

Scoping Report

Request for Project-specific SEAR's
*Crows Nest Metro Over Station Development –
Site A (Detailed SSDA)*

Submitted to NSW Department of Planning, Housing, and
Infrastructure
on behalf of Thirdi Crows Nest Commercial Developments
Pty Ltd

3 September 2024

gyde.com.au



GYDE

Acknowledgment of Country

Gyde Consulting acknowledges and pays respect to Aboriginal and Torres Strait Islander peoples past, present, Traditional Custodians and Elders of this nation and the cultural, spiritual and educational practices of Aboriginal and Torres Strait Islander people. We recognise the deep and ongoing connections to Country – the land, water and sky – and the memories, knowledge and diverse values of past and contemporary Aboriginal and Torres Strait communities.

Gyde is committed to learning from Aboriginal and Torres Strait Islander people in the work we do across the country.



Towards Harmony by Aboriginal Artist Adam Laws

This report was prepared by:

Approver: Susan Francis – Executive Director
Author: Camilla Firman – Senior Associate
Project: Request for Project-specific SEAR's
Report Version: Final

This report was reviewed by: Anthony Kazacos – Associate Director and REAP [PIA Number: 44913]

Disclaimer

This report has been prepared by Gyde Consulting with input from a number of other expert consultants (if relevant). To the best of our knowledge, the information contained herein is neither false nor misleading and the contents are based on information and facts that were correct at the time of writing. Gyde Consulting accepts no responsibility or liability for any errors, omissions or resultant consequences including any loss or damage arising from reliance in information in this publication.

Copyright © Gyde Consulting
ABN 58 133 501 774

All Rights Reserved. No material may be reproduced without prior permission.

Contents

1.	Introduction.....	1
1.1	Overview	1
1.2	Proponent Details.....	2
1.3	Planning Background	3
1.3.1	CSSI Approval - Sydney Metro Stage 2 (SSI 15_7400)	3
1.3.2	Concept SSDA - Concept Envelope for Sites A, B and C (SSD 9579)	3
1.3.3	Site B - Detailed SSDA (SSD-61400212).....	5
1.3.4	Site C - Detailed SSDA (SSD-13852803).....	5
1.3.5	Site A - Concurrent Amendment Concept SSDA and Detailed SSDA	5
1.3.6	Pre-Lodgement Discussions.....	6
1.3.7	Exhibition of draft Crows Nest TOD Rezoning Proposal	6
2.	Site Analysis	8
2.1	Regional Context.....	8
2.2	Site Description	9
2.3	Existing Site Constraints and Opportunities.....	10
2.3.1	Crows Nest Sydney Metro Station.....	10
3.	The Project	11
3.1	Project Description	11
3.2	Project Need.....	13
3.3	Surrounding Development	14
4.	Feasible Alternatives	15
5.	Community Views and Proposed Engagement.....	18
	Matters for further assessment	18
	Approach to engagement.....	18
	Engagement stages	18
	Communication considerations	18
	Identification of stakeholders.....	18
	Community Engagement and the Social Impact Assessment	18
	Post Detailed SSDA Lodgement Engagement	21
6.	Strategic Context.....	22
7.	Statutory Context	25
7.1	Statutory Planning Framework.....	25
7.2	Power to Grant Approval.....	25
7.3	Permissibility	26
7.4	Other Approvals	26
7.5	Pre-conditions to exercising the power to grant consent	27
7.6	Mandatory matters for consideration	29
7.7	Draft Crows Nest TOD Rezoning Proposal.....	35
7.7.1	Draft Design Guide	35
8.	Proposed Assessment of Impacts.....	37
8.1	Matters Requiring Further Assessment	37
8.2	Matters Requiring No Further Assessment.....	45
8.3	Cumulative Impact Assessment.....	46
9.	Conclusion	47

Figures

Towards Harmony by Aboriginal Artist Adam Laws	ii
Figure 1 Concept SSDA – Building envelope diagrams – Ground level plan (Source: Woods Bagot, 2020).....	4
Figure 2 Concept SSDA – Building envelope diagrams – Sections (Source: Woods Bagot, 2020).....	4
Figure 3 Concept SSDA – Building envelope diagrams – Asymmetric views (Source: Woods Bagot, 2020).....	5
Figure 4 Regional Context (Source: Woods Bagot, August 2024).....	8
Figure 5 Aerial of Sites A (subject site in red), neighbouring sites that also form part of the Concept SSDA are Site B (blue) and C (yellow) (Source: Nearmap, accessed 27 March 2024).....	9
Figure 6 Installation of entrance awning at Clarke Street (Source: Sydney Metro, February 2024 Update).....	11
Figure 7 Completed brick façade work at Oxley Street and Pacific Highway (Source: Sydney Metro, February 2024 Update).....	11
Figure 8 Crows Nest Site A Program illustrating scope of works over the existing and operational Crows Nest Metro Box (Source: Woods Bagot, August 2024)	12
Figure 9 Massing iterations as part of SDRP Second Review (Source: Woods Bagot, SDRP Presentation May 2024).....	16
Figure 10 Madding Options for Further Interrogation as part of SDRP Second Review (Source: Woods Bagot, SDRP Presentation, May 2024)	16
Figure 11 Espatial viewer – Heritage (site outlined in red) (Source: DPHI Espatial viewer, accessed 11 July 2024).....	30
Figure 12 NSLEP Zoning Map (site highlighted in red) (Source: Espatial viewer, accessed July 2024).....	34
Figure 13 Floodplain Risk Management Study and Plan undertaken by North Sydney Council in 2022 (Source: North Sydney Council, 2022)	42

Tables

Table 1 Proponent Details	2
Table 2 Lots and addresses that constitute Site A Table 1	9
Table 3 Numerical components of the Detailed SSDA proposal for Site A.....	12
Table 4 Summary of development in the vicinity of Site A	14
Table 5 Project Alternatives.....	15
Table 6 Strategic context and relevancy to subject Detailed SSDA.....	22
Table 7 Other Approvals under the EP&A Act	26
Table 8 Pre-conditions to exercising power to grant approval	27
Table 9 Mandatory matters for consideration	29
Table 10 Details of heritage items in the vicinity of Site A.....	30
Table 11 Relevant sections of the Transport & Infrastructure SEPP	31
Table 12 NSLEP Development standards.....	34
Table 13 Matters requiring further assessment.....	37
Table 14 Matters requiring no further assessment.....	45
Table 15 Scoping Summary Table	49

Appendices

Appendix A	Scoping Summary Table
Appendix B	Indicative Detailed SSDA Architectural Plans
Appendix C	Indicative Design Report
Appendix D	Survey Plans
Appendix E	Crows Nest OSD - Land Use and Economic Appraisal
Appendix F	Crows Nest OSD – Demographic and housing demand study
Appendix G	Pedestrian Wind Assessment
Appendix H	Community Engagement
Appendix I	BDAR Waiver

1. Introduction

1.1 Overview

This Scoping Report (Report) has been prepared on behalf of Thirdi Crows Nest Commercial Developments Pty Ltd (Proponent) by Gyde Consulting (Gyde) in support of a request for Project-specific Secretary's Environmental Assessment Requirements (SEARs) relating to the detailed design of the proposed Crows Nest mixed-use over station development (known as Crows Nest OSD - Site A). The site is located at 497-521 Pacific Highway, Crows Nest and above the Sydney Metro Crows Nest Station.

This SEARs request relates exclusively to Site A and the Detailed State Significant Development Application (hereinafter referred to as Detailed SSDA).

The Detailed SSDA will seek approval for the detailed design and construction of the Crows Nest Over Station Development (OSD) – Site A, located above and integrated with the Crows Nest Metro Station (part of the NSW Government's approved Sydney Metro project).

The site is located within the North Sydney Local Government Area (LGA) and is zoned MU1 Mixed Use under the *North Sydney Local Environmental Plan 2013* (NSLEP). The proposed development is for the purpose of a residential mixed-use development (including affordable housing and commercial/retail components). 'Residential flat buildings' and 'commercial premises' (of which retail premises are a sub-category) are permissible with consent in the MU1 Mixed Use zone.

This Detailed SSDA follows an approval granted by the Minister for Planning and Public Spaces on 23 December 2020 for concept proposal for a OSD commercial tower above the Crows Nest Metro Station (SSD 9579) (hereinafter referred to as the Concept SSDA). The Concept SSDA granted development consent to building envelopes, land uses, gross floor areas (GFA) with which any subsequent Detailed SSDA must be consistent. Of particular note, the Concept SSDA included a maximum GFA for the non-station related floorspace of 56,400m² (including 43,400m² commercial and 13,000m² residential GFA), comprising a maximum 40,300m² (commercial) on Site A, 13,000m² (residential) on Site B, and 3,100m² (commercial) on Site C).

The Proponent envisages developing the site as a mixed-use development comprising 40,152m² of residential build-to-rent gross floor area (GFA) including 5,238m² of affordable housing GFA for frontline workers (15% of build-to-rent GFA in perpetuity) along with 4,457m² GFA of non-residential floor space (comprising commercial/retail and amenity uses).

To enable this change of use in alignment with the draft Crows Nest TOD Rezoning Proposal, changes to non-residential floor space (refer to refer to Section 1.3.7 and Section 7.7 for discussion) have been proposed to ensure the Detailed SSDA's consistency with the Concept SSDA. The Proponent intends to lodge an amendment to the Concept SSDA (hereinafter referred to as the 'Amendment Concept SSDA') and a concurrent Detailed SSDA (to which this Report relates). The Amendment Concept SSDA will seek to change the approved commercial use and seek consent for a mixed-use development, with primarily residential and affordable housing uses, all located above the Crows Nest metro station. The preparation and obtainment of SEARs for the Detailed SSDA assumes the approval of the Amendment Concept SSDA.

We note that the draft Crows Nest Transit Oriented Development (TOD) Rezoning Proposal is currently on exhibition from 16 July through to 16 August 2024. The draft amendments under this Rezoning Proposal identifies Site A as subject to the new 'Affordable Housing Bonus Sites'. While no additional height or floor space ratio (FSR) increases are proposed for Site A as part of the draft TOD amendments, the non-residential FSR is set to be reduced from 10:1 to 1:1 to facilitate the development of more residential and affordable housing. Assuming there are no changes to Site A during the exhibition period, this report has been prepared with the assumption that these amendments will be finalised at the time of the determination of the Detailed SSDA. Consequently, negating the need for a Clause 4.6 variation to the non-residential provisions under Clause 4.4A of the NSLEP.

Pursuant to Schedule 1, Section 19(2), of *State Environmental Planning Policy (Planning Systems) 2021* (Planning Systems SEPP), the proposal is classified as State Significant development (SSD) as the proposal comprises development within a rail corridor, is associated with railway infrastructure, is for the purposes of a mixed-use development (both residential and commercial) and has an estimated development cost (EDC) in excess of \$30 million.

This Report, which seeks to request Project-specific SEARs for the proposal, has been prepared with regard to Section 1.3 of Appendix A - Preparing a scoping report of the SSD Guidelines.

Consistent with the above, on 13 August 2024, a request for Industry-specific SEARs (ISEARs) was lodged with the NSW Department of Planning, Housing, and Infrastructure (DPHI). The ISEARs was refused on the 15 August 2024 with a requirement to submit a request for Project-specific SEARs. Pursuant to (and in anticipation of) the above, this Report has been prepared and seeks the issue of Project-specific SEARs from DPHI.

This Report contains relevant information including:

- a detailed site description,
- identification of site constraints,
- feasible alternatives,
- a description of the proposal,
- a high-level consideration of the applicable statutory planning framework,
- identification of key issues for environmental assessment,
- a list of identified documentation and specialist consultant reports considered necessary for the assessment and determination of a future SSDA,
- engagement undertaken to-date, and,
- the intended approach to future engagement for the project.

Once issued, the SEARs will guide the preparation of a future SSDA and Environmental Impact Statement (EIS) to accompany a future Detailed SSDA for the proposal. The Detailed SSDA will be made under Section 4.22 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and will be pursuant to the Concept SSDA applying to the site (subject to amendments sought and assumed approved under the Amendment Concept SSDA) which will be lodged concurrently with the Detailed SSDA (to which this Report relates).

1.2 Proponent Details

The proponent's details are provided in Table 1 below.

Table 1 Proponent Details

Item	Details
Proponent name	Thirdi Crows Nest Commercial Developments Pty Ltd
ABN	40 663 951 308
Address	53 Hume Street, Crows Nest, NSW, 2065

1.3 Planning Background

A summary of the planning background of development over the site is outlined below.

1.3.1 CSSI Approval - Sydney Metro Stage 2 (SSI 15_7400)

The application for Sydney Metro City & Southwest – Chatswood to Sydenham was lodged by Sydney Metro as a Critical State Significant Infrastructure project (SSI 15_7400) (hereinafter referred to as the CSSI Approval) and was approved by the Minister for Planning on 9 January 2017. The project is described in the approval as follows:

“Construction and operation of a metro rail line, approximately 16.5 kilometres long (of which approximately 15.5 kilometres is located in underground rail tunnels) between Chatswood and Sydenham, including the construction of a tunnel under Sydney Harbour, links with the existing rail network, seven new metro stations, and associated ancillary infrastructure.”

The Crows Nest Metro Station forms 1 of 7 new stations approved as part of the CSSI Approval for the Sydney Metro City & Southwest project between Chatswood and Sydenham. Crows Nest Station will be 1 of the 46 stations to be built along the Sydney Metro City & Southwest line. Since the Chatswood to Sydenham CSSI Approval was issued, Sydney Metro has lodged 9 modification applications to amend the approval. The Crows Nest Station is already built and as of 19 August 2024 is operational.

1.3.2 Concept SSDA - Concept Envelope for Sites A, B and C (SSD 9579)

The application for Crows Nest Over Station Development - Concept Application was lodged by Sydney Metro as a Concept SSDA (SSD 9579) and was approved by the Minister for Planning and Public Spaces on 23 December 2020. The project is described in the approval as follows:

“Concept Development Application for a mixed-use development over the approved Crows Nest Metro Station, including:

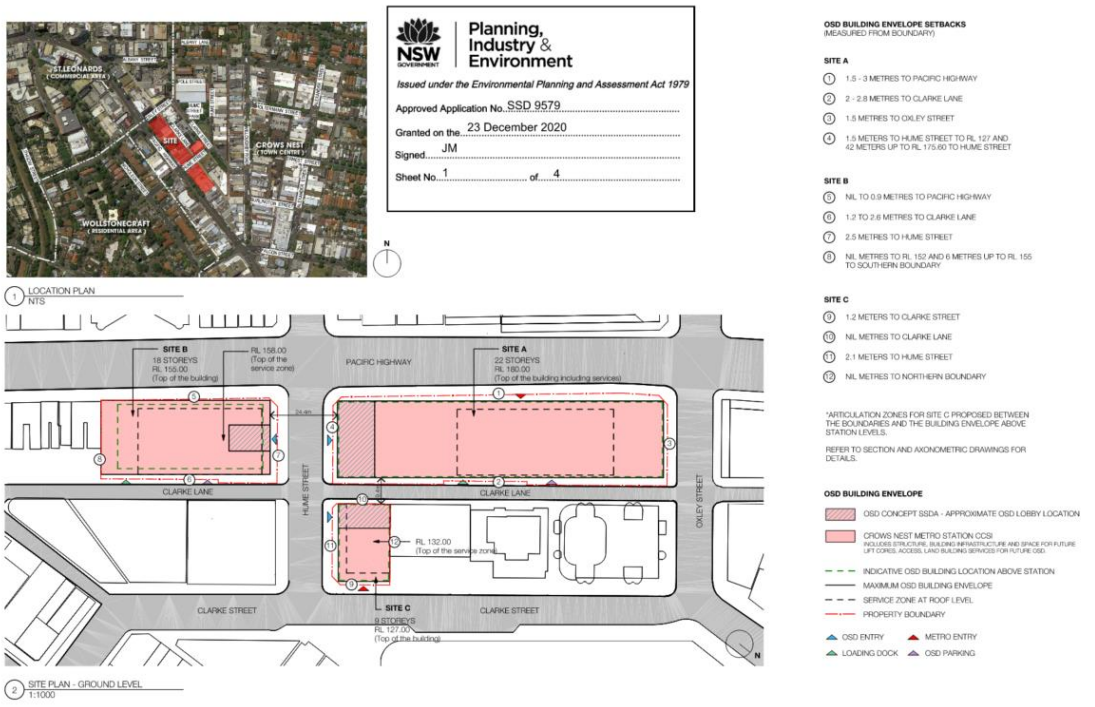
- *3 building envelopes, comprising:*
 - *Maximum building envelope heights:*
 - *Building A: RL 175.6m to 180m* (per approved plans and Condition B35)*
 - *Building B: 155m*
 - *Building C: 127m*
 - *Maximum GFA of 56,400m² including:*
 - *43,400m² commercial GFA*
 - *13,000m² residential GFA*
 - *Maximum 101 car parking spaces.”*

*The approved height under the Concept Plans permits a maximum height of 175.6m to 180m RL (see figures below).

This Concept SSDA established the planning and development framework through which to assess the future detailed SSD applications. Site A is integral to this larger Concept SSDA which established the approved maximum building envelopes, gross floor area, conceptual land uses, car spaces and signage zones over the site, including that of Site A, to which this request relates.

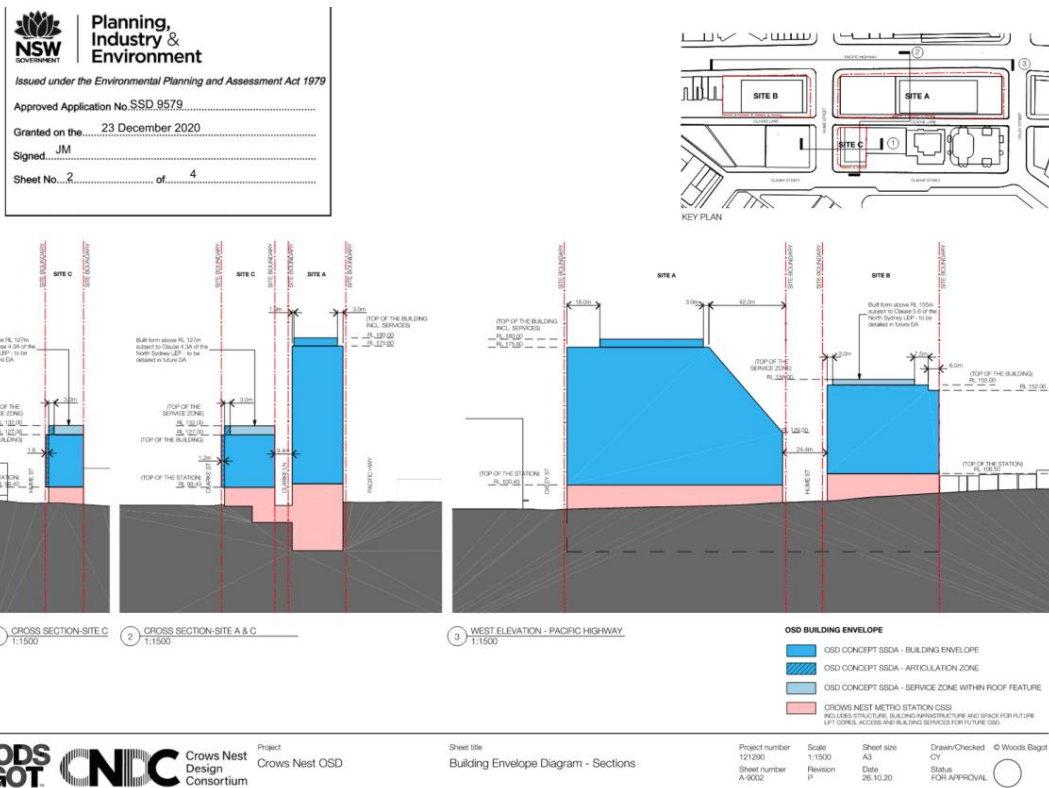
Of particular note, the Concept SSDA approved a maximum GFA for the non-station related floorspace of 56,400m² (including 43,400m² commercial and 13,000m² residential GFA), comprising a maximum 40,300m² (commercial) on Site A, 13,000m² (residential) on Site B, and 3,100m² (commercial) on Site C.

It is noted that the Concept SSDA was developed based on the 11.5:1 FSR under Clause 4.4 and the 10:1 minimum non-residential FSR under Clause 4.4A of the NSLEP.



WOODS BAGOT **CND** Crows Nest Project
 Crows Nest Design Consortium
 Building Envelope Diagrams - Ground Level Plan
 Project number 121290 Scale AS INDICATED Sheet size A3 Drawn/Checked © Woods Bagot
 Sheet number A.9001 Revision P Date 26.10.20 Status FOR APPROVAL

Figure 1 Concept SSDA – Building envelope diagrams – Ground level plan (Source: Woods Bagot, 2020)



WOODS BAGOT **CND** Crows Nest Project
 Crows Nest Design Consortium
 Building Envelope Diagram - Sections
 Project number 121290 Scale 1:1500 Sheet size A3 Drawn/Checked © Woods Bagot
 Sheet number A.9002 Revision P Date 26.10.20 Status FOR APPROVAL

Figure 2 Concept SSDA – Building envelope diagrams – Sections (Source: Woods Bagot, 2020)



Figure 3 Concept SSDA – Building envelope diagrams – Asymmetric views (Source: Woods Bagot, 2020)

1.3.3 Site B - Detailed SSDA (SSD-61400212)

A formal request for industry specific SEARs was issued to DPHI in August 2023. DPHI issued Industry-specific SEARs on the 25 August 2023. Site B seeks to prepare a Detailed SSDA relating to an over station mixed use and residential development comprising 131 Residential units, 4 Ground floor/mezzanine retail and commercial floorspaces and 55 Car spaces.

1.3.4 Site C - Detailed SSDA (SSD-13852803)

The Detailed SSDA for the Crows Nest OSD Site C was approved by DPHI, Minister for Planning and Public Spaces, on 17 December 2021 for an 8 story commercial office building above the station (total 9 storeys) on the corner of Hume Street and Clarke Street, Crows Nest.

1.3.5 Site A - Concurrent Amendment Concept SSDA and Detailed SSDA

As detailed above, the Concept SSDA was granted approval by the Minister for Planning and Public Spaces on 23 December 2020 for a Concept Proposal for a OSD commercial tower above the Crows Nest Metro Station (SSD 9579). The Concept SSDA approved building envelopes, land uses, GFA with which the Detailed SSDA must be consistent. Of particular note, the Concept SSDA approved a maximum GFA for the non-station related floorspace of 56,400m² (including 43,400m² commercial and 13,000m² residential GFA), comprising a maximum 40,300m² (commercial) on Site A, 13,000m² (residential) on Site B, and 3,100m² (commercial) on Site C.

The Proponent envisages developing the site as a mixed-use development comprising 40,152m² of residential build-to-rent gross floor area (GFA) including 5,238m² of affordable housing GFA for frontline workers (15% of build-to-rent GFA (34,914m²) in perpetuity) along with 4,457m² GFA of non-residential floor space (comprising commercial/retail and amenity uses).

To enable this change of use in alignment with the draft Crows Nest TOD Rezoning Proposal changes to non-residential floor space (refer to refer to Section 1.3.7 and Section 7.7 for discussion) and ensure the Detailed

SSDA's consistency with the Concept SSDA, the Proponent intends to lodge an Amendment Concept SSDA and a concurrent Detailed SSDA. The Amendment Concept SSDA will seek to change the approved commercial use and seek consent for a mixed-use development, with primarily residential and affordable housing uses, all located above the Crows Nest Metro Station. The preparation and obtainment of SEARs for the Detailed SSDA assumes the approval of the Amendment Concept SSDA.

This Report and future Detailed SSDA also assumes that the new 'Affordable Housing Bonus Sites' under the Crows Nest TOD Rezoning Proposal, which proposes the reduction of non-residential FSR from 10:1 to 1:1 on Site A to facilitate the development of more residential and affordable housing. Assuming there are no changes to Site A during the exhibition period, this Report has been prepared with the assumption that these amendments will be finalised at the time of determination of the Detailed SSDA. Consequently, negating the need for a Clause 4.6 variation to the non-residential provisions under Clause 4.4A of the NSLEP.

1.3.6 Pre-Lodgement Discussions

Proposed request for consideration of Site A in TOD SEPP

On 7 December 2023, the NSW Government announced the Transport Oriented Development (TOD) Program to create more well-located homes close to transport, jobs and services. As part of the TOD Program, the NSW Government identified 8 Sydney transport hubs (tier one precincts) for state-led accelerated rezoning to deliver up to 47,800 new, well-located, high and mid-rise homes over the next 15 years. Crows Nest is identified as 1 of the 8 priority high growth areas near transport hubs in greater Sydney for accelerated rezoning under the TOD program.

Following a meeting with DPHI on the 6 March 2024, and in alignment with DPHI's advice, the Proponent submitted to DPHI (on the 28 March 2024) a formal request for the following proposed strategic and statutory matters for consideration and amendment by DPHI:

- Integration of Site A as part of TOD Program development control changes, and
- Subsequent administrative amendments to the *NSLEP*, including the application of the 11.5:1 floor space ratio control under Clause 4.4 and exemption of Site A from the 10:1 minimum non-residential floor space ratio under Clause 4.4A. The intent of this change is to remove the applicability of the 10:1 minimum non-residential floor space ratio on the site and replace it with 1:1 non-residential FSR to facilitate the envisaged residential uses (including provision of affordable housing) which is in alignment with the TOD program. It also aims to negate the need, of what would otherwise be, a considerable variation under Clause 4.6 to Clause 4.4A.

Site A, with its planned mixed-use development featuring a substantial residential component and considerable affordable housing above the Crows Nest Metro, outlined the sites' alignment with the objectives of the TOD program.

The above requested amendments were integrated into the draft Crows Nest TOD Rezoning Proposal (refer to Section 1.3.7 and Section 7.7 for discussion).

State Design Review Panel Meetings

The Proponent attended 3 State Design Review Panel (SDRP) meetings, held on the 6 March 2024, 15 May 2024 and 21 August 2024 and attended by the project team, the GANSW panel and observed by DPHI and North Sydney Council. The project team have taken the feedback of the SDRP into consideration and guiding the attached Design Report and indicative Architectural Plans (attached in Appendix C and D, respectively). The Detailed SSDA will address and respond to any feedback from GANSW in detail.

1.3.7 Exhibition of draft Crows Nest TOD Rezoning Proposal

The draft Crows Nest TOD Rezoning Proposal is currently on exhibition from 16 July through to 16 August 2024. Key features of the rezoning proposal include:

- capacity for up to 3,255 new homes within walking distance of the St Leonards train and Crows Nest Metro Station,
- mandatory affordable housing contributions of 10–15% for all new residential development in the precinct, delivering between 325–488 affordable homes in perpetuity and managed by a registered Community Housing Provider,
- capacity for 2,600 new jobs,
- better connectivity for walking and cycling, and road upgrades, and
- increase tree canopy to maintain the leafy character of the St Leonards and Crows Nest precinct.

Refer to Section 7.7 for details of the draft Crows Nest TOD Rezoning Proposal, applicability to Site A. It is assumed that there will be no changes to the proposed draft TOD controls relating to Site A as a result of the exhibition and the draft controls exhibited will be the same controls gazetted. Therefore, the proposed amendments would negate the need for a Clause 4.6 Variation to the non-residential provisions under clause 4.4A of the NSLEP.

2. Site Analysis

2.1 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 (see figure below).

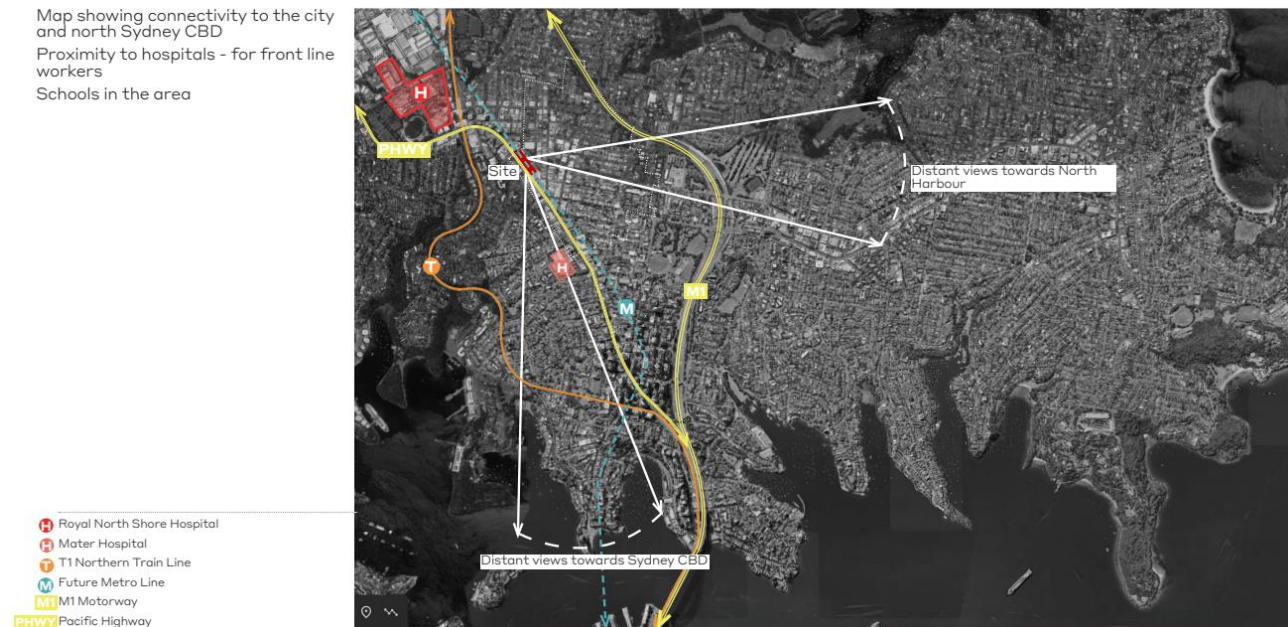


Figure 4 Regional Context (Source: Woods Bagot, August 2024)

The topography of Crows Nest benefits from expansive views over the leafy suburbs of Willoughby to the southwest and Cammeray to the northeast, extending to the dense parklands along the harbour. The area itself features tree-lined streets, with ongoing plans to increase tree canopy coverage throughout the neighbourhood. Prominent heritage conservation areas within the suburb are safeguarded from future developments along the Pacific Highway corridor. Situated between the M1 motorway and Pacific Highway, the St Leonards Crows Nest 2036 Plan highlights how the metro promotes new, accessible pedestrian and cycling routes centred around transport nodes, enhancing the quality of the Crows Nest village through active lanes and streets.

The Sydney Metro project and the new Crows Nest Metro Station will bring about change in the local character of the area with an increase in population and a change in the size and architectural style of buildings. This change reflects the changes in accessibility and opportunity created by the Crows Nest Metro. This provides a catalyst for urban renewal and opportunities for transit-oriented development to deliver jobs, homes, new and upgraded public spaces and community infrastructure.

Crows Nest is 1 of 6 new stations for the Sydney Metro ‘City & Southwest’, which extends new metro rail from Chatswood, under Sydney Harbour, through the Sydney CBD to Bankstown. Crows Nest Station was approved in January 2017 by the Minister for Planning as part of the SSI Approval for the future Sydney Metro network, specifically the Chatswood to Sydenham section.

Situated within the North Sydney LGA and in close proximity to hospitals and schools, Site A holds significant strategic significance for urban development initiatives and opportunities for housing development, affordable housing for key workers and ground level activation. The *St Leonards Crows Nest 2036 Plan* identifies how the Crows Nest metro will encourage new, accessible pedestrian and cycling routes based around transport nodes, improving the quality of the Crows Nest village through activated lanes and streets.

2.2 Site Description

The subject site, referred to as Crows Nest Over Station Development (Site A), is located 497-521 Pacific Highway, Crows Nest and is located above and integrated with the Crows Nest Metro Station. The site is bound by Pacific Highway to the west, Hume Street to the south, Clarke Lane to the east, and Oxley Street to the north (see Figure 5). It is 3,879m², and comprises 7 allotments, legally described as in Table 2 below.

This SEARs request relates exclusively to Site A.



Figure 5 Aerial of Sites A (subject site in red), neighbouring sites that also form part of the Concept SSDA are Site B (blue) and C (yellow) (Source: Nearmap, accessed 27 March 2024)

Table 2 Lots and addresses that constitute Site A Table 1.

Address	Legal description of lots that constitute Site A	Lot area
521 Pacific Highway	Lot A / DP374468	660m ²
521 Pacific Highway	Lot B / DP374468	1,007m ²
511 Pacific Highway	Lot 10 / DP1060663	940m ²
507 Pacific Highway	Lot 4 / DP1096359	321m ²
503 Pacific Highway	Lot 3 / DP655677	319m ²
501 Pacific Highway	Lot 1 / DP575046	308m ²
497 Pacific Highway	Lot 2 / DP575046	322m ²
Total site area – Site A		3,879m²

Site A benefits from excellent access to public transportation, being directly above the forthcoming Crows Nest Metro Station and situated 600m south-east of St Leonards railway station/ interchange. Further, the site

benefits from the convenience of ten bus services which pass directly outside the site along the Pacific Highway.

2.3 Existing Site Constraints and Opportunities

2.3.1 Crows Nest Sydney Metro Station

The Concept SSDA for an OSD above the Crows Nest Metro station was approved in December 2020. It is noted that the CSSI Approval for the construction of the metro box at Site A has been completed and as of 19 August 2024 is operational.

The Crows Nest Sydney Metro Station site will be key in bringing new businesses and employment opportunities to the area. Crows Nest has also been identified as an accelerated precinct under the TOD program. In summary, the station includes:

- 2 station entrances with 1 located on Pacific Highway between Oxley Street and Hume Street and 1 located on Clarke Street near the corner of Hume Street
- retail space next to the station entry at Site C, and retail opportunities in the Pacific Highway side of sites A and B
- public domain works including footpaths, street tree planting, lighting and street furniture
- new pedestrian lights to cross the Pacific Highway on the northern side of Oxley Street intersection
- new pedestrian crossings on Clarke and Hume Streets
- new bike parking on Hume Street, Pacific Highway, Clarke Street and Oxley Street
- new kiss and ride and taxi bays in close proximity to the station
- installation of wayfinding signage and Sydney Metro information
- Hume Street bi-directional separated cycle link from Clarke Street to Nicholson Street
- upgraded Hume Street intersection with cycle crossing and increased pedestrian capacity
- improved pedestrian crossings at intersections of Oxley Street, Pacific Highway, Hume Street and Clarke Street.

The station is located on the western fringe of the Crows Nest village, between the Pacific Highway and Clarke Lane (eastern side of the Pacific Highway) and Oxley Street. Access and entries are via the corner of Clarke Street and Hume Street, and the corner of Pacific Highway and Oxley Street.

Refer to **Error! Reference source not found.** and **Error! Reference source not found.** below on the current development status of the Crows Nest Sydney Metro Station on Site A.



Figure 6 Installation of entrance awning at Clarke Street (Source: Sydney Metro, February 2024 Update)



Figure 7 Completed brick façade work at Oxley Street and Pacific Highway (Source: Sydney Metro, February 2024 Update)

3. The Project

3.1 Project Description

Concept SSDA was granted approval by the Minister for Planning and Public Spaces on 23 December 2020 for an OSD commercial tower above the Crows Nest Metro Station. The Concept SSDA approved building envelopes, land uses, Gross Floor Areas (GFA) with which the detailed design must be consistent.

The Concept SSDA approved a maximum GFA of 40,300m² for commercial purposes on Site A. This excludes any GFA approved under the CSSI Approval metro box.

As discussed earlier, the Proponent intends to concurrently lodge an Amendment Concept SSDA with the Detailed SSDA to change the approved commercial use and seek consent for a mixed-use development, with primarily residential and affordable housing components, located above the Crows Nest metro station. The CSSI Approval for the construction of the metro box at Site A has been substantially completed as of 19 August 2024 is operational.

This Scoping Report relates specifically to the detailed design and delivery of the Crows Nest OSD – Site A. It has been designed as a fully integrated Station and OSD project (see Figure 8 below).

Crows Nest Site A Program

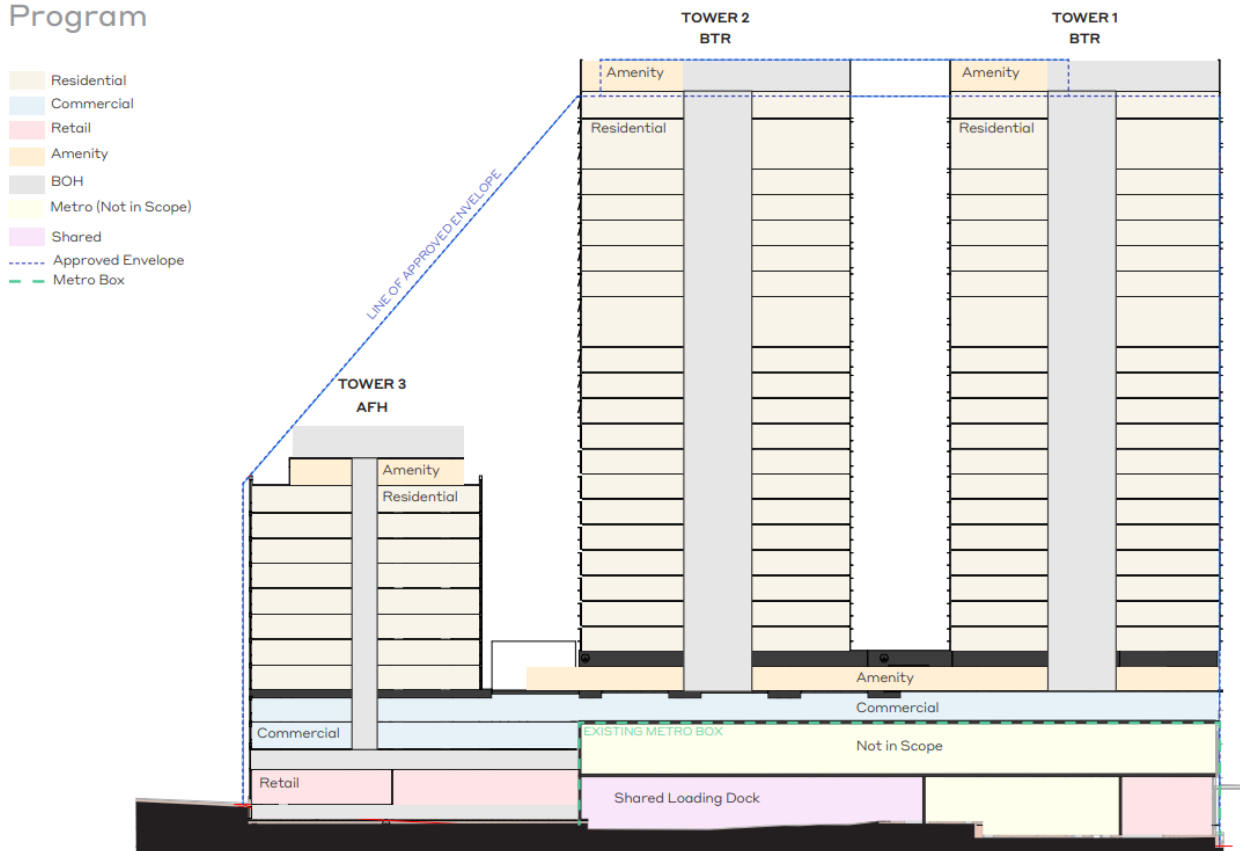


Figure 8 Crows Nest Site A Program illustrating scope of works over the existing and operational Crows Nest Metro Box
(Source: Woods Bagot, August 2024)

The proposed development includes 3 towers, 2 build-to-rent towers located above the existing Crows Nest Metro Station and an additional tower, situated at the corner of Hume Street and Pacific Highway, proposed to be affordable housing and extending down to the ground level.

The ground floor, adjacent to the metro station between grids 11 and Hume Street, will feature a mix of lobbies, retail spaces, and service areas.

The total GFA for the development is projected to be approx. 44,609m², with 15% of the build to rent residential GFA (34,914m²) allocated to affordable housing in perpetuity.

Indicative Architectural Plans and Design Report are attached in Appendix B and C.

Table 3 Numerical components of the Detailed SSSA proposal for Site A

Component	Description
Site Area	3,879m ²
Proposed OSD GFA (FSR) - Residential	<ul style="list-style-type: none"> • Permissible GFA (per Concept SSSA): 40,300m² • Permissible GFA (under NSLEP): 44,609m² (11.5:1) • Proposed: 44,609m² (11.5:1) comprising: <ul style="list-style-type: none"> ○ Residential (Build-to-Rent): 34,914m² (9:1) ○ Residential (Affordable housing): 5,238m² (1.35:1 or 15%) of total build-to-rent GFA (34,914m²)

	<ul style="list-style-type: none"> ○ Non-Residential: 4,457m² (1.15:1) 																		
Proposed OSD GFA (FSR) – Non-residential	<ul style="list-style-type: none"> • Permissible (under NSLEP): Minimum 1:1 FSR • Proposed Non-Residential: 4,457m² (1.15:1) 																		
Height	<ul style="list-style-type: none"> • Permissible (per Concept SSDA): RL 175.6m to RL180m • Permissible (max under NSLEP): RL180m • Proposed variable building heights (to parapet): <ul style="list-style-type: none"> ○ Tower 1: 180m RL ○ Tower 2: 180m RL ○ Tower 3 (Affordable housing): 135.85m RL 																		
Apartments and mix	<p>Total 452 apartments broken down into the following configurations:</p> <table border="1"> <thead> <tr> <th>Beds</th> <th>Build to Sell Apartments</th> <th>Affordable Housing</th> </tr> </thead> <tbody> <tr> <td>Studio</td> <td>0 (0%)</td> <td>16 (28.6%)</td> </tr> <tr> <td>1 bed</td> <td>176 (44%)</td> <td>8 (14.3%)</td> </tr> <tr> <td>2 bed</td> <td>176 (44%)</td> <td>16 (28.6%)</td> </tr> <tr> <td>3 bed</td> <td>44 (11 %)</td> <td>16 (28.6%)</td> </tr> <tr> <td>Total</td> <td>396 (88%)</td> <td>56 (15% of total build-to-rent GFA)</td> </tr> </tbody> </table>	Beds	Build to Sell Apartments	Affordable Housing	Studio	0 (0%)	16 (28.6%)	1 bed	176 (44%)	8 (14.3%)	2 bed	176 (44%)	16 (28.6%)	3 bed	44 (11 %)	16 (28.6%)	Total	396 (88%)	56 (15% of total build-to-rent GFA)
Beds	Build to Sell Apartments	Affordable Housing																	
Studio	0 (0%)	16 (28.6%)																	
1 bed	176 (44%)	8 (14.3%)																	
2 bed	176 (44%)	16 (28.6%)																	
3 bed	44 (11 %)	16 (28.6%)																	
Total	396 (88%)	56 (15% of total build-to-rent GFA)																	
Solar access	<p>Total apartments receiving compliant solar access: 54%</p> <p>Total apartments receiving solar access and dual aspect: 72%</p>																		
Cross ventilation	Total compliant cross ventilation (9 storeys): 49%																		

3.2 Project Need

Crows Nest Metro Station is an essential addition to the Sydney Metro network, enhancing high-frequency public transport access for Crows Nest and the surrounding areas. This project aligns with the Government's goals for integrated land use, transport planning, and transit-oriented development principles. As the construction of the Sydney Metro network advances, the development of Site A plays a crucial role in the vision for an integrated station development at Crows Nest.

The proposal aligns with the Concept SSDA and will help provide much-needed new housing opportunities, including affordable housing for key workers, close to high-frequency public transport, services, and facilities. This contributes directly to meeting the housing and affordable housing targets set in the North District Plan. Additionally, the retail activation of the street frontages will complement public domain improvements associated with the Metro Station's delivery.

3.3 Surrounding Development

Site A is surrounded by development of variable heights, ranging from Crows Nest Village which is characterised by a low scale, fine-grain retail and hospitality strip along Willoughby Road to the high-rise commercial and mixed-use centre at St Leonards. Table 4 below summarises the existing development in the surrounds of Site A.

Table 4 Summary of development in the vicinity of Site A

Orientation	Details
North	<p>North west of the site is St Leonards, which comprises a cluster of high rise developments particularly focused around the St Leonards train station (600m from the site). This area is a high density centre with a major commercial and residential focus. This high density development generally extends south along the Pacific Highway from St Leonards, up to the corner of Oxley Street.</p> <p>Notwithstanding the above, there remain a number of medium scale commercial buildings to the north of the site, particularly between Albany and Oxley Streets. At street level, these buildings contain ground floor retail uses.</p> <p>Further north is the Royal North Shore Hospital and North Shore Private. There are a number of existing industry specialisations related to the health care industry around these hospitals.</p>
East	<p>East of the site is the locally heritage listed Brutalist building known as the St Leonards Centre. The St Leonards Centre is a 6 storey commercial building with a domineering presence due to its reinforced concrete materiality and curvilinear form. The site is separated from this building by Clarke Lane.</p> <p>On the eastern side of Clarke Street is a public open space known as Hume Street Park. The park contains a childcare centre, indoor sports stadium and a public car park.</p> <p>Willoughby Road, the centre of the Crows Nest Village, runs in a north-south alignment approximately 100m to the site's east. Willoughby Road is characterised by its fine grain-built form, boutique shops, cafes and restaurants. It has wide footpaths, active shop frontages, outdoor dining areas and slow-moving vehicles. There are also significant tree plantings along the length of the street. The street is primarily comprised of two storey buildings, many of which are over a hundred years old. In the centre of Willoughby Road is a public space known as Ernest Place, which fronts onto a community centre known as 'The Crows Nest Centre'.</p>
South	<p>South of the site is the Five Ways South Education and Medical Precinct, located south-east of the intersection of the Falcon Street, Shirley Road, Willoughby Road and 2 Pacific Highway exits (north and south). Directly to the south of the site are fine-grain retail developments leading to the Five Ways.</p> <p>North Sydney Girls High School and Cammeraygal High School are both located approximately 500m to the south of the site. North Sydney Boys High School is located to the south east on Falcon Street.</p> <p>The Mater Hospital and its associated entities occupy a significant landholding within the area. The Melanoma Institute, Crows Nest Medical Practice, Physiotherapy clinic and a number of other health and fitness related businesses are located nearby.</p> <p>Residential developments occupy land to the south a block back from either side of the Pacific Highway.</p>
West	<p>West of the site along the Pacific Highway are a number of commercial and residential developments. A 4 storey residential buildings is located at 402 Pacific Highway, above a furniture store known as 'Coco Republic'.</p> <p>Further to the west of the site is the Upper Wollstonecraft residential area. The terrain through this area is hilly and can be quite steep in some areas, particularly along Hume Street on a north-south axis. Upper Wollstonecraft is characterised by leafy, well vegetated streets. In addition, there are a number of older, high rise apartment buildings which are generally setback from the street and feature significant grassed areas and/or extensive plantings within the blocks. This contributes to the landscaped character of the area. River Road on the south-western portion of the precinct is a regional road that is well used by private vehicles and buses.</p>

4. Feasible Alternatives

Under the provisions of the *Environmental Planning and Assessment Regulation 2021* (EP&A Regulation), and in accordance with the SSD Guidelines prepared by the DPHI, there is a requirement to analyse any feasible alternatives.

The table below outlines three project alternatives: “Do Nothing”, “Alternative Design” and “Proposed Design/Justification”.

Table 5 Project Alternatives

Project alternatives	Details
<p>Do nothing</p>	<p>Retention of the existing Sydney Metro built form only as approved and developed under CSSI Approval.</p> <p>The subject site would continue to remain underutilised and is an undesirable outcome as it fails to adequately plan for future growth and opportunities to increase the diversity of housing types and the need for more rental housing within the Crows Nest locality and across the LGA more broadly.</p> <p>The retention of the existing built form at the site does also not represent its highest and best use and is inconsistent with the current planning controls and the outcomes encouraged under the North Sydney Local Housing Strategy (2019), North Sydney Local Strategic Planning Statement (2020), St Leonards and Crows Nest 2036 Plan, and North Sydney Economic Development Strategy (2016).</p> <p>This option was dismissed because it would not meet the proposal’s objectives, including the Government’s goal of creating a fully integrated, mixed-use, transit-oriented development precinct at Crows Nest to facilitate employment and residential growth. Without the proposed development, the site would miss a strategic opportunity to establish a new integrated precinct in the St Leonards / Crows Nest area.</p> <p>The “Do Nothing” approach would also represent a missed opportunity to contribute to the desired vibrancy, growth and character of the Crows Nest locality which is transforming into a distinctly high-density mixed-use area. On this basis, the “Do nothing” scenario is not considered to be an acceptable approach.</p>
<p>Retention of commercial use</p>	<p>Retain existing commercial use with minimal modifications to internal layout and built form.</p> <p>A small number of jobs could be achieved under this option of retention of the commercial use, however, it would pale in comparison to the expected construction phase benefits of the proposed residential redevelopment.</p> <p>The opportunity cost of not applying the highest and best use to the site needs to be factored, given the missed opportunity to have a higher site GFA and the high vacancy rates currently being experienced by commercial properties.</p> <p>This retention of commercial use option was considered but ultimately not pursued due to its limited potential to achieve the Government’s objectives of creating a mixed-use precinct and maximising the site’s development potential to meet the residential need for the precinct, particularly for affordable housing and frontline worker housing, after the COVID-19 pandemic.</p> <p>The site has capacity as a residential development, citing the broader strategic emphasis on increasing housing supply in key locations, as well as the sites locational amenity in proximity to a range of transport options including the future Crows Nest Metro Stations, as well as services and amenities in the Crows Nest locality and neighbouring St Leonards precinct.</p> <p>The option to retain commercial use does not align with the currently exhibited draft Crows Nest TOD Rezoning Proposal which incentivises affordable housing bonuses on Site A.</p>
<p>Alternative Designs</p>	<p>The overall massing envelope has been approved under Concept SSDA which the Detailed SSDA will maintain consistency.</p>

Alternative design options, whilst maintaining consistency with the Concept SSDA envelope, were considered as part of the SDRP process to achieve the preferred architectural design for the site.

The Proponent, through the SDRP process and in accordance with the design guidance provided by GANSW, explored a number of tower design options, each bearing unique characteristics, quantity of towers and spatial configurations. These options included a diverse range of forms in their endeavour to create an innovative and fitting architectural solution for the site. Figure 9 and Figure 10 below illustrate the options development undertaken as part of the SDRP process, with guidance from GANSW.

Further rigorous and detailed design testing was conducted across to ensure that the siting and building envelope retained consistency with the Concept SSDA, responded to the existing site features and site constraints and achieved residential amenity targets.

Massing Iterations

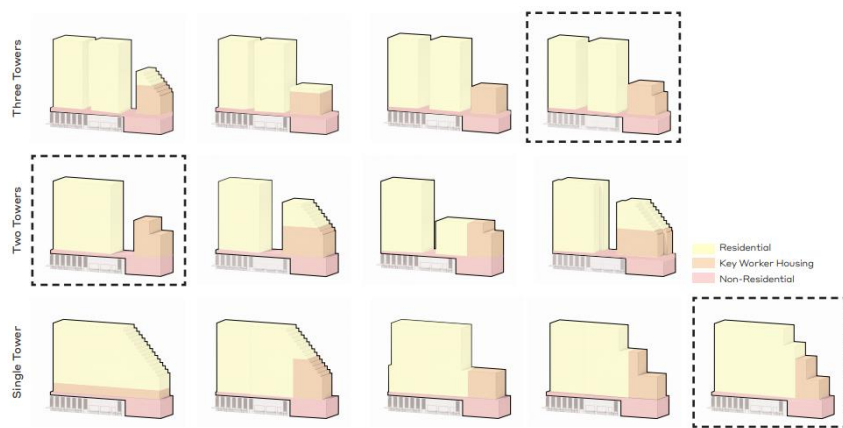


Figure 9 Massing iterations as part of SDRP Second Review (Source: Woods Bagot, SDRP Presentation May 2024)

Massing Options for Further Interrogation



Figure 10 Massing Options for Further Interrogation as part of SDRP Second Review (Source: Woods Bagot, SDRP Presentation, May 2024)

Proposal and Justification

Following the highest and best use analysis of the site, it was determined that a mixed use development comprising predominantly residential apartments (including affordable housing) with some commercial components was the most appropriate outcome for the development. This is supported by the exhibited draft Crows Nest TOD Rezoning Proposal amendments as well as the Land Use Economic Appraisal, prepared by Atlas Economics (Appendix F), which reiterates the sites suitability for this form of

development. It is also supported by the Demographic and Housing Demand Study, prepared by Gyde Consulting (Appendix G), which supports the change of use to residential land uses.

The Proposal, as included in this Report (as detailed in Section 3.3), is considered an optimal outcome for the site as it has been informed by the key evaluation criteria, maintains consistent with the Concept SSDA subject to the Amendment Concept SSDA and remains respectful of preserving the amenity of the surrounding development. This option was primarily selected for the following reasons outlined in the Land Use Economic Appraisal (Appendix F) and Demographic and Housing Demand Study (Appendix G):

- Housing Supply Shortage: The increase in population, decline in housing completions, and lack of affordable housing make the area ill-equipped to meet the need for 5,587 additional homes by 2036, exacerbating housing stress for key workers.
- Mixed-Use Development Opportunity: The consolidation of the Royal North Shore Hospital and Community Health Services into new facilities opens up potential for mixed-use development in the area.
- Addressing Population Growth: The Site will provide additional housing to accommodate a growing population. North Sydney's population is projected to increase by 7,800 people to 83,000 by 2036, adding 4,800 households. Sydney may also see 65,000 more people than projected over the next 5 years, increasing housing demand, especially near transport and job hubs.
- Supporting the Health Precinct: Redeveloping the Site for residential and affordable housing will support the adjacent health precinct, offering accessible housing and addressing community needs.
- Benefits for Shift Workers: Proposed affordable housing will particularly benefit shift workers in the adjacent health precinct, enhancing their productivity and welfare.
- Commercial Floorspace Potential: While there is potential for the Site to offer some commercial floorspace, securing pre-commitments is challenging due to high vacancy rates and soft rents.
- Alignment with Draft Rezoning Proposal: The Site's redevelopment aligns with the draft Crows Nest TOD Rezoning Proposal, which incentivises the delivery of affordable housing with a non-residential FSR of 1:1.
- Enhanced Community Support and Housing: Emphasising the need for affordable housing for healthcare workers directly supports the local health precinct, ensuring critical employees have access to nearby, affordable living options.
- Economic Viability: Highlighting the economic inefficiency of maintaining high-vacancy office spaces supports the argument for repurposing underutilised buildings.
- Future-Proofing Development: Promoting the adaptability of residential spaces to meet future housing demands ensures long-term viability and aligns with evolving urban development trends.

5. Community Views and Proposed Engagement

Matters for further assessment

The NSW Government Undertaking Engagement Guidelines for State Significant Projects (March 2024) states that, to facilitate effective engagement, proponents will be expected to:

- provide clear and concise information about the project and its impacts
- implement activities that encourage and facilitate participation
- report back on what was heard, what has or hasn't changed, and why.

Engagement to date has focussed on informing the community about the project, making them aware of the proposal and sharing information about the vision for the project.

In order to meet the requirements of the Guidelines, engagement must be undertaken to gather feedback from impacted residents, the wider community and key stakeholders. The outcomes and findings of this engagement will be incorporated into the EIS.

Furthermore, the proponent must be able to demonstrate how feedback received from community and stakeholders has informed the design of the project. This will be reflected in the final proposal.

Approach to engagement

As such, an engagement program will be designed to maximise participation of the local community by providing multiple opportunities for people to hear about and provide feedback on the project. This may include community information sessions, a community survey and project email address for enquiries and feedback. In addition, consultation will be extended to key NSW Government agencies, local Council and other key stakeholders or interest groups in the local community.

Engagement stages

Engagement will be facilitated early in the process, to ensure that feedback gathered from the community can be incorporated into the proposal.

Following submission, the community will have further opportunity to provide formal feedback on the proposal during the public exhibition process.

Communication considerations

The Guidelines require engagement to be proportionate to the scale of the project. As this project is likely to generate a high level of community interest and feedback, the engagement program will be designed to maximise opportunities for engagement and provide open communication with the community about the proposal.

Identification of stakeholders

A detailed Community and Stakeholder Engagement Strategy will be prepared and will identify key stakeholders for the project. The strategy will identify any relevant local interest and community groups, appropriate engagement with the Indigenous community and key stakeholders with an interest in the project. Community engagement will be far-reaching to ensure that all members of the local community have opportunities to participate in the project. The engagement strategy will also identify risks and opportunities for the project.

Community Engagement and the Social Impact Assessment

Community engagement will be designed to maximise the outputs that will also inform the Social Impact Assessment. Community surveys and the community information sessions will provide opportunities for people to provide feedback about anticipated impacts of construction and operation of the project. Engagement collateral and resources will be designed to facilitate the SIA, maximising the value of community participation in a streamlined engagement process.

The social impacts resulting from the proposed development will be set out in detail within the EIS. The anticipated social impacts include:

Way of Life

Increased density supports greater housing diversity and affordability, providing a greater range of housing typologies. Planning for more diverse housing options ensures they cater to more diverse households, such as couples without children and downsizers. Higher density and a mix of housing produces a more diverse range of residents (such as young families, professionals, retirees, people with disabilities) and this increased population, density and vibrancy tends to mean a broader range of services can be supported within walking or cycling distance. Housing diversity also supports older residents by providing suitable and affordable housing options as they age.

15% of the project will be dedicated affordable 'Front line worker housing'. Access to good quality, affordable housing is also fundamental to wellbeing. It can help reduce poverty and enhance equality of opportunity, promote social inclusion and mobility, and economic development. Access to affordable housing that is both stable and safe, sets a great foundation from which communities can achieve higher level goals, improve personal and household economic situations, social wellbeing and ultimately advance quality of life.

With consideration to housing costs, land availability, and the preference to live closer to services and amenities, affordable housing dwellings can be constructed to cater for different household types. Although apartments are often seen as "stepping stones" for singles and couples before they buy detached houses, detached houses are out of financial reach for many people with children. This means that more and more people with children are drawn to apartment living

It is possible there may be some negative impact on people's way of life in terms of the way they get around through the construction stage.

Community

Communities are complex systems that can be characterised by community structure (the number and size of populations and their interactions) and community dynamics (how the members and their interactions change over time). These attributes contribute to a sense of place or sense of community.

The design of high-density apartment buildings should provide appropriate opportunities and spaces to accommodate social interaction between residents.

The proposed project will include an arcade that enables ease of access for residents up into the towers above and includes a range of retail options including options for cafes. It includes a gym for use by residents, communal open space and other amenities that can be used for a diverse range of programs.

Accessibility

Having access to appropriate goods, services and infrastructure is important for everyone. Being able to live in a neighbourhood where shopping, transport, business services, education, community facilities, recreational and sporting resources are close by have a range of social, economic and environmental benefits. Having access to close by services and facilities also helps to develop and maintain social connections. Designing neighbourhoods so they are more accessible can also reduce greenhouse gas emissions, support physical activity and promote healthy eating.

The Precinct vision is to connect the development to the existing networks and parks, Crows Nest village, and access to pedestrian and cycling routes based around the transport nodes.

Culture

The National Agreement on Closing the Gap (the National Agreement) is a commitment between governments and Aboriginal and Torres Strait Islander people to achieve better life opportunities and physical, mental, cultural and spiritual wellbeing for all Aboriginal and Torres Strait Islander people. The Agreement identifies four Priority Reforms and 17 Socio -Economic Outcomes, including:

“Socio-Economic Outcome 15: aboriginal and torres strait islander people maintain a distinctive cultural, spiritual, physical and economic relationship with their land and waters”

The project will include First Nations Connecting with Country principles to inform the design, acknowledging and celebrating Aboriginal people and culture. Reflecting First Nations culture in design elements in the proposed project is likely to have positive impacts for Aboriginal people and contribute to the outcomes identified in the National Agreement.

Health and Wellbeing

Infrastructure like local open spaces and parks are important to liveability, providing places for people to meet, socialise, recreate, play and connect. Access to these areas is associated with increased physical activity and improved mental health. Public open space includes parks and recreational reserves, sporting fields, public gardens, nature reserves, civic areas, and promenades.

The proposed project increases opportunities for walkability and active transport options, as well as access to public space. The project includes a gym for residents. The internal gym will provide opportunities for physical activity, but also a space for social interactions that is likely to contribute mental health benefits.

It is possible there will be some negative health and wellbeing impacts through the construction stage that will require mitigation measures.

Surroundings

Amenity is the pleasantness, attractiveness, desirability or utility of a place, facility, building or feature. Amenity is important to communities and other stakeholders. In some instances, local amenity can be adversely impacted by development. Loss of amenity can occur for a range of reasons, including significant increases to the heights of existing buildings, loss of heritage, more traffic, reduced parking, overshadowing and higher population density. A loss of amenity has the potential to negatively impact residents in several ways, including their health.

Development surrounding the Crows Nest site comprises a high density, mixed-use typology with a combination of ground-floor retail, commercial office, and residential development in buildings of varying heights, styles, and ages. The skyline is characterised by modern skyscrapers and office towers.

The proposed project is consistent with other development in the area and is unlikely to reduce the amenity of the area in terms of scale and mass.

Reduced back of house / services area on ground will allow for a greater density of active frontages. Services rooms primarily proposed on a basement and on a mezzanine level, activated laneways, connections to green space and landscaping is likely to enhance the public domain.

It is possible there will be some negative impacts on surrounding amenity through the construction stage. These will require mitigation measures.

Livelihoods

Affordable housing is important to the economic vitality of communities. Affordable homes can attract and retain employees to your community- a selling point and a competitive advantage for area employers. Affordable homes also support the local workforce so they can live close to their jobs. Affordable, quality housing attracts teachers, cops, nurses, firefighters, and other key service providers to the community

The construction of affordable homes can also help to stimulate economic growth. A healthy mix of housing options, from market- rate and affordable rental housing ensures opportunities for all individuals to improve their economic situation and contribute to their communities.

The proposed project is in the Northern Sydney Local Health District, one of the leading health services in Australia providing high-quality healthcare to a population of nearly 970,000 people. The district has a skilled and dedicated workforce of more than 11,000 staff committed to providing high-quality safe patient care to the community.' The proposed project will make more quality housing available to this workforce.

Post Detailed SSSA Lodgement Engagement

Submissions received during the public exhibition process will be reviewed and analysed to identify any ongoing community concern that may need to be addressed by the project team, and respond to the enquiries of NSW Government agencies and authorities or Council. The proponent will provide detailed response to issues raised during public exhibition for consideration by DPHI. Additional meetings will be held with key stakeholders post-lodgement as required.

6. Strategic Context

The strategic plans / documents most relevant to the site’s development potential are summarised below in Table 6. Consistency with these Plans/documents will be addressed in detail in the EIS.

Table 6 Strategic context and relevancy to subject Detailed SSDA

Strategic Plan/Document	Details
<p>National Housing Accord 2022</p>	<p>In October 2022, the National Housing Accord was introduced by the Federal Government, pledging to construct 1 million houses in prime locations within a five-year timeframe, commencing in 2024.</p> <p>Given the growing demand for the population to live in the vicinity of their work and in areas with high amenity, BTR housing is emerging as a highly feasibly alternative housing option. In more detail, the accord delineated the imperative for enhanced backing of institutional investment.</p> <p>The National housing Supply and Affordability Council, in collaboration with State Governments, are currently reviewing barriers to innovation in housing, such as BTR.</p> <p>Considering this, the Federal Government is exploring methods to incentivise innovative housing options. The proposed development is in alignment with the above priorities, as it aims to increase housing by implementing a contemporary housing model, in a highly accessible location.</p>
<p>Greater Sydney Region Plan – A Metropolis of Three Cities</p>	<p>In March 2018, the Greater Sydney Commission’s (GSC) published the A Metropolis of Three Cities and the associated District Plans.</p> <p>The Plan divides the Sydney Region into 3 Cities, with a vision of growth until 2056 and aims to anticipate the housing and employment needs of a growing and vastly changing population. Of the 3 cities, Site A is located within the Eastern Harbour City.</p> <p>The division into 3 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.</p> <p>The proposal aligns with the following objectives:</p> <ul style="list-style-type: none"> • <u>Objective 1</u>: Infrastructure supports the three cities • <u>Objective 4</u>: Infrastructure use is optimised • <u>Objective 5</u>: Benefits of growth realised by collaboration of governments, community and business • <u>Objective 7</u>: Communities are healthy, resilient and socially connected • <u>Objective 10</u>: Greater housing supply • <u>Objective 11</u>: Housing is more affordable • <u>Objective 12</u>: Great places that bring people together • <u>Objective 14</u>: A Metropolis of three cities – integrated land use and transport creates walkable and 30 minute cities • <u>Objective 15</u>: The Eastern, Greater Parramatta and the Olympic Peninsula and Western Economic Corridors are better connected and more competitive. <p>The proposed development aims to advance the objectives of the Greater Sydney Region Plan by creating an interconnected, transit-oriented community. It will capitalise on the Government’s investment in the Sydney Metro network, facilitating new housing opportunities in proximity to frequent public transport, services, and amenities.</p>
<p>North District Plan</p>	<p>The GSC has prepared District Plans to inform regional and local-level planning and assist the actions of State agencies. The aim of the District Plans is to connect local planning with longer-term metropolitan planning for Greater Sydney.</p> <p>The proposal is located within the North District area. The North District Plan sets out a twenty-year vision to help achieve the goals contained in A Metropolis of Three Cities – the GSC vision for developing Sydney as a world-class future city.</p> <p>The Plan establishes a number of priorities and actions to guide growth, development and change. It also emphasises connectivity to infrastructure, collaboration, liveability,</p>

	<p>productivity and sustainability. The proposed development aligns with the following planning priorities:</p> <ul style="list-style-type: none"> • <u>Planning Priority N1</u>: Planning of a city supported by infrastructure • <u>Planning Priority N4</u>: Fostering healthy, creative, culturally rich and socially connected communities • <u>Planning Priority N5</u>: Providing housing supply, choice and affordability with access to jobs, services and public transport • <u>Planning Priority N6</u>: Creating and renewing great places and local centres and respecting the District’s heritage • <u>Planning Priority N7</u>: Growing a stronger and more competitive Harbour CBD • <u>Planning Priority N8</u>: Eastern Economic Corridor is better connected and more competitive • <u>Planning Priority N9</u>: Growing and investing in health and education precincts • <u>Planning Priority N12</u>: Delivering integrated land use and transport planning and a 30-minute city • <u>Planning Priority N21</u>: Reducing carbon emissions and managing energy, water and waste efficiently
<p>North Sydney Local Strategic Planning Statement</p>	<p>The North Sydney Local Strategic Planning Statement (LSPS) applies to the subject site and aims to deliver on key planning priorities. The proposal aligns with the following relevant planning priorities:</p> <ul style="list-style-type: none"> • <u>Planning Priority I2</u>: Collaborate with State Government Agencies and the community to deliver new housing, jobs, infrastructure and great places • <u>Planning Priority L1</u>: Diverse housing options that meet the needs of the North Sydney community • <u>Planning Priority L3</u>: Create great places that recognise and preserve North Sydney’s distinct local character and heritage • <u>Planning Priority P3</u>: Enhance the commercial amenity and viability of North Sydney’s local centres <p>In addition to the above Planning Priorities, the proposal also aligns with the following North Sydney LSPS identified actions:</p> <ul style="list-style-type: none"> • <u>Action I2.1</u>: 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.
<p>North Sydney Local Housing Strategy</p>	<p>The North Sydney Local Housing Strategy outlines that</p> <p><i>“The population of the North Sydney LGA is projected to increase from 72,150 in 2016 to 91,650 by 2036. This is a 26% increase in population over the next 20 years that is consistent with growth across the North District over this timeframe. DPHI projections identified that a further 11,450 dwellings are needed in the LGA over the next 20 years.”</i></p> <p>The proposed development will assist Council in meeting the forecast demand for additional housing, by providing additional BTR apartments.</p>
<p>St Leonards and Crows Nest 2036 Plan</p>	<p>The St Leonards and Crows Nest 2036 Plan was adopted in August 2020. The 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. It seeks to facilitate the urban renewal of St Leonards and Crows Nest for an expanding employment centre and growing residential community.</p> <p>The Plan recognises that St Leonards 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.</p> <p>The Plan specifically states the vision for the Crows Nest Metro Station over-station development provides opportunities for a significant number of new jobs, as well as housing and public domain upgrades.</p>

	<p>The proposed development of Site A is consistent with the vision and planned approach established by the 2036 Plan (subject to the draft Transit Oriented Development program amendments for Crows Nest currently on exhibition by DPHI).</p> <p>Of particular note is Site A aligns with the following:</p> <ul style="list-style-type: none"> • Contributes to the provision of a mixed use development including both commercial and residential uses. • Supports the high jobs target of 63,500 for the area by 2036 as outlined in the North District Plan. • Aligns with the Local Character Statement which identifies a desire to see more affordable housing and a greater variety of housing types in the area. • Provides housing (and notable affordable housing for frontline workers), not only increasing supply but also increasing the diversity of products. • Provides for and supports retail and leisure activities to reflect the area’s diverse character.
<p>Crows Nest Station Design and Precinct Plan</p>	<p>The Crows Nest Station Design and Precinct Plan (SDPP) outlines the urban, landscaping and architectural design for Crows Nest Station and shows how it will integrate with the surrounding precinct. The proposed development will be designed in with consideration of the Crows Nest Station Design and Precinct Plan.</p>
<p>Future Transport Strategy 2056</p>	<p>The Future Transport Strategy 2056 sets out a transport vision, directions and outcomes framework for NSW to guide transport investment and policy over a 40-year period. The Strategy aims to achieve greater transport capacity, improved accessibility to housing, jobs and services, continued innovation, address challenges and support the State’s economy and social performance.</p> <p>The proposal is consistent with the key outcomes of the Strategy as it provides new homes and jobs above and around a new Crows Nest Metro Station and encourages the use of public transport and walking and cycling. In addition, the proposal would reduce reliance on private vehicles by including nil car parking (noting that the NSLEP only has a maximum permissible parking provision on the site).</p>
<p>North Sydney Vision 2040 – Community Strategic Plan</p>	<p>The North Sydney Community Strategic Plan, prepared by North Sydney Council on behalf of and in consultation with the community, sets out the overarching vision for North Sydney and guides our planning and decision making for the next 10 years.</p> <p>The proposal aligns with the following goals:</p> <ul style="list-style-type: none"> • <u>Goal 2.2</u> - Vibrant public domains and villages • <u>Goal 2.3</u> - Prioritise sustainable and active transport • <u>Goal 3.1</u> – Our commercial centres are prosperous and vibrant • <u>Goal 3.2</u> - Distinctive sense of place and design excellence (including advocating for and provision of affordable housing).

7. Statutory Context

7.1 Statutory Planning Framework

The Statutory Planning provisions most relevant to the site and proposal are contained within the following documents:

Commonwealth

- Environment Protection and Biodiversity Conservation Act 1999
- Airports Act 1996 & Airports (Protection of Airspace) Regulations 1996

State

- Environmental Planning and Assessment Act 1979
- Environmental Planning and Assessment Regulation 2021
- Protection of the Environment Operations Act 1979
- Water Management Act 2000
- Biodiversity Conservation Act 2016 (and Regulation 2017)
- Rural Fires Act 1997
- Heritage Act 1977
- State Environmental Planning Policy (Planning Systems) 2021
- State Environmental Planning Policy (Housing) 2021
- State Environmental Planning Policy (Transport and Infrastructure) 2021
- State Environmental Planning Policy (Sustainable Buildings) 2022
- State Environmental Planning Policy (Resilience and Hazards) 2021
- State Environmental Planning Policy (Biodiversity and Conservation) 2021
- State Environmental Planning Policy (Industry and Employment) 2021
- North Sydney Local Environmental Plan (NSLEP) 2013
- Draft Crows Nest TOD Rezoning Proposal (proposing amendments to NSLEP)

Local

Whilst Development Control Plans (DCPs) do not apply to State Significant Development pursuant to Section 2.10 of the Planning Systems SEPP, the following will be considered in the EIS, particularly with regard to any future character indicators for the area:

- North Sydney Development Control Plan (NSDCP) 2013
- North Sydney Local Infrastructure Contributions Plan 2020

The following sections categorise and summarise the relevant requirements in accordance with the DPHI guidelines and confirms the planning pathway. Each of these matters will be addressed in further detail within the EIS/Detailed SSDA.

7.2 Power to Grant Approval

Division 4.7 of the *Environmental Planning & Assessment Act 1979* (the EP&A Act) establishes a specific framework to consider projects classed as SSD. SSD is development deemed to be of State significance and

includes certain classes of development above a certain value, that is regarded as important to the NSW Government.

Section 4.36(2) of the EP&A Act states:

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

Pursuant to Schedule 1, Section 19(2), of *State Environmental Planning Policy (Planning Systems) 2021* (Planning Systems SEPP), the proposal is classified as SSD as the proposal comprises development within a rail corridor, is associated with railway infrastructure, is for the purposes of a mixed-use development (both residential and commercial) and has an estimated development cost (EDC) in excess of \$30 million.

7.3 Permissibility

The *North Sydney Local Environmental Plan 2013* (NSLEP) is the key environmental planning instrument that applies to the site. The site is zoned MU1 Mixed Use under the NSLEP.

The development is for the purpose of a residential mixed-use development (including commercial premises such as offices, business premises, retail and food and drink premises). ‘Residential flat buildings’ and ‘commercial premises’ (of which retail premises are a sub-category) are permissible with consent in the MU1 Mixed Use zone.

7.4 Other Approvals

Section 4.41 of the EP&A Act stipulates certain authorisations that are not required for SSD. Additionally, Section 4.42 of the Act stipulates certain authorisations that cannot be refused if they are necessary for carrying out SSD. These are listed in table below which also lists out whether the approval would have been required if the proposed development was not SSD.

Table 7 Other Approvals under the EP&A Act

Act	Required?
Approvals that do not apply to SSD	
<i>Fisheries Management Act 1994</i>	No
<i>Heritage Act 1977</i>	No
<i>National Parks and Wildlife Act 1974</i>	No
<i>Rural Fires Act 1997</i>	No
<i>Water Management Act 2000</i>	To be confirmed
Legislation that must be applied consistently	
<i>Fisheries Management Act 1994</i>	No
<i>Mine Subsidence Compensation Act 1961</i>	No
<i>Mining Act 1992</i>	No
<i>Petroleum (Onshore) Act 1991</i>	No
<i>Protection of the Environment Operations Act 1997</i>	No

<i>Roads Act 1993</i>	To be confirmed
<i>Pipelines Act 1967</i>	No

7.5 Pre-conditions to exercising the power to grant consent

Table 8 below identifies pre-conditions to be fulfilled by the consent authority before exercising their power to grant development consent.

Table 8 Pre-conditions to exercising power to grant approval

Instrument	Response
Airports Act 1996 & Airports (Protection of Airspace) Regulations 1996	<p>Part 12 of the <i>Airports Act 1996</i> and the <i>Airports (Protection of Airspace) Regulations 1996</i> establish a framework for the protection of airspace at, and around airports.</p> <p>Pursuant to Condition A19 of the Concept SSDA Conditions of Consent, prior to the lodgement of any SSDA, and for the purposes of controlled activities within the protected airspace of Sydney Airport, a separate approval must be obtained from the Commonwealth Department of Infrastructure, Regional Development and Cities under the <i>Airports (Protection of Airspace) Regulations 1996</i> for the part of the building or any construction cranes that penetrate the Obstacle Limitation Surface (156 metres Australian Height Datum).</p>
Biodiversity Conservation Act 2016 (BC Act)	<p>Clause 7.9 of the BC Act requires the preparation of a Biodiversity Development Application Assessment Report (BDAR) for SSD that is assessed under Part 4 of the EP&A Act.</p> <p>The site has been heavily modified from its original state, is clear of vegetation and does not contain any areas of biodiversity value. Demolition and excavation works have been undertaken in accordance with the CSSI Approval works for the delivery of the Crows Nest Metro Station. Therefore, it is considered that the proposed development is not likely to have any impact on biodiversity values.</p> <p>It is understood that a waiver for a BDAR was issued by DPHI in relation to the Concept SSDA. The BDAR waiver request accompanies this Scoping Report.</p>
National Parks and Wildlife Act 1977 (NPW Act)	<p>The NPW Act aims to prevent the unnecessary or unwarranted destruction of relics and the active protection and conservation of relics of high cultural significance. The provisions of the NPW Act apply to both indigenous and non-indigenous relics.</p> <p>Given the extensively disturbed nature of the Site, and the fact earthworks were approved under CSSI Approval, it is requested that a full Aboriginal Cultural Heritage Assessment (ACHA) should not be warranted.</p> <p>Appropriate mitigation and management measures will be undertaken where Aboriginal heritage items or artefacts are identified at the site.</p> <p>An ACHA waiver for Site A will be lodged with DPHI before the lodgement of the Detailed SSDA.</p>
State Environmental Planning Policy (Transport and Infrastructure) 2021 – Clause 2.122 (Transport & Infrastructure SEPP)	<p>Site A is adjacent to Pacific Highway which is a classified road. The proposal will be assessed having regard to the classified road, including access arrangements and the impacts of the proposed development on safety and efficiency of vehicle movements.</p> <p>The proposal comprises traffic-generating development in accordance with Schedule 3 the SEPP, and therefore under Section 2.122(4), the consent authority before determining the DA, must:</p> <ul style="list-style-type: none"> • within 7 days after the application is made, give written notice of the application to TfNSW, and • take into consideration – <ul style="list-style-type: none"> ○ any submission that TfNSW provides in response to that notice within 21 days after the notice was given (unless before the 21 days, TfNSW advises that it will not be making a submission), and the accessibility of the site concerned

<p>State Environmental Planning Policy (Resilience and Hazards) 2021 (Resilience & Hazards SEPP)</p>	<p>Resilience and Hazards SEPP requires the consent authority to consider whether the subject land of any rezoning or development application is contaminated. If the land requires remediation to ensure that it is made suitable for a proposed use or zoning, the consent authority must be satisfied that the land can and will be remediated before the land is used for that purpose.</p> <p><u>Chapter 4 – Remediation of land</u></p> <p>Chapter 4, Section 4.6 of the Resilience & Hazards SEPP requires that where a DA is made concerning land that is contaminated, the consent authority must not grant consent unless:</p> <p><i>“(a) it has considered whether the land is contaminated, and</i> <i>(b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state</i> <i>(or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and</i> <i>(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.”</i></p> <p>The OSD is located wholly above the CSSI Approval works which relate to the entire development site. Investigation and remediation for contamination was addressed under the CSSI Approval prior to the construction of the metro box at Site A and therefore unlikely to encounter contaminated soil on the site. EPA recommends that an unexpected finds protocol be implemented should contamination be encountered during construction.</p> <p>It was further assessed as part of the Concept SSDA where DPHI considered the contamination in detail and were satisfied that any remediation works required, and unexpected contaminants found on the site would be addressed as part of the requirements of the CSSI Approval and that there would be limited opportunity the OSD to further excavate and or cause ground disturbance above the station structure.</p> <p>The proposed OSD does not require any on-ground or below-ground works, including the demolition of any structures and any ground disturbance beyond that undertaken in accordance with the CSSI Approval. The CSSI Approval and site excavation works relate to Site A up to the transfer slab. In this regard, no OSD work relates directly to the ground or below ground works except for works above the ground floor slab.</p> <p>Therefore, there is no ability for the OSD to be exposed directly to any areas of earth or former structures on the site. Site investigations were undertaken as part of the CSSI Approval for the Crows Nest Station precinct which concluded that that there were no NSW EPA Notified or Regulated Site within 500m of the site and that the site had increasingly become commercial from the former residential land use since the 1930s.</p> <p>Per DPHI’s recommendation in their Concept SSDA Assessment Report and Condition B32 of the Concept SSDA Conditions of Consent, a Site Investigation/Contamination Report will be prepared to confirm that any remediation work/site investigation work carried out under the CSSI Approval would have also made the site suitable for the proposed uses under the OSD and that no further earthwork required for the OSD.</p>
<p>State Environmental Planning Policy (Housing) 2021 (Housing SEPP)</p>	<p>Under Chapter 4 relates to the design of residential apartment development and states that the policy applies to development for the purpose of a residential flat building, shop top housing or mixed use development with a residential accommodation component for buildings with at least 3 or more storeys or containing at least 4 dwellings.</p> <p>Specifically, Section 147 relates to determination of DAs and modification applications for residential apartment development and requires that:</p> <p><i>“(1) Development consent must not be granted to residential apartment development, and a development consent for residential apartment development must not be modified, unless the consent authority has considered the following—</i></p>

	<p>(a) the quality of the design of the development, evaluated in accordance with the design principles for residential apartment development set out in Schedule 9,</p> <p>(b) the Apartment Design Guide,</p> <p>(c) any advice received from a design review panel within 14 days after the consent authority referred the development application or modification application to the panel.”</p> <p>The proposed development will therefore be prepared in accordance with the relevant provisions of Chapter 4, Schedule 9 and the Apartment Design Guide (ADG), subject to the flexibility afforded to the application of the ADG under Chapter 3, Diverse Housing, Part 4, Build to Rent housing, Section 75.</p>
<p>State Environmental Planning Policy (Sustainable Buildings) 2022 (Sustainable Buildings SEPP)</p>	<p>Clause 2.1(5) Standards for BASIX development and BASIX optional development (5) Development consent must not be granted to development to which the standards specified in Schedule 1 or 2 apply unless the consent authority is satisfied the embodied emissions attributable to the development have been quantified. The Detailed SSDA will be accompanied by a BASIX Report.</p>

7.6 Mandatory matters for consideration

Table 9 below identify matters that the consent authority will be required to consider in deciding whether to grant consent to the Detailed SSDA. These matters will each be addressed in the EIS.

Table 9 Mandatory matters for consideration

Instrument	Response
<p>Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)</p>	<p>Under the EPBC Act, a proponent must not take an action if that action is a controlled action, but instead must refer the proposed development to the Minister for the Environment for the Minister’s decision as to whether or not the action is a controlled action. A controlled action is one that has or will have; or is likely to have an impact on matters protected under the EPBC Act (Matters of National Environmental Significance) (MNES).</p> <p>An action includes a project, development, undertaking, activity, or series of activities. Having regard for the existing disturbed nature of Site A, referral to the Commonwealth Minister is not required.</p>
<p>Environmental Planning and Assessment Act 1979 (EP&A Act)</p>	<p>Section 1.3 - Objects of Act The Proponent will consider all objects of the Act in the EIS and the assessment of the proposal.</p> <p>Section 4.15 - Evaluation Section 4.15(1) of the EP&A Act outlines the matters that a consent authority must take into consideration when determining SSD applications. These matters are summarised as:</p> <ul style="list-style-type: none"> the provisions of any environmental planning instruments (including draft instruments), development controls plans, planning agreements, the EP&A Regulation, the likely environmental, social and economic impacts of the development, the suitability of the site for the development any submissions the public interest, including the objects in the EP&A Act and the encouragement of ecologically sustainable development (ESD). <p>The Proponent will consider all of these matters in the EIS and the assessment of the proposal.</p>
<p>Protection of the Environment Operations Act 1979</p>	<p>Schedule 1 of the POEO Act contains a core list of ‘scheduled activities’ that require an environmental protection licence before they may be undertaken or carried out.</p>

<p>(POEO Act)</p>	<p>An 'activity is defined in the POEO Act as:</p> <p style="text-align: center;"><i>“an industrial, agricultural or commercial activity or an activity of any other nature whatever (including the keeping of a substance or an animal).”</i></p> <p>Accordingly, the proposal does not trigger the requirement for an environmental protection licence.</p>														
<p>Water Management Act 2000 (WM Act)</p>	<p>The objective of the WM Act is the sustainable and integrated management of the State's water for the benefit of both present and future generations.</p> <p>Section 91 relates to Activity Approvals and outlines that a 'controlled activity' approval outlines a right on its holder to carry out a specified Controlled Activity at a specified location in, on or under Waterfront Land.</p> <p>The proposed development does not meet the definition of 'waterfront land', the proposed development is not a 'controlled activity' for the purposes of the WM Act.</p>														
<p>Heritage Act 1977 (Heritage Act)</p>	<p>Site A is not listed as a heritage item and is not located within a Heritage Conservation Area under the NSLEP. Figure 11 and Table 10 below identifies locally listed heritage items in proximity to Site A. The proposed development is not considered to detrimentally impact on the heritage character of these heritage items</p> <div data-bbox="552 862 1414 1361" data-label="Figure"> </div> <p>Figure 11 Espatial viewer – Heritage (site outlined in red) (Source: DPHI Espatial viewer, accessed 11 July 2024)</p> <p>Table 10 Details of heritage items in the vicinity of Site A</p> <table border="1" data-bbox="552 1503 1422 2024"> <thead> <tr> <th>Ref</th> <th>Description</th> </tr> </thead> <tbody> <tr> <td>A</td> <td>Item I0138 - General (State) - Electricity Powerhouse No 187</td> </tr> <tr> <td>B</td> <td>Item I1034 - General (Local) - Former Marco Building</td> </tr> <tr> <td>C</td> <td>Item I0141 - General (Local) - St Leonards Centre</td> </tr> <tr> <td>D</td> <td>Item I0182 - General (Local) - Northside Baptist Church</td> </tr> <tr> <td>E</td> <td>Items I0166, I0167, I0168, I0169, I0170, I01171 - General (Local) – Higgins Buildings</td> </tr> <tr> <td>F</td> <td>Item I0146 - General (Local) - Crows Nest Performing Arts Centre Item I0147 - General (Local) - Uniting Church hall Item I0148 - General (Local) - Uniting Church parsonage</td> </tr> </tbody> </table>	Ref	Description	A	Item I0138 - General (State) - Electricity Powerhouse No 187	B	Item I1034 - General (Local) - Former Marco Building	C	Item I0141 - General (Local) - St Leonards Centre	D	Item I0182 - General (Local) - Northside Baptist Church	E	Items I0166, I0167, I0168, I0169, I0170, I01171 - General (Local) – Higgins Buildings	F	Item I0146 - General (Local) - Crows Nest Performing Arts Centre Item I0147 - General (Local) - Uniting Church hall Item I0148 - General (Local) - Uniting Church parsonage
Ref	Description														
A	Item I0138 - General (State) - Electricity Powerhouse No 187														
B	Item I1034 - General (Local) - Former Marco Building														
C	Item I0141 - General (Local) - St Leonards Centre														
D	Item I0182 - General (Local) - Northside Baptist Church														
E	Items I0166, I0167, I0168, I0169, I0170, I01171 - General (Local) – Higgins Buildings														
F	Item I0146 - General (Local) - Crows Nest Performing Arts Centre Item I0147 - General (Local) - Uniting Church hall Item I0148 - General (Local) - Uniting Church parsonage														

<p>State Environmental Planning Policy (Housing) 2021 (Housing SEPP)</p>	<p>Chapter 3 – Diverse housing (Part 4 – Build-to-rent housing) The proposed development will comprise build-to-rent housing. Build to rent is permissible for development for the purposes for multi-dwelling housing on land on an MU1 zone, and that will result in at least 50 dwellings occupied. The EIS will consider the relative controls under Section 74 – ‘Non-discretionary development standards—the Act, s 4.15’. It is also acknowledged that Section 75 applies flexibility to the application of the ADG, in particular the design criteria under Part 4 of the ADG.</p> <p>Chapter 4 - Design of residential apartment development The proposed development will therefore be prepared in accordance with the relevant provisions of Chapter 4, Schedule 9 and the ADG, subject to the flexibility afforded to the application of the ADG under Chapter 3, Diverse Housing, Part 4, Build to Rent housing, Section 75.</p> <p>Chapter 5 – Transit Orientated Development Crows Nest was identified as one of the 8 priority high growth areas near transport hubs in greater Sydney for accelerated rezoning. At the time this Report was submitted on the NSW Planning Portal, Crows Nest was not included in the provisions under Chapter 5 of the Housing SEPP. The draft Crows Nest TOD Rezoning Proposal was exhibited from 16 July through to 16 August 2024. It is assumed that there will be no changes to Site A as a result of the exhibition and the draft controls exhibited will be the same controls gazetted. Refer to Section 7.7 for details of the draft Crows Nest TOD Rezoning Proposal, applicability to Site A.</p>												
<p>State Environmental Planning Policy (Transport and Infrastructure) 2021 (Transport & Infrastructure SEPP)</p>	<p>Chapter 2 – Infrastructure The relevant matters for consideration for Site A are outlined in Table 11 below.</p> <p>Table 11 Relevant sections of the Transport & Infrastructure SEPP</p> <table border="1" data-bbox="555 1160 1422 2016"> <thead> <tr> <th>Section</th> <th>Details</th> </tr> </thead> <tbody> <tr> <td><i>Section 2.94 Development permitted with consent</i></td> <td>Section makes provision for residential accommodation and commercial premises to be carried out wholly or partly above a railway station.</td> </tr> <tr> <td><i>Section 2.100 Impact of rail noise or vibration on non-rail development</i></td> <td>Section applies to residential accommodation as it is likely to be adversely affected by rail noise or vibration. Section 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.</td> </tr> <tr> <td><i>Cl 2.98 Development adjacent to rail corridors</i></td> <td>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.</td> </tr> <tr> <td><i>Cl 2.119 Development with frontage to classified road</i></td> <td>Section requires vehicular access to the land is provided by a road other than the classified road.</td> </tr> <tr> <td><i>Cl 2.120 Impact of road noise or vibration on non-road development</i></td> <td>Section 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). Section requires the consent authority to be satisfied that appropriate measures will be taken to ensure noise levels are not breached.</td> </tr> </tbody> </table>	Section	Details	<i>Section 2.94 Development permitted with consent</i>	Section makes provision for residential accommodation and commercial premises to be carried out wholly or partly above a railway station.	<i>Section 2.100 Impact of rail noise or vibration on non-rail development</i>	Section applies to residential accommodation as it is likely to be adversely affected by rail noise or vibration. Section 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.	<i>Cl 2.98 Development adjacent to rail corridors</i>	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.	<i>Cl 2.119 Development with frontage to classified road</i>	Section requires vehicular access to the land is provided by a road other than the classified road.	<i>Cl 2.120 Impact of road noise or vibration on non-road development</i>	Section 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). Section requires the consent authority to be satisfied that appropriate measures will be taken to ensure noise levels are not breached.
Section	Details												
<i>Section 2.94 Development permitted with consent</i>	Section makes provision for residential accommodation and commercial premises to be carried out wholly or partly above a railway station.												
<i>Section 2.100 Impact of rail noise or vibration on non-rail development</i>	Section applies to residential accommodation as it is likely to be adversely affected by rail noise or vibration. Section 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.												
<i>Cl 2.98 Development adjacent to rail corridors</i>	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.												
<i>Cl 2.119 Development with frontage to classified road</i>	Section requires vehicular access to the land is provided by a road other than the classified road.												
<i>Cl 2.120 Impact of road noise or vibration on non-road development</i>	Section 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). Section requires the consent authority to be satisfied that appropriate measures will be taken to ensure noise levels are not breached.												

	<p><i>Cl 2.122 Traffic generating development</i></p> <p>Section 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.</p> <p>The Pacific Highway frontage is a “classified road”. As the proposal is located along a “classified road” and will provide for residential floorspace equivalent to more than 75 dwellings, it is traffic-generating development and require referral to TfNSW.</p> <p>The above matters will be addressed as part of the future EIS and supportive documentation.</p>
<p>State Environmental Planning Policy (Sustainable Buildings) 2022 (Sustainable Buildings SEPP)</p>	<p>The Sustainable Buildings SEPP sets standards for both residential and non-residential development and outlines the process of measuring and reporting on the embodied emissions of construction materials.</p> <p>The proposed mixed-use development comprises both residential and commercial (including retail) components.</p> <p>Chapter 2 - Standards for residential development—BASIX</p> <p>The proposed development will have regard to the provisions of the Chapter 2 of the Sustainable Buildings SEPP. This will be further addressed within the EIS and supportive documentation.</p> <p>Chapter 3 - Standards for non-residential development</p> <p>This Chapter applies to development, other than development for the purposes of residential accommodation, that involves the erection of a new building, if the development has an estimated development cost of \$5 million or more.</p> <p>In deciding whether to grant development consent to non-residential development, the consent authority must consider whether the development is designed to enable the following—</p> <ul style="list-style-type: none"> <i>(a) the minimisation of waste from associated demolition and construction, including by the choice and reuse of building materials,</i> <i>(b) a reduction in peak demand for electricity, including through the use of energy efficient technology,</i> <i>(c) a reduction in the reliance on artificial lighting and mechanical heating and cooling through passive design,</i> <i>(d) the generation and storage of renewable energy,</i> <i>(e) the metering and monitoring of energy consumption,</i> <i>(f) the minimisation of the consumption of potable water.”</i> <p>Per subclause (2), development consent must not be granted to non-residential development unless the consent authority is satisfied the embodied emissions attributable to the development have been quantified.</p> <p>Pursuant to Section 35B and 35C of the EPA Regulations, non-residential development (that is not excluded under Section 3.1(2) of the Sustainability SEPP) must provide an embodied emissions statement that is prepared by a Quantity Surveyor, qualified designer, engineer or an assessor accredited under NABERS.</p> <p>The Sustainability SEPP requires a Net Zero Statement to be submitted with a development application for large commercial developments (offices with a net lettable area of at least 1,000m², hotel or motel accommodation with at least 100 rooms and serviced apartments with at least 100 apartments) and certain State Significant Developments with cultural, health and educational uses as specified in Schedule 1, sections 13–15 of the Planning Systems SEPP. This does not apply to the subject Detailed SSDA.</p>
<p>State Environmental Planning Policy (Biodiversity and Conservation) 2021</p>	<p>Chapter 2 – Vegetation in non-rural areas</p> <p>As outlined above, Site A is an over station development above the Crows Nest Metro Station. This site does not contain any existing vegetation. The site is also located within a highly urbanised area and the proposed development will have no impact on threatened species and native flora and fauna.</p>

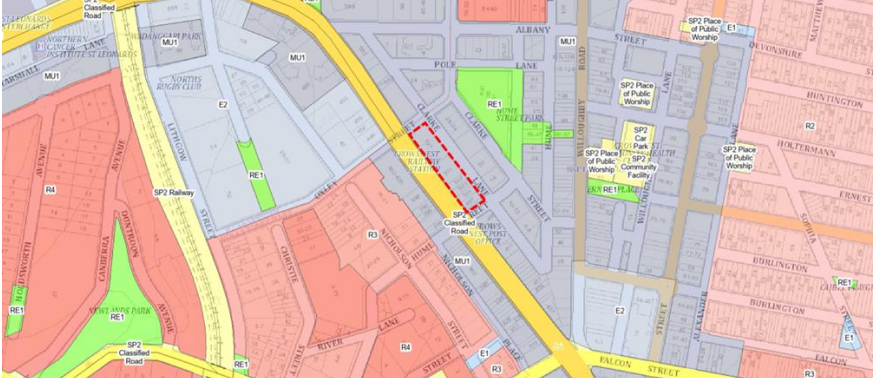
<p>(Biodiversity & Conservation SEPP)</p>	<p>A waiver from the requirement to prepare a BDAR accompanies this Scoping Report.</p> <p>Chapter 6 – Water catchments</p> <p>Site A is identified as being within the Sydney Harbour Catchment. Appropriate regard will be had for stormwater management as part of the EIS.</p>
<p>State Environmental Planning Policy (Industry and Employment) 2021 (Industry & Employment SEPP)</p>	<p>Chapter 3 – Advertising and signage</p> <p>The proposed development will include the provision of business identification signage zones and building identification signage zones.</p> <p>Compliance with Chapter 3 and Schedule 5 of the Industry & Employment SEPP will be demonstrated in the EIS and supporting documentation.</p>
<p>North Sydney Local Environmental Plan 2013 (NSLEP)</p>	<p>The NSLEP is the primary environmental planning instrument that applies to the site. The relevant provisions of the NSLEP as they relate to the subject site are considered below.</p> <p>Land use zoning and permissibility</p> <p>The site, located within the North Sydney Local Government Area (LGA). The site is zoned MU1 Mixed Use under the NSLEP. Concurrent to the submission of the SSDA, the proponent is lodging an amendment to the Concept SSDA to change the Concept SSDA approval commercial use on Site A to residential.</p> <p>The development is for the purpose of a residential mixed-use development (including commercial/retail components). ‘Residential flat buildings’, ‘commercial premises’ (of which retail premises are a sub-category) are permissible with consent.</p> <p>The EIS will assess the development against the following objectives of the MU1 Mixed use zone:</p> <ul style="list-style-type: none"> • <i>“To encourage a diversity of business, retail, office and light industrial land uses that generate employment opportunities.</i> • <i>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.</i> • <i>To minimise conflict between land uses within this zone and land uses within adjoining zones.</i> • <i>To encourage business, retail, community and other non-residential land uses on the ground floor of buildings.</i> • <i>To create interesting and vibrant mixed use centres with safe, high quality urban environments with residential amenity.</i> • <i>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.”</i> 

Figure 12 NSLEP Zoning Map (site highlighted in red) (Source: *Espatial viewer, accessed July 2024*)

Other controls under the NSLEP applicable to Site A are outlined in Table 12 below.

Table 12 NSLEP Development standards

Development Standard	Comment
<i>Clause 4.3 - Height of buildings</i>	Maximum 180m (RL).
<i>Clause 4.4 - Floor space ratio</i>	Maximum 11.5:1.
<i>Clause 4.4A – Non-residential floor space ratios</i>	<p>Minimum 10:1.</p> <p>Applicable to Site A, the draft TOD amendments include a new section relating to ‘Affordable Housing Bonus Sites’ (of which Site A is mapped). It is proposed under these draft amendments to reduce the non-residential FSR from 10:1 to 1:1 to facilitate additional residential and thereby affordable housing.</p> <p>It is assumed that there will be no further changes to Site A as a result of the exhibition period, and that the amendments will be gazetted by the time of determination of the Detailed SSDA. Consequently, negating the need for a Clause 4.6 variation to the non-residential provisions under Clause 4.4A of the NSLEP.</p> <p>To enable this change of use in alignment with the draft Crows Nest TOD Rezoning Proposal changes to non-residential floor space and ensure the Detailed SSDA’s consistency with the Concept SSDA, the Proponent intends to lodge an Amendment Concept SSDA and a concurrent Detailed SSDA.</p>
<i>Clause 5.21 - Flood planning</i>	Site A is not mapped as in a flood planning area.
<i>Clause 5.10 – Heritage Conservation</i>	Site A is not identified as a local or state heritage item, nor is it located within a heritage conservation area. Refer to the <i>Heritage Act 1977</i> section above for details of heritage items in the vicinity of Site A
<i>Clause 6.12A - Residential flat buildings in Zone MU1 Mixed Use</i>	<p>The objective of this clause is to ensure that development for residential flat buildings on land in Zone MU1 Mixed Use forms part of mixed-use developments and does not impact on the activation of street frontages.</p> <p>The proposed development is capable of complying with this Clause. The future SSDA will demonstrate compliance with this control.</p>
<i>Clause 6.13 - Vehicular access</i>	Development for the purposes of a driveway and vehicular crossing within a road reserve associated with a permissible use in an adjoining zone may be carried out with development consent.
<i>Clause 6.15 - Airspace operations</i>	If a development application is received and the consent authority is satisfied that the proposed development will penetrate the Limitation or Operations Surface, the consent authority must not grant development consent unless it has consulted with the relevant Commonwealth body about the application.

		<p>The proposed height will be consistent with that approved under the Concept SSDA.</p> <p>Pursuant to Condition A19 of the Concept SSDA Conditions of Consent, prior to the lodgement of any Future Development Application(s), and for the purposes of controlled activities within the protected airspace of Sydney Airport, a separate approval would be obtained from the Commonwealth Department of Infrastructure, Regional Development and Cities under the <i>Airports (Protection of Airspace) Regulations 1996</i> for the part of the building or any construction cranes that penetrate the Obstacle Limitation Surface (156 metres Australian Height Datum), as required.</p>
	<p><i>Clause 6.19B - Design excellence in the area adjacent to Crows Nest Metro Station</i></p>	<p>Site A is identified as 'Design Excellence' on the Design Excellence Map. Subclause (3) requires that development consent must not be granted for development on land to which this clause applies unless the consent authority considers that the development exhibits design excellence and have regard to the matters listed under subclause (4).</p> <p>Consistent with Condition A21 of the Concept SSDA, a separate Design Excellence Strategy has been prepared for Sites A and B in consultation with GASNW. The Design Excellence Strategy for Sites A and B were supported by GANSW in October 2021.</p> <p>Per Condition B8 of the Conditions of Consent, the SSDA will be accompanied by a Design Integrity Report.</p>

7.7 Draft Crows Nest TOD Rezoning Proposal

The Explanation of Intended Effect (EIE) relating to the draft Crows Nest TOD Rezoning Proposal outlines the proposed planning controls for the rezoning of the Crows Nest TOD Precinct (the Precinct).

The EIE is being exhibited from the 16 July through to the 16 August 2024 in accordance with Section 3.30 of the EP&A Act to allow the public to make submissions that will be considered as part of the finalisation of the draft planning controls.

The main changes that affect Site A are in relation to the 'Affordable Housing Bonus'. Site A is identified as one of the Affordable Housing Bonus Sites. Site A is not proposed for additional height or FSR under the draft TOD amendments.

The amended controls, however, propose to reduce the non-residential FSR from 10:1 to 1:1 to facilitate additional residential and thereby affordable housing. The new maps now illustrate the non-residential FSR 1:1.

Affordable housing contributions of 10-15 per cent, to be held, in perpetuity, and managed by a registered Community Housing Provider (CHP), are being proposed as mandatory for all new residential development within the Precinct.

All other land use zoning, height of buildings, FSR and minimum non-residential FSR remain unchanged from the NSLEP.

7.7.1 Draft Design Guide

The draft Design Guide, on exhibition along with the EIE, sets out a suite of built form and urban design provisions to ensure that new development in the Precinct achieves high quality outcomes for built form and the public domain and seeks to improve the amenity of the Precinct and its surrounds. It is intended that the draft Design Guide will support and provide more detailed guidance for development at Crows Nest Precinct.

It is noted that a new provision is proposed in the relevant LEPs to require the consent authority to consider the Design Guide made by the Planning Secretary relating to the design and amenity before granting consent

to development in the Precinct. The SSDA will include a full assessment of the proposal against all provisions of the Design Guide.

8. Proposed Assessment of Impacts

In this section, we identify the matters requiring further assessment in the EIS and the proposed approach to assessing each of these matters. We seek to ensure that the assessment of each matter is proportionate to the likely impacts of the project on that matter.

We also identify those matters that are unlikely to result in significant impacts and do not warrant further consideration in the EIS.

8.1 Matters Requiring Further Assessment

The following section provides a description of the relevant matters and impacts which will be addressed in detail within the EIS. It also includes each of the Key Issues and Other Issues as identified in the Scoping Summary Table (refer to Appendix A).

Table 13 Matters requiring further assessment

Matter	Preliminary assessment
Compliance with strategic and statutory plans	The Detailed SSDA will outline how the proposed development is consistent with the strategic and statutory planning framework, as outlined in Section 6 and Section 7 of this Report.
Consistency with the Concept SSDA (SSD 9579)	<p>The Proponent envisages developing the site as a mixed-use development comprising 40,152m² of residential build-to-rent gross floor area (GFA) including 5,238m² of affordable housing GFA for frontline workers (14% of build-to-rent GFA in perpetuity) along with 4,457m² GFA of non-residential floor space (comprising commercial/retail and amenity uses).</p> <p>To enable this mix of uses, the Proponent intends to lodge an amendment to Concept SSDA concurrently with the Detailed SSDA to change the approved commercial use and seek consent for a mixed-use development, with primarily residential and affordable housing component, located above the Crows Nest Metro Station.</p> <p>As the proposal is staged development in accordance with Section 4.22 of the EP&A Act, the Detailed SSDA cannot be inconsistent with the Concept SSDA. The EIS will therefore demonstrate that the proposed development is consistent with the Concept SSDA and the conditions of the approval, including the approved design guidelines.</p>
Interface with the approved Crows Nest Station and Infrastructure (CSSI Approval)	<p>The future Crows Nest Station and associated above and below ground elements are currently developed on site. The proposed OSD design at ground and podium levels will be informed by and take into consideration the existing above ground components of the metro which include the station entrance, retail opportunities, emergency egress, station plant and shared loading docks on Clarke Lane, will inform the future design of the OSD at the ground and podium levels.</p> <p>The proposed development will demonstrate how it will integrate with the CSSI Approval infrastructure including structural design, detailed architectural approach, access, wayfinding, public domain works and construction management.</p>
Structure	The Detailed SSDA will be accompanied by a Structural Report that demonstrates the proposal can be constructed in accordance with the Building Code of Australia (BCA).
Design Quality & Design Excellence	<p>The proposed development has been and will be (during assessment) subject to a design review by the State Design Review Panel (SDRP), and consideration will be had to their feedback. A Design Review Report will accompany the EIS which will consider the urban design outcomes for the project and the detailed options that have been considered through the design development.</p> <p>Consistent with Clause 6.19B and Condition A21 of the Concept SSDA, a separate Design Excellence Strategy has been prepared for Sites A and B in consultation with GASNW. The Design Excellence Strategy for Sites A and B were supported by GANSW in October 2021. Per Condition B8 of the Conditions of Consent, the SSDA will be accompanied by a Design Integrity Report.</p>

Public Art	Pursuant to Condition B14 of the Concept SSDA, the Detailed SSDA shall include a Public Art Strategy for the inclusion of public art within the development. The Public Art Strategy will be prepared in consultation with Council.
Signage	The Detailed SSDA will include a Signage Strategy for future business and building identification signage.
Historical Heritage	<p>Heritage impacts were assessed as part of the Concept SSDA, given the site context which comprises an adjacent heritage item, as well as other nearby heritage items interspersed with newer development. The assessment included specific analysis of the impacts of the proposal on The St Leonards Centre, a building directly adjacent to the site. A number of other heritage items were also assessed, with the specific impacts of the Concept SSDA and assessed and mitigation measures recommended where required.</p> <p>The Statement of Heritage Impact provided as part of this Concept SSDA included a series of key recommendations, which particularly related to the treatment of the proposal against the adjacent St Leonards Centre. These were incorporated into the mitigation measures outlined in Chapter 12 of the Concept SSDA EIS.</p> <p>In relation to historical heritage, and the extent of assessment undertaken as part of the Concept SSDA, it is proposed a Heritage Statement be submitted with the Detailed SSDA, which considers the impact of the Detailed SSDA design on nearby listed heritage items and heritage conservation areas.</p>
Urban design and built form	<p>Preliminary architectural plans have been prepared by Woods Bagot and are provided in the accompanying Design Report (Appendix C). They provide a preliminary indication of the proposed height, bulk, scale and building footprint which will be refined subject to feedback from DPHI and the SDRP.</p> <p>The overall design will consider architectural appearance, including façade articulation strategies and landscape treatments, to deliver a high-quality built form outcome. The final architectural package will also detail the rationale for the siting and layout of the proposed development, including loading and access arrangements.</p> <p>To date, a number of design solutions have been incorporated to improve amenity impacts to the residential development as well as those in the vicinity.</p> <p>The EIS will include an assessment of the proposed building design and will outline how the proposed building achieves an appropriate built form, noting the existing approval on the site. The application will also include a Design Report demonstrating the quality of the proposed development having regard to the character of the surrounding area, interface with the Crows Nest Metro Station and public domain, façade, massing, setbacks, building articulation and materials.</p> <p>A detailed assessment against the provisions of Chapter 4 of SEPP Housing and ADG will also be undertaken, with a Design Verification Statement prepared by the architect to be submitted as part of the Detailed SSDA documentation.</p>
Amenity impacts	<p>The assessment process for Concept Proposal included extensive assessment of the impacts of the proposed building envelope on the amenity of surrounding areas, including overshadowing of the public domain and key public spaces, visual impacts from the surrounding public domain, impacts and view impacts, wind effects, reflectivity on proposed development.</p> <p>With regard to overshadowing and visual and view impacts, it is noted that the proposed building is located within the approved building envelope and generally complies with the other approval requirements for building size and form, and accordingly the impacts of the project are expected to be consistent with or better than those that were previously assessed and determined to be acceptable as part of the Concept Proposal.</p> <p>The EIS will include further detailed assessment of the following amenity impacts with regard to this Detailed SSDA proposal.</p> <ul style="list-style-type: none"> • Overshadowing (Overshadowing Impact Assessment) • Public and private views and visual impacts (Visual and View Loss Assessment) • Visual privacy (Visual privacy analysis as part of Design Report) • Solar access (Solar Analysis Studies as part of Design Report) • Reflectivity (Reflectivity Analysis) • Access (Access Report)

<p>Wind</p>	<p>A Wind Impact Assessment was report was prepared for the Concept SSDA which informed the approved concept design envelope.</p> <p>As part of this subject application and second SDRP meeting, a Preliminary Wind Assessment (desktop study) was prepared by RWDI Australia Pty Ltd (dated 10 May 2024) (see Appendix H). This Assessment provided advice with regards to the local wind microclimate for the various massing options of the OSD located at Crows Nest Site A. The 3 massing options assessed included the approved SSDA envelope, single tower massing and a 3 tower massing form.</p> <p>The desktop study investigated the wind conditions on and around the various massing options of the OSD located at the Crows Nest Site A. The qualitative assessment is based on the review of local wind climate and considers the impact of the surrounding buildings and the local land topography and was based on RWDI’s experience with wind tunnel testing and CFD analysis of similar buildings within the region.</p> <p>The Assessment established that conceptual wind flows around the various massing options for the OSD have been provided, accompanied by discussions on anticipated wind flows and conditions within the site vicinity. It is noted that bulk wind flows will primarily be driven influenced by the massing volume of the subject development. The Assessment concluded that the approved Concept SSDA Scheme is expected to yield the most adverse wind impacts.</p> <p>It continued that while wind conditions within the public domain may improve with the single tower massing due to incorporated setbacks, significant winds are still anticipated due to the size of the massing. Therefore, dividing the massing into 3 towers is deemed the most optimal strategy for mitigating wind impacts. The 3 tower design facilitates the channelling of winds through the buildings, thereby reducing their impact on ground level and the public domain. Preliminary commentary has also been provided regarding the various designs of the arcade connecting Pacific Highway and Clarke Lane. Additional design advice has also been included to assist the design team.</p> <p>Consistent with Condition B22 of the Concept SSDA Condition of Consent, the Detailed SSDA will be accompanied by a Wind Impact Assessment will be prepared to:</p> <p>assesses the existing and proposed wind environment including the cumulative impact of existing and proposed tower developments adjoining and nearby the site</p> <ul style="list-style-type: none"> • demonstrates spaces within and around the site are suitable for their intended purpose • includes mitigation measures to address adverse wind conditions, where necessary. <p>This Study will build upon the existing desktop assessment undertaken to date and will include further specific and more detailed investigations into pedestrian wind comfort as part of the Detailed SSDA.</p>
<p>Operational Noise and Vibration</p>	<p>Pursuant to Condition B27 of the Concept SSDA Conditions of Consent, a Noise and Vibration Impact Assessment (NVIA) will be undertaken to demonstrate compliance with the EPA’s Noise Policy for Industry, the Interim Construction Noise Guidelines and Road Noise Policy. Cumulative impacts will be assessed for both the construction and operational phases. The assessment will detail construction and operational noise and vibration impacts on nearby sensitive receivers and structures and outline the proposed management and mitigation measures that would be implemented. This assessment will also include potential rail noise and vibration and road noise impacts on future occupants of the residential units. The NVIA will also address the conclusions and recommendations of the Noise and Vibration Impact Report Version 06, prepared by Sydney Metro and dated November 2018.</p> <p>Refer to “Construction Impacts” below for details on Operational Noise and Vibration.</p>
<p>Design quality and residential amenity</p>	<p>The Detailed SSDA will include a Design Report and architectural plans that will consider (amongst other things):</p> <ul style="list-style-type: none"> • Site and context analysis; • Design principles and functional objectives which have informed envelope development; • A detailed assessment against the provisions of Chapter 4 of SEPP Housing and ADG demonstrating that the residential components are capable of achieving a high residential amenity, in particular in relation to solar access and cross ventilation; • The impact of the Proposal on pedestrian connectivity, view corridors and site permeability; • Connecting with Country; and

	<ul style="list-style-type: none"> • Interface approaches with surrounding development, the surrounding public domain and public domain treatments. • Key technical studies relevant to design quality that will inform the EIS will include: • Design Report; • Proposed architectural plans for approval; and • Site survey.
<p>Safety and security</p>	<p>The development will comply with the requirements of Crime Prevention Through Environmental Design (CPTED), including how specific CPTED principles (surveillance, access control, territorial re-enforcement, and space/activity management) have been considered in the building massing and outline how consideration has been given to deter crime, manage space, and create a safe environment for users. A CPTED report will be prepared and accompany the Detailed SSDA.</p> <p>It should be noted that much of the public domain for the OSD sites will be provided through the CSSI Approval and subsequent Concept SSDA Approval. The CSSI Approval incorporates its own CPTED requirements (e.g. conditions E92, E101, E104 and E105).</p>
<p>Public Domain and nearby properties</p>	<p>In relation to the immediate surrounding public domain, the proposed building will be developed considering the station design. The design team has a detailed understanding of the CSSI Approval, Concept DA and the proposed development, ensuring an integrated station development is delivered at the site.</p> <p>Accordingly, the EIS and Proposal will consider the public domain interface and consistency with the Design Guidelines by Sydney Metro.</p>
<p>Ecologically Sustainable Development (ESD)</p>	<p>It is considered that the development will respond to the principles of ESD. An ESD report will be prepared that demonstrates how the principles of ecologically sustainable development (ESD) have been incorporated into the design, construction and ongoing operation of the proposal.</p> <p>This shall include preparation and implementation of Environmental Sustainability Strategies that incorporate low-carbon, high efficiency targets aimed at reducing emissions, commitment to energy rating level such as Greenstar and Basix, optimising use of water, reducing waste and optimising any loading on site to maximise sustainability and minimise environmental impacts. No car parking will be provided on Site A.</p> <p>This will also include assessment against BASIX and Section J, in accordance with industry best practice.</p> <p>The Detailed SSDA will also provide strategies for how a net-zero building can be achieved and demonstrate how the development will consider and reduce embodied emissions in materials. To support the goal to reach NSW's Net Zero emissions goal by 2050.</p>
<p>Operational Traffic, Transport and Accessibility</p>	<p>The Detailed SSDA will be accompanied by the following:</p> <ul style="list-style-type: none"> • <u>Traffic Impact Assessment (TIA)</u>: Prepared by a suitably qualified Traffic Engineer, that assesses the traffic, transport and pedestrian impacts on the road and footpath networks and nearby intersection capacity. Cumulative impacts will be assessed for both the construction and operational phases. The TIA shall also address: <ul style="list-style-type: none"> ○ traffic generation impact and any necessary road infrastructure upgrades to adjoining and nearby roads and intersections, ○ Cumulative impacts of other developments, ○ vehicle and pedestrian safety within and around the site, ○ loading / unloading and servicing, ○ the impact of the removal of any existing on-street car parking spaces, ○ pedestrian and bicycle infrastructure and facilities. • <u>Vehicular Servicing Management Plan (VSMP)</u>: which considers the use, operation, access and management of all loading docks and servicing bays. In addition, the VSMP will consider the integration and operation of loading docks and servicing bays with the overall operation of the CSSI Approval. • <u>A green travel plan</u>: Will be provided to identify opportunities to maximise sustainable transport choices for future residents and staff and visitors. <p>Condition B18 of the Concept SSDA Conditions of Consent includes the requirement for a Car Parking Strategy and Management Plan. It is noted that no car parking will be provided on Site A. This will be captured under the Amendment Concept SSDA accordingly.</p>

<p>Social, economic impacts and engagement</p>	<p>The social and economic impacts resulting from the proposed development will be set out in detail within the EIS.</p> <p>The Detailed SSDA will be accompanied by a Social Impact Assessment will be prepared in accordance with the Department’s Social Impact Assessment Guideline.</p> <p>The social impacts resulting from the proposal are expected to be positive and will likely include improved housing supply and diversity, affordable housing for front line workers, delivery of additional residential and non-residential floor space, creation of job opportunities and a built form that exhibits design excellence.</p> <p>This Report is accompanied by a Land Use and Economic Appraisal and Demographic and housing demand supply study (Appendix F and G, respectively).</p> <p>To date, a significant amount of community engagement has been undertaken by the Proponent. Third.i and Hume Place were the event partner for ‘Crows Nest Fest’ – one of the largest street festivals in the Lower North Shore – for 5 years, commencing from 2023, as part of the ongoing support for and engagement with the Crows Nest community. Crows Nest Fest 2023 was used as a platform to launch Hume Place and commence community engagement with both the public and local businesses. The activation was centred around creating the opportunity for the public to talk to members of the project team about the Crows Nest Over Station Development, what is being proposed and what it will deliver to the community.</p> <p>This was done by placing a branded shipping container in a prominent position on Willoughby Road with information about Hume Place included on materials boards and the TV inside. 15 Third.i team members were attendance throughout the day to ensure there was ample opportunity for people to ask questions, express concerns and find out more. Additionally, two representatives from Evolve Housing were present on the day as the proposed amendments to the Concept DA for Site A had just been announced to the public so Crows Nest Fest also enabled people to understand more about what this meant and how it will not only benefit key and essential workers, but also the broader Crows Nest community.</p> <p>Over 15,000 Hume Place tote bags were handed out at Crows Nest Fest, all of which included an informative flyer with an FAQ section to help educate the community about both Site A and Site B. This was supported by a flyer about the proposed amendments to the Concept DA for Site A, including statistics about the impact it will make and information on how people can support the proposed plans.</p>
<p>Operational Waste</p>	<p>Waste Management Plan/s will be prepared for the construction and operational phases of the development and will detail proposed waste management practices.</p> <p>The Detailed SSDA will include an Operational Waste Management Plan to address storage, collection, and management of waste and recycling within the development.</p> <p>Refer to “Construction Impacts” below for details on Construction Waste.</p>
<p>Utilities, infrastructure and services</p>	<p>As noted in the Concept SSDA documentation, the site is serviced by a full range of utilities and services, including stormwater drainage, sewerage, potable water, telecommunications, gas and electrical infrastructure. Appropriate utility and service connections will be provided under the CSSI Approval and the Concept SSDA to meet the servicing requirements of the Crows Nest integrated station development. All essential infrastructure services would be augmented accordingly for the proposed development, including water, sewer, electricity and communications.</p> <p>The EIS will assess the impact the proposal will have on existing utility services and service provider assets surrounding the site. The infrastructure requirements and augmentation needed (on and off site) to support the development will be outlined and assessed. This includes with regards to water, sewerage, electricity, telecommunications infrastructure.</p> <p>Consultation will be undertaken with all relevant service providers in relation to any required capacity augmentation of existing services to the site.</p> <p>A Utility Services Infrastructure Assessment (USIA) will be provided with the EIS to address the existing capacity and any augmentation requirements of the development for the provision of utilities, including staging of infrastructure. The USIA will be prepared in consultation with relevant agencies and service providers.</p>
<p>Geotechnical</p>	<p>The OSD is located wholly above the CSSI Approval works which relate to the entire development site.</p>

The proposed OSD under the Detailed SSDA does not require any on-ground or below-ground works, including the demolition of any structures and any ground disturbance beyond that undertaken in accordance with the CSSI Approval. The CSSI Approval and site excavation works relate to Site A up to the transfer slab. In this regard, no OSD work relates directly to the ground or below ground works except for works above the ground floor slab.

The geotechnical environment was assessed as part of the Concept SSDA where DPHI considered the contamination in detail and were satisfied that any remediation works required, and unexpected contaminants found on the site would be addressed as part of the requirements of the CSSI Approval and that there would be limited opportunity the OSD to further excavate and or cause ground disturbance above the station structure.

Geotechnical assessment for the suitability of this development will be provided with the Detailed SSDA to demonstrate that the development is safe and sustainable.

Flooding and Stormwater

The Concept DA was accompanied by a Flood Impact Assessment and Stormwater Management Plan to consider flood risk management and set out a stormwater drainage strategy for the Crows Nest Integrated Station Development. These studies relied upon the Flood modelling undertaken by North Sydney Council (2017) which showed that the Crows Nest Station site is located within a low risk mainstream flooding area that is susceptible to 100-year Average Recurrence Interval (ARI) and Probable Maximum Flood (PMF) flooding. The Study recommends a variable flood planning level of between 85.39m and 96.34m is recommended throughout the site.

The Floodplain Risk Management Study and Plan undertaken by North Sydney Council in 2022 identifies that the roads around Site A remain flood affected.



Floodplain Risk Management Study and Plan undertaken by North Sydney Council in 2022
 (Source: North Sydney Council, 2022)

The OSD will not impact on existing flood flow paths or storage, as the modelled floods are accommodated within roads.

As an integrated site, the OSD will need to conform to the design standards the Sydney Metro City and Southwest design standards. The design standards seek to ensure tunnels and stations are protected from the PMF and localised flash flooding, and that there is no adverse impact on neighbouring properties. Below ground and ground level stormwater infrastructure will be constructed as part of the CSSI Approval. During the construction of the OSD, interim runoff management systems will need to be designed to ensure that flood protection for the CSSI is maintained.

	<p>The OSD will be designed to ensure that finished levels are at least as high as the flood planning levels and service connections do not allow flood water to backflow into the station and tunnels. All flood protection works for the OSD will be completed under the terms of the CSSI Approval i.e. entrance levels to the OSD will be designed and constructed for flood protection.</p> <p>All flood modelling, impact assessment and mitigation measures for the site are to be undertaken as part of the station works under the CSSI Approval. The detailed design of the OSD should be developed having regard to the flooding requirements in Conditions of Approval E8 and E9 of the CSSI Approval.</p> <p>Pursuant to Condition B31 of the Concept DA Conditions of Consent, the Detailed SSDA will be accompanied by a Flood and Stormwater Impact Assessment to consider flood risk management and set out a stormwater drainage strategy for the Crows Nest Integrated Station Development.</p>
<p>Contamination and Remediation</p>	<p>The OSD is located wholly above the CSSI Approval works which relate to the entire development site.</p> <p>Investigation and remediation for contamination was addressed under the CSSI Approval prior to the construction of the metro box at Site A and therefore unlikely to encounter contaminated soil on the site. EPA recommends that an unexpected finds protocol be implemented should contamination be encountered during construction. As part of the CSSI Approval, a Phase 1 Contamination Investigation was undertaken for the full Sydney Metro City & Southwest project between Chatswood and Sydenham.</p> <p>The CSSI Phase 1 investigation was not carried out to determine the suitability of future land uses for OSD, as it was primarily concerned with the suitability for station infrastructure. However, the Phase 1 Investigation did not identify the Crows Nest site as an area of environmental interest. The Investigation examined a series of historical aerial photographs obtained from the NSW Land and Property Management Authority, finding that the site had transformed from a residential format in the 1930s to a commercial context by the 1970s. The former tyre workshop on the corner of Clarke Street and Hume Street was considered to have a low risk rating. The Investigation concluded that there was no reason provided under the Phase 1 investigation that would warrant further investigation for the site based on contamination.</p> <p>Further to this, the CSSI Approval and site excavation works relate to the entirety of the three sites up to the transfer level. In this regard, no OSD work relates directly to the ground or below ground works except for works above the ground floor slab which would be limited to the internal fit out of the cold building shell constructed under the terms of the CSSI Approval. Therefore, there is no ability for the OSD to be exposed directly to any areas of earth. For the same reasons as identified above, the OSD can be regarded as being suitable with respect to erosion potential, subsidence, potential salinity and acid sulphate soils.</p> <p>Contamination and geotechnical environment was further assessed as part of the Concept SSDA where DPHI considered the contamination in detail and were satisfied that any remediation works required, and unexpected contaminants found on the site would be addressed as part of the requirements of the CSSI Approval and that there would be limited opportunity the OSD to further excavate and or cause ground disturbance above the station structure.</p> <p>The Concept SSDA Assessment documentation noted that the scope under that application comprised the OSD only and did not include any additional excavation or ground disturbance beyond that undertaken in accordance with the CSSI Approval, it was considered that the site is suitable for the proposed uses in accordance with the requirements of the Resilience and Hazards SEPP.</p> <p>The proposed OSD under the Detailed SSDA does not require any on-ground or below-ground works, including the demolition of any structures and any ground disturbance beyond that undertaken in accordance with the CSSI Approval. The CSSI Approval and site excavation works relate to Site A up to the transfer slab. In this regard, no OSD work relates directly to the ground or below ground works except for works above the ground floor slab.</p> <p>Therefore, there is no ability for the OSD to be exposed directly to any areas of earth or former structures on the site. Site investigations were undertaken as part of the CSSI Approval for the Crows Nest Station precinct which concluded that that there were no NSW EPA Notified or Regulated Site within 500m of the site and that the site had increasingly become commercial from the former residential land use since the 1930s.</p>

	<p>Per DPHI's recommendation in their Concept SSDA Assessment Report and Condition B32 of the Concept SSDA Conditions of Consent, a Site Investigation/Contamination Report will be prepared to confirm that any remediation work/site investigation work carried out under the CSSI Approval would have also made the site suitable for the proposed uses under the OSD and that no further earthwork required for the OSD.</p>
<p>Construction Impacts</p>	<p>Pursuant to Condition B38 and 39 of the Concept SSDA Condition of Consent, the Detailed SSDA will be accompanied by an analysis and assessment of the impacts (including cumulative impacts) of construction and will include:</p> <ul style="list-style-type: none"> • <u>Construction Pedestrian and Traffic Management Plan (CPTMP)</u>: To be prepared in consultation with Transport for NSW, Sydney Coordination Office and North Sydney Council, and to the satisfaction of the relevant road authorities. The CPTMP must detail vehicles routes, numbers of trucks, hours of operation, access arrangements and traffic control measures and cumulative construction impacts (i.e. arising from concurrent construction activity) as well as: <ul style="list-style-type: none"> ○ construction car parking strategy ○ haulage movement numbers / routes including contingency routes ○ detailed travel management strategy for construction vehicles including staff movements ○ maintaining property accesses ○ maintaining bus operations including routes and bus stops ○ maintaining pedestrian and cyclist links / routes ○ independent road safety audits on construction related traffic measures ○ measures to account for any cumulative activities / work zones operating simultaneously • <u>Construction Noise and Vibration Impact Assessments (CNVMP)</u>: To identify and provide a quantitative assessment of the main noise generating sources and activities during construction. Details are to be provided outlining any mitigation measures to ensure the amenity of adjoining sensitive land uses is protected throughout the construction period(s) • <u>Community Consultation and Engagement Plans</u> • <u>Construction Waste Management Plan</u>: Any waste generated throughout the construction phase of the project will be addressed in a Construction Waste Management Plan. All waste will be disposed of in accordance with the waste management plan, which would include provisions for recyclables and suitable off-site disposal. Where possible, all demolition, construction and operational waste will be reused or recycled. The waste management plan will be undertaken in accordance with the Waste Classification Guidelines (DECCW, 2009). • <u>Air Quality Management Plan</u>: Any dust impacts generated during construction will be addressed and managed in accordance with the Air Quality Management Plan standard conditions of consent. <p>The plans above may be prepared as part of a Construction Environmental Management Plan prepared for implementation under the conditions of any consent for future development applications, having regard to the Construction Environmental Management Framework and Construction Noise and Vibration Strategy prepared for CSSI Approval</p>
<p>Aviation Impacts</p>	<p>As part of the Concept SSDA, the application was referred to CASA as the site is located in an area identified under the <i>Civil Aviation *(Buildings Control) Regulation 1998</i> that restricts the height of new structures below the recommended OLS.</p> <p>The Concept SSDA notes the maximum building envelope penetrates the OLS (156m AHD).</p> <p>It was noted that under the Concept SSDA, that CASA raised no objection to the proposal subject to recommended conditions and a separate approval being obtained from the SIRDC for the building height and for any cranes/associated structures required to construct the building.</p> <p>It is emphasised however, that no additional height is proposed under the Detailed SSDA over the maximum NSLEP height of building control of 180m RL.</p> <p>Per Condition A19 of the Concept SSDA Conditions of Consent, prior to the lodgement of any SSDA and for the purposes of controlled activities within the protected airspace of Sydney Airport, a separate approval will be obtained from the Commonwealth Department of Infrastructure, Regional Development and Cities under the <i>Airports (Protection of</i></p>

	<p><i>Airspace) Regulations 1996 for any part of the building or any construction cranes that penetrate the Obstacle Limitation Surface (156 metres Australian Height Datum).</i></p> <p>Condition A35 of the Concept SSDA Conditions of Consent also requires that the SSDA for aboveground works must ensure future development complies with the following requirements:</p> <p><i>“(a) buildings must not exceed a maximum height of 180 metres AHD. This includes all lift over-runs, vents, chimneys, aerials, antennas, lightning rods, and roof top garden plantings, exhaust flues, etc.</i></p> <p><i>(b) the tallest building at the site must be obstacle lit by medium intensity steady red lighting during hours of darkness at the highest point of the building. Obstacle lights are to be arranged to ensure the building can be observed in a 360 degree radius as per subsection 9.4.3 of the Manual of Standards Part 139 – Aerodromes (MOS Part 139).</i></p> <p><i>(c) the Proponent must ensure that the obstacle lighting has a built-in alarm system that will provide remote monitoring to notify the person responsible for the maintenance of the building’s obstacle lighting. The designated person must be available 24 hours per day, 7 days per week. Immediate action must be taken to repair the obstacle lighting and notify Sydney Airport of any outage. Contact details for the person responsible for the obstacle lighting must be provided to Sydney Airport prior to the completion of the building construction and kept up to date.</i></p> <p><i>(f) separate approval must be sought under the Airports (Protection of Airspace) Regulations 1996 for any construction equipment (i.e. cranes) required to construct the building. Construction cranes may be required to operate at a height significantly higher than that of the proposed controlled activity and consequently, may not be approved under the Regulations. Therefore, it is advisable that approval to operate construction equipment (i.e. cranes) be obtained prior to any commitment to construct.”</i></p> <p>The EIS will be accompanied by an Aviation Report for completeness.</p>
<p>Other matters</p>	<p>The EIS will also address:</p> <ul style="list-style-type: none"> • Estimated development cost • Building Code of Australia compliance • Connecting to Country • Landscape Design • Site suitability and the public interest.

8.2 Matters Requiring No Further Assessment

Table 14 below identifies matters that do not require any further assessment in the EIS. Each of these matters has been considered during the subject scoping phase but are not considered to warrant further assessment.

Table 14 Matters requiring no further assessment

Matter	Comment/Justification
<p>Biodiversity</p>	<p>The site has been heavily modified from its original state, is clear of vegetation and does not contain any areas of biodiversity value. Demolition and excavation works have been undertaken in accordance with the CSSI Approval works for the delivery of the Crows Nest Metro Station. Therefore, it is considered that the proposed development is not likely to have any impact on biodiversity values.</p> <p>It is understood that a waiver for a BDAR was issued by DPHI in relation to the Concept SSDA.</p> <p>It is the intention of the proponent to seek a waiver to the requirement for a BDAR for Site A under Section 7.9 of the BC Act, this waiver accompanies this Scoping Report.</p>
<p>Aboriginal Cultural Heritage</p>	<p>Given the extensively disturbed nature of the Site, the fact earthworks were approved under the CSSI Approval, and construction has already been commenced on Site A, it is requested that a full Aboriginal Cultural Heritage Assessment (ACHA) should not be warranted.</p> <p>Appropriate mitigation and management measures will be undertaken where Aboriginal heritage items or artefacts are identified at the site. A statement of significance and</p>

Matter	Comment/Justification
	<p>assessment of the impact of the proposed development on adjacent heritage items will be prepared.</p> <p>Pursuant to Condition B34 of the Concept SSDA Conditions of Consent, the Detailed SSDA will be accompanied by a statement which demonstrates the recommendations and mitigation measures of the CSSI Approval reports are to be incorporated during the construction of the SSD project:</p> <ul style="list-style-type: none"> • Artefact 2016, Sydney Metro City and Southwest, Chatswood to Sydenham: Aboriginal Cultural Heritage Assessment • Artefact 2016, Sydney Metro City and Southwest, Chatswood to Sydenham: Aboriginal Heritage – Archaeological Assessment.
Operational Air Quality & Odour	<p>There are no consequential air quality impacts associated with the proposal. There are also no odour related issues associated with site or proposal.</p> <p>Any dust impacts generated during construction will be addressed and managed in accordance with the Air Quality Management Plan standard conditions of consent.</p> <p>Refer to “Construction Impacts” in Section 8.1 for details on Construction Air Quality.</p>
Hazard and Risks – Bushfire, Biosecurity, Coastal hazards, Land movement	<p>The development is not mapped bush fire prone land, nor is a bush fire threat identified on or adjoining the site.</p> <ul style="list-style-type: none"> • The site is not in a coastal area. • The existing and proposed operations are not classified as hazardous or offensive development or a biosecurity risk.

8.3 Cumulative Impact Assessment

After thoroughly reviewing the Planning Proposals, State Significant SSDAs and Development Applications (DAs) within a 500m vicinity of the site, we have identified at least 3 significant and relevant developments that may potentially have warranted consideration of potential combined effects alongside the proposed development. These 3 SSDAs are located within 2 kilometres from the site and include:

- **SSD-13852803** - 14 Clarke Street, Crows Nest: Design and construction of a 9 storey commercial building at Crows Nest OSD Site C.
- **SSD-66826207** - 391-423 Pacific Highway, 3-15 Falcon Street and 8 Alexander Street, Crows Nest: Demolishing the existing structures on the site. Excavation for 7 basement levels for parking, erection of a 22 storey shop-top housing building, including in-fill affordable housing.
- **SSD-61400212** - 477, 479, 491-495 Pacific Highway, Crows Nest: Proposed over station mixed use and residential for Crows Nest OSD Site B development comprising of 131 residential units, 4 Ground floor/mezzanine retail and commercial floorspaces and 55 car spaces.

From those listed above, 2 are relate to the other Crows Nest OSD developments over Site B and C. We recognise that the EIS will have to consider and include a more detailed review of surrounding applications as part of the EIS process. In preparing the EIS, we will include a cumulative assessment to ensure comprehensive understanding and evaluation of potential combined impacts with the proposed development.

9. Conclusion

The purpose of this Report is to request Project-specific SEARs for the preparation of a Detailed SSD application for the proposed mixed-use development at 497-521 Pacific Highway, Crows Nest.

This Report outlines the background, approval pathway for the application, the legislative framework, and the key matters for consideration in the assessment of the application.

The proposed development involves a mixed use over station development, that would equate to an EDC of more than \$30 Million, thus being defined as SSD pursuant to Schedule 1, Section 19 of the Planning Systems SEPP.

Site A is situated within the North Sydney LGA, forming part of the St Leonards' and Crows Nest Strategic Centre, complimented by surrounding developments of similar contextual importance. Site A is considered highly suitable for the proposed development, given the existing Concept SSDA 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 Leonards' and Crows Nest 2036 Plan and provides an integrated, transit oriented, over station development. In this respect, the proposed development would provide for housing (including affordable housing for frontline workers) and economic growth and prosperity for the North Sydney LGA and the wider area.

Additionally, as noted throughout this Report, the EIS will demonstrate how the proposed development is suitable for the site and how the potential environmental impacts can be appropriately mitigated, minimised, or managed to avoid any unacceptable impacts where relevant.

We trust that the information contained in this Report is sufficient to enable DPHI to issue the SEARs to guide the preparation of the EIS.

Appendix A

Scoping Summary Table

Prepared by Gyde Consulting Pty Ltd

GYDE

Table 15 Scoping Summary Table

Matter	Level of Assessment	Cumulative Impact Assessment?	Engagement	Relevant Government Plans, Polices and Guidelines	Scoping Report Reference
Access – Traffic and Parking	Detailed – Both Operation & Construction	Y (Construction & Operation)	Specific	<ul style="list-style-type: none"> • State Environmental Planning Policy Transport and Infrastructure (2021). • Guide to Traffic Generating Developments Version 2.2, RTA (2002). • Draft Guide to Transport Impact Assessment (currently in consultation phase) • Austroads Guide to Traffic Management – Part 3 Traffic Studies and Analysis (2013). • Guide to Traffic Generating Developments Version 2.2, RTA (2002). • NSW Bicycle Guidelines, RTA (2003). • Relevant Australian Standards. 	Section 7.5 Section 7.6 Section 8.1
Access – Road and Rail Facilities	No further assessment – Addressed as part of CSS115_7400	N	General	<ul style="list-style-type: none"> • State Environmental Planning Policy Transport and Infrastructure (2021). • Road User Space Allocation Policy. • Austroads Guide to Road Design. • Transport for NSW Supplements to Austroads. • Transport for NSW Supplements to Australian Standards. • Transport for NSW Speed Zoning Standard. • Transport for NSW Bus Infrastructure Guide. • Transport for NSW Cycleway Design Toolbox • Relevant Australian Standards. 	Section 7.2 Section 7.6 Section 8.1
Access – Access to property	Standard	N	General	<ul style="list-style-type: none"> • National Construction Code 2019 Amendment 1, Volume 1, Building Code of Australia (2019). • Disability (Access to Premises – Buildings) Amendment 2020 Standards, Building Code of Australia 2019 (2019). • Disability Discrimination Act (1992) • Disability Inclusion Act (2014) • National Disability Strategy 2010 – 2020. 	Section 5 Section 7.5 Section 7.6 Section 8.1

Matter	Level of Assessment	Cumulative Impact Assessment?	Engagement	Relevant Government Plans, Polices and Guidelines	Scoping Report Reference
Amenity – Noise and Vibration (<i>Operation & Construction</i>)	Detailed	Y (Construction and Operation)	General	<ul style="list-style-type: none"> Noise and Vibration Impact Report, Version 6, prepared by Sydney Metro (November 2018) NSW Environment Protection Agency Noise Policy for Industry (2017) NSW Road Noise Policy, Environmental Protection Authority (2011) Construction Noise Strategy (Transport for NSW (2012) Interim Construction Noise Guideline, Department of Environment, Climate Change and Water (2009). NSW Protection of the Environmental Operations Act (1997). NSW Department of Environment Climate Change and Water Road Noise Policy (2011). NSW Department of Environment and Conservation Assessing Vibration: A Technical Guideline (2006). NSW Department of Planning Development Near Rail Corridors and Busy Roads – Interim Guideline (2008). Rail Infrastructure Noise Guideline, Environmental Protection Authority (2013). Assessing Vibration: A Technical Guideline, Department of Environment and Conservation (2006). British Standard BS7385-2:1003 Excavation and measurement for vibration in buildings. A guide to damage levels from groundborne vibration. 	Section 7.6 Section 8.1
Amenity – Visual, Privacy, Views, Solar and Reflectivity	Detailed	N	General	<ul style="list-style-type: none"> Guidelines for Landscape and Visual Impacts Assessment 3rd Edition, Landscape Institute and Institute of Environmental Management and Assessment. Refer to Scoping Report. 	Section 8.1
Amenity – Overshadowing	Detailed	Y	General	<ul style="list-style-type: none"> Refer to Scoping Report. 	Section 5 Section 8.1
Built Environment – Design Quality, ESD and BCA.	Detailed	N	General	<ul style="list-style-type: none"> Concept SSDA drawings (building envelope diagrams (to be amended via a concurrently lodged Amendment to Concept SSDA). 	Section 7.5 Section 7.6 Section 7.7.1

Matter	Level of Assessment	Cumulative Impact Assessment?	Engagement	Relevant Government Plans, Policies and Guidelines	Scoping Report Reference
				<ul style="list-style-type: none"> • Endorsed Design Excellence Strategy – Sites A and B (including project benchmarks) (October 2021) • Crows Nest OSD Design Quality Guidelines (November 2021) • Apartment Design Guide. • National Construction Code. • Relevant Australian Standards. • GANSW Connecting with Country Framework. • Refer to Scoping Report. 	
Infrastructure – Utilities & Services	Standard – Addressed as part of CSSI15_7400	Y	General	<ul style="list-style-type: none"> • Refer to Scoping Report. • CSSI 15_7400 Approval. • Relevant Australian Standards. 	Section 8.1
Aviation	Standard – Addressed as part of CSSI15_7400. Development will not exceed 180m RL.	N	General	<ul style="list-style-type: none"> • Refer to Scoping Report 	Section 8.2
Hazards and Risks – Wind	Standard	Y	General	<ul style="list-style-type: none"> • Refer to Scoping Report 	Section 8.1 Appendix G
Hazards and Risks - Air quality & odour (Operational)	No Further Assessment Required	N	General	<ul style="list-style-type: none"> • N/A 	Section 8.2
Hazard and Risks – Bushfire, Biosecurity, Coastal hazards, Land movement	No Further Assessment Required	N	General	<ul style="list-style-type: none"> • N/A 	Section 7.1 Section 7.5 Section 8.1 Section 8.2
Hazards and Risks – Flooding	Standard – Addressed as part of CSSI15_7400	N	General	<ul style="list-style-type: none"> • NSW Department of Planning and Environment Flood Risk Management Manual (2023). • Floodplain Risk Management Study and Plan, North Sydney Council (2022). • NSW Flood Risk Management Manual. • NSW Government Floodplain Risk Management Guidelines. 	Section 7.6 Section 8.1

Matter	Level of Assessment	Cumulative Impact Assessment?	Engagement	Relevant Government Plans, Policies and Guidelines	Scoping Report Reference
				<ul style="list-style-type: none"> FloodSafe guidelines and the relative FloodSafe Tool Kits. NSW Department of Planning and Environment - Considering Flooding in Land Use Planning Guideline (2021). Flood Impact and Risk Assessment Guideline - LU01 	
Hazards and Risk – Land Contamination	Standard – Addressed as part of CSSI15_7400	N	General	<ul style="list-style-type: none"> Protection of the Environment Operations Act 1997 Contaminated Land Management Act 1997 State Environmental Planning Policy Resilience and Hazards) 2021 Managing Land Contamination: Planning Guidelines SEPP 55 – Remediation of Land (1998) Guidelines on the Duty to Report Contamination under the Contaminated Land Management Act 1997 (2015) National Environment Protection (Assessment of Site Contamination) Measure (1999) 	Section 7.5 Section 8.1
Hazards and Risk – Geotechnical	Standard - Addressed as part of CSSI15_7400	N	General	<ul style="list-style-type: none"> Refer to Scoping Report. 	Section 7.5 Section 8.1
Hazards and Risks – Waste (Operational & Construction)	Standard	N	General	<ul style="list-style-type: none"> Waste Classification Guidelines (DECCW, 2009). 	Section 7.5 Section 8.1
Biodiversity	No further assessment - Addressed as part of CSSI15_7400	N	General	<ul style="list-style-type: none"> BDAR Waiver Sought. Refer to Scoping Report. 	Section 7.1 Section 7.5 Section 7.6 Section 8.2
Heritage – Aboriginal	No further assessment – Addressed as part of CSSI15_7400	N	General	<ul style="list-style-type: none"> ACHA Waiver Sought (given the extensively disturbed nature of the Site, and the fact earthworks were approved under SSI 15_7400, it is requested that a full ACHA should not be warranted). Artefact 2016, Sydney metro City and Southwest, Chatswood to Sydenham: Aboriginal Cultural Heritage Assessment Artefact 2016, Sydney Metro City and Southwest, Chatswood to Sydenham: Aboriginal Heritage – Archaeological Assessment. Guide to Investigating, Assessing and Reporting on Cultural Heritage in 	Section 5 Section 7.5 Section 8.2

Matter	Level of Assessment	Cumulative Impact Assessment?	Engagement	Relevant Government Plans, Policies and Guidelines	Scoping Report Reference
				<ul style="list-style-type: none"> NSW, 2011 Aboriginal Cultural Heritage Consultation Requirements for Proponents (2010) Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW, (2010). GANSW Connecting with Country Framework (2023). 	
Heritage – Historical	Standard – Addressed as part of CSSI15_7400	N	General	<ul style="list-style-type: none"> Heritage Act 1977 The Burra Charter: the Australia ICOMOS charter for places of cultural significance Environmental Planning and Assessment Act 1979 <ul style="list-style-type: none"> North Sydney Local Environmental Plan (Part 5 Heritage Conservation and Schedule 5 of the LEP for list of heritage items) Design In Context, Heritage NSW Assessing Heritage Significance, Department of Planning and Environment NSW Guidelines for preparing a Statement of Heritage Impact, Department of Planning and Environment NSW. 	Section 3.3 Section 6 Section 7.1 Section 7.4 Section 7.5 Section 7.6 Section 8.1 Section 8.2
Social – Community	Detailed	Y	General	<ul style="list-style-type: none"> Social Impact Assessment Guideline - For State Significant Projects DPIE, (November 2021) 	Section 5 Section 8.1
Social – Livelihoods	Detailed	Y	General	<ul style="list-style-type: none"> Social Impact Assessment Guideline - For State Significant Projects DPIE, (November 2021) 	Section 5 Section 8.1
Social – Way of Life	Detailed	Y	General	<ul style="list-style-type: none"> Social Impact Assessment Guideline - For State Significant Projects DPIE, (November 2021) 	Section 5 Section 8.1
Social – Culture	Detailed	Y	General	<ul style="list-style-type: none"> Social Impact Assessment Guideline - For State Significant Projects DPIE, (November 2021) 	Section 5 Section 8.1
Social – Health and Well being	Detailed	Y	General	<ul style="list-style-type: none"> Social Impact Assessment Guideline - For State Significant Projects DPIE, (November 2021) 	Section 5 Section 8.1
Social – Surroundings	Detailed	Y	General	<ul style="list-style-type: none"> Social Impact Assessment Guideline - For State Significant Projects DPIE, 	Section 3.3

Matter	Level of Assessment	Cumulative Impact Assessment?	Engagement	Relevant Government Plans, Polices and Guidelines	Scoping Report Reference
				November 2021)	Section 5 Section 8.1
Social – Decision making systems	Detailed	Y	General	<ul style="list-style-type: none"> Social Impact Assessment Guideline - For State Significant Projects DPIE, November 2021) 	Section 5 Section 8.1
Social – Safety and Security	Detailed	Y	General	<ul style="list-style-type: none"> Refer to Scoping Report 	Section 5 Section 8.1
Water – Water Quality, Water Management & Stormwater Management	Standard – Largely addressed as part of CSS115_7400	N	General	<ul style="list-style-type: none"> Protection of the Environment Operations Act 1997 Managing Urban Stormwater: Soils and Construction Volume 2 (Department of Environment and Climate Change, 2008) Groundwater Guidelines 	Section 6 Section 7 Section 7.4 Section 7.6 Section 8.1

Appendix B

Indicative Detailed SSDA Architectural Plans

Prepared by Woods Bagot

GYDE

Appendix C

Indicative Design Report

Prepared by Woods Bagot

GYDE

Appendix D

Survey Plans

Prepared by LTS

GYDE

Appendix E

Crows Nest OSD - Land Use and Economic Appraisal

Prepared by Atlas Economics Pty Ltd

GYDE

Appendix F

Crows Nest OSD – Demographic and housing demand study

Prepared by Gyde Consulting Pty Ltd

GYDE

Appendix G

Pedestrian Wind Assessment

Prepared by RWDI Pty Ltd

GYDE

Appendix H

Community Engagement

Prepared by Third.i

GYDE

Appendix I

BDAR Waiver

Prepared by Gyde Consulting Pty Ltd

GYDE

GYDE

gyde.com.au