

Crows Nest Over Station Development

Submissions Report

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1 Introduction

A Response to Submissions Report (September 2020) was prepared and publicly exhibited to respond to and address the range of matters raised by State and local Government agencies and authorities, organisations, and the public during the exhibition of the Environmental Impact Statement (EIS) for the Crows Nest Over Station Development (SSD-9579). The Response to Submissions Report identified and assessed the refinement that had occurred to the project to respond to those matters raised in the submissions.

This second Response to Submissions Report (November 2020) likewise responds to those submissions received in relation to the public exhibition of the Amended Project for the Crows Nest Over Station Development, including the request for additional information issued by the Department of Planning, Industry and Environment (DPIE) dated 15 October 2020.

During this exhibition period, a total of 29 submissions were received. Of these 23 were from the public, 2 were from organisations, and 4 were from public authorities and agencies (including DPIE). A detailed overview and response to these submissions is provided in Section 2.0.

This report is accompanied by the following:

- Appendix A - Updated Architectural Plans
- Appendix B - Updated Crows Nest Over Station Development Design Guidelines
- Appendix C - Updated Sydney Metro Design Excellence Strategy
- Appendix D - Civil Engineering Plans (Swept Path Drawings and Footpath Width Drawing)
- Appendix E - Photomontages of the Exhibited Scheme and Amended Scheme

2 Response to submissions

2.1 Authorities

The following tables include a response to the full text of submissions provided by or on behalf of public authorities/agencies, as defined by Department of Planning, Industry and Environment (DPIE) in the categorisation of submissions on the Major Projects website. The full text of each submission is provided in the left-hand column, accompanied by the corresponding response in the right-hand column. The responses have been informed by input by the consultant team, and should be read in conjunction with the publicly exhibited Environmental Impact Statement (EIS) and Response to Submissions (RTS) Report and accompanying technical reports.

Department of Planning, Industry and Environment

Extract	Response
<p><u>1. Built form</u></p> <p>a. Consider additional design criteria and guidelines for the proposed building envelopes to ensure:</p> <ul style="list-style-type: none">the bulk and mass of future buildings is appropriate with respect to the emerging character of St Leonards and the existing character of Crows Nestthe potential impacts of the proposal on surrounding properties are appropriately mitigated. <p>This may include setting:</p> <ul style="list-style-type: none">a maximum percentage of development that could fill the proposed building envelopeslimits on floor plates, building depth and lengthsrequirements to modulate and articulate the building mass along the length of Site A.	<p>Sydney Metro has updated the Crows Nest over station development (OSD) Design Guidelines to provide further detailed controls for translating the proposed maximum building envelopes into articulated OSD buildings. The future design of these buildings will be the subject of Detailed State Significant Development (SSD) Applications, including iterative reviews by the Design Excellence Evaluation Panel as part of the design excellence process. Ultimately, this staged development process requires future designers to rigorously test and evaluate their detailed designs, including the achievement of design excellence as prescribed in Clause 6.19B of the North Sydney Local Environment Plan 2013 (North Sydney LEP).</p> <p>The refinements to the Design Guidelines include nominating numerical and non-numerical standards for floor plates, horizontal and vertical modulation, façade and building articulation, and the activation of Hume Street. These include:</p> <ul style="list-style-type: none">enabling a maximum floor plate depth of 27.5 metres, floor plate area of 2,750 square metres, and a minimum 15 per cent of the building envelope to be used for articulation ensures that the proposed maximum building envelopes will be appropriately refined as part of the future Detailed SSD Applications.the maximum floor plates ensure that the commercial uses on Site A will benefit from generous access to light and air, and enables the flexible use of floor space in providing opportunities for multiple subdivisions and layouts for the commercial levels.the tapered setback envelope of Site A gradually reduces the floor plates towards the upper levels providing a range of floor plate sizes within the future development, which diversify the opportunities for future tenants.

Extract	Response
<p>b. Review the appropriateness of the proposed articulation zones, in particular:</p> <ul style="list-style-type: none"> • justify the need for an articulation zone in addition to the articulation and modulation that can occur within the proposed building envelopes • clarify the design objectives and design criteria of any proposed articulation zone • confirm the dimensions and parameters of any proposed articulation zones. 	<p>The proposed articulation zones have been removed from Sites A and B (as detailed in the updated Architectural Plans at Appendix A), and further objectives and controls have been developed for the articulation and detailed design of Site C in the updated Design Guidelines (Appendix B).</p>
<p>c. Review and provide further justification for the proposed exceedance of the height of building standard and rooftop servicing zone for of Site B with consideration of:</p> <ul style="list-style-type: none"> • consolidation of plant and building services to accommodate plants and other services within the height limit • application of clause 5.6 of the North Sydney Land and Environment Plan (LEP) 2013. 	<p>The Response to Submissions (RTS) Report dated September 2020 was accompanied by a request to vary the maximum height of buildings development standard under the North Sydney LEP as it applied to Site B. The variation request (at Appendix Z of the RTS report) identified the necessity for the proposed minor variation to enable rooftop plant and services. This plant and building services cannot be wholly accommodated within the top floor of Building B, which is influenced by the servicing and design requirements for the metro station, and would prevent equitable access to future rooftop open space and result in the loss of units and affordable housing contributions.</p> <p>However, the proposed building envelope for Site B, has since been amended to require that all built form above reduced level (RL) 155m on this site be subject to Clause 5.6 of the North Sydney LEP. This amendment enables development to exceed the maximum height of buildings development standard with consent for the purposes of an architectural roof feature. The design and extent of any architectural roof feature will be detailed as part of a separate, future development application (DA) for the detailed design, construction, and operation of the Site B OSD. The amended Architectural Plans at Appendix A confirm the application of Clause 5.6 of the North Sydney LEP.</p> <p>The Amended Project is, therefore, not reliant on Clause 4.6 of the North Sydney LEP.</p>

Extract	Response
<p>d. Clarify how the Design Guidelines have responded to and incorporated the Design Excellence requirements of clause 6.19B of the North Sydney LEP 2013.</p>	<p>Sydney Metro has updated the Crows Nest Over Station Development Design Guidelines (Appendix B), which make reference to the Design Excellence provisions in Clause 6.19B of the North Sydney LEP. These provisions will be further addressed as part of, and alongside the Design Guidelines, in the design development of the OSD in the Detailed SSD Applications.</p> <p>The Design Guidelines have been updated and respond to Clause 16.19B of the North Sydney LEP by:</p> <ul style="list-style-type: none"> • considering the site’s context and surrounding land uses, and proposing to deliver a mix of land uses that will activate frontages and enable future employment • requiring sensitive setbacks that respect the adjacent heritage significance • setting out guidelines that ensure appropriate building separation and setbacks are provided to contribute to and retain the amenity of the surrounding development • ensuring that the built form minimises bulk and scale, and considers the articulation of future building mass • requiring no additional overshadowing of residential areas and addressing wind impacts that may occur at ground level • prioritising pedestrian access to key points in the St Leonards Centre and Crows Nest village and providing legible safe and accessible interchange opportunities • activation of the public domain, through the extension of the ground plane, widening of footpaths and creation of shared zones • Sydney Metro embeds sustainability throughout the design, planning and construction process for the City & Southwest project • enhancing amenity by creating green links and opportunities for landscaping around the OSD
<p>e. Provide further justification for the size, location and extent of signage zones and confirm how the zones would address the North Sydney Development Control Plan (DCP) 2013 signage requirements. This should be supported by drawings with accurate size and dimensions of the proposed signage zones.</p>	<p>The Amended Project does not now seek consent for signage zones. Building and business identification signage associated with the proposed OSD will be pursued as part of separate, future applications.</p>

Extract	Response																																								
<p>2. Parking and servicing</p> <p>a. Confirm the proposed number of:</p> <ul style="list-style-type: none"> bicycle parking spaces for employees, residents and visitors car share spaces, including their intended location/ access (on-site / off-site) motorcycle spaces for employees and residents rolled-kerb servicing bays, noting the RTS states two, however, the swept path analysis indicates an additional four parking spaces. 	<p>The below table confirms the proposed number of bicycle spaces, car share spaces, motorcycle spaces, and servicing bays for the Amended Project. The proposed parking numbers demonstrate the Amended Project's capacity for parking based on the proposed building envelopes, land uses and associated floor areas. It is noted that these numbers are indicative and will be subject to further detailed design and testing as part of the subsequent Detailed SSD Applications seeking consent for the detailed design and construction of OSD.</p> <p>There are two (2) rolled-kerb servicing spaces, which are subject to the Critical State Significant Infrastructure (CSSI) Approval and the associated design and delivery of the public domain.</p>																																								
	<table border="1"> <thead> <tr> <th data-bbox="958 592 1032 735">Site</th> <th data-bbox="1032 592 1182 735">Proposed parking spaces (incl. accessible spaces)</th> <th data-bbox="1182 592 1317 676">Proposed accessible car spaces</th> <th data-bbox="1317 592 1451 651">Motorcycle spaces</th> <th data-bbox="1451 592 1653 624">Bicycle spaces</th> <th data-bbox="1653 592 1877 624">Service vehicles</th> <th data-bbox="1877 592 2011 676">Car lift (also bikes)</th> <th data-bbox="2011 592 2065 651">Car share</th> </tr> </thead> <tbody> <tr> <td data-bbox="958 735 1032 863">A</td> <td data-bbox="1032 735 1182 767">46</td> <td data-bbox="1182 735 1317 767">12</td> <td data-bbox="1317 735 1451 767">24</td> <td data-bbox="1451 735 1653 858">300 bike storage spaces 20 visitor bike storage spaces</td> <td data-bbox="1653 735 1877 858">1 Medium Rigid Vehicle (MRV) 3 Small Rigid Vehicles (SRV)</td> <td data-bbox="1877 735 2011 799">1 in, 1 out</td> <td data-bbox="2011 735 2065 767">0</td> </tr> <tr> <td data-bbox="958 863 1032 986">B</td> <td data-bbox="1032 863 1182 895">55</td> <td data-bbox="1182 863 1317 895">0</td> <td data-bbox="1317 863 1451 895">2</td> <td data-bbox="1451 863 1653 986">95 bike storage spaces 7 visitor bike storage spaces</td> <td data-bbox="1653 863 1877 954">2 SRV 1 MRV on rolled kerb in Clarke Lane</td> <td data-bbox="1877 863 2011 927">1 in, 1 out</td> <td data-bbox="2011 863 2065 895">0</td> </tr> <tr> <td data-bbox="958 986 1032 1109">C</td> <td data-bbox="1032 986 1182 1018">0</td> <td data-bbox="1182 986 1317 1018">0</td> <td data-bbox="1317 986 1451 1018">0</td> <td data-bbox="1451 986 1653 1109">21 bike storage spaces 7 visitor bike storage spaces</td> <td data-bbox="1653 986 1877 1050">Lay-by in Clarke Lane for loading</td> <td data-bbox="1877 986 2011 1018">-</td> <td data-bbox="2011 986 2065 1018">0</td> </tr> <tr> <td data-bbox="958 1109 1032 1150">Total</td> <td data-bbox="1032 1109 1182 1141">101</td> <td data-bbox="1182 1109 1317 1141">12</td> <td data-bbox="1317 1109 1451 1141">26</td> <td data-bbox="1451 1109 1653 1141">450</td> <td data-bbox="1653 1109 1877 1141">-</td> <td data-bbox="1877 1109 2011 1141">4</td> <td data-bbox="2011 1109 2065 1141">0</td> </tr> </tbody> </table>	Site	Proposed parking spaces (incl. accessible spaces)	Proposed accessible car spaces	Motorcycle spaces	Bicycle spaces	Service vehicles	Car lift (also bikes)	Car share	A	46	12	24	300 bike storage spaces 20 visitor bike storage spaces	1 Medium Rigid Vehicle (MRV) 3 Small Rigid Vehicles (SRV)	1 in, 1 out	0	B	55	0	2	95 bike storage spaces 7 visitor bike storage spaces	2 SRV 1 MRV on rolled kerb in Clarke Lane	1 in, 1 out	0	C	0	0	0	21 bike storage spaces 7 visitor bike storage spaces	Lay-by in Clarke Lane for loading	-	0	Total	101	12	26	450	-	4	0
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Extract	Response
<p>b. Provide a response to North Sydney Council's concern (raised in its EIS submission) regarding the provision of rolled-kerb servicing on Clarke Lane and the potential impact on pedestrian safety and amenity of the lane. This shall include evidence and documentation of further consultation with Council.</p> <p>c. Provide additional information on the use and management of the rolled-kerb / hardstand area to prevent casual parking / servicing outside of designated areas.</p>	<p>It is emphasised that the design of the ground plane is subject to the Interchange Access Plan (IAP) required under Condition E92 of the CSSI Approval for the Sydney Metro City & Southwest Chatswood to Sydenham project and the Station Design and Precinct Plan (SDPP) required under Condition E101. Accordingly, these works to the public domain do not form part of this Concept SSD Application.</p> <p>The Crows Nest OSD proposes two (2) rolled-kerb servicing bays located in Clarke Lane, one adjacent to the entrance of the Site B loading dock and the other on the opposite side of Clarke Lane (adjacent to Site C). Swept path drawings are included at Appendix D indicating the locations of each servicing bay. The purpose of the rolled-kerb servicing bays is to accommodate garbage trucks for waste collection generated by the OSD, while the operational management of these areas will be provided in the Loading Dock Management Plan to form part of the relevant future Detailed SSD Applications (as confirmed in the Mitigation Measures). Bollards will be installed to ensure pedestrian safety as this will be a shared laneway.</p> <p>Sydney Metro has consulted with North Sydney Council during the preparation of the Station Design Precinct Plan (SDDP) and Interchange Access Plan (IAP), which are requirements of the CSSI Approval (CSSI_7400).</p>
<p>3. Flooding</p> <p>a. In addition to responding to Environment, Energy and Science Group's (EESG) submission, clarify the scope for which flooding and stormwater would be addressed by the proposed over station development and/or separately under the infrastructure approval (CSSI 7400).</p>	<p>A consolidated response to the flooding and stormwater matters raised by North Sydney Council and DPIE's EESG is provided below.</p>
<p>4. Other matters</p> <p>a. Provide a revised/updated Design Excellence Strategy reflecting recent amendments to the terms of reference of the Sydney Metro Design Review Panel and any implications from the changed design and delivery of the project from the previous integrated station development strategy.</p>	<p>The Design Excellence Strategy has been updated and is included at Appendix C.</p>

Extract	Response
<p>b. In response to concerns raised about footpath widths, provide a comparison between the existing and likely footpath widths following the completion of the infrastructure approval (CSSI 7400).</p>	<p>There has been no change to the width of the footpaths.</p> <p>It is also emphasised that the design of the ground plane is subject to the IAP and SDPP required under the CSSI Approval. Accordingly, these works to the public domain do not form part of this Concept SSD Application.</p>
<p>c. Confirm the predicted number of construction jobs (265 jobs) is accurate, noting the application form states 570 jobs</p>	<p>Macroplan has confirmed the indirect and direct employment to be generated from the construction of the Amended Project (see the response to Council in Section 2.1.2 below). The project is predicted to generate 945 direct full-time equivalent jobs, and 1,470 indirect full-time equivalent jobs during the construction phase of the project.</p>
<p>d. Provide revised concept drawings which include sufficient measurements and other information, including:</p> <ul style="list-style-type: none"> • drawing number, revision, title and date, scale • the separation distance between Building A and B, and Building A and C • a key/plan indicating where the sections have been taken. 	<p>Updated Architectural Plans are provided at Appendix A incorporating the requested details.</p>

North Sydney Council

Extract	Response
<p>Development Contributions Council has already submitted that like other development sites in the precinct that promoted more intensive development than is identified in the North Sydney LEP 2013, the OSD should make contributions over and above those identified in the North Sydney Contributions Plan and the State Infrastructure Contribution should also apply. This contribution would be in addition to a monetary payment of \$2M which Sydney Metro has offered. The contributions arrangements should be the subject of a Voluntary Planning Agreement.</p>	<p>Specifications for the intended public benefit offer between Sydney Metro and North Sydney Council has been issued to DPIE under separate cover. In the event that no offer is progressed, future development on the site will be subject to monetary contributions paid in accordance with Council's development contributions plan and Section 7.11 of the Environmental Planning and Assessment Act 1979 (EP&A Act).</p>

Extract	Response
<p>Clause 4.6 Variation Request At the time of Council's previous submission, Metro had relied on a "clause 4.6 variation" to the height controls in the North Sydney LEP 2013 that were applicable at the time. Since the gazettal of the various amendments to the LEP in August, including height, these issues have now been largely superseded. This should be confirmed in the detailed assessment undertaken by DPIE.</p>	<p>Noted.</p>
<p>Non-Residential FSR Council submitted that the non-residential FSR controls for the individual sites may not be complied with if the sites were separately sold and developed. Moreover, there was a lower level commitment by Sydney Metro to employment floor space than Council considered desirable given the employment role of the precinct. This was particularly so given the largely residential character of the proposal as a whole. DPIE has responded by stating that the quantum of commercial floor space has increased significantly. This is concurred with and is considered a positive development from the previous concept plan.</p>	<p>Noted.</p>
<p>Certainty and Imminence of the (then) St Leonards and Crows Nest 2036 Plan Council had submitted that the Concept Plan for the OSD should be considered only after the 2036 Plan had been finalised and enabling a better strategic and contextual fit for the OSD assessment. Strategically, this was considered important in order that the built form, character, density, supporting infrastructure, placemaking qualities etc., could all be considered holistically. Council acknowledges that the 2036 Plan, has now been finalised and made by the NSW Government.</p>	<p>Noted.</p>
<p>Prematurity of the Concept SSD Application Council had previously raised that the Concept Plan application should, be considered after the adoption of the 2036 Plan. As noted previously this issue has been addressed by the finalisation of the 2036 plan.</p>	<p>Noted.</p>

Extract	Response
<p>View and Visual Impacts Council previously submitted that the representation of the visual impacts were somewhat misleading and that it was important to accurately reflect the significant impacts that would arise. DPIE agreed with the lack of accuracy. The visual impact studies have now been updated. As has been well documented, the character of Crows Nest comprises low density, low scale development with a high degree of fine grain detailing and amenity. Whilst the architectural quality of a future development application will be relevant, the amended building envelope has a high propensity to be quite overbearing and potentially inconsistent with the highly valued character of Crows Nest. These issues should be addressed in the staged development applications to come.</p>	<p>Noted. The Concept SSD Application seeks consent for the maximum building envelopes, maximum GFA, and minimum non-residential GFA on the site. The detailed design of the OSD within these parameters will be the subject of separate and future DAs. Further visual and view impact assessments will accompany these DAs to further address the design excellence and appropriateness of the detailed design of the buildings.</p>
<p>Overshadowing Council submitted that the resulting overshadowing of Ernest Place and Willoughby Road was unacceptable. DPIE has outlined in its response, that the building envelope has been revised and as a result, will afford Ernest Place in particular, a greater degree of solar access in later parts of the day. DPIE has determined that the greatest impact at 4pm (on 21 September) is the south west corner of the site which is a "transient" environment of the footpath area. It also states that no area of Willoughby Road will be impacted prior to 2.30pm all year round. The reduction of the previous envelope has resulted in a reduced impact upon Ernest Place. It is noted that the 2036 plan has outlined shadow controls of a lesser threshold than Council was seeking. This issue remains of concern.</p>	<p>The 2036 Plan seeks to retain solar access to public open space, streetscapes and residential areas and proposes solar access controls that prevent additional overshadowing of Ernest Place between 10.00am and 3.00pm at mid-winter (21 June), additional overshadowing of Willoughby Road between 11.30am and 2.30pm mid-winter (21 June), and consideration for impacts at the March and September equinox periods (21 March, 21 September) for both areas. The Amended Project has undergone detailed testing and design development from the Exhibited Project to reduce overshadowing and to wholly comply with the final 2036 Plan.</p> <p>Sydney Metro has proposed a built form which provides a balance between concentrating development near the improved accessibility offered by the metro station, whilst simultaneously protecting valued areas of public space in accordance with the relevant strategic planning document. Further design development and refinement to the OSD will occur as part of the separate and future Detailed SSD Applications, further demonstrating compliance with the 2036 Plan and identifying any potential improvements.</p>

Carparking

Council's submission questioned the need for above ground car parking as this was neither a good transport planning outcome nor an architectural one. The proposed concept has reduced the number of parking spaces on site. This has been reduced from 150 spaces to a maximum of 101 spaces. It is maintained that above ground parking is not an optimum architectural response for a transit-oriented development site such as this and represents less than optimum urban design outcome. Given the constraints of providing carparking on the site, consideration should be given to replacing onsite parking with a contribution to public carparking and access to offsite parking. The issue of design must guide future staged development applications.

The Concept SSD Application proposes a maximum number of parking spaces based on the proposed building envelope for the purposes of environmental assessment. It is not appropriate to finalise the number of car parking spaces at this stage. The final number of parking spaces will be determined as part of the detailed design process and subject to approval of a future Detailed SSD Application.

A maximum of 101 parking spaces are proposed as part of the Concept SSD Application. Car parking in Site A will be allocated for vehicles associated with building servicing, maintenance and community share cars, with some allocated for future tenants. This is to ensure that these types of vehicles are not parked for long periods of time on the street. The allocation of the parking spaces will be determined in the subsequent Stage 2 SSD DA. The 55 parking spaces provided on Site B will be for the residents. No parking will be allocated to retail uses of the general public. This balance intends to ensure that there is no adverse impact on street parking, whilst simultaneously ensuring that residents and visitors of a future OSD are encouraged to use the metro station.

Under the Amended Project, the car parking numbers were reduced from the Exhibited Scheme to a maximum of 101 spaces. This represents 49 less car parking spaces than the Exhibited Scheme, and 37 less car parking spaces than was located on the site pre-demolition. A maximum of 157 parking spaces are permissible under the North Sydney Development Control plan 2013 (NSDCP 2013) and hence the Amended Project represents 67% of the maximum number of spaces allowable, as well as a reduction on those that previously existed.

The vehicle trip generation and traffic modelling provided in the Transport, Traffic and Parking Assessment Report at Appendix N of the RTS Report demonstrates that the estimated number of trips generated by the OSD remains less than those generated by the pre-existing uses on the site. The vehicle trip generation was further confirmed to be negligible compared to the growth of background traffic and would have minimal impacts on the performance of surrounding intersections.

Further, the proposed onsite allocation of parking for residential and commercial uses would result in fewer vehicle movements than if it were public carparking.

- Section 4.4.1.1 of the Transport, Traffic and Pedestrian Assessment Report provided at Appendix N of the RTS Report details that the residential apartment peak hour traffic trip generation rate is 0.1 per car parking space in

Extract	Response
	<p>the weekday peak hour and the commercial trip generation rate is 0.38 per car parking space in the weekday peak hour.</p> <ul style="list-style-type: none"> • While the traffic generation of public car parking varies depending on the area and the nearby users of that car parking, observations of public car parks in North Sydney and Crows Nest equates to a car trip generation rate of at least 0.5 vehicles per car space in the weekday peak hour and the Institute of Transport Engineers (ITE) Trip Generation Report 8th Edition has an average trip generation rate of 0.62 cars per peak hour per car space in a public car park including bus services. • These rates of 0.5-0.62 for public carparks are higher than the rates of 0.1 to 0.38 for the proposed residential and commercial parking spaces on the site. Accordingly, the proposed parking spaces would result in fewer vehicle movements than if these spaces were allocated to public parking or the development contributed to providing public parking off-site. <p>Accordingly, while the Concept SSD Application proposes a maximum number of parking spaces which will be subject to further design development and testing, this maximum provision is reasonable and appropriate and represents a reduction to what was previously available on the site, is less than the maximum rates specified in the NSDCP 2013, and has been determined to result in minimal traffic generation.</p>
<p>Built Form Council previously submitted that the bulk and massing of the building form is of particular concern given the tall slender tower forms currently under consideration and construction in the St Leonards area. DPIE has argued that the concept is only an envelope at this stage and that it has been further reduced since its initial lodgement by a small reduction in height and chamfering of the southern corner of Building A. While the amendments to the concept design are noted, the bulk and massing shown on the exhibited documents, has the capacity to be somewhat incongruent with both the emerging character of St Leonards and the existing character of Crows Nest. This issue must be addressed in the subsequent staged development applications.</p>	<p>Noted. The detailed design of over station development will be the subject of separate and future DAs, which will further address architectural expression, modulation, and façade detailing.</p>

Extract	Response
<p>Land Use to meet Employment Targets Council submitted that in lieu of hotel accommodation, it was its preference for this to be included as office accommodation to meet ambitious jobs targets. The hotel accommodation has been replaced with residential floor space but the mixed use, largely residential nature of Building A has been converted to a commercial development. This is supported and the development overall, provides a significant increase in employment (commercial) floor space from the previous 17,900sqm to a minimum 43,300 sqm.</p>	<p>Noted.</p>
<p>Affordable Housing Council submitted that a level of affordable housing should be provided on site as part of the residential component of the development. Metro has committed to a minimum of 5% affordable housing or equivalent monetary contribution to a community housing provider to provide affordable housing in the local area. The level of contribution and/or provision is considered appropriate. Any contribution to affordable housing should be via Council who maintains public ownership of the North Sydney affordable housing stock and has contractual arrangements in place with community housing provider(s) to manage the stock.</p>	<p>Any affordable housing provided on the site will be managed by an appropriate registered community housing provider and will be used for the purposes of affordable housing for a minimum of 10 years. In the event that affordable rental housing is not provided on site, an equivalent monetary contribution will be provided to a community housing provider for the delivery of affordable rental housing in the Local Government Area.</p> <p>As standard practice, a restriction would be registered against the title of the property before an occupation certificate is issued for any affordable housing, ensuring that a registered community housing provider is engaged and the affordable housing is retained for a number of years. This will occur as part of the detailed design and delivery of the Site B OSD, which is the subject of separate and future application.</p>
<p>Collaboration in the Finalisation of the 2036 Plan Council's previous submission included a request that Council have collaborative involvement in the finalisation of the 2036 Plan including in the drafting and consideration of the State Infrastructure Contribution (SIC) and the rezoning of the Sydney Metro site. It is clear that this did not occur to the extent that Council would have desired. Whilst it is maintained that the suite of planning documents and consideration would have benefitted from.</p>	<p>Noted.</p>

Extract	Response
<p><i>Specific concerns with revised concept plan.</i> Council raises specific concerns regarding the revised concept plans.</p> <p>Setbacks The proposed building envelopes have various setbacks to several frontages.</p> <p>Site A has a setback of between 1.5 metres and 3 metres from Pacific Highway in response to the design of the station box approved under 551 15_7400. The building envelopes are setback along Hume Street to allow for a 24 metre building separation between the buildings on Site A and Site B (SEPP 65 requirement). Site A and B are setback 2-2.8 metres and 1.2- 2.6 metres respectively along Clarke Lane to allow for future street widening. Site A is also set back approximately 1.5 metres along Oxley Street to align with the St Leonards Centre heritage item across Clarke Lane.</p>	<p>Noted.</p>

Above podium setbacks / Articulation zones

The station box has virtually set the base or podiums of the buildings. Council's DCP Character statement requires setbacks above the podiums and the proposal has provided the following:

Street	Required	Proposed
Pacific Highway	3m	1.5m Site A; Nil Site B
Hume Street	3m	1.5m Site A; 2.1m Site B
Oxley Street	3m	1.5m Site A
Clarke Street	3m	1.2m Site C
Clarke Lane	1.5m whole building	1.5m Site A; Nil Site C; Site B not shown

No setback shown on southern boundary of Site B. This is a residential building needing to satisfy SEPP 65 separation distances. The adjoining development is likely to be an eight storey mixed use building with 2 storey podium. Above podium development would be apartments. An absolute minimum side setback of 3m should be provided on each side to allow for some minimum separation, light and ventilation. The finalised form must not borrow or rely upon adjoining sites for separation.

The set back of Site B to Clarke Lane is an issue to ensure adequate separation between future residential buildings on the other side of the lane.

The proposed setbacks are indicated as articulation zones allowing for the buildings to be built closer to the boundary within the setback to allow for the articulation of the facades. It is noted that the articulation zone will not result in additional floor space. This would mean that greater setbacks than shown would need to be provided to compensate for floor area within the articulation zone.

The proposed building envelopes define the maximum possible extent of development on the site whilst also providing necessary flexibility for the future detailed design of the OSD.

As detailed in the SEPP 65 Compliance Analysis Report at Appendix I of the RTS Report, the indicative design for the proposed building envelope is capable of complying with the recommended Apartment Design Guide (ADG) building separation distances, and therefore the proposed Site B envelope can deliver a high quality and appropriate outcome. The indicative design achieves more than 24m separation between Hume Street and Pacific Highway and, along Clarke Lane, the lower floors of the residential building (below 25 m) achieve a minimum separation of 10m from the adjacent buildings. Along all other facades, the building achieves a separation of more than 12m. No habitable rooms are facing south-west and 6m separation to the boundary is provided and windows do not look towards neighbouring units. The indicative design represents one potential outcome for the proposed maximum building envelope, demonstrating compliance with the ADG building separation and privacy criteria.

The proposed articulation zones have been removed from Sites A and B, and further objectives and controls have been developed for the articulation of the maximum building envelopes in the Design Guidelines (see Appendix B). These include:

- enabling a maximum plate depth of 27.5 metre, floor plate area of 2,750 square metres, and a minimum 15 per cent of the building envelope to be used for articulation ensuring that the proposed maximum building envelopes will be appropriately refined as part of the Detailed SSD Applications
- the maximum floor plates specifically also ensure that the commercial uses on Site A will benefit from generous access to light and air, and enables the flexible use of space in providing opportunities for multiple subdivisions and layouts for the commercial levels
- the tapered setback envelope of the Site A also allows the floor plates to gradually reduce towards the upper levels providing range of floor plate sizes within the development, which diversify the opportunities for future tenants.

Extract

Response

Council requires the minimum setback be provided where there is a non-compliance (most sites) having regard to the massing of the buildings. Articulation of the building could be provided by providing a weighted setback where the average setback is at least equal to the DCP requirement. The proposed setbacks might be the absolute minimum but would be compensated for greater than 3m setbacks to ensure the weighted average of setbacks being 3m.

This issue should be required to be addressed by condition in latter staged applications.

Extract	Response
<p>Built Form The concept SSD Application proposes a built form to provide a notable locational marker as an identifier of the new station in accordance with the height and density identified in the 2036 Plan.</p> <p>The articulation of the building at Site A seeks to demarcate between the podium and the building above. The podium is largely dictated by the station box.</p> <p>The proposed building envelope sits above the approved station building (CSSI Approval) and therefore has no bearing on street level setbacks.</p> <p>There is no podium element on Site B, however, the first three levels are proposed to be a more solid element in comparison to the levels above, providing a lower built form which reads similarly to a traditional podium.</p> <p>However, the bulk and massing of the building form is still of concern given the tall slender tower forms currently under consideration and construction in the locality. The bulk and massing shown on the exhibited documents are incongruent with both the emerging character of St Leonards and the existing character of Crows Nest. Although the heights and floor space ratio are now gazetted within the NSLEP 2013, the building envelopes must comply with DCP setback requirements for buildings above the station component (particularly as the proposed buildings are significantly larger than surrounding development, both existing and proposed).</p> <p>Additional setbacks could be imposed by condition to be resolved upon lodgement of latter applications.</p>	<p>No above podium setbacks are identified for Site B, with the podium to be defined by the distinct articulation of materiality to relate to the defining streetscape and street wall height of the Pacific Highway. The first three levels are proposed to be a more solid element in comparison to the levels above, providing a lower built form which reads similar to a traditional podium.</p>

Extract	Response
<p>Visual Prominence The proposal is visually prominent from certain local viewpoints, in particular from Ernest Place, Hume Street Park and Willoughby Road. The bulk of the proposed envelopes are of a concern particularly when they do not satisfy the basic controls under the DCP that applies to all other developments in the surrounding area.</p>	<p>A View Impact Study of the key vantage points and streetscape locations in the public domain was provided at Appendix P of the RTS Report. The assessment confirmed that most significant change to existing views would occur from the east and west, as when viewed from the south for medium and long range views the OSD would be absorbed in the context of existing and proposed developments of a greater scale in the St Leonards CBD.</p> <p>These shorter range eastern and western views were modelled in the View Impact Study and assessed in the Visual Impact Assessment Report provided at Appendix R of the RTS Report, confirming that the proposal continues to achieve an appropriate balance between providing additional floorspace above a key new metro station and reducing visual impact on areas of amenity through design measures such as height transition. On this basis, it is determined that overall, the concept proposal in its amended form has an acceptable visual impact.</p>

Extract	Response
<p>Parking The amended OSD design provides for 101 parking spaces, including 46 spaces in Site A (for commercial uses) and 55 spaces in Site B (for residential uses). This represents a decrease of 49 spaces from that of the exhibited scheme.</p> <p>Two car lifts have been proposed to access the car parking area of Site A and Site B as part of the proposed exhibited OSD scheme.</p> <p>Council does not support the use of car lifts to provide for above ground parking. This space would be better used for commercial use. Concern is also raised over the ability of a lift system to adequately serve a public car park. It is maintained that above ground parking is not an optimum architectural response for a transit oriented development site such as this.</p> <p>The car parking space above ground does not allow for proper and adequate setbacks and articulation of the envelopes that seek to maximise the height and FSR controls.</p> <p>Given the constraints of providing carparking on the site, consideration should be given to replacing onsite parking with a contribution to public carparking and access to offsite parking. The issue of design must guide future staged development applications.</p>	<p>The Concept SSD Application proposes a maximum number of parking spaces for the purposes of environmental assessment. It is not appropriate to finalise the number of car parking spaces at this stage, or the detailed design and management of these parking spaces. The detailed design and operation of any on-site vehicle parking would be the subject of a future detailed assessment at the Detailed SSD Application stage.</p> <p>Notwithstanding, the indicative car lifts were assessed in the Transport, Traffic and Pedestrian Assessment Report provided at Appendix N of the RTS Report that confirmed that the potential future use of car lifts on the site would not result in any unacceptable queues or delays to cars, bikes or other road users. The lifts will carry service vehicles to the building, not primarily for the car parking of tenants, and will be available to carry bicycles. This will be further assessed as part of the separate and future Detailed SSD Application.</p>
<p>Signage Details of the signage would be provided as part of the future detailed SSD Application(s) and would have regards to the provisions of this DCP. Signage Zones do not need to be part of the concept application and should form part of a detailed application once the final building form is established.</p>	<p>The Amended Project does not now seek consent for signage zones. Building and business identification signage associated with the proposed over station development will be pursued as part of separate, future applications.</p>

Extract	Response
<p>Clause 4.6 The proposed building envelope for Site B marginally (3m) exceeds the maximum height as shown on the Height of Buildings Map under Clause 4.3 of NSLEP 2013. The Clause 4.6 variation request details how the minor proposed services zone on Site B is appropriate, and that compliance with the maximum building height development standard is unreasonable and unnecessary in the circumstances. However, given the recent adoption of planning controls for the site strict adherence to the height control is mandated.</p>	<p>As addressed in Section 2.1.1 above, the building envelope for Site B has been amended to require that all built form above RL 155m be subject to Clause 5.6 of the North Sydney LEP. The design and extent of any architectural roof feature will be detailed as part of the separate, future DA for the detailed design, construction, and operation of the Site B OSD. The amended Architectural Plans at Appendix A confirm the application of Clause 5.6 of the North Sydney LEP.</p> <p>The Amended Project is, therefore, not reliant on Clause 4.6 of the North Sydney LEP.</p>

Heritage Council of NSW

Extract	Response
<p>As noted in Heritage NSW's previous correspondence, the Sydney Metro City & Southwest Heritage Interpretation Strategy (2018) for Sydney Metro CSSI 7400 covering the interpretation of the site is considered acceptable.</p> <p>Also, it is recommended that the following condition be included in any approval:</p> <p><i>The applicant must ensure that if unexpected archaeological deposits or relics not identified and considered in the supporting documents for this approval are discovered, work must cease in the affected area(s) and the Heritage Council of NSW must be notified. Additional assessment and approval may be required prior to works continuing in the affected area(s) based on the nature of the discovery.</i></p> <p>Considering that all other Heritage NSW comments have been adequately addressed, no further heritage comments are required. The Department does not need to refer subsequent stages of this proposal to the Heritage Council of NSW.</p>	<p>No physical works at the ground plane are proposed as part of the Concept SSD Application. These works are subject to the CSSI Approval, while all remaining physical works on this site above the ground plane are the subject of future Detailed SSD Applications for the design and delivery of OSD.</p>

Environment, Energy and Science Group

Extract	Response
<p>Biodiversity EES makes no further comment in relation to biodiversity matters.</p>	<p>Noted.</p>
<p>Flooding EES has reviewed the Flood Assessment and Stormwater Management Plan report prepared by SMEC version 1 dated July 2020 for this OSD. The report states that this is the first time that flood impacts have been estimated and presented for this location, and they were not included in the previously exhibited report. This results in significant changes from the Environmental Impact Statement (EIS) reporting for the Crows OSD, whereby no impacts were noted.</p>	<p>The EIS confirmed that all flood affection for the site will be resolved through the station design under the terms of the CSSI Approval, recognising that the flood modelling, impact assessment and mitigation measures for the site are to be undertaken as part of the station works under the CSSI Approval. Notwithstanding this, further information was provided with the RTS Report for context.</p>
<p>a. Adverse Flood Impacts on other properties The report documents flood impacts that are cause for concern. The requirement set out in "Sydney Metro – Chatswood to Sydenham SPIR REMM FH9" is for an increase in flood levels (afflux) no greater than an already high 50mm in the 1% AEP flood event. However, the report documents several increases greater than this. Notably the building at 10-12 Clarke Street has commercial tenancies and a basement car park entry on Hume Street, where flood levels are predicted to increase by 0.1 to 0.3 m. This is particularly concerning as the entries are at grade with the flood affected footpath, including the car park entry. Flooding of the basement car park may pose a significant risk to life.</p> <p>An argument is put forward in the report that the afflux criteria should consider the increase in flood depths rather than flood levels as the road itself is being raised. The road carriageway itself is thus not considered to be significantly impacted.</p> <p>However, buildings external to the project will not be raised, so the flood level increase must remain as the relevant afflux criteria. Flood levels relative to the entries noted above would increase.</p>	<p>The infrastructure approval CSSI-7400 (which includes the construction and operation of Crows Nest Station that sits underneath the OSD building envelopes proposed in SSD-9579) assessed the potential flood impacts on the project and adjacent properties. The Submissions and Preferred Infrastructure Report (SPIR) for the approved project included revised environmental mitigation measures and environmental performance outcomes. Mitigation measure FH9 in the SPIR relates to flooding impacts and requires the design of the project to be reviewed to, where feasible and reasonable, not worsen existing flooding characteristics up to an including the 100 year ARI in the vicinity of the project. "Not worsen" is defined in FH9 as "a maximum increase [in] flood levels in a 100 year ARI flood event." The SPIR forms part of the CSSI-7400 approval and Condition E8 requires the flooding mitigation measures (including FH9) be incorporated into the design. As detailed below, the impacts identified by EESG are not directly related to the OSD and are within the parameters of the CSSI-7400 approval.</p> <p>The following response has been provided by the project engineers:</p> <ul style="list-style-type: none"> The 1% AEP flood level increase of 0.1m to 0.3 m is confined to the road corridor adjacent to the building at 10-12 Clarke Street, and not the commercial tenancy entries or carpark entry. The flood level increase bordering the buildings is negligible and far less than 0.1m to 0.3 m. This flood impact has already been approved under CSSI-7400.

Extract

The report has assessed that the development would exacerbate flooding at Kelly's Place Children's Centre, including an increase in flood levels of 0.02 to 0.05m on the outdoor play area to the north of the building and 0.05 to 0. m in Hume Street, to the east. Modelling indicates that the outdoor play area to the north is affected by flooding at depths greater than 500mm under existing conditions. Although the depths of flow on the Hume Street footpath are low, there is potentially no freeboard provided by the low row of bricks and hence the increase in flood levels here should be reconsidered. Flood flows from Hume Street could enter the outdoor play area and exacerbate flooding there and the proposal would make this situation worse.

EES recommends that the issues above be addressed, for example through:

- revision of design to reduce flood impacts to acceptable levels
- detailed assessment of flood level impacts at building entries, which could include measures to deal with impacts within those properties e.g. through negotiation
- calculation of volumes of water entering underground car parks in the 1% and PMF events and any impacts of the development.

It would be prudent to add a similar detailed assessment for 28-34 Clarke Street, which is also noted as being adversely affected. The report notes that floor levels would not be affected but does not address the whether there is a significant reduction in freeboard nor whether service openings are affected.

The report notes that velocities are increased across large areas but has only assessed these increases in relation to the increase in scour potential. Given the very large increases in velocity, together with various locations of increases in flood depths, it would be prudent to assess whether there is an increase in the provisional flood hazard category (H1-H6) to ensure the risk to pedestrians and stationary and moving vehicles is not increased as a result of the project.

Response

- The assessment identifies that there are flood level increases in the road corridor close to private properties, however, this flood level increase is negligible at the thresholds to private properties and have already been approved under CSSI-7400.
- The civil works associated with CSSI-7400 would create a flood impact of up to 40mm at Kelly's Place Children's Centre. However, "Sydney Metro – Chatswood to Sydenham SPIR REMM FH9" states that the increase in flood levels (afflux) is to be no greater than 50mm in the 1% AEP flood event. Therefore, the Crows Nest Station Design proposal conforms to REMM FH9. This flood impact has already been approved under CSSI-7400.
- The flood level increase at the threshold of 28-34 Clarke Street is also negligible) and has already been approved under CSSI-7400.
- Flood hazard mapping undertaken for CSSI-7400 (identical to the flood assessment undertaken for the OSD) shows that the flood hazard is less than 0.3m²/s in both the existing and design case for the 1% AEP. As per the General Flood Hazard Vulnerability Curves from the Technical Flood Risk Management Guideline: Flood Hazard (Australian Institute for Disaster Resilience, 2012), 0.3m²/s equates to Category H1, which is generally safe for people, vehicles and buildings. This flood hazard assessment has already been approved under CSSI-7400.

Extract	Response
<p>b. Flood Risk Management</p> <p>The report documents 12 entrances that lead to underground rail infrastructure and a further four (4) entrances that do not. The EIS stated that station entrances would be 500mm above 1% AEP flood levels, however a freeboard of 300mm may be considered reasonable for much of this site, for example where there are low depths of flooding. The entrances must also be above the PMF level. There are two (2) of the 12 entrances that lead to underground rail infrastructure that may not have sufficient freeboard to the 1% AEP flood levels and are documented as being 210mm above surrounding finished ground levels. It is unclear whether an appropriate level of flood protection has been provided for this infrastructure.</p> <p>Further, the four (4) remaining entrances not leading to underground infrastructure may not be set at suitable levels. The proposed level is required to be above the PMF. There is no mention of freeboard to the 1% AEP flood level. This does not comply with standard practice. No justification has been offered for the elevated risk of flooding to the new development that would be caused by an insufficient freeboard. The tables in the report should be revised to include the 1% AEP flood levels and freeboard available at each entrance.</p> <p>EES recommends that further consideration be given to the issues stated above to avoid exacerbating existing flood problems and creating new infrastructure without sufficient flood protection.</p>	<p>The SPIR REMM FH10 requirement to provide flood protection for the 1% AEP flood level plus 500mm freeboard was not considered to be “feasible or reasonable” at Crows Nest Station for a number of reasons, including:</p> <ul style="list-style-type: none"> • the location of the site close to the top of a hill (resulting in runoff small in magnitude) • the urbanised nature of the catchment making runoff conveyance away from the site very efficient • the spatial constraints at the station entrances, restricting the ramping up of the internal floor to provide freeboard at lift shafts/escalators leading underground • the calculation of a suitable freeboard for use at the Crows Nest Station site using first principles indicated that adopting a freeboard of 500mm would be excessive for the station entrances. <p>As part of CSSI-7400, Sydney Metro granted approval to provide flood protection to station entrances in accordance with SWTC Appendix B2 Clause 2.3.4 (a)(i), such that entrances into underground rail infrastructure must be above the:</p> <ul style="list-style-type: none"> • Probably Maximum Flood (PMF) level • 300mm crest protection to the surrounding finished ground level or sufficient to prevent local flash flooding. <p>Justification has been provided in CSSI-7400 addressing why 210 mm freeboard is considered "sufficient to prevent local flash flooding" and the freeboard of these two entrances has been approved under CSSI-7400.</p> <p>Freeboard provided for the station entrances into underground rail infrastructure has been approved under CSSI-7400. The four OSD entrances have a lower consequence to being flooded since they do not lead underground. It is noted that there is no opportunity to provide additional freeboard to OSD entrances without providing an internal step, as the civil works (i.e. adjacent footpath and roadworks) associated with CSSI-7400 have already been approved. The freeboard that has been provided to the 1% AEP flood level is considered sufficient to prevent ingress of local flash flooding. The table shall be updated to include 1% AEP flood levels and freeboard for each entrance (see below).</p>

Extract		Response				
ID	Entry type	1% AEP flood level (m AHD)	PMF flood level (m AHD)	Surrounding finished ground level (m AHD)	Finished floor level (m AHD)	Available freeboard to 1 per cent AEP (mm)
OSD_02	OSD Entry 1 (Site B)	91.95	91.97	92.32	92.32	370
OSD_03	OSD Entry 2 (Site B)	90.99	91.02	91.2	91.2	210
OSD_04	OSD Entry (Site C)	90.1	90.25	90.27	90.27	170
OSD_05	OSD Entry (Site A)	90.66	90.73	90.83	90.83	170

2.2 Organisations

The following tables include a response to the full text of submissions provided by or on behalf of organisations, as defined by DPIE in the categorisation of submissions on the Major Projects website. The full text of each submission is provided in the left-hand column, accompanied by the corresponding response in the right-hand column. The responses have been informed by input by the consultant team, and should be read in conjunction with the publicly exhibited Environmental Impact Statement (EIS) and Response to Submissions (RTS) Report and accompanying technical reports.

Wollstonecraft Precinct Committee

Extract	Response																																																								
<p>Land Use – Issue – employment outcomes – Comment: The response from Sydney Metro results in overdevelopment of Site A. The 2036 Plan states this about employment:</p> <p>“Employment uses in Crows Nest are mainly local retail shops, population serving businesses, and smaller professional services businesses. Willoughby Road and the surrounding streets that form part of the Crows Nest village will retain their current planning controls to maintain the vibrancy and character of this important high street. A similar balance of mixed-use developments and standalone commercial sites are proposed closer to the Crows Nest Station and St Leonards”.</p> <p>The non-residential floor space in the three Sydney Metro buildings on Sites A, B and C totals 47,636 sqm. The amount of non-residential extra floor space in the whole precinct according to the Final 2036 Plan has been boosted to 119,979 sqm to support an extra 16,500 extra jobs. On a pro-rata basis, 47,636 sqm should be enough to support 6,520 jobs. Sydney Metro quotes 2,225 jobs.</p> <p>The office building at Victoria Cross station has ~56,000 sqm of floor space supporting up to 7,000 jobs (8 square metres/occupant) according to the project update that announced final approval in July. On this basis, the OSD buildings would support up to 6,000 jobs.</p>	<p>The 2036 Plan identifies that there are approximately 47,000 jobs in the area (2016), and that this area requires 16,500 new jobs by 2036 to meet the high jobs target of 63,500 total jobs in the North District Plan. Crows Nest is identified as providing between 1,950 and 3,020 jobs by 2036 in a balance of mixed use developments and standalone commercial sites closer to the Crows Nest Station and St Leonards.</p> <p>Macroplan has confirmed the forecast employment generation for the Amended Project (see the table below), which has the potential to deliver 2,010 direct full-time equivalent jobs (being the jobs that exist on the site), and a further 1,290 indirect full-time equivalent jobs (being the jobs that are created off-site).</p> <table border="1"> <thead> <tr> <th rowspan="2">Site</th> <th rowspan="2">Gross Floor Area (sqm)</th> <th rowspan="2">Net Lettable Area (sqm)</th> <th rowspan="2">Capital Investment Value</th> <th colspan="3">Construction Cycle - Project Life Employment Generation</th> <th colspan="3">Project Completion Employment Generation</th> </tr> <tr> <th>Direct FTE</th> <th>Indirect FTE</th> <th>Total FTE</th> <th>Direct FTE</th> <th>Indirect FTE</th> <th>Total FTE</th> </tr> </thead> <tbody> <tr> <td>Site A Commercial Office</td> <td>40,207</td> <td>32,200</td> <td>\$258.6 M</td> <td>630</td> <td>985</td> <td>1,615</td> <td>1,895</td> <td>1,215</td> <td>3,110</td> </tr> <tr> <td>Site B Residential</td> <td>12,846</td> <td>-</td> <td>\$97.8 M</td> <td>245</td> <td>375</td> <td>620</td> <td>-</td> <td>-</td> <td>-</td> </tr> <tr> <td>Site C Commercial Office</td> <td>3,100</td> <td>2,408</td> <td>\$27.6 M</td> <td>70</td> <td>110</td> <td>180</td> <td>115</td> <td>75</td> <td>190</td> </tr> <tr> <td>Total</td> <td>56,153</td> <td></td> <td>\$384.0 M</td> <td>945</td> <td>1,470</td> <td>2,415</td> <td>2,010</td> <td>1,290</td> <td>3,300</td> </tr> </tbody> </table>	Site	Gross Floor Area (sqm)	Net Lettable Area (sqm)	Capital Investment Value	Construction Cycle - Project Life Employment Generation			Project Completion Employment Generation			Direct FTE	Indirect FTE	Total FTE	Direct FTE	Indirect FTE	Total FTE	Site A Commercial Office	40,207	32,200	\$258.6 M	630	985	1,615	1,895	1,215	3,110	Site B Residential	12,846	-	\$97.8 M	245	375	620	-	-	-	Site C Commercial Office	3,100	2,408	\$27.6 M	70	110	180	115	75	190	Total	56,153		\$384.0 M	945	1,470	2,415	2,010	1,290	3,300
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Extract

The high target for extra jobs for Crows Nest is 3,020. At 8 sqm/occupant the amount of floor space needed for Crows Nest is 24,160 sqm, just over half of the amount in the three Sydney Metro Sites. The number of jobs that commercial office space in the Sydney Metro OSD will support is much higher than claimed and the corollary is that the buildings, particularly on Site A could easily be reduced in size and height to meet the high jobs target for Crows Nest.

A high rise office building also contrasts with the stated objective: “A similar balance of mixed-use developments and standalone commercial sites are proposed closer to the Crows Nest Station and St Leonards”.

St Leonards high target for extra jobs is 4,570 but these jobs can be accommodated in St Leonards. There is plenty of mixed development non-residential office space completed, under construction, approved or under consideration north and west of Oxley Street to take up that number of extra jobs.

Conclusion: The amount of office space being provided by Sydney Metro is about twice as much as needed for Crows Nest and therefore Building A should be drastically reduced in height leading to less floor space. This would help reduce the over shadowing of the Crows Nest village which has been ignored in the extensive analysis that has narrowed consideration to only over shadowing on Willoughby Road, Ernest Place and Hume Street Park. The solution of Sydney Metro to build a massive amount of office space is dated and pre-Covid. Commercial office space demand is and will remain depressed for decades. A better solution would be to both reduce height and also have the government fund job creation initiatives - a recommendation of its own consultants in the draft SLCN 2036 plan.

Response

The Amended Project's contribution to job creation in a highly accessible location, with direct access to the metro station, supports the outcomes of the 2036 Plan as well as the Greater Sydney Commission's objective for creating a '30-minute city'. This outcome was also formed in response to submissions, including that of North Sydney Council, which identified a desire to ensure higher employment outcomes on the site citing the significant employment role of the precinct. All development on the site is further subject to a minimum non-residential floor space development standard applied under the SEPP Crows Nest Station.

As discussed in Section 2.1.2 above, the Amended Project has undergone detailed testing and design development from the Exhibited Project to reduce overshadowing and to wholly comply with the final 2036 Plan. The Site A envelope was reduced in the Amended Project by 20% and represents a balance between concentrating development near the improved accessibility offered by the metro station, whilst simultaneously protecting valued areas of public space. OSD will be subject to further refinement and testing in the preparation of the separate and future Detailed SSD Applications.

Overshadowing

Issue – overshadowing of residential areas west of the Pacific Highway – Comment

The response relies on the narrow and barely acceptable principle of maintaining a minimum of two hours solar access to key living areas mid-winter. The writers of the response should ask themselves if they would purchase a property that is so affected by this principle, as their permanent or primary place of residence. Clearly no, so why should existing property owners have to accept it.

It is acknowledged that the new commercial office building on Site 'A' has a changed envelope, but the 20% reduction is misleading. The envelope ignores the fact there were originally two towers proposed on this block with a large gap between. Taking into account the net area of the western faces, the commercial office building even with the steppes towards the south, is only 6% less than that of the twin towers. Hence its bulk and scale will be a blot on the landscape and will forever block out sky views as well as reducing solar access. It will be entirely out of context with the low rise suburb of East Wollstonecraft and the Crows Nest village.

The shadow diagrams for this building, ignore what will now be a future 24 storey mixed use/residential development on the opposite side of the highway. Shadows from that development in the afternoon will eliminate the effect of the stepped face of the OSD building A and as a result worsen the effect of shadowing to Willoughby Road.

Sydney Metro must be forced to take this into account. The response makes no effort to address the overshadowing of properties in East Wollstonecraft. A caring society that prides itself in a fair go for all, can do better than to spoil the amenity of established residents in East Wollstonecraft.

Solar access has been measured and assessed against the applicable legislation, including SEPP 65, the ADG, and the 2036 Plan to demonstrate that the proposed Site B maximum building envelope is capable of delivering a building with suitable amenity (as identified in Appendix I of the RTS Report). This OSD will be subject to further refinement and testing in the preparation of the separate and future Detailed SSD Applications.

While the comparison of the exhibited and amended indicative schemes results in a lesser reduction in the built form, the proposal has overall been reduced in height and scale in response to submissions.

The Concept SSD Application is consistent with the applicable planning controls and exemplifies the strategic planning context for the Crows Nest and St Leonards area. The 2036 Plan identifies a height peak at the Crows Nest Station site, with heights transitioning or lowering to neighbouring sites and the Crows Nest village. This will mean that in time and subject to further neighbouring development, the prominence of the proposal will be reduced.

Whilst the protection of the Crows Nest village was a significant factor in the options analysis and design development for the proposed development, equally the built form needed to respond to the emerging character of St Leonards within the context of new mass transit infrastructure being located on the site. Aligning the Crows Nest OSD with the existing low density built form of Crows Nest carries a significant opportunity cost, which include the multitude of benefits that would be foregone if no OSD is pursued.

The shadow diagrams provided at Appendix S of the RTS Report address the extent of overshadowing from the OSD maximum building envelopes in the existing context of the site, and do not determine the appropriateness or impacts of any proposed development external to the site which would be the subject of another application or process.

The impacts of the OSD on residential areas to the west of the Pacific Highway was assessed in accordance with the controls in the 2036 Plan. It concluded that the Concept SSD Application complies with the relevant provisions of the 2036 Plan with regard to solar access and overshadowing, with the exception of a small number of residential properties where the non-compliance was limited to less than 30 minutes. This minor impact may be reduced or resolved through design amendments as part of future Detailed SSD Applications.

Extract

Issue – overshadowing of Willoughby Road – Comment
The response relies on the strict reading of all relevant provisions of the SEARs. It chooses not to take note of the Crows Nest Placemaking and Principles Study as being a relevant matter for consideration – simply because it wasn't mentioned in the concept proposal as exhibited.

This is unreasonable. Willoughby Road is the heart of Crows Nest. The DPIE through the SEARs document considers irrelevant and casts the Crows Nest Placemaking and Principles Study aside without further thought to the residents who habit the village every day, all day. Clearly the residents are secondary to the DPIE but Sydney Metro which holds itself high as a creator of improved place and public amenity, does not have to strictly follow the rules. The southern end of Willoughby Road south of Burlington Street is earmarked for closure as a pedestrian plaza and regardless, it needs to be protected at all times from additional overshadowing as does the whole street. Metro should be asked to review this aspect and make adjustments to the residential tower as well as to the height of the commercial office tower.

Issue – overshadowing of Hume Street Park – Comment
The response also relies on the strict reading of all relevant provisions of the SEARs. It chooses not to take note of the Crows Nest Placemaking and Principles Study as being a relevant matter for consideration.

This is completely unreasonable. Hume Park is small and desperately needs sunlight all year round as envisaged in the Crows Nest Placemaking and Principles Study. Crows Nest is the shopping, restaurant and meeting place centre for Crows Nest, St Leonards and Wollstonecraft. It is highly utilised and anything that impacts on amenity of public spaces is abhorrent. Hume St Park is to be upgraded and embellished but it will forever be a small but important asset for residents. It must be protected at all costs. The attitude of Sydney Metro is unacceptable and must be changed to one that recognises the hundreds of objections to the proposed development. We ask that you reconsider this matter and change

Response

The objections which propose no overshadowing at any time of the year in accordance with the Crows Nest Placemaking and Principles Study are noted. Sydney Metro has proposed a built form which provides a balance between concentrating development near the improved accessibility offered by the metro station, whilst simultaneously protecting valued areas of public space such as Willoughby Road. When taking these competing interests into consideration, the impacts are deemed reasonable, particularly considering the length of Willoughby Road and the minor extent of cumulative impact in the instances identified.

The concerns of the objection regarding the overshadowing of Hume Street Park are noted. Given the direct proximity of the site to Hume Street Park, a degree of overshadowing of the park is likely for any OSD built form on the site. The degree of impact is limited by the siting of the OSD generally to the south-west of the park, meaning that any impact associated with the built form will occur later in the afternoon or evening and is outside of the periods of protection in all strategic and statutory planning documents.

It is further noted that no areas of Hume Street Park will be affected by overshadowing caused by the OSD prior to 3.00pm at any time of the year in accordance with the provisions in the NSDCP 2013 and the Crows Nest Placemaking and Principles Study.

Extract

Response

the design to comply with North Sydney Council's competent and widely accepted requirements as defined in the Crows Nest Placemaking and Principles Study.

Overdevelopment

Issue – proposed development is contrary to the 'village atmosphere' – Comment

The response that the OSD will provide a vibrant gateway to the Crows Nest Village is nonsense. The OSD will detract from the otherwise vibrant gateway, all of which is achieved within the approved Critical State Significant Infrastructure of the station with its above ground podiums and entrance embodied in Building C. This all looks reasonable including the ground plane with one exception of a 9 storey office building on space that could be better utilised for public amenity.

It is the OSD specifically on Site A and Site B that are contrary to the village atmosphere. Increased bulk and scale with heights to RL180 and RL155 can never be described as being in context with the village. They are just too high and bulky, looking like a box plonked atop the otherwise attractive new entrance to the village. Site C office building above the station eastern entrance makes no sense at all.

The 'two peak' approach to development by SJB which advocates high rise above each of the two stations is theory that does not apply to Crows Nest village on the one hand and a soulless shadowy residential park that is St Leonards. Crows Nest must be valued and protected so that the poor souls that have to live in the vertical cruise ships of St Leonards have somewhere to go where open space and sky can be enjoyed. The obvious solution is moderate development that is sympathetic to the surrounding low rise nature of Crows Nest, not a sudden change to high rise on the OSD.

Under the terms of the CSSI Approval, a degree of development is already approved to cover the full extent of the station infrastructure at the site. This includes Site C, which is an important portal entry to the station oriented east towards Willoughby Road.

The impact that the proposed OSD will have on the area is considered within the context of cumulative change within the wider area, including an increase of residential dwellings approved or under construction within the precinct. DPIE and Sydney Metro are aligned in their objective to retain and enhance the village atmosphere in and around Crows Nest, particularly along Willoughby Road. The framework for the retention and enhancement of the village atmosphere is outlined in the 2036 Plan including preventing additional overshadowing for specific areas in mid-winter, amending the planning controls to provide transitions in height from the lower scale development at Willoughby Road, Crows Nest to tall buildings in the St Leonards Core, retaining the current built form controls for Willoughby Road, and expanding the Hume Street park. The Concept SSD Application is consistent with the directions of the 2036 Plan that contributes to retaining and enhancing the village atmosphere in and around Crows Nest.

Extract

Response

Issue – the proposed development may provide a high density precedent – Comment
The response from Sydney Metro is completely on the wrong tack. The community's views are properly reported but the DPIE's response went way too far by its promotion of high rise development. Which is why there were 655 objections to the height of buildings in the draft plan and even more to the original OSD proposal as exhibited.

The urban study went off on a tangent that has produced a highly theoretical and unwanted outcome. Even so, it did not recommend at that time, an increase in building heights across the highway from Site A. Now, as a result of the OSD and the finalisation of the 2036 plan, those buildings between Oxley and Hume Street have been increased in height by the DPIE from 18 to 24 storeys without any justification other than a precedence set by Sydney Metro and with the collaboration of DPIE.

Our conclusion is that the proposed development by Sydney Metro has set a precedent as evidenced by increasing the heights directly opposite Site A from 18 storeys as shown on the draft plan, to 24 storeys in the Final Plan, in line with requests from property owners and developers. The community objected to the planned height of 18 storeys, yet the department ignored those >600 objections and sided with developers.

The precedent is continued further south along the west side of the highway between Shirley Road and Bruce Street where part of that site has been significantly increased in height. Sydney Metro's claim is demonstrably wrong. There is clear precedence for high density development being attracted because of the two peak approach and government support for 27 storeys.

Issue – misalignment of infrastructure and growth – Comment
The response misses the point. The community was not targeting Sydney Metro but was critical of the lack of planning in relation to other infrastructure such as education facilities and open space. These are not relevant to Sydney Metro except as noted below. It

The planning controls that apply to surrounding areas are not the subject of this Concept SSD Application. Reference is made to DPIE's Finalisation Report for the 2036 Plan.

The submissions objection is noted. Despite Site C being 9 storeys the building height has not increased and maintains a height of RL 132.00. Other than the options considered to provide for open space on the subject site, the provision of further public open space in the precinct is not a matter for consideration under this concept SSD Application. Expansion and improvements to areas of open

Extract	Response
<p>is lamentable that in regard to open space, the precinct will be 18% worse off by the time all of the green plan initiatives are completed and with increased population, than it is now:</p> <ul style="list-style-type: none"> • Open space in 2018K 1.37 ha/1000 population • Open space in 2036: 1.12 Ha/1000 population <p>This led to a request in relation to Site C that as much space as possible be developed in the form of a public plaza rather than an 8 (now 9) storey building. Rather than heeding the community, Sydney Metro with the support of DPIE has ignored the community's objections and pressed on with increased height. Sydney Metro, clearly does not care about open space that the Minister for Public Spaces so proudly states as being so important. Sydney Metro is providing none rather than contributing to more.</p>	<p>space in the precinct has been identified in the 2036 Plan. Future development on the site will be offset by Section 7.11 Contributions to be paid to North Sydney Council.</p>
<p>Planning Process Issue – non-compliance with the Placemaking and Principles Study – Comment</p> <p>The matter has been mostly dealt with in previous comments to other issues. However, we fail to understand the explanation provided in relation to the design investigation and also the relevance of the need to step down and then up again to satisfy a flawed urban design outcome.</p> <p>The building on Site A is far too large in terms of floor space anyway and must be reduced to avoid an over-supply situation.</p>	<p>The submissions objection is noted. The two-peak height concept is detailed in DPIE's Finalisation Report for the 2036 Plan. It identifies that increased density should be concentrated between the St Leonards Station and Crows Nest metro station as this presents opportunities for transit-oriented development and the accessibility of these locations is attractive to business.</p>
<p>Built Form Issue – visual impact – Comment</p> <p>The response is noted. The main change from the exhibited proposal and the Amended proposal is to Site A where the claimed 20% reduction in the overall envelope is highlighted but in actual and visual terms is only 6% less than the exhibited proposal.</p> <p>By any analysis the visual impact remains significant. Site A in particular occupying the whole block will be dominant with only</p>	<p>For completeness, the photomontages for the Exhibited Scheme and the Amended Project are included at Appendix E.</p>

Extract

Response

partial relief due to the sloping south face. The two photomontages supplied in the RtS showing the original exhibited proposal and the amended proposal are at different scales and give a false impression that the amended proposal is much smaller in overall impact than the original. In fact, this impression is misleading. However, it can be readily seen that the building on Site A is much larger (occupying a full block) than the lower of the two Mirvac towers at St Leonards Square, a development that now complete, has demonstrably very high adverse visual impact from all angles and distance.

The claim that any future developments in the precinct, particularly those on the opposite side of the highway will reduce the overall impact is not true. Refer to our comments above in relation to precedent being set as a result of the proposed development.

What will be achieved if the precinct development proceeds as planned, is a Highway tunnel stretching from St Leonards all the way south to the Five Ways site with anybody's guess as to what the DPIE will allow on planning proposals that profess design excellence, exceed the planned heights. The planning process is flawed, and the built form will be the resulting tragedy. There is enough visual evidence in North Sydney to prove this point. The buildings are just too high, too bulky and out of scale to sit with the fine grain nature of Crows Nest village and East Wollstonecraft.

Issue – building height – Comment

The response is noted. Sydney Metro and the DPIE have collaborated (for years as we now know) to deny or at least make ineffective, the community their democratic right to argue against the newly gazetted controls. There were two parties at that table whereas there should have been three at least. At every turn, information on the development the Sydney Metro proposal was kept secret until exhibition of those documents from November 2018 through January 2019. It is a travesty of good governance and comes not from planners but politicians who have interfered in proper process.

The objections of the submission are noted.

The proposal is consistent with the gazetted height controls that provide are an appropriate balance between focusing taller buildings at St Leonards and providing for an appropriate transition in height to the 3 storey scale of Willoughby Road. The proposal is consistent with the principles of the 2036 Plan, which concluded that height at the Crows Nest metro station is strategically justified. In particular, the height of the building ensures that overshadowing to key areas of public space including Willoughby Road and Ernest Place are reduced to the highest extent possible to ensure continuation of the amenity of the area.

Extract

Response

However, just because the controls have been amended, doesn't mean that Sydney Metro and the government have to go to the extent of every limit in the envelope. There are other matters that need to be taken and must be taken into consideration. Those matters have been the subject of our comments. It is time that the community's objections are properly acknowledged and accepted because they have been ignored almost in entirety.

Public Domain and Open Space

Issue – public space on the subject site – Comment

The response in relation to Hume Park is noted but the plan for an underground car park (requiring removal of the indoor sports (basketball) facility and massive upgrade of the surface was abandoned long ago in favour of a much less expensive and less open space alternative, stage 1 of which is being implemented. Stage 2 (embellishment of the park itself including recovery of some of Clarke street) is waiting finalisation and payment of voluntary planning contributions from developments including those that will come from Sydney Metro.

The reason for asking for public space where Site C is located was driven by the lack of open space generally in the precinct and it was thought that area could be so utilised. It is possible and we suggest not too late to rethink Site C to achieve more plaza and less office space.

Under the terms of the CSSI Approval, a degree of development is already approved to cover the full extent of the station infrastructure at the site. This includes Site C, which is an important portal entry to the station oriented east towards Willoughby Road.

Geosentinel Australia Pty Ltd

Extract	Response
<p>Washbox is a NSW owned and developed technology. The product is Australian made. Washbox is a hired solution that eliminates liquid waste from construction and refurbishment activities by recycling the washwater generated by construction trades. Without Washbox the standard procedures can include unlawful dumping of this waste into the sewer, or to ground. We would encourage a specification for this project to recycle washwater generated by trades and eliminate liquid waste discharge from the site. This is not only in order to comply with relevant regulations and legislation, but also to meet reasonable community expectations of environmental controls and sustainability. I have attached a copy of the waste management plan submitted by Richard Crookes Constructions for the Walsh Bay Arts Precinct project where they specified and use Washbox. Washbox has been used on more than 100 projects in Australia over 15 years.</p>	<p>The submission is noted. This is not a relevant matter for consideration in the Concept SSD Application.</p>

2.3 Public

Each submission received from the public as categorised by DPIE, being members of the public, local residents and other interested persons, has been summarised. The submissions received raise similar issues, and have been summarised and classified into key issue categories (noting that a single submission may have raised several issues). The table below identifies the key issue categories, the frequency that an issue was raised, and provides a response to the key issue categories.

Summary of key issue	Response	No. times issue raised
Overshadowing		
Overshadowing of Crows Nest village	The scale of the proposed OSD maximum building envelopes are consistent with the applicable planning controls, and has been assessed in accordance with the relevant overshadowing and solar access provisions in the applicable legislation, including SEPP 65, the ADG, and the 2036 Plan. The impacts of the OSD on residential areas to the west of the Pacific Highway were assessed and concluded that the Concept SSD Application complies with the relevant provisions of the 2036 Plan with regard to solar access and overshadowing, with the exception of a small number of residential properties where the non-compliance was limited to less than 30 minutes. This minor impact may be reduced or resolved through design amendments as part of future Detailed SSD Applications.	19
Overshadowing of East Wollstonecraft		19
Overshadowing of Willoughby Road	<p>No areas of Willoughby Road will be affected by overshadowing caused by the OSD prior to 2.30pm at any time of the year in accordance with the provisions in the 2036 Plan. In order to comply with this control, a minor amendment was required to the building envelope and building services zone on Site B, with increased upper level setbacks.</p> <p>Objections which propose no overshadowing at any time of the year in accordance with the Crows Nest Placemaking and Principles Study are noted. Sydney Metro has proposed a built form which provides a balance between concentrating development near the improved accessibility offered by the metro station, whilst simultaneously protecting valued areas of public space such as Willoughby Road. When taking these competing interests into consideration, the impacts are deemed reasonable, particularly considering the length of Willoughby Road and the minor extent of cumulative impact in the instances identified.</p>	4

Summary of key issue	Response	No. times issue raised
Overshadowing of Ernest Place	<p>No areas of Ernest Place will be affected by overshadowing caused by the OSD between 10am and 3pm at mid-winter (21 June), also in accordance with the provisions in the 2036 Plan. The proposal will also retain solar access between 3pm and 3:45pm at all times of the year, which is outside of the control period in the 2036 Plan, but identified in the Crows Nest Placemaking and Principles Study which seeks to limit overshadowing at all times. No overshadowing occurs before 5pm on the 21 March equinox and summer solstice (21 December). Further, the Amended Project enabled a 400sqm (around 80 per cent) reduction in impact of overshadowing to Ernest Place on 21 September at 4pm as a result of the Amended Project (from 10.5 per cent to 2.3 per cent).</p>	6
Overshadowing of Hume Street Park	<p>No areas of Hume Street Park will be affected by overshadowing caused by the OSD prior to 3.00pm at any time of the year in accordance with the provisions in the 2036 Plan. This is also in accordance with provisions listed in the NSDCP 2013 and the Crows Nest Placemaking and Principles Study.</p> <p>The concerns of objections regarding the overshadowing of Hume Street Park are noted. Given the direct proximity of the site to Hume Street Park, a degree of overshadowing of the park is likely for any OSD built form on the site. The degree of impact is limited by the siting of the OSD generally to the south-west of the park, meaning that any impact associated with the built form will occur later in the afternoon or evening and is outside of the periods of protection in all strategic and statutory planning documents.</p>	6
Land use		
Excessive residential floorspace proposed	<p>The quantity of residential floor space decreased significantly between the Exhibited Project and Amended Project. The Strategic Market Assessment Report submitted with the EIS (Appendix R) found that whilst a continued moderation in residential market conditions was likely in the short-term, the medium to long-term outlook for residential development at Crows Nest remained positive.</p>	18

Summary of key issue	Response	No. times issue raised
Residential development on site is inappropriate	<p>Residential development is a permitted use with consent under the North Sydney LEP 2013 which applies to the site. This proposed land use is, therefore, consistent with the applicable legislation and appropriate for the following reasons:</p> <ul style="list-style-type: none"> • the concept SSD Application is capable of achieving the amenity and design requirements of the ADG, ensuring the proposal is consistent with the relevant benchmarks for designing and assesses these developments • residential development will activate the Crows Nest area outside of traditional non-residential standard business hours, contributing to a more vibrant precinct in the day and night • connecting residential development to key job markets is a key driver of meeting the Greater Sydney Commission's objective of a '30-minute city' <p>the proposal is consistent with the 2036 Plan that envisages mixed use development in the Crows Nest centre, while still recognising the desired employment role of the precinct.</p>	1
Excessive commercial floorspace proposed	<p>The proposed commercial floor space contributes to jobs creation in a highly accessible location, with direct access to the metro station, supporting the outcomes of the 2036 Plan as well as the Greater Sydney Commission's objective for creating a '30-minute city'. The proposed commercial floor space was also formed in response to submissions, including that of North Sydney Council, which identified a desire to ensure higher employment outcomes on the site, citing the significant employment role of the precinct. All development on the site is further subject to a minimum non-residential floor space development standard applied under the SEPP Crows Nest metro station.</p>	20
Need to consider reduced demand for commercial floorspace due to COVID-19	<p>The proposed maximum building envelopes will be subject to further design development and assessment, with the delivery of OSD subject to future and separate Detailed SSD Applications.</p>	7
Change from hotel to residential not supported	<p>The conversion of the hotel in the Exhibited Project to residential in the Amended Project was undertaken in response to submissions. Submissions cited the failure of other hotel schemes in the area and raised concern that a hotel could be converted to residential apartments at a future time without appropriate consideration of amenity.</p>	7

Summary of key issue	Response	No. times issue raised
Need to provide education floorspace in OSD	There are currently 25 education facilities within close proximity to the plan area, and the Finalisation Report for the 2036 Plan identifies that the NSW Department of Education is actively investigating new early childhood, schools and tertiary education facilities in the precinct. No representation has been made to Sydney Metro that the subject site is being considered for an educational use. Given that investigations are being undertaken to identify a suitable site for education facilities elsewhere within the precinct, the opportunity for an educational use on the subject site is not being pursued at this time.	1
Need to provide health floorspace in OSD	The subject site is within 800m of the Royal North Shore Hospital, which is one of Sydney's premier health institutions. It provides a multitude of state-wide services with a particular focus on severe burns injury, spinal cord injury, neonatal intensive care and interventional neuroradiology. Given the proximity to this facility, the provision of additional health facilities at the subject site is not considered to be required. The provision of childcare facilities has been explored on the site through consultation with Council and has been deemed to not be suitable.	1
Bulk and scale		
Height of buildings are excessive	The Concept SSD Application is consistent with the applicable planning controls and exemplifies the strategic planning context for the Crows Nest and St Leonards area. The 2036 Plan identifies a height peak at the Crows Nest Station site, with heights transitioning or lowering to neighbouring sites and the Crows Nest village. This will mean that in time and subject to further neighbouring development, the prominence of the proposal will be reduced.	21
Building heights not consistent with local character / 'village atmosphere'	Whilst the protection of the Crows Nest village was a significant factor in the options analysis and design development for the proposed development, equally the built form needed to respond to the emerging character of St Leonards within the context of new mass transit infrastructure being located on the site. Aligning the Crows Nest OSD with the existing low density built form of Crows Nest carries a significant opportunity cost, which include the multitude of benefits that would be foregone if no OSD is pursued.	9

Summary of key issue	Response	No. times issue raised
Excessive bulk of buildings	The Concept SSD Application seeks consent for the maximum building envelopes, which will be subject to further design development including architectural expression and articulation as part of future Detailed SSD Applications. The updated Design Guidelines accompanying this response provide the objectives and detailed controls used to guide the design development of buildings within these maximum building envelopes, including a minimum percentage of the building envelope to be used for architectural expression, a maximum façade area that can be provided without relief, and a maximum floor space depth and floor plate area.	2
Street level building setbacks insufficient	The extent of the buildings at street level are defined by the CSSI Approval, meaning the proposed building envelope sit above the approved station and, therefore, have no bearing on street level setbacks.	2
Proposal will set precedent for excessively high buildings in the future	The Concept SSD Application is consistent with the applicable planning controls and exemplifies the strategic planning context for the Crows Nest and St Leonards area. The 2036 Plan identifies a height peak at the Metro site, with heights transitioning or lowering to neighbouring sites and the Crows Nest village. This will mean that in time and subject to further neighbouring development, the prominence of the proposal will be reduced.	7
Community and social issues		
Insufficient community facilities proposed	The Concept SSD Application as exhibited sought approval for up to 2,700m ² of community use space to be located on Site A or Site C. It was envisaged that this could be used as a library space, community facility, recreation area, co-working space or the like, and be dedicated to North Sydney Council. Sydney Metro originally intended to support the delivery of community use space by entering into a voluntary planning agreement (VPA) with Council. However, it was confirmed through post-lodgement discussions that Council did not support the dedication of community use space on the site. Accordingly, the potential community use space has been removed from the Concept SSD Application.	12
Removal of previously proposed community use space inappropriate	Sydney Metro and North Sydney Council have agreed 'in principle' to a VPA which provides early payment of Council's Section 7.11 Contributions for the OSD and additional funds for local infrastructure.	1

Summary of key issue	Response	No. times issue raised
Insufficient open space proposed	Under the terms of the CSSI Approval, a degree of development is already approved to cover the full extent of the station infrastructure within the precinct. Other than the options considered to provide for open space on the subject site, the provision of further public open space in the precinct is not a matter for consideration under this concept SSD Application. Expansion and improvements to areas of open space in the precinct has been identified in the 2036 Plan. Future development on the site will be offset by Section 7.11 Contributions to be paid to North Sydney Council.	10
Site C should be public plaza instead	Site C is an important portal entry to the station oriented east towards Willoughby Road, and as such the footprint of the development at street level is already determined under the CSSI Approval. This site is also located immediately adjacent to one of the largest areas of open space in Crows Nest, being Hume Street Park. North Sydney Council has endorsed a Master Plan to redevelop and expand the existing Hume Street Park to provide improved facilities for the surrounding urban areas as they develop.	19
Substitution of affordable housing with monetary contribution not appropriate	The delivery of affordable rental housing on the site is subject to a number of factors, and as such Sydney Metro has committed to either the delivery of affordable rental housing equivalent to 5% of new residential floor space or an appropriate and equivalent monetary contribution to a community housing provider. This monetary contribution would go towards providing affordable rental housing in the local area, achieving the desired outcome for the residents of the North Sydney LGA.	1
Need for better pedestrian connections across Pacific Highway	All public domain works are the subject of IAP and SDPP required under the CSSI Approval. Accordingly, any improvements to the public domain do not form part of this Concept SSD Application.	2
Traffic and parking		
Number of parking spaces proposed insufficient	The Concept SSD Application proposes a maximum number of parking spaces for the purposes of environmental assessment. It is not appropriate to finalise the number of car	1

Summary of key issue	Response	No. times issue raised
Number of parking spaces proposed excessive	<p>parking spaces at this stage. The final number of parking spaces will be determined as part of detailed design and subject to approval of a future Detailed SSD Application. Parking spaces will be allocated to the residential and commercial uses, and no parking will be allocated to the retail tenancies. This balance intends to ensure that there is no adverse impact on street parking, whilst simultaneously ensuring that residents and visitors of a future OSD are encouraged to use the metro station given its highly strategic location. The proposed maximum parking number is consistent with the NSDCP 2013, which specifies a maximum parking rate.</p> <p>The provision and allocation of parking will be confirmed and assessed further as part of the Detailed SSD Applications for the delivery of OSD on the site.</p>	1
Planning and documentation		
Interchange Access Plan (IAP) should be submitted with proposal	The IAP is a requirement of the CSSI Approval, and as such is not proposed or assessed as part of the Concept SSD Application.	1
Inconsistency with Crows Nest Placemaking and Principles Study	The Crows Nest Placemaking and Principles Study is not a formal requirement for compliance under the SEARs for the concept SSD Application. Notwithstanding this, the concept SSD Application, including as amended, is consistent with the principles of the Crows Nest Placemaking and Principles Study, as detailed in Section 6.5.2 of the EIS. The proposed built form will be non-compliant with certain overshadowing requirements of the Crows Nest Placemaking and Principles Study, but remains compliant with the application 2036 Plan.	6
Insufficient community consultation	The proposal has been the subject of extensive community consultation since 2012, as detailed in Section 5.1 of the EIS. Both the original Exhibited Scheme and the Amended Project have been exhibited in accordance with the legislative requirements of the SSD process.	1
In support of development		
Supports the development	Noted.	2