

3 September, 2019

Attn: David McNamara
Director, Key Sites Assessment Team
NSW Department of Planning, Industry & Environment
GPO Box 39
Sydney NSW 2001

Dear David,

Sydney Metro Pitt Street (South) Over Station Development, SSD 17_8876, Request for Administrative Modification

Sydney Metro requests an Administrative Modification to the Conditions of Approval for the Sydney Metro Pitt Street (South) Over Station Development project (SSD 17_8876) in accordance with the requirements of section 4.55(1) and (1A) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

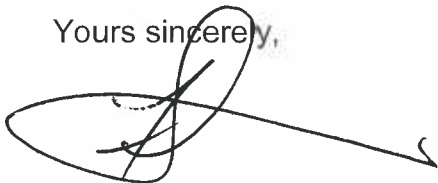
Each condition proposed to be modified is listed in the table attached (Table 1) which details the following:

- Condition number
- Proposed modification to the condition
- Justification for the proposed modification.

The changes sought to the conditions are identified with new text provided in red and removed text provided in red and struck-through.

Sydney Metro would be happy to meet with the Department to discuss this request if required. Please do not hesitate to contact Carolyn Riley, Associate Director Planning Approvals on 0466 476 128 if you have any questions.

Yours sincerely,



Fil Cerone
Director, Sustainability, Environment and Planning
Sydney Metro City & Southwest

Table 1: Requests for administrative modification

Condition of approval	Requested modification	Justification
Condition A24(e)(i): <u>Design Guidelines</u> Amend to clarify error.	b) a minimum 12 metres above the podium with permitted reduction to minimum 3 metres within the structure reservation zone in accordance with Condition A18 A17 for essential.	<p>Incorrect reference regarding definition of structural reservation zone which is as per Condition A18 not Condition A17.</p> <p>This modification is requested to correct a minor error in the development consent, in accordance with section 4.55(1) of the EP&A Act.</p>
Condition B10: ESD Amend proposed requirement for a residential building	<p>For future development application(s) the proposed minimum performance targets for environmental performance are:</p> <p>(a) If the entire site is a residential building:</p> <p>(i) Exceed minimum compliance with BASIX 35 Energy;</p>	<p>Sydney Metro erroneously proposed a rating of BASIX 35 Energy in our Response to Submissions report. We have since identified that a rating of 35 is not practically feasible or achievable, and no high-rise residential building precedents exist for achieving this rating. Please refer to the attached technical advice letter (GHD, 14 August 2019).</p> <p>Sydney Metro intends to deliver a building exceeding minimum BASIX Energy compliance, provided a genuine environmental benefit can be demonstrated that is practically feasible and achievable. However, Sydney Metro has sought further advice and initial indications are that even a rating of BASIX 30 Energy is likely to rely on provision of an onsite gas-fired electricity generation plant. We do not believe that this would deliver an appropriate long-term environmental outcome as regards greenhouse gas emissions. The ongoing evolution of the renewable energy market and current challenges in retail gas pricing are likely to mean that even if such a generation plant were built it would be unlikely to be utilised by management or residents of the building.</p>

Sydney Metro

Level 43, 680 George Street, Sydney NSW 2000 | PO Box K659, Haymarket NSW 1240

T 02 8265 9400 | sydneymetro.info | ABN 12 354 063 515

Condition of approval	Requested modification	Justification
		<p>Therefore we have proposed compliance with a minimum rating of BASIX 25 Energy, to satisfy the minimum requirement as per <i>State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</i>. We have also proposed to exceed this target provided a pathway to achieving an appropriate environmental outcome as regards greenhouse gas emissions reduction can be found.</p> <p>This change does not contradict any submission received, and continues to meet guideline requirements for high-rise residential development within a CBD context. The development's sustainability credentials are further bolstered by the requirement to achieve a 5-star Green Star residential development, as per Condition of Approval B10 (c)(i), which remains.</p> <p>This modification is requested in accordance with s4.55(1A) of the EP&A Act, noting that the requested modification would have minimal environmental impact and there is no substantial change to the development.</p>



14 August 2019

Emily Ball

Our ref:21-SO1-1119597805-2
Your ref: n/a

Sydney Metro
Level 43, 680 George Street
Sydney NSW 2000

Dear Emily

**Sydney Metro OSD Pitt St South
BASIX Energy 35 Target**

GHD are engaged by Sydney Metro to provide advice on the environmental sustainability strategy and performance outcomes for the proposed Pitt Street South OSD. We have previously issued advice during initial design development including preparation of an ESD strategy and framework report that accompanied the Stage 1 Development Application reference SSD 8876. The following performance requirements are included in the project approval:

- BASIX Energy 35
- 5 Star Green Star Rating (assumed to be Design and As Built V1.2 tool which is the version available coinciding with the date of the original Development Application and notice of determination).

Sydney Metro have requested that GHD provide further advice in relation to the application of the BASIX 35 targets to the Pitt Street South Site.

- Achieving BASIX Energy 35 in a development of this type would require omission of mechanical ventilation and space conditioning in common areas such as lobbies and corridors. Such systems and servicing would be desirable to maintain high level of acoustic amenity, indoor air quality and thermal comfort.
- In addition to limiting common area mechanical services, on site renewable or low carbon energy generation would be required to offset some of the building energy use. However the potential for using onsite system is constrained due to the following:
 - Solar PV: A number of inherent site constraints exist including limited roof area, overshadowing from adjacent buildings and the roof profile required to maintain the sun access plan into Hyde Park. As such use of solar photovoltaics for renewable energy generation is not practical or feasible.
 - Combined Heat and Power Plant (CHP) - A CHP could be employed to generate a portion of the electricity on site with waste heat being used for hot water. However this will be reliant on gas use and whilst this is currently lower in carbon intensity than grid supplied electricity it is not considered a suitable long term strategy due to broader transition to a net zero carbon economy.
- The developer would be required to install appliances with the highest energy efficiency ratings.

Notwithstanding the BASIX requirements, the project will still need to implement energy reduction measures over and above minimum standards to achieve the 5 Star Green Star rating. This will therefore provide a benchmark for ensuring best practice energy performance.

We therefore conclude that whilst not beyond realms of possibility, a BASIX Energy 35 target is not compatible or practical to achieve for the proposed development. Further, due to the overarching Green Star requirements a dedicated condition relating to BASIX may not be required.

As such, we recommend that the condition B10(a)(i) either be deleted or amended to read as follows:

- *Exceed minimum compliance with BASIX Energy*

Sincerely
GHD

A handwritten signature in black ink, appearing to read 'I. R.' followed by a long horizontal stroke.

Ian Dixon
Technical Director