

Compliance with the Concept SSD Application Conditions of Consent

On 23 December 2020, development consent was granted to the Concept SSD Application for a mixed use development over the approved Crows Nest metro station.

Under Section 4.24 of the *Environmental Planning and Assessment Act 1979* (EP&A Act), whilst a Concept Development Application (DA) remains in-force, any further detailed application in respect to the site cannot be inconsistent with the consent for the Concept Proposal.

The table following outlines the conditions of consent applying to the Concept Proposal and provides a response to how these have been achieved, if relevant. The assessment demonstrates that the proposed development is not inconsistent with the terms of the approved Concept Proposal.

No.	Condition of consent	Response
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Part A – Administrative Conditions

A2	<p>The development may only be carried out:</p> <ul style="list-style-type: none"> a) in compliance with the conditions of this consent; b) In accordance with all written directions of the Planning Secretary; c) in accordance with the EIS, Rts and SRts; d) in accordance with the management and mitigation measures; e) In accordance with the approved plans in the table below (as may be amended by the conditions in Schedule 2): 	<p>The proposed development is not inconsistent with the terms of the EIS, RTS and subsequent RTS', including the management and mitigation measures identified in each. The proposed Site C building is compliant with the approved building envelope plans (as addressed also at Condition B1 below).</p>
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Concept Drawings by Woods Bagot			
Drawing No.	Revision	Title	Date
A-9001	P	Building Envelope Diagrams – Ground Level Plans	26.10.20
A-9002	P	Building Envelope Diagrams – Sections	26.10.20
A-9003	P	Building Envelope Diagrams – Context Views	26.10.20
A-9004	P	Building Envelope Diagrams – Axonometric Views	26.10.20

No.	Condition of consent	Response
A3	<p>Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to:</p> <ul style="list-style-type: none"> a) the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Planning Secretary; and b) the implementation of any actions or measures contained in any such document referred to in condition A3(a). 	Noted.
A4	<p>The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document listed in condition A2(c), A2(d) or A2(e). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A2(c), A2(d) or A2(e), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.</p>	Noted.
A5	<p>Consent is granted to the Concept Proposal as described in Schedule 1 and the EIS (as amended by the RtS and SRtS) and does not authorise the carrying out of any physical works, including construction works, which must be the subject of future development application(s).</p>	Noted.
A6	<p>In accordance with Section 4.22 of the EP&A Act, all development under the Concept and the subsequent stages are to be subject of future development applications.</p>	Noted – this DA fulfils this condition for Site C.
A7	<p>The determination of future development applications are to be generally consistent with the terms of development consent SSD 9579 as described in Schedule 1 and subject to the conditions in Part B, Schedule 2.</p>	Noted – compliance with the conditions in Schedule 1 and Part B, Schedule 2 are detailed below.

No.	Condition of consent	Response
A12	<p>Where conditions of this consent require consultation with an identified party, the Applicant must:</p> <ul style="list-style-type: none"> a) consult with the relevant party prior to submitting the subject document to the Planning Secretary for approval; and b) provide details of the consultation undertaken including: <ul style="list-style-type: none"> (i) the outcome of that consultation, matters resolved and unresolved; and <p>Details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.</p>	Noted.
A13	<p>Prior to the determination of the first Future Development Application for residential development (i.e. Building B), the Applicant or its successors must enter into a Planning Agreement and/or other legally binding agreement to the satisfaction of the Planning Secretary securing the provision of a minimum 5% of approved residential gross floor area for affordable housing for a minimum period of 10 years to be managed by Registered Community Housing Provider. The affordable housing must be provided before the issue of the first Occupation Certificate for the residential GFA.</p>	N/A – no residential development is proposed on Site C.

No.	Condition of consent	Response
A14	<p>The 5% affordable housing shall be constructed on-site, within Building B, or alternatively the Applicant may pay a monetary contribution to Council or a Community Housing Provider equivalent to the development value of the 5% on-site affordable housing (a contribution in lieu). In the event the Applicant makes a contribution in lieu:</p> <ul style="list-style-type: none"> a) the contribution must be independently verified to confirm it is consistent with the predicted equivalent development value of the 5% on-site affordable housing b) the resulting off-site affordable housing provision shall be located within North Sydney Local Government Area and shall contain a mixture of unit sizes. 	N/A – no residential development is proposed on Site C.
A15	<p>A Voluntary Planning Agreement(s) (VPA) between Sydney Metro (or its nominated entity) and North Sydney Council shall be prepared in accordance with the commitments contained within the public benefit offer titled 'Sydney Metro - Crows Nest over station development VPA' reference SM-20-00094429, prepared by Sydney Metro and dated 1 September 2020, including:</p> <ul style="list-style-type: none"> a) a lump sum prepayment of monetary contribution in lieu of Section 7.11 contribution requirements (as agreed with Council); and b) a \$2 million monetary contribution for public domain improvements. 	<p>A Voluntary Planning Agreement (VPA) with North Sydney Council is in the process of being finalised. The VPA was endorsed by Council on 22 February 2021 and publicly exhibited between 22 March 2021 and 23 April 2021. The VPA is, therefore, substantially commenced and progressed.</p>
A16	<p>The VPA shall be exhibited and executed by 30 June 2021, or such other date as agreed by the Planning Secretary. A copy of the executed VPA(s) shall be submitted to the Secretary.</p>	
A17	<p>The Applicant must comply with the provisions of the Planning Agreement(s) entered into with North Sydney Council under Subdivision 2 of Division 7.1 of Part 7 of the Environmental Planning & Assessment Act, 1979, which relates to the project that is the subject of this approval. The Applicant shall continue to liaise with Council and the local community during the development process.</p>	

No.	Condition of consent	Response
A18	Any Planning Agreement prepared must be in accordance with Division 7.1 of Part 7 of the EP&A Act.	
A19	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 must be obtained from the Commonwealth Department of Infrastructure, Regional Development and Cities under the Airports (Protection of Airspace) Regulations 1996 for the part of the building or any construction cranes that penetrate the Obstacle Limitation Surface (156 metres Australian Height Datum).	The Obstacle Limitation Surface for this site is RL 156m. The maximum building height of the Site C OSD is RL 132m, and as such the building does not breach the OLS and does not require a Controlled Activity Approval. No separate approval is required prior to lodging this DA.
A20	Prior to the lodgement of the first future development application, the Applicant shall revise the Design Guidelines (dated November 2020), to the satisfaction of the Planning Secretary, as set out in Attachment A.	The revised Design Guidelines were endorsed by the Secretary on 23 December 2020.
A21	<p>Prior to the lodgement of future development applications, the Applicant shall submit an updated Design Excellence Strategy to the satisfaction of the Planning Secretary addressing the following:</p> <ul style="list-style-type: none"> a) independent design review process through use of the Sydney Metro Design Review Panel subject to its Terms of Reference endorsed by GANSW. b) Presentation of the Design Excellence Strategy to the Sydney Metro Design Review Panel and seek their advice and endorsement on the design excellence benchmarks for Crows Nest OSD c) include a Design Integrity process description, prepared in consultation with GANSW, for the design development and construction documentation phases as required by conditions of this development consent. 	The updated Design Excellence Strategy has been submitted for endorsement.
A22	The endorsed Design Excellence Strategy in accordance with the above condition is applicable only to Crows Nest OSD and is not endorsed under this consent as a Strategy which applies to other sites.	Noted.

No.	Condition of consent	Response
A23	References in the conditions of this consent to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Standards or policies in the form they are in as at the date of this consent.	Noted.
A24	However, consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Planning Secretary may, when issuing directions under this consent in respect of ongoing monitoring and management obligations, require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.	Noted.
A25	Fire and Rescue NSW must be consulted with respect to the operational compatibility of the Precinct's proposed fire and life safety systems and their configuration at the project's preliminary and final design phases.	A meeting was held between Fire and Rescue NSW and Sydney Metro representatives on 14 April 2021.
A23	The pedestrian connection interfaces between the various sectors of the precinct must be appropriately assessed by fire engineering analysis with respect to emergency occupant egress, fire and smoke compartmentation, smoke hazard management and firefighting intervention.	Reference is made to the Fire Engineering submitted with the DA as Appendix S .
Part B – Conditions to be satisfied prior to the lodgement of future development applications		
B1	Future development applications must demonstrate that the buildings are wholly contained within the building envelopes consistent with the plans listed in Condition A2, as modified by the conditions of this consent.	The proposed Site C OSD is consistent with the approved building envelope. The proposed articulation elements including brick-clad columns, building pop-outs, and planter boxes are wholly contained within the building articulation zones, and within the lot boundaries.
B2	Building height and gross floor area is to be measured in accordance with the definitions under North Sydney Local Environmental Plan 2013	The Architectural Plans and Environmental Impact Assessment address the proposed height of the building and floor space ratio in accordance with the definitions contained in the NSLEP 2013. Reference is made to Section 8 of the EIS.

No.	Condition of consent	Response
B3	<p>The maximum achievable gross floor area (GFA) for the non-station related floor space is 56,400 m² (including 43,400 m² commercial and 13,000 m² residential GFA). This amount can only be achieved subject to demonstration of:</p> <ul style="list-style-type: none"> a) compliance with the conditions of this concept approval b) demonstration of design excellence consistency with the Design Guidelines (as amended by Condition A20) c) being wholly contained within the approved building envelopes, with the exception of rooftop enclosure(s) and the Site C articulation zone: <ul style="list-style-type: none"> i. Rooftop enclosure can only be used as prescribed under Condition B4 ii. Articulation zones can only be used as prescribed under Condition B5 have a building efficiency target of 85% for Site A and 80% for Site B, (building efficiency target is the measure of built form as a percentage of the total volume of the respective building envelope). 	<ul style="list-style-type: none"> • The proposed development is compliant with the conditions of the concept approval, as detailed in this appendix. • The proposal demonstrates design excellence as detailed in the Architectural Design Report and the Design Integrity Report at Appendices C and D. • The proposed Site C complies with the approved building envelope, and if fully compliant with the relevant conditions of consent for the design of the building rooftop and articulation zone.

No.	Condition of consent	Response
B4	<p>Rooftop enclosures above each of the approved building envelopes (Site A, Site B and Site C) are only permitted as part of future development application(s) when the following requirements are met:</p> <ol style="list-style-type: none"> a. roof enclosure above Building B or C must demonstrate consistency with clauses 4.3A or 5.6 of the NSLEP as applicable b. any roof enclosure shall be discrete and/or integrated into the architectural design of the building and shall demonstrate that it does not have an adverse visual impact on the design and appearance of the building or the surrounding streetscape. c. where roof enclosures are visible from the surrounding streetscape(s), they shall be designed or architecturally treated / screened so that they form a decorative roof feature d. roof enclosures shall not have an unacceptable amenity impacts, particularly in terms of adverse: <ol style="list-style-type: none"> (i) overshadowing of residential properties and public open spaces, (ii) loss of outlook. <p>roof enclosures shall not include GFA and shall not be reasonably capable of modification to include GFA.</p> 	<ul style="list-style-type: none"> • The proposed building services zone on Site C is consistent with Clause 4.3A of the NSLEP 2013, as it is not greater than 5m in height and comprises of rooftop plant, equipment, lift overruns and associated structures. • The proposed rooftop area has been designed as an integrated architectural element of the building and is consistent with the approved building envelope. It does not have any adverse visual impact. • The proposed development has been subject to overshadowing modelling at Appendix M and discussed in Section 9.5 of the EIS, and an assessment of visual and view impacts at Appendix Q and discussed in Section 9.5 of the EIS. The building including the proposed rooftop services zone does not result in any unacceptable or increased amenity impacts than what was assessed and approved in the Concept SSD Application. • The proposed rooftop building services zone does not include GFA.
B5	<p>Use of the Site C Articulation Zones is only permitted as part of future development application(s) when the following requirements are met:</p> <ol style="list-style-type: none"> a) Articulation Zones shall only be for the purpose of architectural features, projections, balustrades, awnings and the like b) Built form must occupy no more than a maximum of 25% of the total volume of the Articulation Zones no GFA is provided within the Articulation Zone above RL 127 (height of building envelope excluding rooftop enclosure). 	<ul style="list-style-type: none"> • The building articulation zone has been utilised to provide building columns, pop-outs and planter boxes on the facades that contribute to articulation and visual interest and benefit the amenity of future occupants. • The proposed built form areas within the articulation zone do not comprise more than 25% of the total volume of that zone, as detailed in the Design Report at Appendix C. • No GFA is provided within these articulation zones above a height of RL 127m, as demonstrated in the GFA plans included at Appendix C.

No.	Condition of consent	Response
B6	<p>The detailed development applications shall demonstrate consistency with the:</p> <ul style="list-style-type: none"> a) Design Guidelines as endorsed by the Planning Secretary pursuant to Condition A20 b) Design Excellence Strategy as endorsed by the Planning Secretary pursuant to Condition A21 conditions of this consent. 	<ul style="list-style-type: none"> • The proposed building has been designed with reference to the site-specific Design Guidelines, as demonstrated in the Design Report at Appendix C and discussed in Section 7 of the EIS. • The design development of the proposed buildings has occurred in accordance with the endorsed Design Excellence Strategy, as detailed in the Design Integrity Report at Appendix C and discussed in Section 7 of the EIS.
B7	<p>All future development applications for new built form must include:</p> <ul style="list-style-type: none"> a) detailed plans, elevations and sections b) artist's perspectives and photomontages c) a design statement demonstrating the design quality of the proposed development and having regard to the character of surrounding development 	<p>The plans, photomontages and design statement accompany the EIS at Appendix C.</p>

No.	Condition of consent	Response
B8	<p>Consideration of the approved Design Guidelines (Condition A20) Future development applications shall address the following:</p> <ul style="list-style-type: none"> a) submission of a Design Integrity Report (DIR) to the satisfaction of the Planning Secretary that demonstrates how design excellence and design integrity will be achieved in accordance with: <ul style="list-style-type: none"> (i) the design objectives of the Concept Development Application (ii) consistency with the approved Design Guidelines as amended by Condition A14 (iii) the DEEP's Design Excellence Report (iv) the advice of the DRP (under Condition A15) (v) the conditions of this consent. <p>the DIR as required by Condition B7(b) must include a summary of feedback provided by the SDRP (or alternative approved in accordance with Condition A15) and responses by the Applicant to this advice.</p> <p>The DIR shall also include how the process will be implemented through to completion of the approved development.</p> 	<p>The Design Integrity Report is provided at Appendix D and discussed in Section 7 of the EIS.</p>
B9	<p>Future development application(s) shall include a Reflectivity Analysis demonstrating that external treatments, materials and finishes of the development do not cause adverse or excessive glare.</p>	<p>A Reflectivity Report accompanies the EIS at Appendix T and discussed in Section 9.1 confirming that the proposed development does not cause adverse or excessive glare.</p>
B10	<p>Future development application(s) shall include an Access Report demonstrating that the development achieves an appropriate degree of accessibility.</p>	<p>An Accessibility Statement is provided at Appendix N and discussed in Section 9.18 of the EIS.</p>
B11	<p>Future development application(s) relating to residential use shall demonstrate that adequate regard has been given to the State Environmental Planning Policy 65 - Residential Apartment Development and the residential guidelines within the associated Apartment Design Guide.</p>	<p>N/A – the proposed development does not accommodate residential uses.</p>

No.	Condition of consent	Response
B12	Future development application(s) shall include an Overshadowing Impact Assessment (OIP), including shadow studies and diagrams showing the likely overshadowing impact of the development on surrounding existing open spaces and neighbouring developments. The OIP shall demonstrate that buildings have been designed to minimise overshadowing to public open spaces. This assessment shall include the cumulative impacts of all existing and approved development on and around the site.	The proposed development has been subject to overshadowing modelling at Appendix M and discussed in Section 9.5 of the EIS. The building does not result in any unacceptable overshadowing and is consistent with what was assessed and approved in the Concept SSD Application.
B13	Future Development Application(s) shall include a Visual and View Loss Assessment, which assesses public and private view impacts and demonstrates how consideration has been given to minimising such impacts where feasible	The proposed development has been subject to a Visual and View Impact Assessment at Appendix Q and discussed in Section 9.5 of the EIS. The building does not result in any unacceptable view or visual impacts and is consistent with what was assessed and approved in the Concept SSD Application.
B14	Future Development Application(s) for Site A and Site B shall include a Public Art Strategy (PAS) for the inclusion of public art within the development. The PAS shall be prepared in consultation with Council.	N/A – the SSD Application relates to Site C.
B15	Future development application(s) shall be accompanied by a Traffic Impact Assessment (TIA) that assesses the traffic, transport and pedestrian impacts on the road and footpath networks and nearby intersection capacity. The TIA shall also address: <ul style="list-style-type: none"> a) traffic generation impact and any necessary road infrastructure upgrades to adjoining and nearby roads and intersections b) vehicle and pedestrian safety within and around the site c) loading/ unloading and servicing d) on-site car parking provision, location, access and operation e) efficiency and safe access of any mechanical car parking arrangement f) the impact of the removal of any existing on-street car parking spaces pedestrian and bicycle infrastructure and facilities. 	A Traffic and Transport Assessment is provided at Appendix J and discussed in Section 9.6 of the EIS.

No.	Condition of consent	Response
B16	Future development application(s) shall include a Vehicular Servicing Management Plan (VSMP), which considers the use, operation, access and management of all loading docks and servicing bays. In addition, the VSMP shall consider the integration and operation of loading docks and servicing bays with the overall operation of the Crows Nest Metro Station development (CSSI 7400).	Site C does not contain a loading dock. Servicing for this site will occur from rolled-kerb servicing bays located in Clarke Lane, and a permanent loading dock will be accommodated within the adjacent Site A building when constructed as detailed in the Transport and Transport Assessment at Appendix J of the EIS. The Site A loading dock will be the subject of a VSMP at the appropriate future stage.
B17	Future Development Application(s) shall include green travel plans, identifying opportunities to maximise and encourage sustainable transport choices for future residents, staff and visitors.	The assessment at Appendix J identifies opportunities to maximise and encourage sustainable transport for the future occupants and visitors to Building C. It is emphasised that no on-site vehicle parking is provided for Site C, which is integrated with the metro station entrance.
B18	<p>Future development application(s) must demonstrate compliance with the following maximum parking limits:</p> <ul style="list-style-type: none"> a) the maximum number of car spaces to be provided for the development is limited to 101 spaces, including commercial and residential spaces, but excluding service vehicle spaces, and comprising: <ul style="list-style-type: none"> (i) a maximum of 46 spaces within Site A (ii) a maximum of 55 spaces within Site B (iii) no spaces within Site C (iv) a minimum of 12 accessible spaces. <p>the maximum number of motorcycle spaces to be provided for the development is limited to 26 spaces</p>	No parking is provided for Site C in compliance with this condition.
B19	Notwithstanding the maximum car parking limit (Condition B18), further development application(s) shall explore opportunities to future reduce the total number of car parking spaces below the total permitted maximum limit with the objective to reduce private car ownership and promote use of active and public transport.	Noted.
B20	Future development applications must include a Car Parking Strategy and Management Plan adopting the maximum car and motorcycle parking limits above.	No on-site parking is proposed as part of Site C. Future stages for the detailed design and development of Sites A and B will consider the management of car and motorcycle parking to be provided on site.

No.	Condition of consent	Response
B21	<p>Traffic Impact Assessment (Condition B15), Green Travel Plan (Condition B 17) and Car Parking Strategy and Management Plan (Condition B20) prepared under the relevant conditions of this development consent must consider rates and design of bicycle parking and end-of-trip facilities specified within the North Sydney Development Control Plan 2013 unless it can be satisfactorily demonstrated that the full amount is not capable of being accommodated on site due to unavoidable site or design constraints. In such circumstances, future development application(s) shall provide the maximum number of spaces and end of trip facilities capable of reasonably being accommodated on the site.</p>	<p>Bicycle parking and end of trip facilities are proposed to be provided for the future occupants and visitors of Site C. These facilities exceed Council's rates, and are designed in accordance with the Green Star requirements.</p>
B22	<p>Future development applications for aboveground works shall be accompanied by a Wind Impact Assessment including computer modelling and wind tunnel testing which:</p> <ul style="list-style-type: none"> a) assesses the existing and proposed wind environment including the cumulative impact of existing and proposed tower developments adjoining and nearby the site b) demonstrates spaces within and around the site are suitable for their intended purpose c) includes mitigation measures to address adverse wind conditions, where necessary. 	<p>A Wind Impact Assessment is provided at Appendix L and discussed in Section 9.5 of the EIS.</p>

No.	Condition of consent	Response
B23	<p>Future development applications shall include a Construction Traffic and Pedestrian Management Plan (CTMP) prepared in consultation with the Sydney Coordination Office and North Sydney Council, and to the satisfaction of the relevant road authorities. The CTMP shall include, but not be limited to:</p> <ul style="list-style-type: none"> a) construction car parking strategy b) haulage movement numbers/ routes including contingency routes c) detailed travel management strategy for construction vehicles including staff Movements d) maintaining property accesses e) maintaining bus operations including routes and bus stops f) maintaining pedestrian and cyclist links/ routes g) independent road safety audits on construction related traffic measures h) measures to account for any cumulative activities/ work zones operating simultaneously. 	<p>A CTMP summary is provided at Appendix U and discussed in Section 9.20 of the EIS.</p> <p>The assessment at Appendix U confirms that the OSD on Site C is to be constructed at the same time as, and integrated with, the station portal also being delivered on this site. Accordingly, construction works will be conducted in accordance with the Construction Environmental Management Plan and associated subplans already in place for these station areas under the CSSI Approval. This management framework was prepared in consultation with Transport for NSW, Council and DPIE where relevant.</p>
B24	<p>Independent road safety audits are to be undertaken for all stages of further design development involving road operations and traffic issues and cognisant of all road users. Any issues identified by the audits will need to be closed out in consultation with Sydney Coordination Office, RMS and/or North Sydney Council to the satisfaction of the relevant roads authorities prior to the lodgement of the relevant development application.</p>	<p>No independent safety audit was identified as necessary in the Traffic and Transport Assessment provided at Appendix J, and prepared in consultation with the Sydney Coordination Office.</p>

No.	Condition of consent	Response
B25	<p>Future development applications must demonstrate how the principles of ecologically sustainable development (ESD) have been incorporated into the design, construction and ongoing operation of the proposal. 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 carparking provision to maximise sustainability and minimise environmental impacts.</p>	<p>An ESD Report is provided at Appendix F and discussed in Section 9.7 of the EIS.</p>
B26	<p>Future development application(s) shall include a Crime Prevention Through Environmental Design (CPTED) report, prepared in consultation with NSW Police and including method(s) / treatment(s) to ensure that all buildings, spaces and places within and around the development are safe and secure and the opportunity for crime has been minimised in accordance with CPTED principles. The future development is to have regard to the recommendations contained within the submission by NSW Police on the Concept SSD.</p>	<p>The detailed design of the proposed Site C building has been assessed in a CPTED report provided at Appendix R and discussed in Section 9.4 of the EIS, which was developed with consideration of the recommendations from NSW Police on the Concept SSD Application. It is noted that the ground plane and station entry is the subject of the separate CSSI Approval.</p>

No.	Condition of consent	Response
B27	<p>Future development applications shall be accompanied by a Noise and Vibration Impact Assessment (NVIA) that demonstrates the following requirements are met:</p> <ul style="list-style-type: none"> a) provide a quantitative assessment of the main noise generating sources and activities during operation. Details are to be included outlining any mitigating measures necessary to ensure the amenity of future sensitive land uses on the site and neighbouring sites is protected during the operation of the development. b) vibration from construction activities does not exceed the vibration limits established in British Standard 8S7385-2:1993 Excavation and measurement for vibration in buildings. <i>A guide to damage levels from groundborne vibration.</i> c) vibration testing is conducted before and during vibration generating activities that have the potential to impact on heritage items to identify minimum working distances to prevent damage. In the event the vibration testing and monitoring shows that the preferred values for vibration are likely to be exceeded, the Applicant must review the construction methodology and, if necessary, propose additional mitigation measures. 	<p>A Noise and Vibration Impact Assessment is provided at Appendix K and discussed further in Section 9.11 of the EIS.</p>
B28	<p>The Noise and Vibration Impact Assessment must provide a quantitative assessment of the main noise generating sources and activities during operation. Details are to be included outlining any mitigating measures necessary to ensure the amenity of future sensitive land uses on the site and neighbouring sites is protected during the operation of the development.</p>	
B29	<p>The Noise and Vibration Impact Assessment must address the conclusions and recommendations of the Noise and Vibration Impact Report Version 06, prepared by Sydney Metro and dated November 2018.</p>	<p>The Assessment at Appendix K identifies achievement of the recommendations of the Concept SSD Application assessment where relevant.</p>

No.	Condition of consent	Response
B30	Future development application(s) shall include an Operational Waste Management Plan to address storage, collection, and management of waste and recycling within the development.	A Waste Management Plan is provided at Appendix G and discussed further in Section 9.13 of the EIS.
B31	Future development applications shall be accompanied by a Flood and Stormwater Impact Assessment.	A Flood and Stormwater Impact Assessment is provided at Appendix H and discussed further in Section 9.14 of the EIS.
B32	Future development applications must include a site investigation / contamination report demonstrating that the site is suitable (or would be made suitable after remediation) for the proposed use, in accordance with the State Environmental Planning Policy No 55 - Remediation of Land and the associated guidelines.	<p>The proposal does not require excavation into the ground. Condition E66 to E70 of the CSSI Approval relate to contamination, outlining the relevant process to be applied if there were any reason that the site was suspected to be, or known to be, contaminated. The proposal comprises of OSD only and does not include any additional excavation or ground disturbance beyond that undertaken in accordance with the CSSI Approval, and as such the site remains suitable for the proposed commercial use in accordance with the requirements of SEPP 55.</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.</p> <p>Site investigations have been undertaken as part of the CSSI Approval for the Station (refer to Chapter 18 and Technical Paper 8 of the CSSI EIS). With respect to the Crows Nest site, it was found that the Crows Nest site has increasingly become commercial from the former residential land use since the 1930s. Further to this, no NSW EPA Notified or Regulated Site within 500m of the Crows Nest Metro site has been identified.</p> <p>Therefore, there is no ability for the OSD to be exposed directly to any areas of earth. No further assessment or consideration of SEPP 55 is required.</p>
B33	Future development applications for aboveground works shall include a Reflectivity Assessment demonstrating that external treatments, materials and finishes of the development do not cause adverse or excessive glare.	The Design Report at Appendix C provides a reflectivity analysis, confirming that the proposed development does not cause adverse or excessive glare.

No.	Condition of consent	Response
B34	<p>Future development applications shall demonstrate the recommendations and mitigation measures of the following Sydney Metro City and Southwest (CSSI 7400) reports are to be incorporated during the construction of the SSD project:</p> <ul style="list-style-type: none"> a) Artefact 2016, Sydney Metro City and Southwest, Chatswood to Sydenham: Aboriginal Cultural Heritage Assessment b) Artefact 2016, Sydney Metro City and Southwest, Chatswood to Sydenham: Aboriginal Heritage - Archaeological Assessment. 	<p>The Site C OSD does not constitute any on-ground or below ground works, which are the subject of the CSSI Approval. There is no ability for the proposed OSD to be exposed directly to any areas subject to these assessments, with all site preparation, bulk earthworks, and the construction of building up to Level 2 being the subject of the separate CSSI Approval.</p>
B35	<p>Future detailed development applications for aboveground works must ensure future development complies with the following requirements:</p> <ul style="list-style-type: none"> a) buildings must not exceed a maximum height of 180 metres AHO. This includes all lift over-runs, vents, chimneys, aerials, antennas, lightning rods, and roof top garden plantings, exhaust flues, etc. b) the tallest building at the site (proposed Building A at the northernmost extent of the site as indicated in the Aeronautical Impact Assessment V2.1 dated 1 November 2018) 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). Characteristics for medium intensity lights are stated in subsection 9.4.7 of MOS Part 13A. 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 	<p>N/A – the maximum building height of the Site C OSD is RL 132m, and as such the building does not breach the OLS and does not require a Controlled Activity Approval. No separate approval is required prior to lodging this DA.</p>

No.	Condition of consent	Response
	<ul style="list-style-type: none"> d) 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. e) the proponent must advise Airservices Australia at least 3 business days prior to the controlled activity commencing by emailing ifp@airservicesaustralia.com and quoting YSSY-CA-146. f) as soon as construction commences, the Proponent must complete the Vertical Obstacle Notification Form for tall structures and submit the completed form to AirServices Australia. g) 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. h) within 7 days of completion of each building, the Proponent must provide the airfield design manager at Sydney Airport with a written report from a registered surveyor on the finished height of the building. 	
B36	<p>Future development application(s) shall include a Utility Services Infrastructure Assessment (USIA) which addresses the existing capacity and any augmentation requirements of the development for the provision of utilities, including staging of infrastructure. The USIA shall be prepared in consultation with relevant agencies and service providers.</p>	<p>An Infrastructure and Utilities Assessment is provided at Appendix I and discussed further in Section 9.15 of the EIS. The Assessment was prepared in consultation with the relevant agencies and service providers.</p>

No.	Condition of consent	Response
B37	Future development application(s) shall include a Structural Report that demonstrates the proposal can be constructed in accordance with the Building Code of Australia.	A Structural Statement is provided at Appendix O and discussed further in Section 9.16 of the EIS, confirming the proposed building is capable of complying with the BCA.
B38	<p>All future development applications must provide an analysis and assessment of the impacts of construction and include:</p> <ol style="list-style-type: none"> a) Construction Pedestrian and Traffic Management Plan (CPTMP), prepared in consultation with Transport for NSW. The CPTMP must detail vehicle routes, numbers of trucks, hours of operation, access arrangements and traffic control measures and cumulative construction impacts (i.e. arising from concurrent construction activity) b) Construction Noise and Vibration Impact Assessments (CNVMP) that identifies and provides 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) c) Community Consultation and Engagement Plans d) Construction Waste Management Plan e) Air Quality Management Plan. 	<p>The Site C OSD is entirely integrated with, and will be constructed at the same time as, the station portal also being provided on this site. Accordingly, the proposed works will be completed by the station contractor as a continuation of the Construction Environmental Management Framework and Construction Noise and Vibration Strategy utilised for the CSSI Approval (see Appendix U of the EIS).</p> <p>The key management documents that will continue to be implemented through the construction of the Site C OSD include:</p> <ul style="list-style-type: none"> • the Construction Traffic Management Plan, including the Logistics Lane Traffic Management Plan and the Concrete Delivery Operations Traffic Management Plan • the Construction Environmental Management Plan and its sub-plans, which address matters such as noise and vibration, air quality, waste management, sediment and erosion control measures • the Community Communications Strategy and the Business Management Plan <p>Construction management is discussed further in Section Error! Reference source not found. of the EIS.</p>
B39	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 the Sydney Metro City and Southwest (CSSI 7400).	Noted.