Submissions from government agencies, stakeholders and the community in accordance with Clause 85A of the EP&A Regulation.

The structure and content of this Submissions Report are outlined in Table 1.

Table 1 – Submissions Report structure

Chapter	Description
Chapter 1	Introduction and Project overview (this chapter) Provides an overview of the concept SSD Application and outlines the purpose and content of this Submissions Report.
Chapter 2	Overview of the exhibited development Provides an overview of the Project as exhibited, including associated clarifications regarding the scope of the concept proposal and the Project elements approved under the terms of the CSSI Approval.
Chapter 3	Community and stakeholder consultation Provides details of the consultation, and community and stakeholder engagement activities carried out by Sydney Metro during the exhibition of the concept SSD Application.
Chapter 4	Submissions received Provides a summary of the submissions received during public exhibition of the concept SSD Application.
Chapter 5	Response to government agency, key stakeholder and Council submissions Identifies issues raised by government agencies, key stakeholders and Council, and provides responses to those submissions.
Chapter 6	Response to the issues raised in community submissions Identifies issues raised by the community, including businesses and other stakeholders,

Chapter	Description
	and provides responses to those submissions.
Chapter 7	<p>Amended Project</p> <p>Provides detail on the changes to the concept proposal as exhibited, including a description of the amended Project compared to the Project described in the exhibited EIS.</p>
Chapter 8	<p>Additional information and assessment</p> <p>Provides additional information in response to key issues raised in submissions and responds to the request from DPE for additional information, together with an assessment of environmental impacts.</p>
Chapter 9	<p>Environmental impact assessment of amended Project</p> <p>Provides an amended environmental risk rating and revised mitigation measures for the amended Project.</p>
Chapter 10	<p>Conclusion</p> <p>Provides concluding statements on Sydney Metro's response to submissions to the concept SSD Application.</p>

Acronyms and Abbreviations

A full list of acronyms and abbreviations is provided after Chapter 10.

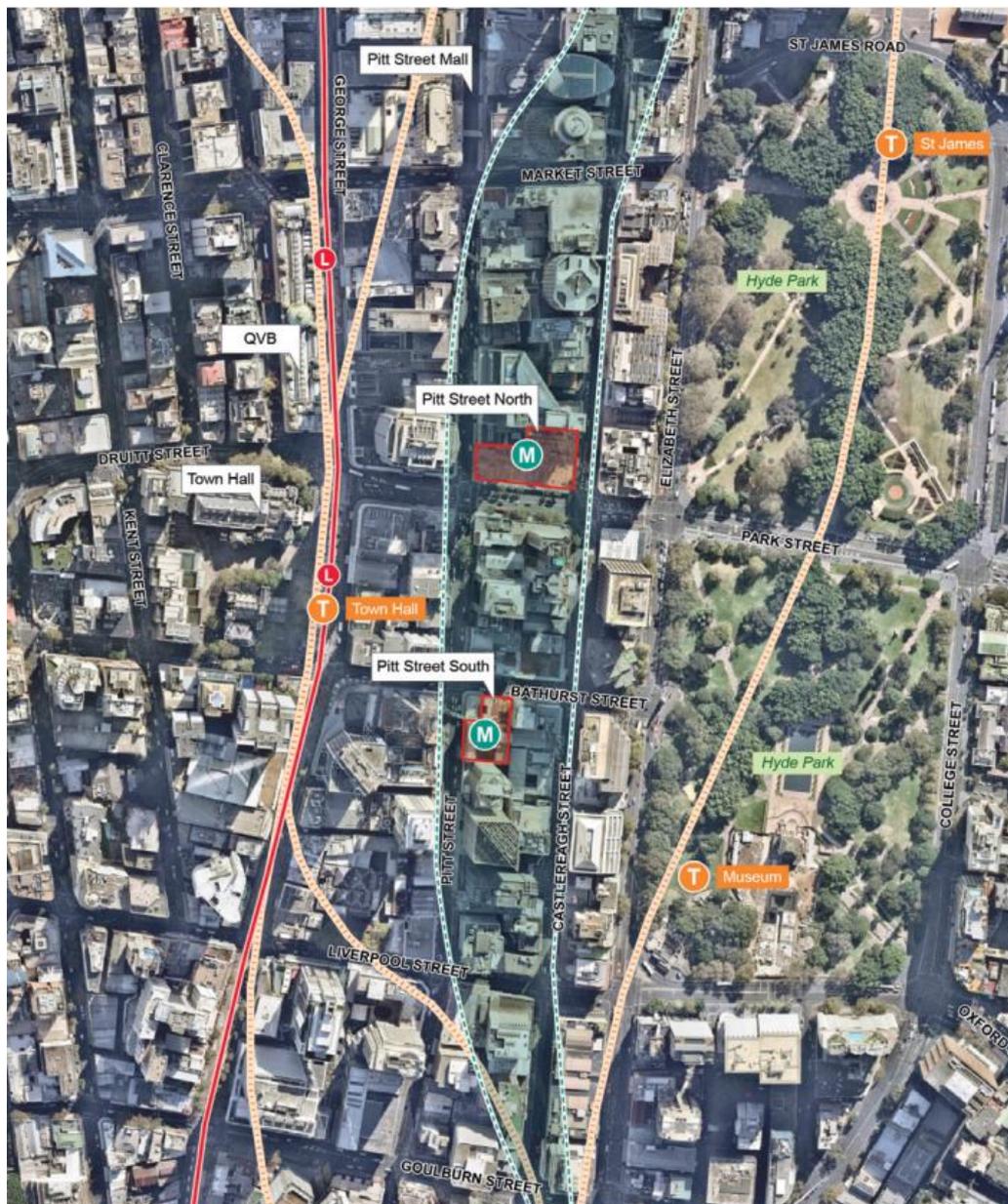
2. Overview of the exhibited development

2.1. Overview of the development proposal as described by the Environmental Impact Statement

2.1.1. Location of the site

The site is located at Pitt Street and Bathurst Street, and is located directly above the southern portal of the future Pitt Street Station. The site is located close to the south-eastern corner of Pitt Street and Bathurst Street, but does not include the corner allotment which is occupied by the Edinburgh Castle Hotel.

The location of the exhibited Project is shown at Figure 5.



- Pitt Street North and South OSD Sites
- T Train Station
- L Light Rail Stop
- M Metro Station
- Sydney Metro Corridor

Figure 5 – Location Plan

2.1.2. Project objectives

The Project objectives are to:

- support the NSW Government's planning strategies and objectives, including the *Greater Sydney Region Plan (2018)* and the *Eastern City District Plan (2018)*
- enable the development of an OSD building at the site which would be capable of being used for either residential or commercial purposes and would contribute to the creation of a fully integrated station development at the centre of the Eastern City
- provide a development outcome which is commensurate with the status of Central Sydney as a leading economic and cultural centre
- enhance the customer experience and urban amenity through the development of an integrated design concept that ensures delivery of a quality public domain area with strong connections to the site's surroundings
- create an urban environment that drives high usage of the Sydney Metro network
- provide the opportunity to deliver the OSD as early as possible with the aim of opening concurrently or shortly following completion of the Pitt Street Station
- enable a building form which works to minimise overshadowing impacts on public open spaces including Hyde Park
- provide a sensitive relationship between the site and the surrounding heritage context
- create a framework to achieve design excellence in the final integrated station development

2.1.3. Description of the development

The concept SSD Application (SSD 8876) seeks concept approval in accordance with section 4.22 of the EP&A Act for OSD above the southern portal of Pitt Street Station. The exhibited EIS for the concept SSD Application specifically noted the following description of the development, which included parameters for:

- a maximum building envelope, including street wall and setbacks
- a maximum building envelope height of Relative Level (RL) 171.6 which equates to approximately 35 residential storeys or 30 commercial office storeys, including the podium height of RL 71 which equates to approximately 8 storeys above ground
- conceptual land use for the OSD building which, subject to further detailed applications, could include:
 - residential accommodation; or
 - commercial office premises
- use of the conceptual OSD space provisioning within the footprint of the CSSI Approval, including the OSD lobby areas, podium car parking, storage facilities, services and back-of-house facilities
- car parking for a maximum of 34 spaces located across three levels of the podium
- loading, vehicular and pedestrian access arrangements from Pitt Street

- strategies for utilities and service provision
- strategies for the management of stormwater and drainage
- a strategy for the achievement of ecologically sustainable development
- indicative signage zones
- a strategy for public art
- a design excellence framework
- the future subdivision of parts of the OSD footprint (if required)

As this is a staged development under section 4.22 of the EP&A Act, future approval would be sought for the detailed design and construction of the OSD.

Architectural drawings illustrating the exhibited proposed building envelope and indicative commercial and residential OSD designs (which demonstrate two possible design solutions) are provided at Appendix E and F respectively of the EIS.

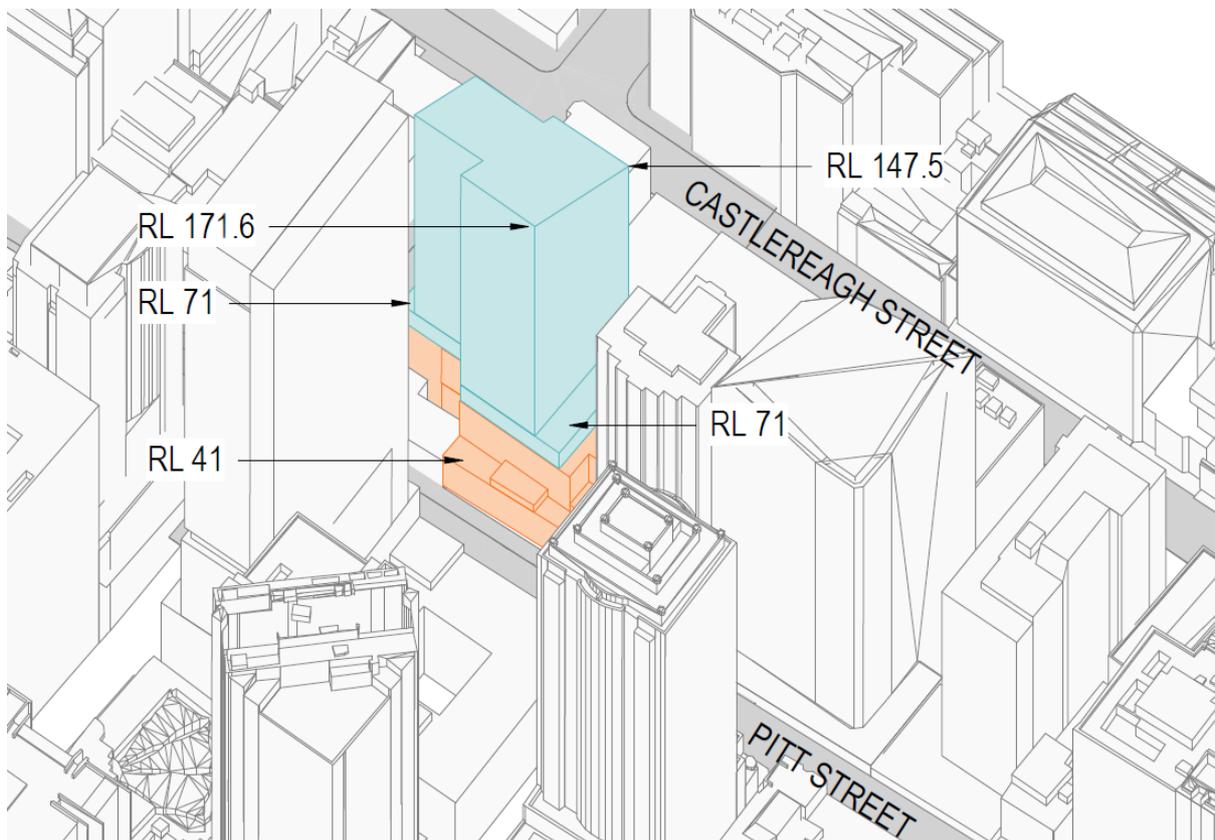


Figure 6 – Exhibited proposed building envelope (axonometric diagram viewed from the south-west)

2.1.4. Project need and benefits

Pitt Street Station is a key CBD station on the future Sydney Metro network and will play a key role in transporting people to and from Central Sydney, as well as providing a range of transport connections to other modes, including the heavy rail, bus networks and the future Sydney Light Rail (SLR) network.

The concept SSD Application for OSD capitalises on the benefits of the future Pitt Street Station by proposing a building envelope directly above the station. The proposed envelope would be capable of

being used for either residential or commercial purposes, with the detailed use to be subject to future detailed application(s).

A commercial scheme would provide substantial additional commercial floor space within the Sydney CBD to support the employment capacity and economic development of the Eastern City. A residential scheme would provide for an increase in the permanent residential population of the city centre, locating additional residential capacity close to jobs and contributing to 'out of hours' activation in the vicinity of the new station.

The location of additional residential or commercial office capacity in this location would also align with a key action in the *Eastern City District Plan* by aligning development growth with the opportunities created by the Pitt Street Station.

The proposal also has key environmental benefits, with impacts on the site's surroundings being a key consideration of the development. Specifically, the proposed envelope has been modelled to ensure that setbacks respond to surrounding buildings, particularly the neighbouring Princeton Apartments. The uppermost extent of the proposed envelope has been designed in order to comply with the Hyde Park West Sun Access Plane, and minimise overshadowing to the public domain.

The EIS submitted with the concept SSD Application also demonstrates how the future OSD would be integrated with the structure, architecture and public domain works to be delivered under the terms of the CSSI Approval. As a concept, this integrated station development provides substantial benefit to the Sydney CBD by:

- improving accessibility to fast and reliable public transport
- providing for a development outcome which is vertically integrated between the station and the OSD components.

Further discussion regarding the benefits of the concept proposal has been provided at Chapter 8 below.

2.1.5. Summary of potential environmental impacts and mitigation measures

The potential impacts identified in the EIS for the exhibited Project are summarised in Table 2. Relevant strategies and mitigation measures to address these potential impacts have been included at Chapter 8 (Assessment of environmental impacts) of the EIS, as well as Chapter 9.1 (Framework for the management of design and environmental impacts) and Chapter 9.2 (Mitigation measures) of this Submissions Report.

Table 2 – Summary of potential environmental impacts

Issue	Potential impact
Visual and view impacts	<ul style="list-style-type: none"> • Visual / view impacts from surrounding streetscape and key public vantage points • View impacts on neighbouring residential building
Public domain overshadowing	<ul style="list-style-type: none"> • Increase in shadowing to surrounding public domain, including Hyde Park
Private domain overshadowing	<ul style="list-style-type: none"> • Increase in shadowing to the Princeton Apartments and Century Tower
Traffic and transport	<ul style="list-style-type: none"> • Increased traffic on surrounding roads during construction • Increased traffic on local roads during operation • Potential queueing of traffic onto Pitt Street during operation • Conflict with pedestrians during construction and operation
Non-Indigenous heritage	<ul style="list-style-type: none"> • Structural impact on adjacent heritage items during construction • Impact on heritage items in the vicinity during operation
Noise and vibration	<ul style="list-style-type: none"> • Increase in noise and vibration associated with construction including from vehicles and machinery • Increase in noise and vibration associated with emissions from building plant and services

Issue	Potential impact
	<ul style="list-style-type: none"> Increase in noise and vibration associated with future operations associated with vehicle movements
Infrastructure and utilities	<ul style="list-style-type: none"> Adequate connection to infrastructure and utilities Adequate capacity to service building
Flooding	<ul style="list-style-type: none"> Potential flooding of development Adequate stormwater management for development
Reflectivity	<ul style="list-style-type: none"> Adverse social reflectivity glare to motorists and pedestrians
Contamination	<ul style="list-style-type: none"> Exposure of contamination of hazardous materials during construction
Wind impact	<ul style="list-style-type: none"> Adverse wind environment along surrounding street and station entries Adverse wind environment to outdoor areas in the OSD, including to private balconies and communal areas
Crime and public safety	<ul style="list-style-type: none"> Antisocial and criminal behaviour
Environmental and construction management	<ul style="list-style-type: none"> Noise, dust, air quality, waste management and traffic impacts
Waste	<ul style="list-style-type: none"> Waste production associated with construction activities. Waste production associated with operation of OSD
Ecologically Sustainable Development (ESD)	<ul style="list-style-type: none"> Carbon emissions Energy consumption Thermal comfort of building occupants
Accessibility	<ul style="list-style-type: none"> Adequate access for people with a disability
Social impact	<ul style="list-style-type: none"> General disruption to community associated with large scale construction
Property and land use	<ul style="list-style-type: none"> Acquisition of site for development (undertaken through CSSI Approval) Ongoing compatibility between OSD uses and station / surrounding uses
Water quality	<ul style="list-style-type: none"> Potential erosion and sediment impacts on drainage system during construction Impacts on quality of stormwater discharge into drainage system during operation of OSD
Air Quality	<ul style="list-style-type: none"> Dust associated with construction activities Emissions associated with construction vehicles Emissions associated with entering and exiting vehicle traffic during operation of OSD Plant and equipment emissions during operation of OSD
Cumulative Impacts	<ul style="list-style-type: none"> Cumulative impacts (traffic, noise, dust, etc) associated with concurrent construction of station and OSD, and other development in the area Cumulative impacts (traffic, noise, dust, etc) associated with concurrent operation of station and OSD, and other development in the area

2.2. Clarification of Project scope

A number of submissions indicated that the scope of the Project and its interface with the scope of the station works requires further clarification, specifically the statutory planning delineation between the approved metro station and the OSD subject of this concept SSD Application. The following section provides this additional clarification.

2.2.1. Delineation between station and OSD

Since exhibition of the EIS, it has been identified that further discussion is required to detail the scope of the Project, specifically the statutory planning delineation between the approved metro station and the OSD subject of this concept SSD Application.

Chapter 4.10 of the EIS outlines the planning relationship between Pitt Street Station and the OSD. The CSSI Approval includes construction of below and above ground structures necessary for delivery of the station (northern and southern portals of Pitt Street Station) and also enabling work for an integrated OSD above each portal. Works approved under the CSSI Approval include, but are not limited to the following:

- demolition of existing development
- excavation
- station structure including concourse and platforms
- lobbies
- public domain improvements
- station portal link (between the northern and southern portals of Pitt Street Station)
- access arrangements including vertical transport such as escalators and lifts
- structural and service elements and the relevant space provisioning necessary for construction OSD, such as columns and beams, space for lift cores, plant rooms, access, parking, retail and building services

The proposed OSD building envelope, which is the subject of this concept SSD Application, is located entirely above the already approved station envelope. The base of the building envelope, including its alignment, allows for the integration of the station and OSD from an architectural, structural and operational perspective. The OSD is influenced by the design of the station, in particular, the location of structural elements such as columns and lift cores.

The delineation between the station works approved under the CSSI Approval and OSD (which is defined by this concept SSD Application) is generally defined by the 'transfer level', which is located at RL 58.25, approximately eight storeys above the surrounding street frontages, as illustrated at Figure 7 below.

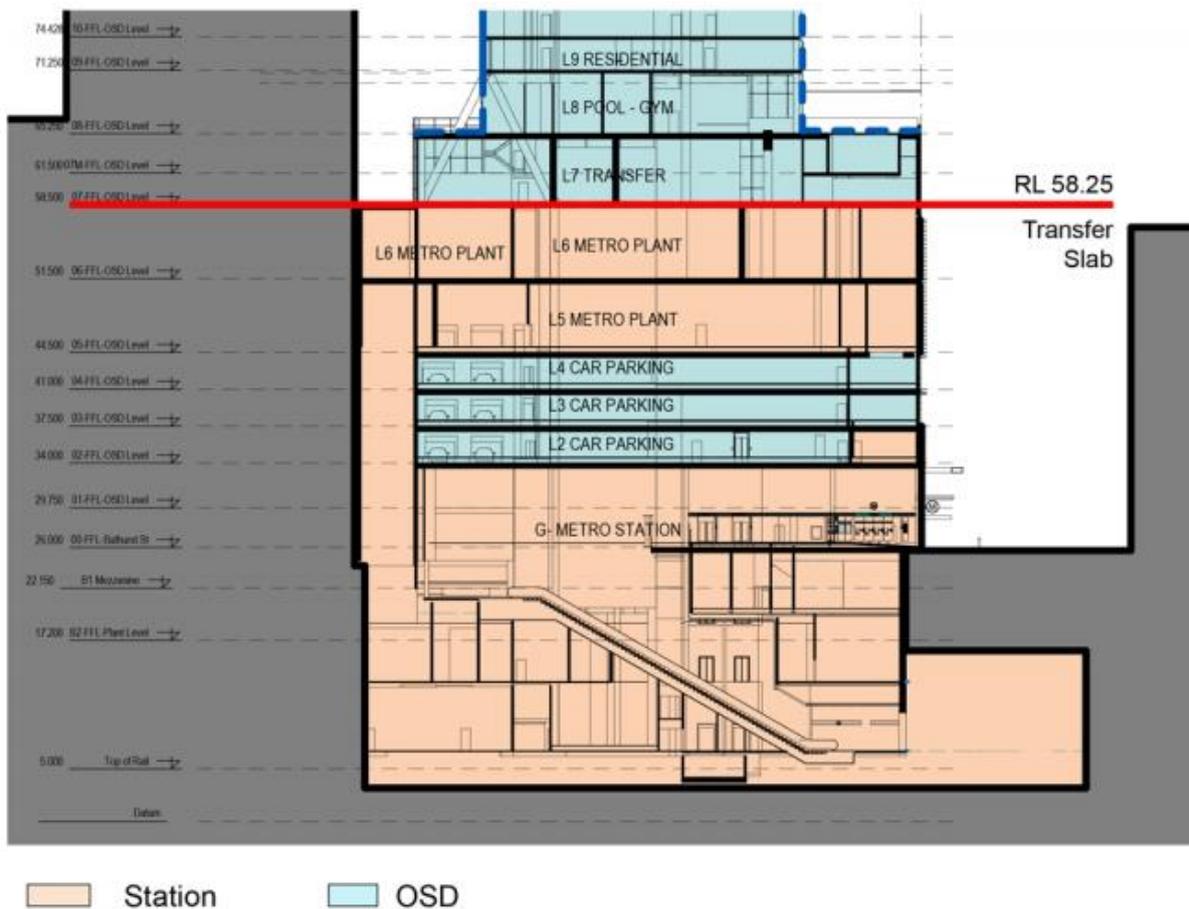


Figure 7 – Plan of proposal demonstrating location of transfer slab at RL 58.25

The relationship between the CSSI Approval and the concept SSD Application was described in the EIS and is detailed below at Table 3. This table identifies what components of the overall Project would be undertaken as part of the SSD Application and the CSSI Approval.

Table 3 – Planning pathway relationship between concept SSD Application

Component	Concept SSD Application	CSSI Approval
Building envelope above station (i.e. above transfer slab)	X	
Uses within OSD envelope (residential apartments or commercial office premises)	X	
Fit out and use of OSD spaces conceptually approved within the station (below and above ground) including: <ul style="list-style-type: none"> OSD lobby OSD parking and loading OSD end-of-trip facilities back-of-house facilities including building plant, waste and service rooms 	X	
Demolition and excavation		X
Station and OSD structure (i.e. structural elements, building grids, column loadings, building infrastructure and services up to the transfer level)		X
Non-OSD uses within the station including station retail		X

Component	Concept SSD Application	CSSI Approval
Public domain works and landscaping		X
Space for future lift cores, access, parking and building services for OSD		X
Provision for the connection of OSD utilities		X

2.2.2. Station design and public domain work

As identified in Table 3, all built form, up to the transfer level - including the station design and public domain work - would be designed and delivered under the CSSI Approval. The design resolution of these station elements would be addressed through preparation of an Interchange Access Plan (IAP) and Station Design and Precinct Plan (SDPP). These plans are required by Conditions E92 and E101 respectively of the CSSI Approval. Under the terms of these conditions, the final design of the public domain, building form (including footprint and architecture) and entries / access, station design and spatial arrangements for the OSD will be resolved and approved.

Conditions E92 and E101 require the following (as summarised):

- IAP - Condition E92:** the preparation of an IAP for the station to inform the design of transport and access facilities and services, including footpaths, cycleways, passenger facilities, parking, traffic and road changes, and integration of public domain and transport initiatives around and at each station. The IAP is required to be prepared in consultation with the Traffic Transport Liaison Group (comprising representatives from Roads and Maritime Services [Roads and Maritime], Council, transport operators, emergency services) and the Sydney Metro Design Review Panel (DRP). Given the station is only one component of the integrated station development at Pitt Street South and all public domain and interchange access works would be delivered under the CSSI Approval, the IAP will need to demonstrate that it represents an appropriate end-state solution i.e. it satisfies the requirements of both the station and OSD.
- SDPP - Condition E101:** requires that the SDPP present an integrated urban and place-making outcome for each station / end-state element, including but not limited to: the identification of specific design objectives, principles and standards for the Project (including to maximise the amenity of public spaces and minimise the footprint of the Project); landscaping and building design; and opportunities for public art and interpretation. The SDPP is to be prepared in collaboration and consultation with relevant stakeholders including but not limited to Council, DPE and the local community.

Sydney Metro will prepare the IAP, while the SDPP for Pitt Street Station will form part of the detailed design of the integrated station development prepared by the contractor. Sydney Metro has undertaken sufficient design work for Pitt Street South to determine the space planning, general layout and technical requirements for the structural integration of the OSD and station. The final design for the station and its integration with the OSD will be subject to further refinement in accordance with the terms of the CSSI Approval. The final design for the OSD will also be subject to a future detailed SSD Application where its integration with the station and public domain will need to be demonstrated.

2.2.3. Concept versus detailed development application

A number of submissions identified that further clarification was required regarding the application's classification as a 'concept' development application.

A concept development application (this application) under section 4.22 of the EP&A Act, proposes no physical works, materials or finishes. It seeks to establish a building envelope defined by specific heights and setbacks in which future physical works can occur.

Indicative OSD designs including architectural drawings and photomontages were prepared as part of the concept SSD Application (Appendix D and Appendix E of the EIS) for information purposes, and to illustrate possible residential or commercial development outcomes that could fit within the proposed envelope. This concept SSD Application does not seek approval for the indicative OSD designs.

A detailed SSD Application would be submitted for the physical OSD building in the future. This application would be required to fit within the envelope proposed by this concept SSD Application and would be subject to development assessment and consultation processes under the relevant approval pathway.

Future detailed design for the OSD would be required to comply with strategies detailed in the EIS, (including those in relation to environmental sustainability, stormwater and drainage, utility and services provision and public art) and would be subject to the terms of Sydney Metro's Design Excellence Strategy.

Compliance with Project-specific Design Guidelines (as amended by this Submissions Report - refer to Chapter 7) would also be required. The OSD design would need to demonstrate full integration with the station design and final ground plane arrangements, which are to be resolved through the preparation of the SDPP and IAP.

2.2.4. Pitt Street Station

Some submissions contained information which related to other stations which formed part of the Sydney Metro City & Southwest project. This included comments which related to other Over Station Developments, such as at Waterloo Station. Assessment of Over Station Developments at other Sydney Metro stations do not form part of this application, and will be subject to separate future assessment.

3. Community and stakeholder consultation

This chapter describes community and stakeholder consultation undertaken during and following the exhibition period, and future consultation proposed. A summary of key issues raised during consultation is also provided.

3.1. Overview

Sydney Metro has implemented a comprehensive community and stakeholder consultation program to engage proactively with local communities and key stakeholders. Stakeholder and community consultation for Sydney Metro is an ongoing process that commenced with the release of *Sydney's Rail Future* in 2012.

Sydney Metro City & Southwest has been consulting with the community and key stakeholders since June 2014. Feedback from consultation activities has played an important role in informing and scoping the design of the concept proposal for the Pitt Street South OSD and the EIS.

Sydney Metro's approach to consultation is described in Section 5 (Community consultation) of the EIS. Consultation activities undertaken prior to the EIS exhibition period are described in Section 5.4 (Consultation during preparation of this SSD Application) and Section 5.6 (Outcomes of consultation) of the EIS.

The following sections describe consultation undertaken by Sydney Metro during public exhibition of the EIS, and consultation that would be undertaken during future project stages.

3.2. Consultation associated with the public exhibition of the EIS

The EIS was placed on public exhibition by DPE for a period of 28 days from 16 August to 12 September 2018. The EIS, accompanying technical reports and plans were made available on DPE's website at majorprojects.planning.nsw.gov.au and on the Sydney Metro project website at sydneymetro.info

Hard copies of the EIS were available at the following locations:

- City of Sydney Council, Town Hall House
- Customs House, Sydney

Copies of the EIS were also available at the community information sessions, and a Project model was on display at City of Sydney Council, Town Hall House.

Submissions on the proposed concept were received by DPE during the exhibition period and responses to the issues raised in these submissions are presented in Chapter 5 of this Submissions Report.

3.2.1. Consultation Activities

The following consultation activities were undertaken to support exhibition of the EIS:

- letterbox drop to neighbouring properties advertising exhibition period and community information sessions
- four community information sessions
- stakeholder briefings
- email updates to Project database

- direct engagement with local communities by Sydney Metro place managers
- community contact and information points (Project phone and email).

Further details of the above activities are outlined below.

3.2.2. Community contact and information points

Table 4 – Community contact and information points

Activity	Detail
Community information line (toll free)	1800 171 386
Community email address	sydneymetro@transport.nsw.gov.au
Website	www.sydneymetro.info
Postal address	Sydney Metro City & Southwest: PO Box K659 Haymarket, NSW 1240

3.2.3. Community information sessions

The Project team hosted four community information sessions where information about the concept proposal was made available.

The community was invited to attend these events and meet expert members of the Project team and have any questions answered.

Table 5 outlines the date, time and location of the information sessions. A total of 76 stakeholders attended the sessions.

Table 5 – Community information sessions

Date	Location	Attendance
Tuesday, 28 August 2018 11am – 2pm	Wesley Conference Centre 220 Pitt Street, Sydney	22
Thursday, 30 August 2018 4pm – 7pm	Primus Hotel 339 Pitt Street, Sydney	20
Tuesday, 4 September 2018 11am – 2pm	Primus Hotel 339 Pitt Street, Sydney	19
Thursday, 6 September 2018 4pm – 7pm	Wesley Conference Centre 220 Pitt Street, Sydney	15

3.2.4. Engagement summary

- **Letterbox drops:** Approx. 9200 project flyers were distributed on 20 August 2018 to residents and businesses within a 500-metre radius of the Project site. A copy of the flyer is located at Appendix K.
- **Email alerts to the Project mailing list:** an email was sent to the more than 6700 community members on the Sydney Metro City & Southwest project database list for the entire project and the more than 900 community members registered on the Pitt Street North and South distribution list on 16 August 2018. The email advised of the EIS exhibition dates

and encouraged recipients to visit the Project website for more information. A reminder email was sent to the same distribution list on 3 September 2018 to advise of the end of the exhibition.

- **Project website update:** Information about the EIS exhibition and associated consultation activities was made available on the Project website at sydneymetro.info and Facebook page
- **Media release:** a media release was issued prior to the exhibition of the concept SSD Application. A copy of the media release is provided at Appendix L.
- **Newspaper advertisements:** advertisements were placed in the newspaper by Sydney Metro to advise the public of the community information sessions:
 - Sydney Morning Herald
 - Sydney Central Courier
 - Australian Chinese Daily

All ads were displayed in each newspaper on **22 August 2018** and **29 August 2018**.

3.2.5. Display materials

A range of display materials were prepared and made available at the community information sessions. These included:

- information boards providing general information on Sydney Metro City & Southwest, the concept proposal including key features, the planning process and how to make a submission. A copy of the information boards is provided at Appendix D.
- Sydney Metro video
- copies of the EIS
- Sydney Metro newsletters and brochures
- project flyer
- an EIS overview document (refer to Section 3.2.6 below for details).

3.2.6. EIS overview document

A summary of the EIS was prepared to support the community information sessions. The EIS overview document included:

- information on the Project and Sydney Metro
- a summary of the EIS assessment
- a series of diagrams and artist's impressions for the Pitt Street South OSD to provide an indication of the scope, scale and key features of the concept proposal and its integration with Pitt Street Station and the surrounding public domain.

A copy of the EIS overview document is provided at Appendix M.

3.3. Key issues raised at community information sessions

Issues or comments raised by visitors at information sessions are captured and summarised in Appendix F of this Submissions Report.

Feedback from the public was both in support of and objecting to various aspects of the proposal. The issues raised in objection generally reflect the feedback documented in Chapter 6 of this Submission Report.

3.4. Consultation during the preparation of this report

During exhibition of the EIS and the preparation of this Submissions Report, Sydney Metro continued to undertake consultation with a number of stakeholders and community groups as described below:

- **DPE:** Consultation with DPE has been undertaken prior to, during and following exhibition of the EIS. Following the exhibition period and during the preparation of this Response to Submissions, Sydney Metro met with DPE to discuss the key issues raised in submissions and Sydney Metro's proposed responses.
- **Government Architect NSW (GANSW):** Sydney Metro continued to consult with the GANSW regarding refinement of the Sydney Metro's Design Excellence Strategy, which was submitted as part of the EIS. Immediately prior to exhibition of the EIS, changes were made to clarify the role of the Design Excellence Evaluation Panel (DEEP) and to incorporate benchmark projects as the reference for the future design at Pitt Street South.
- **City of Sydney Council:** Further consultation has been undertaken with the City of Sydney Council following lodgement of the concept SSD Application. A meeting was held on 6 November 2018 to provide an update on the proposal and discuss how the issues raised by Council will be addressed through the Response to Submissions report.
- **Sydney Metro DRP:** Consultation with the Sydney Metro DRP has been ongoing during and since the exhibition of the EIS. A Pitt Street Design Excellence Evaluation Panel has been convened and will provide independent evaluation of the design proposals. The Design Excellence Evaluation Panel includes members of the Sydney Metro Design Review Panel, a nominee of the Department of Planning & Environment and the City of Sydney.
- **Princeton apartments:** a meeting was convened with the Strata Committee for the Princeton Apartments on 4 September 2018. The purpose of this meeting was to provide an opportunity for committee members to discuss their concerns regarding the concept proposal directly with Sydney Metro. Key issues raised at the meeting were consistent with the formal submission made on behalf of the owners of the Princeton Apartments building. Refer to further details provided in Chapter 6 of this Submissions Report.

3.5. Ongoing consultation and engagement activities

Sydney Metro will continue to work with stakeholders and the community to ensure they are informed about the Project and have opportunities to provide feedback to the Project team.

A list of the proposed activities and timing is provided in Table 6 below:

Table 6 – Proposed ongoing engagement activities

Activity	Timing	Design	Delivery	Operation
Awareness and marketing campaign to engage future customers	Ongoing	●	●	●
Community events	Ongoing	●	●	
Community information sessions	As required	●		
Community communications strategy	Prior to construction	●	●	
Construction complaints management system	Prior to construction	●	●	
Construction notifications	Seven days prior to construction starting		●	
Doorknocks	As required	●	●	

Activity	Timing	Design	Delivery	Operation
Email updates	Relevant milestones	●	●	
Enquiries and complaints hotline	Ongoing	●	●	●
Fact sheets	As required	●	●	●
Engagement with stakeholders including government, peak bodies and local businesses	As required; relevant milestones	●	●	
Media releases	Relevant milestones	●	●	
Newsletter	Relevant milestones	●	●	
Newspaper advertising	Relevant milestones	●	●	
Operation communications plan	Prior to operation			●
Place managers	Ongoing	●	●	
Project briefings and presentations	Relevant milestones	●	●	
Project overview document	Relevant milestones	●	●	
Site signage	Prior to construction		●	
Social media updates	As required; relevant milestones	●	●	●
Website, animations and online forums	Ongoing	●	●	

3.6. Next steps

Sydney Metro will continue to engage with the community about the concept SSD Application including design development, staging of works and integrated relationship between the Pitt Street Station and the OSD.

The tenderer awarded the contract to deliver the integrated station development at Pitt Street will be responsible for preparing the future detailed SSD Application for the OSD and for resolving the design integration with the station through the preparation the SDPP required by Condition E101 of the CSSI Approval. A final IAP would also need to consider the SDPP to satisfy Condition E92 of the CSSI Approval. The community will continue to be provided with opportunities to make enquiries and provide feedback during these stages of the Project development.

4. Submissions received

This chapter provides a summary of the submissions received, including a breakdown of respondent type, number of submissions received and key issues raised in submissions.

4.1. Respondents

During the exhibition period the community and stakeholders were invited to provide feedback in the form of submissions on the concept SSD Application. Submissions were coordinated and managed by DPE, and registered and uploaded onto the DPE website. Submissions were accepted by electronic online submission or post, and were forwarded to Sydney Metro for review and consideration. A total of 93 submissions were received.

A breakdown of submissions by respondent type is provided at Table 7.

Table 7 – Submissions received by respondent type

Submitter type	Number of submissions
Government agencies and key stakeholders	
NSW Government departments / agencies	8
City of Sydney Council	1
Other key stakeholders	2
Subtotal	11
Community	
Community members	77
Community or interest groups	4
Businesses	1
Subtotal	82
Total submissions	93

4.2. Overview of submissions – government agencies and key stakeholder submissions

11 submissions were made by government agencies and key stakeholders during the exhibition period. Feedback included a range of issues relevant to their respective areas of interest and responsibility. A summary of each agency's submission is provided below.

4.2.1. Government Architect NSW

A submission was not received from the Government Architect NSW during the exhibition of the EIS. However, separate correspondence has been provided to Sydney Metro, supporting the Design Excellence Strategy as submitted with the EIS. This has been provided at Appendix H.

Specifically, this correspondence notes the following:

- an acknowledgement of the commitment to design excellence demonstrated by Sydney Metro and the complexity of delivering integrated station development.

- support for the inclusion of local government representation in the DEEP
- that Authorised Engineering Organisation requirements place limitations on the range of firms able to participate in tenders for integrated station development projects. On this basis, the move to encourage the partnering of non-Authorised Engineering Organisation with authorised teams as a means to overcome this limitation is strongly supported
- the continued involvement of the Sydney Metro DRP in the design development of each station is supported, and the Government Architect NSW would strongly support and recommend engagement with the State Design Review Panel (SDRP) through the detailed design development process for each station

4.2.2. NSW Office of Environment and Heritage

The submission from the NSW Office of Environment and Heritage (OEH) advised that a formal response is not required as the proposal does not include any biodiversity, natural hazards or Aboriginal cultural heritage.

4.2.3. Fire and Rescue NSW

Fire and Rescue NSW noted that a formal submission will not be provided for the concept SSD Application regarding fire safety and emergency response management at this stage in the approvals process. This will be a matter for further assessment at the detailed design stage.

4.2.4. NSW Environment Protection Authority

The submission from the NSW Environment Protection Authority (NSW EPA) advises that an Environmental Protection Licence (EPL) under the *Protection of the Environment Operations Act 1997* (POEO Act) is not required and furthermore, confirms that the NSW EPA is not a regulatory authority for the Project under the POEO Act.

4.2.5. NSW Department of Industry

The submission from NSW Department of Industry noted that potential dewatering requirements should be addressed in accordance with the NSW Aquifer Interference Policy.

4.2.6. Heritage Council of NSW

The submission from the Heritage Council of NSW notes that the documentation provided as part of the EIS complies with the Secretary's Environmental Assessment Requirements (SEARs), and acknowledges that the OSD will be subject to further detailed design. The submission recommends that the future design development of the Pitt Street South OSD seek to mitigate impacts of the vertical street walls above the item, and that overshadowing, particularly to the ANZAC Memorial, be minimised in future detailed design. The Heritage Council of NSW also recommends that the height of the podium should also respond to the Edinburgh Castle Hotel.

4.2.7. Civil Aviation Safety Authority

The submission from the Civil Aviation Safety Authority (CASA) provided technical advice, focusing on discussions underway regarding the impact of the building on Radar Terrain Clearances. The CASA submission refers to the height of the building as being 236 metres above ground level, which is higher than that of the concept proposal (maximum height of RL 171.6). CASA provided requirements for lighting, monitoring, and future building height, and noted additional components of the development which would be resolved during detailed design. CASA also noted that crane activity would require a separate approval.

4.2.8. Sydney Airport

Sydney Airport has made an additional submission, noting that the development is under reassessment with the relevant authorities. This is to be read in conjunction with the submission from CASA above.

4.2.9. Sydney Water

The submission from Sydney Water confirmed that Sydney Water had reviewed the documentation, and provided detailed comments in relation to water and wastewater servicing. Sydney Water also confirmed that existing water and sewer systems close to the site have the capacity to service the proposal.

4.2.10. Water NSW

The submission from Water NSW noted that a referral to NSW Department of Industries/Natural Resources Access Regulator had been made. This submission has been noted at Section 4.2.5 above. No other comments were made.

4.2.11. Ausgrid

The submission from Ausgrid advised that it consents to the development, and notes that the compatibility of the development with Ausgrid infrastructure is required to be considered as part of detailed design.

4.2.12. City of Sydney Council

Council made a submission to the concept SSD Application. The submission proposes there are a number of key issues which need to be addressed within the proposal. Of the issues raised, Council's comments regarding design excellence was identified as an objection, with a number of other comments provided in relation to the development.

Specifically, the submission from Council raised the following areas of concern or suggestions in relation to the proposal:

- the proposed Design Excellence Strategy submitted with the EIS does not comprise a competitive design process which would achieve excellent design outcomes
- the submitted staging scenario options contradict the merit of waiving the need for a competitive design process
- the Pitt Street South envelope makes use of a 12 metre setback at the southern boundary along the majority of the southern extent of the envelope, consistent with the requirements of the Apartment Design Guide (ADG). However, a 3 metre podium setback from the total of the station component (RL 58.75) up to RL 71.10 is unreasonably close
- that DPE ensures that the height of podium levels envisaged appropriately safeguards for future uses within those spaces other than car parking
- that any above ground parking should be located towards the rear of the site, screened by other active uses and not be visible from the public domain
- that any future consent be conditioned to align with the City of Sydney's flooding requirements at the detailed SSD Application stage
- that any future consent be conditioned to ensure that adjoining heritage items are physically protected from any physical impacts which result from the physical development of the OSD
- that proposed signage will dominate the streetscape and adversely impact on views towards the Edinburgh Castle Hotel
- that Council's preference is for a combined Metro / OSD public artwork approach
- that the development provides for little street activation
- that an awning should be provided to Pitt Street
- that future development have a high regard for future sustainability, including noting that the current framework cannot be applied to a mixed use development outcome

An assessment of each government agency, Council and key stakeholder submission has been undertaken. The assessment presented in Chapter 6 of this Submissions Report includes the identification of key issues raised in each submission and a detailed response to each issue.

4.3. Overview of submissions – community submissions

Detailed responses to the issues raised by the community, including individuals, businesses and community groups are provided in Chapter 6 of this Submissions Report.

All community submissions provided comment/s on the proposal or expressed either their support or an objection to the proposal. Of the 82 community submissions received, 78 submissions objected to the proposal, 3 supported the proposal and 1 provided comment on the proposal. Chapter 6 of the report has been structured into three key sections to reflect the nature of the submission (i.e. support or objection).

Of the 78 community submissions objecting to the proposal, 2 were from local politicians, 2 were from Strata Committees / Owners' Corporations, 1 was from a local business, and 43 were anonymous. The list below outlines the organisations and politicians that made a submission during the exhibition period:

- Princeton Apartments Strata Committee
- Owners Corporation of Century Tower
- Councillor Craig Chung
- Member of Parliament Alex Greenwich
- Boti Investment
- NGI Management Pty Ltd

4.3.1. Summary of issues raised in community submissions

For the purposes of this document, community submissions have been organised into key issues (e.g. overshadowing) and sub-issue categories. A total of 36 key issues were identified in relation to the 78 submissions lodged as objections.

The key issue and sub-issue categories used for coding submissions lodged as objections are provided in the table at Appendix G.

Table 8 provides a breakdown of the key issues raised in community submissions which objected to the proposal, including the identification of typical 'sub-issues' under each key category. Since most submissions raised more than one issue or raised the same issue more than once, the number of issues identified at Table 8 is greater than the total number of submissions received. Issues were raised a total of 625 times. The three most frequently raised key issues in the community submissions were:

- impacts arising from bulk and scale of the concept proposal
- loss of solar access and amenity of the Princeton Apartments
- impacts arising from height of the concept proposal

Table 8 – Key issues raised in submissions

Key issue	Number of times key issue was raised	Percentage of total key issues
Bulk and scale impacts, including: <ul style="list-style-type: none"> • bulk and scale of the proposed envelope • insufficient setbacks to Bathurst Street 	70	11.2%

Key issue	Number of times key issue was raised	Percentage of total key issues
Solar access and amenity impacts, including: <ul style="list-style-type: none"> loss of solar access and amenity to the Princeton Apartments loss of solar access and amenity to the future Greenland Building potential impacts to the possibility of solar panels being installed at the Princeton Apartments 	58	9.3%
Heritage impacts, including: <ul style="list-style-type: none"> to the Edinburgh Castle Hotel to the Castlereagh Fire Station to the Sydney Water Building to the facades of existing buildings at the site 	51	8.2%
View loss impacts: <ul style="list-style-type: none"> to the Princeton Apartments to the future Greenland Building to Century Tower 	44	7.0%
Impacts from the height of the proposal	40	6.4%
Compliance of proposal with SLEP 2012 and Hyde Park Sun Access Plane	40	6.4%
Compliance with Apartment Design Guidelines separation distances to the Princeton Apartments	40	6.4%
Privacy impacts of the proposal, including: <ul style="list-style-type: none"> privacy impacts to the bedrooms / living areas of the Princeton Apartments potential requirements for the screens to be installed by owners of the Princeton Apartments 	39	6.3%
Overshadowing impacts of the concept proposal on Hyde Park	32	5.1%
Traffic impacts of the proposal, including: <ul style="list-style-type: none"> Potential / vehicular congestion resulting from the proposal Potential increase in vehicular and pedestrian accidents resulting from the proposal 	22	3.6%
Compliance of the proposal with SDCP 2012	19	3.0%
Cumulative impacts of the proposal on the surrounding area and Hyde Park	16	2.5%
Other issues (listed separately below)	64	10.2%
Total:	625	100%

A number of other issues were raised in addition to those listed above, including:

- reduction in wind access for the Princeton Apartments (raised ten times)
- acoustic impacts from additional traffic (raised ten times)

- provision of insufficient communications and engagement activities (raised ten times)
- disturbance, dust and noise from the future station plant (raised eight times)
- lack of detail in the documentation provided (raised five times)
- lack of consideration of the impact of light scatter (raised four times)
- fire risk resulting from the proximity of the site to existing buildings (raised four times)
- recommendation for the provision of additional greenery and open space (raised four times)
- a negative financial impact of adjacent properties from the proposal (raised three times)
- the absence of a covenant of the Princeton Apartment's title regarding view loss (raised three times)
- ambiguity of the proposed land uses (raised once)
- the existence of an easement over Pitt Street South site protecting light access to the Princeton Apartments (raised once)
- use of communal outdoor spaces at the site having future amenity impacts on the Princeton Apartments (raised once)

As detailed in Section 2.2 of this Submissions Report, a number of issues raised in the community submissions fall outside of the scope of this concept SSD Application. This includes issues in relation to the following matters:

- matters relevant to the Waterloo Station proposal, such as character impacts on Alexandria Park
- the detailed design of the Pitt Street Station, which is covered by the CSSI Approval

Submissions that raised issues outside the scope of the EIS account for approximately 4.6 per cent of all issues raised in community submissions that lodged an objection.

Despite being outside the Project scope, these issues are captured in Table 8 and are also addressed in the submissions summary at Appendix G.

5. Response to government agency, key stakeholder and Council submissions

This chapter provides responses to the issues raised in submissions provided by government agencies, key stakeholders and Council.

5.1. Overview

Submissions were received from the following government agencies and key stakeholders:

- **NSW Government departments / agencies:**
 - NSW Office of Environment and Heritage
 - NSW Department of Industry
 - NSW Environment Protection Authority
 - Heritage Council of NSW
 - Fire and Rescue NSW
- **Australian Government departments / agencies**
 - CASA
 - Sydney Airport
- **Utility providers:**
 - Ausgrid
 - Sydney Water
 - Water NSW
- **Council**
 - City of Sydney Council

A letter was also provided from the NSW Government Architect separately to the submissions above, which has been included at Appendix H.

Government agencies and key stakeholder submissions are addressed individually below and responses are provided in the following sections.

The issues listed are a summary of key issues raised in each submission. Full details of the issues raised are provided in the complete submissions available on DPE's major projects website.

Unless otherwise indicated, the mitigation measures referred to in this section are the revised mitigation measures for the amended Project, provided in Table 12 of this Submissions Report

5.2. NSW Office of Environment and Heritage

Issue

The submission advises that having reviewed the EIS and relevant documents for the Pitt Street South OSD, the OEH does not have any comments in relation to the proposal and has no further need to be involved in the assessment of the Project.

Response

The comments of OEH are noted.

5.3. Fire and Rescue NSW

Issue

Fire and Rescue NSW noted that a formal submission will not be provided for the concept SSD Application, due to there being no need for a response, given that fire safety and emergency response management measures have not been detailed at this stage in the approvals process.

Response

The comments of Fire and Rescue NSW are noted.

5.4. NSW Environment Protection Authority

Issue

The submission from the NSW EPA advises that the proposal does not constitute a Scheduled Activity under Schedule 1 of the POEO Act and that an EPL under the POEO Act is not required.

Response

The comments of the NSW EPA are noted.

Issue

The submission advises that the NSW EPA is not a regulatory authority under the POEO Act for this proposal and therefore, it has no comments to make.

Response

The comments of the NSW EPA are noted.

5.5. NSW Department of Industry

Issue

NSW Department of Industry notes that dewatering requirements should be addressed in accordance with the NSW Aquifer Interference Policy.

Response

The comments of the NSW Department of Industry are noted. This is a matter which is relevant to the CSSI Approval and is therefore outside the scope of the concept SSD Application.

5.6. Heritage Council of NSW

Issue

The submission identifies that the development of the Pitt Street South OSD includes adequate heritage impact assessment and the recommendations and mitigation measures are considered appropriate. The Heritage Council of NSW recommends that the future detailed design be developed in accordance with the heritage recommendations of the EIS.

Response

The comments of the Heritage Council of NSW are noted. The abovementioned recommendations are included in the updated Design Guidelines at Appendix A.

Issue

The Heritage Council of NSW additionally recommends that the height of the podium should respond to the adjacent locally heritage listed Edinburgh Castle Hotel.

Response

The footprint of the proposed building has been designed with regards to the design parameters set under the CSSI Approval, notably that the base of the proposed building envelope begins at the transfer slab level at RL 58.3. All station areas, services and infrastructure are located below this level.

Above this level is the 'Transfer Level' of the development, which is required to structurally distribute the support of the OSD through the station structure. The proposed podium design is largely subject to existing approved station components and constraints associated with the station structure. There is limited ability for the OSD envelope to be modified at the podium level, however, the Design Guidelines provide a number of controls regarding the relationship between the development and the Edinburgh Castle Hotel. These controls will need to be addressed by any detailed design for the Pitt Street South OSD and include:

Podium and Street Wall (6)(c) - Providing an intermediate reference element along Pitt Street, referencing the lower Edinburgh Castle Hotel parapet line, the Princeton Apartments façade and the more dominant scale of the Primus Hotel opposite.

Podium and Street Wall (6)(d) – Retaining the prominence and landmark character of the Edinburgh Castle Hotel through:

(i) Exploring opportunities to seamlessly integrate the hotel into the OSD

(ii) Addressing the scale difference between the established 45m podium height along Bathurst Street and the lower parapet line of the Edinburgh Castle Hotel,

(iii) Design of vertical street walls above the hotel, especially where the footprint of the over station development wraps around the building, to prevent large, blank walls from dominating the building.

(iv) Materiality and façade articulation of the podium responding to the hotel to better integrate the two sites and to activate the facades.

The CBD context of the site also means that the position of heritage items adjacent to newer tall development outcomes in the city is relatively common. In addition to the above, the mitigation measures include heritage recommendations to ensure that further design development seeks to further mitigate impacts of the vertical street walls above the item where the building footprint wraps around the building. Materiality and façade articulation are also suggested, to respond to the heritage item in order to better integrate the two sites and activate the facades.

The Design Guidelines provide a strong framework such that a future detailed building design can explore opportunities to ensure a positive relationship with the Edinburgh Castle Hotel.

5.7. Civil Aviation Safety Authority

Issue

CASA noted that the proposed building is 236 metres Above Ground Level, and will infringe the outer horizontal surface by 105 metres.

Response

The proposed maximum building height is not 236 metres Above Ground Level, comprising a difference between the building envelope for which SEARs was sought and the final lodged building envelope. The final envelope has a maximum height of RL 171.6 which equates to 150 metres above ground level.

Issue

There is currently a review of Sydney Radar Terrain Clearance being undertaken.

Response

This review is noted, in conjunction with the response from Sydney Airport at Section 5.8. Any detailed development applications would consider the relevant matters for civil aviation safety, in accordance with CASA advice.

5.8. Sydney Airport

Issue

Sydney Airport noted the development is currently under reassessment with the relevant authorities.

Response

The comments of Sydney Airport are noted.

5.9. Sydney Water

Issue

In relation to water servicing, Sydney Water confirmed that the existing 300 millimetre watermain on Park Street has the capacity to service the concept proposal.

Response

The comments of Sydney Water are noted.

Issue

In relation to wastewater servicing, Sydney Water confirmed that the existing 609 millimetre x 406mm millimetre oviform sewer on Park Street has the capacity to service the concept proposal. Additional information was also provided by Sydney Water regarding the approvals process as part of this submission.

Response

The comments of Sydney Water are noted.

5.10. Water NSW

Issue

The submission from Water NSW noted referral to the Department of Industries / Natural Resources Access Regulator.

Response

The referral requirements identified by Water NSW are noted.

5.11. Ausgrid

Issue

The submission from Ausgrid advises that it consents to the development.

Response

This consent is noted.

5.12. City of Sydney Council

5.12.1. Design excellence

Issue

The submission from Council states that the Design Excellence Strategy submitted as Appendix H of the EIS does not specify a competitive design process that involves either an architectural design competition or the preparation of design alternatives on a competitive basis. Council notes that any detailed designs to emerge from the process would therefore be precluded from demonstrating design excellence in accordance with the *City of Sydney Competitive Design Policy*.

Response

The Sydney Metro Design Excellence Strategy establishes a framework within which Sydney Metro will achieve design excellence for integrated station developments, including Pitt Street South. This framework operates within a competitive selection process, measuring design development and final concepts against site specific benchmark projects and assessed by an expert, independent and objective evaluation panel (the DEEP).

The Panel is chaired by the NSW Government Architect and includes representatives from the Sydney Metro DRP together with nominees of DPE and the City of Sydney.

The interactive nature of the competitive selection process creates competitive tension where alternative designs are developed and tested. The evaluation of alternatives by the DEEP ensures that the selection process benefits from the independent, objective and expert advice of the DEEP. As such the Sydney Metro Design Excellence Strategy provides a suitable alternative to a Design Competition.

The Design Excellence Strategy importantly facilitates the integrated design of the station and the OSD elements into a unified resolution. A stand-alone competition for the OSD would create a potential barrier for integration owing to the separate processes and time-frames for design development and evaluation.

Additionally, the Government Architect NSW has supported the proposed Design Excellence Strategy (refer to Appendix H), and acknowledges the unique constraints of the project, as well as the substantial work undertaken by Sydney Metro to ensure the final development proposed is capable of exhibiting design excellence.

Issue

The proposed Design Excellence Strategy may improve tenderer's design submissions to achieve better design, but 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 concept proposal through comparative evaluation of several competing design concepts. Without alternatives for comparison there is no way to know if a particular design is superior.

Both the *City of Sydney Competitive Design Policy* and the *Sydney Local Environment Plan 2012* (SLEP 2012) are identified in the SEARs as the relevant LEP and policy pertaining to design excellence applicable to these projects.

Response

Sydney Metro's Design Excellence Strategy has been developed to ensure the comparison of alternative designs as part of the competitive selection process, which will form part of the overall evaluation of the process.

The proposal has been assessed against the *City of Sydney Competitive Design Policy* and the SLEP 2012, including an assessment against the design excellence provisions (clause 6.21). To supplement the EIS, information regarding the proposal's consistency with clause 6.21 was provided at Appendix C of the exhibited Design Excellence Strategy, which demonstrates that the imposition of the design excellence process prescribed under the *City of Sydney Competitive Design Policy* is unnecessary in the unique circumstances of this application. This includes:

- the provision of an alternate strategy which will result in a highly coordinated, integrated design which will result in design excellence
- the substantial structural integration between the station and OSD components, with the station component subject to the CSSI Approval
- the unique constraints and technical complexity of integration station developments, due to the impact of the City of Sydney Design Excellence process on engineering assurance requirements and Sydney Metro infrastructure

Although both of the above policies are identified in the SEARs, neither the SLEP 2012 or the *City of Sydney Competitive Design Policy* are listed under the design excellence section of the SEARs (Section 3 – Design Excellence), which states that a design excellence strategy is to be separately provided for the EIS. Additional discussion regarding the consistency of the proposal with clause 6.21 of the SLEP 2012 has also been provided at Section 8.4.

Issue

Neither the EIS nor the SEARs identifies the Government Architect NSW's draft *Design Excellence Competition Guidelines* as a relevant matter for consideration in any assessment

Response

Further discussion regarding the concept proposal in relation to the Government Architect NSW's draft *Design Excellence Competition Guidelines* has been provided at Section 8.4.

Issue

Any concerns that Council's design excellence process might extend the duration and completion of the OSD and station development directly contradicts the staging scenarios presented in the EIS documents and the Sydney Metro Pitt Street community handout. These documents refer to three options for the staging of construction, including an option where the station is completed ahead of construction of the OSD. Accordingly, this demonstrates that a design excellence competition can be contemplated without impacting on timelines already contemplated by the proponent for the delivery of projects.

Response

Three construction scenarios are presented at Section 4.12 of the exhibited EIS, as well as within the Construction Management Statement at Appendix Z.

These construction scenarios comprise the following:

- **Scenario 1** - The station and OSD are both constructed concurrently, and both completed in 2024
- **Scenario 2** - The station is constructed and completed ahead of the OSD, with the OSD remaining under construction by opening of the station in 2024
- **Scenario 3** – The station is constructed and completed ahead of the OSD, with the OSD yet to have commenced construction by the opening of the station in 2024

These options have been reproduced in Figure 8 below.

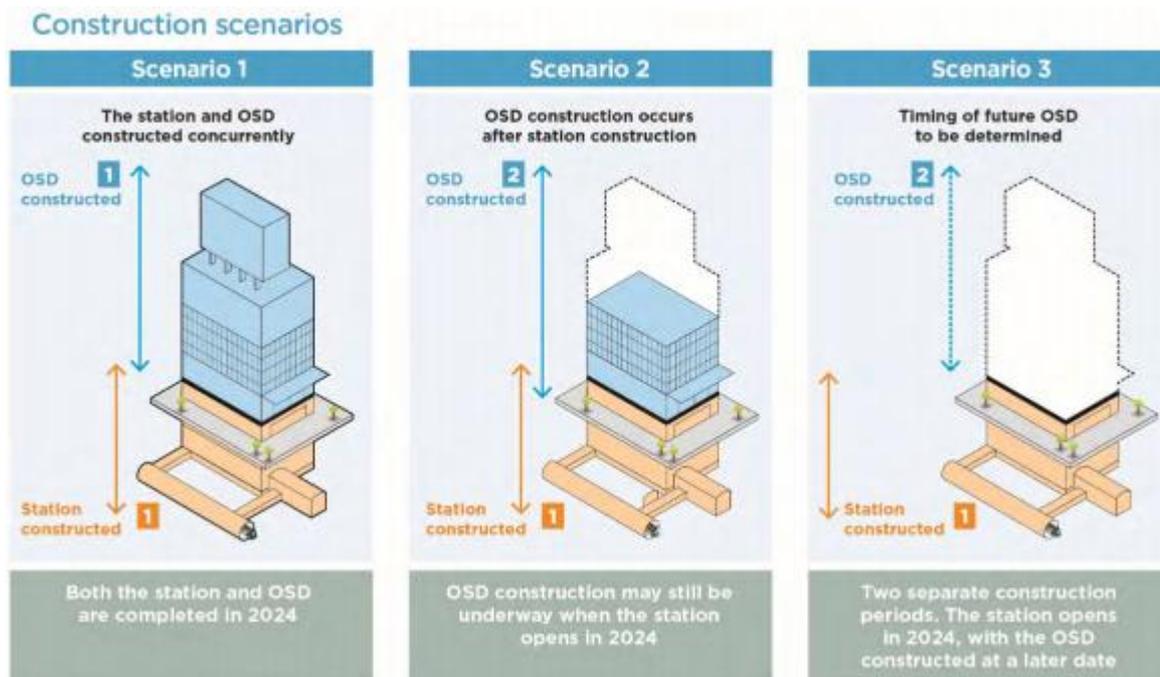


Figure 8 – Three contemplated construction scenarios in relation to construction of the integrated station development

Of the above, Council's issue pertains to Scenarios 2 and 3. Council asserts that by contemplating these scenarios, Sydney Metro is confirming that there would be an adequate degree of flexibility in the program to allow for the undertaking of a design competition in accordance with the *City of Sydney Competitive Design Policy*.

This is not the case. It is stated throughout the EIS and Construction Management Statement that "Scenario 1 represents Sydney Metro's preferred option as it would provide for completion of the full integrated station development and therefore the optimum public benefit at the site at the earliest date possible (i.e. on or near 2024 when the station is operational)". Additionally, one of the key objectives of this concept SSD Application is to "provide the opportunity to deliver the OSD as early as possible with the aim of opening concurrently or shortly following completion of the Pitt Street Metro Station".

It is Sydney Metro's strong preference for Scenario 1 to be pursued, rather than Scenario 2 or Scenario 3. Scenario 1 is preferred because of the unique timing constraints of the Sydney Metro project, and to ensure the delivery of optimum public benefits. In the case of Scenario 1, the full scope of the Sydney Metro project integrated station development would be delivered concurrently, which would provide passengers with a world class metro experience which is not inhibited by construction of the OSD.

The above consideration of Scenarios 2 and 3 by Sydney Metro is necessary from an impact analysis perspective. Sydney Metro notes Scenario 1 as the preferred option, but has considered alternate scenarios to ensure that, in the event the OSD is delayed, a framework would continue to exist to ensure that no adverse impacts arise from the delayed construction. This is an appropriate response, given that external impacts outside of Sydney Metro's control could inhibit the ability for Scenario 1 to be achieved.

The consideration of Scenarios 2 and 3 is also a direct application of the precautionary principle identified at Part 3(7)(4) of the EP&A Regulation, which states that an EIS must have regard to the principles of ecologically sustainable development and in particular, the application of the precautionary principle, such that public and private decisions should be guided by:

(ii) If there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation. In the application of the precautionary principle, public and private decisions should be guided by:

...

(ii) *an assessment of the risk-weighted consequences of various options*

With consideration to the above, and the potential for uncertainty in the timing of the OSD, there needs to be contemplation of all potential scenarios. To not acknowledge these potential construction scenarios would lead to areas of insufficient assessment regarding the OSD, as it would not provide for the management of construction if the OSD is completed following the completion of the station in 2024. This does not diminish the urgency of Scenario 1, rather it represents a fully explored scenario staging assessment in accordance with the precautionary principle.

Although Scenario 1 is preferred, it must not be ignored that there may be unforeseen factors whereby the station is completed ahead of the OSD. Not the least of these factors is that the station itself is already approved under the CSSI Approval, and will be delivered irrespective of this OSD application. There is also a number of other key rationale for the proposed alternative design excellence process, which have been further discussed below.

Issue

The benchmark examples located in the City of Sydney were all subject to design excellence competitions either run according to the requirements of DPE or Council. The only exceptions to this were the AHL headquarters at 478 George Street Sydney and Wynyard Walk. 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.

In light of the above, Sydney Metro 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. Council considers that the submitted Design Excellence Strategy (July 2018) does not provide a suitable framework for the achievement of design excellence as defined in the relevant planning controls specified in the SEARs for the concept SSD Application.

Response

The reasoning behind the selection of the proposed benchmark projects was based on two key factors, being:

- the provision of developments which are within Australia
- the provision of developments which have received objectively judged awards

The aim of this approach was to provide benchmark examples which were objectively considered to exhibit design excellence, and encourage the delivery of a similar quality of development outcomes at the OSD sites (including Pitt Street South). This has resulted in the benchmark projects chosen for the OSD.

In this case, the exhibited Design Excellence Strategy would continue to deliver development which is of a very high standard of design. Importantly, this would deliver development outcomes which are truly holistic in nature, spanning across the CSSI Approval and this proposal to deliver a truly integrated station development outcome, whilst also ensuring that benefits from such integration can be delivered.

Additionally, 5 Martin Place was not subject to a design competition, which in conjunction with the referenced development at 478 George Street (also not subject to a design competition) demonstrates that situations exist whereby development can achieve design excellence under processes different to the *City of Sydney Competitive Design Policy*. The Pitt Street proposals are considered to exhibit unique circumstances, as outlined in this proposal, such that a waiver to a design competition aligned with the *City of Sydney Competitive Design Policy* should be provided.

In light of the above, the proposed Design Excellence Strategy is an appropriate alternative to the *City of Sydney Competitive Design Policy*. The Design Excellence Strategy provides a tailored framework given the unique constraints of development at the site and the integrated nature of the OSD projects

in the Sydney Metro project. As discussed at Appendix C of the Design Excellence Strategy (July 2018), the request for an alternative design process is underpinned by eight key rationale.

These are summarised as follows:

- ***Rationale 1 - Enhanced design outcomes through and integrated design process***

A design competition is in this case unnecessary given that Sydney Metro's iterative design process embeds competition through the selection of highly experienced and competent design practices and a holistic design review process. The concurrent procurement of the station and OSD as integrated station developments is world best practice for infrastructure delivery and enables design benefits which would otherwise not be possible if the station and OSD components were separated.

Imposing a competitive design process on the OSD component of the integrated station developments would risk compromising the benefits being realised through the integrated design approach.

- ***Rationale 2 - Limited ability to meaningfully influence design***

Given the nature and relationship between the concept proposal and the CSSI Approval, a competitive design process is unlikely to be able to have significant impact on the design of the OSD. This is due to the SLEP 2012 competitive design provisions (contained at Clause 6.21 of the SLEP 2012) only being applicable to the development subject to the concept SSD Application. This means that the station, lower levels of the OSD and the public domain would not be included, given that these are covered by the CSSI Approval.

A competitive design process for the OSD component is therefore not appropriate due to the following:

- any design competition would apply to the 'skin' or façade of the OSD component of the site. This is because the design of station servicing at the podium levels, public facing station areas, and engineering assurance processes have been previously undertaken. The imposition of a design excellence process would be unreasonably restrictive, resulting in additional process, time and cost while reducing the effectiveness of the integrated design solution
- a design competition would extend the duration of the design work for the OSD component, which would risk compromising Sydney Metro's delivery program
- a design competition would ultimately require substantial time and resources which would have limited ability to materially influence the building form or architectural composition. Given the substantial complexity and time risk of the Project, risks would outweigh any benefits associated with the completion of a design competition

- ***Rationale 3 - Complex, highly technical and integrated design***

In the context of the Sydney Metro project, a requirement for a competitive design process would jeopardise the design and delivery of the highly complex integrated station developments at Pitt Street. The interwoven nature of works across the Sydney Metro projects means that this will have untenable risks to the broader Sydney Metro delivery program.

Additionally, the competition process would also be unnecessary and potentially problematic due to the technical complexity of the integrated station design. Engineering assurance requirements are such that changes to the development above may impact on the integrated station delivery and extend project delivery milestones. Substantial design work has been undertaken to facilitate integration of the two components and there is limited potential for substantial change due to the significant engineering and design constraints of the station located beneath the development.

The complex nature of the project, including the context of the Pitt Street South integrated station development in the wider Sydney Metro City & Southwest Chatswood to Sydenham project is detailed at Figure 9. The imposition of a competitive process in accordance with the

City of Sydney Competitive Design Policy would result in a substantial disruption to this project, which could risk flow on effects to other parts of the project.

Sydney Metro City & Southwest delivery strategy

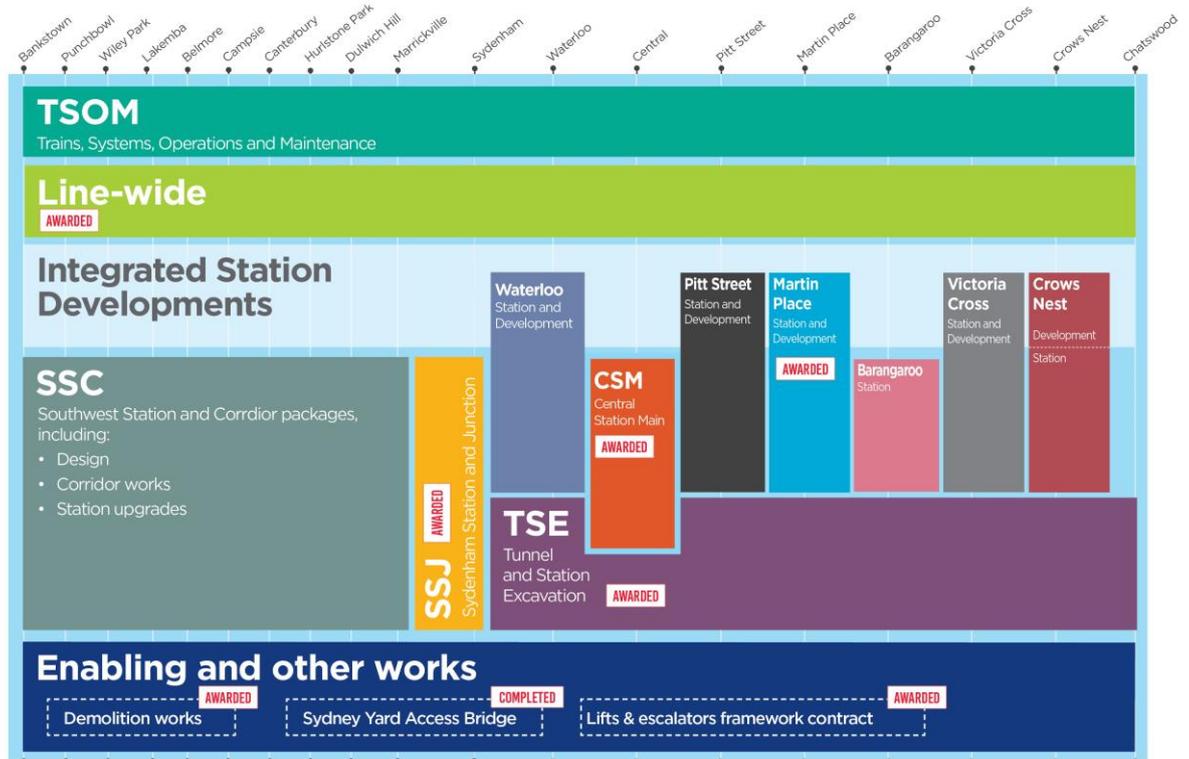


Figure 9 – Sydney Metro delivery strategy

- **Rationale 4 - Extended duration of construction and completion of OSD and station**

The requirement of a design competition process in accordance with Clause 6.21 of the SLEP 2012 would be unreasonable in that it would have a direct impact on the ability for the station and OSD components to be delivered in a concurrent manner. The integrated station development model provides substantial benefits in regards to the concurrent delivery of the station and OSD components at each site. This includes the shortened timeframe of construction impacts, as well as an increased certainty regarding completion of the project by 2024.

- **Rationale 5 - Robust design review and development process to date**

Extensive review of the integrated station developments has been undertaken, which is intrinsic to the design process to date. This has included rigorous testing of options for land use, building heights, envelopes and form, articulation and integration, all within the technically demanding framework of Pitt Street Station and the Sydney Metro network.

- **Rationale 6 - Independent review**

Sydney Metro’s design process has benefited from independent design review by the Sydney Metro DRP over the course of the last two years. In addition, the DEEP identified under this application is a new initiative which will contribute to the competitive selection process. Design integrity obligations for the OSD components would then be transferred to the SDRP following approval of the detailed SSD Application.

- **Rationale 7 - Consistency Government Architect NSW’s design excellence initiatives**

The Sydney Metro Design Excellence Strategy directly responds to, and is consistent with, the recently adopted 'Better Placed' design policy for NSW prepared by the Government Architect NSW. Better Placed supports the use of DRPs for complex state significant projects.

- **Rationale 8 - Consistency with precedent projects**

Many of the reasons sought in this case regarding a waiver from a design competition as defined under the SLEP 2012 are consistent with the Sydney Metro Martin Place OSD (SSD 17_8351). This Project similarly comprises an integrated station development, with technically complex and unique project requirements owing to the station below. In the case of the Sydney Metro Martin Place OSD, the design excellence process has resulted in the provision of a high quality building which is strongly integrated between the station and OSD.

As demonstrated above, there is a clear rationale for the provision of an alternative process in this case, which is specific to the Sydney Metro OSD projects and has wider implications on the Sydney Metro project. Separate discussion has been provided in response to the issue of the proposed benchmarks, as well as the construction scenarios above. The Design Excellence Strategy has also been designed to the satisfaction of the Government Architect NSW, as demonstrated by a letter included at Appendix H.

Further discussion pertaining to the compliance of the proposal against Clause 6.21 of the SLEP 2012, as well as consideration of the proposal against the Government Architect NSW draft *Design Excellence Competition Guidelines* has been provided at Section 8.4.

5.12.2. Impact on Princeton Apartments

Issue

The submission from Council raises concerns regarding the building separation and amenity impacts between the proposal and the Princeton Apartments to the south. Council notes that a 12 metre setback above the podium has been provided in accordance with the building separation requirements of the ADG. However, Council considers that the three metre podium setback from the top of the station component (RL 58.75) to RL 71.10 is unreasonably close. The submission from Council recommends that a continuous 12 metre setback is provided by the proposal to ensure reasonable amenity and outlook are preserved.

Response

The three metre separation provided at the top of the podium at the southern setback is further discussed at Chapter 8.

5.12.3. Transport

Issue

Council's submission notes that parking is to be designed such that it can be adapted to future uses. Council encourages DPE to ensure that the height of the proposed podiums and number of levels envisaged within appropriately safeguards for future uses within the podiums other than car parking.

Response

This is a mitigation measure for consideration during detailed design, and has been prescribed as such (see Section 9.2 – Revised mitigation measures).

Issue

Council's submission notes that any above ground parking should be located towards the rear of the respective sites, be screened by other active uses, and not be visible from the public domain.

Response

The car parking identified in both the residential and commercial indicative schemes is screened from Bathurst Street and Pitt Street by uses such as bicycle parking, end of trip facilities, or communal

resident facilities. The indicative design is currently consistent with Council's submission. This matter can be further addressed during the detailed design stage and future detailed SSD Application.

5.12.4. Flooding

Issue

Council's submission requests a condition that the applicant demonstrate compliance with the City of Sydney's Interim Floodplain Management Policy by submitting a Flood Assessment Report prepared by a suitably qualified and practicing floodplain management professional as part of future detailed SSD Applications. The report must include the flood impact assessment on existing conditions from the proposed development.

Response

Issues relating to flooding are generally related to the CSSI Approval given the nature of the OSD application. However, where relevant to the OSD (such as in relation to the ground floor exits or the provision of on-site detention) these can form part of the future detailed SSD Application considerations.

Issue

Council's submission also requests a condition requiring that detailed stormwater and drainage design documentation, including overland flow assessment and maintenance, be submitted with the detailed SSD application.

Response

Issues relating to flooding, including overland flow and maintenance are generally related to the CSSI Approval given the nature of the OSD application. However, where relevant to the OSD (such as in relation to the ground floor exits or the provision of on-site detention) these can form part of the future detailed SSD Application considerations.

5.12.5. Heritage

Issue

Council notes that the Pitt Street South site adjoins the Edinburgh Castle Hotel and the Metropolitan Fire Brigade building, which are both heritage listed. Council raises concerns regarding the physical impacts of the development on the adjoining buildings during excavation and construction works. Council encourages DPE to require that specific consideration be given to those impacts which are to be addressed with the future detailed SSD Applications to ensure that heritage significant buildings adjoining the site are protected in that regard.

Response

Construction impacts related to the CSSI Approval (i.e. below the transfer level) are subject to the existing conditions and protections prescribed as part of the construction of the station component of the development. This includes excavation works, and construction works up to the transfer level.

Where relevant to the OSD application, further consideration can be provided at the detailed SSD Application stage.

5.12.6. Signage

Issue

The vertical projecting wall signage proposed at Pitt Street South is not supported by Council, and should be deleted from the respective signage strategies. Council also specifically noted that the projecting wall signage zone at Pitt Street South will dominate the streetscape and adversely impact on views towards the heritage significant Edinburgh Castle Hotel. Council noted that the sign is considered too close to and out of scale with the two storey heritage building.

Response

In response to this issue, the size, location and specific dimensions of signage will be reviewed at the detailed design stage with consideration of Council's comments. Details regarding future signage will be submitted as part of a future detailed SSD Application for consideration.

5.12.7. Public art

Issue

Council notes a preference for a combined metro / OSD public art approach across the five stations in the City of Sydney local government area (LGA), with funds allocated for public art for Sydney Metro and the OSD projects consolidated towards a single curated public art strategy.

Council does not support art installations in the footway due to the function of the future Pitt Street Station and the interchange with other modes. Council also raises concern for other suggested areas for public art such as interior lobbies, soffit and façade locations which are not considered sufficiently 'public'. Council notes a preference for public art to be located in the metro entrances, and suggests the consolidation of funds and development of a curated approach to public art as being the best way to achieve strong identities for the metro stations provided by significant works of art to these vital new public spaces.

Response

It is the strong preference of Sydney Metro for an integrated public art offering to be provided. Sydney Metro will endeavour to promote an integrated public art offering throughout the design and delivery stages of the development.

A Public Art Strategy would be developed for the future detailed SSD Application for OSD at Pitt Street South to align with the broader approach to public art outlined in the Public Art Masterplan and the relevant Council Strategies. Public art would be commissioned based on standards of excellence and innovation, integrity of work, relevance to the site context and consistency with planning policy.

A Public Art Management Plan would be developed and implemented by the contractor responsible for delivery of the integrated station development. A Public Art Working Group would also be implemented for the entire integrated station development to oversee the execution of the Public Art Masterplan. The Working Group would provide a forum for considering and approving the best approach to curating, procuring, integrating, installing and decommissioning public art as outlined in the Public Art Masterplan and Management Plan, including potential consideration of integration of public art offering.

5.12.8. Street activation

Issue

Council notes that the activation levels of the development are generally poor, comprising only the lobby entries activating to the highly pedestrian street frontage. Council suggests that further investigation 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.

Response

Sydney Metro itself is a major activation point, which will catalyse other activation through the Sydney CBD. The pedestrian flows achieved at both portals of the Pitt Street Station will lead to levels of activation common around other Sydney CBD stations including Circular Quay, Wynyard, Town Hall and St James. The location of a station portal within the site will have lasting impacts, and lead to further active development of the surrounding streets, including promotion of additional retail and services surrounding the site. This will have a substantially greater impact in regards to activation than any individual development in isolation.

Also relevant are the significant servicing requirements of the Sydney Metro integrated station development, including both the OSD and the station components. These components together require a substantial area to enable the different components of the building to function efficiently and safely. The indicative scheme represents one potential outcome at the site in regards to activation, with key design principles to ensure activation and efficient use of the ground plane provided to guide future design. The substantial occupation of the ground floor components by the station is visually

Provision of an awning at the site forms part of the CSSI Approval, and is outside the scope of the OSD. Specifically, awning provision will be included in the Pitt Street Station Design and Precinct Plan.

This will be reinforced within the Design Guidelines approved as part of the CSSI Approval, which identify that *“station entries are to incorporate canopies / awnings as appropriate to provide weather protection for customers, community information, amenities and ticketing equipment, gateline and appropriate queuing zones”*. This demonstrates a clear objective by Sydney Metro to include such a component in the final design of the station.

5.12.10. ESD

Issue

Council considers it essential that performance targets be established for specific environmental performance issues. Council also considers that International Best Practice (6 Star) is a more appropriate target than the well-established 5 Star target.

Council also notes that the ESD report for Pitt Street South indicates mixed targets depending on the type of uses. Council confirms that the Green Building Council of Australia generally takes a whole of building approach and does not support separate targets for different parts (functions) of buildings. This would mean that a mixed use scheme would make the separate Green Star targets at the site undeliverable.

Response

In relation to this issue raised by Council, Sydney Metro notes the concept proposal is for a residential or commercial outcome at the site, not a mixed use outcome. This would mean that each of the relevant ESD targets would remain applicable, dependent on the selection of a residential or commercial scheme at the detailed SSD stage.

However, an addendum has been prepared for the ESD report, which is provided at Appendix J. This addendum notes the following revised commitments:

- If the site is a residential building:
 - BASIX 35 Energy
 - Exceed minimum compliance with BASIX Water. While a higher target will be sought through the Tender process and during design development, there are limited opportunities / spaces for the additional water saving / reuse features which would enable better performance in this area.
- If the site is a commercial / office building:
 - 5 Star NABERS Energy
 - 3.5 Star NABERS Water
- In terms of Green Star ratings:
 - If the building is predominantly residential, then 5 Star Green Star
 - If the building is predominantly commercial, then 5 Star Green Star

6. Response to the issues raised in community submissions

This chapter provides responses to issues raised in submissions from the community, including community members, local businesses and community/interest groups.

6.1. Overview

The approach to processing and responding to community submissions is described in Chapter 3. Community submissions making comment, in support of and in objection to the concept SSD Application are addressed separately below.

Issues listed in each section are a summary of key issues raised in community submissions. The complete submissions are available on DPE's major projects' website at majorprojects.planning.nsw.gov.au (Application Number: 17_8876).

Unless otherwise indicated, the mitigation measures referred to in this section are the revised mitigation measures for the amended Project, provided in Table 12 of this Submissions Report.

6.2. Submissions making comment

One submission making comment was received. However, this submission related to the Waterloo integrated station development and specifically included comments on the density of a proposed OSD at Waterloo. This submission is not related to this application and is therefore not dealt with any further.

6.3. Submissions in support

6.3.1. Building height

6.3.1.1. Increase building heights

Issue

A number of submissions suggested that the building height should be closer to 70 storeys.

Response

The recommendation raised in a number of submissions to increase the building height is noted. The maximum height of RL 171.6 (approximately 35 residential storeys or 30 commercial office storeys) is proposed to align with the maximum height nominated in SLEP 2012, including the Sun Access Plane provisions contained at Clauses 6.17 and 6.18 of the SLEP 2012. The building envelope has also been designed to enable full integration of the OSD with the Pitt Street Station southern portal.

Additionally, the proposed building envelope has been designed in accordance with the Sun Access Plane provisions of the SLEP 2012, to protect and enhance the surrounding public domain by minimising any additional overshadowing.

6.3.2. Station entry

6.3.2.1. Station entry from Pitt Street

Issue

Some submissions suggested the entry to the station should be located on the Pitt Street frontage.

Response

The location of the entrance to Pitt Street Station was chosen during the detailed design work undertaken under the CSSI Approval for the station. The proposed entrance was chosen following

analysis and modelling relating to pedestrian and traffic movement. As such, the OSD will be linked to the Pitt Street frontage, and the station entrance will be linked directly to Bathurst Street.

6.3.3. Building use

6.3.3.1. Retail spaces

Issue

Some submissions recommended that the proposal provide more space for retail on the street and also within the podium.

Response

The Design Guidelines have been drafted to encourage the provision of ground floor retail at future stages. As the design concept of the OSD and station is further developed, an outcome which makes use of any surplus street frontage space for retail uses is encouraged.

It is for this key reason that Design Guideline No. 5 has been included under 'Public Domain and Place', which states as follows:

[A desired outcome] can be achieved through innovative design solutions to maximise activation along all street frontages. Activation includes a mix of building entrances and retail uses.

Sydney Metro recognises the benefits of activation on the surrounding areas, however this work will be finalised during later stages of the development process.

6.4. Submissions in objection

This section provides responses to the issues raised by objectors. As detailed in Section 4.3, 78 submissions were registered with DPE objecting to the concept proposal. The issues raised in these submissions relate to the following general matters:

- impacts arising from bulk and scale of the proposal
- solar access and amenity impacts to surrounding buildings, including the Princeton Apartments
- heritage impacts to surrounding buildings
- view loss to surrounding buildings, including the Princeton Apartments
- impacts arising from height of the proposal
- compliance of the proposal against the SLEP 2012 and Hyde Park Sun Access Plane
- compliance of the proposal against the ADG separation provisions
- privacy impacts of the proposal
- overshadowing of the proposed envelope on Hyde Park
- traffic impacts of the proposal
- compliance of the proposal against the SDCP 2012
- cumulative impacts of the proposal on the surrounding area and Hyde Park

These issues are addressed in further detail below.

6.4.1. Overshadowing and solar access impacts to the Princeton Apartments

6.4.1.1. Overshadowing of living spaces

Issue

Submissions stated that amenity should be preserved by avoiding overshadowing of the Princeton building in mid-winter, and that the concept proposal would result in a substantial solar access impact which would be inconsistent with the ADG. The height of the building, as well as the proposed size of the envelope were mentioned as being key components which led to such an impact.

Concern was raised that the solar access to the Princeton Apartments requirements of the ADG were not met by the proposal. Submissions stated that an additional 57 apartments lose their 2 hours of solar access as a result of the proposal.

Some submissions suggested that increased setbacks could go some way to reducing the impacts of loss of solar access and increased shadowing. Some submissions suggested further assessment regarding light scatter from the proposal.

Response

The Princeton Apartments are located immediately to the south of the site, on the boundary. The northern façade of the Princeton Apartments contain some windows. Given this, it is to be expected that the Princeton Apartments would be affected by the concept proposal. The level of impact on Princeton Apartments is contributed to by the position of the Princeton Apartment building being built up to the northern boundary of their site. The Princeton Apartment building setback does not comply with current planning controls that require the provision of 6-12 metres of separation from the property boundary, dependent on use. This non-compliance places the full burden of privacy separation on potential development to the north, such as the concept proposal.

While the concept proposal would result in an impact to the solar access levels received by the Princeton Apartments, the expectation that the existing level of solar access would be retained in perpetuity is unreasonable as this would sterilise the adjoining site from any future development. It has been demonstrated that the proposal would result in a comparable level of solar access impact to a scheme which complies with the SDCP 2012 controls. In addition to this, the following additional points are noted:

- the concept proposal form is a slender building form.
- the proposed eastern boundary setback has only a marginal impact on the sunlight received at the Princeton Apartments, and the proposed western boundary setback has nil impact on the sunlight received at the Princeton Apartments.
- the location of the Princeton Apartments is such that the impact is insensitive to the height of the proposal.
- an increase in the proportion of apartments failing to meet the relatively stringent '2 hours standard' under the Apartment Design Guide can be considered usual and expected in a dense high-rise CBD environment, particularly where the existing building is located directly on the site boundary.

Notwithstanding the above, the impact of the proposal on overshadowing of the Princeton Apartments was a key consideration in the EIS and has been assessed in detail. This assessment included an independent analysis of potentially affected residential buildings located in the vicinity of the site and comprised a model-based methodology, through use of a 3D digital model which demonstrates the proposal in the context of surrounding buildings. This model enables assessment of the concept proposal on the surrounding buildings, and includes surrounding development which is under construction such as the Greenland Centre on Bathurst Street.

The assessment demonstrates that of 116 units, 62 currently achieve two hours of solar access a day, which is largely due to the low scale development at the site (prior to demolition of existing buildings). As a result of the concept proposal, this would be reduced to five units achieving two hours of solar access a day. This represents a reduction in compliance of 49.1 per cent, and equates to 57 units no longer complying. The number of units which receive no sun remains unchanged at 17.

In order to confirm the nature of the impact, testing was undertaken of the concept proposal against an alternate model. At the western boundary, a six metre setback has been tested, given that this

would be the minimum permissible under the SDCP 2012. In relation to the eastern boundary, the quoted six to eight metre setback would only apply to the following situations:

- street frontage setbacks
- residential buildings, only for the purposes of separating from other building forms

Given that the eastern side boundary is not a street frontage, and that no taller building form can be provided above the Metropolitan Fire Brigade building, only a three metre frontage is required in this case.

This assessment has confirmed that the above setbacks would result in six additional apartments receiving two hours of solar access. This includes two apartments which receive two hours of solar access between 8.00am and 3.00pm from the concept proposal, making the increase in solar access generally insubstantial. This has been further discussed at Section 8.1.

In order to demonstrate that any development at the site would result in a comparable impact, a Supplementary Overshadowing Impact Sensitivity Analysis Report has been prepared and is provided at Appendix K. This has included additional overshadowing of an envelope which is consistent with the setback provisions of the SDCP 2012, in order to determine what component of the proposed overshadowing is specifically caused by the setback of the proposal beyond the levels contemplated under the SDCP 2012. However, the SDCP 2012 continues to not apply by virtue of clause 11 of the SRD SEPP.

In order to determine this, the proposal has been tested against the following setbacks:

- six metres to Pitt Street, as the minimum setback prescribed under the SDCP 2012
- three metres from the eastern boundary

This assessment has confirmed that the above setbacks would result in six additional apartments receiving two hours of solar access, if a building form with the above setbacks were proposed. This includes two apartments which receive two hours of solar access between 8.00am and 3.00pm from the concept proposal, making the increase in solar access generally insubstantial. The Supplementary Overshadowing Impact Sensitivity Analysis Report provided at Appendix K concludes that the difference in retained solar access compliance between the proposal and an SDCP 2012 consistent outcome are very small, and suggests that any additional benefit would not be substantial. This is to be expected in a dense, built-up environment such as the Sydney CBD, particularly in the case of a development form such as the Princeton Apartments, which is constructed up to the northern boundary.

The enforcement of such setbacks would have substantial negative impacts on the floorspace potential of the site, particularly in the context of the integrated station development which relies on structural supports being located in certain parts of the site. As separately discussed at Section 8.1, the proposed setbacks are appropriate and consistent with the surrounding character of the site. The proposed setbacks also do not result in adverse environmental impacts.

The daylight impacts of the proposal have also been separately assessed at Section 8.1.1 of this report.

Therefore, the proposed building envelope is determined to be appropriate in the context of the site. A requirement to provide additional setbacks in line with the SDCP 2012 would substantially impact the future potential of the site, with only a small potential benefit in solar access impact.

6.4.1.2. Title covenant – Sydney Metro

Issue

One submission stated that the Princeton Apartment building had an easement for light in respect of the applicant's title in 2012 and that owners had purchased in Princeton believing that an easement was in place protecting access to light for residents.

Response

There are no light easements on title in respect of the Princeton Apartments. Rather, a covenant was supposed to have been placed on the titles of all Princeton Apartments advising future occupants that their views may be affected by developments on adjoining sites. Condition 18 of the original building approval at the site (REF: Z92-00146) stated:

(18) That a covenant shall be placed on all titles for the site known as 304-308 Pitt Street that requires the vendor of the property to notify all potential occupants that their views may be affected by developments on adjoining sites.

Approval for the Princeton Apartments was provided on the basis of this condition being met and to ensure that the approved development did not have any adverse impacts on surrounding properties.

The intent of Condition 18 is to ensure that the amenity achieved from the north is, in effect, 'borrowed' given that the Princeton Apartments rely on the undeveloped nature of the site, and the condition acknowledges that the site to the north could be developed at a point in the future. Alongside this, there is an expectation that future development of the Pitt Street South site would potentially impact on the Princeton Apartments, which in part would be as a result of its construction up to the northern boundary.

While the concept proposal would result in an impact to the solar access and views received by north facing windows of the Princeton Apartments, the expectation that the existing level of solar access and views would be retained in perpetuity is unreasonable as this would sterilise the adjoining site from any future development. Condition 18 of the building approval for the Princeton Apartments acknowledges this and is a relevant consideration for the concept proposal. With this in mind, the provision of a 12 metre setback to the southern boundary of the site is a reasonable and appropriate response to the adjoining development.

6.4.1.3. Solar access to Greenland Centre

Issue

Submissions raised concern that the application had failed to undertake solar analysis for the Greenland Centre.

Response

The overshadowing impact upon the future Greenland Centre was assessed in the Appendix M of the EIS. Due to the location of the Greenland Centre overshadowing from the proposal would not have any substantial effect on future apartments in the Greenland Centre. Specifically, the Greenland Centre is located due east of the site, and comprises a taller building form than the concept proposal, which would both work to minimise any potential overshadowing impacts.

6.4.1.4. Impact of overshadowing on sustainable power generation

Issue

Some submissions stated that the concept proposal would negate the opportunity for apartments in the Princeton building to install solar panels as an alternative source of power generation.

Response

As there are no known plans for alternative power generation at the Princeton building, this is not a relevant matter for consideration at this time.

6.4.2. Loss of privacy to adjacent properties

6.4.2.1. Design features

Issue

Many submissions demonstrated concern that the EIS failed to address privacy, and that the submitted documents state that existing homes in the Princeton Apartments should use 'screens' to maintain privacy, reversing the onus for new development to protect existing privacy. This was stated as being an unreasonable outcome, given that it would require the Princeton Apartments to take action to maintain privacy as a result of development of the Pitt Street South site.

Response

The only discussion of screening in the EIS documentation is in reference to the former approval at the site for the purpose of a hotel (D/2014/464). This approval relied on the use of screens, amongst other measures, which would be located on the site (i.e. not on the Princeton Apartments). However, this proposal has only been used as a reference in regards to what was previously considered acceptable at the site under separate assessment, and does not form part of this proposal.

The maintenance of privacy to the Princeton Apartments has also been reinforced through the *Pitt Street South Design Guidelines*, which note the following as a requirement for the future development at *Built Form above the Podium (6)*:

(6) Consideration of privacy implications to surrounding residential buildings, including the Princeton Apartments and 135-137 Bathurst Street.

For the purposes of the current proposal for the site, detailed privacy measures have been further discussed at Section 8.1. Any future privacy mitigation measures will be addressed in the detailed design stage.

6.4.2.2. Compliance with the SDCP 2012

Issue

Submissions stated that the EIS ignored the issue of privacy, merely mentioning that privacy issues can be addressed at a later stage. This was considered to be inconsistent with Provision 4.3.2 of the SDCP 2012.

Response

SDCP 2012 is not applicable to State significant development (in accordance with clause 11 of the SRD SEPP). Notwithstanding, the proposal has been designed to align with the DCP wherever possible.

The maintenance of privacy to the Princeton Apartments has also been reinforced through the *Pitt Street South Design Guidelines*, which note the following as a requirement for the future development at *Built Form above the Podium (6)*:

(6) Consideration of privacy implications to surrounding residential buildings, including the Princeton Apartments and 135-137 Bathurst Street.

This will reinforce the requirement for future detailed design to provide specific and tailored measures to ensure the maintenance of privacy between the developments.

Further discussion in relation to privacy impacts from the development has been provided at Section 8.1.

6.4.2.3. Interface with adjacent residential living spaces

Issue

Some concerns were expressed that many of the residents living at the Princeton Apartments would be impacted by the proposal from a privacy impact perspective.

Response

The Princeton Apartment building is built up to the boundary of the site, imposing the full burden of separation on the proposal site.

The proposal includes a 12 metre setback from the OSD envelope to the southern boundary, in order to ensure that adequate separation and privacy is maintained to the Princeton Apartments if a residential land use is pursued as part of the future detailed SSD Application. This is consistent with the provisions of the ADG.

In combination with the proposed 12 metre setback, the development would result in more than 22 metres separation between living spaces in the Princeton Apartment building and the proposed building due to bedrooms being located on the northern side of the building. Living rooms in the Princeton Apartments are principally oriented towards the east and west, which would assist in further minimising any potential privacy impacts.

6.4.3. Overshadowing of Hyde Park

6.4.3.1. Non-compliance with SLEP 2012

Issue

Several submissions noted concern that the proposal would not comply with the SLEP 2012 and the Sun Access Plane limits (clause 6.17) by causing significant overshadowing to Hyde Park.

Some submissions noted that the concept proposal would increase shadows on Hyde Park between April and September to degrees that are described as varying from negligible to moderate. Introducing new shadowing of Hyde Park, particularly over the colder months was stated by submitters as being in breach of the access plane and unacceptable.

Response

The proposal complies with SLEP 2012 and the Hyde Park Sun Access Plane, which is a height limit established to maintain solar access to Hyde Park in mid-winter. Whilst the proposal would result in some additional overshadowing to Hyde Park at certain times of the year, the Sun Access Plane functions as a maximum height limit at the site. If development complies with the maximum height limit prescribed by the Sun Access Plane, then additional overshadowing to Hyde Park can be considered subject to a merit assessment.

Recent examples of development approved which overshadows Hyde Park at certain times of year include 338 Pitt Street, as well as Castle Residences. This is possible because the Sun Access Plane provisions either do not apply to the site (338 Pitt Street) or because the development complies with the Sun Access Plane provisions (Castle Residences). Enforcement of no overshadowing of Hyde Park at all times of year would be contrary to the SLEP 2012, and would have a substantial negative impact on the development potential of the eastern edge of the Sydney CBD.

Significant analysis has been undertaken to assess the level of overshadowing of Hyde Park resulting from the development. During the winter solstice on 21 June between 12.00pm and 2.00pm, overshadowing caused by the proposed building envelope is almost entirely confined within the areas already overshadowed by existing buildings. This ensures that during the coldest months of the year, the proposed development results in only negligible or minimal overshadowing to Hyde Park.

During the other winter months and between the equinox's some overshadowing is proposed, but is still only very minor in the context of the proposed development and Hyde Park. This comprises:

- minor additional overshadowing to Hyde Park at 3.00pm on 21 April
- minor additional overshadowing to Hyde Park at 3.00pm on 21 May
- minor additional overshadowing to Hyde Park at 2.30pm and 3.00pm on 21 July

This overshadowing is generally confined to small, concentrated areas of Hyde Park and is limited to later in the afternoon. The impact of this is that the important lunch hour period remains largely unaffected in regards to solar access, with overshadowing only to occur later in the afternoon period.

For the periods within the year where the proposed envelope does overshadow Hyde Park, the extent of overshadowing is negligible or minor in nature and consistent with shadowing caused by existing development within the eastern CBD, and would not be perceptible from the public domain. In the context of Hyde Park, the development would only shadow a very small portion of the overall park, and would not adversely affect the potential enjoyment of the public open space.

In the periods where the building envelope does cause overshadowing, this is generally limited to the park's edges, being located at the south-western corner of Hyde Park in the vicinity of Museum Station rather than the higher amenity central areas and eastern lawns.

Having regard to the above, whilst the proposed building envelope would result in some minor additional overshadowing at certain times of the year, these impacts are acceptable given the location, extent and duration of these impacts and are reasonable given that the building envelope is compliant with the relevant provisions of the SLEP 2012, including the Hyde Park Sun Access Plane.

6.4.3.2. Compliance with Apartment Design Guide

Issue

Many submissions noted that the minimum building separation should be 18-24 metres for all levels above nine storeys. Some submissions specifically outlined that there should be 18 metres separation for non-habitable south facing rooms/balconies, or 24 metres for habitable south facing rooms/balconies.

Response

As outlined above, further consideration and additional justification with respect to the proposed built form and setbacks of the development is described in detail in Chapter 8 of this Submissions Report. This includes additional extended discussion regarding the above provision of the ADG. Specifically, the proposal complies with the relevant separation provisions of the ADG, being 12 metres from any side or rear property boundary.

6.4.3.3. Impact of building separation on fire risk

Issue

Submissions noted that the proximity of the development to adjacent buildings would pose a fire risk.

Response

This is a matter relevant to detailed building design. The concept proposal will be subject to a detailed Building Code of Australia / Fire safety assessment at the during the detailed stage of the approvals and development process to ensure that appropriate standards are met to manage fire risk.

6.4.4. Overdevelopment of the site

6.4.4.1. Cumulative impacts in the Sydney CBD

Issue

Some submissions suggested that the proposed building envelope is not justifiable given the additional tower crowding, disaster management issues (both fire and terrorism related), potential damage to residents' health and wellbeing, strained infrastructure, wind tunnels, decrease in sunlight to apartments in nearby buildings and damage to city skyline views.

Some submissions suggested that the development should create more greenery, vegetation and parkland spaces.

Response

The proposal would make a significant contribution to the new Sydney Metro, which is an integral component of the *NSW Long Term Transport Master Plan*. The objective of the plan is to transform

and modernise Sydney's rail network, so it can grow with the city's population and meet the future needs of customers. The new Pitt Street Station will be delivered as part of the integrated station development, which & Southwest project will provide substantial new public transport capacity into and out of the Sydney CBD. In effect, the integrated station development is a direct contribution to the provision of infrastructure to meet the future needs of Sydney.

By locating a higher density building near transport infrastructure, the proposal would contribute to higher public transport use, quality of life, access to facilities and sustainable transport options. To support the shift towards public transportation via the new metro, the proposal only includes limited parking and would therefore have a limited impact on the local traffic network.

Health, wellbeing and amenity of existing and future residents in this part of the Sydney CBD will not be adversely affected, with the proposal being provided in a manner which is complementary to the existing character of the city centre. The Sydney Metro project will also provide for additional accessibility by residents to additional cultural facilities and open space, including Barangaroo.

The concept design has been assessed by subject matter experts with regards to fire and life safety and emergency evacuation procedures to ensure compliance can be achieved with the relevant codes and regulations. In addition, an extensive assessment has been undertaken with regards to security and critical infrastructure protection. The contractor for the Integrated Station Development will be required to incorporate a range of measures and strategies in order to comply with Sydney Metro's requirements and the relevant regulations, codes and guidelines with respect to fire and life safety, security and infrastructure protection.

The development is in accordance with the SLEP 2012 provisions, including the Hyde Park Sun Access Plane. A detailed assessment has been undertaken as part of the SLEP 2012 which demonstrates that the proposal is appropriate in regard to the overshadowing impact. Additionally, the visual impact of the proposal is expected and reasonable in a closely built up city centre environment.

As this application only relates to the OSD component of the development, the provision of parkland at the site is not feasible within the scope of this application. Design Guidelines to encourage the provision of additional landscaping and greenery within the OSD have been included at Appendix A.

Finally, wind conditions at ground level around the site are not expected to be altered significantly by the proposed Pitt Street South OSD due to considerable shielding offered by the neighbouring high-rise towers. On average, the wind conditions around the site would be expected to be similar to existing conditions.

6.4.4.2. Impact on adjacent buildings

Issue

One submission stated that the bulk and scale effects of the proposed 171m high building envelope on Century Tower, Meriton building, the new Castle residence and the heritage Primus Hotel are understated.

Some submissions noted a potential decrease in value for adjacent properties.

Response

A building envelope comprises the maximum extent to which a future building can occupy. The proposal is within the maximum building envelope permissible for this site, and any change to this building envelope would be subject to a separate application and additional assessment. Detailed assessment regarding the proposed building has formed part of the EIS, including consideration of potential impacts to the above listed buildings.

Additionally, each of the above buildings is substantially separated from the proposal, including:

- Century Tower: Approximately 45 metres to the south-west
- Meriton Building: Approximately 40 metres to the north-west

- Primus Hotel: Approximately 20 metres to the west
- Castle Residences: Approximately 20 metres to the north-east

Separation distances of this nature are normal and expected in the Sydney CBD.

Issue

Some submissions indicated that the concept proposal is excessively tall and bulky, causing an over-development of what is already a densely populated residential area. The excessive height and massing were suggested to have the potential to harm its surroundings by overshadowing, overlooking and disruption of the local building character of the area.

Response

The height of the proposed building is within the permissible building envelope for the site, having a maximum building height of RL 171.6, which equates to approximately 35 residential storeys or 30 commercial office storeys. This includes a podium height of RL 71.0 which equates to approximately 8 storeys above ground, noting that the podium up to the transfer level (RL 58.25) was previously approved under the CSSI Approval. The proposed building envelope has been designed in accordance with the development standards prescribed by the SLEP 2012, including the maximum height of buildings.

The Sydney CBD is a vibrant mixed-use community, and the concept proposal is appropriate for its context. This is particularly true in the context of the provision of substantial additional public transport infrastructure, including the new Sydney Metro Pitt Street Station southern portal and a number of public domain upgrades occurring at the site.

Notwithstanding, impacts such as overshadowing, overlooking and suitability for the site context have all been thoroughly assessed in the EIS. Where necessary, this Submissions Report has provided further assessment.

6.4.5. Loss of private views

6.4.5.1. View loss from the Princeton Apartments

Issue

Some submissions stated that there would be a loss of views to the north from the Princeton Apartments as a result of the proposal. Submissions particularly noted loss of outlook to the cityscape to the north.

Response

The proposed development would occupy a large area of the northern outlook from the site which will likely impact on the northern cityscape outlook of the Princeton Apartments. To this respect, the following is noted:

- this existing northern outlook is a benefit which is currently provided only due to the undeveloped nature of the site
- the Princeton Apartments is constructed up to the northern boundary of the site
- Condition 18 of the original building approval for the Princeton Apartments (REF: Z92-00146) explicitly stated that existing views enjoyed by residents may be affected by development on adjoining sites
- this existing outlook would be disrupted by any development above the Pitt Street South site, making such an impact insensitive to the bulk and scale of the proposal

- as opposed to a development form which blocks significant elements such as Sydney Harbour or the Sydney Opera House, in this case the provision of an additional tall building in the Sydney CBD is effectively only interrupting an existing outlook of other buildings
- given the highly urbanised nature of the Sydney CBD, it is to be expected that there would be additional development in this central and highly dense environment over time

Many of the submissions made reference to the loss of views, however there were few references to specific nature of the view loss. Given the location of the proposed envelope relative to the Princeton Apartments, this would generally refer to the cityscape to the north, but not including Sydney Tower which would be obstructed by the development at 161 Castlereagh Street (amongst others).

In a planning sense, views to the north of the Princeton Apartments would be more akin to an outlook than a view, and is in contrast to the significant views enjoyed by residents of upper levels of the Princeton Apartments towards the north east. As part of the application, a detailed assessment of the impact of the proposal on views to the north east was undertaken in relation to the Princeton Apartments. This assessment determined the impact was appropriate for the site and its location, particularly given the Sydney CBD context. Additionally, compliance of the proposal with the controls under the SLEP 2012 further demonstrated the reasonableness of any view impacts from the proposal.

The impact of views from the Princeton building is detailed in the EIS, and can be summarised as following:

- Low-rise view to the northeast: The proposal, being contained to the left-hand side of the view, has negligible impact on the composition or nature of this view.
- High-rise view to the northeast: The proposal is contained to the far left of the view and obscures the apex of a small number of CBD buildings and part of the sky. There is no impact on views to Hyde Park or Sydney Harbour.



Figure 11 – Princeton Apartments: Low rise, north east, proposed view

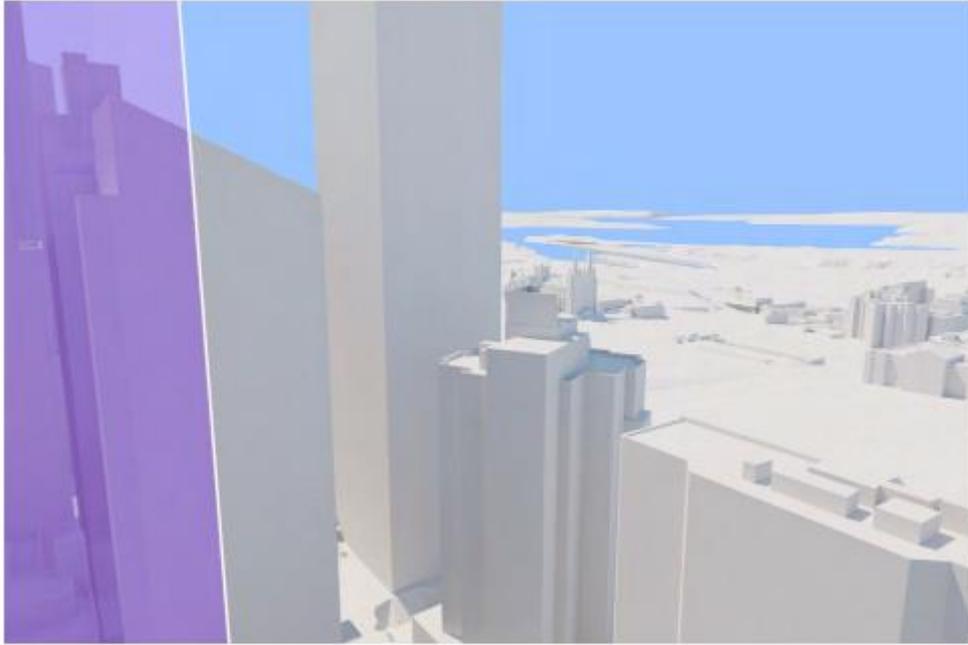


Figure 12 – Princeton Apartments: High rise, north east, proposed view

The assessment concludes that the impact on these views is negligible, and is reasonable on the following grounds:

- the Sydney CBD is intended for significant growth and change (as identified in the draft Central Sydney Planning Strategy), and residents within the core of the CBD should not expect existing views to be preserved within this context
- optimising the GFA of the OSD, within reason, promotes land use and public transport integration consistent with key state and local planning policy
- the proposal is compliant with the SLEP 2012 in terms of building height
- reduction in location within the site, extent of typical floorplate or height would be challenging to achieve and would likely impact on the feasibility of the proposal

6.4.5.2. View loss from Greenland building

Issue

Concerns were raised that the proposal will result in loss of views from the future Greenland building at the mid-rise eastern side.

Response

As part of the application, a detailed assessment of the impact of the proposal on views and solar access to adjacent properties was undertaken. The impact of views from the Greenland Centre is detailed in the EIS, and can be summarised as following:

- Low-rise view to the northeast: No significant impact on the nature of the view.
- Mid-rise view to the east and northeast: The impact of the proposal on future views to the north-east is moderate. While it retains the overwhelming majority of future views to Sydney Harbour, it does significantly reduce the amount of Hyde Park and the eastern suburbs that is visible.
- High-rise view to the east and northeast: No impact on the view

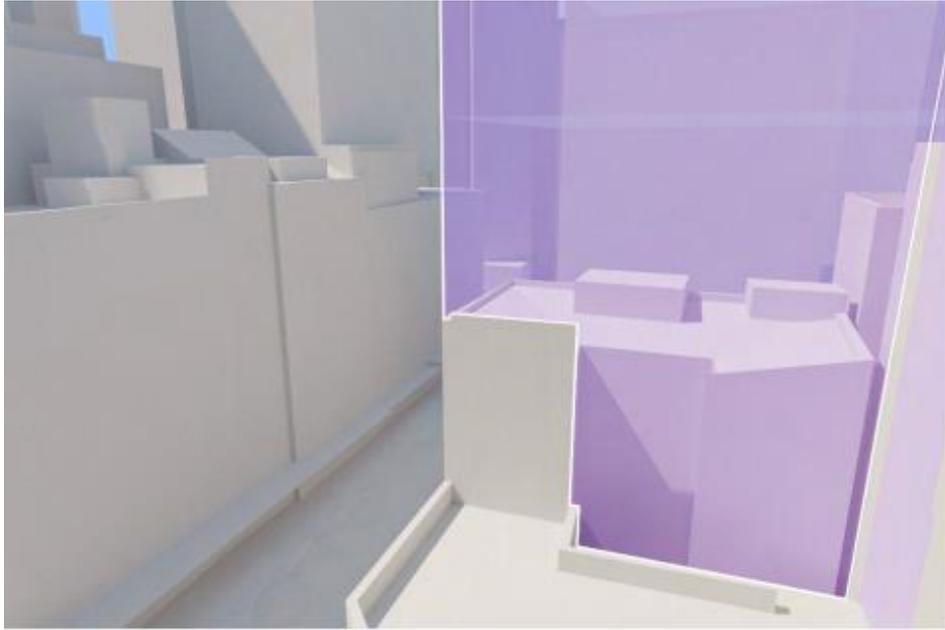


Figure 13 – Greenland Centre: Low rise, east, proposed view



Figure 14 – Greenland Centre: Mid rise, east, proposed view

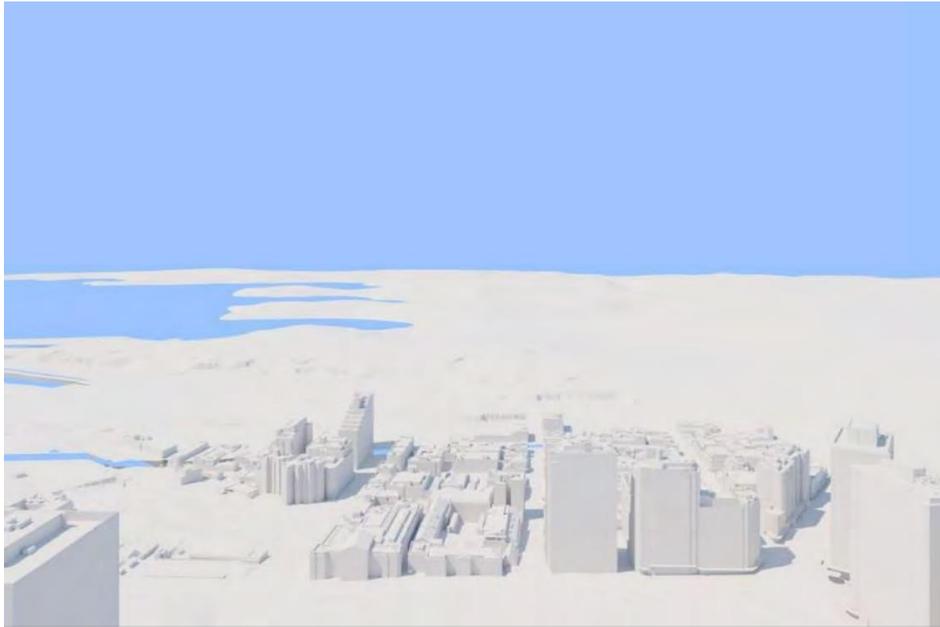


Figure 15 – Greenland Centre: High rise, east, proposed view

While the impact on these future views is considered to be moderate, it is reasonable on the following grounds:

- the Sydney CBD is intended for significant growth and change (as confirmed in the *Eastern City District Plan 2018*), and residents within the core of the CBD should not expect existing views to be preserved within this context
- optimising the GFA of the OSD, within reason, promotes land use and public transport integration consistent with key state and local planning policy, and will provide the necessary floorplates for A grade office space (if a commercial option is selected)
- the proposal is compliant with the SLEP 2012 in terms of building height
- reduction scale of the concept proposal, including the maximum floorplate size or building height would be challenging to achieve and would likely impact on the feasibility of the proposal, as well as the nature of the integrated station development which prescribes structural component of the OSD

6.4.5.3. View loss from Century Tower

Issue

Some submissions raise concern that the proposal would substantially affect current views from Century Tower.

Response

As part of the application, a detailed assessment of the impact of the proposal on views from Century Tower was undertaken. The impact of views from the Century Towers are detailed in the EIS, and can be summarised as following:

- Low-rise view to the northeast: Existing low-rise building on the site would be replaced by a high-rise building that would eliminate current visual relief.
- High-rise view to the northeast: The proposal would be a notable new feature of the view and would obscure views to St Mary's Cathedral and parts of Hyde Park and Sydney Harbour. However, the extent of obstruction is relatively small, and the essence of the view remains.

The angled design of the upper elements of the tower enable preservation of views to North Head compared to what a non-angled tower of the same height.

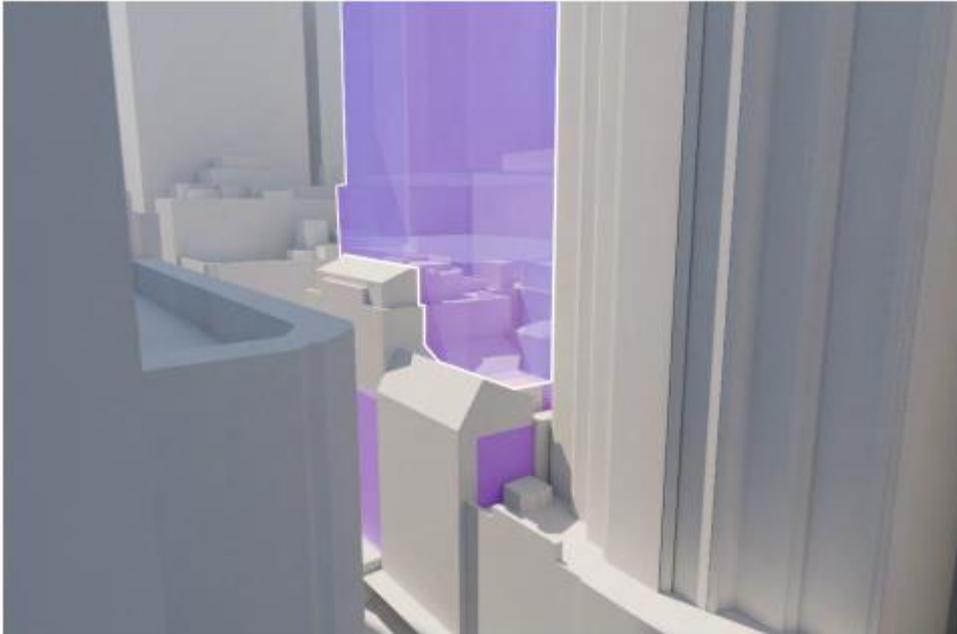


Figure 16 – Century Tower: Low rise, north east, proposed view

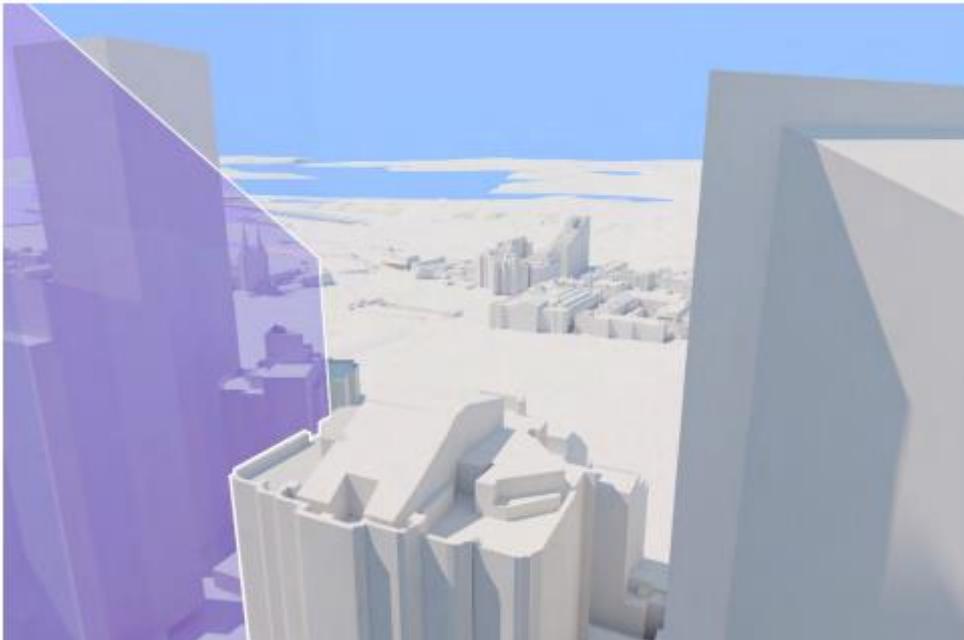


Figure 17 – Century Tower: High rise, north east, proposed view

The assessment concludes that the impact on these views is appropriate, and is reasonable on the following grounds:

- the Sydney CBD is intended for significant growth and change, and residents within the core of the CBD should not expect existing views to be preserved within this context
- the proposal is compliant with the SLEP 2012 in terms of building height
- reduction in the extent of typical floorplate or height would be challenging to achieve and would likely impact on the feasibility of the proposal.

6.4.5.4. Title covenant

Issue

Some submissions stated that references to a covenant on Princeton's title regarding the potential for northern views to be affected by future developments does not exist.

Response

Development consent for the Princeton Apartments was granted on the condition that there was potential for northern views to be affected by future development. This specifically relates to the construction of windows on the northern boundary with nil setback to the boundary.

The subject condition reads as follows:

(18) That a covenant shall be placed on all titles for the site known as 304-308 Pitt Street that requires the vendor of the property to notify all potential occupants that their views may be affected by developments on adjoining sites. (REF: Z92-00146)

The intent of this condition is to ensure that it is recognised by all apartment owners that the amenity in the form of views and solar access to the north is, in effect, 'borrowed' given that the Princeton Apartments rely on the undeveloped nature of the Pitt Street South site.

6.4.6. Wind impacts

6.4.6.1. Artificial Cooling

Issue

Some submissions considered that the proposed building separation would reduce opportunities for Princeton Apartments to access cooling north-easterly breezes which will result in a greater reliance of artificial cooling.

Some submissions stated that the development would significantly impede Century Tower access to sea breezes. The reduction of wind access, in addition to the heat radiation from the increasing number of adjoining buildings such as the Greenland Centre, was stated to contribute to an increase in the need for the use of air conditioning to enable cooling in summer.

Response

The Wind Impact Assessment undertaken at Appendix N of the exhibited EIS concluded that the addition of the concept proposal would not significantly impact the wind conditions surrounding the site. Nonetheless, the detailed design stage will be accompanied by a separate wind assessment for further analysis.

In response to a potential loss of breezes, this benefit is currently enjoyed as a result of the undeveloped nature of the site. Given the compliance of the proposal against the relevant SLEP 2012, it would be expected that any tall building at the site would potentially lead to a change in breezes towards the south. The Sydney CBD locational context of the proposal, combined with the ongoing changing character of the city means that it would be unreasonable to expect that there would be no future development of the site.

6.4.7. Heritage impact

6.4.7.1. Impact on surrounding heritage buildings

Issue

Some submissions noted concern that the proposal did not respect nearby heritage buildings including Edinburgh Castle Hotel and Castlereagh Fire Station. Submissions raised concern with a proposed 35-storey building envelope in the context of a 3-storey heritage building such as the Edinburgh Castle Hotel.

Response

A detailed heritage assessment was undertaken as part of the exhibited EIS, concluding that:

- the proposed envelope seeks to mitigate impacts of scale through modulation of podium buildings to provide for a more pedestrian scale and improved interface with the heritage listed buildings nearby
- the proposal would not impact on significant views and vistas and future detailed design development should seek to maintain and conserve the landmark qualities of nearby heritage buildings

The above conclusions are directly referenced in the mitigation measures at Section 9.2.

It is recommended that the future building design should seek to further mitigate impacts to the heritage listed Edinburgh Hotel through treatment and articulation of the facades where they adjoin the heritage item (the northern and western façades) so that the item is not dominated by large blank walls and to allow it to retain its prominence and landmark character.

The proposed building envelope would be apparent in views behind the Metropolitan Fire brigade building, however would not alter the immediate streetscape podium which is defined by the robust form and façade of the Fire Brigade building, its contemporary extension to the north and the adjoining Bank building to the south. The immediate streetscape context is mixed and includes some high-rise development on the eastern side of the street opposite the heritage item and to the north at the corner of Bathurst Street. This is typical of the CBD where heritage items typically have a varied and altered context, which includes high rise development and juxtapositions of scale.

In addition to the above, a key component of the *Pitt Street South Design Guidelines* is to ensure an appropriate future heritage response is provided to surrounding buildings. This includes numerous references to the relationship between the concept proposal and the Edinburgh Castle Hotel which include:

- Site Context (4) - *"a number of significant heritage items are located to the north, south and west of the site, with close proximity to Sydney Town Hall, the QVB and Hyde Park"*
- Site Context (5) - *"The current streetscape on both Bathurst and Pitt Streets is a broad mix of use, scale and materiality organised around the heritage architecture of the Edinburgh Castle Hotel and dominated by the heritage façade of the Primus Hotel (old Water Board building) in Pitt Street"*
- Site Context (7) - *"The Edinburgh Castle Hotel on the corner of Pitt and Bathurst Streets adjoins the site and is a three storey heritage building. The building has a major influence on planning for the station and the OSD for the site"*
- Site Context (8) - *"The parapet line of the Edinburgh Castle Hotel along Pitt Street is continued by the facades of the Princeton Apartments to the south, with no immediate reference to the 45 metre podium control and well below the 20 metre minimum in the DPE"*
- Podium and Street Wall (1)(b) - *"...mitigating the impacts of scale and massing on existing heritage items through the provision of a modulated podium and setbacks and responding to the built form context"*
- Podium and Street Wall (1)(c) - *"...providing an intermediate reference element along Pitt Street, referencing the lower Edinburgh Castle Hotel parapet line, the Princeton Apartments façade and the more dominant scale of the Primus Hotel opposite"*
- Podium and Street Wall (1)(d) - *"Retaining the prominence and landmark character of the Edinburgh Castle Hotel through:*
 - (i) *exploring opportunities to seamlessly integrate the hotel into the OSD*

- (ii) *addressing the scale difference between the established 45 meter podium height along Bathurst Street and the lower parapet line of the Edinburgh Castle Hotel*
 - (iii) *design of the vertical street walls above the hotel, especially where the footprint of the over station development wraps around the building, to prevent large, blank walls from dominating the building*
 - (iv) *materiality and façade articulation of the podium responding to the hotel to better integrate the two sites and to activate the facades*
- Built Form above the Podium (1) - "...recognition of the contextual relationship with surrounding heritage listed items"

6.4.7.2. Impact of overshadowing of heritage buildings

Issue

Some submissions stated that the proposal would have an unacceptable overshadowing impact upon nearby heritage buildings including the former Sydney Water building, the Edinburgh Castle Hotel, City of Sydney fire station, Anzac memorial, former 'Speedwell House', and the former 'YMCA' building.

Response

The Heritage Assessment undertaken for the EIS included assessment of the above buildings and concluded that the impact of the proposal on nearby heritage buildings is acceptable. It is acknowledged that the proposal would result in a large increase in the scale of development at the site and in proximity to heritage items (most notably the Edinburgh Castle Hotel, which the site directly adjoins). However, the highly developed and mixed-use character of the area allows for and encourages development of a greater scale than that which currently exists.

The area also sits within an altered CBD context, which includes high rise development and juxtapositions of scale. The proposal mitigates impacts of scale through provision of a modulated podium and setbacks, responding to the built form context. The indicative concept considers the proximate heritage item in terms of form and materiality and provides for a more pedestrian scale which allows the heritage item to retain its visual prominence.

The *Pitt Street South Design Guidelines* provide a range of controls to ensure that the relationship between the Pitt Street South OSD and surrounding heritage items is maintained. This includes specific controls in relation to overshadowing of the development over Hyde Park, which is provided at Built Form above the Podium (4)(a).

6.4.7.3. Heritage façade

Issue

Some submissions suggested that the historic facade should be retained for Pitt Street South metro station under SSD_8876.

Response

The demolition of the existing buildings on the site was covered as part of the CSSI Approval. The demolition process is currently underway and is not subject to this application.

6.4.8. Building setbacks

6.4.8.1. Impacts to Edinburgh Castle Hotel

Issue

Some submissions stated that the proposal includes windows with no setback to Edinburgh Castle Hotel and fails to comply with required tower setbacks under Provision 5.1.2.2 of SDCP 2012.

Response

In accordance with clause 11 of the SRD SEPP, DCPs do not apply to SSD and are accordingly not applicable to this application. This includes Provision 5.1.2.2 of the SDCP 2012. Additionally, the envelope immediately adjacent to the hotel is part of the Pitt Street Station, and is accordingly covered by the CSSI Approval.

Notwithstanding the above, further consideration regarding the relationship between the concept proposal and the Edinburgh Castle Hotel, including a description of relevant design guidelines pertaining to the hotel has been provided at Section 8.2. This demonstrates that, to the maximum extent possible, the proposal has included provision to ensure that a positive relationship between the development and the Edinburgh Castle Hotel is maintained during the detailed design stage.

6.4.9. Vehicular and pedestrian movement

6.4.9.1. Traffic congestion

Issue

Some submissions stated the proposal in its current state must not be granted because it will result in increased vehicular and pedestrian congestion.

Some submissions raised concerns relating to vehicle and pedestrian safety as a result of pedestrians crossing at the intersection of Pitt Street and Bathurst Street.

Response

Initially, the concept proposal has been designed to provide minimal parking (a maximum total of 34 car spaces). This is consistent with the provision of a future metro station portal at the site, and would encourage the use of public transport in the Sydney CBD, therefore reducing the number of cars on roads.

The EIS included a detailed Transport and Traffic Impact Assessment Report to determine the impact of the proposal. The report concluded that whether the proposal is for residential or commercial use, it satisfies the planning requirements on traffic engineering grounds. The forecast pedestrian and vehicular traffic generation associated with the proposal is expected to have minimal impacts to the operation of the surrounding road network.

In regards to the potential for safety impacts arising from the proposal, the ground plane area is being planned as part of the CSSI Approval, with the intention of ensuring that the full integrated station development will be capable of operating in a manner which is safe to pedestrians. This includes the requirement to prepare an Interchange Access Plan (Condition E92 of the CSSI Approval) which comprehensively details the safety of pedestrians and vehicles through the precinct.

Additionally, the CSSI Approval includes the following other conditions which will contribute towards the provision of a safe traffic environment around the site:

- Condition D12 - Enforcing a requirement for traffic modelling around the site in the period of 12 months following the commencement of operations, including a potential requirement for appropriate further traffic management measures should an unacceptable outcome result from Pitt Street Station
- Condition E76 - Providing for audits of permanent road works to demonstrate consistency with the relevant design, engineering and safety standards and guidelines
- Condition E78 - Ensuring that supplementary traffic analysis and modelling to demonstrate that construction and operational traffic can be managed to minimise disruption

6.4.9.2. Car parking

Issue

Some submissions stated that the addition of 34 car spaces on a site that does not currently have any car parking spaces will add to traffic congestion on Pitt Street and offset the benefits of the metro.

Response

The proposed options of either the residential or commercial (office) schemes for the concept SSD Application would not result in any adverse impacts on the traffic circulation of surrounding streets, including at nearby key intersections. Accordingly, the forecast traffic generation associated with the proposal is expected to have negligible impacts to the operation of the surrounding road network.

The concept proposal has been designed to provide substantially lower parking rates than are permissible under the SLEP 2012, which is reflective of the integrated station development, acknowledging the future world class metro station which will be located at the site.

It is also relevant to note that the concept proposal will have the additional benefit of providing loading areas for the future use off street. Given that no parking was provided on the former buildings at the site prior to demolition, this will represent an improvement in regards to the OSD.

6.4.10. Acoustic impact

6.4.10.1. Noise from the proposed upper podium

Issue

Some submissions noted concern that the proposal included an open-air area on the top of the podium, and that this would cause considerable noise impacts to neighbours. The Primus Hotel was identified as an example of a rooftop that was having a significant noise impact on neighbouring residents.

Response

The proposal is a concept application only, which has the purpose of setting out key aspects and a maximum framework within which a future building could sit. While components such as a maximum building envelope, setbacks and loading strategies are covered by this application, the detailed location of communal facilities would be subject to separate future detailed SSD Application. If any such facilities are proposed during the detailed design stage, thorough assessment will be undertaken to determine potential acoustic impacts and mitigation measures.

6.4.10.2. Noise from traffic

Issue

Some submissions noted concern that increasing traffic congestion and the enclosure of new buildings surrounding the Princeton Apartments would have a significant noise impact on residents.

Response

The proposal has been assessed for potential acoustic impacts upon neighbouring residents. Forecast traffic generation associated with the proposal is expected to have minimal impacts to the operation of the surrounding road network.

In regards to noise impact, adequate acoustic amenity to surrounding dwellings would result from the concept proposal. As such, the limited increase in traffic on local roads resulting from the proposal would not result in any adverse acoustic impacts to surrounding residents. Further detail will be provided at the detailed SSD Application stage.

6.4.10.3. Noise emission standards

Issue

Some submissions noted concern that the lack of detail regarding plant location and specifications on the lower levels of the proposal made it difficult to verify whether the proposal complies with relevant Australian Standards and the NSW Environment Protection Authority noise generation/emission standards.

Response

The design of the OSD is at concept phase and has included criteria which would the future detailed design would be subject to assessment against. Additionally, key areas of plant in the building are related to the future Pitt Street Station, and are covered under the CSSI Approval (and accordingly do not form part of this application). During the detailed design stage, a detailed assessment of noise emission and noise and vibration impacts will be undertaken to ensure that the level of acoustic amenity is appropriate in regards to surrounding development.

The Acoustic Report provided at Appendix O of the EIS demonstrates that the proposal is capable of complying with the necessary levels.

6.4.11. Station plant impacts

Issue

A submission noted that the proposal did not provide details on impacts from station operations, including impacts regarding dust and noise.

Response

Impacts associated with the station component at the site are separately covered by the CSSI Approval, and accordingly are not subject to this application.

6.4.12. Communications and engagement

6.4.12.1. Adequacy of communications and engagement

Issue

Some submissions expressed concern that a request for further diagrams, information and rationale has not been satisfied.

Response

The exhibition process of the application, as well as the Submissions Report provides an opportunity for Sydney Metro to address concerns raised in the submissions. A diagram demonstrating the relationship of the concept proposal to the Princeton Apartments has been provided at Appendix M.

6.4.12.2. Level of detail and assumptions included documentation

Issue

Some submissions noted that insufficient detail had been provided in this application, particularly in regards to detailed building design and detailed land uses.

Submissions also raised that treating the site as undeveloped sets a precedent that all air space is undeveloped and therefore available for development.

Response

The application is made as a concept SSD Application pursuant to section 4.22 of the EP&A Act. It sets out the concept proposal for the development of the site and seeks consent for a maximum building envelope, residential or commercial land uses, pedestrian and vehicular access, car parking, signage, further subdivision of parts of the OSD footprint (if required) and its integration with Pitt Street Station (southern portal). This application also seeks approval for strategies for stormwater management, ecologically sustainable development, public art and design excellence.

As this is a first stage concept SSD Application only, consent is not sought for any construction or other physical work. Detailed assessment of a future building design would occur at the detailed SSD Application stage. There would be further opportunities to make comment on the detailed design as part of the detailed SSD Application.

This concept SSD Application has been undertaken in accordance with the relevant legal processes to ensure that an appropriate building envelope and concept could eventuate at the site, should approval be granted

7. Amended Project

The term ‘amended Project’ refers to the Pitt Street South over station development with amendments as a result of the submissions received. This chapter provides detail on the changes to the concept proposal as exhibited, including a description of the amended Project compared to the Project described in the exhibited EIS.

7.1. Design Guidelines

The *Pitt Street South Design Guidelines* were submitted with the EIS and have been prepared to provide guidance on the future design of the OSD with respect to built form, composition and relationship to Pitt Street Station, the public domain and neighbouring development including the Edinburgh Castle Hotel and Metropolitan Fire Brigade Building.

Specifically, these guidelines reflect the desired future character of the OSD, including key manners in which future development will relate to the surrounding context.

Sydney Metro proposes a number of amendments to the *Pitt Street South Design Guidelines* in response to the submissions received. These amendments relate to:

- the relationship of the *Pitt Street South Design Guidelines* to the *Sydney Metro City & Southwest: Chatswood to Sydenham Design Guidelines*
- integration of the OSD elements with the station and surrounding development
- the requirement for landscaping within the tower design
- safety considerations with respect to driveways and cyclists
- signage design considerations to be addressed during detailed design

7.1.1. Amendment 1

Additional information has been provided on page 3 of the *Pitt Street South Design Guidelines* to explain how the guidelines relate to the *Sydney Metro City & Southwest: Chatswood to Sydenham Design Guidelines*.

The requirement to obtain separate planning approvals for the station and OSD has necessitated the preparation of separate design guidelines for each component. The *Pitt Street South Design Guidelines* build upon the *Sydney Metro City & Southwest: Chatswood to Sydenham Design Guidelines* and as such should be read in conjunction with them. Both guidelines have the common objective of promoting integration between the station and OSD elements.

A key focus of the *Pitt Street South Design Guidelines* is to set clear design objectives for the OSD elements that integrate with the station, and to ensure consistency in the design approach for both elements. It is intended that the guidelines also inform and complement the future Station Design and Precinct Plan and Interchange Access Plan and are to be considered as part of the Sydney Metro Design Excellence Strategy for the site.

7.1.2. Amendment 2

As discussed, the integration of station elements with the OSD is a key objective of the design guidelines for the proposal. Integration with surrounding development, particularly the heritage buildings is also a key objective. Additional text has been included on page 10 to highlight the importance of this integration and the need to align the materiality and scale of the integrated development with the adjacent heritage fabric.

7.1.3. Amendment 3

In response to concerns regarding the inclusion of landscaping within the OSD tower, additional text has been included on page 13 regarding the inclusion of landscaping within the tower design and throughout the development, including the laying of spaces of relief and referencing the landscaping of the precinct through to Hyde Park.

7.1.4. Amendment 4

Driveways and cyclists have been included as an additional consideration with respect to movement and connectivity to address comments regarding safety. This includes the provision of adequate pedestrian space at driveway crossings and a design objective to minimise cyclist conflict points with vehicles and pedestrians.

7.1.5. Amendment 5

Additional text regarding signage design has been included in the updated design guidelines, which is discussed further in section 7.2 below.

7.2. Signage

DPE has requested that a review of the proposed signage strategy be undertaken in response to Council's submission. The size and detail of signage will be reviewed at the detailed design stage with consideration of Council's comments. Details regarding future signage will be submitted as part of a future detailed SSD Application for consideration.

The *Pitt Street South Design Guidelines* require the seamless integration of signage with the architectural character of the scheme and surrounding context, providing an uncluttered and coordinated approach with the station and public art. The guidelines have been updated to include an additional requirement for signage to integrate with the SDCP 2012 – Signage and Advertising Structures.

8. Additional information and assessment

Sydney Metro has prepared additional information to support this Submissions Report. This additional information has been prepared to respond to key issues which have been raised in submissions and a request from DPE in relation to:

- setbacks and building separation
- the submitted Design Guidelines
- the proposed land use options
- Design Excellence
- response to issues raised during consultation

This chapter documents this additional information and provides a response to the various issues raised, where relevant.

8.1. Built form and setbacks

DPE has requested that further consideration and additional justification be provided with respect to the proposed built form and setbacks. This is in relation to the site's context, particularly with respect to the Princeton Apartments and Century Tower. Specifically, DPE has requested that additional information be provided to address the following four key issues, to:

- consider a varied and / or increased setback above the podium to the street frontages
- provide comparative analysis between the proposed reduced setbacks and a six metre to eight metre setback from the eastern and western setbacks respectively
- consider the reduced podium setback of three metres from the southern boundary between RL 59 and RL 71 which adjoins the Princeton Apartments
- consider additional mitigating measures to maintain reasonable amenity between the proposal and adjoining residential developments

A response to the key built form and setback issues raised is provided below.

8.1.1. Street frontage setbacks

DPE has requested additional consideration regarding the proposed setbacks of the OSD at the street frontages. DPE has stated that a varied and / or increased setback to the street frontages would *“better reflect the varied setback of adjoining and surrounding development and meet the intent of the weight average 8 metre (minimum 6 metre) setback control in managing bulk and scale of the building above the podium”*.

In this case, the following setbacks have been proposed above the podium:

- northern boundary setback: 3 metres
- eastern boundary setback (to Euro Tower): 3 metres
- eastern boundary setback (to Metropolitan Fire Brigade Building): nil
- southern boundary setback (from RL 59 to RL 71): 3 metres
- southern boundary setback (above RL 71): 12 metres
- western boundary setback: Aligned with Princeton Apartments, from 4.87 metres to 5.9 metres

The proposed setbacks above the podium have been visually demonstrated at Figure 18.

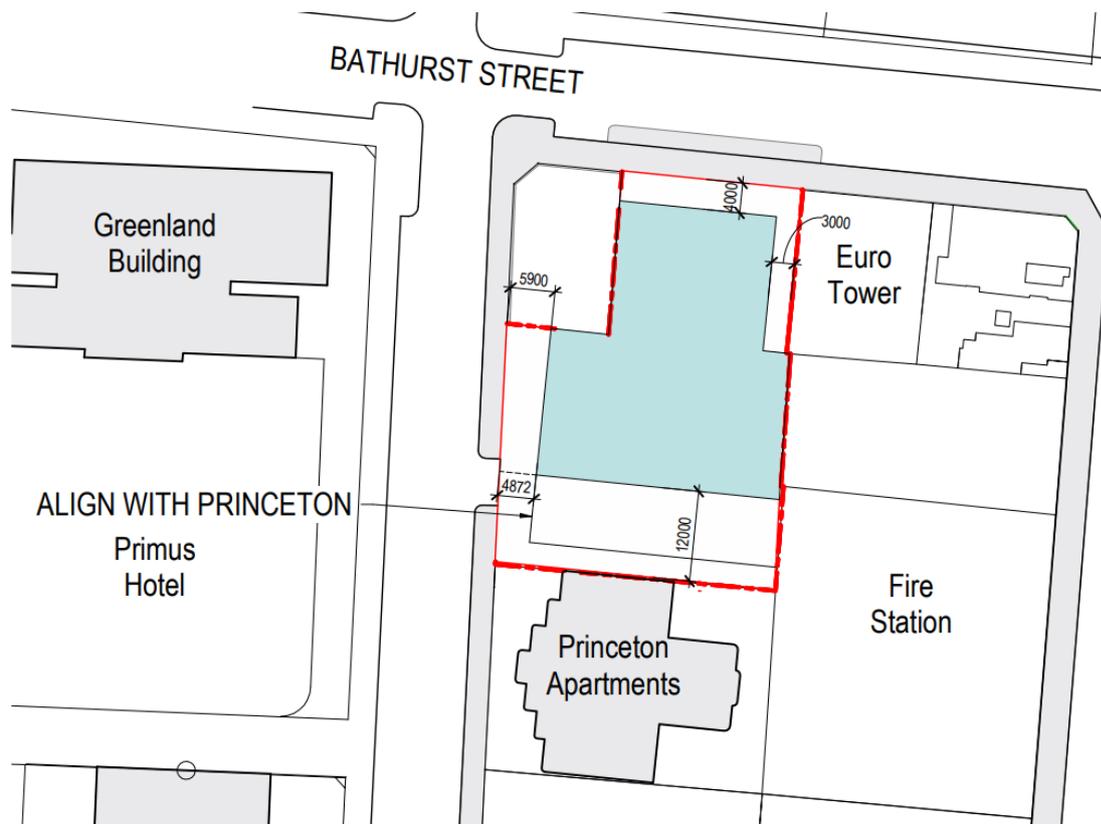


Figure 18 – Concept proposal setbacks above the podium, demonstrating alignment with the Princeton Apartments

Surrounding setback character

DPE has requested further information regarding the street frontage setbacks, with specific reference to the varied setbacks of adjoining and surrounding development.

An analysis of the street setbacks has been provided in Figure 19 below, which demonstrates that the setbacks in the precinct are highly variable. Buildings featuring a maximum height below 55 metres are not included in the below diagram (such as Euro Apartments) which are typically built out in the Sydney CBD to both street frontages further contributing to the character of surrounding streets.



Figure 19 – Demonstration of surrounding street setbacks above building podiums

In regards to the Bathurst Street frontage, there is a strong character for buildings to have setbacks of between three and six metres above the podium. This includes:

- 115 Bathurst Street (Greenland Building): minimum setback of approximately 4 metres to Bathurst Street
- 94-96 Bathurst Street: nil setback to Bathurst Street
- 329 Pitt Street (Meriton Building): setback of approximately 5.2 metres to Bathurst Street
- 110-116 Bathurst Street (Castle Residences): setback of approximately 4 metres to Bathurst Street

Two of the above developments have recently been approved by the Central Sydney Planning Committee, which is reflective of an acknowledgement in the relevant assessment processes that a four metre setback is an appropriate outcome on Bathurst Street.

In regards to the Pitt Street frontage, the envelope design has been modelled to align with the western boundary of the Princeton Apartments (see Figure 18). Other key surrounding street setbacks include 115 Bathurst Street (Greenland Building) with a minimum setback of approximately 5.5 metres to Pitt Street, as well as 329 Pitt Street (Meriton Building) with a setback of approximately 6.1 metres to Pitt Street.

Consistency with the SDCP 2012 street frontage setback controls

DPE has noted the consistency of the proposal against the intent of the six metre to eight metre street setback control under the SDCP 2012. The SDCP 2012 does not apply to the development in accordance with clause 11 of the SRD SEPP. Notwithstanding this, further assessment has been undertaken against the objectives of Provision 5.1.2 of the SDCP 2012 in relation to the street frontage setbacks to Pitt Street and Bathurst Street.

(a) Enhance amenity in terms of daylight, outlook, view sharing, ventilation, wind mitigation and privacy in residential buildings and serviced apartments

An assessment of the concept proposal against the above objective has been provided below:

- **daylight** - the objective specifies 'daylight' rather than 'sunlight' or 'solar access'. Given the CBD context of the site, it may not always be possible to maintain solar access to other developments. Noting this, the proposed street setbacks do not unreasonably affect the provision of daylight to surrounding developments (as per the daylight study further discussed at Section 8.2 below). The impact of the development on solar access is further discussed at Section 8.2
- **outlook** - the proposed street setbacks do not result in any adverse impacts on the outlook of surrounding development, with all surrounding buildings continuing to achieve an appropriate outlook. This is identified as a different amenity factor to views or daylight access by the objective
- **view sharing** - a detailed assessment of the view impacts of the proposal on surrounding developments, including the Princeton Apartments and Century Tower at Chapter 8.4, Appendix U and Appendix W of the EIS. The proposal does not result in any adverse view impacts on surrounding properties, particularly with regard to view loss principles in a CBD context
- **wind mitigation** - it has been demonstrated that the proposal would be acceptable from a wind impact perspective for future potential residents, to the level required for a concept SSD Application. The site benefits from substantial shielding from other surrounding buildings, and will not result in any adverse wind outcomes
- **privacy** - further discussion of privacy impacts has been provided below, and it is determined that the concept proposal does not result in any adverse privacy outcomes to the degree that is relevant for a concept SSD Application

With consideration to the above, the proposal is consistent with the first objective of Provision 5.1.2 of the SDCP 2012.

(b) Enhance the quality of the public domain in terms of wind mitigation and daylight access

In regards to public domain wind mitigation, the proposal would be acceptable from a wind impact perspective to the level required for a concept SSD Application. As a result of the concept proposal, wind conditions at ground level around the site are not expected to be altered significantly by the proposed Sydney Metro OSD due to the considerable shielding offered by the neighbouring high-rise buildings. On average the wind conditions around the site would be expected to be similar to existing conditions, with the pedestrian level wind environment for most locations expected to be classified as suitable for pedestrians standing under the Lawson criterion, and all locations expected to pass the distress criterion. The concept proposal is therefore considered appropriate with regards to wind impacts.

The proposal would be acceptable from a public domain daylight access perspective, to the level required for a concept SSD Application. This assessment indicates that there would be a very minor loss of daylight in the public realm resulting from the addition of the OSD (less than 1.2 per cent throughout the year).

On the basis of the above, the concept proposal is consistent with the second objective of Provision 5.1.2 of the SDCP 2012.

Bulk and scale above the podium

DPE has also requested further consideration regarding the bulk and scale of the building above the podium. The proposed building footprint is an appropriate building form outcome at a constrained site.

The SDCP 2012 provides building bulk controls for development in the Sydney CBD, further assessed at Table 9. The below assessment demonstrates the proposed bulk and scale as being highly appropriate for a CBD context.

Table 9 – Summary of bulk and scale controls under the SDCP 2012

Control	Comment
Commercial scheme controls	
<i>Above a height of 120 metres high, as measured from the ground level of the footpath, the size of the floor plate of commercial offices must not exceed 1,400 square metres GFA or 25 per cent of the site area, whichever is greater</i>	The indicative design provided has a typical GFA per floor of approximately 815 square metres. This will be subject to further design at the detailed SSD Application stage, however remains significantly less than the bulk considered under SDCP 2012
<i>Above 45 metres, the maximum horizontal dimension of any commercial building façade must not exceed 65 metres</i>	This dimension is longer than the site
Residential scheme controls	
<i>Above 45 metres, the size of the floor plate above the street frontage height must not exceed 1,000 square metres GFA</i>	The indicative design provided has a typical GFA per floor of approximately 500 square metres. The indicative design is less than the maximum envelope, and could be subject to increase at the detailed design stage. This demonstrates that the proposed footprint is significantly less than that considered under the SDCP 2012.
<i>The maximum horizontal dimension of the building façade parallel to the street is 40 metres</i>	The proposed envelope is consistent with this control

Summary

The proposed street setbacks are appropriate in regards to:

- the below and above podium street setbacks of surrounding development, in relation to both the Pitt Street and Bathurst Street frontages
- the consistency of the proposal against the intent of the street frontage controls contained within the SDCP 2012
- the consistency of the proposal against the bulk and scale controls contained in the SDCP 2012

This demonstrates that the proposed building form is highly appropriate insofar as is relevant to the proposed street setbacks.

8.1.2. Western and eastern setback impacts

DPE has additionally requested a comparative analysis between the proposed reduced setbacks and a six metre to eight metre setback, in order to determine whether a setback consistent with the SDCP 2012 would result in an acceptable outcome.

A Supplementary Overshadowing Impact Sensitivity Analysis Report has been prepared and is provided at Appendix K. This has included additional overshadowing of an envelope which is consistent with the setback provisions of the SDCP 2012, in order to determine what component of

the proposed overshadowing is specifically caused by the setback of the proposal beyond the levels contemplated under the SDCP 2012.

DPE has requested that revised modelling be undertaken between the proposed reduced setbacks and a six to eight metre setback at the eastern and western boundaries. At the western boundary, a six metre setback has been tested, given that this would be the minimum permissible under the SDCP 2012.

In relation to the eastern boundary, the quoted six to eight metre setback would only apply to the following situations:

- street frontage setbacks
- residential buildings, only for the purposes of separating from other towers

Given that the eastern side boundary is not a street frontage, and that no tower building can be provided above the Metropolitan Fire Brigade building, only a three metre frontage is required in this case.

On this basis, the proposal has been tested against the following setbacks:

- six metres to Pitt Street, as the minimum setback prescribed under the SDCP 2012
- three metres from the eastern boundary

This assessment has confirmed that the above setbacks would result in six additional apartments receiving two hours of solar access. This includes two apartments which receive two hours of solar access between 8.00am and 3.00pm from the concept proposal, making the increase in solar access generally insubstantial.

The Supplementary Overshadowing Impact Sensitivity Analysis Report provided at Appendix K concludes that the difference in retained solar access compliance between the proposal and an SDCP 2012 consistent outcome are very small, and suggests that any additional benefit would not be substantial. This is to be expected in a dense, built-up environment such as the Sydney CBD, particularly in the case of a development form such as the Princeton Apartments, which is constructed up to the northern boundary.

The enforcement of such setbacks would have substantial negative impacts on the floorspace potential of the site, particularly in the context of the integrated station development which relies on structural supports being located in certain parts of the site. On the basis of the above analysis, the proposed setbacks are shown to be highly appropriate and consistent with the surrounding character of the site.

8.1.3. Southern setback

Twelve metre setback

The vast majority of the proposed envelope comprises a 12 metre setback from the Princeton Apartments, which was the subject of a number of public submissions. DPE has also requested additional information regarding the nature of this setback.

The proposed 12 metre setback is compliant with the relevant design criteria of the ADG, which states the follows:

*1. Separation between windows and balconies is provided to ensure visual privacy is maintained. Minimum required separation distances **from the side and rear boundaries** are as follows:*

- *Over 25 metres (9 storeys) – 12 metres (our emphasis)*

This amount is clearly states as being measured from the property boundary, which the proposal is consistent with.

The objective of 3F Visual Privacy under the ADG states that “adequate building separation distances are shared equitably between neighbouring sites, to achieve reasonable levels of external and internal visual privacy” (our emphasis). The construction of the Princeton Apartments to the northern boundary and the location of windows on this boundary is inconsistent with this key objective. This was explicitly acknowledged in Condition 18 of the approval of the Princeton Apartments:

(18) That a covenant shall be placed on all titles for the site known as 304-308 Pitt Street that requires the vendor of the property to notify all potential occupants that their views may be affected by developments on adjoining sites. (REF: Z92-00146).

The enforcement of more than twelve metres of separation on this concept SSD Application would be contrary to the design criteria under the ADG, as well as Objective 3F-1 of the ADG, which explicitly states that separation distances are a shared commodity. In a situation such as this where one property is already built to the boundary in a manner which makes use of ‘borrowed’ amenity from adjoining sites, then the imposition of a setback of more than twelve metres on the burdened site is inconsistent with Objective 3F-1. This would be an unreasonable outcome on the development of the Pitt Street South site, which has already provided an ample and reasonable twelve metre separation between the site and the Princeton Apartments.

The proposed setback is therefore consistent with the objectives and design criteria for building separation under the ADG, with the only non-compliance with the ADG in relation to the three metre separation provided between RL 59 and RL 71 (further discussed below).

In regards to the provision of specific measures at the site to mitigate future privacy impacts, these are a matter for detailed SSD Application consideration, at which point measures such as screening, orientation of rooms, high level windows or obscured glass could be used to ensure an appropriate outcome. Applying a mitigation measure regarding privacy (such as a condition imposing the provision of privacy screens) would be procedurally premature given that SEPP 65 does not apply to commercial development, which is contemplated under this application. Rather, detailed design would be an appropriate time to address this matter, which would allow for the provision of an appropriate and considered privacy outcome which aligns with the detailed design of the future building.

The *Pitt Street South Design Guidelines* reinforce this, stating at Built Form above the Podium (6) that the desired building form outcome would be achieved through:

Consideration of privacy implications to surrounding residential buildings, including the Princeton Apartments and 135-137 Bathurst Street

Finally, it is important to note that should a commercial scheme be pursued at the site, then the provisions of SEPP 65 would not apply to the development, and a separation of 12 metres would not need to be provided. The provision of this southern setback is in excess of the minimum which would be required to support a commercial outcome.

Three metre setback

DPE requested further consideration of the three metre setback between RL 59 and RL 71. This comprises the portion of the development between the CSSI Approval envelope and the portion of the building which is set back twelve metres from the southern boundary.

The three metre setback would extend between Levels 7 and 8 of the future development, which comprises the transfer level and potential communal facilities. It is not envisaged that residential apartments would be located at these levels, and any privacy interface between the OSD and the Princeton Apartments at this height would be subject to separate future assessment.

The reduced setback at this location is to allow for structurally required elements, in particular the structural load transfer from the station to the OSD. This is due to the fixed nature of structural supports within Pitt Street Station, and the requirement for the OSD to be aligned with this. The indicative design demonstrates the structural loading and transfer arrangements at these levels.

Although three metres is the envelope required for structural purposes at this stage of design development, Sydney Metro will consider opportunities to provide additional separation from these levels to the Princeton Apartments during the detailed design phase of the development.

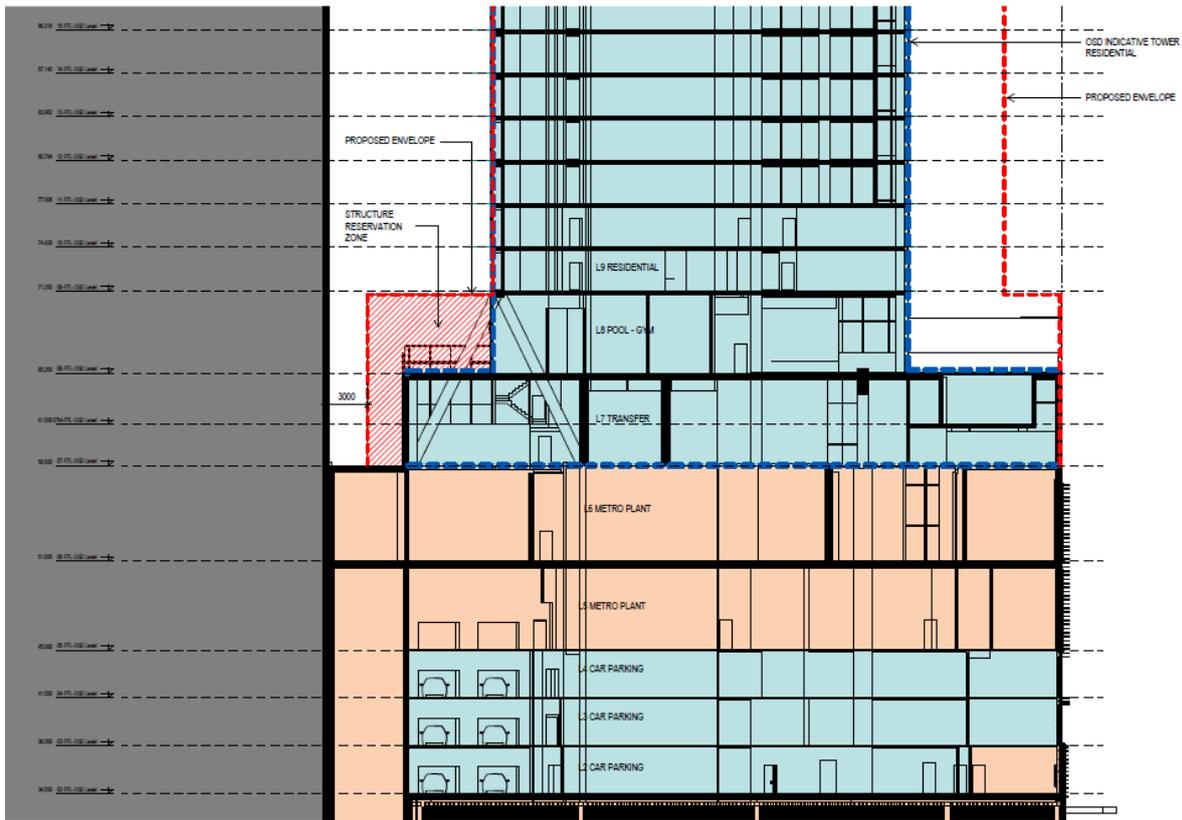


Figure 20 – Section of the development, demonstrating the structural transition from the OSD to the station structure

Separation of less than three metres at this height was also determined to be appropriate by Council, in approval of D/2014/464. In this approval, nil separation was provided to Level 8, with a 2.4 metre separation provided between Levels 9 and 16. Specifically, the 2.4 metre separation aligned with the levels of the Princeton Apartments which featured north facing windows, making this a comparable situation to the proposed interface at Levels 7 and 8 under this concept SSD Application.

In the context of D/2014/464, Council determined the provision of a 2.4 metre lightwell to be an appropriate outcome at the site, through the use of privacy screens in the intermediate gap, along with vertical screens and opaque glazing. This measure is reproduced at Figure 21 below. By comparison to that approved under D/2014/464, the concept proposal provides an additional 0.6 metre setback, making this a better outcome than that previously determined to be acceptable at the site.

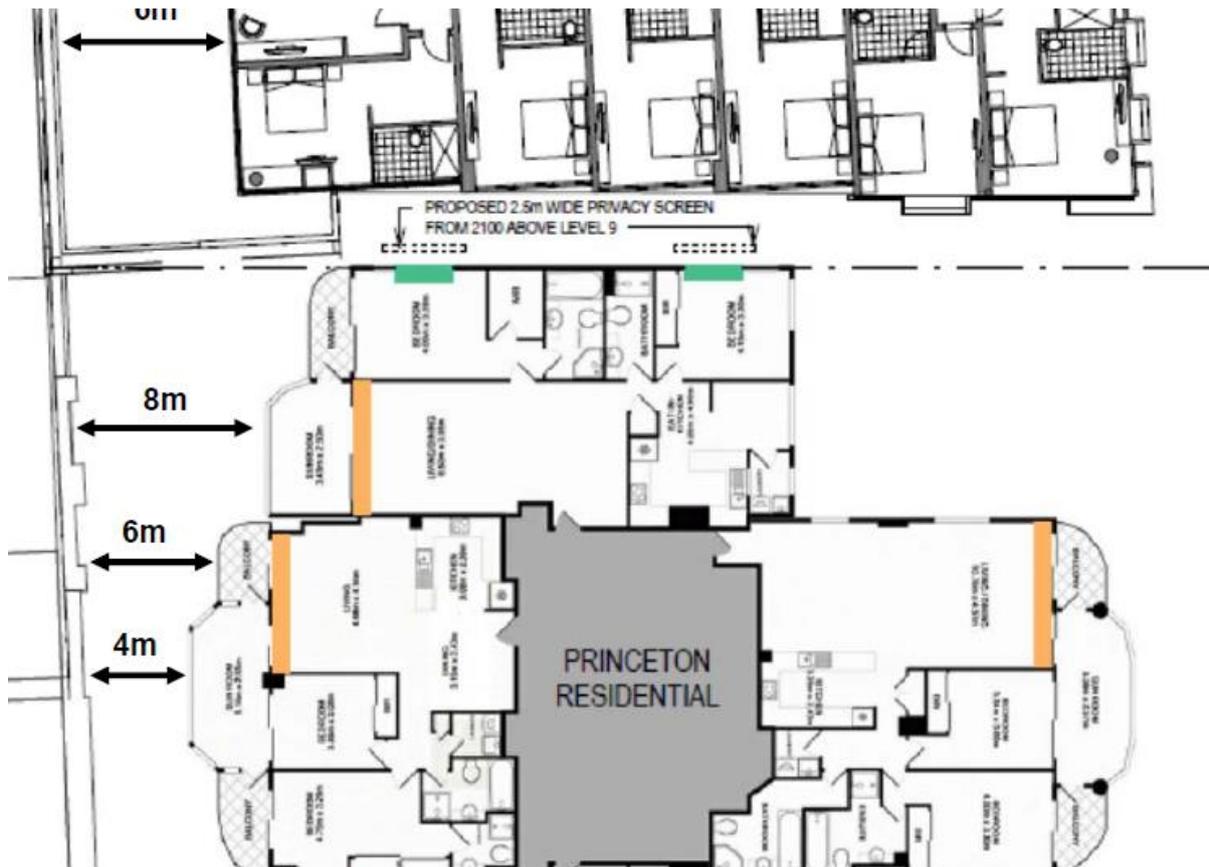


Figure 21 – Approved privacy mitigation measures under D/2014/464

Specific design measures to manage privacy, such as the orientation of non-habitable rooms to the southern elevation, use of high level windows, privacy screens or frosted glass would all be matters which would be subject to detailed design of the development. The Design Guidelines reinforce the requirement for this additional assessment to be undertaken at the detailed SSD Applications stage, noting that appropriate building form design would be achieved through “*consideration of privacy implications to surrounding residential buildings, including the Princeton Apartments and 135-137 Bathurst Street*”.

In summary, this reduced setback is required for structural reasons due to the unique nature of the future metro station being located at the site, integrated with the proposed OSD. Unlike many development sites which are largely unconstrained in relation to the location of structural supports for buildings, the Pitt Street South OSD must be designed around the structural supports provided as part of the station design. Sydney Metro will seek to refine those requirements during the detailed design stage. However flexibility is required at this stage of the process to allow for a considered and functional integrated station development which is structurally sufficient. This would also allow for privacy measures to be included which are tailored to the future detailed building design. The three metre setback is also aligned with a previous approval by Council on the site, in relation to D/2014/464.

8.1.4. Additional potential mitigation measures

DPE has requested further consideration of additional mitigation measures with respect to the southern boundary to the Princeton Apartments, as well as to Euro Tower.

The above assessment has demonstrated that a building form which provides setbacks in accordance with the SDCP 2012 would comprise only a minor improvement in solar access, when compared to the current proposal. There is limited ability to provide changes to the envelopes which would significantly improve the amenity impact of the concept proposal.

In response to the future impacts of the development, a number of potential Design Guidelines have been prepared with the intention of ensuring the protection of amenity to surrounding developments. These include:

- Built Form above the Podium (6) – *“Consideration of privacy implications to surrounding residential buildings, including the Princeton Apartments and 135-137 Bathurst Street.”*
- Built Form above the Podium (7) – *“Where practicable, preserve sunlight access and views to the north for neighbouring properties”.*
- Built Form above the Podium (8) – *“Street setbacks above the CSSI Transfer level (RL 58.25) of:*
 - a) *4 metres to Bathurst Street*
 - b) *3 metres to the eastern boundary adjacent to 137-139 Bathurst Street*
 - c) *minimum nil setback to the remainder of the eastern boundary*
 - d) *12 metres to the southern boundary, in recognition of the windows in the northern wall of the Princeton Apartments*
 - e) *5.9 metres to Pitt Street, to align with setbacks for the Princeton Apartments*

In this case, the Design Guidelines are seen to provide an adequate response to amenity impacts generated by the development. This is due to the detailed amenity assessment provided with the originally submitted EIS, supplemented by the additional assessment provided in this Submissions Report. No further changes to the mitigation measures have been proposed, given that the Design Guidelines are already referenced in the mitigation measures.

8.2. Design guidelines

8.2.1. Relationship with Station Design Precinct Plan

DPE has requested clarification as to whether the OSD Design Guidelines submitted at Appendix J of the concept SSD Application package are intended to be read in a consolidated or complementary manner to the required Station Design Precinct Plans (SDPPs) prescribed under the CSSI Approval.

The SDPP is required by Condition E101 of the CSSI Approval, and is to be prepared prior to the commencement of permanent above ground work. This work is to be undertaken in relation to the CSSI Approval component of each station, including the areas around station entrances, the amenity of the areas surrounding rail infrastructure, artistic elements around stations, proposed station landscaping and the like. However, the SDPP does not directly relate to the OSD, given the nature of Condition A4, which states:

A4. Any over station development or any development above or within the Sydney metro Trains Facility South, including associated future uses, does not form part of this CSSI and will be subject to the relevant assessment pathway prescribed by the EP&A Act.

The Design Guidelines were developed for Pitt Street South to reflect key components of the OSD during the detailed design phase. This has been intended to ensure that the OSD at Pitt Street South does not result in any adverse impacts, and responds to the site in a positive manner. The Design Guidelines additionally collate and detail how the OSD would relate to and respond to the station constraints at the site.

On the basis of the above, the two documents generally relate to different components of the development, with the SDPPs relating primarily to the design of the station component, and the Design Guidelines relating primarily to the OSD. Given that the integrated station development is covered by two legislative pathways, two documents are required. Integration of these two components in the final development is being progressed by Sydney Metro irrespective of his legislative decision.

The two documents have been prepared to be complementary in the delivery of the overall integrated station development to result in a single integrated outcome. This is particularly in regards to areas of crossover between the two approvals, such as OSD lobbies.

Additionally, the Design Guidelines also share a common goal with the Design Guidelines under the CSSI Approval, with both documents drafted with the intention of ensuring an integrated station development outcome at the Pitt Street South site. The Design Guidelines under the CSSI Approval relate to the station design and precinct, including the streetscape of Pitt Street South.

To ensure this outcome, a specific section of the Design Guidelines for integration has been included. The listed objective of this section is to *“provide an OSD that seamlessly integrates all components of the development and is a positive legacy for future generations”*. Guideline 3 details this further, stating:

3. *Delivering an over station development that:*

- a) *Does not have any adverse impact on the design and/or operation of the metro station;*
- b) *Is capable of complete demolition and reconstruction, or major maintenance or modification, without significant interference to the operation of the metro station;*
- c) *Will allow independent access, servicing and maintenance from normal station activities and operation;*
- d) *Integrates efficiently with the station structure;*
- e) *Achieves unity in design through connecting the station entry, podium and over station development, as a single readable piece of architecture including to provide continuity in the façade design;*
- f) *Provides visual connectivity between the OSD lobby and the public domain.*

This seeks to ensure a highly integrated development outcome at the site, and ensure that despite having two applicable legislative approvals pathways a coordinated building outcome will result. This is consistent with the principles of integrated station development, which is best practice for this type of development and a core component of the Sydney Metro project delivery.

8.2.2. Connection between station boxes and podium

DPE has requested potential additional planning principles and design parameters regarding the treatment of rooftops and / or connection between the station box and the proposed podium.

In response to this, a number of amendments have been made to the *Pitt Street South Design Guidelines* to ensure that this outcome is achieved, including:

- Page 10 - additional reference to *“ensure that the design directly integrates connections between station and OSD elements, including rooftops, and aligns materiality and scale with the adjacent heritage fabric”*
- Page 14 - additional guideline at Built Form above the Podium (10) regarding *“provision of landscaping throughout the design, laying spaces of relief and referencing landscaping of the precinct”*

This has also been acknowledged through the chapter titled *Integration and Legacy* under the Design Guidelines. The objective of this chapter is to *“provide an OSD that seamlessly integrates all components of the development and is a positive legacy for future generations”*.

Particular reference is made to *Integration and Legacy (3)*, which specifically notes methods in which the OSD would be able to achieve an appropriate level of integration with the station structure. These include:

(d) *Delivering an over station development that integrates efficiently with the station structure.*

(e) Achieves unity in design through connecting the station entry, podium and over station development, as a single readable piece of architecture including to provide continuity in the façade design.

The Design Guidelines identify connection between the station and OSD components as being a key component of ensuring the success of the integrated station development.

8.2.3. Streetscape presentation of station boxes

DPE has requested additional information with respect to the streetscape presentation of the station boxes. There is limited ability for the OSD to influence the podium design, insofar as it relates to the CSSI Approval. Further discussion regarding the extent of the CSSI Approval is provided at Section 2.2.

A range of different design guidelines are provided with respect to the treatment of the podium and street wall, as is relevant to the OSD. These have been provided in order to ensure that the development relates well to the surrounding streetscape, and include:

- *Recognising the surrounding streetscape scale and providing an enhanced interface with adjacent heritage buildings, with direct reference to the height and articulation of these buildings*
- *Seamless integration of station and over station development in the podium with a multi-scaled and visually noise streetscape*
- *Mitigating the impacts of scale and massing on existing heritage items through the provision of a modulated podium and setbacks and responding to the built form context*
- *Providing an intermediate reference element along Pitt Street, referencing the lower Edinburgh Castle Hotel parapet line, the Princeton Apartments façade and the more dominant scale of the Primus Hotel opposite*
- *Exploring opportunities to seamlessly integrate the hotel into the OSD*
- *Addressing the scale difference between the established 45m podium height along Bathurst Street and the lower parapet line of the Edinburgh Castle Hotel*
- *Design of vertical street walls above the hotel, especially where the footprint of the over station development wraps around the building, to prevent large, blank walls from dominating the building*
- *Materiality and façade articulation of the podium responding to the hotel to better integrate the two sites and to activate the facades.*
- *Alignment of over station development with established building alignments at lower levels, with lobbies provided from Pitt Street*
- *Provision of landscaping throughout the podium design, laying spaces of relief & activation and referencing landscaping of the precinct*

These provide a substantial framework for the future detailed design, such that streetscape presentation of the station box will be a key consideration of the final integrated station development.

This is in addition to the Design Guidelines prescribed under the CSSI Approval, which similarly aim to “establish the design standards for the Sydney Metro Chatswood to Sydenham project by guiding the design of:

- *the interface between stations and their surrounding locality including station entries, transport interchange facilities and landscaping / other public domain elements*
- *rail corridor works including the tunnel dive structure, rail cuttings and embankments*
- *station and service buildings, including underground stations*

The effect of this is that the Design Guidelines under the CSSI Approval, as well as the *Pitt Street South Design Guidelines* will work together to achieve a cohesive integrated station development outcome at the Pitt Street South site.

8.2.4. Additional planning principles or design parameters

The protection of privacy has been acknowledged in the Design Guidelines as part of Built Form above the Podium (6). This notes that “*Consideration of privacy implications to surrounding residential buildings, including the Princeton Apartments and 135-137 Bathurst Street*” would need to be reflected in a future detailed SSD Application building form.

The use of specific privacy measures, such as high level windows, glazed glass, screens, orientation of rooms or the like would be the subject of the detailed SSD Application stage. On this basis, an acknowledgement of the requirement for privacy to be dealt with at the detailed SSD Application stage is appropriate.

8.2.5. Sun Access Plane control

DPE recommends that the Design Guidelines be reviewed to include the applicable Sun Access Plane control under the SLEP 2012. This is already undertaken at ‘Built Form above the Podium (4)’, which specifies the following:

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)*

...

The intent of this guideline is to reinforce the nature of the Sun Access Plane as a key control which shapes any development at the site. This is reflected in the envelope proposed, which has been designed to comply with the Sun Access Plane coordinates. This has been confirmed by Council at Appendix I, in noting that the envelope does comply with the Sun Access Plane. Demonstration of this has also been provided at Figure 22 below.

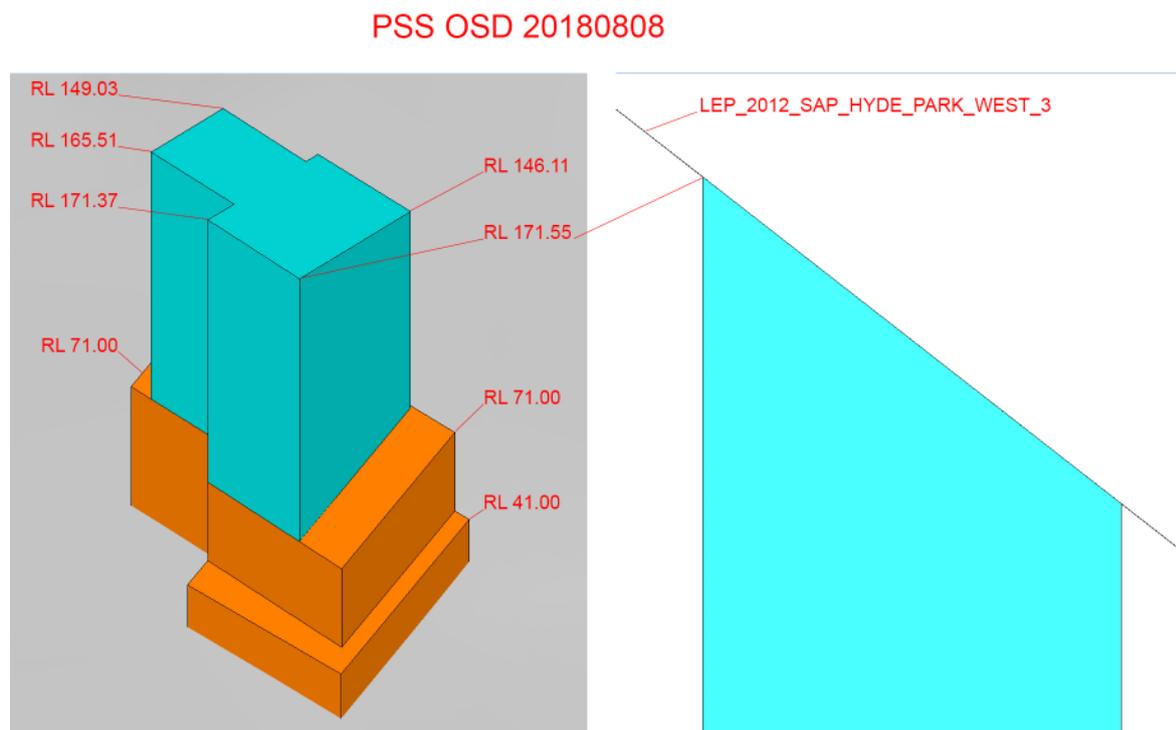


Figure 22 – Demonstration of the OSD envelope complying with the Hyde Park West 3 Sun Access Plane

8.2.6. Signage strategy

DPE has requested that a review of the proposed signage strategy be undertaken in response to Council's submission. The size and detail of signage will be reviewed at the detailed design stage with consideration of Council's comments. Details regarding future signage will be submitted as part of a future detailed SSD Application for consideration.

8.3. Land use options

DPE has requested further consideration in relation to the proposed land use scheme regarding:

- floorplate size
- consideration of a preferred scheme for approval
- spatial constraints to accommodate loading facilities for larger vehicles

A response to the key land use questions has been provided below.

8.3.1. Comparative analysis

A preferred land use scheme has not been sought for approval, rather two land uses have been sought (accompanied by two reference schemes). The EIS submitted for this application included a detailed assessment of both potential uses. A range of impacts have also been explored from the concept proposal, outlined at Table 11 of this Submissions Report.

To demonstrate that this assessment is applicable to both residential and commercial options, the following specific points are noted:

- **Building form** - an envelope capable of accommodating either a residential or commercial scheme has been proposed. This allows for an assessment of the maximum potential impacts, and has been designed such that a future commercial or residential form could be accommodated within the envelope.
- **Transport** - Further assessment regarding the acceptability of two schemes on the basis of transport and traffic impact has been provided at Section 8.3.3 below.
- **ESD** - Further assessment regarding the acceptability of two schemes on the basis of ESD has been provided at Chapter 5.12.10.

8.3.2. Analysis of floorplate size

DPE has requested further consideration in relation to floor plate size, with particular regard to the commercial floorplate proposed.

Although a 1,000 square metre floor plate is noted as being desirable at Appendix K of the exhibited EIS, a floorplate in the Sydney CBD which is less than 1,000 square metres would also be a viable outcome. In effect, a 1,000 square metre floorplate outcome would be desirable, but a building which features a floor plate less than this may still be possible at the site. Commercial developments exist through Sydney which include the provision of floor plates of less than 1,000 square metres, including 92 Pitt Street, Sydney (Approximate GFA per floor: 320 square metres) and 210 George Street (Approximate GFA per floor: 300 square metres). This demonstrates that a market exists for this type of commercial office building, otherwise these buildings would not be used for commercial purposes.

The example floorplate which would accompany a commercial use has been reproduced from Appendix K of the exhibited EIS (Figure 23). This demonstrates that alongside a commercial building form at the site which achieves a 1,000 square metre floor plate, there would be substantially reduced setbacks, including to the south.

A more intensive commercial use option such as this has not been pursued in favour of the current proposal which does not achieve the desired 1,000 square metre floor plate, but results in acceptable impacts on the site's surroundings. The concept proposal is accordingly a balanced outcome between

the commercial desirability of large floor plates at the site, and the amenity impacts which such floor plates would have on the surrounding environment.

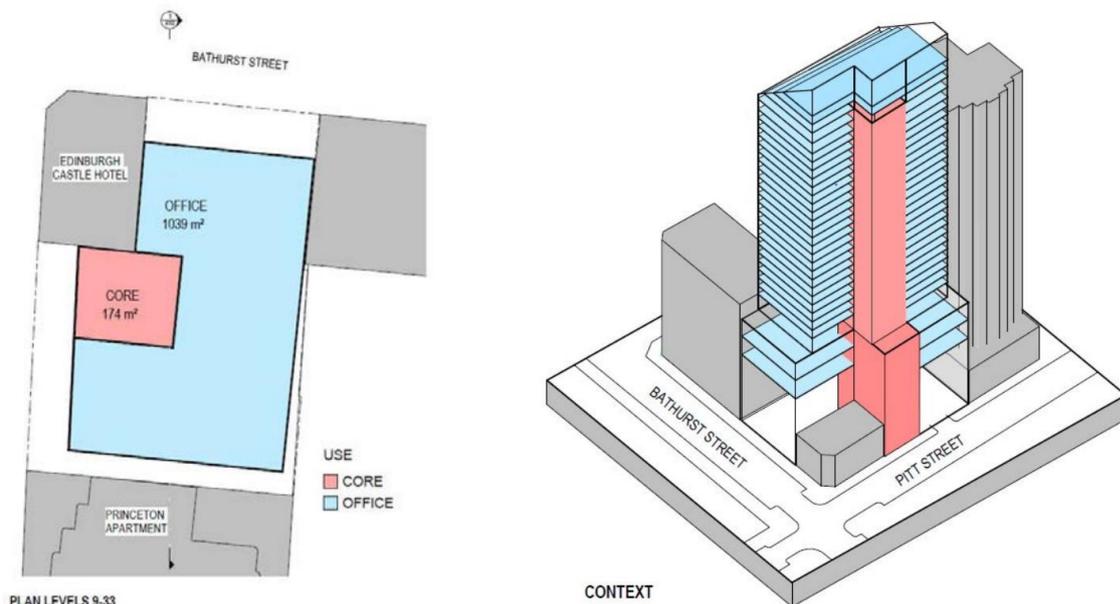


Figure 23 – Desired commercial floor plate noted in the Strategic Land Use Analysis

The purpose of the land use analysis report is to demonstrate what an ideal land use would look like for each use. The ‘key organising principles’ outlined at Table 2 of the report identify the 1,000 square metres control as being ‘desired’, rather than a ‘necessity’.

The further principle that “*extensive ground floor frontage is also required*” for commercial use is also unlikely to be achievable, despite being desired. Notwithstanding this, the development can be demonstrated as acceptable on a planning basis, and careful design will need to ensure that the final building form results in an acceptable outcome at the site.

This principle was ultimately reflected in the commercial office use having the second highest rating in the land use analysis matrix (Table 3 of Appendix K), whereby careful design would be required, but an acceptable outcome could still be achieved.

8.3.3. Analysis of loading facilities

DPE has requested further consideration of spatial constraints to accommodate loading facilities for larger vehicles to adequately service the development.

In line with the nature of this concept proposal, two separate strategies for the provision of loading facilities have been considered.

For a residential option, two Small Rigid Vehicle (SRV) loading spaces have been proposed, which would be shared between the station and OSD. Provision of a waste collection vehicle can be facilitated by occupying the service vehicle spaces and partial encroachment of the loading dock area access.

For a commercial option, additional loading space would be required for the OSD. Accordingly, the commercial option contemplates the retention of the two ground floor SRV spaces, with additional space at the first floor for the provision of another three SRV spaces.

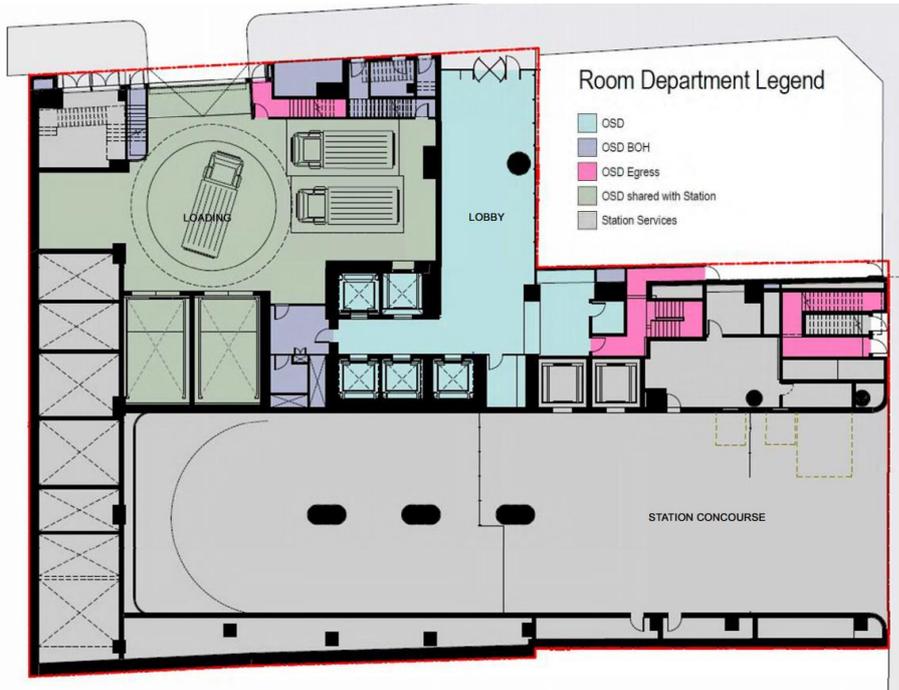


Figure 24 – Ground level loading arrangement (residential scheme)

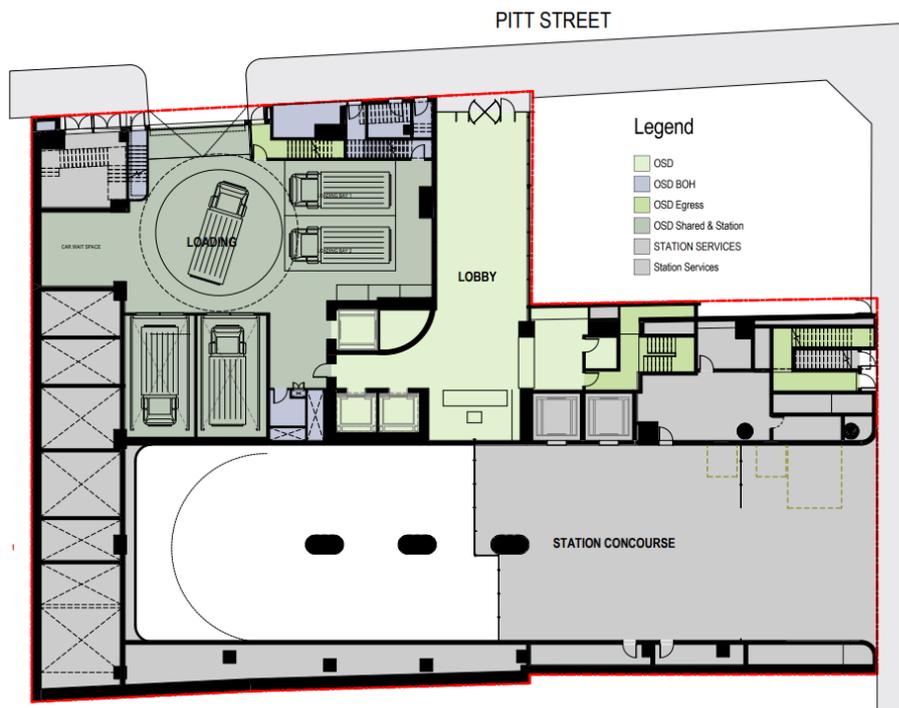


Figure 25 – Ground level loading arrangement (commercial)

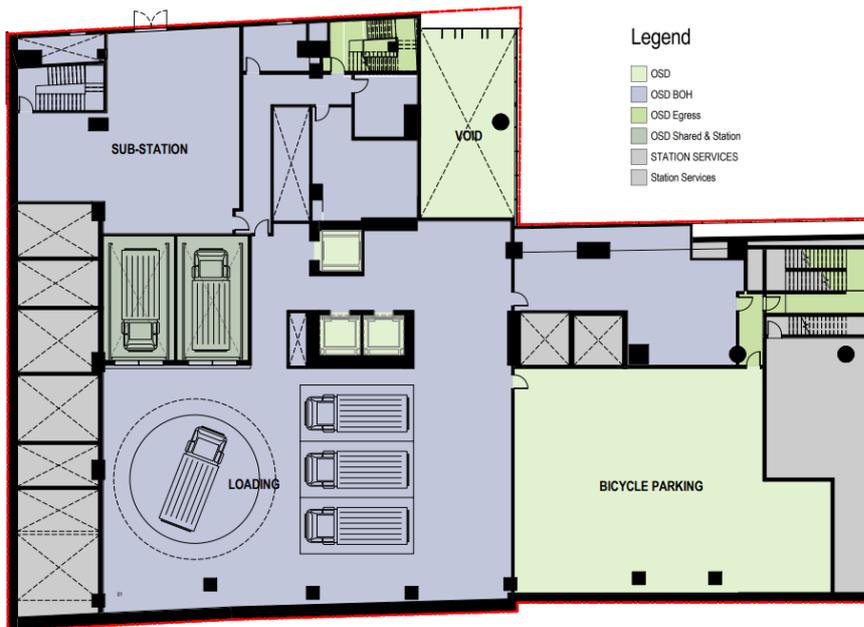


Figure 26 – First level loading arrangement (commercial)

Both of these strategies have been developed in consultation with Transport for NSW as well as the Sydney Coordination Office (SCO), and have been described at Table 7 of the Transport and Traffic Impact Assessment. This assessment has demonstrated that either a residential or commercial scheme at the site could be designed in such a manner which would be appropriate. In effect, the concept SSD Application provides two ‘frameworks’ for traffic assessment, which would be further explored following selection of a land use at the detailed SSD Application stage.

Each of the proposed designs also ensures that Council’s garbage collection would be capable of being accommodated in a future design.

To ensure that a future loading dock would be appropriately managed, a Preliminary Delivery Service Plan has been provided at Appendix T of the exhibited EIS, which details management procedures to ensure that all tenants, residents and owners of the Pitt Street South OSD understand the operation of the loading dock and their responsibilities. This plan sets out reference rules of owners and occupiers of the loading dock, traffic management practices of the loading dock, and potential in house managed solutions that can be employed.

The recommendations incorporated into the Mitigation Measures at Section 9.2 of this Submissions Report are sufficient in ensuring that development at the site would be capable of accommodating adequate loading facilities.

8.3.4. Residential interface

Given the detailed assessment undertaken through this Submissions Report, the proposed residential interface of the development is suitable. The residential interface has been assessed in detail with respect to both residential and commercial schemes, making use of a maximum envelope to provide for a bulk and scale to be assessed against.

As discussed throughout this Submissions Report, the location of residential developments in proximity to other residential developments, or commercial uses is commonplace in the unique context of the Sydney CBD. The proposed 12 metre separation at the southern boundary provides for additional separation from residential apartments in the Princeton Apartments and would be subject to appropriate consideration of privacy measures at the detailed design stage. Future design at the detailed SSD Application stage will also provide an opportunity for specific mitigation measures, such as orientation of rooms, screens, high level or frosted glass to be utilised.

8.4. Design excellence

Although not directly raised in DPE's submission, given the nature of the submission received by Council further consideration has been provided in relation to design excellence. This is in addition to the response to Council provided at Section 5.12 above.

Further detail and justification is provided in this section in relation to:

- additional discussion regarding the unnecessary nature of the imposition of a competition design process in this case
- discussion as to how the development achieves the intent of the SLEP 2012 in regards to Design Excellence, and will be capable of delivering a development outcome of the *"highest standard or architectural, urban and landscape design"*
- additional assessment against the Government Architect NSW's draft *Design Excellence Competition Guidelines 2018*

Further discussion regarding each of these issues is provided below.

8.4.1. Unnecessary nature of competition design process

In accordance with clause 6.21(6) of the SLEP 2012, a competitive design process is not required if the consent authority is satisfied that such a process would be unreasonable or unnecessary in the circumstances of the proposal. This section provides additional discussion as to why such a process would be unreasonable or unnecessary. This builds upon the previous discussion which further explores the eight rationale of the Design Excellence Strategy (July 2018), provided at Section 5.12.1.

Imposition of a design competition would be unreasonable

- imposition of such a process would present risks to the broader Sydney Metro delivery program which comprises multiple packages of works which have highly complex and sensitive interfaces. This risk is untenable within the broader context of the Sydney Metro City & Southwest Chatswood to Sydenham project
- requirements of a competitive design process would constrain the opportunity to realise the benefits of a consolidated construction window and concurrent delivery for the station, metro infrastructure and OSD. The integrated station development construction process allows for a reduced overall construction timeframe, as well as increased certainty of completion, and a competitive design process would unreasonably impact on this timeframe
- a competitive design process would add further technical challenges to the Sydney Metro project. Already Sydney Metro is Australia's largest public transport project, spanning across multiple LGAs and sites. The imposition of a competitive design process is unreasonable in this context given the substantial additional complexity which this specific process provides to the integrated station developments, and the Sydney Metro project more broadly

Imposition of a design competition would be unnecessary

- the Design Excellence Strategy embeds competitive tension through the selection of highly experienced and competent design practices and a holistic design review process. The use of an integrated station development approach is world best practice and the imposition of a competitive design process on this would unnecessarily risk compromising the benefits realised through this approach
- by nature of the extent of this application, a competitive design process would only apply to the SSD OSD component. Given the intrinsic relationship between the CSSI Approval and the concept proposal, such a competition would apply to the 'skin' or façade of OSD buildings. Given the substantial time cost of such a process, combined with a limited potential impact and the availability of a robust alternative process, this is an unnecessary outcome
- a robust design review and development process has been undertaken to date, which includes the provision of site specific benchmark case studies, as well as extensive testing of options for land use, building heights, envelopes and form, articulation and integration, with

regard to the unique and complex parameters of the site. Imposition of a competitive design process would be only one way of achieving design excellence, and given the extensive work undertaken regarding Pitt Street South design development to date, is an unnecessary process

- the Sydney Metro design process has benefitted from independent review by the Sydney Metro DRP over the course of the past two years, which has materially lifted the design quality of the metro product. In conjunction with this, the DEEP will additionally contribute to the competitive selection process, which will continue to shape and ensure that design excellence is exhibited in the final building form. Given the ongoing critical role of the DRP and the DEEP, a competitive design process is unnecessary
- the Design Excellence Strategy (July 2018) directly responds to, and is consistent with the *Better Placed* design policy prepared by the Government Architect NSW. *Better Placed* supports the use of DRPs for complex State significant projects. The Government Architect NSW has also stated support for the Design Excellence Strategy (July 2018), as demonstrated at Appendix H.

Given the above consideration, the imposition of a design excellence process in line with clause 6.21 of the SLEP 2012 is both unreasonable and unnecessary at the site.

8.4.2. Achievement of intent of SLEP 2012

The objective of clause 6.21 of the SLEP 2012 is as follows:

The objective of this clause is to deliver the highest standard of architectural, urban and landscape design

This directly aligns with the intent of the integrated station development delivery strategy, which draws together design and construction of fully integrated and interconnection OSD and station components to ensure excellence and coordinated design outcomes. This approach is an evolution of Sydney Metro's previous approach to deliver city stations, and is an innovation which is specifically intended to deliver a project of the highest standards of architectural, urban and landscape design.

The delivery of design excellence through this process is described across the three phases of the Design Excellence Strategy (July 2018) below:

- Phase 1: Defining design quality expectations - Sydney Metro will capture the Project's expectations and requirements in a suite of statements, guidelines and contract requirements. This includes design objectives and principles which have been in place for some time. Concept SSD approvals for the each OSD will set the development concept and building envelopes in each location. Benchmark projects will also be used to set the minimum design quality standard for specific design elements of the integrated station developments, that is, the stations, public domain areas and OSD.
- Phase 2: Competitive selection of design - the two stage procurement process is designed to ensure that interest is captured from the industry, and to encourage the broadest range of design practices to participate. This selection process includes the selection of the DEEP, which will work with tendering teams to provide positive guidance with the intention of:
 - helping the teams to submit schemes that meet or exceed the benchmarked quality level
 - improving the design quality of final submissions without adversely affecting other aspects of the proposal
 - achieving an outcome where the other aspects of each solution have been balanced within engineering, buildability and cost constraints, to ensure the proposal demonstrating the highest design merit can be selected within the framework of the *NSW Government Procurement Guidelines* and obligation to obtain value for money

The DEEP will prepare a Design Excellence Report outlining how the submissions perform in relation to the suite of documents that define the design quality expectations and the quality benchmarks. This is a critical element of the Strategy and serves the role of the Jury Report.

The final Design Excellence report will provide a summary of each tenderer's design including an overview of the assessment and design merits of each entry. The report will document the Panel's recommendations, including the rationale for their views, noting the key design elements and justification for how design excellence has been achieved. The report will also identify those elements of each design which require further review and design refinement. In the case that none of the entries can be supported, this report will justify and provide reasons for this.

- Phase 3: Design integrity regime - Sydney Metro will manage design integrity by binding elements of the successful tenderer's submitted design into the contract documents. In addition, the project team will work with the successful tenderer to improve elements of the contracted design that the Design Excellence Report identifies as needing further design development.

The design review task of this phase would be handed back to the Sydney Metro DRP who would continue to be responsible for design integrity until any detailed SSD determination for the OSD and until Stage 3 design for the station. The Sydney Metro DRP would also be responsible for reviewing any significant changes to the planning approval that would require a modification to the planning approval or materially affect the station or customer experience.

Considering the above, the proposal provides a framework which will enable and ensure the delivery of design excellence in the future detailed building design.

8.4.3. [Assessment against the Government Architect NSW draft Design Excellence Competition Guidelines 2018](#)

Considered as part of this proposal is an additional assessment against the Government Architect NSW's draft *Design Excellence Competition Guidelines 2018*. These guidelines were exhibited in draft form in May 2018 and are accordingly a relevant consideration for assessment.

Section 2.5 of the guidelines includes specific circumstances whereby a competition is not required:

In some cases, an EPI may contain specific conditions for when a Design Excellence Competition is not required. Where this is the case, and these guidelines apply and the Proponent wishes to use this condition, they must demonstrate to the Government Architect NSW and the consent authority that such a process would be unreasonable and unnecessary in the circumstances or that the development:

- *involves only alterations or additions to an existing building, and*
- *does not significantly increase the height or gross floor area of the building, and*
- *does not have significant adverse impacts on adjoining buildings and the public domain, and*
- *does not significantly alter any aspect of the building when viewed from public places, and*
- *satisfies the specific conditions of the relevant EPI when considering whether a competition is required.*

The concept proposal is consistent with this policy, given that it has been demonstrated that a design competition is unnecessary in the circumstances of the project. The proposal would be consistent with this, given the demonstration above that the proposed Design Excellence Strategy would provide an alternate process of achieving design excellence which results in a Design Excellence Competition (as defined within the guidelines). On this basis, the proposal is consistent with the draft *Design Excellence Competition Guidelines 2018*.

8.4.4. Summary

The above information, combined with the response to Council's submission at Section 5.12, as well as the relevant documentation within the exhibited EIS, demonstrates that the proposed Design Excellence Strategy is an appropriate pathway to achieving design excellence, given that it achieves the intent of Clause 6.21 of the SLEP 2012. On this basis, the requirement of the SLEP 2012 information is in this case unnecessary.

8.5. Other issues

8.5.1. Section drawings

DPE has requested that additional Section Drawings be provided for the proposed envelope. These have been provided at Appendix B.

8.5.2. Capital Investment Value estimate

DPE has requested that a Capital Investment Value (CIV) estimate be provided for the development.

This has been submitted to DPE under separate cover.

8.5.3. Motorcycle parking

DPE has requested that information be provided on any proposed motorcycle parking in the development. This is a matter that can be appropriately dealt with at the detailed design stage, and has been included as a mitigation measure, requiring consideration and incorporation where feasible as part of the detailed design.

9. Environmental impact assessment of the amended Project

This chapter provides an environmental risk rating of the Project proposed under this concept SSD Application, as amended by this Submissions Report. It also provides revised mitigation measures.

9.1. Revised environmental ratings

The Environmental Risk Assessment (ERA) identifies all potential impacts, the significance of each impact, the manageability of each impact and any potential residual impacts following mitigation. The revisions to the ERA are identified in **bold** text, otherwise the ERA remains consistent with the ERA contained in Chapter 12 of the exhibited EIS. A full list of updated mitigation measures is presented in Section 9.2 of this Submissions Report.

As detailed in Chapter 12 of the EIS, the significance of impact is assigned a value between 1 and 5 based on the:

- the receiving environment
- the level of understanding of the type and extent of impacts
- the likely community response to the environmental consequence of the Project

The manageability of environmental impacts is assigned a value of between one and five based on:

- the complexity of mitigation measures
- the known level of performance of the safeguards proposed
- the opportunity for adaptive management

The sum of the significance and manageability values provides an indicative rating (between 1 and 10) of the potential residual impacts after the mitigation measures are implemented, in accordance with the risk assessment matrix in Table 10.

The ERA has been adapted from Australian Standard AS4369:1999 Risk Management and Environmental Risk Tools.

Table 10 – Risk assessment matrix

Significance of impact	Manageability of impact				
	5 – Complex	4 – Substantial	3 – Elementary	2 – Standard	1 – Simple
1 – Low	6 – Medium	5 – Low/Med.	4 – Low/Med.	3 – Low	2 – Low
2 – Minor	7 – High/Med.	6 – Medium	5 – Low/Med.	4 – Low/Med.	3 – Low
3 – Moderate	8 – High/Med.	7 – High/Med.	6 – Medium	5 – Low/Med.	4 – Low/Med.
4 – High	9 – High	8 – High/Med.	7 – High/Med.	6 – Medium	5 – Low/Med.
5 – Extreme	10 – High	9 – High	8 – High/Med.	7 – High/Med.	6 – Medium

Table 11 – Environmental Risk Assessment

Item	Phase	Potential Environmental Impact	Significance of impact	Manageability of impact	Residual impact
Visual and views	Operation	<ul style="list-style-type: none"> Visual / view impacts from surrounding streetscape and key public vantage points View impacts on neighboring residential building 	2	2	4 Low / Medium
Public domain overshadowing	Operation	<ul style="list-style-type: none"> Increase in shadowing to surrounding public domain, including Hyde Park 	2	2	4 Low / Medium
Private domain overshadowing	Operation	<ul style="list-style-type: none"> Increase in shadowing to the Princeton Apartments and Century Tower 	3	3	6 Medium
Traffic and transport	Construction	<ul style="list-style-type: none"> Increased traffic on surrounding roads Conflict with pedestrians 	2	2	4 Low / Medium
	Operation	<ul style="list-style-type: none"> Increased traffic on local roads Potential queueing of traffic onto Pitt Street Conflict with pedestrians 	2	2	4 Low / Medium
Non-Indigenous heritage	Construction	<ul style="list-style-type: none"> Structural impact on adjacent heritage items 	3	2	5 Low / Medium
	Operation	<ul style="list-style-type: none"> Impact on heritage items in the vicinity 	3	2	5 Low / Medium
Noise and vibration	Construction	<ul style="list-style-type: none"> Increase in noise and vibration associated with construction including from vehicles and machinery 	3	2	5 Low / Medium
	Operation	<ul style="list-style-type: none"> Increase in noise and vibration associated with emissions from building plant and services Increase in noise associated with vehicle movements 	3	2	5 Low / Medium
Infrastructure and utilities	Operation	<ul style="list-style-type: none"> Adequate connection to infrastructure and utilities Adequate capacity to service building 	2	2	4 Low / Medium
Flooding	Operation	<ul style="list-style-type: none"> Potential flooding of development 	1	2	3

Item	Phase	Potential Environmental Impact	Significance of impact	Manageability of impact	Residual impact
		<ul style="list-style-type: none"> Adequate stormwater management for development 			Low
Reflectivity	Operation	<ul style="list-style-type: none"> Adverse solar reflectivity glare to motorists and pedestrians 	2	2	4 Low / Medium
Contamination	Construction	<ul style="list-style-type: none"> Exposure of contamination of hazardous materials during construction 	1	2	3 Low / Medium
Wind impact	Operation	<ul style="list-style-type: none"> Adverse wind environment along surrounding streets and station entries Adverse wind environment to outdoor areas in the OSD, including to private balconies and communal areas 	3	2	5 Low / Medium
Crime and public safety	Operation	<ul style="list-style-type: none"> Antisocial and criminal behaviour 	2	2	4 Low / Medium
Environmental and construction management	Construction	<ul style="list-style-type: none"> Noise, dust, air quality, waste management and traffic impacts 	3	2	5 Low / Medium
Waste	Construction	<ul style="list-style-type: none"> Waste production associated with construction activities 	2	2	4 Low / Medium
	Operation	<ul style="list-style-type: none"> Waste production associated with operation of OSD 	2	2	4 Low / Medium
ESD	Operation	<ul style="list-style-type: none"> Carbon emissions Energy consumption Thermal comfort of building occupants 	2	2	4 Low / Medium
Accessibility	Operation	<ul style="list-style-type: none"> Adequate access for people with a disability 	1	2	3 Low
Social Impact	Construction	<ul style="list-style-type: none"> General disruption to community associated with large scale construction 	2	2	4 Low / medium
	Operation	<ul style="list-style-type: none"> Potential anti-social behaviour associated with operation of the 	1	1	2

Item	Phase	Potential Environmental Impact	Significance of impact	Manageability of impact	Residual impact
		development			Low
Water quality	Construction	<ul style="list-style-type: none"> Potential erosion and sediment impacts on drainage system 	2	1	3 Low
	Operation	<ul style="list-style-type: none"> Impacts on quality of stormwater discharge into drainage system 	2	1	3 Low
Air Quality	Construction	<ul style="list-style-type: none"> Dust associated with construction activities Emissions associated with construction vehicles 	2	2	4 Low / medium
	Operation	<ul style="list-style-type: none"> Emissions associated with entering and existing vehicle traffic Plant and equipment emissions 	2	2	4 Low / medium
Cumulative Impacts	Construction	<ul style="list-style-type: none"> Cumulative impacts (traffic, noise, dust, etc.) associated with concurrent construction of station and OSD, and other development in the area 	2	2	4 Low / medium
	Operation	<ul style="list-style-type: none"> Cumulative impacts (traffic, noise emissions, etc.) during concurrent operation of station and OSD, and other development in the area 	1	2	3 Low

9.2. Revised mitigation measures

The list of mitigation measures presented in Chapter 12 of the exhibited EIS has been revised based on submissions.

A full list of revised measures to mitigate the potential impacts associated with the concept proposal is provided at Table 12. The revisions to the mitigation measures respond to a number of key issues raised in submissions as detailed in Chapter 7 (Amended Project) and Chapter 8 (Additional information and assessment) of this Submissions Report. In addition, the revisions include:

- a number of minor corrections and additions to the content to reference either the EIS or the Submissions Report (as relevant), including where the technical reports are mentioned
- a requirement for signage details to be submitted with the future detailed SSD Application, having regard for the requirements of Council
- reference to the updated version of the *Pitt Street South Design Guidelines*

The revisions to the mitigation measures are shown in **bold text**, with deletions shown with a ~~strike through~~, otherwise mitigation measures remain consistent with the exhibited mitigation measures contained in Chapter 12 of the exhibited EIS.

Table 12 – Revised mitigation measures

	Proposed OSD-specific measure	Interface issue with CSSI Approval
Operation (detailed design) measures		
Built form and urban design	<p>The detailed design of the OSD is to be undertaken in accordance with the updated Pitt Street South Design Guidelines included at Appendix A of the Submissions Report at Appendix J. The future detailed SSD Application(s) is to address the manner in which the design/proposal has responded to the detail within this concept SSD Application and the Design Guidelines.</p> <p>The future detailed SSD Application is to implement the process outlined in the Design Excellence Strategy provided at Appendix I of the EIS.</p>	<p>The detailed design of the OSD and its integration with the design of Pitt Street Station is to be reviewed by the Design Review Panel established under Condition of Approval E100 of the CSSI Approval.</p> <p>The design of the OSD is required to be prepared having regard to the Station Design Precinct Plan required by Condition of Approval E101 of the CSSI Approval.</p>
Public domain overshadowing	<p>Future development is to be consistent with the proposed maximum building envelope (as detailed in Appendix C of the EIS) so as to ensure that the overshadowing impacts are not worse than those assessed in this concept proposal.</p>	
Solar access	<p>Future development is to be consistent with the proposed maximum building envelope (as detailed in Appendix C of the EIS) so as to ensure that the solar access impacts are not worse than those assessed in this concept proposal. The future detailed SSD Application should be accompanied by a detailed solar access analysis for the Princeton Apartments and Century Tower.</p>	
Visual and view impacts	<p>Future development is to be consistent with the proposed maximum building envelope (as detailed in Appendix C of the EIS) so as to ensure that the visual and view impacts are not worse than those assessed in this concept proposal.</p>	
Privacy	<p>Future detailed SSD application is to address the relevant provisions of the Apartment Design Guide to demonstrate that appropriate levels of visual privacy are achieved for existing and future residential dwellings.</p>	
Heritage	<p>Future detailed SSD Application is to address how the recommendations made in the Heritage Impact Statement (Appendix R of the EIS) have been addressed to ensure the development achieves a positive heritage outcome for the site.</p> <p>Specifically, detailed building design should seek to mitigate impacts of the vertical street walls above the Edinburgh Castle Hotel local heritage item where the tower footprint wraps around the building. Materiality and façade articulation of the podium should respond to the heritage item to better integrate the two sites and</p>	

	Proposed OSD-specific measure	Interface issue with CSSI Approval
	to activate the facades.	
Transport, traffic, parking and access	<p>The future SSD Application is to adopt the recommendations of the Transport Impact Assessment provided at Appendix T of the EIS, including:</p> <ul style="list-style-type: none"> • Servicing planning principles and commitment to develop servicing plans to manage loading dock operations are to be adopted as part of the detailed planning application process. • On site car parking is not to exceed the maximum allowable limits set out under SLEP 2012 for the various intended uses of the site. • The inclusion of accessible parking spaces in accordance with SLEP 2012 and AS 2890 and situated within easy access of lifts. • Pedestrian access points and corridors are to be designed to comply with AS1428.1 and 1428.2. • Parking areas are to be designed to comply with the relevant Australian Standards including AS 2890.1, 2890.2, 1428.1 and 1428.2. • Bike parking spaces are to be delivered in accordance with City of Sydney Council requirements, which are easily accessed and are supported by end of trip facilities. • Provide for safe access, secure and conveniently located bike parking facilities for residents within the building. • Adoption of the green travel plan and associated measures to help manage travel demand by supporting and promoting travel by non-car modes of travel. • Pedestrian access points and corridors are to comply with AS1428.1 and 1428.2. • Detailed SSD Application(s) are to develop a strategy and technology solutions that will help manage conflict between loading dock, parking area access and bike parking access. • The adoption of Construction Traffic Management Principles, staging options and construction traffic management documentation with a focus on managing the subsequent impact on the CBD public domain and road environment as part of detailed planning of construction. <p>Consideration and where feasible, incorporation of motorcycle parking is to be provided as part of the</p>	<p>The detailed design of the OSD should be in conjunction with the Interchange Access Plan required to be prepared in accordance with Condition of Approval E92 of CSSI Approval No. 15_7400 for the Sydney Metro City & Southwest Chatswood to Sydenham project.</p> <p>The detailed design of the OSD and assessment of its impact is to be undertaken in consultation with the Traffic and Transport Liaison Group(s) established under Condition of Approval E77 of CSSI Approval No. 15_7400 for the Sydney Metro City & Southwest Chatswood to Sydenham project. Beyond completion of Pitt Street Station, the detailed design of the OSD and its traffic, parking, pedestrian and cycle accessibility impacts would require consultation with and the approval of the relevant roads authority in accordance with the terms of the relevant approval.</p>

	Proposed OSD-specific measure	Interface issue with CSSI Approval
	detailed SSD Application.	
ESD	<p>The detailed SSD Application is to include a detailed ESD Strategy which outlines the best practice sustainability initiatives which would be implemented during design and construction of the development.</p> <p>The Strategy is to be generally consistent with the proposed targets and indicative features in the ESD Report (Appendix Q of the EIS), as well as the targets in the ESD Letter provided at Appendix J of this Submissions Report.</p> <p>The detailed ESD Strategy is to outline minimum standards of sustainability performance which would be achieved during the design and construction of the OSD. These would need to be complied with as relevant to the use sought at the detailed SSD Application.</p>	
Prescribed airspace	The detailed SSD Application will need to comply with any requirements set by Sydney Airports Corporation Limited, set out prior to approval of the Concept SSD Application.	
Utilities, infrastructure and services	<p>In accordance to the specific requirements of the individual utility service providers, the developer of the OSD is to undertake detailed enquiries and arrange for final connections and associated approvals based on the final design.</p> <p>A water servicing coordinator is to be engaged to make application for section 73 Notice of Requirements (NOR) and confirm specific connection requirements.</p>	<p>The provision of all utility services to the integrated station developed are to be assessed and undertaken (including all approvals and reconfiguration of trunk infrastructure) as part of the station works under Condition of Approval E2 of the CSSI Approval.</p> <p>Where practicable, and having regard to the timing for the delivery of the OSD, permanent utility connections are to be provided to the OSD and capped off within the site. Where this is not practicable, suitable provision of connection pits and conduits shall be provided to avoid the need for future disruption to roadways and pavements as a result of these works.</p>
Storm water and flooding	<p><i>Storm water</i></p> <ul style="list-style-type: none"> • Council and Sydney Water are to be consulted as part of the future detailed development SSD application in order to finalise the OSD storm water management plan strategy • permissible site discharge rates are to be confirmed with Sydney Water and Council as part of the future 	<p>All flood modelling, impact assessment and mitigation measures for the site are to be undertaken as part of the station works under the CSSI Approval.</p> <p>The detailed design of the OSD should be developed having regard to the flooding requirements in Conditions of</p>

	Proposed OSD-specific measure	Interface issue with CSSI Approval
	<p>detailed SSD Application</p> <ul style="list-style-type: none"> the future detailed SSD Application is to achieve Council's water quality targets <p><i>Flooding</i></p> <p>The detailed design is to ensure that OSD entrances must be set to a minimum of 0.50 millimetres above the 1 in 100 year ARI flood-level.</p>	Approval E8 and E9 of the CSSI Approval.
Noise and vibration	<p>The detailed design of the OSD is to be undertaken in accordance with the Acoustic Report included as Appendix O of the EIS.</p> <p>The future detailed SSD Application(s) is to address the manner in which the design/proposal has responded to the criteria established within this Concept SSD application including the Technical Assessment at Appendix O of the EIS.</p>	The detailed design of the OSD is to consider cumulative impacts having regard to the noise and vibration requirements under Condition of Approval E41 and E42 of the CSSI Approval.
Wind impacts	<p>Wind tunnel testing and computational analysis is to be undertaken as part of the detailed SSD Application in order to quantify expected wind speeds and inform a mitigation strategy.</p> <p>The recommendations of the Wind Assessment Report (Appendix N of the EIS) should be considered when developing the detailed OSD design.</p>	
CPTED	<p>The detailed SSD Application should address the CPTED principles relating to lighting, ownership of space, signage, movement predictors and sightlines, entrapment, landscaping, maintenance and management for the OSD.</p> <p>The detailed SSD Application should have regard to the relevant recommendations contained at section 4.0 of the CPTED Assessment Report (Appendix BB of the EIS).</p>	
Signage Details	The future detailed SSD Application is to include details of signage at the OSD, and is to be accompanied by an assessment of compatibility of the signage against the SDCP 2012.	
Waste management	<p>A Waste Management Plan (WMP) is to be prepared and submitted as part of the detailed SSD Application addressing the following:</p> <ul style="list-style-type: none"> relevant legislative and Council requirements type of waste to be generated expected volume per week proposed on-site storage and treatment facilities 	

	Proposed OSD-specific measure	Interface issue with CSSI Approval
	<ul style="list-style-type: none"> • destination of waste • information about the ongoing management of waste on-site <p>The WMP is to address the objectives, principles and strategies outlined in the Waste Management Strategy (Appendix Y of the EIS) to deliver effective waste management.</p>	
Accessibility	The detailed SSD Application is take into consideration the Australian Standards, Building Code of Australia, Federal Disability Discrimination Act (DDA) and Disability (Access to Premises – Buildings) Standards 2010), as relevant, and comply with the recommendations of the Access Review (Appendix S of the EIS).	
Reflectivity	The detailed SSD Application should confirm façade treatment and the impact of this in terms of solar reflectivity glare to motorists and pedestrians. Details are to be provided in detailed SSD applications.	
Construction Measures		
General	Construction Environment Management Plans must be prepared in accordance with the Sydney Metro Construction Environmental Management Framework up until completion of Pitt Street Station. Beyond that time, Construction Environmental Management Plans must be prepared in accordance with best practice guidelines and conditions of approval.	
Heritage	Details to mitigate impacts to surrounding heritage items, with specific regard to the Edinburgh Castle Hotel and the Metropolitan Fire Brigade Building, must be submitted as part of the detailed SSD Application.	
Transport, traffic, parking and access	<p>Construction traffic and transport related impacts of the OSD must be managed in accordance with the Construction Traffic Management Framework (CTMF) established under Condition of Approval E81 of the CSSI Approval, until such time as completion of Pitt Street Station has been reached.</p> <p>In accordance with the process established for Pitt Street Station, Construction Traffic Management Plans (CTMPs) must be prepared to address the potential traffic and transport related impacts associated with construction and how these impacts would be managed.</p> <p>In the event that construction activities for the OSD occur beyond the completion of Pitt Street Station, a detailed Construction Pedestrian and Traffic Management Plan must be developed by the proponent in consultation with the relevant roads</p>	<p>The detailed design of the OSD and assessment of its impact is to be undertaken in consultation with the Traffic and Transport Liaison Group(s) established under Condition of Approval E77 of the CSSI Approval, until such time as completion of Pitt Street Station has been reached.</p> <p>Beyond completion of Pitt Street Station, detailed design of the OSD and its traffic, parking, pedestrian and cycle accessibility impacts would require consultation with and the approval of the relevant roads authority in accordance with the terms of the relevant approval.</p>

	Proposed OSD-specific measure	Interface issue with CSSI Approval
	<p>authority and council during the detailed design stage and details are to be submitted with the detailed SSD Application.</p> <p>Preparation of Construction Traffic Management Plans or Construction Pedestrian and Traffic Management Plans must take into consideration the preliminary mitigation measures identified in the Preliminary Construction Management Statement prepared by Sydney Metro (Appendix Z of the EIS)</p>	
Noise and vibration	<p>The Construction Noise and Vibration Strategy (CNVS) must be implemented up until the time of completion of the Pitt Street Station with the aim of achieving the noise management levels/ criteria established within this concept SSD Application including the Noise and Vibration Assessment Report at Appendix O of the EIS.</p> <p>In accordance with the CNVS, Construction Noise Impact Statements must be prepared to address the potential noise impacts associated with construction and how these impacts would be managed.</p> <p>In the event that construction activities for the OSD occur beyond the completion of Pitt Street Station, a Construction Noise and Vibration Management Plan (CNVMP) must be developed by the proponent in consultation with the stakeholders and an acoustic engineer during the detailed design stage and details are to be submitted with the detailed SSD Application. In this instance, the CNVMP must be developed in accordance with ICNG or applicable guidelines in force at the time.</p>	Construction Noise and Vibration Impact Statements prepared for the OSD must consider cumulative impacts having regard to the Construction Noise and Vibration Impact Statements prepared under Condition of Approval E33 of the CSSI Approval.
Waste	<p>A Waste Management Plan must be prepared as part of the Construction Environment Management Plan, having regard to the provisions included in the Sydney Metro Construction Environmental Management Framework up until completion of the Pitt Street Station. Beyond that time, a Construction Waste Management Plan must be prepared in accordance with best practice guidelines and conditions of approval.</p> <p>Details regarding impacts to be managed during construction are to be submitted as part of the detailed SSD Application and should include:</p> <ul style="list-style-type: none"> the waste management and recycling mitigation measures as detailed in the Waste Management Report (Appendix Y of the EIS) the responsibility of key project personnel with regard to implementation of the plan waste management and recycling monitoring requirements 	

	Proposed OSD-specific measure	Interface issue with CSSI Approval
	<ul style="list-style-type: none"> • procedures for the assessment, classification, management and disposal of waste in accordance with the NSW EPA Waste Classification Guidelines (EPA, 2014) • compliance record generation and management 	

10. Conclusion

This chapter provides concluding statements on Sydney Metro's response to submissions and amendments to the concept SSD Application.

Sydney Metro has considered submissions made in relation to the public exhibition of the concept SSD Application for Pitt Street South OSD. This Submissions Report represents a considered and documented response to all submissions received from members of the community, relevant government agencies and all key stakeholders.

In response to the issues raised in submissions and request for further information by DPE, Sydney Metro has amended the Project as follows:

- Updated *Pitt Street South Design Guidelines* (Appendix A)
- A commitment to review the size and form of signage with consideration of Council's comments, with details regarding future signage to be submitted as part of a future detailed SSD Application for consideration.

Further to the above, Sydney Metro has made minor updates to the mitigation measures to ensure they relevantly address the cumulative impacts of the amended Project.

On balance, the EIS and this Submissions Report collectively demonstrate that the concept proposal is consistent with State, regional and local strategies and policies which apply to the site, and that the future integrated station development would provide significant social and economic benefits to the surrounding CBD context.

This concept SSD Application comprises the first stage in the planning process for the Pitt Street South OSD Project. Through the implementation of the Sydney Metro Design Excellence Strategy (July 2018), appropriate consideration and scrutiny of the future building form within the constraints of the building envelope and in accordance with the strategies proposed in the concept SSD Application would occur. Sydney Metro is confident this process would result in an integrated station development which achieves the highest standard of architecture and urban design befitting the site's locational context and that associated environmental impacts can be appropriately mitigated and minimised through the design development process.

This concept SSD Application for OSD above the future Pitt Street Station southern portal, as amended by this Submissions Report, warrants approval, consistent with the following reasons stated in the exhibited EIS:

- a full assessment has been undertaken of the environmental impacts of the proposal which demonstrates that potential impacts have been avoided, adequately justified or appropriately mitigated. On this basis, the proposed envelope, which represents a maximum potential building form, has been demonstrated to be appropriate within the CBD context and the specific circumstances of the site
- the consolidated land area upon which the OSD has been developed enables a degree of flexibility in the future detailed building design to allow a range of potential design outcomes that will facilitate a high quality development
- a residential outcome at the site would directly respond to the demand for additional housing in locations which are close to jobs and services, which would work to reduce the commutes of future residents whilst simultaneously increasing access to services and open space
- a residential scheme at the site would also work to activate the site, both in and out of traditional business hours, and lead to an increased level of patronage of local shops and services
- a commercial scheme at the site would provide additional office capacity within the Sydney CBD to support economic growth and deliver direct employment benefits by accommodating approximately 1,500 new jobs during the operational phase of the development

- potential impacts of any future building on surrounding public domain areas have been a central consideration of the development of the concept SSD Application, including the minimisation of overshadowing to Hyde Park, ensuring that potential impacts are appropriately mitigated
- an extensive program of consultation has contributed to the formulation of the application, and Submissions Report which has led to the provision of a development form which reflects the comments of relevant stakeholders
- the proposal includes a robust framework for the attainment of design excellence
- the concept proposal would not result in any adverse social or economic impacts, and would result in a number of significant benefits including the provision of approximately 350 full time-equivalent construction jobs and 1,500 full time-equivalent ongoing jobs at the site for the commercial office land use
- the site is suitable for the concept proposal

10.1. **Next steps**

DPE on behalf of the Minister will review the EIS, submissions received, and this Submissions Report. Once DPE has completed its assessment, a draft assessment report will be prepared for the Secretary of DPE.

The assessment report will then be provided to the Minister for consideration and determination.

The Minister for Planning's determination, including any conditions of approval and the Secretary's report, will be published on DPE's website immediately after determination, together with a copy of the Submissions Report.

Glossary and Abbreviations

Term	Definition
ADG	Apartment Design Guide
AHD	Australian Height Datum
CASA	Civil Aviation Safety Authority
CBD	Central business district
Concept SSD Application	Concept State Significant Development Application
Council	City of Sydney Council
CPTED	Crime Prevention Through Environmental Design
CSSI	Critical State Significant Infrastructure
CTMF	Construction Traffic Management Framework
CTMP	Construction Traffic Management Plan
DDA	Disability Discrimination Act 1992
DEEP	Design Excellence Evaluation Panel
DIRDC	NSW Department of Infrastructure Regional Development and Cities
DPE	NSW Department of Planning and Environment
DRP	Design Review Panel
EIS	Environmental Impact Statement
EP&A Act	Environmental Planning and Assessment Act 1979
EP&A Regulation	Environmental Planning and Assessment Regulation 2000
ERA	Environmental Risk Assessment
ESD	Ecological sustainable development
GANSW	Government Architect NSW
GFA	Gross floor area
HIA	Heritage Impact Assessment
IAP	Interchange Access Plan (i.e. Condition 92 of CSSI Approval)
ICNG	Interim Construction Noise Guideline
LED	Light emitting diode
LEP	Local Environmental Plan
LGA	Local government area

Term	Definition
NABERS	National Australian Built Environment Rating System
NML	Noise management levels
NSW EPA	NSW Environment Protection Authority
NSW OEH	NSW Office of Environment and Heritage
OLS	Obstacle Limitation Surface
OSD	Over station development
Project	The Pitt Street South over station development as presented in the EIS
RL	Reduced level
Roads and Maritime	Roads and Maritime Services
SACL	Sydney Airport Corporation Limited
SCO	Sydney Coordination Office
SDCP 2012	Sydney Development Control Plan 2012
SDPP	Station Design and Precinct Plan (i.e. Condition 101 of the CSSI Approval)
SEARs	Secretary's Environmental Assessment Requirements
SEPP 64	State Environmental Planning Policy 64 — Advertising and Signage
SLEP 2012	Sydney Local Environmental Plan 2012
SRD SEPP	State Environmental Planning Policy (State and Regional Development) 2011
SSD	State Significant Development
Submissions Report	Response to Submissions Report (this report)
Sydney Metro DRP	Sydney Metro Design Review Panel
Tenacity	Tenacity Consulting Pty Ltd v Warringah Council [2004] NSWLEC 140
WMP	Waste Management Plan

Appendices

- A. Updated Pitt Street South Design Guidelines**
- B. Additional Building Envelope Sections**
- C. Community Consultation Information Session Contact Information**
- D. Community Information Session A0 Boards**
- E. EIS Overview Document**
- F. Summary of Issues Raised at Community Information Sessions**
- G. Issues Categories and where to find responses to issues raised in submissions**
- H. Government Architect NSW Endorsement Letter**
- I. City of Sydney Correspondence**
- J. ESD Report Addendum**
- K. Supplementary Overshadowing Impact Sensitivity Analysis Report**
- L. Media release issued prior to exhibition of the concept SSD Application**
- M. Section demonstrating proposed levels in relation to the Princeton Apartments**