

UPDATED DCP ASSESSMENT

APPENDIX W



Sydney Metro City & South West: Crows Nest Over Station Development

Amended North Sydney Development Control Plan 2013 Assessment

Applicable to:	Sydney Metro City & Southwest
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1.0 Introduction

This document supports the Crows Nest Over Station Development Submissions Report submitted to the Department of Planning and Environment pursuant to Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act). The concept SSD Application is made under Section 4.22 of the EP&A Act.

Sydney Metro is seeking to secure concept approval for a building above the Crows Nest metro station, otherwise known as over station development (OSD). In response to issues raised during the exhibition process, Sydney Metro has amended the concept design of the SSD Application, thereby resulting in changes to the impacts of the project, which generally are reduced or remain consistent with that of the exhibited Project. This necessitates revisions being made to the North Sydney DCP Assessment provided in Appendix HH of the exhibited EIS. These revisions are provided for in this document. The concept SSD Application seeks consent for the broad development concept for the future development including the maximum building envelopes, maximum gross floor areas, minimum non-residential floor area, land uses, pedestrian and vehicle access, car parking, signage zones, future subdivision of part of the OSD footprint (if required) and structural, servicing and space provisioning integration with Crows Nest Station which was approved as Critical State Significant Infrastructure (SSI 15_7400) by the Minister for Planning on 9 January 2017 (as modified).

This document has been prepared to assess the amended concept proposal's consistency with key relevant controls within *North Sydney Development Control Plan 2013* (NSDCP 2013). Clause 11 of *State Environmental Planning Policy (State and Regional Development) 2011* states that development control plans do not apply to SSD. Accordingly, NSDCP 2013 does not apply to this concept proposal. Also, the Secretary's Environmental Assessment Requirements (SEARs) for the project do not list NSDCP 2013 as a relevant document. Nonetheless, the underlying objectives of NSDCP 2013 have informed and influenced this application, as demonstrated in the assessment below.

It is also noted that Council exhibited draft amendments to the NSDCP 2013 in May and June 2020, which have been addressed where relevant below.

2.0 Assessment against NSDCP 2013 controls

The table below provides an assessment of the concept proposal against key relevant controls contained in the NSDCP 2013.

Section	Provision	Concept proposal
Part B, Section 2 – Commercial and Mixed Use Development		
2.4.3 Setbacks	P1 Provide a setback for public space at ground level where indicated in the relevant character statement (refer to Part C of the DCP)	Refer to Part C assessment below.

Section	Provision	Concept proposal
	<p>P2 New development must give consideration to the setbacks of adjacent buildings and heritage items</p>	<p>Complies</p> <p>The proposed building envelopes have various setbacks to several frontages. The setbacks consider the existing setbacks of adjacent buildings and heritage items.</p> <p>Site A has a setback of between 1.5 metres and 3 metres from Pacific Highway in response to the design of the station box approved under SSI 15_7400.</p> <p>The building envelopes are setback along Hume Street to allow for a 24 metre building separation between the buildings on Site A and Site B.</p> <p>Site A and B are setback 2-2.8 metres and 1.2-2.6 metres respectively along Clarke Lane to allow for future street widening. Site A is also set back approximately 1.5 metres along Oxley Street to align with the St Leonards Centre heritage item across Clarke Lane.</p>
	<p>Front</p> <p>P3 A zero metre setback must be provided, unless an alternative setback is identified within the relevant character statement (refer to Part C of the DCP)</p>	<p>Refer to Part C assessment below.</p>
	<p>P4 That part of the building located above the podium must be setback in accordance with the relevant area character statement (refer to Part C of the DCP)</p>	<p>Refer to Part C assessment below.</p>
	<p>Side & Rear</p> <p>P5 A zero metre setback, unless an alternative setback is identified within the relevant character statement (refer to Part C of the DCP)</p>	<p>Refer to Part C assessment below.</p>
	<p>P6 Despite P5 above, buildings containing non-residential activities must be setback a minimum of 3m from the property boundary where the adjoining site</p>	<p>Not applicable</p>

Section	Provision	Concept proposal
	has balconies or windows to the main living areas of dwellings or serviced apartments located at the same level	The adjoining developments to Site A, B and C do not contain residential uses, or where they do, are not adjacent to areas of the concept SSD Application proposing non-residential activities.
2.3.7 Solar access	P1 Development within the North Sydney Centre must comply with the height and overshadowing requirements contained within cl. 4.3, and cl. 6.3 of NSLEP 2013	<p>Generally Complies</p> <p>The proposed building envelope for Site B marginally exceeds the maximum height as shown on the Height of Buildings Map under Clause 4.3 of NSLEP 2013. The Clause 4.6 variation request that accompanies the Submissions Report at Appendix Z details how the minor proposed services zone on Site B is appropriate, and that compliance with the maximum building height development standard is unreasonable and unnecessary in the circumstances.</p> <p>.</p> <p>Clause 6.3 of the NSLEP 2013 is not relevant to the subject development as it is not located within, nor will it have any impact on, the North Sydney Centre.</p>
2.3.8 Views	P1 Where appropriate, the opening up of views should be sought to improve the legibility of the area.	<p>Complies</p> <p>The proposal is visually prominent from certain local viewpoints, in particular from Ernest Place, Hume Street Park and Willoughby Road. However, even in these instances, the development appropriately responds to local contexts. The proposed building envelope for Site C, being 9 stories, provides a transitional foreground view to the 27 storey buildings in the background from these locations.</p> <p>Under the amended scheme, the bulk and scale of the buildings have been reduced to improve legibility, with a 20 percent reduction in the size of the building envelope for Site A. This involves a reduction in the top of building on Site A from RL 183 to RL 175.60, a reduction in the top of services zone from RL 188 to R8 180, and a gradual decline in the height of the southern portion of the Site A envelope, from a height of RL 175.60 at 42m within the</p>

Section	Provision	Concept proposal
		<p>southern site boundary to a height of RL 127.00 at the southern site boundary.</p> <p>From Willoughby Road/Ernest Place, large expanses of sky remain visible and the legibility of pedestrian reading and appreciation of the single storey shopfronts on Willoughby Road remains.</p>
	<p>P4 Maintain and protect views identified in the relevant character statement (refer to Part C of the DCP) from future development.</p>	<p>Complies</p> <p>The proposed development is partly contained within the Crows Nest Town Centre and partially within the St Leonards Town Centre. Within the St Leonards Town Centre precinct, the NSDCP (2013) identifies the below view point:</p> <ul style="list-style-type: none"> • Slot views to the sky and between higher buildings are to be provided <p>Within the Crows Nest Town Centre precinct, the NSDCP (2013) identifies the below view points:</p> <ul style="list-style-type: none"> • Vista north along Willoughby Road and Pacific Highway • District views from the upper levels of taller buildings. <p>The proposed development does not infringe upon these views, and provides slots between buildings to allow for views of the sky, with the exception of district views from the upper levels of 545 Pacific Highway. Refer to the amended View Impact Study – Surrounding Residential Buildings attached at Appendix Q of the Submissions Report.</p>
<p>2.4.9 Through-site pedestrian links</p>	<p>P1 Provide linkages through sites to other streets and laneways as identified in the relevant area character statement (refer to Part C of the DCP) applying to the site or where enhancing pedestrian movement to public transport infrastructure.</p>	<p>Complies</p> <p>Refer to Part C assessment below.</p>

Section	Provision	Concept proposal
2.4.10 Streetscape	P3 Where practical, the building's ground level façade to a laneway should be provided as an active frontage (e.g. has a retail or commercial premises fronting the laneway).	<p>Not applicable</p> <p>The ground level facades are being dealt with under the terms of the CSSI Approval and will be resolved through the preparation of the Station Design and Precinct Plan required under that approval.</p>

Part B, Section 10 – Car parking and Transport

10.2 Parking Provision	<p>Non residential</p> <p>P7 Provide on-site car parking not exceeding the maximum rate specified below:</p> <ul style="list-style-type: none"> (a) B4 Mixed Use – Crows Nest, Neutral Bay, Cremorne – 1 space / 60m² non residential GFA (b) B4 Mixed Use – North Sydney Centre, Milsons Point, St Leonards – 1 Space / 400m² non-residential GFA <p>Residential</p> <ul style="list-style-type: none"> (a) Residential flat buildings, shop top housing – B4 Mixed Use (St Leonards Precinct 2 & 3) <ul style="list-style-type: none"> i. Studio, 1 bedroom – 0.25 space/dwelling ii. 2 or more bedrooms – 0.5 space/dwelling iii. Motorcycle parking – 1 space/10 car spaces 	<p>Generally Complies</p> <p>The amended OSD design (refer to Appendix A of the Submissions Report) provides for 101 parking spaces, including 46 spaces in Site A (for commercial uses) and 55 spaces in Site B (for residential uses). This represents a decrease of 49 spaces from that of the exhibited scheme.</p> <p>The proposed parking spaces are supplemented by 138 existing on street and off-street parking spaces, 26 proposed motorcycle spaces and 198 bicycle spaces.</p> <p>The Transport, Traffic and Pedestrian Report at Appendix N of the Submissions Report takes into consideration the location of the proposed buildings. Being above an operational metro station and with excellent public transport links to numerous employment and retail areas and identifies that due to the high level of public transport connectivity from the site, week day peak period car trips will be minimised, with residents and workers expected to take advantage of the public transport options available on and near the site.</p> <p>The provision of 0.25 parking spaces per one-bedroom apartment and 0.5 parking spaces per two-bedroom and three-bedroom apartment follows the trend of apartment parking allocation in the area. This is consistent with the North Sydney DCP maximum rate of 0.25 parking spaces per one bedroom and 0.5 parking spaces per two bedroom and above.</p>
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Section	Provision	Concept proposal
	P9 On-site car parking provision below maximum rates specified above is encouraged where the proposed development has good access to public transport.	Complies The proposed development has excellent public transport links to numerous employment and retail areas, due to the close proximity of the metro.
	P12 Parking for motor cycles must be provided at the minimum rate of 1 space per 10 cars or part thereof.	Complies The development provides 26 motorcycle parking spaces, which complies with the one space per 10 car spaces ratio.

Part B, Section 9 – Advertising and signage

9.4 General Controls – Design, Scale and Size	P1 Signage attached to a building is to be designed, scaled and sized having regard to a façade grid analysis.	Complies The proposed indicative signage zones are appropriately placed so as to not obstruct views, cause overshadowing or dominate the building. Details of the signage would be provided as part of the future detailed SSD Application(s) and would have regards to the provisions of this DCP. Signage Zones are proposed in the amended Built Form and Urban Design Report at Appendix C of the Submissions Report.
	P2 Where practical signage not attached to buildings must be designed to have regard to the size, height and scale of nearby buildings and their elements.	
	P3 Signage should be visually interesting and integrated with the architecture of the building.	
	P4 Lettering, materials and colours should be used that complement the existing building or place.	
	P5 Signage must not dominate the building or site to which it is attached.	
	P6 Do not locate signage where it will obstruct views, vistas or cause significant overshadowing.	
	P7 Signage must not dominate the skyline or protrude above any parapet or eaves.	


Section	Provision	Concept proposal
	P8 Signage must not cover any window, other opening or significant architectural features of the building.	
	P9 The proposed means of fixture to the building or any support structure for freestanding signs must be consistent with the relevant character statement in Section 9.2.	
9.5 Location	P1 Where relevant, signage should be located to take account of a façade-grid analysis.	<p>Complies</p> <p>The application seeks concept approval for future business and building identification signage. The amended Built Form and Design Report (Appendix C of the Submissions Report) details concept proposals for indicative signage locations on all buildings. The specific signage to be located within the signage zones would be subject to separate approval and would be refined as part of the future detailed SSD Application(s).</p>
	P2 The preferred location for signage is identified in the relevant character statement in Section 9.2.	
	P3 Signage should be located such that they do not unreasonably obstruct accessible paths of travel for pedestrians.	
	P4 Signage should be located such that they do not obscure a driver's or pedestrian's sightlines, especially in the vicinity of intersections, traffic control devices or driveways.	
	P5 Provide signs that respect the viewing rights of other advertisers.	
9.6 Restrictions	P3 Must not provide more than one large building and/or business identification sign per building, allocated to a major tenant of that building.	<p>Generally Complies</p> <p>The indicative signage zones for building naming rights and tenants are integrated into the building design and are appropriately placed to avoid visual clutter.</p>
	P4 Avoid advertising products that are not sold on the premises.	
	P5 Maximum of one directory board per multiple-occupancy buildings.	


Section	Provision	Concept proposal
	<p>P6. Where provided, the name or logo of the person who owns or leases an advertisement must be integrated into the advertising display area and no exceed 0.25m² in area.</p>	<p>The proposed indicative signage zones are similar to the signage of commercial towers in nearby St Leonards in terms of size and scale.</p>
	<p>P7 Any consent granted by Council for advertising signs (i.e. not building identification or business identification signs) is valid for a maximum of three (3) years.</p>	
<p>9.8 Pedestrian and Road Safety</p>	<p>P1 Signage should be designed in accordance with the provisions contained within the NSW Roads and Traffic Authority Policy for Advertising on RTA infrastructure (1999).</p>	<p>Complies</p> <p>The proposed signage zones are appropriately placed and would not adversely affect driver and pedestrian safety.</p> <p>Any signage proposed under a future detailed SSD Application would include additional assessment under this provision.</p>
	<p>P2 Messages and signage structures must be designed such that they do not result in a pedestrian or driver being confused with messages contained within road traffic signs, signals or other traffic information device.</p>	
	<p>P3 The proposed sign does not obscure a road hazard, traffic warning or directional sign or signal, oncoming vehicles or pedestrians.</p>	
	<p>P5 Signs must not be located where drivers and pedestrians require a higher level of concentration (e.g. major intersections)</p>	
<p>Part C3.1 St Leonards Town Centre (Site A, C)</p>		
<p>3.1.1 Significant Elements</p>	<p>Land Use</p> <p>P1 Predominantly mixed commercial and residential development.</p> <p>P2 Commercial development.</p> <p>P3 Community facilities.</p> <p>P4 Passive and active recreation spaces</p>	<p>Complies</p> <p>The concept proposal provides a variety of mixed commercial and residential development, as well as a variety of community facilities and open spaces.</p>


Section	Provision	Concept proposal
	<p>Topography</p> <p>P5 Slight falls to the east and north east from the Pacific Highway which generally follows the ridgeline</p>	<p>Complies</p> <p>The building envelope reflects this fall to the north east, with a reduction in the height of the proposed Site B building, reflecting the change in topography.</p>
	<p>Identity / Icons</p> <p>P7 St Leonards Station as a major transport interchange hub.</p> <p>P8 Pacific Highway, a major sub-arterial thoroughfare</p>	<p>Complies</p> <p>The proposed development does not impact upon the identity of these areas.</p>
	<p>Streetscape</p> <p>P10 Wide fully paved footpaths along Pacific Highway and other commercial and mixed use buildings.</p> <p>P12 Awnings provided along the Pacific Highway and for other commercial and mixed use buildings.</p> <p>P13 Irregular planting of street trees.</p>	<p>Not Applicable</p> <p>The ground level public interface details are being dealt with under the terms of the CSSI Approval and will be resolved through the preparation of the Station Design and Precinct Plan required under that approval.</p>
	<p>Public transport</p> <p>P14 Development is to take advantage of high levels of access to high frequency public train and bus services</p> <p>P15 Public transport, cycling and walking are the main forms of transport to the Centre.</p>	<p>Complies</p> <p>The concept proposal takes advantage of the accessibility provided by the Crows Nest Station by locating significant commercial and residential floor space directly above the station.</p>
3.1.2 Desired Future Character	<p>Diversity of activities, facilities, opportunities and services</p> <p>P1 Predominantly medium-rise, mixed commercial and residential development.</p> <p>P2 Provision of a variety of different sized commercial office, business, retail, recreation (indoor and outdoor) community, entertainment, food and drink and</p>	<p>Complies</p> <p>The concept proposal provides mixed commercial and residential development, with a variety of commercial office, business, retail, recreation, entertainment and food and drink uses within the B4 Mixed Use</p>

Section	Provision	Concept proposal
	<p>other active non-residential uses at the street level in the Commercial Core and Mixed Use zones</p> <p>P5 High density residential accommodation within mixed use buildings is concentrated closest to the railway station.</p>	<p>Zone. The proposal also provides a concentration of residential accommodation above the future Crows Nest Metro Station.</p>
	<p>Public spaces and facilities</p> <p>P7 Outdoor dining to be concentrated along widened footpaths to Atchison, Mitchell and Oxley Streets.</p> <p>P11 Artworks and water features are integrated into design of the plaza – artworks and other features act as windbreaks, particularly at the Pacific Highway end of Mitchell Street.</p> <p>P12 Plazas incorporate space for public entertainment and expression of community identity, large enough to hold an open air performance or market.</p> <p>P13 Roof top gardens and public facilities that allow public access to district views from higher floors.</p>	<p>Complies</p> <p>The CSSI Approval provides the opportunity for public spaces and facilities. The increased setback of Site A by 1.5 metres to Oxley Street allows for a widened footpath for future public uses.</p> <p>As identified in the amended Built Form and Urban Design Report (Appendix C of the Submissions Report), the provision of Public Art at all stations and associated Over Station Developments must aim to:</p> <ul style="list-style-type: none"> • Elevate the customer’s travel experience; • Create a benchmark in national transit art; and • Engage and expand diverse audiences for contemporary art. <p>The OSD Public Art Strategy will be further developed for the Stage 2 detailed SSD Application(s) to align with the broader approach to Public Art to align with the further Sydney Metro plan.</p> <p>The Built Form and Urban Design Report also outlines the provision of a rooftop garden and public facility for shared community engagement opportunities, and to allow public access to district views from higher floors.</p>
	<p>Accessibility and permeability</p> <p>P16 New through site links are to align as best as possible with existing through site links to maximise permeability.</p>	<p>Not Applicable</p> <p>The ground level public interface details are being dealt with under the terms of the CSSI Approval and will be resolved through the preparation of the Station Design and Precinct Plan required under that approval.</p>

Section	Provision	Concept proposal
3.1.3 Desired Built Form	<p>Subdivision</p> <p>P1 Maintain a frontage of 20m – 40m, which equates approximately to the amalgamation of two or three original allotments.</p> <p>P2 Development on consolidated allotments with a frontage wider than 20m – 40m frontage is to be broken down by articulation, design and detailing, change in materials and colours.</p>	<p>Not Applicable</p> <p>The ground level facades and articulation are being addressed under the terms of the CSSI Approval and will be resolved through the preparation of the Station Design and Precinct Plan required under that approval.</p>
	<p>Form, massing and scale</p> <p>P3 Buildings should generally step down in height from the tallest buildings, being the Forum (201-207 Pacific Highway) down to the surrounding areas and the lower scale development on Chandos Street, Willoughby Road, Crows Nest Town Centre, the Upper Slopes Neighbourhood and Crows Nest Neighbourhood.</p> <p>P4 Roof design presents a varies, composed and interesting skyline when viewed from a regional context.</p> <p>P5 Architectural detailing and ornamentation provides a rich visual texture and a symbolic reference to the history of the place, the building's use or occupant.</p> <p>P6 Developments on land greater than 1,000m² should consider the incorporation of internal courtyards adjacent to laneways and through site links to broaden the range and form of open space in the locality.</p>	<p>Generally Complies</p> <p>The concept SSD Application proposes a built form that considers the context of the site, including the existing development, the transitional nature of the local area and the proximity to public transport. The scale of the proposal will strengthen the streetscape and is in line with the desire to situate prominent buildings at major entrances or above train stations. While the tallest buildings in the precinct are located closer towards St Leonards, it remains appropriate to provide a notable locational marker at the site as an identifier of the new station in accordance with the height and density identified in the 2036 Plan.</p> <p>The diversity of heights within the concept proposal provides differentiation in built form and prevents the repetitive orientation of buildings and roof lines which can result in the perception of greater density.</p> <p>The three sites have a total area of more than 1000m², and will benefit from several existing and proposed Open Space areas including Hume Street Park and Ernest Place, which are identified for upgrades.</p>
	<p>Setbacks</p> <p>P7 Zero setback to all street frontages, with the exception of the setbacks on the Building Setbacks Map (refer to Figure C – 3.2)</p>	<p>Not Applicable</p> <p>The station building dictates the street level setbacks.</p>

Section	Provision	Concept proposal
		
	<p>Podiums</p> <p>P8 Podiums are to be provided in accordance with the Building Podiums Map (refer to Figure C-3.3)</p> <p>P9 Despite P8, corner sites are to maintain a consistent podium height to all street frontages to achieve consistent built form.</p>	<p>Partially complies</p> <p>The articulation of the building at Site A seeks to demarcate between the podium and the building above and relates to the existing scale of Crows Nest by providing a podium which preserves the street character along the Pacific Highway. The podium is largely dictated by the station box. Above the podium, the indicative design has sought to relate to the existing built</p>

Section	Provision	Concept proposal
	 <p>Above podium setbacks</p> <p>P10 All buildings are to be designed to provide setbacks above the podium in accordance with the Above Podium Setbacks Map (refer to Figure C-3.4). Setbacks above the podium are to be measured from the outer wall of the podium.</p>	<p>form along the streetscape either through increased setbacks, or materiality changes to demarcate between the podium and the areas above.</p>

Section	Provision	Concept proposal
	<p>P11 Despite P10, increased setbacks above the podium may be required to achieve adequate building separation in accordance with SEPP 65.</p> 	
	<p>Awnings</p> <p>P12 Awnings are to be provided along all street frontages in the B3 Commercial Core and B4 Mixed Use zones</p>	<p>Not Applicable</p> <p>The ground level awning details are being dealt with under the terms of the CSSI Approval and will be resolved through the preparation of the Station Design and Precinct Plan required under that approval.</p>

Section	Provision	Concept proposal
	<p>Solar Access</p> <p>P14 Development should not increase overshadowing of the existing or proposed public open space area at Hume Street Park bounded by Pole Lane, Oxley Street, Clarke Street and Hume Street between the hours of 9am – 3pm.</p>	<p>Complies</p> <p>No areas of Hume Street Park will be affected by overshadowing caused by the OSD prior to 3.00pm at any time of year.</p>
	<p>Noise</p> <p>P15 Elevations of buildings fronting Pacific Highway and Chandos Street are to be designed and incorporate features to minimize traffic noise transmission (e.g. the use of cavity brick walls, double glazing, minimal glazing, solid core doors, concrete floors, enclosed balconies etc).</p>	<p>Capable of compliance</p> <p>This concept SSD Application seeks approval for building envelopes only. Features and materiality that would minimise traffic noise transmissions are able to be addressed as part of a future detailed SSD Application(s).</p>
	<p>Views</p> <p>P16 Slot views to the sky and between higher buildings are to be provided. (Note Provision P17 – P22 do not apply to the proposed development)</p>	<p>Complies</p> <p>The concept proposal allows for separation between the proposed building envelopes to allow for slot views to the wider district skyline.</p>
	<p>Car accommodation</p> <p>P23 Where a property has a frontage to a laneway, vehicular access must be provided from the laneway</p> <p>P24 All off-street car parking must be provided underground</p> <p>P25 Pick up and drop off points for public transport and taxi ranks should be located close to public spaces and activities, and main building entries.</p> <p>P26 Short stay (ten minute) parking spaces should be located close to meeting places.</p> <p>P27 The amount of long stay commuter parking is minimized</p> <p>P28 Non-residential parking is minimised</p>	<p>Complies</p> <p>The concept proposal provides all OSD parking and loading dock access off Clarke Lane in Site A and Site B. The use of public transport, due to the accessibility of the Crows Nest Metro Station, is promoted, and the proposed parking provision reflects this.</p>

3.2 Crows Nest Town Centre (Site B)

Section	Provision	Concept proposal
3.2.1 Significant elements	<p>Land Use</p> <p>P1 Predominantly mixed commercial and residential development.</p> <p>P2 Public parking facilities.</p> <p>P3 Community facilities.</p> <p>P4 Medium density residential accommodation</p> <p>P5. Passive and active recreation spaces.</p>	<p>Complies</p> <p>The concept proposal provides a variety of mixed commercial and residential development, including the potential for rental affordable housing, ,on Site B. .</p>
	<p>Topography</p> <p>P6 Slight falls to the east and north east from the Pacific Highway which generally follows the ridgeline.</p> <p>Natural Features</p> <p>P7 Ridge line following the alignment of Pacific Highway.</p>	<p>Complies</p> <p>The building envelope reflects this fall to the north east, with a reduction in the height of the proposed Site B building, reflecting the change in topography.</p>
	<p>Views</p> <p>P8 The following views and vistas are to be preserved and where possible enhanced:</p> <p>(a) Vista north along Willoughby Road and Pacific Highway.</p> <p>(b) District views from the upper levels of taller buildings.</p>	<p>Complies</p> <p>The proposed development does not infringe upon the views listed in the NSDCP. The proposal is visually prominent form certain local viewpoints, in particular from Ernest Place, Hume Street Park and Willoughby Road, although the bulk and scale of the buildings have been reduced under the amended scheme compared to that as exhibited. However, the design responds to the local context in this sense by ensuring a large expanse of sky remains visible and the legibility of a pedestrian reading and appreciation of the single storey shopfronts on Willoughby Road remains.</p>
	<p>Identity / Icons</p> <p>P9 Crows Nest five ways intersection</p>	<p>Complies</p> <p>The proposed development does not impact upon the identity of these areas and promotes the importance of the Pacific Highway as a major sub-arterial thoroughfare.</p>

Section	Provision	Concept proposal
	P10 Formalised outdoor dining on Willoughby Road, Burlington, Ernest and Holtermann Streets. P11 Pacific Highway and Falcon Streets, major sub-arterial thoroughfares P12 Hume Street Park	
3.2.2 Desired Future Character	Diversity of activities, facilities, opportunities and services P2 Remainder of the Centre medium rise, mixed used development, boundary to boundary with setbacks a laneway, public spaces and above podium – shops at ground level, non-residential/residential on the first floor, residential above.	Generally complies The mixed commercial and residential use of the concept proposal allows for setbacks on laneways and public spaces. The above podium setbacks are varied, but read similarly to traditional podiums.
3.2.3 Desired Built Form	Setbacks P3 Zero setback to all street frontages P4 1 1.5m setback to all laneways.	Not Applicable The proposed building envelope sits above the approved station building (CSSI Approval) and therefore has no bearing on street level setbacks.
	Podiums P5 A podium of 13m (4 storey) to all streets with a setback of 3m above the podium level, with the following exceptions: <ul style="list-style-type: none"> (a) A podium of 8.5m (2 storey) with a setback of 3m above the podium to: <ul style="list-style-type: none"> i. Pacific Highway, between Shirley Road and Hume Street (b) A podium of 10m (3 storey) to all laneways, with a setback of 3m above the podium. 	Partially Applies There is no podium element on Site B, however, the proposal provides distinct articulation of materiality to relate to the streetscape of the Pacific Highway heights. The first three levels are proposed to be a more solid element in comparison to the levels above, providing a lower built form which reads similarly to a traditional podium.
	Building design P6 Consistent parapet façade heights are provided along Willoughby Road and the Pacific Highway. P7 Off street car parking must be provided underground except when owned and operated by Council as a public car park.	Complies The building parapets will be resolved as part of future detailed SSD Application(s). Off street car parking will be provided above ground in Site A and Site B, with access available via Clarke Lane.

Section	Provision	Concept proposal
	<p>Noise</p> <p>P8 Elevations of buildings fronting Falcon Street and Pacific Highway are to be designed and incorporate design features to minimize traffic noise transmission (e.g. the use of cavity brick walls, double glazing, minimal glazing, solid core doors, concrete floors, enclosed balconies etc.)</p>	<p>Capable of compliance</p> <p>This concept SSD Application seeks approval for building envelopes only. Features and materiality that would minimise traffic noise transmissions are able to be addressed as part of a future detailed SSD Application(s).</p>
	<p>Awnings</p> <p>P9 Awnings must be provided to all street frontages, except laneways.</p>	<p>Not Applicable</p> <p>The ground level awning details are being dealt with under the terms of the CSSI Approval and will be resolved through the preparation of the Station Design and Precinct Plan required under that approval.</p>
	<p>Car Accommodation</p> <p>No vehicular access is permitted to: Pacific Highway between Shirley Road and Hume Street</p>	<p>Complies</p> <p>Vehicular access will be provided to Site B via Clarke Lane to redirect traffic entry away from Pacific Highway.</p>

3.0 Conclusion

Overall, it has been found that the amended concept proposal generally complies with relevant controls within the NSDCP 2013, with sufficient justification for any variation.

The amended concept proposal aligns with the Council's desired future character and built form for Crows Nest and St Leonards by capitalising on the transport benefits of Sydney Metro, delivering significant commercial, tourist and visitor accommodation and residential floor space, providing for activation and respecting surrounding heritage items.