



WILLOWTREE
PLANNING

SCOPING REPORT FOR SECRETARY'S ENVIRONMENTAL ASSESSMENT REQUIREMENTS:

PROPOSED OVER STATION DEVELOPMENT AT CROWS NEST - SITE B

477, 479, 491-495 PACIFIC HIGHWAY, CROWS NEST
LOT 100 DP 747672
LOT 101 DP 747672
LOT A DP 442804

—

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on behalf of Third.i Group

14 August 2023

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Proposed Over Station Development at Crows Nest – Site B

477 Pacific Highway, Crows Nest (Lot 100 DP 747672), 479 Pacific Highway, Crows Nest (Lot 101 DP 747672) and 491-495 Pacific Highway, Crows Nest (Lot A DP 442804)

In the spirit of reconciliation and recognition, Willowtree Planning acknowledges the Traditional Owners of this Country throughout Australia and their continuing and ongoing connections to land, waters and community. We show our respect to Elders – past and present. We acknowledge that we stand on this Country which was and always will be recognised as Aboriginal Land. We acknowledge the Traditional Owners of the Lands in this Local Government Area, belonging to the local Aboriginal People, where this proposal is located upon.

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APPENDICES

Appendix	Document	Prepared by
1	Concept State Significant Development Application (SSD-9579)	Department of Planning & Environment
2	Capital Investment Value Report	Northcroft
3	Architectural Drawings and GFA Calculations	Woods Bagot
4	BDAR Waiver	Land Eco Consulting

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PART A PRELIMINARY

1.1 INTRODUCTION

Sydney Metro received planning approval for Critical State Significant Infrastructure (SSI 15_7400) (CSSI), approved on 9 January 2017 (and subsequent modifications), for the construction of the Sydney Metro City and Southwest Chatswood to Sydenham project. This approval included the Crows Nest Metro Station (which is one of seven new stations approved as part of this CSSI project).

A Concept State Significant Development Application (SSD-9579) (Concept Approval) was subsequently approved in December 2020 (**Appendix 1**), which provided for a mixed-use development across three sites (known as Site A, Site B and Site C) integrated with the Crows Nest Metro Station. The Concept Approval establishes the planning and assessment framework for all subsequent detailed applications to follow.

This Scoping Report has been prepared by Willowtree Planning Pty Ltd (Willowtree Planning) on behalf of Third.i Group, and is submitted to the NSW Department of Planning and Environment (DPE) in support of a formal request for industry specific Secretary's Environmental Assessment Requirements (SEARs), pursuant to Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act). The intent of this Scoping Report is to guide the preparation of a State Significant Development Application (SSDA) for the proposed development of land at 447, 479 and 491-495 Pacific Highway, Crows Nest more formally described as Lot 100 DP747672, Lot 101 DP747672 and Lot A DP442804 respectively (Site B).

This proposal constitutes the Stage 2 detailed development application for Site B. As will be outlined in the report, the proposal is consistent with the Concept Approval as it relates to Site B.

It is noted that the Stage 2 detailed SSDA for the Crows Nest Site C over station development was approved by the DPE in December 2021 for a nine-story commercial office building on the corner of Hume Street and Clarke Street, Crows Nest.

In keeping with the Concept Approval, Third.i Group is proposing to construct an over station mixed use and residential development at Site B including:

- 131 residential units
- 4 Ground floor/mezzanine retail and commercial floorspaces

The Site is located within the North Sydney Local Government Area (LGA) and is zoned MU1 Mixed Use under the provisions of the *North Sydney Local Environmental Plan 2013* (NSLEP 2013). Development for the purpose of retail/commercial floorspace with residential accommodation above falls within the definition of shop top housing, which is permissible with consent in the MU1 Mixed Use zone under NSLEP2013.

Pursuant to the *Standard Instrument (Local Environmental Plans) Amendment (Land Use Zones) Order 2021*, conventional business and industrial zones have been transformed to employment zones since 26 April 2023. Specifically, the former B4 Mixed Use zone has been transformed to new MU1 Mixed Use zone.

The proposed development satisfies the definition of SSD pursuant to:

- Schedule 1, Section 19 of *State Environmental Planning Policy (Planning Systems) 2021* (Planning Systems SEPP), being development within a rail corridor for commercial premises or residential accommodation with a Capital Investment Value (CIV) of more than \$30 million.

A Capital Investment Value Report is provided at **Appendix 2**. This report shows the CIV of the proposed development of \$71.02M.



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This Scoping Report provides an overview of the proposed development and the relevant planning framework that applies to enable the issuance of the SEARs, which will guide the preparation of a formal Environmental Impact Statement (EIS) for the future development of the land.

Environmental considerations relevant to the proposed development have been identified pertaining to the following parameters:

- Design Excellence
- Built Form and Urban Design
- Integration with Sydney Metro Station Infrastructure
- Noise
- Aboriginal Cultural Heritage and Non-Aboriginal Heritage
- Waste
- Overshadowing
- Traffic and Transport
- Wind
- Other Infrastructure and Services
- Visual Amenity
- Residential Amenity
- Ecologically Sustainable Development
- Crime Prevention Through Environmental Design

The proposed development will assist in the delivery of the Government's vision for the Crows Nest Metro Station precinct, is consistent with the Concept Approval for the site and will capitalise on the Government's investment in public transport infrastructure by locating additional jobs and housing above a new metro station

1.2 PROJECT DESCRIPTION

In keeping with the Concept Approval, Third.i Group is proposing to construct an over station mixed use and residential development at Site B including:

- Hume Street – two retail tenancies 173m² and 44m² respectively, residential entry foyer 116m², residential car lifts, goods lift, waste room, loading dock, residential lobby and Metro Station infrastructure.
- Ground Level RL 95.0 – workplace 352m², retail tenancy fronting the Pacific Highway 33m², loading dock, and Metro Station infrastructure.
- Level 1 - Metro Station infrastructure.
- Level 2 – car parking concealed by landscape elements for 26 car spaces (including 6 accessible spaces), 2 motorbike spaces, bike parking.
- Level 3 – car parking concealed by landscape elements for 29 car spaces, end of trip facilities.
- Level 4-17 – 131 residential units (GFA 12,585m²) including:
 - one bed = 37
 - two bed = 78
 - three bed = 16
- Level 17 – upper penthouses, communal residential terrace, plant.
- Public domain works around the site will be delivered as part of the CSSI approval. Notwithstanding this, the proposed development will be designed to complement the station and activate the public domain.



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1.3 KEY ENVIRONMENTAL ISSUES

Several key environmental issues were considered and resolved as part of the Concept Approval.

An environmental risk screening analysis has been carried out, to identify the potential environmental impacts of the proposal and determine which areas are likely to be of interest to key stakeholders. The key environmental assessment issues identified for more detailed assessment during the preparation of the EIS include:

- Design Excellence
- Built Form and Urban Design
- Integration with Sydney Metro Station Infrastructure
- Noise
- Aboriginal Cultural Heritage and Non-Aboriginal Heritage
- Waste
- Overshadowing
- Traffic and Transport
- Wind
- Other Infrastructure and Services
- Visual Amenity
- Residential Amenity
- Ecologically Sustainable Development
- Crime Prevention Through Environmental Design

Further details are included in **PART F** of this Scoping Report.



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PART B SITE ANALYSIS

2.1 SITE LOCATION AND CHARACTERISTICS

The following table identifies the land holdings where this Scoping Report applies.

TABLE 1. LAND HOLDINGS		
Address	Legal Description	Approximate Area
477 Pacific Highway, Crows Nest	Lot 100 DP 747672	522 m ²
479 Pacific Highway, Crows Nest	Lot 101 DP 747672	714 m ²
491-495 Pacific Highway, Crows Nest	Lot A DP 442804	651 m ²

The three (3) land holdings that make up Site B are located adjacent to each other forming a roughly rectangular shape with a total area of approximately 1,872m². Site B comprises a primary frontage to the Pacific Highway (due West) which connects to Hume Street along the Site B's northern boundary and Clarke Lane along the eastern boundary.

Figure 1 illustrates the cadastral boundary and **Figure 2** provides an aerial view of the Site.



Figure 1. Cadastral Map (Source: SIX Maps, 2023)



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Figure 2. Aerial Map (Source: Near Map, 2023)

All previous development on the Site has been demolished and works are underway for the construction of the new Crows Nest Metro Station as can be seen in **Figure 3** and **Figure 4** below. The Crows Nest Metro Station will occupy Sites A, B and C to a height of approximately two to four storeys. Sites A, B and C will have three separate assessment processes for new buildings on each site above the Metro Station infrastructure.



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Figure 3. View South along Pacific Highway to Site B (Source: Google Street View, May 2023)



Figure 4. View from the corner of Clark Lane and Hume Street looking south-west to Site B (Source: Google Street View, May 2023)



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2.2 DEVELOPMENT HISTORY

Below is a summary of the DAs relating to Site B that have been determined or are under assessment:

- Critical State Significant Infrastructure (SSI 15_7400) (CSSI), approved on 9 January 2017 (and subsequent modifications), for the construction of the Sydney Metro City and Southwest Chatswood to Sydenham project. This approval included the Crows Nest Metro Station (which is one of seven new stations approved as part of this CSSI project).
- Concept Development Application (SSD-9579), approved on 23 December 2020 (and subsequent modifications), for a mixed-use development over the approved Crows Nest Metro Station (see **Figure 5**, **Figure 6** and **Figure 7**) including:
 - three building envelopes, comprising:
 - maximum building envelope heights:
 - Building A: RL 175.6m
 - Building B: RL 155m
 - Building C: RL 127m
 - maximum gross floor area (GFA) of 56,400m² including:
 - 43,400m² commercial GFA
 - 13,000m² residential GFA
 - maximum 101 car parking spaces

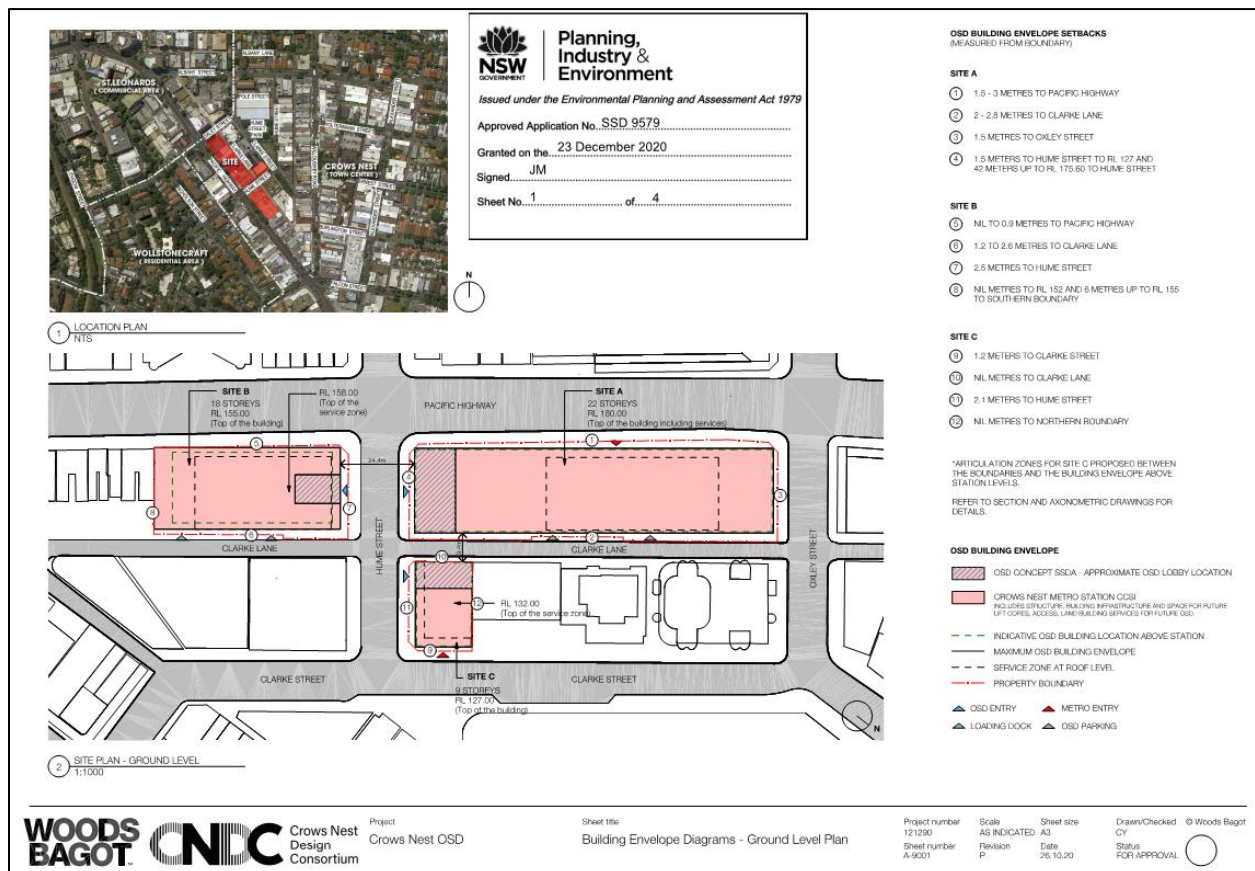


Figure 5. Approved Building Envelope Diagrams (Source: Planning Portal)

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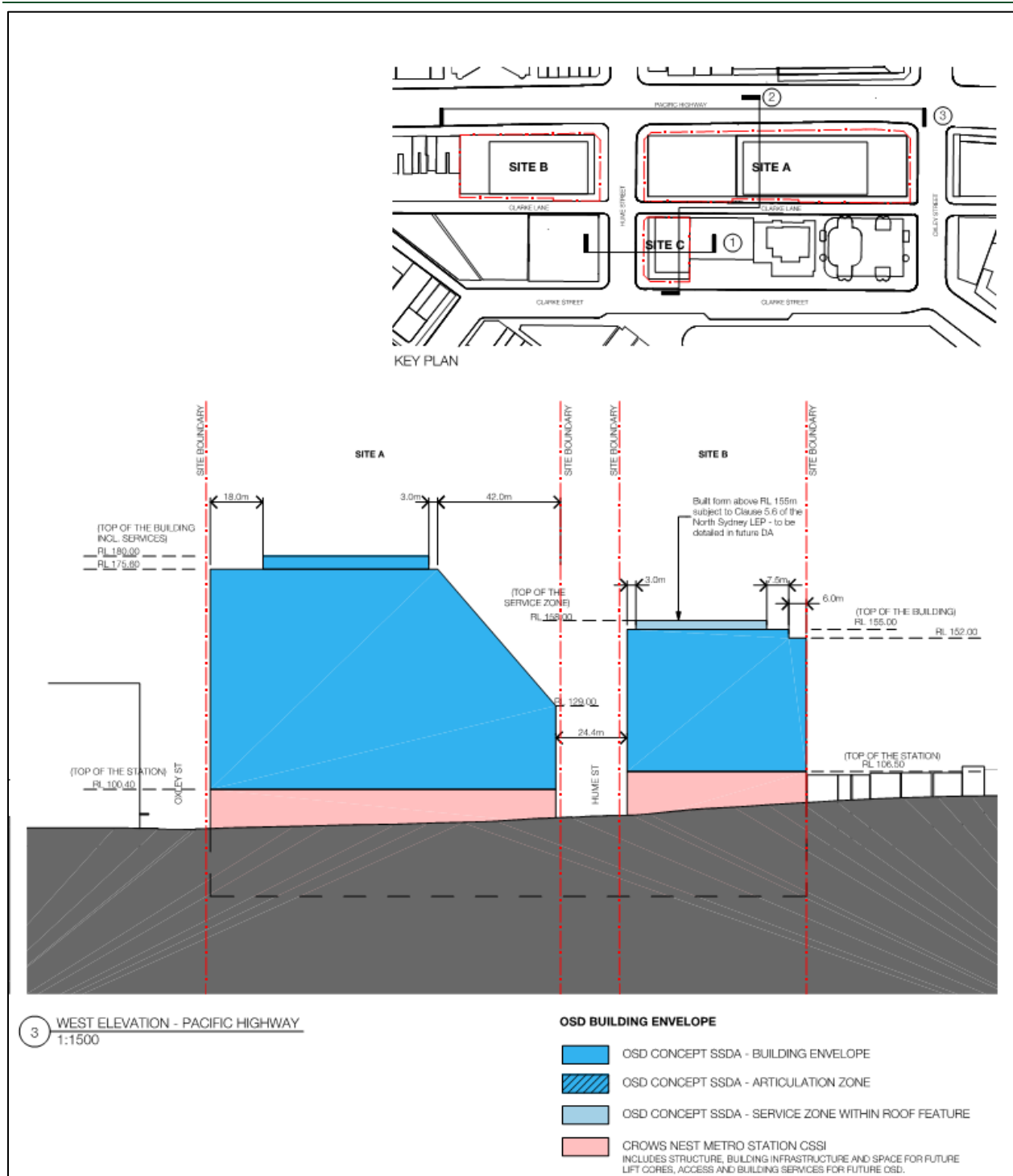


Figure 6. Approved West Elevation (Source: Planning Portal)

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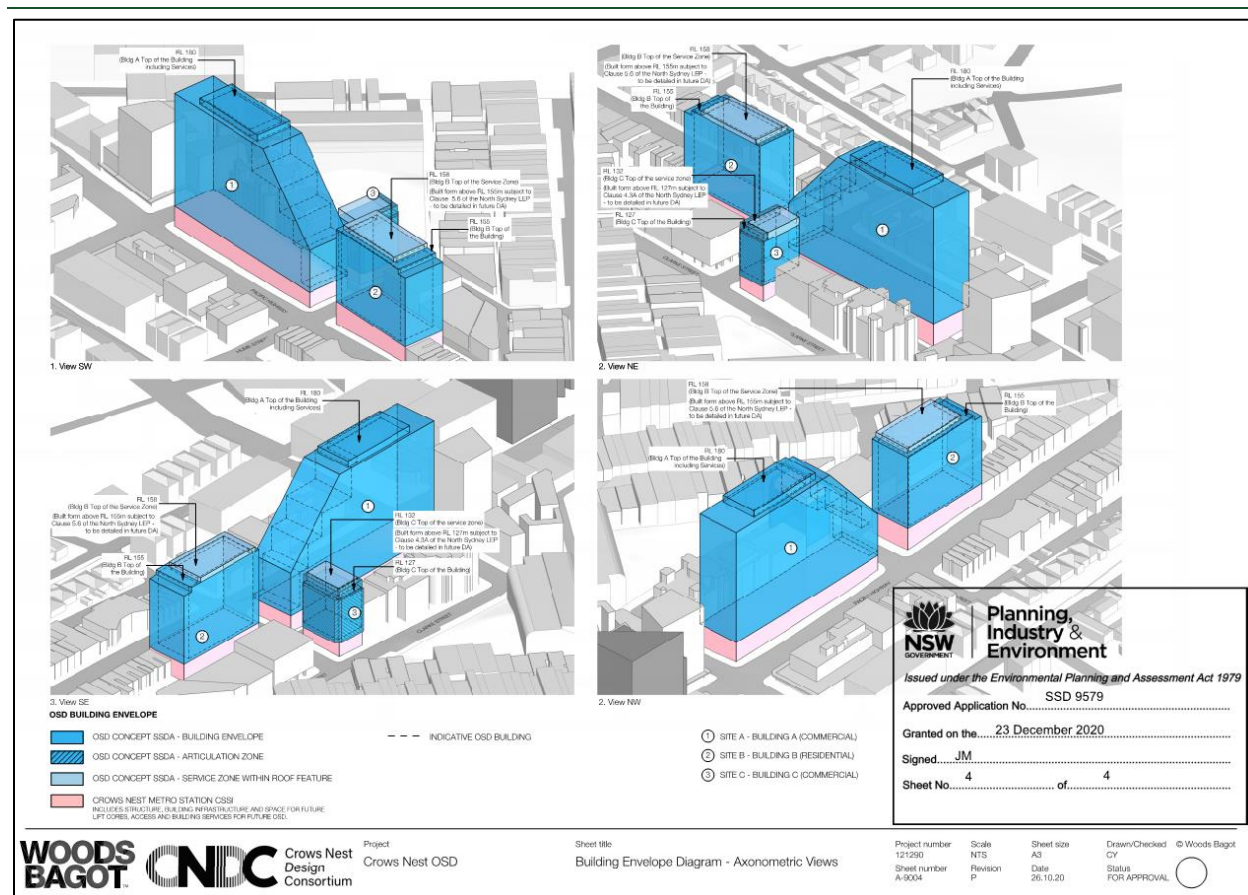


Figure 7. Building Envelope Diagram - Axonometric View (Source: Planning Portal)

2.3 LOCAL AND REGIONAL CONTEXT

The Site is located approximately 1km north of the North Sydney CBD and 5km north-west of the Sydney CBD in the suburb of Crows Nest, which forms part of the wider North Sydney LGA (**Figure 8**).

The immediate site context exhibits a varied character in terms of use, form, age, height and architectural design.

Other land uses in the vicinity of Site B include:

- North: Site A sits immediately to the north of Site B across Hume Street. Site A enjoys a concept approval for a 21 storey (RL 175.6m) 40,300m² commercial building. Beyond Site A across Oxley Street is a 16 storey residential apartment building and 5 storey commercial building. Further north of these properties is St Leonards which includes St Leonards train station and a variety of existing medium to high density development up to approximately 20 storeys.

Site C sits to the north east of Site B across the intersection formed by Hume Street and Clarke Lane. Site C also benefits from a Concept Approval for a 9 storey (RL 127m) 3,100m² commercial building. The Stage 2 detailed SSDA for the Crows Nest Site C over station development was approved by the DPE in December 2021 (SSD 13852803) for a nine-story commercial office building on the corner of Hume Street and Clarke Street, Crows Nest.

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- South: To the south of Site B is 473 Pacific Highway which contains a 2 storey mixed use building with retail on the ground floor and commercial/residential above. This built form typology is continued for several hundred metres in this direction along the Pacific Highway.
- East: Clarke Lane adjoins Site B on its eastern boundary. On the opposite side of Clarke Lane is a six storey commercial building (10-12 Clarke Street) and a 3 storey commercial building (6-8 Clarke Street). Beyond these properties is the Crows Nest village centre.
- West: The Pacific Highway adjoins the Site B's western boundary beyond which is a variety of 2-3 storey mixed use buildings with ground floor retail and commercial/residential uses on the upper floors. Beyond these properties the area transitions to a low/medium scale residential neighborhood of Woolstonecraft.

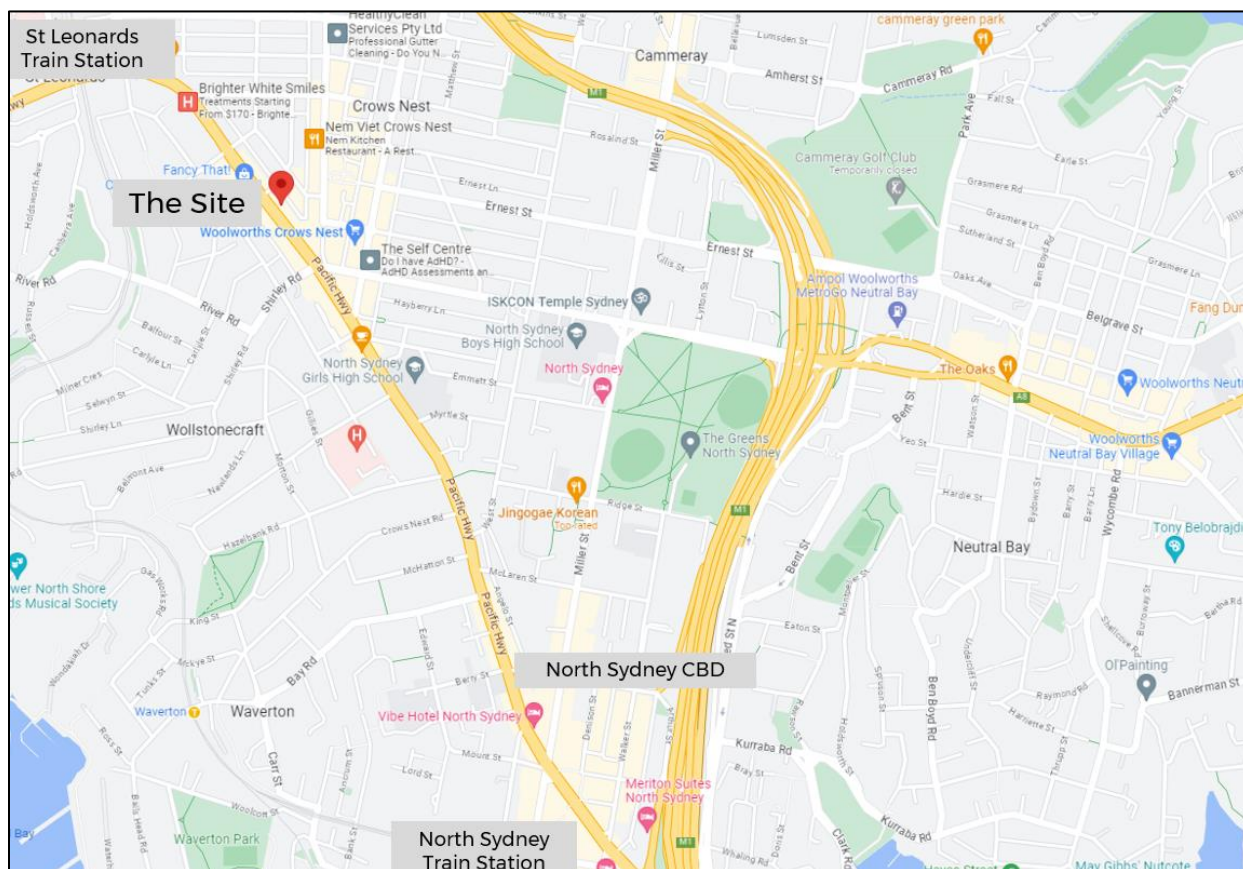


Figure 8. Site Context Map (Source: Google Maps, 2023)



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PART C PROJECT SUMMARY

3.1 AIMS AND OBJECTIVES

The subject proposal seeks development consent for an over station mixed use and residential development at Site B including:

- 131 residential units
- Ground floor/mezzanine retail and commercial floorspace
- 55 car spaces

The following objectives have been identified as forming the basis of the proposed development, as well as being consistent with the aims set out within NSLEP2013, including:

- Design the site to achieve a viable economic return;
- Ensure minimal environmental and amenity impact;
- Ensure ongoing compliance with all operational legislative requirements;
- Provide for an employment-generating land use;
- Provide residential housing supply; and
- Ensure development is compatible with surrounding development and both the local and regional context.

Site B's proposed design is considered to meet the objectives of the proposed development, as it allows for development consistent with the Concept Approval; would be suitably located; and is zoned accordingly for such permissible purposes.

A preliminary Site Plan and Elevations are illustrated below for reference (refer to **Figure 9**) .

3.2 DESCRIPTION OF DEVELOPMENT PROPOSAL

The proposed over station mixed use and residential development includes those works as identified in **TABLE 2** below.

TABLE 2. DEVELOPMENT STATISTICS	
Component	Proposed Outcome
Site Area	1,872m ²
Building Type	Mixed Use
Gross Floor Area	Residential – 12,585m ² Commercial/Retail – 602m ² + 575m ² (Metro GFA) = 1,177m ² Total – 13,762m ²
Floor Space Ratio	Residential – 6.72:1 Non-residential – 0.62:1 Total – 7.35:1
Building Height	Top of residential apartments - RL 153.9m Top of plant roof – RL 158.0m
Number of Storeys	17 storeys
Number of tenancies/units	Residential units – 131 Retail/Commercial tenancies – 4
Setbacks	Pacific Highway (West) – 0m-0.9m Hume Street (North) – 2.5m Clarke Lane (East) – 1.2m-2.6m



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TABLE 2. DEVELOPMENT STATISTICS	
Component	Proposed Outcome
	South – 0m to RL152 and 6m up to RL155
Landscaping	A landscape plan will be submitted with the application
Earthworks	N/A
Roads / Driveways	Clarke Lane – loading dock Clarke Lane – residential car lift
Car Parking	55 car parking spaces 2 motorbike spaces
Tree Removal / Planting	N/A
Signage	N/A
Infrastructure and Servicing	An infrastructure and servicing report will be submitted with the application
Cost of works	\$71.02M



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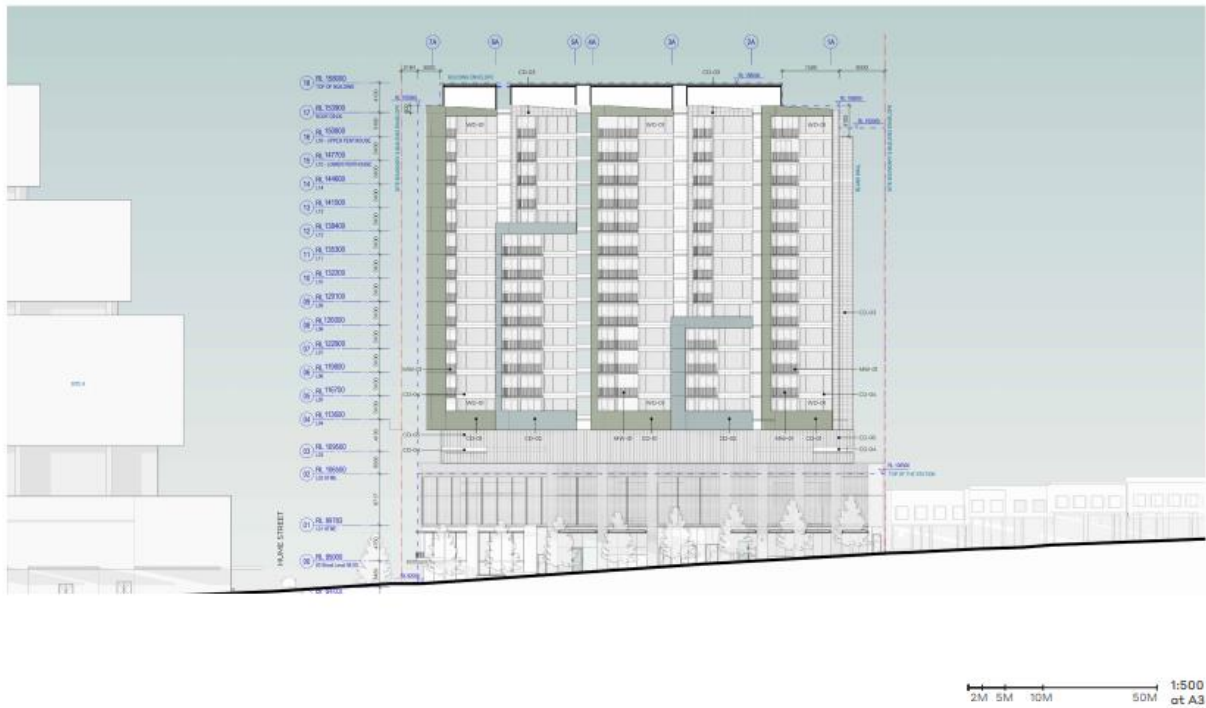


Figure 9. Pacific Highway Elevation (Source: Woods Bagot, 2023)

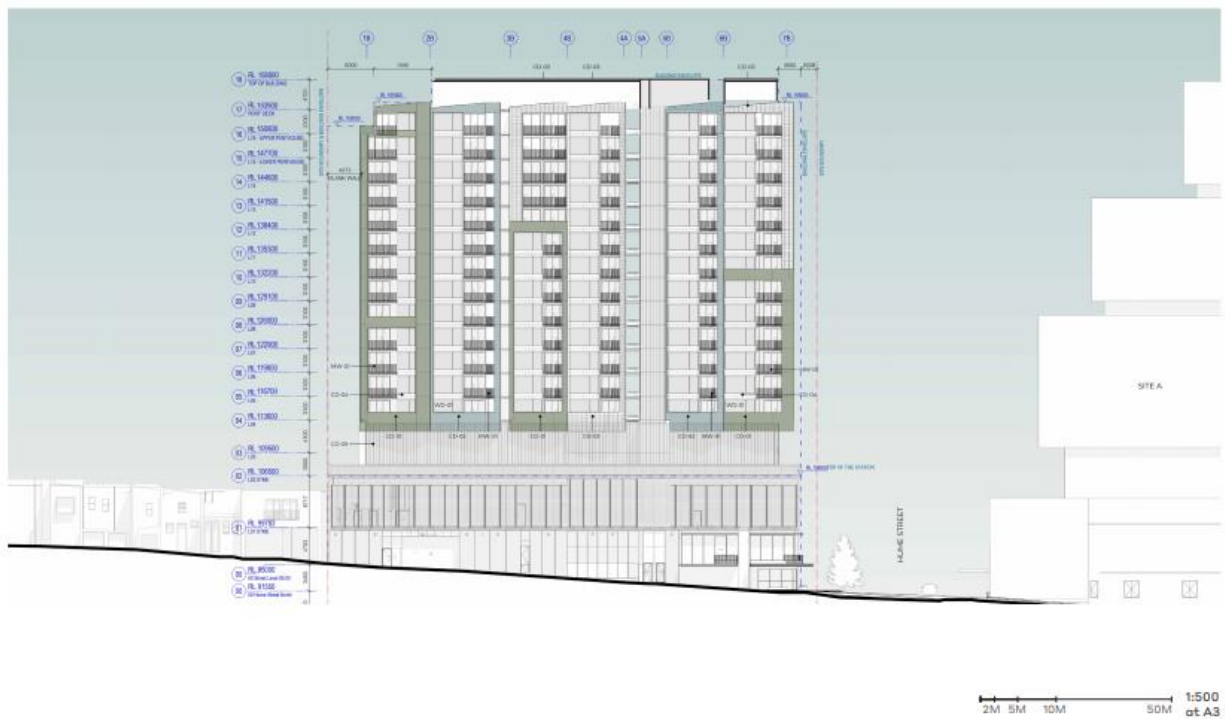


Figure 10. Clarke Lane Elevation (Source: Woods Bagot, 2023)



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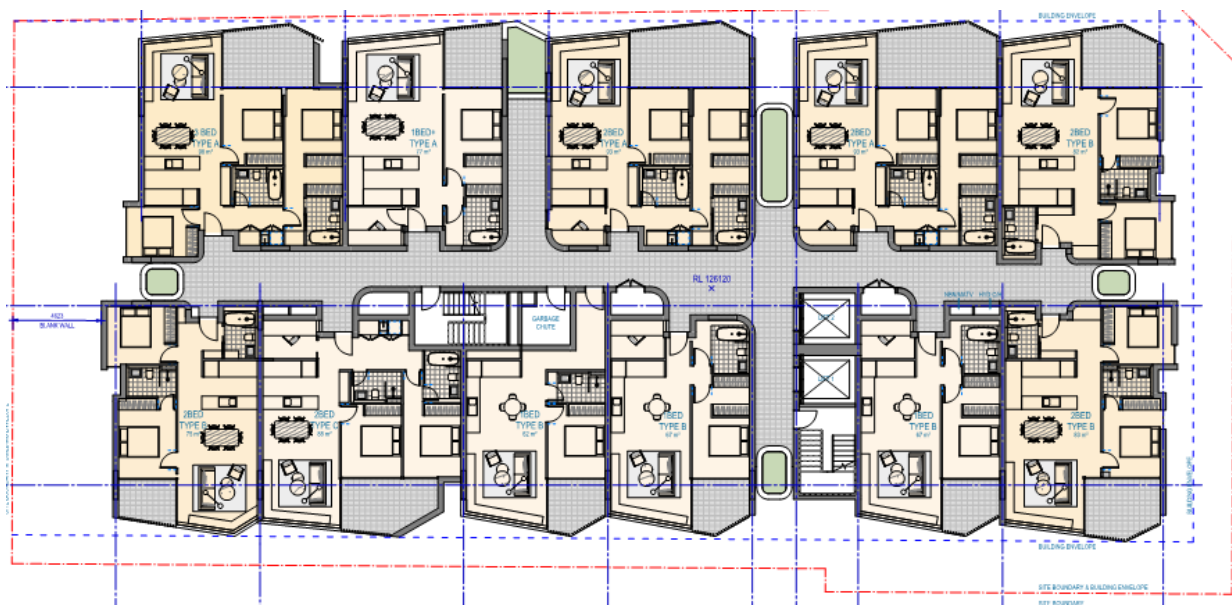


Figure 11. Typical Residential Floor Plan (Source: Woods Bagot, 2023)

3.3 CAPITAL INVESTMENT VALUE

The preliminary CIV of this project is expected to be approximately \$71.02M (exc. GST). The costs will be verified once the detailed design is finalised.

As this exceeds the \$30 million threshold under Schedule 1, Section 19 of the Planning Systems SEPP, the proposed development constitutes SSD.

A Capital Investment Value Report is attached to verify the CIV (refer to **Appendix 2**).

3.4 CONSULTATION

Consultation will be undertaken with the following stakeholders:

- North Sydney Council;
- NSW DPI Water;
- Aboriginal Land Council;
- NSW Environment Protection Authority;
- Transport for NSW;
- Sydney Water;
- Fire and Rescue NSW; and
- Surrounding landowners.

Consultation with relevant stakeholders will be undertaken whilst preparing a detailed EIS in keeping with the Department's Major Project Community Consultation Guidelines.



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PART D PROJECT JUSTIFICATION

4.1 PROJECT NEED

Crows Nest Metro Station is a key new piece of public transport infrastructure in the Sydney Metro network that will provide additional high frequency public transport access for Crows Nest and the surrounding area. This project will realise the Government's objectives in relation to integrated land use and transport planning and transit-oriented development principles. The construction of the Sydney Metro network is progressing and the delivery of a development outcome on Site B forms a key component of the vision for an integrated station development at Crows Nest.

The proposal is generally consistent with the Crows Nest Over Station Development Concept Approval (SSD 9579) and will assist with providing much needed new housing opportunities, close to high frequency public transport, services and facilities and directly contribute to the achievement of housing targets established in the North District Plan.

Retail activation of the street frontages will integrate with the public domain improvements associated with delivery of the Metro Station.

4.2 CONSIDERATION OF ALTERNATIVES

The purpose of the proposed development is to construct an over station mixed use and residential development at Site B, consistent with the Concept Approval, whilst contributing towards the intended character and nature of the MUI Mixed Use zone; providing a mixed use facility which provides employment opportunities and residential accommodation and promotes the economic development of the Crows Nest area. The proposed development seeks to ensure:

- It supports the NSW Government's planning strategies and objectives, including the *Greater Sydney Region Plan (2018)* and the *North District Plan (2018)*
- It fully integrates with the Crows Nest Metro station precinct
- It is compatible with surrounding development and the local context;
- It would result in minimal impact on the environment;
- It would allow for the implementation of suitable mitigation measures, where required; and
- It would respond to the principles of transit oriented development.

Overall, the scale of the proposed development is considered consistent with the development typology envisaged via the Concept Approval. The site design and layout of the built form proposed also seeks to maintain consistency with the zone objectives under NSLEP 2013 and enhance the underlying character intended for the precinct, which is zoned for such permissible land uses.

The options considered and subsequently dismissed, in arriving to the current proposal with regard to the proposed development included:

'Do Nothing' Scenario

This option was dismissed as the objectives of the proposal would not be met, including the objective of achieving the Government's aspirations for a fully integrated mixed use, transit oriented development precinct at Crows Nest, facilitating employment and residential growth. If the proposed development was not to proceed, the site would forego a strategic opportunity to create a new integrated precinct in the St Leonards / Crows Nest precinct.

Development on an Alternative Site

Having regard for the approved Concept Approval, development on an alternative site was not considered a realistic proposition to enable the achievement of the objectives for Site B and the wider Crows Nest Metro precinct.



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Consideration to alternative sites were made, however these were dismissed as Site B resulted in the most beneficial outcomes for the proposal as:

- it is located in an area with an existing Concept Approval
- the proposed use is permitted within the zone;
- the site has appropriate proximity from sensitive land activities;
- all potential environmental impacts of the proposal can be suitably mitigated within the site;
- has employment generating potential, during both the construction and operational phase;
- the proposal does not adversely affect any area of heritage or archaeological significance; and
- the proposal can be developed with appropriate visual amenity given its surrounding context.

The proposal is justified on the basis it is compatible with the locality in which it is proposed while having no unacceptable economic, environmental or social impact.

Different Site Configuration

Consideration of alternative built form options was explored as part of the assessment process for the Concept Approval. Options considered included the following:

- North Sydney LEP and DCP compliant OSD (it is noted that the controls in the North Sydney LEP have now been amended to reflect the Concept Approval)
- St Lenoards / Crows Nest Planning Study compliant OSD
- Alternate land uses
- Alternate building envelope designs

Having explored the above options, it was considered that the scale and scope of development approved as part of the Concept Approval is the most appropriate and suitable approach to facilitate the achievement of the objectives for Site B. As discussed elsewhere in this report, the proposed development is generally consistent with the Concept Approval.

The configuration of the proposed development has, in part, also been dictated by the Metro Station infrastructure currently under construction with the proposed built form responding to this structure.

Notwithstanding, the proposed development is justified on the basis that it is compatible with the locality in which it is proposed, resulting in positive social and economic benefits, whilst appropriately managing and mitigating any potential environmental impacts requiring consideration.

It is noted, that if the proposed development did not proceed, Site B would not be able to provide employment and residential opportunities for the wider area as envisaged in the Greater Sydney Region Plan, North District Plan and North Sydney Local Strategic Planning Statement.

In light of the above information, the proposal for the purpose of an over station mixed use and residential development at Site B will allow for the delivery of much needed residential housing and employment space and facilitate the achievement of the objectives for the Crows Nest Metro station precinct.



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PART E LEGISLATIVE AND POLICY FRAMEWORK

5.1 CONTROLS AND POLICIES OVERVIEW

The following current and draft Commonwealth, State, Regional and Local planning controls and policies have been considered in the preparation of this Scoping Report:

Commonwealth Planning Context

- *Commonwealth Environment Protection and Biodiversity Conservation Act 1999*

State Planning Context

- *Environmental Planning and Assessment Act 1979*
- *Environmental Planning and Assessment Regulation 2021*
- *Protection of the Environment Operations Act 1997*
- *Water Management Act 2000*
- *Biodiversity Conservation Act 2016*
- *Rural Fires Act 1997*
- *Heritage Act 1977*
- *State Environmental Planning Policy (Resilience and Hazards) 2021*
- *State Environmental Planning Policy (Industry and Employment) 2021*
- *State Environmental Planning Policy (Housing) 2021*
- *State Environmental Planning Policy (Transport and Infrastructure) 2021*
- *State Environmental Planning Policy (Planning Systems) 2021*
- *State Environmental Planning Policy (Biodiversity and Conservation) 2021*
- *State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development*
- *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004*

Local Planning Context

- *North Sydney Local Environmental Plan 2013*
- *North Sydney Development Control Plan 2013*
- *North Sydney Local Infrastructure Contributions Plan 2020*

Strategic Context

- *North District Plan*
- *North Sydney Local Strategic Planning Statement*
- *St Lenora and Crows Nest 2036 Plan*
- *Future Transport Strategy 2056*

This planning framework is considered in detail in the following sections.



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5.2 COMMONWEALTH PLANNING CONTEXT

5.2.1 Environment Protection and Biodiversity Conservation Act 1999

Under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), any action (which includes a development, project or activity) that is considered likely to have a significant impact on Matters of National Environmental Significance (MNES) (including nationally threatened ecological communities and species and listed migratory species), must be referred to the Commonwealth Minister for the Environment. The purpose of the referral is to allow a decision to be made about whether an action requires approval on a Commonwealth level. If an action is considered likely to have significant impact on MNES, it is declared a “Controlled Action” for which formal Commonwealth approval is required.

Having regard for the existing disturbed nature of Site B, referral to the Commonwealth Minister is not required.

5.3 STATE PLANNING CONTEXT

5.3.1 Environmental Planning & Assessment Act 1979

The EP&A Act is the principal planning and development legislation in New South Wales and pursuant to Section 4.36(2) provides that:

“A State environmental planning policy may declare any development, or any class or description of development, to be State significant development.”

The proposed development has been identified as State Significant Development under the Planning Systems SEPP.

5.3.2 Environmental Planning & Assessment Regulation 2021

Clause 7(1) of the EP&A Regulation states that:

“Development described in Schedule 3, Part 2 is declared to be designated development unless it is not designated development under Schedule 3, Part 3.”

Further, the proposal does not trigger ‘Designated Development’ pursuant Schedule 3 of the EP&A Regulation.

5.3.3 Protection of the Environment Operations Act 1979

Schedule 1 of the *Protection of the Environment Operations Act 1979* (POEO Act) contains a core list of activities that require a licence before they may be undertaken or carried out. The definition of an ‘activity’ for the purposes of the POEO Act is:

“an industrial, agricultural or commercial activity or an activity of any other nature whatever (including the keeping of a substance or an animal).”

The proposal does not trigger the requirement for a licence.

5.3.4 Water Management Act 2000

The objective of the *Water Management Act 2000* (WM Act) is the sustainable and integrated management of the State’s water for the benefit of both present and future generations.



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Section 91 relates to Activity Approvals and outlines that a controlled activity approval confers a right on its holder to carry out a specified Controlled Activity at a specified location in, on or under Waterfront Land.

For the purposes of the WM Act, Controlled Activity means:

- (a) the erection of a building or the carrying out of a work (within the meaning of the Environmental Planning and Assessment Act 1979), or*
- (b) the removal of material (whether or not extractive material) or vegetation from land, whether by way of excavation or otherwise, or*
- (c) the deposition of material (whether or not extractive material) on land, whether by way of landfill operations or otherwise, or*
- (d) the carrying out of any other activity that affects the quantity or flow of water in a water source.*

Waterfront Land means:

- (a) the bed of any river, together with any land lying between the bed of the river and a line drawn parallel to, and the prescribed distance inland of, the highest bank of the river, or*
- (a1) the bed of any lake, together with any land lying between the bed of the lake and a line drawn parallel to, and the prescribed distance inland of, the shore of the lake, or*
- (a2) the bed of any estuary, together with any land lying between the bed of the estuary and a line drawn parallel to, and the prescribed distance inland of, the mean high water mark of the estuary, or*
- (b) if the regulations so provide, the bed of the coastal waters of the State, and any land lying between the shoreline of the coastal waters and a line drawn parallel to, and the prescribed distance inland of, the mean high water mark of the coastal waters,*
where the prescribed distance is 40 metres or (if the regulations prescribe a lesser distance, either generally or in relation to a particular location or class of locations) that lesser distance. Land that falls into 2 or more of the categories referred to in paragraphs (a), (a1) and (a2) may be waterfront land by virtue of any of the paragraphs relevant to that land.

The proposed development is not a controlled activity for the purposes of the WM Act.

5.3.5 Biodiversity Conservation Act 2016

The *Biodiversity Conservation Act 2016* (BC Act) and *Biodiversity Conservation Regulation 2017* (BC Regulation) seek to maintain a healthy, productive and resilient environment for the greatest well-being of the community, now and into the future, consistent with the principles of ecologically sustainable development.

Part 7 of the BC Act sets out requirements for biodiversity assessments and approvals under the EP&A Act.

Pursuant to Section 7.2(1) of the BC Act, development or an activity is likely to significantly affect threatened species if:

- (a) it is likely to significantly affect threatened species or ecological communities, or their habitats, according to the test in section 7.3, or*
- (b) the development exceeds the biodiversity offsets scheme threshold if the biodiversity offsets scheme applies to the impacts of the development on biodiversity values, or*
- (c) it is carried out in a declared area of outstanding biodiversity value.*

Pursuant to Section 7.9 of the BC Act, an SSD “is to be accompanied by a biodiversity development assessment report unless the Planning Agency Head and the Environment Agency Head determine that the proposed development is not likely to have any significant impact on biodiversity values”.



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The proposed development site is heavily altered having regard for the construction of the Crows Nest Metro station, clear of vegetation, and does not contain any areas of biodiversity value. It is understood that a waiver for a biodiversity development assessment report (BDAR) was issued by DPE in relation to the Concept Approval. Similarly, a BDAR waiver is sought for the proposed development on Site B.

5.3.6 Rural Fires Act 1997

N/A

5.3.7 Heritage Act 1977

Site B is not listed as a heritage item and is not located within a Heritage Conservation Area under the NSLEP 2013. However, locally listed items (IO166-IO171) known as the 'Higgins Buildings' (nos. 366, 368, 370, 372, 374, 376 Pacific Highway) are located to the west of Site B across the Pacific Highway. These buildings are a group of six shopfronts in a single building, designed in the Inter-War Free Classical style, with first floor offices or residences above. Having regard for the separation from Site B, the proposed development is not considered to detrimentally impact on the heritage character of this local heritage item.

5.3.8 State Environmental Planning Policy (Planning Systems) 2021

The Planning Systems SEPP contains planning provisions relating to:

- State or regionally significant development, State Significant Infrastructure, and critical State Significant Infrastructure.
- consideration of development delivery plans by local Aboriginal land councils in planning assessment.
- election of the Planning Secretary to be the concurrence authority for certain development that requires concurrence under nominated State environmental planning policies.

The proposed development satisfies the definition of SSD pursuant to:

- Schedule 1, Section 19 of *State Environmental Planning Policy (Planning Systems) 2021* (Planning Systems SEPP), being development within a rail corridor for commercial premises or residential accommodation with a Capital Investment Value (CIV) of more than \$30 million.

5.3.9 State Environmental Planning Policy (Resilience and Hazards) 2021

The *State Environmental Planning Policy (Resilience and Hazards) 2021* (Resilience and Hazards SEPP) contains planning provisions relating to:

- land use planning within the coastal zone, in a manner consistent with the objects of the *Coastal Management Act 2016*.
- management of hazardous and offensive development.
- remediation of contaminated land and to minimise the risk of harm.

In relation to Site B, the following matters are highlighted.

Chapter 4 – Remediation of land

Under the provisions of Chapter 4 of the Resilience and Hazards SEPP, where a DA is made concerning land that is contaminated, the consent authority must not grant consent unless (as stipulated by Clause 4.6 of the SEPP):

- (a) it has considered whether the land is contaminated, and



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-
- (b) *if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*
- (c) *if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.*

It is noted that Site B is the subject of a Site Audit Report dated 24 July 2020 that evaluated contamination present on the site as well as the remedial works undertaken to address these contamination issues. The Site Audit Report was undertaken to comply with condition E67 of the SSI 15_7400 for the Crows Nest Metro Station.

The development of the Metro Station required excavation to an average depth of 28.5m and excavated soils and rock were disposed offsite. In the Auditor's opinion the excavation works were appropriate to remediate onsite contamination.

5.3.10 State Environmental Planning Policy (Industry And Employment) 2021

The *State Environmental Planning Policy (Industry and Employment) 2021* (Industry and Employment SEPP) contains planning provisions relating to:

- employment land in western Sydney.
- advertising and signage in NSW.

The Industry and Employment SEPP is not applicable to the proposed development.

5.3.11 State Environmental Planning Policy (Housing) 2021

With the changing needs of housing across NSW, the *State Environmental Planning Policy (Housing) 2021* (Housing SEPP) intends to provide for more affordable homes, more choice of homes and new types of homes to meet these changing needs.

It is noted that the Concept Approval (Condition A13 & A14) requires the provision of a minimum 5% of approved residential gross floor area for affordable housing for a minimum period of 10 years or alternatively, payment of a monetary contribution to Council or a Community Housing Provider equivalent to the development value of the 5% on-site affordable housing. The applicant is seeking to make payment of a monetary contribution in lieu of the physical provision of affordable housing.

5.3.12 State Environmental Planning Policy (Transport and Infrastructure) 2021

The *State Environmental Planning Policy (Transport and Infrastructure) 2021* (Transport and Infrastructure SEPP) contains planning provisions relating to:

- infrastructure in NSW, such as hospitals, roads, railways, emergency services, water supply and electricity delivery.
- child-care centres, schools, TAFEs and Universities.
- planning controls and reserves land for the protection of three corridors (North South Rail Line, South West Rail Link extension and Western Sydney Freight Line).
- land use planning and assessment framework for appropriate development at Port Kembla, Port Botany and Port of Newcastle.

Of these, the proposed development must have regard to the following chapters:



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Chapter 2 – Infrastructure

Relevant matters for consideration include:

- *CI 2.94 Development permitted with consent* – makes provision for residential accommodation and commercial premises to be carried out wholly or partly above a railway station.
- *CI 2.100 Impact of rail noise or vibration on non-rail development* – applies to residential accommodation as it is likely to be adversely affected by rail noise or vibration and requires that before determining a development application the consent authority must consider any guidelines issued by the Planning Secretary and that appropriate measures be taken to ensure noise levels are not exceeded in the future residences.
- *CI 2.98 Development adjacent to rail corridors* – this section applies to development on land that is in or adjacent to a rail corridor if the development involves the use of a crane in the air space above any rail corridor and requires that notice be given to the rail authority for the rail corridor and take into consideration any response.
- *CI 2.119 Development with frontage to classified road* – requires vehicular access to the land is provided by a road other than the classified road.
- *CI 2.120 Impact of road noise or vibration on non-road development* – applies to residential accommodation on land adjacent to a road with an annual average daily traffic volume of more than 20,000 vehicles (this applies to the Pacific Highway at Crows Nest). Requires the consent authority to be satisfied that appropriate measures will be taken to ensure noise levels are not breached.
- *CI 2.122 Traffic generating development* – applies to residential accommodation for 75 or more dwellings with direct vehicular or pedestrian access to a classified road. Requires notice being given to Transport for NSW and taking into consideration any comments received.

The above matters will be addressed as part of the future EIS.

5.3.13 State Environmental Planning Policy (Biodiversity and Conservation) 2021

As outlined above, Site B is an over station development above the Crows Nest Metro station. This site does not contain any existing vegetation.

Site B is identified as being within the Sydney Harbour Catchment. Appropriate regard will be had for stormwater management as part of the EIS.

5.3.14 State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development

The proposed development incorporates more than 4 residential units within a block and is over 3 storeys in height. As such the proposal has regard for the *State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development* (SEPP 65). It is considered that the proposed development is capable of achieving the requirements of SEPP 65 and adhering to the standards outlined within the Apartment Design Guide (ADG). Further consideration of these provisions will be provided with the EIS.

5.3.15 State Environmental Planning Policy (Building Sustainability Index Basix) 2004

The proposed development will have regard to the provisions of the *State Environmental Planning Policy (Building Sustainability Index Basix) 2004* (BASIX SEPP). This will be further addressed within the EIS.



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5.4 STRATEGIC PLANNING CONTEXT

5.4.1 Greater Sydney Region Plan – A Metropolis of Three Cities

The Greater Sydney Region Plan – A Metropolis of Three Cities divides the Sydney Region into three (3) Cities, with a vision of growth until 2056. The Plan aims to anticipate the housing and employment needs of a growing and vastly changing population. The overall vision pursues an objective of transforming 'Greater Sydney' into a Metropolis of Three Cities, including:

- The Western Parkland City;
- The Central River City; and
- The Eastern Harbour City.

The division into three cities puts workers and the wider community closer to an array of characteristics such as, intensive jobs, 'city-scale' infrastructure and services, entertainment and cultural facilities. Site B is located within the Eastern Harbour City. The proposed development supports the following objectives:

- Objective 1: Infrastructure supports the three cities
- Objective 4: Infrastructure use is optimised
- Objective 5: Benefits of growth realised by collaboration of governments, community and business
- Objective 7: Communities are healthy, resilient and socially connected
- Objective 10: Greater housing supply
- Objective 11: Housing is more affordable
- Objective 12: Great places that bring people together
- Objective 14: A Metropolis of three cities – integrated land use and transport creates walkable and 30 minute cities
- Objective 15: The Eastern, Greater Parramatta and the Olympic Peninsula and Western Economic Corridors are better connected and more competitive.

The proposed development will support the delivery of the Greater Sydney Region Plan objectives through providing an integrated, transit-oriented development that leverages the Government's investment in the Sydney Metro network and assists with providing much needed new housing opportunities, close to high frequency public transport, services and facilities.

5.4.2 North District Plan

The North District Plan covers the Crows Nest area, including the North Sydney LGA in which Site B is located. The Plan sets out a twenty-year vision to help achieve the goals contained in A Metropolis of Three Cities – the Greater Sydney Commission (GSC) vision for developing Sydney as a world-class future city. The Plan agglomerates City, Regional and Local planning. Site B is situated within the North District, which falls within the Eastern Harbour City.

The North District Plan reinforces the four (4) planning priorities of the GSC. The Plan establishes a number of priorities and actions to guide growth, development and change. It also emphasises connectivity to infrastructure, collaboration, liveability, productivity and sustainability. The proposed development supports the following objectives:

- Objective N1: Planning of a city supported by infrastructure
- Objective N5: Providing housing supply, choice and affordability with access to jobs, services and public transport
- Objective N6: Creating and renewing great places and local centres and respecting the District's heritage
- Objective N8: Eastern Economic Corridor is better connected and more competitive
- Objective N12: Delivering integrated land use and transport planning and a 30-minute city
- Objective N19: Growing and investing in health and education precincts

The proposed development will support the delivery of the above objectives.



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5.4.3 North Sydney Local Strategic Planning Statement

The North Sydney Local Strategic Planning Statement (LSPS) applies to the subject site and aims to deliver on key planning priorities. The following planning priorities are considered relevant to the proposed development:

- Planning Priority I2: Collaborate with State Government Agencies and the community to deliver new housing, jobs, infrastructure and great places
- Planning Priority L1: Diverse housing options that meet the needs of the North Sydney community
- Planning Priority L3: Create great places that recognise and preserve North Sydney's distinct local character and heritage
- Planning Priority P3: Enhance the commercial amenity and viability of North Sydney's local centres

In addition to the above Planning Priorities, the North Sydney LSPS specifically identifies the below actions:

- Action I2.1: Continue to collaborate with TfNSW on Sydney Metro to ensure over-station development and surrounding public domain works at Victoria Cross and Crows Nest have a strong place focus, whilst achieving regional jobs growth objectives.
- Action I2.6 – Continue to seek opportunities to collaborate with Willoughby and Lane Cove Councils, the DPIE and other relevant State government agencies to further refine and finalise the Draft St Leonards and Crows Nest 2036 Plan, State levy and Metro rezoning proposal to ensure the delivery of new housing, jobs, infrastructure and services within the Planned Precinct are well managed and development phased, drawing on the place-based studies and community consultation carried out by Council.

The proposed development will contribute to the realisation of the Planning Priorities and Actions identified in the North Sydney LSPS.

5.4.4 St Lenoards and Crows Nest 2036 Plan

The St Lenoards and Crows Nest 2036 Plan (the 2036 Plan) was adopted in August 2020. The 2036 Plan was developed as a strategic land use and infrastructure plan to guide future development in the precinct and contribute to the required more detailed site specific planning investigations. The 2036 Plan recognises that St Lenoards and Crows Nest is identified as a Strategic Centre through a suite of high-level planning documents, including the Greater Sydney Region Plan and the North District Plan and that the introduction of the new Crows Nest Metro Station as part of the Sydney Metro City & Southwest – Chatswood to Sydenham project presents an opportunity for renewal and activation in the area.

The proposed development of Site B is consistent with the vision and planned approach established by the 2036 Plan.

5.4.5 Future Transport Strategy 2056

The Future Transport Strategy 2056 (2056 Strategy) is a 40 year strategy, supported by plans for regional NSW and for Greater Sydney. The strategy and plans focus on the role of transport in delivering movement and place outcomes that support the character of the places and communities we want for the future.

The proposed development aligns with the 2056 Strategy on the following basis:

- Site B has access to regular public transport services;
- Site B is accessible by active transport;
- a travel demand management approach is proposed through implementation of a work place travel plan;



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- parking provision is appropriate;
- access, servicing and internal layout will be provided in accordance with Australian Standards AS2890.1-2004 and AS2890.2-2018;
- the surrounding road network and intersections will be able to cater for the proposed development traffic.

The proposed development aligns strongly with the key transportation outcomes by integrating over station development with new transport infrastructure.

5.5 LOCAL PLANNING CONTEXT

5.5.1 North Sydney Local Environmental Plan 2013

The *North Sydney Local Environmental Plan 2013* (NSLEP2013) is the primary environmental planning instrument that applies to the site.

The relevant provisions of the NSLEP2013 as they relate to the subject site are considered below.

Zoning and Permissibility

The subject site is located within the MU1 Mixed Use zone under the NSLEP2013, as shown in **Figure 11**.

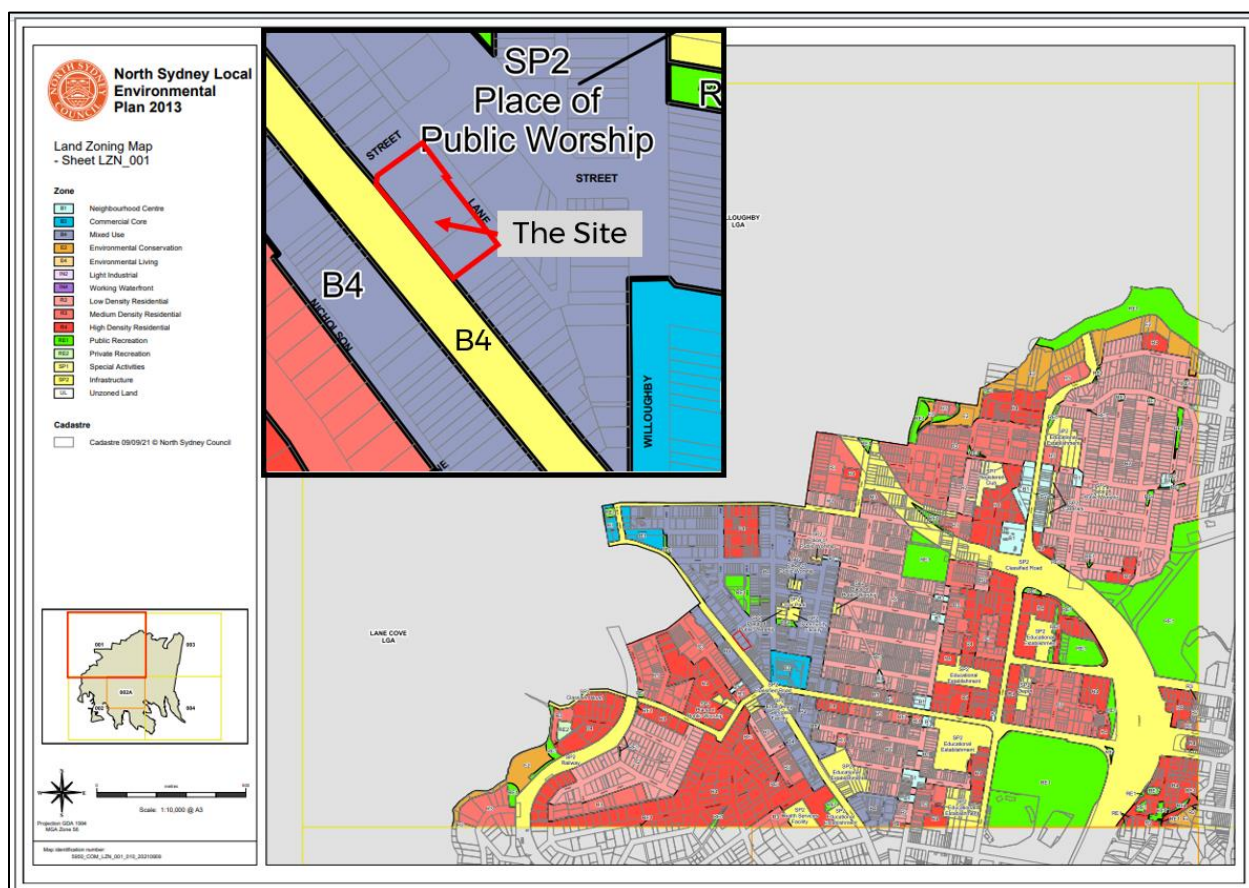


Figure 122. NSLEP2013 Zoning Map (Source: NSW Legislation, 2023)

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The objectives of the MU1 zone include:

- *To encourage a diversity of business, retail, office and light industrial land uses that generate employment opportunities.*
- *To ensure that new development provides diverse and active street frontages to attract pedestrian traffic and to contribute to vibrant, diverse and functional streets and public spaces.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*
- *To encourage business, retail, community and other non-residential land uses on the ground floor of buildings.*
- *To create interesting and vibrant mixed use centres with safe, high quality urban environments with residential amenity.*
- *To maintain existing commercial space and allow for residential development in mixed use buildings, with non-residential uses concentrated on the lower levels and residential uses predominantly on the higher levels.*

Within the MU1 zone, the following development is permitted without consent:

- *Nil*

Within the MU1 zone, the following development is permitted with consent:

- *Amusement centres; Boarding houses; Car parks; Centre-based child care facilities; Commercial premises; Community facilities; Entertainment facilities; Function centres; Hostels; Information and education facilities; Light industries; Local distribution premises; Medical centres; Oyster aquaculture; Passenger transport facilities; Places of public worship; Recreation areas; Recreation facilities (indoor); Registered clubs; Residential flat buildings; Respite day care centres; Restricted premises; Roads; Sex services premises; **Shop top housing**; Signage; Tank-based aquaculture; Tourist and visitor accommodation; Vehicle repair stations; Veterinary hospitals*

The proposed development is characterised as shop top housing, therefore the development is permitted with consent in the MU1 zone.

Development Standards

TABLE 3 outlines the developments consistency and compliance with the relevant development standards and controls under NSLEP2013.

TABLE 3. DEVELOPMENT STANDARDS	
Clause	Comment
Clause 4.1 – Minimum Lot Size	N/A
Clause 4.3 – Height of Buildings	Site B is subject to a maximum building height of 155m.

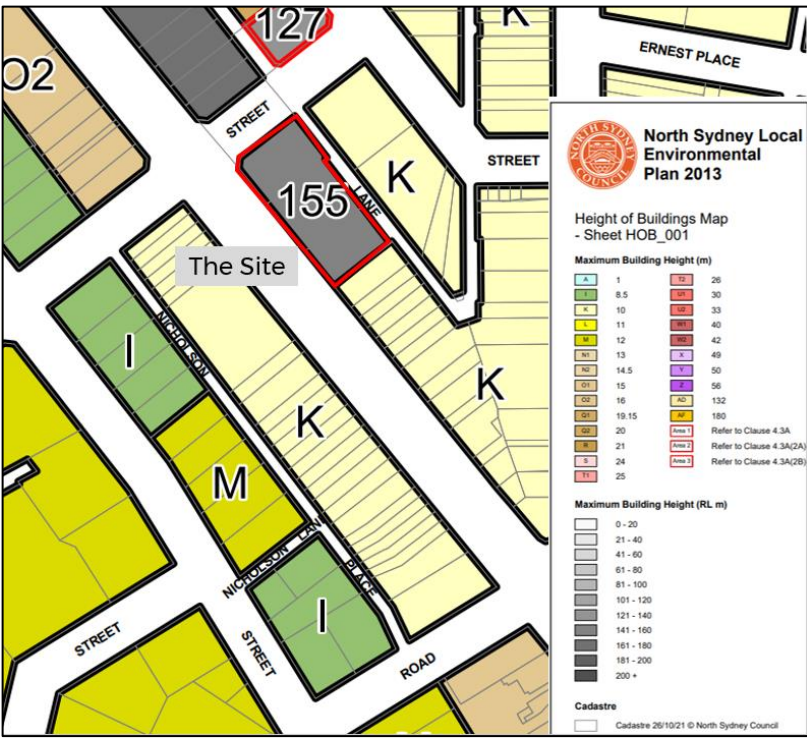


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TABLE 3. DEVELOPMENT STANDARDS

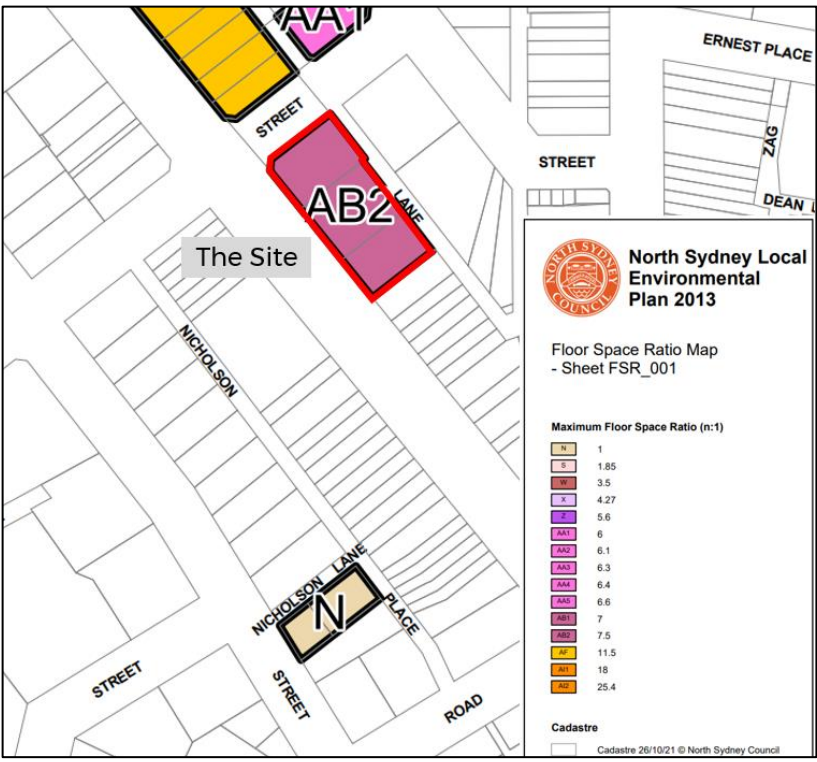
Clause	Comment
	 Figure 133. NSLEP2013 Height of Building Maps (Source: NSW Legislation, 2023)
Clause 4.4 – Floor Space Ratio	Site B is subject to an FSR of 7.5:1.



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TABLE 3. DEVELOPMENT STANDARDS	
Clause	Comment
	 Figure 144. NSLEP2013 FSR Maps (Source: NSW Legislation, 2023)
Clause 4.4A – Non-residential floor space ratios	Site B is subject to a non-residential FSR of 0.5:1.



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TABLE 3. DEVELOPMENT STANDARDS

Clause	Comment																														
	<thead> <tr> <th>Minimum Non-Residential Floor Space Ratio (n:1)</th> <th>Zone</th> </tr> </thead> <tbody> <tr><td>0.24</td><td>A</td></tr> <tr><td>0.5</td><td>D</td></tr> <tr><td>0.6</td><td>F</td></tr> <tr><td>0.75</td><td>G</td></tr> <tr><td>1</td><td>H</td></tr> <tr><td>1.4</td><td>N</td></tr> <tr><td>1.5</td><td>R</td></tr> <tr><td>1.7</td><td>S1</td></tr> <tr><td>2</td><td>S2</td></tr> <tr><td>3</td><td>T</td></tr> <tr><td>4.25</td><td>Y</td></tr> <tr><td>4.7</td><td>X1</td></tr> <tr><td>5</td><td>X2</td></tr> <tr><td>10</td><td>Z</td></tr> </tbody>	Minimum Non-Residential Floor Space Ratio (n:1)	Zone	0.24	A	0.5	D	0.6	F	0.75	G	1	H	1.4	N	1.5	R	1.7	S1	2	S2	3	T	4.25	Y	4.7	X1	5	X2	10	Z
Minimum Non-Residential Floor Space Ratio (n:1)	Zone																														
0.24	A																														
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2	S2																														
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4.25	Y																														
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5	X2																														
10	Z																														

 The map also shows 'Cadastral' information with a note 'Cadastral 26/10/21 © North Sydney Council'.

| | **Figure 155. NSLEP2013 Non-Residential FSR Maps (Source: NSW Legislation, 2023)** |


SCOPING REPORT

Proposed Over Station Development at Crows Nest – Site B

477 Pacific Highway, Crows Nest (Lot 100 DP 747672), 479 Pacific Highway, Crows Nest (Lot 101 DP 747672) and 491-495 Pacific Highway, Crows Nest (Lot A DP 442804)

5.5.2 North Sydney Development Control Plan 2013

The North Sydney Development Control Plan 2013 (NSDCP2013) provides detailed planning and design guidelines to support the planning controls of the NSLEP2013.

SSD does not have to consider the provisions stipulated within a Development Control Plan, however it is considered that an assessment of the proposal against the relevant sections of the NSDCP2013 will be provided as part of the future EIS.

5.5.3 North Sydney Local Infrastructure Contributions Plan 2020

It is noted that relevant contributions are payable as per Section 7.11 of the EP&A Act, and as such the North Sydney Local Infrastructure Contributions Plan 2020 (NSLICP2020) applies to the proposed development. It is understood that the relevant payable contribution would be conditioned as part of any development consent.



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PART F PRELIMINARY ENVIRONMENTAL ASSESSMENT

A screening analysis of the environmental issues applicable to the proposal is presented in **TABLE 4** below. This risk-based analysis has been used to identify the key environmental issues for further assessment and to assist the preparation of the SEARs with respect to the proposed development.

The analysis is based on preliminary environmental assessment of the Site only. The EIS for the proposal will fully address these items and other key environmental issues relevant to the proposal.

TABLE 4. ENVIRONMENTAL SCREENING ANALYSIS	
Issue	Preliminary Analysis
Consistency with the Concept Approval	It will be demonstrated that the proposal is consistent with the Crows Nest Over Station Development Concept Approval (SSD 9579).
Design Excellence	- The proposed development will be subject to a design review by the State Design Review Panel (SDRP), and consideration will be had to their feedback. - A Design Report will accompany the EIS.
Built Form and Urban Design	The proposed development will be accompanied by a statement demonstrating the quality of the proposed development having regard to the character of the surrounding area, interface with the metro station and public domain, façade, massing, setbacks, building articulation and materials.
Integration with Sydney Metro Station Infrastructure	The proposed development will demonstrate how it will integrate with the CSSI infrastructure including structural design, detailed architectural approach, access, wayfinding, public domain works and construction management.
Soil	- It is noted that the Site is the subject of a Site Audit Report dated 24 July 2020 that evaluated contamination present on the site as well as the remedial works undertaken to address these contamination issues. The Site Audit Report was undertaken to comply with condition E67 of the SSI 15_7400 for the Crows Nest Metro Station. - The development of the Metro Station required excavation to an average depth of 28.5m and excavated soils and rock were disposed offsite. In the Auditor's opinion the excavation works were appropriate to remediate onsite contamination.
Noise	- The site is capable of mitigating acoustic impacts to sensitive receivers. - Potential noise impacts generated during the construction phase of the proposed development would be localised through construction traffic and construction equipment, for which a Construction Noise and Vibration Management Plan (CNVMP) would be implemented to address any potential noise and vibration impacts anticipated during the construction phase. - Potential rail noise and vibration and road noise impacts on future occupants of the residential units will be addressed as part of the EIS.
Biodiversity	The Site is not considered to contain biodiversity values and therefore a BDAR waiver will be sought.



SCOPING REPORT

Proposed Over Station Development at Crows Nest – Site B

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TABLE 4. ENVIRONMENTAL SCREENING ANALYSIS

Issue	Preliminary Analysis
Aboriginal Cultural Heritage and Non-Aboriginal Heritage	- Given the extensively disturbed nature of the Site, and the fact earthworks were approved under SSI 15_7400, it is requested that a full Aboriginal Cultural Heritage Assessment (ACHA) should not be warranted. - Appropriate mitigation and management measures will be undertaken where Aboriginal heritage items or artefacts are identified at the site. - A statement of significance and assessment of the impact of the proposed development on adjacent heritage items will be prepared.
Waste	- Operational waste would be managed in accordance with a Plan of Management for the site. - Waste generated throughout the construction phase would be disposed of in accordance with a Waste Management Plan, which would include provisions for recyclables and suitable off-site disposal.
Overshadowing	An Overshadowing Impact Assessment, including shadow studies and diagrams showing the likely overshadowing impact of the development on surrounding open space and neighborhood developments will be provided with the EIS.
Traffic and Transport	- Suitable provision is made to accommodate and service the proposed development in terms of traffic and transport. - A Traffic Impact Assessment would be prepared by a suitably qualified Traffic Engineer, which would consider the potential traffic related impacts as a result of the proposal on the surrounding road network; access and design; car parking; and trip generation (including relevant swept path analysis). - A Vehicular Servicing Management Plan which considers the use and operation of loading docks and servicing bays will be provided. - A Construction Traffic and Pedestrian Management Plan would be prepared. - A green travel plan will be provided to identify opportunities to maximise sustainable transport choices for future residents and staff.
Wind	A Wind Impact Assessment would be prepared to demonstrate spaces within and around the site are suitable for their intended purpose.
Other Infrastructure and Services	All essential infrastructure services would be augmented accordingly for the proposed development, including water, sewer, electricity and communications.
Visual Amenity	- The built form would be designed to incorporate architectural elements that articulate the facades and provide a high level of visual amenity within the public domain. - The EIS will include an assessment of the visual impact of the proposed development from key vantage points. - Photomontages will be prepared to demonstrate the visual impact of the proposal.



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Proposed Over Station Development at Crows Nest – Site B

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TABLE 4. ENVIRONMENTAL SCREENING ANALYSIS	
Issue	Preliminary Analysis
Residential Amenity	▪ The proposal will achieve the requirements of SEPP 65 – Residential Apartment Development and the residential guidelines within the associated Apartment Design Guide.
Ecologically Sustainable Development	▪ It is considered that the development will respond to the principles of ESD. ▪ An ESD report will be prepared.
Crime Prevention Through Environmental Design	▪ The development will comply with the requirements of Crime Prevention Through Environmental Design (CPTED). ▪ A CPTED report will be prepared.



SCOPING REPORT

Proposed Over Station Development at Crows Nest – Site B

477 Pacific Highway, Crows Nest (Lot 100 DP 747672), 479 Pacific Highway, Crows Nest (Lot 101 DP 747672) and 491-495 Pacific Highway, Crows Nest (Lot A DP 442804)

PART C CONCLUSION

The intent of this Scoping Report is to guide the preparation of an SSD application for the proposed development of land at 447, 479 and 491-495 Pacific Highway, more formally described as Lot 100 DP747672, Lot 101 DP747672 and Lot A DP442804 respectively. The proposed development involves a mixed use over station development, that would equate to a CIV of more than \$30 Million, thus being defined as SSD pursuant to Schedule 1, Section 19 of the Planning Systems SEPP.

Site B is situated within the North Sydney LGA, forming part of the St Lenoards and Crows Nest Strategic Centre, complimented by surrounding developments of similar contextual importance. Site B is considered highly suitable for the proposed development, given the existing Concept Approval that applies to the site.

The proposed development is considered to align with the strategic objectives of the Greater Sydney Region Plan, North District Plan, North Sydney LSPS and St Lenoards and Crows Nest 2036 Plan and provides an integrated, transit oriented, over station development. In this respect, the proposed development would provide for housing and economic growth and prosperity for the North Sydney LGA and the wider area.

Additionally, as noted throughout this Scoping Report, the proposed development would be carried out in an environmentally and ecologically sustainable manner and would further implement suitable mitigation measures to ensure that the amenity and function of surrounding land uses would not be compromised.

It is requested that NSW DPE issue formal SEARs for the preparation of an EIS for the proposed development as SSD.

