

Ref: **SSD-61400212**  
WTJ23-225



# WILLOWTREE PLANNING

## AMENDMENT REPORT:

### PROPOSED OVER STATION DEVELOPMENT AT CROWS NEST - SITE B

**SSD-61400212**

25 HUME STREET, CROWS NEST  
LOT 3 DP 1296669

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Prepared by Willowtree Planning Pty Ltd  
on behalf of Third.i Crows Nest Residential Developments Pty Ltd  
**19 August 2025**

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

<b>DOCUMENT CONTROL TABLE</b>			
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Version No. 1 – DRAFT (01/07/2025)	Andrew Pigott Director	Daniel Cho Planner	Chris Wilson Managing Director
Version No. 2 – DRAFT (04/08/2025)	Andrew Pigott Director	Daniel Cho Planner	Chris Wilson Managing Director
Version No. 3 – FINAL (19/08/2025)	Andrew Pigott Director	Daniel Cho Planner	Chris Wilson Managing Director

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## EIS DECLARATION

### Declaration Form: Submission of EIS

#### Project Details

Project name	Crows Nest OSD Site B
Application number	SSD-61400212
Address of the land on which the development is to be carried out	25 Hume Street, Crows Nest

#### Proponent Details

Proponent name	Third.i Crows Nest Residential Developments Pty Ltd
Proponent address	53 Hume Street, Crows Nest NSW 2065

#### Prepared by

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Declaration	<p>The undersigned declares that this EIS:</p> <ul style="list-style-type: none"> <li>▪ has been prepared in accordance with the <i>Environmental Planning and Assessment Regulation 2021</i>;</li> <li>▪ contains all available information relevant to the environmental assessment of the development, activity or infrastructure to which the EIS relates;</li> <li>▪ does not contain information that is false or misleading;</li> <li>▪ addresses the Planning Secretary's environmental assessment requirements (SEARs) for the project;</li> <li>▪ identifies and addresses the relevant statutory requirements for the project, including any relevant matters for consideration in environmental planning instruments;</li> <li>▪ has been prepared having regard to the Department's <i>State Significant Development Guidelines - Preparing an Addendum Report</i>;</li> <li>▪ contains a simple and easy to understand summary of the project as a whole, having regard to the economic, environmental and social impacts of the project and the principles of ecologically sustainable development;</li> <li>▪ contains a consolidated description of the project in a single chapter of the EIS;</li> <li>▪ contains an accurate summary of the findings of any community engagement; and</li> <li>▪ contains an accurate summary of the detailed technical assessment of the impacts of the project as a whole.</li> </ul>
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Signature



Date 19/08/2025



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## GLOSSARY OF KEY TERMS

TERM	MEANING
<b>AHD</b>	Australian Height Datum
<b>BAM</b>	Biodiversity Assessment Methodology
<b>BCA</b>	Building Code of Australia
<b>BC Act</b>	<i>Biodiversity Conservation Act 2016</i>
<b>BCBHS</b>	Building Code and Bushfire Hazard Solutions
<b>BC Regulation</b>	<i>Biodiversity Conservation Regulation 2017</i>
<b>BDAR</b>	Biodiversity Development Assessment Report
<b>BOS</b>	Biodiversity Offset Scheme
<b>CBD</b>	Central Business District
<b>CEMP</b>	Construction Environmental Management Plan
<b>Concept Approval</b>	SSD-9579
<b>Council</b>	North Sydney Council
<b>CSSI</b>	SSI 15_7400
<b>CTMP</b>	Construction Traffic Management Plan
<b>DA</b>	Development Application
<b>DCP</b>	Development Control Plan
<b>DP</b>	Deposited Plan
<b>DPHI</b>	Department of Planning, Environment, Housing and Infrastructure
<b>EDC</b>	Estimated Development Cost
<b>EES</b>	Environment, Energy and Science Group
<b>EIS</b>	Environmental Impact Statement
<b>EP&amp;A Act</b>	<i>Environmental Planning and Assessment Act 1979</i>
<b>EP&amp;A Regulation</b>	<i>Environmental Planning and Assessment Regulation 2021</i>
<b>EPA</b>	Environment Protection Authority
<b>EPBC Act</b>	<i>Commonwealth Environment Protection and Biodiversity Conservation Act 1999</i>
<b>EPI</b>	Environmental Planning Instrument
<b>EPL</b>	Environmental Protection Licence
<b>ESD</b>	Ecologically Sustainable Development
<b>FRNSW</b>	Fire and Rescue NSW
<b>FSR</b>	Floor Space Ratio
<b>GFA</b>	Gross Floor Area
<b>GHG</b>	Greenhouse Gas
<b>GCC</b>	Greater Cities Commission
<b>LGA</b>	Local Government Area
<b>MNES</b>	Matter of National Environmental Significance
<b>MUSIC</b>	Model for Urban Stormwater Improvement Conceptualisation
<b>NCC</b>	National Construction Code
<b>NOR</b>	Notice of Requirements
<b>NSLEP2013</b>	North Sydney Local Environmental Plan 2013
<b>NSW RMS</b>	NSW Roads and Maritime Services
<b>OEH</b>	NSW Office of Environment and Heritage



**AMENDMENT REPORT**

Proposed Over Station Development at Crows Nest - Site B  
25 Hume Street, Crows Nest

SSD-61400212

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<b>OSD</b>	Over Station Development
<b>POEO Act</b>	<i>Protection of the Environment Operations Act 1997</i>
<b>RL</b>	Reduced level
<b>SDRP</b>	State Design Review Panel
<b>SEARs</b>	Secretary's Environmental Assessment Requirements (SSD-61400212), dated 25/8/23
<b>SEPP</b>	State Environmental Planning Policy
<b>SIDRA</b>	Signalised & Unsignalised Intersection Design and Research Aid
<b>Sqm or m<sup>2</sup></b>	Square metres
<b>Subject site/site/study area/Site B</b>	25 Hume Street, Crows Nest
<b>TfNSW</b>	Transport for NSW
<b>VIA</b>	Visual Impact Assessment
<b>VPA</b>	Voluntary Planning Agreement
<b>Willowtree Planning</b>	Willowtree Planning Pty Ltd
<b>WM Act</b>	<i>Water Management Act 2000</i>
<b>WMP</b>	Waste Management Plan
<b>WSUD</b>	Water Sensitive Urban Design



## SUMMARY

A State Significant Development (SSD) application and accompanying environmental impact statement (EIS) were submitted under Part 4, Division 4.7 of the Environmental Planning and Assessment Act 1979 (EP&A Act) on 25 October 2024 for a proposed 17 storey mixed use building comprising:

- 13,916m<sup>2</sup> gross floor area (including 935m<sup>2</sup> non-residential residential floor area and 12,981m<sup>2</sup> residential floor area for 130 residential dwellings)
- 55 car parking spaces

The project is known as Crows Nest Over Station Development (OSD) Site B. The proposed development originally incorporated the following:

- **Ground Level – Hume Street:** Includes the OSD tower lobby, retail, and back of house spaces.
- **Level 01:** Includes a commercial mezzanine, back of house, and a loading dock which is used for OSD garbage collection.
- **Level 02:** Contains plant rooms for the metro station.
- **Level 5 and 6:** The OSD car parking levels are located on level 5 and 6. These are naturally ventilated with 27 car spaces on level 5 and 28 car spaces on level 6. There is a total of 55 spaces.
- Apartments are located from Level 7 to 18. Level 19 and 20 contain penthouse apartments.
- A roof terrace on Level 21 includes communal gardens and pools, as well as private penthouse terraces.
- **Level 7-8:** 10 apartments per floor
- **Level 9-18:** 11 apartments per floor
- **Level 19:** 8 penthouse apartments (5 x two storey)
- **Level 20:** 3 penthouse apartments
- Total number of apartments: 130
- Public domain works around the site will be delivered as part of the CSSI approval. The proposed development will be designed to complement the station and activate the public domain.

The SSD application and accompanying documentation were placed on public exhibition from Friday 15 November 2024 until Thursday 12 December 2024.

The Department of Planning, Housing and Infrastructure (DPHI) received five (5) submissions from the public. Four (4) submissions were in support of the proposal and one (1) submission was an objection to the proposal. In addition, there was an objection submitted from North Sydney Council. A Submissions Report is included at **Appendix 20**.

Subsequently, amendments have been made to the proposed design and built form configuration in response to the submissions received.

This amendment report is submitted in accordance with the *Environmental Planning and Assessment Regulation 2021, Division 2 Section 37 Amendment of development application*. It outlines the proposed amendments to the original development application and assesses the potential environmental, economic, and social impacts of the amended project. This report has been prepared in accordance with the requirements of the *NSW State Significant Development Guidelines – preparing an amendment report* (October 2022) and should be read in conjunction with all documentation that forms the environmental impact statement package.

Despite the proposal being amended, the overall scheme remains the same as the original proposal.

### Project Amendments and Clarifications

The proposed scheme has been revised. The proposed project amendments include the following:

- **Ground Floor** – minor internal reconfiguration including the substation, FCR, and main switch room. GFA has been increased by 1m<sup>2</sup>.
- **Level 01** – minor internal reconfiguration. One (1) additional ambulant / DDA bathroom has been included.

- **Level 02** – no change.
- **Level 05** – the layout has been adjusted having regard for structural requirements associated with the transfer slab. The northern wall of the carpark has been moved outward and the landscape element has been removed at the Hume Street elevation. One (1) additional car parking space is provided. Bike parking has been removed from this Level.
- **Level 06** – the layout has been adjusted having regard for structural requirements associated with the transfer slab. The walls of the carpark have been moved outward. Car parking numbers have been reduced from 28 spaces to 25 spaces. One motor bike space has been provided. 50 double decker bike racks are provided.
- **Level 07** – Former residential Level 07 has been removed and replaced with an additional car park level for 25 car parking spaces, one (1) motor bike space and 106 double decker bike racks. This allows for a total of 78 car spaces at Site B.
- **Level 08** – Minor apartment reconfiguration to provide 10 apartments. The residential access corridors have been enclosed while the lobby area outside the lift will remain open at the eastern and western ends. This approach to corridors is repeated on all residential levels.
- **Level 09-16** – Minor apartment reconfiguration. No wintergardens are proposed for SDA apartments 0.1 and 0.12 across Level 09-13.
- **Level 15-16** – Minor apartment reconfiguration.
- **Level 17-18** – Minor apartment reconfiguration.
- **Level 19** – Minor apartment reconfiguration.
- **Level 20** – Minor apartment reconfiguration.
- **Roof Terrace** – Minor reconfigured to provide greater privacy for future residents having regard for the built form changes introduced via the Crows Nest TOD rezoning.
- Residential GFA is now 12,987m<sup>2</sup> (inclusive of partially enclosed corridors).
- Overall reduction from 130 apartments (one bedroom = 44, two bedroom = 63, three bedroom = 23) to 122 apartments (one bedroom = 40, two bedroom = 63, three bedroom = 19).

The revised project is illustrated in a suite of revised architectural and landscape plans that accompany this Amendment Report.

### **Clarifications to the EIS**

Clarifications to the following information presented in the EIS are provided and discussed in detail in **Section 3.3**:

- Clarification of GFA
- Parking

### **Additional assessments since the EIS**

Consideration of potential environmental, social and economic impacts informed the development of the revised proposal. An assessment of the amended scheme has been undertaken to evaluate the likely outcomes as compared to the environmental impacts described in the EIS.

To support the additional impact assessment, the following additional or updated technical reports and/or addendum letters are provided as part of the revised SSDA package:

- Architectural Plans and Report, Design Integrity Report and Design Statement
- BCA Report
- Access Report
- Reflectivity Report
- Wind Report
- Landscape Design Report
- Landscape and Visual Impact Assessment
- ESD Report
- Traffic and Parking Report
- Noise and Vibration Report
- Stormwater Management Report
- Flood Impact Assessment
- Operational Waste Management Plan
- Aboriginal Heritage and European Heritage Assessment
- Utilities Service Infrastructure Assessment
- Aviation Report



## AMENDMENT REPORT

Over Station Development at Crows Nest – Site B  
25 Hume Street, Crows Nest

SSD-61400212

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- Structural Engineering Advice
- Car Parking Strategy and Management Plan
- Transport and Accessibility Impact Assessment
- CPTED Report
- Contamination Report
- Social Impact Assessment

A consolidated summary of management and mitigation measures has been provided following the above additional assessments, to address the refinements made to the project, and matters raised in the submissions. This is referenced in the attached Mitigation Measures document.

### **Conclusion**

The environmental impact assessment undertaken for the Crows Nest OSD Site B project as part of the original EIS and the Amendment Report, has determined that the project would not result in any significant adverse impacts to environmental, cultural, social and economic values.

The amended proposal has been refined as described above.

The impacts have been concluded as being generally consistent with those previously presented in the EIS. Any potential residual impacts can be suitably controlled with the management and mitigation measures proposed.



## **PART 1 INTRODUCTION**

### **1.1 INTRODUCTION**

A State Significant Development (SSD) application and accompanying environmental impact statement (EIS) were submitted under Part 4, Division 4.7 of the Environmental Planning and Assessment Act 1979 (EP&A Act) on 25 October 2024 for a proposed 17 storey mixed use building comprising:

- 13,916m<sup>2</sup> gross floor area (including 935m<sup>2</sup> non-residential residential floor area and 12,981m<sup>2</sup> residential floor area for 130 residential dwellings)
- 55 car parking spaces

The project is known as Crows Nest Over Station Development (OSD) Site B.

The SSD application and accompanying documentation were placed on public exhibition from Friday 15 November 2024 until Thursday 12 December 2024.

The Department of Planning, Housing and Infrastructure (DPHI) received five (5) submissions from the public. Four (4) submissions were in support of the proposal and one (1) submission was an objection to the proposal. In addition, there was an objection submitted from North Sydney Council. A Response to Submissions Report is included at **Appendix 25**.

The purpose of this document is to outline the proposed amendments to the project and assess the potential environmental, economic, and social impacts of the amended project since the public exhibition of the documents. This Amendment Report provides an updated environmental assessment considering the changes. New measures of avoidance, management and mitigation are also outlined, if they varied from the original. This Amendment Report is submitted in accordance with *Environmental Planning and Assessment Regulation 2021, Division 2 Section 37 Amendment of development application*. Subsection (1) allows an applicant to apply to the consent authority for an amendment to the development application at any time before the application is determined. As such, this formal amendment is submitted to the DPHI for their consideration and is in response to the public submissions.

This Amendment Report has been prepared in accordance with the requirements of the NSW State Significant Development Guidelines – preparing an amendment report, October 2022, and should be read in conjunction with all documentation that forms the environmental impact statement (EIS) package.

The project included in the original development application is shown in its regional context in **Figure 1**.





**Figure 1. Site Context Map (Source: Nearmap 2024)**

**1.2 THE PROJECT INCLUDED IN THE ORIGINAL DEVELOPMENT**

The particulars of the original proposal are summarised below:

- **Ground Level – Hume Street:** Includes the OSD tower lobby, retail, and back of house spaces.
- **Level 01:** Includes a commercial mezzanine, back of house, and a loading dock which is used for OSD garbage collection and is a future easement for rail authority access.
- **Level 02:** Contains plant rooms for the metro station.
- **Level 5 and 6:** The OSD car parking levels are located on level 5 and 6. These are naturally ventilated with 27 car spaces on level 5 and 28 car spaces on level 6. There is a total of 55 spaces.
- Apartments are located from level 7 to 18. Level 19 and 20 contain penthouse apartments.
- A roof terrace on level 21 includes communal gardens and pools, as well as private penthouse terraces.
- **Level 7-8:** 10 apartments per floor
- **Level 9-18:** 11 apartments per floor
- **Level 19:** 8 penthouse apartments (5 x two storey)
- **Level 20:** 3 penthouse apartments
- Total number of apartments: 130
- Public domain works around the site will be delivered as part of the CSSI approval. The proposed development will be designed to complement the station and activate the public domain.

**1.3 BACKGROUND**

A chronology of events that has occurred to date on the assessment of the application is provided below:

- 14 August 2023 – Request for industry specific Secretary’s Environmental Assessment Requirements (SEARs) was submitted to the then Department of Planning and Environment (DPE) (now known as DPHI).
- 25 August 2023 – Industry specific SEARs were issued by DPE.

- 25 October 2024 – Original SSD formally lodged with DPE.
- 15 November – 12 December 2024 – The original SSD application and accompanying documentation were placed on public exhibition, during which DPIE received five (5) submissions from the public. Four (4) submissions were in support of the proposal and one (1) submission was an objection to the proposal. In addition, there was an objection submitted from North Sydney Council.
- 17 December 2024 – DPHI issued a Request for Response to Submissions and Additional Information letter. The key issues included built form, amenity, wind assessment, affordable housing, design excellence, access and parking.

#### 1.4 PROJECT AMENDMENTS

The proposed scheme has been revised following consultation with the community and DPHI. The proposed project amendments include the following:

- **Ground Floor** – minor internal reconfiguration including the substation, FCR, and main switch room. GFA has been increased by 1m<sup>2</sup>.
- **Level 01** – minor internal reconfiguration. One (1) additional ambulant / DDA bathroom has been included.
- **Level 02** – no change.
- **Level 05** – the layout has been adjusted having regard for structural requirements associated with the transfer slab. The northern wall of the carpark has been moved outward and the landscape element has been removed at the Hume Street elevation. One (1) additional car parking space is provided. Bike parking has been removed from this Level.
- **Level 06** – the layout has been adjusted having regard for structural requirements associated with the transfer slab. The walls of the carpark have been moved outward. Car parking numbers have been reduced from 28 spaces to 25 spaces. One motor bike space has been provided. 50 double decker bike racks are provided.
- **Level 07** – Former residential Level 07 has been removed and replaced with an additional car park level for 25 car parking spaces, one (1) motor bike space and 106 double decker bike racks. This allows for a total of 78 car spaces at Site B.
- **Level 08** – Minor apartment reconfiguration to provide 10 apartments. The residential access corridors have been enclosed while the lobby area outside the lift will remain open at the eastern and western ends. This approach to corridors is repeated on all residential levels.
- **Level 09-16** – Minor apartment reconfiguration. No wintergardens are proposed for SDA apartments 0.1 and 0.12 across Level 09-13.
- **Level 15-16** – Minor apartment reconfiguration.
- **Level 17-18** – Minor apartment reconfiguration.
- **Level 19** – Minor apartment reconfiguration.
- **Level 20** – Minor apartment reconfiguration.
- **Roof Terrace** – Minor reconfigured to provide greater privacy for future residents having regard for the built form changes introduced via the Crows Nest TOD rezoning.
- Residential GFA is now 12,987m<sup>2</sup> (inclusive of partially enclosed corridors).
- Overall reduction from 130 apartments (one bedroom = 44, two bedroom = 63, three bedroom = 23) to 122 apartments (one bedroom = 40, two bedroom = 63, three bedroom = 19).



**AMENDMENT REPORT**

Over Station Development at Crows Nest – Site B  
25 Hume Street, Crows Nest

SSD-61400212

**1.5 THE PROPONENT**

See **TABLE 1** below for contact details.

<b>TABLE 1: PROPONENT CONTACT DETAILS</b>	
<b>Company Details</b>	Third.i Crows Nest Residential Developments Pty Ltd (ABN:46663951335)
<b>Address</b>	53 Hume Street, Crows Nest NSW 2065
<b>Contact Name</b>	Anna Limnios
<b>Position</b>	Development Manager
<b>Contact Number</b>	0473 743 172
<b>Email Address</b>	<a href="mailto:a.limnios@thirdigroup.com.au">a.limnios@thirdigroup.com.au</a>



## **PART 2 STRATEGIC CONTEXT**

### **2.1 SITE LOCATION & EXISTING SITE CHARACTERISTICS**

The identified portion of land, that is the subject of this EIS is located at 25 Hume Street, Crows Nest more formally described as Lot 3 DP 1296669 (Site B).

**TABLE 2: SITE DETAILS**

<b>Address</b>	<b>Lot/DP</b>
25 Hume Street, Crows Nest	Lot 3 DP 1296669

Site B has a total area of approximately 1,871m<sup>2</sup>. Site B is 63.83m in length and has a width that varies from approximately 28.3m to 29.3m.

Site B comprises a primary frontage to the Pacific Highway (due West) which connects to Hume Street along the Site B's northern boundary and Clarke Lane along the eastern boundary.

The land adjoining Site B generally slopes from south to north with the highest RL 95.94m AHD along the southern boundary and the lowest level adjacent to the northern boundary at RL 90.04m AHD. However, as noted above, the construction of the Sydney Metro infrastructure on Site B has had the effect of altering the natural ground level on Site B. Notwithstanding this, the proposed development will integrate with the existing Sydney Metro infrastructure and create active street frontages on the Pacific Highway and Hume Street frontages.

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

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

Other land uses in the vicinity of Site B include:

- North: The entry/exit point to the Crows Nest Metro station is directly north of Site B across Hume Street. Site A sits above the Metro Station. Site A enjoys a concept approval for a 21 storey (RL 175.6m) 40,300m<sup>2</sup> commercial building. Beyond Site A across Oxley Street is a 16 storey residential apartment building and 5 storey commercial building. Further north of these properties is St Leonards which includes St Leonards train station and a variety of existing medium to high density development up to approximately 20 storeys.

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

- South: To the south of Site B is 473 Pacific Highway which contains a 2 storey mixed use building with retail on the ground floor and commercial/residential above. This built form typology is continued for several hundred metres in this direction along the Pacific Highway.
- East: Clarke Lane adjoins Site B on its eastern boundary. On the opposite side of Clarke Lane is a six storey commercial building (10-12 Clarke Street) and a 3 storey commercial building (6-8 Clarke Street). Beyond these properties is the Crows Nest village centre.



- West: The Pacific Highway adjoins the Site B's western boundary beyond which is a variety of 2-3 storey mixed use buildings with ground floor retail and commercial/residential uses on the upper floors. Beyond these properties the area transitions to a low/medium scale residential neighbourhood of Wollstonecraft.

The surrounding context is illustrated in **Figure 2** and **Figure 3** of this EIS.



**Figure 2. Context Image (Source: Woods Bagot, 2024)**



**Figure 3. Site Aerial (Source: NearMap, 2023)**



An overview of the site characteristics is included in **TABLE 3**, as follows.

<b>TABLE 3: SITE CHARACTERISTICS</b>	
<b>Component</b>	<b>Description</b>
<b>Address and legal description</b>	25 Hume Street, Crows Nest Lot 3 D1296669
<b>Site area</b>	1,871m <sup>2</sup>
<b>Current use</b>	Site B is currently occupied by Sydney Metro infrastructure.
<b>Topography</b>	The Site historically graded down from south to north however, as outlined above, the construction of the Sydney Metro infrastructure on Site B has had the effect of completely altering the natural ground level on the Site.
<b>Access</b>	Vehicular access will be provided via Clarke Lane to both a loading dock and car park lift. Pedestrian access will be provided via Hume Street.
<b>Vegetation</b>	Site B is devoid of any vegetation having regard for the extensive works undertaken in relation to Sydney Metro.
<b>Watercourses</b>	There are no watercourses on Site B.
<b>Wetlands</b>	No mapped local or important wetlands occur within the subject site.
<b>Biodiversity</b>	No areas of outstanding biodiversity value lie within the study area. The NSW Biodiversity Values Map indicates no areas of biodiversity value are present within the study area.
<b>Easements and encumbrances</b>	A number of reservations and caveats exist on Site B associated with the Metro Station infrastructure. Further details are included in <b>Section 2.4</b> of the original EIS.
<b>Heritage</b>	The study area has been subject to an Aboriginal Cultural Heritage Assessment. No sites were identified within the study area and given the extensively disturbed nature of the site, the potential for sites to be discovered is minimal. No further assessment in accordance with the <i>National Parks and Wildlife Act 1974</i> is warranted.  The study area is not listed on the State Heritage Register (or subject to an interim heritage order) under the <i>NSW Heritage Act 1977</i> and is not identified as an item of environmental heritage or heritage item on any EPIs.

The location of the subject site and existing site development are depicted in **Figure 1** and **Figure 2**.

## 2.2 DEVELOPMENT HISTORY

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



A Concept State Significant Development Application (SSD-9579) (Concept Approval) was subsequently approved in December 2020 (**Appendix 2** of the original EIS), which provided for a mixed-use development across three sites (known as Site A, Site B and Site C) integrated with the Crows Nest Metro Station. The Concept Approval establishes the planning and assessment framework for all subsequent detailed applications to follow, including the application the subject of this EIS for Site B. See further discussion in **Part 6** below.

**2.3 LAND OWNERSHIP**

The land that is the subject of this application, is owned by the following entities.

<b>TABLE 4: REGISTERED LAND OWNERS</b>	
<b>Lot/DP</b>	<b>Registered Land Owner</b>
<b>Lot 3 DP 1296669</b>	Sydney Metro

Landowner’s consent has been obtained.

**2.4 SITE CONTEXT**

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

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

Other land uses in the vicinity of Site B include:

- North: The entry/exist point to the Crows Nest Metro station is directly north of Site B across Hume Street. Site A sits immediately to the north of Site B across Hume Street. Site A enjoys a concept approval for a 21 storey (RL 175.6m) 40,300m<sup>2</sup> commercial building. Beyond Site A across Oxley Street is a 16 storey residential apartment building and 5 storey commercial building. Further north of these properties is St Leonards which includes St Leonards train station and a variety of existing medium to high density development up to approximately 20 storeys.

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

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



Site photographs are provided in **Figure 4 – Figure 9** below.



**Figure 4. View from Pacific Highway looking South to Site B (July 2025)**



**Figure 5. View from the intersection of Hume Street and the Pacific Highway looking South-East to Site B (July 2024)**



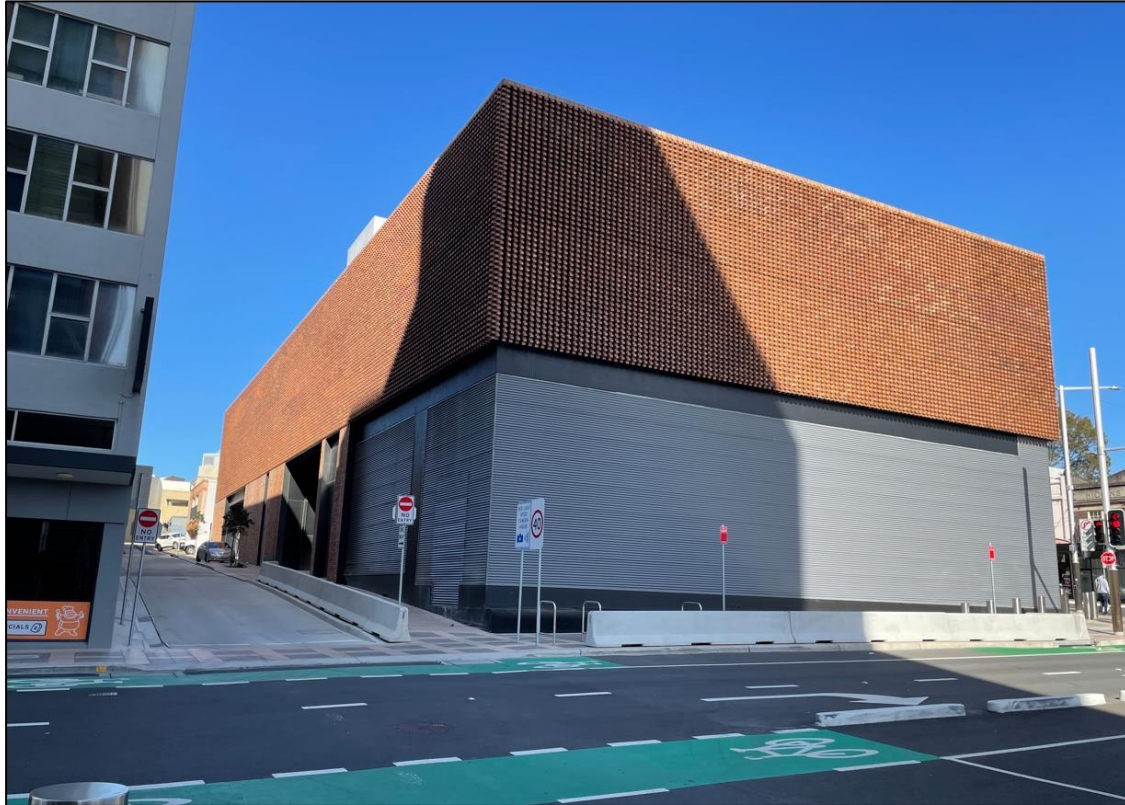


**Figure 6. View from the corner of Hume Street and Pacific Highway looking East to Site B (July 2025)**



**Figure 7. View from the Pacific Highway looking North-East to Site B (July 2025)**





**Figure 8. View from the corner of Hume Street looking South to Site B (July 2025)**



**Figure 9. View from Clarke Lane looking North to Site B (July 2025)**



**2.5 STRATEGIC PLANNING CONTEXT**

A detailed discussion of the strategic context for the project is provided in **Chapter 2** of the EIS.

The strategic context has changed since the EIS, as the Crows Nest Accelerated Precinct Transport Oriented Development Rezoning has occurred. This change is discussed in detail below.

A summary of the relevant strategies, policies and guidelines as discussed in the EIS are addressed in **TABLE 5** below.

<b>TABLE 5: STRATEGIC PLANNING CONTEXT</b>		
<b>Planning Document</b>	<b>Relevant Objectives/Priorities</b>	<b>How Site B Development Aligns</b>
<b>Greater Sydney Region Plan – A Metropolis of Three Cities</b>	<ul style="list-style-type: none"> <li>▪ Objective 4: Infrastructure use is optimised</li> <li>▪ Objective 5: Benefits of growth through collaboration</li> <li>▪ Objective 7: Healthy, resilient community</li> <li>▪ Objective 10: Greater housing supply</li> <li>▪ Objective 11: Housing affordability</li> <li>▪ Objective 12: Great places</li> <li>▪ Objective 14: 30-minute cities</li> <li>▪ Objective 15: Better connected corridors</li> </ul>	<ul style="list-style-type: none"> <li>▪ New residential housing directly above Metro infrastructure</li> <li>▪ Extensive public consultation throughout approval process</li> <li>▪ Transit-oriented development promoting walking/cycling</li> <li>▪ 122 new residential apartments addressing housing crisis</li> <li>▪ Exceeding 5% affordable housing contribution</li> <li>▪ Creates high-quality place at Crows Nest Metro</li> <li>▪ Best practice integrated land use and transport</li> <li>▪ Contributes to 30-minute Eastern City</li> </ul>
<b>North District Plan</b>	<ul style="list-style-type: none"> <li>▪ N1: City supported by infrastructure</li> <li>▪ N5: Housing supply with transport access</li> <li>▪ N6: Creating great places</li> <li>▪ N8: Eastern Economic Corridor connectivity</li> <li>▪ N9: Health and education precincts</li> <li>▪ N12: Integrated land use and 30-minute city</li> </ul>	<ul style="list-style-type: none"> <li>▪ Optimises Sydney Metro investment</li> <li>▪ 122 apartments above Crows Nest Metro Station</li> <li>▪ Urban renewal along transport corridor</li> <li>▪ Increases labour market access</li> <li>▪ Strengthens St Leonards Health/Education Precinct</li> <li>▪ Direct Metro integration</li> </ul>
<b>St Leonards and Crows Nest 2036 Plan</b>	<ul style="list-style-type: none"> <li>▪ Infrastructure and Collaboration</li> <li>▪ Liveability (heritage, safety, wind, cumulative impacts, transitions, amenity, dwelling diversity)</li> <li>▪ Productivity (active streets)</li> </ul>	<ul style="list-style-type: none"> <li>▪ Supports Sydney Metro as city-shaping project</li> <li>▪ Compatible with St Leonards skyline</li> <li>▪ CPTED principles incorporated</li> <li>▪ Wind assessments completed</li> <li>▪ Shadow/view impacts acceptable</li> <li>▪ Mix of 1-bed, 2-bed, 3-bed units</li> <li>▪ Retail activation at street level</li> </ul>
<b>St Leonards &amp; Crows Nest Local Character Statement</b>	<p>Five Themes:</p> <ul style="list-style-type: none"> <li>▪ Place</li> <li>▪ Landscape</li> <li>▪ Built Form</li> <li>▪ Land Use</li> <li>▪ Movement</li> </ul>	<ul style="list-style-type: none"> <li>▪ Mixed-use development leveraging Metro station</li> <li>▪ Street trees and planters at multiple levels</li> <li>▪ Consistent with approved envelope</li> <li>▪ Retail ground floor + 122 residential units</li> <li>▪ Transport-oriented development</li> </ul>
<b>Future Transport Strategy 2056</b>	<ul style="list-style-type: none"> <li>▪ Movement and place outcomes</li> </ul>	<ul style="list-style-type: none"> <li>▪ Direct Metro station access</li> <li>▪ Active transport accessible</li> <li>▪ Workplace travel plan proposed</li> </ul>



<b>TABLE 5: STRATEGIC PLANNING CONTEXT</b>		
<b>Planning Document</b>	<b>Relevant Objectives/Priorities</b>	<b>How Site B Development Aligns</b>
	<ul style="list-style-type: none"> <li>▪ Regular public transport access</li> <li>▪ Active transport accessibility</li> <li>▪ Travel demand management</li> <li>▪ Appropriate parking</li> </ul>	<ul style="list-style-type: none"> <li>▪ Compliant with AS2890 standards</li> <li>▪ Integrates OSD with transport infrastructure</li> </ul>
<b>North Sydney Local Strategic Planning Statement</b>	<ul style="list-style-type: none"> <li>▪ I2: Collaborate for housing/jobs/infrastructure</li> <li>▪ L1: Diverse housing options</li> <li>▪ L3: Preserve local character</li> <li>▪ P6: Walkable, connected centres</li> <li>▪ Action I2.1: Metro OSD collaboration</li> <li>▪ Action I2.6: Precinct planning</li> </ul>	<ul style="list-style-type: none"> <li>▪ Ongoing agency/community engagement</li> <li>▪ Mix of 1/2/3 bedroom apartments</li> <li>▪ Affordable housing contribution</li> <li>▪ Compatible with emerging skyline</li> <li>▪ Transport-oriented development</li> <li>▪ Supports walkability</li> </ul>
<b>North Sydney Local Housing Strategy</b>	<ul style="list-style-type: none"> <li>▪ Achieve Regional/District Plan objectives</li> <li>▪ Meet housing supply targets</li> <li>▪ Housing diversity and affordability</li> <li>▪ Right locations for growth</li> <li>▪ Coordinate with infrastructure</li> <li>▪ Planning Approach 2: Manage St Leonards/Crows Nest delivery</li> </ul>	<ul style="list-style-type: none"> <li>▪ Aligns with metropolitan planning</li> <li>▪ 122 new dwellings toward targets</li> <li>▪ Diverse apartment mix (1/2/3 bed)</li> <li>▪ Financial affordable housing contribution</li> <li>▪ Located at key Metro station site</li> <li>▪ Implements 2036 Plan outcomes</li> <li>▪ Mid-high rise mixed use as anticipated</li> </ul>
<b>Crows Nest Accelerated Precinct Transport Oriented Development Program</b>	<ul style="list-style-type: none"> <li>▪ Focus new development on land closest to the stations to maximise the number of residents and workers within an easy walk of the stations and shops</li> <li>▪ Locate taller buildings near stations and the commercial area</li> <li>▪ Transition heights down to areas with stand-alone houses</li> <li>▪ Plan for a mix of building heights to provide variety and interest and increase housing choice.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Acknowledges precinct transition with planned height increases on adjoining sites</li> <li>▪ Consistent with emerging Crows Nest high-rise skyline</li> <li>▪ Development considers interface with surrounding built form</li> </ul>

Since the submission of the original EIS, the Crows Nest Accelerated Precinct Transport Oriented Development Rezoning has occurred. This rezoning was exhibited from July to August 2024 and came into effect on 24 November 2024. The Crows Nest Transport Oriented Development rezoning represents a significant transformation of Crows Nest, driven by the NSW Government's ambitious Transport Oriented Development Program announced in December 2023. This program identified Crows Nest as one of eight priority high growth areas near transport hubs in Greater Sydney, with the goal of delivering up to 47,800 new, well-located homes over the next 15 years. The rezoning builds upon years of strategic planning, including the St Leonards and Crows Nest 2036 Plan finalised in August 2020, which recognised the new Metro station as a catalyst for urban renewal and identified capacity for approximately 6,700 new homes and 16,500 new jobs within walking distance of the stations.

The rezoning proposal introduces dramatic built form uplift across the precinct, fundamentally transforming Crows Nest from a low-scale commercial village into a high-density mixed-use centre. The exhibited plans show building heights ranging from 25 metres at the precinct edges to over 100 metres (approximately 35 storeys) closest to the Metro station. Post-exhibition refinements have further increased this uplift, with sites immediately surrounding Site B now proposed for significant height increases - the adjoining site to the east increasing to 31 metres, the site to the south to 59 metres, and

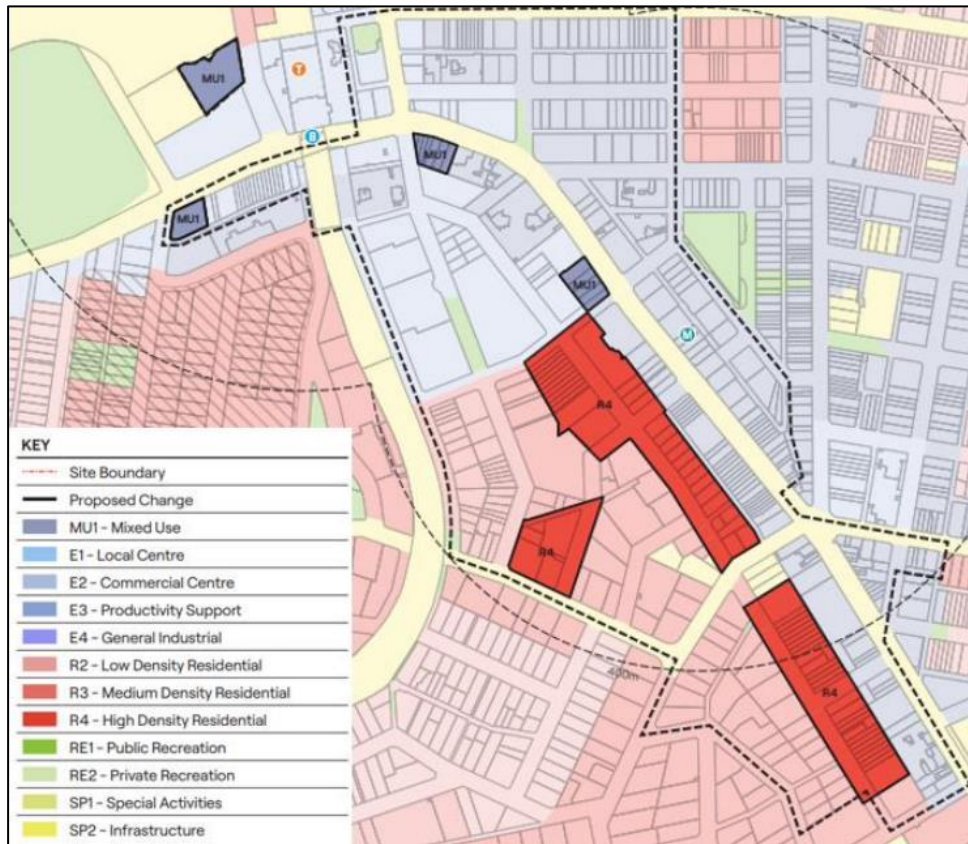


the site west across Pacific Highway to between 60-86 metres with affordable housing bonuses. This represents a complete reimagining of the area's urban structure, creating a new high-rise skyline focused on the Metro station.

Within this transforming context, Site B emerges as an appropriate and well-integrated development that exemplifies the transit-oriented development principles driving the rezoning. The approved building envelope for Site B, consistent with the planning controls established through the Concept SSD Application, positions a high-rise mixed-use building directly above the Metro station where maximum density is most appropriate. Rather than appearing out of scale, Site B will form part of a cluster of tall buildings surrounding the station, contributing to a coherent urban form that steps down to lower-scale areas. The development's scale aligns with the emerging St Leonards high-rise skyline to the north-west, creating a visual connection between these two strategic centres.

The significant uplift across the precinct reflects a fundamental shift in planning philosophy, recognising that locations with exceptional public transport accessibility should accommodate substantial residential density to address Sydney's housing crisis. The rezoning will deliver approximately 5,900 new homes across the precinct, with Site B contributing 122 apartments as part of this broader transformation. This represents a bold vision for urban consolidation around public transport infrastructure, moving beyond incremental change to create a genuinely transit-oriented community. Site B's development above the Metro station epitomises this approach, maximising the value of public investment in transport infrastructure while creating a vibrant, mixed-use precinct that reduces car dependency and supports sustainable urban living.

Details of the new zoning, height and FSR context are shown in **Figures 10 – 13** below.



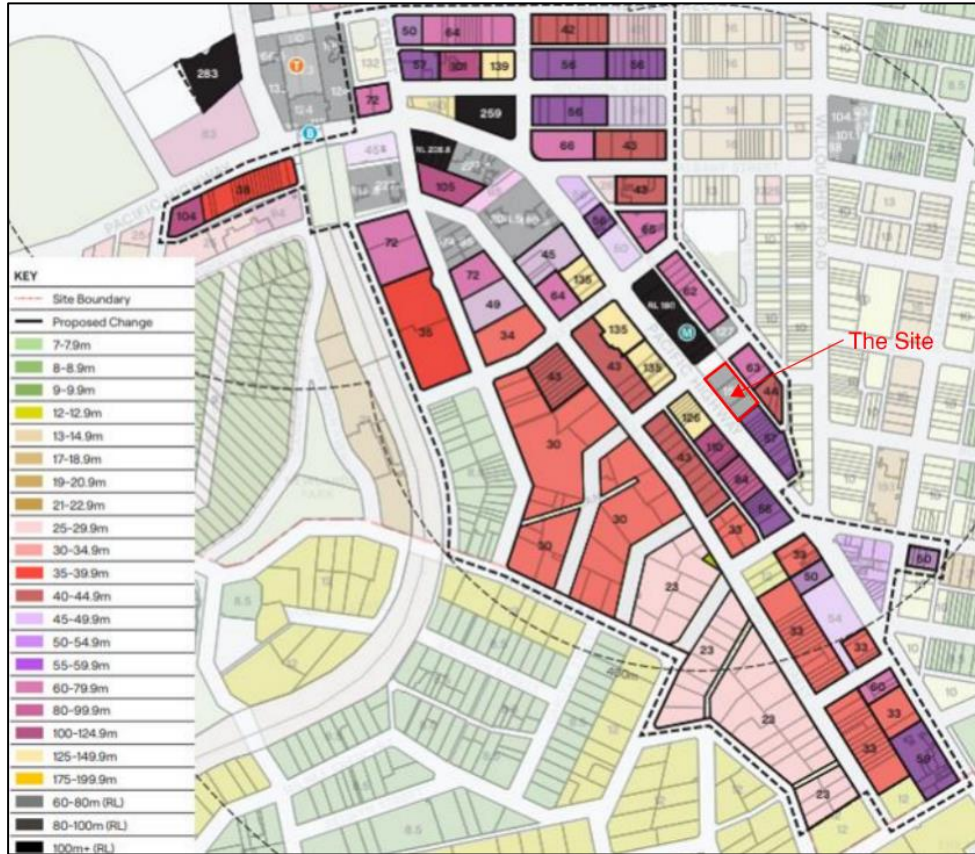
**Figure 10. Crows Nest Transport Oriented Development Zoning Map (Source: DPHI, November 2024)**



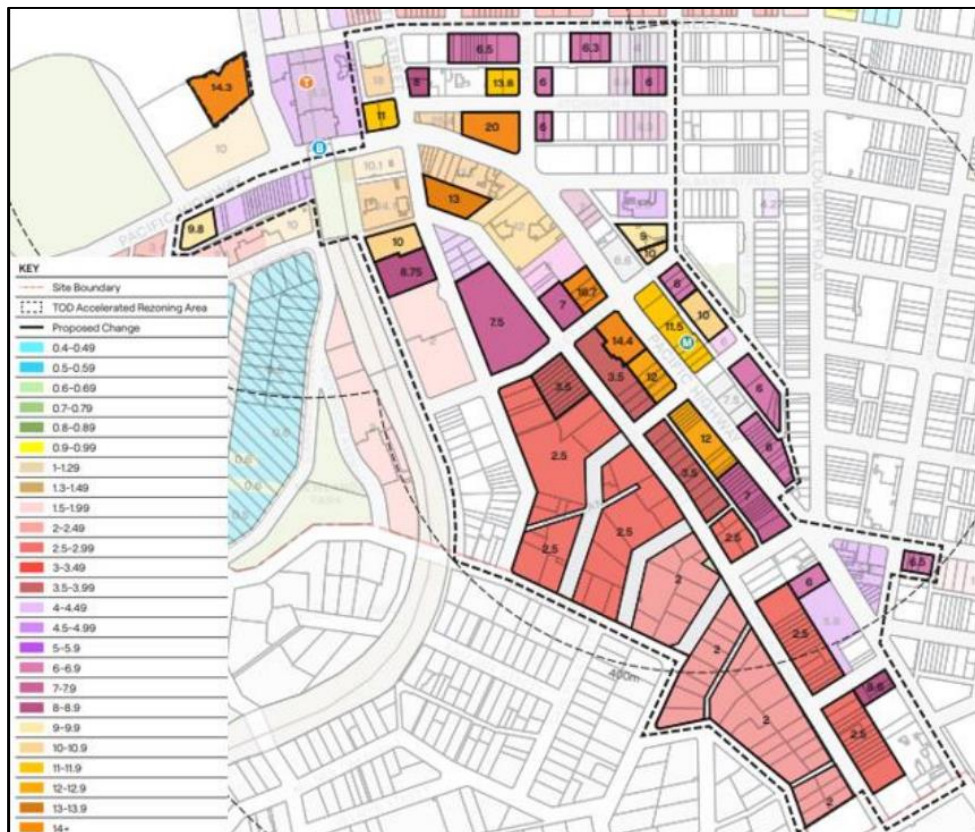
**AMENDMENT REPORT**

Over Station Development at Crows Nest - Site B  
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**Figure 11. Crows Nest Transport Oriented Development Precinct Height Map (Source: DPPI, November 2024)**



**Figure 12. Crows Nest Transport Oriented Development Precinct Floor Space Ratio Map (Source: DPPI, November 2024)**





**Figure 13. Finalised Render of the Crows Nest TOD - Looking North West (Source: SJB, 2024)**



## PART 3 DESCRIPTION OF AMENDMENTS AND CLARIFICATION

### 3.1 OVERVIEW

The Over Station Development at Crows Nest remains generally as detailed in **Section 3** of the EIS (prepared by Willowtree Planning). However, a number of relatively minor changes are now proposed as detailed in this section.

Proposed project amendments comprise the following:

- **Ground Floor** – minor internal reconfiguration including the substation, FCR, and main switch room. GFA has been increased by 1m<sup>2</sup>.
- **Level 01** – minor internal reconfiguration. One (1) additional ambulant / DDA bathroom has been included.
- **Level 02** – no change.
- **Level 05** – the layout has been adjusted having regard for structural requirements associated with the transfer slab. The walls of the carpark have been moved outward and the landscape elements have been removed. One (1) additional car parking space is provided. Bike parking has been removed from this Level.
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- **Level 07** – Former residential Level 07 has been removed and replaced with an additional car park level for 25 car parking spaces, one (1) motor bike space and 106 double decker bike racks. This allows for a total of 78 car spaces at Site B.
- **Level 08** – Minor apartment reconfiguration to provide 10 apartments. The residential access corridors have been enclosed while the lobby area outside the lift will remain open at the eastern and western ends. This approach to corridors is repeated on all residential levels.
- **Level 09-16** – Minor apartment reconfiguration. No wintergardens are proposed for SDA apartments 0.1 and 0.12 across Level 09-13.
- **Level 15-16** – Minor apartment reconfiguration.
- **Level 17-18** – Minor apartment reconfiguration.
- **Level 19** – Minor apartment reconfiguration.
- **Level 20** – Minor apartment reconfiguration.
- **Roof Terrace** – Minor reconfigured to provide greater privacy for future residents having regard for the built form changes introduced via the Crows Nest TOD rezoning.
- Residential GFA is now 12,987m<sup>2</sup> (inclusive of partially enclosed corridors).
- Overall reduction from 130 apartments (one bedroom = 44, two bedroom = 63, three bedroom = 23) to 122 apartments (one bedroom = 40, two bedroom = 63, three bedroom = 19).

An overview of the amended project compared to the project included in the original development application is provided in **TABLE 6** below.



<b>TABLE 6: AMENDED PROJECT SUMMARY</b>																		
<b>Element</b>	<b>Original Project</b>	<b>Amended Project</b>																
<b>Project Area</b>																		
Site Area	1,871m <sup>2</sup>	No change																
<b>Physical Layout and Design</b>																		
Building Height	Top of residential apartments - RL 154m Top of building / roof balustrade - RL 155m Top of plant roof / roof feature - RL 157.7m	No change																
GFA	<table border="1"> <tr> <td>Retail / Commercial GFA</td> <td>360m<sup>2</sup></td> </tr> <tr> <td>Metro GFA</td> <td>575m<sup>2</sup></td> </tr> <tr> <td><b>Total Non-Resi GFA</b></td> <td><b>935 m<sup>2</sup></b></td> </tr> <tr> <td><b>Residential GFA*</b></td> <td><b>12,981m<sup>2</sup></b></td> </tr> </table>	Retail / Commercial GFA	360m <sup>2</sup>	Metro GFA	575m <sup>2</sup>	<b>Total Non-Resi GFA</b>	<b>935 m<sup>2</sup></b>	<b>Residential GFA*</b>	<b>12,981m<sup>2</sup></b>	<table border="1"> <tr> <td>Retail / Commercial GFA</td> <td>361m<sup>2</sup></td> </tr> <tr> <td>Metro GFA</td> <td>575m<sup>2</sup></td> </tr> <tr> <td><b>Total Non-Resi GFA</b></td> <td><b>936 m<sup>2</sup></b></td> </tr> <tr> <td><b>Residential GFA*</b></td> <td><b>12,987m<sup>2</sup></b></td> </tr> </table>	Retail / Commercial GFA	361m <sup>2</sup>	Metro GFA	575m <sup>2</sup>	<b>Total Non-Resi GFA</b>	<b>936 m<sup>2</sup></b>	<b>Residential GFA*</b>	<b>12,987m<sup>2</sup></b>
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<b>Residential GFA*</b>	<b>12,987m<sup>2</sup></b>																	
FSR	Residential - 6.93:1 Non-residential - 0.5:1 Total - 7.43:1	Residential - 6.93:1 Non-residential - 0.5:1 Total - 7.43:1																
Number of Stories	17 storeys	No change																
Number of Units	130 <ul style="list-style-type: none"> <li>▪ 1 bedroom = 44</li> <li>▪ 2 bedroom = 63</li> <li>▪ 3 bedroom = 23</li> </ul>	122 <ul style="list-style-type: none"> <li>▪ 1 bedroom = 40</li> <li>▪ 2 bedroom = 63</li> <li>▪ 3 bedroom = 19</li> </ul>																
Setbacks	Pacific Highway (West) - 0m-0.9m Hume Street (North) - 2.5m Clarke Lane (East) - 1.2m-2.6m South - 0m to RL 108.01, 0.8m to RL 113.7, 4.8m to RL 147.8, 6.63m to RL 155, 13.6m to RL 158	Pacific Highway (West) - no change Hume Street (North) - no change Clarke Lane (East) - no change South - 0m to RL 108.01, 0.485m to RL 116.8, 4.723-6.74m to RL 147.8, 6.6m to RL 155, 13.6m to RL 158																
Tree Removal	No trees to be removed	No change																
Landscaping	Landscaping has been incorporated into the design	No change																
Earthworks	No earthworks are proposed as part of this development	No change																
Car parking	55 car parking spaces	78 car parking spaces																
Motorcycle Parking	0 spaces	2 spaces																
Bike Parking	100 bike parking spaces	156 spaces																
Infrastructure and Services	All infrastructure and services to support the proposed development are available.	No change																
<b>Key Uses and Activities</b>																		
Primary Land Use	Mixed Use	No change																
Operation	Mixed Use	No change																
Construction Jobs	Approximately 550 direct construction jobs	No change																
Operational Jobs	Approximately 70 ongoing jobs	No change																

### 3.2 PROPOSED AMENDMENTS

As outlined above, the proposed amendments comprise the following:



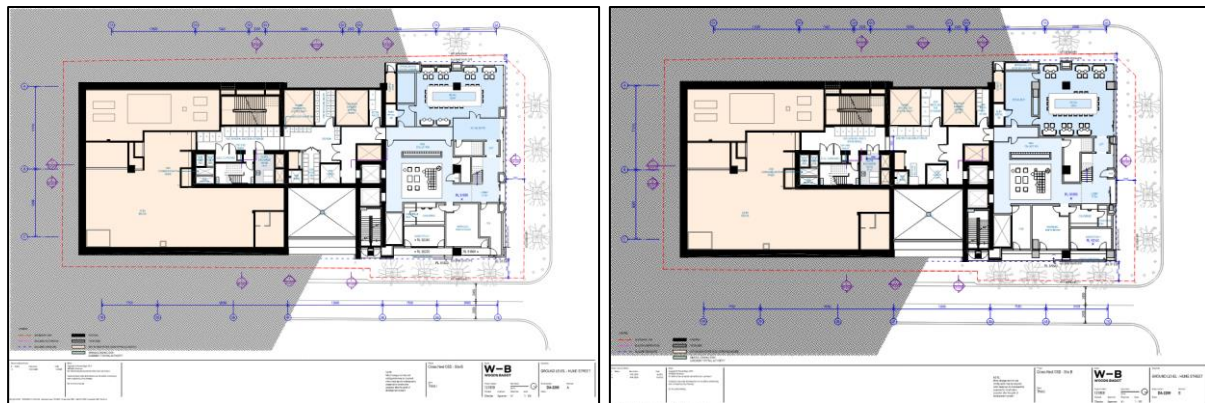
## AMENDMENT REPORT

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- **Ground Floor** – minor internal reconfiguration including the substation, FCR, and main switch room. GFA has been increased by 1m<sup>2</sup>.
- **Level 01** – minor internal reconfiguration. One (1) additional ambulant / DDA bathroom has been included.
- **Level 02** – no change.
- **Level 05** – the layout has been adjusted having regard for structural requirements associated with the transfer slab. The northern wall of the carpark has been moved outward and the landscape element has been removed at the Hume Street elevation. One (1) additional car parking space is provided. Bike parking has been removed from this Level.
- **Level 06** – the layout has been adjusted having regard for structural requirements associated with the transfer slab. The walls of the carpark have been moved outward. Car parking numbers have been reduced from 28 spaces to 25 spaces. One motor bike space has been provided. 50 double decker bike racks are provided.
- **Level 07** – Former residential Level 07 has been removed and replaced with an additional car park level for 25 car parking spaces, one (1) motor bike space and 106 double decker bike racks. This allows for a total of 78 car spaces at Site B.
- **Level 08** – Minor apartment reconfiguration to provide 10 apartments. The residential access corridors have been enclosed while the lobby area outside the lift will remain open at the eastern and western ends. This approach to corridors is repeated on all residential levels.
- **Level 09-16** – Minor apartment reconfiguration. No wintergardens are proposed for SDA apartments 0.1 and 0.12 across Level 09-13.
- **Level 15-16** – Minor apartment reconfiguration.
- **Level 17-18** – Minor apartment reconfiguration.
- **Level 19** – Minor apartment reconfiguration.
- **Level 20** – Minor apartment reconfiguration.
- **Roof Terrace** – Minor reconfigured to provide greater privacy for future residents having regard for the built form changes introduced via the Crows Nest TOD rezoning.
- Residential GFA is now 12,987m<sup>2</sup> (inclusive of partially enclosed corridors).
- Overall reduction from 130 apartments (one bedroom = 44, two bedroom = 63, three bedroom = 23) to 122 apartments (one bedroom = 40, two bedroom = 63, three bedroom = 19).

A comparison of the changes is provided below.



**Figure 14. Ground Level Comparison - Old Built Form on the Left and New Built Form on the right. (Source: Woods Bagot, 2025)**





**Figure 15. Level 01 Comparison - Old Built Form on the Left and New Built Form on the right. (Source: Woods Bagot, 2025)**



**Figure 16. Level 05 Comparison - Old Built Form on the Left and New Built Form on the right. (Source: Woods Bagot, 2025)**



**Figure 17. Level 06 Comparison - Old Built Form on the Left and New Built Form on the right. (Source: Woods Bagot, 2025)**



**AMENDMENT REPORT**

Over Station Development at Crows Nest - Site B  
25 Hume Street, Crows Nest

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**Figure 18. Level 07 Comparison - Old Built Form on the Left and New Built Form on the right. (Source: Woods Bagot, 2025)**



**Figure 19. Level 08 Comparison - Old Built Form on the Left and New Built Form on the right. (Source: Woods Bagot, 2025)**



**Figure 20. Typical Level 09-13 Comparison - Old Built Form on the Left and New Built Form on the right. (Source: Woods Bagot, 2025)**





**Figure 21. Typical Level 15-16 (Level 14 has been intentionally omitted) Comparison - Old Built Form on the Left and New Built Form on the right. (Source: Woods Bagot, 2025)**



**Figure 22. Typical Level 17-18 Comparison - Old Built Form on the Left and New Built Form on the right. (Source: Woods Bagot, 2025)**

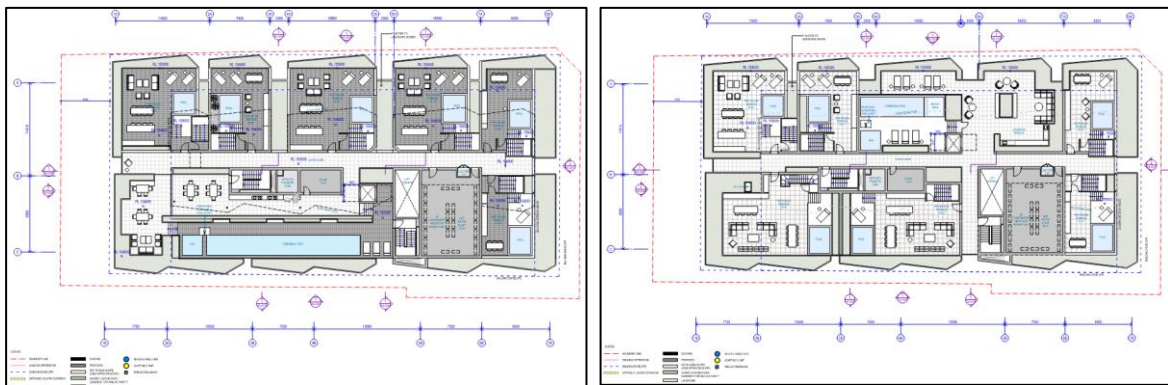


**Figure 23. Lower Penthouse Level 19 Comparison - Old Built Form on the Left and New Built Form on the right. (Source: Woods Bagot, 2025)**

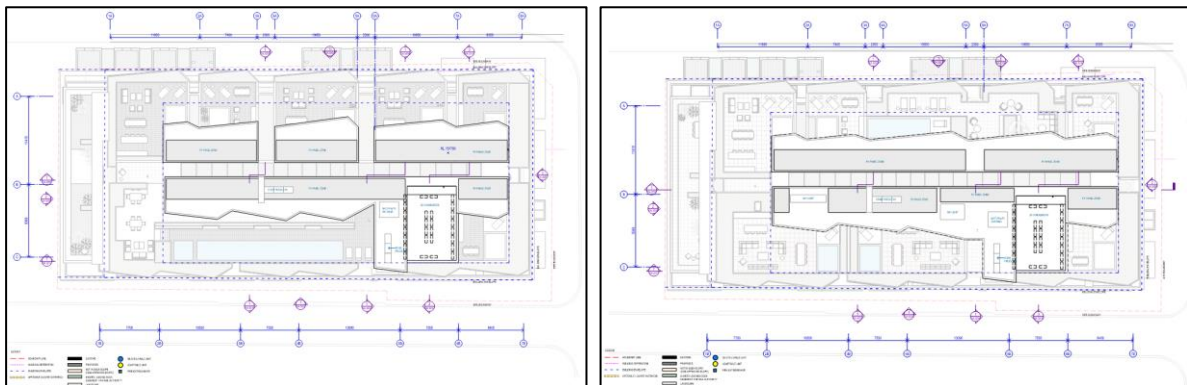




**Figure 24. Upper Penthouse Level 20 Comparison – Old Built Form on the Left and New Built Form on the right. (Source: Woods Bagot, 2025)**



**Figure 25. Roof Terrace Comparison - Old Built Form on the Left and New Built Form on the right. (Source: Woods Bagot, 2025)**



**Figure 26. Roof Plan - Old Built Form on the Left and New Built Form on the right. (Source: Woods Bagot, 2025)**

### **3.3 CLARIFICATION TO THE EIS**

The following items need to be clarified.

#### **Calculation of GFA**

The project's sustainable design incorporates naturally ventilated corridors as both an environmental strategy and community amenity. During severe weather events, an automated louvre system activates to maintain resident comfort in these spaces. This system consists of two-panel bi-fold vertical doors that remain concealed within the ceiling for most of the year. When deployed, these louvres reduce the opening size while maintaining natural airflow.



Updated plans have been provided to clarify the manner in which GFA has been calculated. Extensive discussion was provided in the original EIS in relation to the inclusions and exclusions for GFA calculation and this was further explored via legal advice provided by Mills Oakley. Given the extensive discussion this will not be repeated here.

Refinement has been undertaken particularly in relation to the open corridors on the residential levels whereby the corridors have been enclosed and subsequently included in GFA calculations. However, the corridors directly outside the lift landing remain open at both ends and are therefore excluded from the calculation of GFA. These open corridors feature external-grade finishes and function as outdoor spaces, maintaining their role as naturally ventilated communal areas while supporting the project's sustainable design objectives.

Details of GFA calculations are provided at **Appendix 1**. GFA is calculated as follows:

<b>TABLE 7: GROSS FLOOR AREA CALCULATIONS</b>	
<b>Gross Floor Area</b>	<b>Amount</b>
Retail / Commercial GFA	361m <sup>2</sup>
Metro GFA	575m <sup>2</sup>
<b>Total Non-Resi GFA</b>	<b>936 m<sup>2</sup></b>
<b>Residential GFA*</b>	<b>12,987m<sup>2</sup></b>

As can be seen in **TABLE 7** above, the Residential GFA at 12,987m<sup>2</sup> remains below the maximum residential GFA on Site B of 13,000m<sup>2</sup>.

### **3.4 ADDITIONAL ASSESSMENTS POST LODGEMENT OF THE EIS**

Consideration of the potential environmental, social and economic impacts of the amended scheme was undertaken as part of the development of the revised proposal as compared to the environmental impacts described in the EIS. The following are provided as part of this amendment report and discussed in detail in **Part 7**:

- Architectural Plans and Report, Design Integrity Report and Design Statement
- BCA Report
- Access Report
- Reflectivity Report
- Wind Report
- Landscape Design Report
- Landscape and Visual Impact Assessment
- ESD Report
- Traffic and Parking Report
- Noise and Vibration Report
- Stormwater Management Report
- Flood Impact Assessment
- Operational Waste Management Plan
- Aboriginal Heritage and European Heritage Assessment
- Utilities Service Infrastructure Assessment
- Aviation Report
- Structural Engineering Advice
- Car Parking Strategy and Management Plan
- Transport and Accessibility Impact Assessment
- CPTED Report
- Contamination Report
- Social Impact Assessment



### 3.5 DEVELOPMENT DESCRIPTION

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

- **Ground Level – Hume Street:** Includes the OSD tower lobby, retail, and back of house spaces.
- **Level 01:** Includes a commercial mezzanine, back of house, and a loading dock which is used for OSD garbage collection.
- **Level 02:** Contains plant rooms for the metro station.
- **Level 05-07:** The OSD car parking levels are located on Level 05 – Level 07. These are naturally ventilated with 28 car spaces (including 2 disabled spaces) on Level 05, 25 car spaces (including 2 disabled spaces) on Level 06 and 25 car spaces (including 2 disabled spaces) on Level 07. There is a total of 78 spaces.

One (1) motor bike space is located on Level 06. One (1) motor bike space is located on Level 07.

50 bike parks are provided on Level 06. 106 bike spaces are provided on Level 07.

- Apartments are located from Level 08 to 18. Level 19 and 20 contain penthouse apartments.
- A roof terrace on Level 21 includes communal gardens and pools, as well as private penthouse terraces.
- **Level 08:** 10 apartments per floor
- **Level 09-16:** 11 apartments per floor
- **Level 17-18:** 11 apartments per floor
- **Level 19** – 8 apartments per floor (3 x two storey)
- **Level 20:** 5 apartments
- Total number of apartments: 122
  - 1 bedroom = 40
  - 2 bedroom = 63
  - 3 bedroom = 19
- Public domain works around Site B will be delivered as part of the CSSI approval. The proposed development will be designed to complement the station and activate the public domain.



## PART 4 STATUTORY CONTEXT

The relevant Commonwealth, State and Local legislative requirements were considered in **Part 4** of the original EIS and is summarised in **TABLE 8** below.

### 4.1 POWER TO GRANT APPROVAL

**TABLE 8** categorises and summarises the relevant requirements in accordance with the SSD Guidelines.

TABLE 8: STATUTORY CONTEXT								
Matter	Consideration							
Declaration of SSD	<p>Development consent is sought under ‘Division 4.7 - Stage Significant Development’ of the EP&amp;A Act. Section 4.36(2) of the EP&amp;A Act states that:</p> <p style="text-align: center;"><i>A State environmental planning policy may declare any development, or any class or description of development, to be State significant development.</i></p> <p>Schedule 1 of Planning Systems SEPP lists development that is declared SSD. Schedule 1, clause 19, provides development within a rail corridor including commercial premises or residential accommodation.</p> <p>The proposed development is located within a rail corridor and the proposed development has an EDC above the threshold listed. Accordingly, the proposal is SSD pursuant to the Planning Systems SEPP.</p> <p>The amendments do not vary the power to grant approval as originally explained in the EIS.</p>							
Consent Authority	<p>Section 4.5 of the EP&amp;A Act and Section 2.7 of the Planning Systems SEPP stipulate that the consent authority is the Minister for Planning (or the Department as their delegate) unless the development triggers the matter set out in Section 2.7(1) in which case the consent authority will be with the Independent Planning Commission. The Proponent has not made a reportable political donation in connection with the development application. The amended proposal does not alter this.</p>							
Land use	<p>The proposed development seeks consent for a shop top housing development consistent with the original EIS.</p>							
Land Zoning	<p>The NSLEP2013 is the principal environmental planning instrument applying to the site. The site is zoned MU1: Mixed Use pursuant to the NSLEP2013.</p>							
Permissibility	<p>The proposed use of the site as shop top housing is permissible with development consent in the MU1 zone. The use is defined in the Dictionary of the NSLEP2013 as follows:</p> <p style="text-align: center;"><b>shop top housing</b> means one or more dwellings located above the ground floor of a building, where at least the ground floor is used for commercial premises or health services facilities.</p>							
Approvals not required for SSD	<p>Section 4.41 of the EP&amp;A Act stipulates that certain authorisations are not required for SSD. The amended proposal does not change the below requirements. The following legislative approvals would otherwise be required if the proposal was not SSD</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="background-color: #1a4d2e; color: white;">Act</th> <th style="background-color: #1a4d2e; color: white;">Approval Required</th> <th style="background-color: #1a4d2e; color: white;">Otherwise</th> </tr> </thead> <tbody> <tr> <td>A permit under section 201, 205 or 219 of the Fisheries Management Act 1994</td> <td>No</td> <td></td> </tr> </tbody> </table>		Act	Approval Required	Otherwise	A permit under section 201, 205 or 219 of the Fisheries Management Act 1994	No	
Act	Approval Required	Otherwise						
A permit under section 201, 205 or 219 of the Fisheries Management Act 1994	No							



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	An approval under Part 4, or an excavation permit under section 139, of the <i>Heritage Act 1977</i>	No	
	An Aboriginal heritage impact permit under section 90 of the <i>National Parks and Wildlife Act 1974</i>	No	
	A bush fire safety authority under section 100B of the <i>Rural Fires Act 1997</i>	No	
	A water use approval under section 89, a water management work approval under section 90 or an activity approval (other than an aquifer interference approval) under section 91 of the <i>Water Management Act 2000</i> .	No	
Consistent approvals	Section 4.42 of the EP&A Act stipulates that certain authorisations cannot be refused if they are necessary for carrying out SSD and must be substantially consistent with the consent. The amended proposal does not change the below requirements.		
	<b>Legislation</b>	<b>Approval Required</b>	
	An aquaculture permit under section 144 of the <i>Fisheries Management Act 1994</i>	No	
	An approval under section 22 of the <i>Coal Mine Subsidence Compensation Act 2017</i>	No	
	A mining lease under the <i>Mining Act 1992</i>	No	
	A production lease under the <i>Petroleum (Onshore) Act 1991</i>	No	
	An environment protection licence under Chapter 3 of the <i>Protection of the Environment Operations Act 1997</i> (for any of the purposes referred to in section 43 of that Act)	No	
	A consent under section 138 of the <i>Roads Act 1993</i>	Yes  Such approval will be obtained after consent is issued.	
	A licence under the <i>Pipelines Act 1967</i>	No	
EPBC Act Approval	As discussed in the original EIS, the proposal is not likely to impact upon any matters of National Environmental Significance. A BDAR waiver was provided. The amended proposal will not change these circumstances.		
<b>Statutory Reference</b>	<b>Pre-Condition</b>	<b>Relevance</b>	<b>Section in the original EIS/Document Reference</b>
<b>Airports Act 1996 &amp; Airports (Protection of Airspace) Regulations 1996</b>	Federal aviation regulations require Commonwealth approval before any development application can be lodged for buildings or cranes that breach Sydney Airport's protected airspace height limits.	The proposed development, reaching 158 metres, requires federal approval under airspace regulations as it marginally exceeds Sydney Airport's 156-metre height limit, with careful planning needed for	Further reference should be made to <b>Section 7.1.24</b> of the original EIS.



**AMENDMENT REPORT**

Statutory Reference	Pre-Condition	Relevance	Section in the original EIS/Document Reference
		<p>construction crane operations.</p> <p>The proposed amendments will not alter the maximum proposed height. Approval has been received the Commonwealth Department of Infrastructure, Transport, Regional Development, Communications and the Arts in this regard.</p>	
<p><b>Environmental Planning and Assessment Act 1979</b></p>	<p>Section 4.24 requires that determination of any further development application in respect of the Site cannot be inconsistent with the consent for the concept proposal for the development site.</p>	<p>Concept Approval SSD-9579 applies to Site B.</p> <p>The proposed amendment will still be consistent with the concept approval.</p>	<p>Further reference should be made to <b>Part 6</b> of the EIS.</p>
<p><b>State Environmental Planning Policy (Transport and Infrastructure) 2021</b></p>	<p><u>Clause 2.98 Development adjacent to rail corridors</u></p> <p>Requires that if the development involves the use of a crane in the air space above any rail corridor that notice be given to the rail authority for the rail corridor and take into consideration any response.</p>	<p>A crane will be required to operate during the construction of Site B.</p>	<p>Further reference should be made to <b>Section 7.1.10</b> of the EIS.</p>
<p><b>North Sydney Local Environmental Plan 2013</b></p>	<p><u>Clause 4.4A Non-residential Floor Space Ratios</u></p> <p>(5) Development consent must not be granted to the erection of a building on land in Zone E1 Local Centre or Zone MU1 Mixed Use unless the consent authority is satisfied that the building will have an active street frontage after its erection.</p>	<p>An active street frontage will be provided to the Hume Street and Pacific Highway frontages.</p>	<p>Further reference should be made to <b>Section 7.1.4</b> of the EIS.</p>
	<p><u>Clause 5.6 Architectural Roof Features</u></p> <p>(3) Development consent must not be granted to any such development unless the consent authority is satisfied that—</p> <p>(a) the architectural roof feature—</p> <p>(i) comprises a decorative element on the uppermost portion of a building, and</p>	<p>The roof terrace includes a decorative roof feature that also provides shade/shelter to the recreation spaces on the roof at a maximum height of RL 157.7. This roof feature is decorative, is not an advertising structure, does not include floorspace, causes minimal overshadowing and</p>	<p>Further reference should be made to <b>Section 6.2</b> of this EIS and <b>Appendix 3</b>.</p>



Statutory Reference	Pre-Condition	Relevance	Section in the original EIS/Document Reference
	<p>(ii) is not an advertising structure, and (iii) does not include floor space area and is not reasonably capable of modification to include floor space area, and (iv) will cause minimal overshadowing, and (b) any building identification signage or equipment for servicing the building (such as plant, lift motor rooms, fire stairs and the like) contained in or supported by the roof feature is fully integrated into the design of the roof feature.</p>	<p>does not contain signage.</p>	
	<p><u>6.19B Design excellence in the area adjacent to Crows Nest Metro Station</u></p> <p>(3) 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. (4) In considering whether the development exhibits design excellence, the consent authority must have regard to the matter set out under section 4.</p>	<p>The OSD complies with relevant planning setback and height requirements which have been further broken down by introducing vertical definition to create a village scaled, diverse form that responds to the existing rhythm of the street. Orientation of the form maximises the significant outlook towards the Harbour, CBD, and leafy North Shore neighbourhoods.</p> <p>The built form will be overlaid with landscaping and vertical openings, creating a living, breathing, vertical village.</p>	<p>Further reference should be made to <b>Section 7.1.3</b> of the EIS.</p>

**4.2 MATTERS FOR MANDATORY CONSIDERATION**

**TABLE 9** identifies the matters that the consent authority must consider in deciding to grant consent to this SSDA. It also identifies the section(s) of the original EIS that address these mandatory matters.



<b>TABLE 9: MATTERS FOR MANDATORY CONSIDERATION</b>		
<b>Legislation/Statutory Reference</b>	<b>Matters for Consideration</b>	<b>Section in original EIS</b>
<b>Consideration under the EP&amp;A Act and Regulation</b>		
Section 1.3	Relevant objects of the EP&A Act	Statutory compliance table at <b>Appendix B</b>
Section 4.15	Relevant environmental planning instruments: <ul style="list-style-type: none"> <li>▪ <i>State Environmental Planning Policy (Biodiversity and Conservation) 2021 (Biodiversity and Conservation SEPP)</i></li> <li>▪ <i>State Environmental Planning Policy (Housing) 2021 (Housing SEPP)</i></li> <li>▪ <i>State Environmental Planning Policy (Planning Systems) 2021 (Planning Systems SEPP)</i></li> <li>▪ <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i></li> <li>▪ <i>State Environmental Planning Policy (Sustainable Buildings) 2022 (Sustainable Buildings SEPP)</i></li> <li>▪ <i>State Environmental Planning Policy (Transport and Infrastructure) 2021 (Transport and Infrastructure SEPP)</i></li> <li>▪ <i>North Sydney Local Environmental Plan 2013 (NSLEP2013)</i></li> </ul>	Statutory compliance table at <b>Appendix B</b>
	Relevant draft environmental planning instruments	Statutory compliance table at <b>Appendix B</b>
	Relevant planning agreements or draft planning agreements.	The Concept Approval included a requirement that a Voluntary Planning Agreement (VPA) between Sydney Metro and North Sydney Council be entered into. It is confirmed that this VPA was entered into on 16 June 2021 which enabled payment of all applicable developer contributions plus \$2M for public domain improvements, at the beginning of the development process, rather than at the end.  The agreement establishes a monetary contribution for Site B of \$2,265,601.63. This amount has been paid.
	<b>Development Control Plans</b> Section 2.10 of the Planning Systems SEPP states that development control plans (whether made before or after the commencement of this Policy) do not apply to SSD.	<b>Appendix 36</b>



<b>TABLE 9: MATTERS FOR MANDATORY CONSIDERATIONN</b>		
<b>Legislation/Statutory Reference</b>	<b>Matters for Consideration</b>	<b>Section in original EIS</b>
	Notwithstanding this, an assessment of the relevant provisions of the North Sydney Development Control Plan 2013 (NSDCP2013) has been undertaken.	
	The likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality.	<b>Part 7</b>
	Suitability of the proposed development	<b>Section 8.1</b>
	The public interest.	<b>Section 8.1.5.7</b>
<b>Consideration under EPI</b>		
Section 4.6 of Resilience and Hazards SEPP	The consent authority follows a comprehensive assessment process to ensure any site contamination is properly investigated and, if needed, remediated to make the land suitable for its intended development purpose.	<b>Section 7.1.17</b>
Section 2.48 of the Transport and Infrastructure SEPP	Development likely to affect an electricity transmission or distribution network.  The consent authority must consider any response to a written notice issued to electricity supply authority for the area that is received within 21 days.	Statutory compliance table at <b>Appendix B</b>
Section 2.100 of the Transport and Infrastructure SEPP	When development includes residential accommodation, the consent authority must not grant consent to the development unless it is satisfied that appropriate measures will be taken to ensure that the following LAeq levels are not exceeded—  (a) in any bedroom in the residential accommodation—35 dB(A) at any time between 10.00 pm and 7.00 am,  (b) anywhere else in the residential accommodation (other than a garage, kitchen, bathroom or hallway)—40 dB(A) at any time.	Further reference should be made to <b>Section 7.1.12</b> of the EIS.
Section 2.119 of the Transport and Infrastructure SEPP	(2) <i>The consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that—</i>  <i>(a) where practicable and safe, vehicular access to the land is provided by a road other than the classified road, and</i>  <i>(b) the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of—</i>  <i>(i) the design of the vehicular access to the land, or</i>	Further reference should be made to <b>Section 7.1.10</b> of the EIS.



TABLE 9: MATTERS FOR MANDATORY CONSIDERATIONN		
Legislation/Statutory Reference	Matters for Consideration	Section in original EIS
	<p>(ii) the emission of smoke or dust from the development, or</p> <p>(iii) the nature, volume or frequency of vehicles using the classified road to gain access to the land, and</p> <p>(c) the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.</p>	
Section 2.120 of the Transport and Infrastructure SEPP	<p>(2) Before determining a development application for development to which this section applies, the consent authority must take into consideration any guidelines that are issued by the Planning Secretary for the purposes of this section and published in the Gazette.</p> <p>(3) If the development is for the purposes of residential accommodation, the consent authority must not grant consent to the development unless it is satisfied that appropriate measures will be taken to ensure that the following LAeq levels are not exceeded—</p> <p>(a) in any bedroom in the residential accommodation—35 dB(A) at any time between 10 pm and 7 am,</p> <p>(b) anywhere else in the residential accommodation (other than a garage, kitchen, bathroom or hallway)—40 dB(A) at any time.</p>	Further reference should be made to <b>Section 7.1.12</b> of the EIS.
Section 2.122 of the Transport and Infrastructure SEPP	<p>Traffic generating development</p> <p>The consent authority must give written notice to Transport for New South Wales (TfNSW) within 7 days after the application is made and consider any response to a written notice issued to TfNSW received within 21 days. The consent authority must give TfNSW a copy of the determination of the application within 7 days after the determination is made.</p>	Statutory compliance table at <b>Appendix B</b>
Section 2.1 of the SEPP Sustainable Buildings	<p>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.</p>	Further reference should be made to <b>Section 7.1.9</b> of the EIS.



<b>TABLE 9: MATTERS FOR MANDATORY CONSIDERATIONN</b>		
<b>Legislation/Statutory Reference</b>	<b>Matters for Consideration</b>	<b>Section in original EIS</b>
Section 3.2 of the SEPP Sustainable Buildings	<i>(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.</i>	Further reference should be made to <b>Section 7.1.9</b> of the EIS.
Section 147 of the Housing SEPP	<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><i>(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,</i></p> <p><i>(b) the Apartment Design Guide,</i></p> <p><i>(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.</i></p>	Further reference should be made to <b>Section 7.1.3</b> of the EIS.
NSLEP 2013	<p><u>Clause 2.3 - Zone objectives and Land Use Table</u></p> <p>(1) The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone.</p> <p><u>Clause 4.3 - Height of Buildings</u> 155m (RL)</p> <p><u>Clause 4.4 - Floor Space Ratio</u> Maximum 7.5:1</p> <p><u>Clause 4.4A - Non-residential floorspace ratio</u> Minimum 0.5:1</p> <p><u>Clause 5.10 Heritage conservation</u></p> <p>(4) Effect of proposed development on heritage significance</p> <p>The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned. This subclause applies</p>	Statutory compliance table at <b>Appendix B</b>



<b>TABLE 9: MATTERS FOR MANDATORY CONSIDERATIONN</b>		
<b>Legislation/Statutory Reference</b>	<b>Matters for Consideration</b>	<b>Section in original EIS</b>
	<p>regardless of whether a heritage management document is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).</p> <p><u>Clause 6.15 Airspace operations</u></p> <p>(2) 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> <p><u>Clause 6.19B Design excellence in the area adjacent to the Crows Nest Metro Station</u></p> <p>The consent authority must have regard to the matters set out in subclause (4) in considering whether development exhibits design excellence.</p>	
<b>Consideration under other legislation</b>		
BC Act	Clause 7.9 of the BC Act applies to SSD applications and requires SSD applications to be accompanied by a BDAR unless it is determined the proposal is not likely to have any significant impact on biodiversity values.	<p>A BDAR Waiver was issued on 11 December 2023 under section 7.9 of the BC Act which confirms that the proposed development is not likely to have any significant impacts on biodiversity values.</p> <p>This will not change as a result of the amendments.</p>
<b>Concept Approval</b>		
Concept Approval SSD-9579.	Consistency of the project with the concept approval.	<b>Part 6</b>



## **PART 5    ENGAGEMENT**

Following lodgement of the SSDA in October 2024, the project has been publicly exhibited and community and stakeholder consultation has occurred. **Section 1.3** of this report outlines key dates.

A submissions report is attached (**Appendix 19**), which discusses in detail the submissions received and how they have been addressed.



## PART 6 COMPLIANCE WITH THE CONCEPT SSD APPROVAL

As identified in the original EIS, the detailed application is pursuant to the approved Concept SSD Application for the Crows Nest Station precinct (SSD-9579) in accordance with Division 4.4 of the EP&A Act. The Concept Approval which established the overarching vision for the Crows Nest Station precinct and the assessment framework for which all subsequent applications are to be assessed against in accordance with Section 4.24(2) of the EP&A Act.

An assessment of the proposed detailed design for Site B against the relevant matters for consideration for consistency with the approved Concept SSD Application was undertaken at **Part 6** of the original EIS. The changes proposed as part of the Amendment Report do not give rise to any conflict with the Concept Approval apart from in relation to car parking. To address this issue, SSD-9579 Modification 3 Redistribution of Car Parking has been submitted to DPHI.

The proposed modification seeks to make a minor amendment to the Consolidated Consent to remove all 46 car parking spaces from 32 Hume Street, Crows Nest (Site A) and redistribute 23 car parking spaces to 25 Hume Street, Crows Nest (Site B). Importantly, as a consequence of this change, there will be an overall net decrease in car parking spaces within the precinct from 101 car parking spaces down to 78 car parking spaces.

As part of the modification application currently under assessment, updates to the Consolidated Consent approved under **SSD-9579-MOD-2** are requested to be modified as detailed below. The proposed deletions are shown as ~~red strikethrough~~ and proposed additions are shown as blue underlined.

### Schedule 1

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

- *Three building envelopes, comprising:*
  - *Maximum building envelope heights*
    - *Building A: RL 175.6m;*
    - *Building B: RL 155m; and*
    - *Building C: RL 127m.*
  - *Maximum gross floor area (GFA) of 56,400m<sup>2</sup> including:*
    - *43,400m<sup>2</sup> commercial GFA; and*
    - *13,000m<sup>2</sup> residential GFA.*
  - *Maximum ~~101~~ 78 car parking spaces.*

### Schedule 2 – Part B – Conditions to be Satisfied in Future Development Application(s)

**B18.** *Future development application(s) must demonstrate compliance with the following maximum parking limits:*

*(a) the maximum number of car spaces to be provided for the development is limited to ~~101~~ 78 spaces, including commercial and residential spaces, but excluding service vehicle spaces, and comprising:*

- (i) ~~a maximum of 46~~ no spaces within Site A, ~~including 6 accessible spaces~~*
- (ii) a maximum of ~~55~~ 78 spaces within Site B, including 6 accessible spaces*
- (iii) no spaces within Site C*
- (iv) a minimum of ~~12~~ 6 accessible spaces.*

*(b) the maximum number of motorcycle spaces to be provided for the development is limited to ~~26~~ 2 spaces, and comprising:*

- (i) ~~a maximum of 24~~ no spaces within Site A*



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- (ii) a maximum of 2 spaces within Site B*
- (iii) no spaces within Site C*

Subject to the approval of SSD-9579 Modification 3, the amendments proposed will be consistent with the Concept SSD Approval.



## PART 7 ASSESSMENT OF IMPACTS

This chapter provides a summary of the additional assessments undertaken to assess the amended proposal. The amendments made to the proposal are:

- **Ground Floor** – minor internal reconfiguration including the substation, FCR, and main switch room. GFA has been increased by 1m<sup>2</sup>.
- **Level 01** – minor internal reconfiguration. One (1) additional ambulant / DDA bathroom has been included.
- **Level 02** – no change.
- **Level 05** – the layout has been adjusted having regard for structural requirements associated with the transfer slab. The northern wall of the carpark has been moved outward and the landscape element has been removed at the Hume Street elevation. One (1) additional car parking space is provided. Bike parking has been removed from this Level.
- **Level 06** – the layout has been adjusted having regard for structural requirements associated with the transfer slab. The walls of the carpark have been moved outward. Car parking numbers have been reduced from 28 spaces to 25 spaces. One motor bike space has been provided. 50 double decker bike racks are provided.
- **Level 07** – Former residential Level 07 has been removed and replaced with an additional car park level for 25 car parking spaces, one (1) motor bike space and 106 double decker bike racks. This allows for a total of 78 car spaces at Site B.
- **Level 08** – Minor apartment reconfiguration to provide 10 apartments. The residential access corridors have been enclosed while the lobby area outside the lift will remain open at the eastern and western ends. This approach to corridors is repeated on all residential levels.
- **Level 09-16** – Minor apartment reconfiguration. No wintergardens are proposed for SDA apartments 0.1 and 0.12 across Level 09-13.
- **Level 15-16** – Minor apartment reconfiguration.
- **Level 17-18** – Minor apartment reconfiguration.
- **Level 19** – Minor apartment reconfiguration.
- **Level 20** – Minor apartment reconfiguration.
- **Roof Terrace** – Minor reconfigured to provide greater privacy for future residents having regard for the built form changes introduced via the Crows Nest TOD rezoning.
- Residential GFA is now 12,987m<sup>2</sup> (inclusive of partially enclosed corridors).
- Overall reduction from 130 apartments (one bedroom = 44, two bedroom = 63, three bedroom = 23) to 122 apartments (one bedroom = 40, two bedroom = 63, three bedroom = 19).

These additional assessments have been carried out to identify and consider the potential construction, operational and cumulative impacts associated with the amended proposal, focusing on any changes to the expected impacts as a result of the amendments to the proposal as discussed in **Section 3** above. Where required, additional or revised environmental management measures are proposed.

### 7.1 ASSESSMENT APPROACH

**Section 7** of the EIS provides an assessment of the key environmental issues for the project as identified in the SEARs issued.

The amended proposal, as described in **Section 2** of this report, has been assessed against each of the key issues as identified in the SEARs. Consideration of the potential environmental, social and economic impacts of the proposed amendments was undertaken as part of the development of the revised scheme and an assessment made of the potential changes as compared to the environmental impacts described in the EIS. Where no material change in impact was identified, this aspect was not considered further as part of the assessment of each of the proposed amendments and refinements. No new environmental issues were identified during the assessment for the amendments and refinements.

To support the additional impact assessment, the following updated technical reports and/or addendum letters are provided as part of this amendment report:

- Architectural Plans and Report, Design Integrity Report and Design Statement
- BCA Report



- Access Report
- Reflectivity Report
- Wind Report
- Landscape Design Report
- Landscape and Visual Impact Assessment
- ESD Report
- Traffic and Parking Report
- Noise and Vibration Report
- Stormwater Management Report
- Flood Impact Assessment
- Operational Waste Management Plan
- Aboriginal Heritage and European Heritage Assessment
- Utilities Service Infrastructure Assessment
- Aviation Report
- Structural Engineering Advice
- Car Parking Strategy and Management Plan
- Transport and Accessibility Impact Assessment
- CPTED Report
- Contamination Report
- Social Impact Assessment

## 7.2 DESIGN QUALITY

Detailed consideration of Design Quality was provided in the original EIS at Section 7.1.3.

The amended proposal remains almost identical to the original proposal, maintaining the established urban design principles and building envelope. The only discernible difference is the replacement of a residential level with an additional level of car parking at Level 07, responding to parking requirements while preserving the overall architectural composition. Despite this internal reconfiguration, the overall height remains unchanged from the original proposal, ensuring compliance with the approved building envelope. The rooftop has been reconfigured to provide enhanced amenity for residents, including improved outdoor spaces and facilities that contribute to the building's liveability.

The additional carpark level has been thoughtfully integrated into the building's design through the use of folded perforated metal screens that form an integral part of the architectural expression. These screens effectively shield the parking areas from street level views while contributing to the overall design aesthetic. A strong horizontal delineation has been provided with the intermediary carpark zone, creating a clear visual separation between the podium and residential tower above. Here, the facade acts as a recessive backdrop to the architecture of the podium and tower, allowing these primary elements to take visual prominence.

Through careful consideration of scale and materiality, this intermediate parking zone maintains design coherence through the folded screen geometry that echoes the architectural language of the upper levels. This approach transforms what could be a utilitarian parking structure into a considered architectural element that enhances the building's street presence while supporting the overall compositional hierarchy. The minimal changes to the built form demonstrate a refined design response that addresses functional requirements without compromising the architectural integrity of the original scheme.

To address the minor changes that have occurred, updated architectural documents have been submitted including:

- Updated Architectural Drawing Set (**Appendix 1**)
- Updated Architectural Report (**Appendix 2**)
- Updated Design Integrity Report and Design Statement (**Appendix 3**)

The minor amendments fully preserve and uphold the integrity of the original Design Quality considerations, maintaining the architectural excellence established in the initial proposal. The



fundamental design principles that drove the original scheme - including the building's proportions, materiality, urban response, and architectural expression - remain intact and are actually reinforced through the refined design approach. Despite the internal reconfiguration to accommodate an additional parking level, the development continues to deliver the same high-quality architectural outcome, demonstrating that functional adjustments can be successfully integrated without diminishing design excellence. The amendments represent a maturation of the design rather than a compromise, ensuring that all the urban design objectives, aesthetic qualities, and place-making aspirations of the original proposal are not only maintained but strengthened through careful resolution of technical requirements.

**7.2.1 State Design Review Panel (SDRP)**

An additional SDRP meeting was held on 12 March 2025. Detailed discussion regarding the feedback from the SDRP and the response is provided at **Appendix 19**.

**7.3 BUILT FORM AND URBAN DESIGN**

The updated DIR and Design Statement (**Appendix 3**) provides a comprehensive assessment of the urban context and local character and sets out the design vision, including the impact of the context on the design philosophy.

The proposed amendments still result in a highly positive outcome for the Site in terms of delivering a well-resolved urban design solution.

As identified in the original EIS, the built form parameters for the proposed development are determined by the Concept Approval, NSLEP 2014, the ADG, and the design integrity process. The original EIS included the below table to demonstrate compliance with the relevant built form controls. This table has been repeated here and it is noted that no updates to the proposed built form controls are necessary as a result of the proposed amendments. It has been demonstrated that the proposed development complies with the relevant built form controls including:

<b>TABLE 10: BUILT FORM COMPLIANCE</b>			
<b>Control</b>	<b>Standard</b>	<b>Proposed</b>	<b>Compliance</b>
<b>FSR</b>	7.5:1	6.93:1	Yes
<b>FSR Non-Residential</b>	(0.5:1)	0.5:1	Yes
<b>Height</b>	155m	155m	Yes
<b>Height - Plant &amp; Architectural Design Feature</b>	158m	158m	Yes
<b>Setbacks</b>			
<b>Pacific Highway (West)</b>	0m-0.9m	0m-0.9m	Yes
<b>Hume Street (North)</b>	2.5m	2.5m	Yes
<b>Clarke Lane (East)</b>	1.2m-2.6m	1.2m-2.6m	Yes
<b>South</b>	0m to RL 152 and 4.8m-6.29m up to RL155	South - 0m to RL 108.01, 0.485m to RL 116.8, 4.723-6.74m to RL 147.8, 6.6m to RL 155, 13.6m to RL 158	Yes



In accordance with the above, the proposed development at Site B, including consideration of the proposed amendments, achieves compliance with the relevant built form standards and controls.

### **7.3.1 Design Principles**

Chapter 2 and Chapter 3 of the Design Statement at **Appendix 3** addresses the Housing SEPP Design Principles and the Apartment Design Guide respectively. The report explains in detail the formation of the current design after considering the existing site and context and then provides a detailed analysis of the development against the design principles of the Housing SEPP.

### **7.3.2 Building Code of Australia**

A BCA Assessment Report has been prepared and provided at **Appendix 4**. The report provides recommendations to achieve compliance with the relevant provisions of the BCA. The report concluded that the proposed development can readily achieve compliance with the relevant provisions of the BCA.

No new mitigation measures are proposed.

### **7.3.3 Accessibility**

Matters relating to accessibility have been considered in the Access Report at **Appendix 5**. The report confirms that accessibility requirements, pertaining to external site linkages, building access, common area access, sanitary facilities and parking can be readily achieved.

No new mitigation measures are proposed.

## **7.4 ENVIRONMENTAL AMENITY**

As identified in the original EIS, the proposal has been designed to address broader amenity issues, including solar access, ventilation, privacy, and communal open space. The proposal involves a design that has identified the most appropriate development and complies with the relevant design requirements.

Having regard for the limited nature of the changes proposed, the amended design will continue to achieve a high degree of environmental amenity.

### **7.4.1 Overshadowing**

As discussed above, the amended scheme remains fully compliant with the approved building envelope and retains the setback and height parameters as per the original application. There has been a minor reconfiguration of the rooftop elements however, these changes will result in minimal changes to overshadowing and the overshadowing created by the proposed development will remain within the shadows created by the maximum building envelope. Shadow analysis diagrams are provided at **Appendix 1** and are shown in **Figure 27** below.







**Figure 27. Shadow Analysis - Winter Solstice (Source: Woods Bagot, 2025)**

The above shadow analysis diagrams illustrate the shadow created by the OSD as well as a comparison of the shadow created by the maximum envelope. As can be seen the shadow is in keeping with that anticipated by the approved building envelope. Further, it is demonstrated that the proposed development will not result in any additional overshadowing of Willoughby Road between 11:30am – 2:30pm or any additional overshadowing of Earnest Place between 10:00am – 3:00pm during winter solstice. This is in keeping with the requirements of the Design Excellence Guideline and Clause 6.19B of NSLEP 2013.

#### **7.4.2 Housing SEPP and Apartment Design Guide**

Detailed analysis of the proposed development against the *State Environmental Planning Policy (Housing)*, Design Principles and Apartment Design Guide (ADG) has been undertaken and a Design Verification Statement have all been provided (**Appendix 3**).

Consideration of the proposal against the Design Principles was provided in the original EIS at **Section 7.1.5.2** and will not be repeated here.

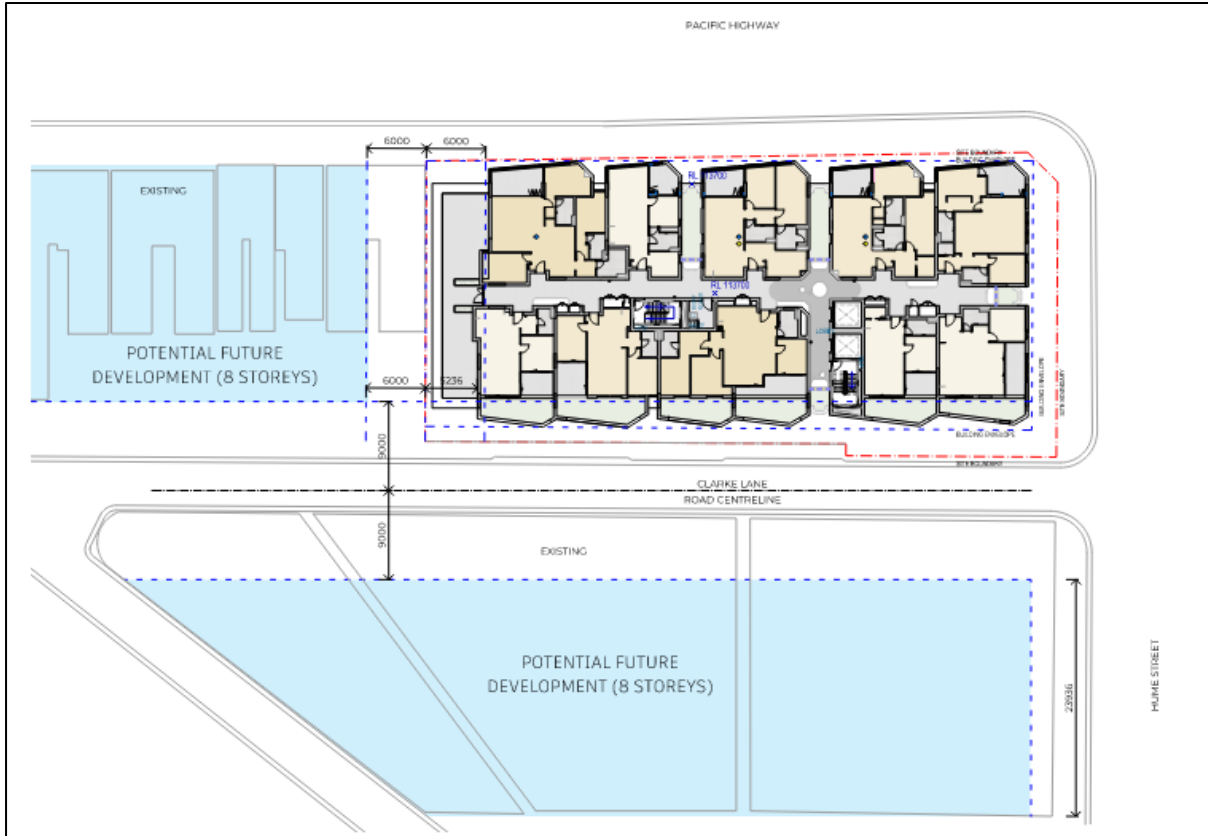
##### **Apartment Design Guide**

In relation to consideration of the proposal against the provisions of the ADG, details regarding compliance are provided at **Appendix 3**. This item was also considered at **Section 7.1.5.2** in the original EIS and no changes are proposed as a result of the amended proposal including the additional level of car parking or reconfigured apartment layouts or roof layout.

However, as outlined above, there are significant built form changes proposed on land adjoining Site B as a result of the Crows Nest Accelerated Precinct Transport Oriented Development Rezoning which were introduced following the lodgement of the original EIS. Accordingly, consideration has now been given to setbacks from potential development on land adjoining Site B.

Future developments along Clarke Lane and to the south of the site are now subject to a maximum height limit of 8 storeys. The proposal provides a combined setback of 12 metres to blank walls on the southern boundary. Along Clarke Lane, a combined setback of 18 metres is proposed up to 8 storeys. An analysis of neighbouring development potential under the 2024 TOD building height controls demonstrates that appropriate ADG separation distances can be achieved and is demonstrated in **Figure 28 to 30** below:





**Figure 28. Built Form Separation (Source: Woods Bagot, 2025)**



**Figure 29. Built Form Separation – Lower Levels up to 8 Storeys (Source: Woods Bagot, 2025)**





**Figure 30. Built Form Separation - Higher Levels (Source: Woods Bagot, 2025)**

The analysis demonstrates that compliant setbacks can be maintained with neighbouring developments. Importantly, neighbouring properties can still realise their maximum permitted FSR whilst achieving these compliant setbacks. Detailed analysis supporting this conclusion is provided at **Appendix 19**.

### 7.4.3 Reflectivity

Consideration of the potential for reflected sunlight glare from the proposed development was undertaken at **Section 7.5.1.3** of the original EIS. Following the changes proposed, an addendum report has been provided at **Appendix 6**. The addendum report identifies that the building envelope modifications are minor in terms of reflected glare and should have virtually no effect on sunlight reflection risks. Arup's October 2024 glare assessment revealed three instances of potential disability glare:

- Two can be managed through standard use of vehicle sun visors
- One affects a small street segment for approximately 20 minutes daily during a three-week annual period

An additional concern regarding reflections from glossy terracotta cladding was resolved by switching to a matte finish specification.

Given the minimal design changes, any new reflected glare assessment would likely yield comparable findings to the October 2024 study. No new mitigation measures are proposed.

### 7.4.4 Wind Impacts

Wind impacts were considered at **Section 7.1.5.5** of the original EIS. A Wind Report that specifically responds to changes to the design relevant to the environmental wind assessment including the impact of the proposed changes to the built form on pedestrian wind levels, corridor wind levels and roof wind levels is provided at **Appendix 7**.

The Wind Report identifies that the previous and current designs are very similar from a massing perspective and as such, the architectural modifications are expected to have minimal overall impact on wind conditions throughout the development. The removal of the podium on the western and northern sides of Level 7 will result in increased downwash reaching ground level, causing an estimated 5-10% increase in wind speeds around the north-west corner of the buildings. This effect will be most



pronounced during westerly and south-westerly winds, extending the area classified as 'business walking' around the Hume Street corner. Despite this localised increase, the pedestrian walkway is expected to remain suitable for walking, consistent with previous findings (see **Figure 31** below).



**Figure 31. Wind Comfort Classification Based on Lawson Criteria at 1.5m Above Local Ground Level (Source: ARUP, 2025)**

The relocation of the south terrace from Level 7 to Level 8 is anticipated to have only a marginal impact on wind conditions. Similarly, the narrowing of corridors will not affect wind conditions within these spaces, as wind flow is governed by pressure balances at openings rather than corridor width. The addition of doors in the long corridor is expected to improve conditions by reducing the likelihood of simultaneous opening during windy conditions, thereby significantly lowering wind exposure risks.

Minor adjustments to penthouse balconies, which have been deepened to align with other levels, are not expected to alter wind conditions from those previously assessed. The revised rooftop layout may influence localised wind patterns, but given the extensive landscaping and partitioning, conditions on the rooftop terrace should remain broadly similar to prior assessments.

Quantitative numerical modelling conducted by Arup in March 2025 (see **Appendix 19**) confirms that all locations meet safety criteria, with only minor comfort exceedances occurring in non-pedestrian areas. The assessment concludes that these architectural changes have negligible impact on pedestrian wind comfort and safety, with the overall conclusions remaining largely unchanged from the previous report. No additional mitigation measures are proposed.

## **7.5 VISUAL IMPACT**

Detailed consideration of the visual impact of the proposed development was undertaken at **Section 7.1.6.1** of the original EIS. An updated Landscape and Visual Impact Assessment report is provided at **Appendix 8**. The report identifies, having regard for the minimal changes proposed as part of the amended application, as follows:



- There are no changes to the landscape character assessment as a result to the proposed amendments to the building configuration.
- There are no changes to the visual impact assessment as a result to the proposed amendments to the building configuration.

The detailed design of the Site B development presents acceptable visual and view impacts, with no adverse or significant additional effects beyond those assessed in the approved Concept SSD Application. Although moderate impacts have been identified when compared against the existing undeveloped site and surroundings, the proposal aligns with the approved Concept SSD Application and actually represents a reduced impact when considered alongside the higher density developments emerging throughout the Crows Nest Station precinct and the broader St Leonards/Crows Nest centre, as envisioned in the 2036 Plan and TOD schemes.

The proposed building replaces the approved building envelope with a more refined and articulated design that complies with the endorsed Design Guidelines and Design Excellence Strategy, successfully achieving design excellence through its sophisticated architectural response.

There are no changes to the mitigation measures recommended.

**7.6 LANDSCAPING**

Landscaping was considered in the original EIS at **Section 7.1.8**. An updated Landscape report is provided at **Appendix 9**.

Minor changes have been made to the landscaping approach at **Level 05** due to structural constraints associated with the transfer slab. As a result of structural requirements, the northern wall of the first car park level has moved north such that the landscape planter bed at the Hume Street elevation is no longer able to be delivered. However, the other landscape planter beds are able to be retained. This is shown in **Figure 32** below.



**Figure 32. Level 05 Landscape Plan (Source: RPS)**

**Residential Levels**



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The residential levels will feature an open-air lobby outside the lift landing. However, the corridors have been amended to allow greater climate control and will now include a door to the lift lobby. See **Figure 33** below.



**Figure 33. Typical Residential Level Landscape Plan (Source: RPS)**

**Rooftop**

The rooftop has been reconfigured to provide improved landscape amenity and will still include a communal open space area with a swimming pool as well as private areas for the penthouse apartments. See **Figure 34**.



**Figure 34. Rooftop Level Landscape Plan (Source: RPS)**

**7.7 ECOLOGICALLY SUSTAINABLE DEVELOPMENT (ESD)**

Consideration of ESD matters was included at **Section 7.1.9** of the original EIS. Consideration of ESD matters arising from the proposed amendments is provided at **Appendix 10** wherein it is confirmed that the revised SSDA residential drawings will not compromise the development's ability to meet ESD requirements and BASIX design targets. The amended design (Revision B, dated 01/07/25) remains substantially consistent with the previously assessed version (Revision A, dated 14/08/24) covered by BASIX Certificate BSX-29075M\_02, with only minor modifications to internal layouts, localised façade elements, and common areas.

Based on this assessment, Stantec considers it unnecessary to update the ESD Report or BASIX Certificate for the SSDA determination. This position will be validated during the Construction Certificate stage, when detailed Section J and BASIX assessments will identify any additional commitments needed to ensure compliance with the revised design.

**7.8 TRAFFIC AND PARKING**

The amending application seeks to increase the proposed number car parking at Site B from 55 parking spaces to 78 spaces. To facilitate this outcome, it is proposed to remove a residential level resulting in the removal of eight (8) residential units, providing a total of 122 units. No changes are proposed to the retail/commercial floor space. In consideration of the issues arising from this amendment, a Traffic and Parking addendum is provided at **Appendix 11**. An Updated Car Parking Strategy and Management Plan is provided at **Appendix 20** and an Updated Transport and Accessibility Impact Assessment is provided at **Appendix 21**.

It is noted that no parking spaces will be provided in Site A. Details for this have been submitted separately as part of the Site A amending Concept and Detailed SSDAs.

The maximum parking requirements, as per North Sydney Council's Development Control Plan (DCP) rates, are summarised in **TABLE 11** below:

<b>TABLE 11: NORTH SYDNEY DCP CAR PARKING RATES</b>			
<b>Unit Type</b>	<b>No. of Units</b>	<b>Maximum Parking Rate</b>	<b>Maximum Parking Requirement</b>
1 bedroom	40	0.4 space per unit	16
2 bedroom	63	0.7 space per unit	44
3 bedroom	19	1 space per unit	19
<b>TOTAL</b>	<b>122</b>		<b>79</b>

Based on the maximum rates, the development can provide up to 79 car parking spaces.

The proposed modification seeks to provide 78 car parking spaces and therefore satisfies the North Sydney Council DCP requirements. It is also noted that the total car parking provision across the entire Crows Nest OSD site remains below the approved maximum of 101 car parking spaces (noting Site A and C will not provide car parking).

Site B's access arrangements, internal traffic flow and car parking configuration are designed to function efficiently, appropriately handling peak demand periods. Main circulation routes provide appropriate widths and clear sightlines, with convenient lift access throughout.

The design maintains forward entry and exit capabilities for all vehicles, with independent vehicle movements facilitated where required.



In accordance with the Consolidated Conditions of Consent for SSD-9579, Site B is required to provide a minimum of six accessible spaces, which is to be included in the total car parking provision. The amendment will continue to provide six accessible spaces.

### **Bicycle Parking**

Under the North Sydney DCP, residential developments must provide bicycle parking at minimum rates of one space per dwelling for residents and one space for every 10 dwellings for visitors. With 122 dwellings proposed, the development requires at least 122 resident bicycle spaces and 12 visitor bicycle spaces.

Retail premises must provide one bicycle space per 150m<sup>2</sup> GFA for staff and one space per 400m<sup>2</sup> GFA for customers. With approximately 360m<sup>2</sup> GFA of retail space, this translates to a minimum requirement of three (3) staff bicycle spaces and one (1) customer bicycle space.

The combined requirement totals 137 bicycle parking spaces. The modified proposal provides 156 bicycle parking spaces, surpassing the DCP requirements.

### **Motorcycle Parking**

In accordance with the Consolidated Conditions of Consent for SSD-9579, Site B is required to provide a maximum of two motorcycle spaces. The development will provide two motorcycle spaces located on the car parking levels.

### **Traffic Impact Assessment**

Despite the increased car parking provision at Site B, any change to trip generation during peak commuter periods is anticipated to be minimal. The Transport and Accessibility Impact Assessment (**Appendix 21**) projected approximately 17 morning peak hour vehicle trips and 14 afternoon peak hour vehicle trips. These projections were calculated using dwelling numbers and existing mode share data for Crows Nest residents, rather than parking provision levels.

Therefore, the proposed modification should have negligible effect on the traffic generation estimates and impacts outlined in Stantec's March 2025 assessment (**Appendix 21**). Furthermore, the original Sydney Metro City & Southwest Crows Nest OSD Concept Approval assessed traffic impacts based on 101 car parking spaces across the entire OSD development. With only 78 spaces now proposed across all Crows Nest OSD sites, the overall traffic impact on surrounding roads is expected to be minor and potentially less than previously approved.

### **Queuing Analysis**

Queue lengths along Clarke Lane during peak commuter periods are anticipated to remain consistent with the Transport and Accessibility Impact Assessment findings (**Appendix 21**), which predicted a 98th percentile queue of approximately two vehicles during the afternoon peak. This figure encompasses vehicles within the car lift system, indicating that queuing for lift access will be minimal or non-existent most of the time.

The modification may generate additional daily traffic outside peak commuter periods. However, these additional trips will be distributed throughout the day, resulting in only minor impacts on Clarke Lane operations.

In light of the above, the proposed modification to increase the number of car parking spaces in Site B to 78 spaces is supported from a traffic and parking perspective.

## **7.9 NOISE AND VIBRATION**

Noise issues were considered in the original EIS at **Section 7.1.12**. Consideration of the proposed amendments has been undertaken by the Acoustic Consultant who has provided an addendum at **Appendix 12** which confirms as follows:



- The proposed design changes do not include material impacts on the acoustic performance requirements for either noise impact on the project or noise emissions resulting from the use of the site or building services.
- Based on the proposed design modifications the details included in the projects acoustic report, including the Crows Nest Over Station Development-Site B, Noise and Vibration Impact Assessment with reference 230286-Crows Nest OSD Site B-Noise Impact Assessment-R4 and dated 30 October 2024 remain suitable and accurate for the project without need for change.
- Details included in the project Noise and Vibration Impact Assessment remain suitable and accurate for the project without change.

Based on the review of the proposed modifications to the design of the Crows Nest over Station Development, Site B project the existing Noise and Vibration Impact Assessment includes details for the project which remain suitable and accurate for the SSDA submission of the project without change.

## **7.10 WATER MANAGEMENT**

An Integrated Water Management Plan (IWMP) was prepared to support the original EIS and was discussed in detail at **Section 7.1.14**. Consideration of the changes proposed as part of the amendment as they pertain to water management is included at **Appendix 13**. It is identified that the proposed amendments will not hinder the development's ability to demonstrate future compliance against the targets relating to the stormwater management strategy. Stormwater Engineers Stantec believe that, having regard for the minimal nature of the proposed changes, the Integrated Water Management Plan (IWMP) does not need to be updated for the purpose of the consent authority issuing a determination for the proposed development.

## **7.11 FLOODING RISK**

A Flood Impact Assessment was prepared to support the original EIS and was discussed in detail at **Section 7.1.15**. Consideration of the changes proposed as part of the amendment as they pertain to flood risk is included at **Appendix 14**.

It is identified that the proposed amendments will not hinder the development's ability to demonstrate future compliance against the flood related development controls. Flood Engineers Stantec believe that, having regard for the minimal nature of the proposed changes, the Flood Impact Assessment does not need to be updated for the purpose of the consent authority issuing a determination for the proposed development.

## **7.12 WASTE MANAGEMENT**

Waste Management was considered at **Section 7.1.18** in the original EIS. An updated Operational Waste Management Plan (OWMP) has been prepared and included at **Appendix 15**. The OWMP has been prepared in line with the NSDCP2013: Section 19 Waste Minimisation and Management, as well as a range of waste management guidance at the local, State, and Federal level. The report outlines waste generation estimates for the proposed development, which have been calculated based on generic waste and recycling rates.

Based on the estimated waste, recycling and food organics and garden organics (FOGO) generated by the residential component of this development, the recommended bin quantities and collection frequencies are as follows:

- General Waste: 8 x 660L MGBs collected 1 x weekly (no change from original EIS)
- Recycling: 9 x 1,100L MGBs collected 1 x weekly (original proposal was 36 x 240L MGBs)
- FOGO: 13 x 240L MGBs collected 1 x weekly (original proposal was 13 x 240L MGBs)
- Service Bins: 1x 660L MGB (no change from original EIS)

Based on the estimated waste generated by the retail and commercial tenancies, the recommended bin quantities and collection frequencies are as follows:



- General Waste: 1 x 660L MGBs collected 2 x weekly (no change from original EIS)
- Recycling: 1 x 660L MGBs collected 2 x weekly (no change from original EIS)

The proposed development has been designed to accommodate the above recommendations. The OWMP recommends standard operational waste management strategies that can be readily implemented to address the projected waste generation.

Primary roles and responsibilities in relation to operational waste management are set out in Section 7.0 of the OWMP and should be followed.

### **7.13 ABORIGINAL HERITAGE AND EUROPEAN HERITAGE**

Aboriginal Heritage and European Heritage matters were considered within the original EIS at **Section 7.1.19** and **Section 7.1.20** respectively. Having regard for the changes proposed, regard has been had for any additional impacts on Aboriginal heritage and European Heritage at **Appendix 16**. It is confirmed that the proposed amendments do not affect the conclusions of the previous Aboriginal Heritage Advice.

It is also concluded that the proposed amendments to the architectural drawings do not affect the heritage impact assessment or the conclusion and recommendations provided in original Statement of Heritage Impact. The main heritage considerations involve the proposed OSD external appearance and built form that was previously assessed as having some visual impacts on heritage items in the vicinity of the subject site. The reorganisation of carpark and apartment floors creates minor external changes, on the tower section above the podium and perforated metal panels at podium level. These modifications require no revised heritage impact assessment since they employ materials already evaluated and deemed appropriate in the previous assessment.

### **7.14 INFRASTRUCTURE REQUIREMENTS AND UTILITIES**

Detailed consideration of utilities and services infrastructure was provided at **Section 7.1.22** of the original EIS. Consideration of the implications on utilities and services infrastructure of the amending application has been undertaken at **Appendix 17** and it has been confirmed that the proposed changes will not result in higher services infrastructure requirement including power supply, water supply, sewer and telecommunications services.

### **7.15 AVIATION**

Consideration of aviation impacts was undertaken at **Section 7.1.24** of the original EIS. At **Appendix 18** confirmation is provided that, as there is no overall height change, the assessment undertaken for potential aviation impacts for the original EIS remains unchanged.

### **7.16 CRIME PREVENTION THROUGH URBAN DESIGN**

Consideration of crime prevention through urban design (CPTED) was undertaken at **Section 7.1.7** of the original EIS. At **Appendix 22** confirmation is provided that there are no overall changes to the conclusions of the original CPTED report.

### **7.17 CONTAMINATION**

Consideration of contamination was undertaken at **Section 7.1.17** of the original EIS. At **Appendix 23** confirmation is provided that there are no overall changes to the conclusions of the original contamination report.



**7.18 SOCIAL IMPACT ASSESSMENT**

Consideration of social impacts was undertaken at **Section 7.1.21** of the original EIS. At **Appendix 24** confirmation is provided that there are no overall changes to the conclusions of the original social impact assessment report.



## PART 8 JUSTIFICATION OF THE AMENDMENT PROJECT

### 8.1 JUSTIFICATION

The amendments described within this report result in a development that is considered to be substantially the same as the development described in the EIS.

The Crows Nest Metro Station is a newly completed addition to Sydney's Metro network, providing high-frequency public transport access to Crows Nest and surrounding areas. The development supports the government's integrated land use and transport planning objectives.

Site B represents a crucial element of the integrated station development vision. The proposal aligns with the existing Concept Approval (SSD 9579) and will deliver much-needed housing close to transport, services and facilities, helping meet North District Plan housing targets.

The development is zoned MU1 Mixed Use and will create "shop top housing" - residential dwellings above ground-floor commercial premises or health services. Street-level retail will activate the area and complement public domain improvements from the Metro Station delivery.

The proposal is considered environmentally, socially and economically sound, with the site deemed suitable for the proposed scale of development. It represents a quality outcome that fits well with the surrounding built environment and existing context.

Consistent with the original EIS, Site B is highly suited to accommodate the intended development based on the following factors:

- NSLEP2013 allows for the proposed development as a permissible use;
- The site will be readily accessible via the new Sydney Metro network;
- The site is accessible via the regional road network;
- The proposed development is compatible with surrounding development and local context;
- The subject site can be serviced immediately and at no cost to Government;
- The proposed development causes minimal impact on the environment;
- The proposed built form is designed to mitigate any impacts on surrounding properties; and
- The proposed development is consistent with strategic intent of the area.

#### 8.1.1 Supports State, Regional and Local Planning Objectives

The proposed development is consistent with the objectives, provisions and vision contained within *A Metropolis of Three Cities – Greater Sydney Region Plan*; the *North District Plan*; *St Leonards and Crows Nest 2036 Plan*; *St Leonards and Crows Nest Character Statement*; *Future Transport Strategy 2056*; *North Sydney Local Strategic Planning Statement* and *North Sydney Local Housing Strategy*. The proposal would contribute to employment generation and residential housing.

In addition to the above, the Crows Nest Accelerated Precinct rezoning, effective from 24 November 2024, marks a major transformation for the area. As part of the NSW Government's Transport Oriented Development Program (December 2023), Crows Nest was identified as one of eight priority growth areas, targeting 47,800 new homes over 15 years.

Building on the St Leonards and Crows Nest 2036 Plan (August 2020), which identified capacity for 6,700 homes and 16,500 jobs near the Metro stations, the rezoning dramatically transforms Crows Nest from a low-scale commercial village to a high-density mixed-use centre.

The new planning controls introduce building heights from 25 metres at precinct edges to over 100 metres (approximately 35 storeys) near the Metro station. Post-exhibition refinements further increased heights on sites surrounding Site B, with neighbouring sites now approved for 31-86 metres.



Site B exemplifies transit-oriented development principles with its high-rise mixed-use building directly above the Metro station. Contributing 122 apartments to the precinct's total of 5,900 new homes, Site B forms part of a tall building cluster that creates a coherent urban form stepping down to lower-scale areas and connecting visually with St Leonards' high-rise skyline.

This rezoning represents a fundamental planning shift, maximising residential density at transport hubs to address Sydney's housing crisis whilst creating vibrant, car-independent communities around public transport infrastructure.

### **8.1.2 Demonstrates an Appropriate Use of a Permissible Development**

The proposed development would contribute to housing supply for the immediate locale and the wider region. The proposed development would be a highly appropriate and consistent response to the strategic goals and objectives of the whole region as set out in *A Metropolis of Three Cities – Greater Sydney Region Plan* and the *North District Plan*, which all envisage residential land uses at this location.

### **8.1.3 Minimises Environmental Impacts**

Specialist consultants have assessed the potential impacts of the amendment proposed, determining that it could be undertaken with minimal environmental impacts. The commissioned reports have collectively concluded that no significant risk to the locality would result from the proposed development. Where impacts have been identified, these fully-developed strategies are set out in detail for management and mitigation. These measures are described in **Appendix C** of this amendment report.

### **8.1.4 Creates Compatibility with Surrounding Development**

The proposed development is compatible with existing land uses on adjacent lands. Detailed investigations undertaken, as part of this application, conclude that no significant environmental cumulative impacts, would occur from the proposed development.

### **8.1.5 Delivers Ecologically Sustainable Development**

The principles of ESD as outlined in Clause 193 of the EP&A Regulation have been carefully considered in the formulation of this proposal and are addressed as follows:

#### **8.1.5.1 Precautionary Principle**

The precautionary principle is used when uncertainty exists about potential environmental impacts. It provides that if there are threats of serious or irreversible environmental damage, a lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation. The precautionary principle requires careful evaluation of potential impacts in order to avoid, wherever practicable, serious, or irreversible damage to the environment.

The proposed development will not result in any threat of serious environmental damage or degradation.

#### **8.1.5.2 Inter-generational Equity**

Intergenerational equity is concerned with ensuring that the health, diversity, and productivity of the environment are maintained or enhanced for the benefit of future generations. The proposal has been designed to benefit both existing and future generations by:

- Incorporating a range of design interventions for the purpose of achieving a sustainable development outcome.



- Reducing energy, water, and waste to ensure that the health, diversity, and productivity of the environment are maintained for the benefit of future generations.
- Responding to a strategic need for housing options.

This detailed assessment has concluded that no unreasonable use of resources, affectation of environmental processes or prevention of the use of land for future generations would occur from the proposed development. Issues with potential long-term implications, such as waste disposal, would be avoided and/or minimised through construction planning and the application of safeguards and management measures described in the original EIS, the amendment report and the appended technical reports.

#### **8.1.5.3 Conservation of Biological Diversity and Ecological Integrity**

The principle of biological diversity upholds that the conservation of biological diversity and ecological integrity should be a fundamental consideration. It has been established throughout this EIS that the proposal will not have any unacceptable impacts on the conservation of biological diversity and ecological integrity.

#### **8.1.5.4 Improved Valuation, Pricing and Incentive Mechanisms**

The principles of improved valuation and pricing of environmental resources require consideration of all environmental resources that may be affected by a proposal, including air, water, land, and living things. The development will not have any unacceptable environmental impacts in relation to air quality, water quality, or waste management. The effects of the development will be acceptable and managed accordingly by the proposed mitigation measures as required.

#### **8.1.5.5 Environmental Management**

The proposed development implements appropriate measures that avoid, contain and address any possible air quality, noise, waste and pollution impacts, through avoidance, better design and management. This is exemplified through the measures, which would be implemented throughout both the construction and operational phases of the proposed development.

#### **8.1.5.6 Suitability of the Site**

Having regard to the characteristics of the site and its location, the proposed development is suitable for the site for the reasons below:

- The site is zoned MUI Mixed use zone under the NSLEP 2013, which permits shop top housing.
- The proposed development is complementary to the objectives for the MUI Mixed Use zone.
- The site remains capable of being appropriately serviced to accommodate the proposed development.
- The site is exceptionally serviced by a range of public transport options that provide a direct connection to the CBD and surrounding suburbs.
- The site benefits from ready access to a range of public open spaces and recreation facilities that will support healthy lifestyles for future residents.
- The site can appropriately accommodate the proposed development while balancing environmental and design consideration and preserving the amenity of neighbouring properties.
- The architectural design will deliver a high quality and modern development.
- The site will provide important infrastructure to service the local and regional area.

The technical assessments prepared in support of the proposal have concluded that the site can be made suitable for the proposed development.



**8.1.5.7 Public Interest**

The proposed development is in the public interest as it:

- Provides a significant contribution to the availability and diversity of housing within the North Sydney LGA. This has the potential to contribute to strategic policy goals at both State and local levels by providing TOD.
- Delivers an integrated development with support services and facilities.
- Provides affordable housing at Site B in the form of Specialist Disability Housing.
- Meaningfully integrates Country and landscape with architecture to provide a cohesive whole of site response.
- Integrates the public domain with the built form.
- Creates opportunities for community gathering, interactions, and the generation of cultural capital associated with the delivery of communal and public areas of the development, which encourage neighbours to meet and connect.
- Is consistent with the ESD principles as defined by Section 190 of the EP&A Regulation.
- Has undertaken an extensive program of engagement with relevant stakeholders that predates the submission of the original EIS.
- Will contribute to increased livelihood outcomes associated with the construction and operation phases. This has the potential to positively support livelihoods, not just directly through job creation but also by extending to local businesses and the overall improvement of the precinct.



## **PART 9 CONCLUSION**

The EIS and Amending Report have been prepared to assess the environmental, social, and economic impacts of the proposed OSD at Site B. The EIS has addressed the issues outlined in the SEARs and accords with Part 8 of the EP&A Regulation with regards to consideration of the relevant environmental planning instruments, built form, and social and environmental impacts resulting from the proposed development. The Amending Report discusses the changes to the design and provides further assessment of any key issues. Appropriate mitigation measures have been identified to manage the impacts of the development through the construction and operational phases of the project.

Having considered the detailed assessment undertaken in this EIS and the Amending Report the approval of this SSDA is recommended, subject to the implementation of suitable conditions of consent reflecting the recommended mitigation measures in **Appendix C**.



**PROJECT DESCRIPTION**

Over Station Development at Crows Nest - Site B  
25 Hume Street, Crows Nest

SSD-61400212

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**APPENDIX A**  
**UPDATED**  
**PROJECT**  
**DESCRIPTION**

## 1.1 OBJECTIVES OF THE PROPOSAL

The aim of the proposed development is to facilitate in the delivery of the broader planning process established to achieve the objectives and vision of the Crows Nest Station Precinct. Objectives for the Site B OSD include:

- To support the NSW Government's planning strategies and objectives, including the Greater Sydney Region Plan (2018) and the North District Plan (2018).
- To enable the development of a mixed-use building at the site which assist in the creation of a fully integrated station precinct.
- To enable built form that responds to the emerging character of St Leonards and provides a transition to Crows Nest, aligning with the 2036 Plan.
- To enhance the experience of Metro customers through the development of an integrated design that delivers a high quality public domain with strong connections to the surrounding area.
- To respond to the principles of transport oriented development.
- To support the growth and transformation of the Crows Nest area;
- To generate employment during construction and once the development is operational;
- To demonstrate architectural excellence, through siting and design.
- To provide suitable mitigation measures where required, to minimise any unforeseen impacts arising in the future.
- To provide much needed residential housing supply.

## 1.2 PROJECT OVERVIEW

Development consent is sought for the construction of a new shop top housing development including the following scope of works:

- **Ground Level – Hume Street:** Includes the OSD tower lobby, retail, and back of house spaces.
- **Level 01:** Includes a commercial mezzanine, back of house, and a loading dock which is used for OSD garbage collection.
- **Level 02:** Contains plant rooms for the metro station.
- **Level 05-07:** The OSD car parking levels are located on Level 05-07. These are naturally ventilated with 28 car spaces (including 2 disabled spaces) on Level 05, 25 car spaces (including 2 disabled spaces) on Level 06 and 25 car spaces (including 2 disabled spaces) on Level 07. There is a total of 78 spaces.

One (1) motor bike space is located on Level 06. One (1) motor bike space is located on Level 07.

50 bike parks are provided on Level 06. 106 bike spaces are provided on Level 07.

- Apartments are located from Level 08 to 18. Level 19 and 20 contain penthouse apartments.
- A roof terrace on Level 21 includes communal gardens and pools, as well as private penthouse terraces.
- **Level 08:** 10 apartments per floor
- **Level 09-16:** 11 apartments per floor
- **Level 17-18:** 11 apartments per floor
- **Level 19** – 8 apartments per floor (3 x two storey)
- **Level 20:** 5 apartments



**SEARS TABLE**

Over Station Development at Crows Nest – Site B  
25 Hume Street, Crows Nest

SSD-61400212

- Total number of apartments: 122
  - 1 bedroom = 40
  - 2 bedroom = 63
  - 3 bedroom = 19
  
- Public domain works around Site B will be delivered as part of the CSSI approval. The proposed development will be designed to complement the station and activate the public domain.

Consent is sought to develop the subject site in accordance with the following provisions.

TABLE 8: PROPOSED DEVELOPMENT PARTICULARS													
Project Element	Development Particular												
Site Area	1,871m <sup>2</sup>												
General	The proposed development is considered SSD, pursuant to Schedule 1, Section 19 of <i>State Environmental Planning Policy (Planning Systems) 2021</i> (Planning Systems SEPP), being development within a rail corridor for commercial premises or residential accommodation with an EDC of more than \$30 million.												
Primary Land Use	Mixed Use												
Operation	Mixed Use												
GFA*	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>Retail / Commercial GFA</td> <td style="text-align: right;">361m<sup>2</sup></td> </tr> <tr> <td>Metro GFA</td> <td style="text-align: right;">575m<sup>2</sup></td> </tr> <tr> <td><b>Total Non-Resi GFA</b></td> <td style="text-align: right;"><b>936 m<sup>2</sup></b></td> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td><b>Residential GFA*</b></td> <td style="text-align: right;"><b>12,987m<sup>2</sup></b></td> </tr> <tr> <td> </td> <td> </td> </tr> </table>	Retail / Commercial GFA	361m <sup>2</sup>	Metro GFA	575m <sup>2</sup>	<b>Total Non-Resi GFA</b>	<b>936 m<sup>2</sup></b>			<b>Residential GFA*</b>	<b>12,987m<sup>2</sup></b>		
Retail / Commercial GFA	361m <sup>2</sup>												
Metro GFA	575m <sup>2</sup>												
<b>Total Non-Resi GFA</b>	<b>936 m<sup>2</sup></b>												
<b>Residential GFA*</b>	<b>12,987m<sup>2</sup></b>												
Floor Space Ratio	Residential – 6.93:1 Non-residential – 0.5:1 Total – 7.43:1												
Building Height	Top of residential apartments - RL 154m Top of building / roof balustrade - RL 155m Top of plant roof / roof feature - RL 157.7m												
Number of Stories	17 storeys												
Setbacks	Pacific Highway (West) – 0m-0.9m Hume Street (North) – 2.5m Clarke Lane (East) – 1.2m-2.6m South – 0m to RL 108.01, 0.485m to RL 116.8, 4.723-6.74m to RL 147.8, 6.6m to RL 155, 13.6m to RL 158												
Tree Removal	No trees to be removed												
Landscaping	Landscaping has been incorporated into the design												
Earthworks	No earthworks are proposed as part of this development												
Car parking	78 car parking spaces												
Motorcycle Parking	2 spaces												
Bike Parking	156 bike parking spaces												
Infrastructure and Services	All infrastructure and services to support the proposed development are available.												
EDC	<b>\$85.63M</b>												
Construction Jobs	Approximately 550 direct construction jobs												



**SEARS TABLE**

Over Station Development at Crows Nest – Site B  
25 Hume Street, Crows Nest

SSD-61400212

Operational Jobs	Approximately 70 ongoing jobs
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In relation to GFA calculations, it is noted that amendments are proposed to the manner in which the corridors on the residential levels area treated. The lobby area immediately outside of the lift landing will remain open to the elements at the eastern and western end however, the corridors leading to the residential apartments will now be enclosed and therefore included in GFA calculations.

The previous advice from Mills Oakely remains relevant to GFA considerations and is provided below:

“The Concept DA Condition B2 clearly states that GFA is to be measured in accordance with the definitions in the NSLEP. The NSLEP defines “gross floor area” as follows:

**gross floor area** means the sum of the floor area of each floor of a building measured from the internal face of external walls, or from the internal face of walls separating the building from any other building, measured at a height of 1.4 metres above the floor, and includes—

- (a) the area of a mezzanine, and
- (b) habitable rooms in a basement or an attic, and
- (c) any shop, auditorium, cinema, and the like, in a basement or attic,

but excludes—

- (d) any area for common vertical circulation, such as lifts and stairs, and
- (e) any basement—
  - (i) storage, and
  - (ii) vehicular access, loading areas, garbage and services, and
- (f) plant rooms, lift towers and other areas used exclusively for mechanical services or ducting, and
- (g) car parking to meet any requirements of the consent authority (including access to that car parking), and
- (h) any space used for the loading or unloading of goods (including access to it), and
- (i) terraces and balconies with outer walls less than 1.4 metres high, and
- (j) voids above a floor at the level of a storey or storey above.

The definition of GFA therefore has a very specific list of items which are excluded from GFA calculations.

We have been informed that the internal movement corridors on the residential levels will be open corridors and, as such, they have been excluded from GFA calculations for the SSDA.

As you know, the definition of GFA clearly states that it relates to the floor area measured “from the internal face of external walls...”. In this case, the movement corridors are open to the air at each end, save for a safety barricade. Furthermore, the corridors are outside of the apartments and we presume the walls of the corridor would be weatherproofed, external walls....

In our view, the movement corridors should be excluded from GFA and this approach is supported by most recent case law.

In *GGD Danks Street P/L and CR Danks Street P/L v Council of the City of Sydney [2015] NSWLEC 1521* (GGD Danks) the Court held that the floor area inside corridors should be excluded from GFA where the corridor was:



- Open at both ends (with a wall of fixed open louvres still constituting an open end); and
- Exposed to the elements such a rain during inclement weather (see at [31]).

This approach has been confirmed in more recent cases.

In *MGT 6 Pty Ltd v The Council of the City of Sydney [2017] NSWLEC 1211*, the Court expressly applied GGD Danks and found that the floor area inside landings and a foyer which was behind battens was excluded because it was exposed and open to the elements. The Court in this case rejected Council's argument that the open battens were enclosed walls, as they were open to the weather.

In *Parker Logan Property Ltd v Bayside Council [2017] NSWLEC 1709*, the Court applied GGD Danks and MGT 6 and found that unenclosed external circulation corridors were excluded from GFA.

More recently, in *HPG Mosman Projects Pty Ltd v Mosman Council [2021] NSWLEC 1243* (HPG Mosman), the Court considered whether internal corridors should be excluded from GFA where the "corridors are long, each with an opening on one side less than half the length of the corridor, which includes a planter 1m high as a barrier". The corridors were covered by the levels of the building above. In this case the court found that the corridors should be excluded from GFA. Your architectural plans seem similar to the situation in HPG Mosman, where it was found the GFA of such corridors should be excluded.

This approach was later confirmed in *Emag Apartments Pty Ltd v Inner West Council [2022] NSWLEC 1042*.

We note that there is some case law which suggests that internal but open ended corridors should be included in GFA. These include *Landmark Group Australia Pty Ltd v Sutherland Shire Council [2016] NSWLEC* (Landmark) and *Australex Group Pty Ltd v Fairfield City Council [2022] NSWLEC 1685*, which are both cases which Councils often like to cite. However, in our view, the better approach is that adopted in GGD Danks and this approach has been most consistently applied by the Courts.

Importantly, in the recent case of HPG Mosman, the Court explicitly disagreed with the findings in Landmark in relation to the inclusion of corridors and breezeways in GFA. In HPG Mosman the Court stated:

*"I understand the Council's cynicism in relation to the practice of creating horizontal circulation spaces in multi-residential developments which are external spaces by dint of the deletion of a window in an opening or an open ended corridor, in order that the spaces do not contribute to the calculation of the GFA, however, the calculation of GFA has to be consistent with the LEP definition"* (at [38]): and

*"I respectfully disagree with the finding in Landmark Group because the corridor was unenclosed and was an external space. The test is not the "prospect of rain entering the breezeway" or whether the external space is identified as a breezeway or a corridor (at [36]). For the units adjoining the corridor to each be a dwelling, they must be enclosed on all sides by external walls or common walls. As the corridor was open at each end, the side walls of the corridor had to be external walls to the units on either side of the corridor (at [37])."*

In our opinion, the Landmark case should be given little weight and the approach adopted by the Court in most cases should be applied so that the open ended corridors are excluded from GFA for your SSDA.



In accordance with the above, the GFA for the lift lobby has been excluded.

### **1.3 DEVELOPMENT DESCRIPTION**

#### **1.3.1 Project Area**

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

- **Ground Level – Hume Street:** Includes the OSD tower lobby, retail, and back of house spaces.
- **Level 01:** Includes a commercial mezzanine, back of house, and a loading dock which is used for OSD garbage collection.
- **Level 02:** Contains plant rooms for the metro station.
- **Level 05-07:** The OSD car parking levels are located on Level 05-07. These are naturally ventilated with 28 car spaces (including 2 disabled spaces) on Level 05, 25 car spaces (including 2 disabled spaces) on Level 06 and 25 car spaces (including 2 disabled spaces) on Level 07. There is a total of 78 spaces.

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- **Level 08:** 10 apartments per floor
- **Level 09-16:** 11 apartments per floor
- **Level 17-18:** 11 apartments per floor
- **Level 19** – 8 apartments per floor (3 x two storey)
- **Level 20:** 5 apartments
- Total number of apartments: 122
  - 1 bedroom = 40
  - 2 bedroom = 63
  - 3 bedroom = 19
- Public domain works around Site B will be delivered as part of the CSSI approval. The proposed development will be designed to complement the station and activate the public domain.

#### **1.3.2 Relationship of the proposal to the CSSI Approval**

The station works under the CSSI Approval included the construction of below and above ground structures necessary for the delivery of the Metro Station and also enabling the construction of the integrated OSD.

There is an important delineation between elements approved and constructed via the CSSI approval and approval for the built form sought via this detailed SSD Application for Site B OSD. Demarcation Diagrams are provided at **Appendix 1**.



The CSSI Approval provides consent for all structural elements to support the future OSD and space to accommodate various OSD elements within the station building footprint.

The station works approved via the CSSI Approval reach up the ‘transfer slab’ level. For Site B this is at RL 108.01. The OSD sits above this level but also includes spaces below this level for retail tenancies, vehicular and pedestrian access, waste and lifts etc.

### 1.3.3 Physical Layout and Design

#### 1.3.3.1 Site Preparation Works

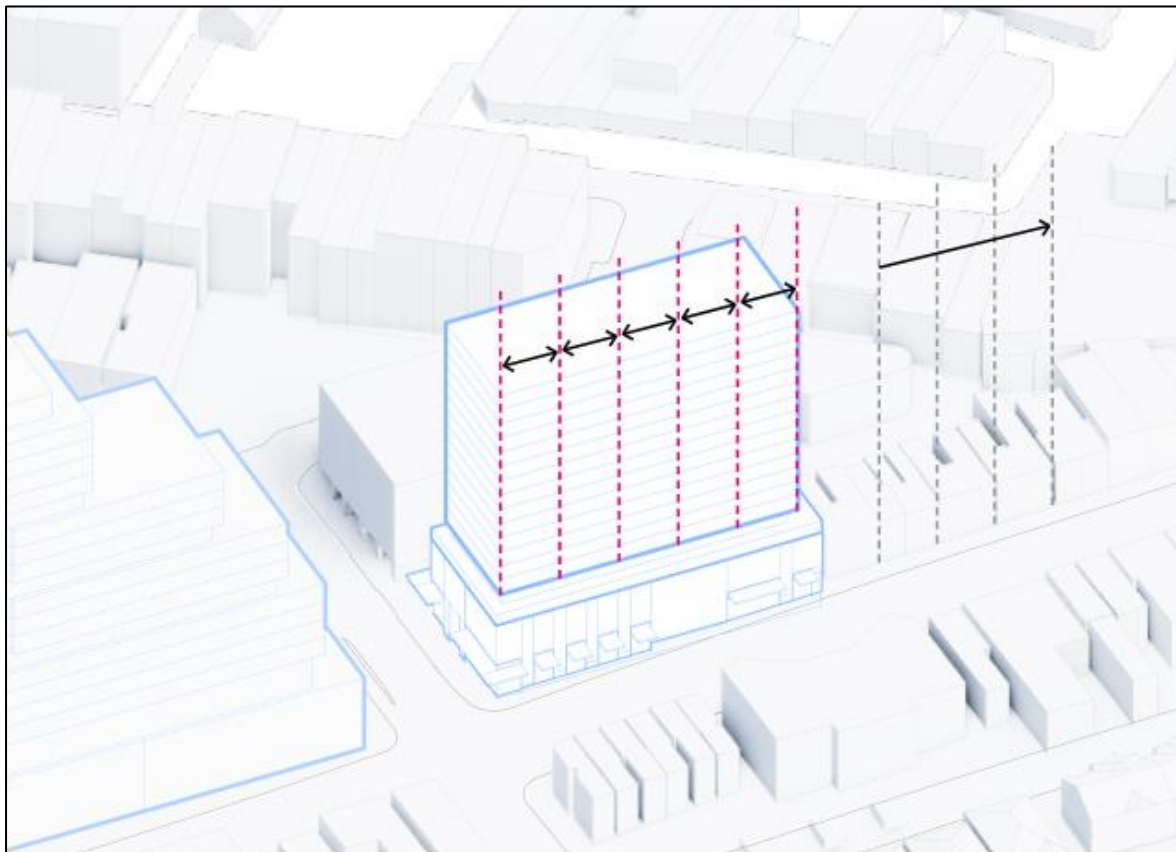
Having regard for the extent of works undertaken to deliver the Metro Station infrastructure on Site B, minimal site preparation works are required.

#### 1.3.3.2 Built Form

The proposed development is detailed in the Architectural Plans, Architectural Design Report and Design Integrity Report included at **Appendix 1**, **Appendix 2** and **Appendix 3** and is discussed below.

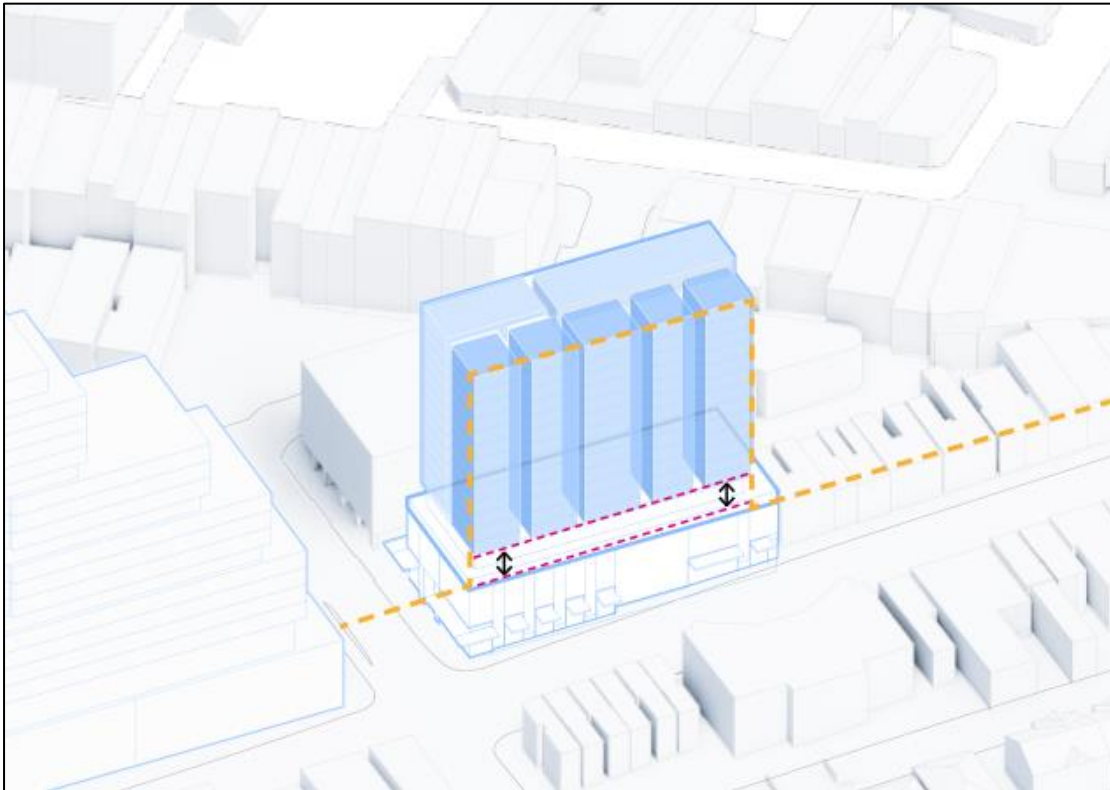
The overall design has had regard for the Crows Nest Over Station Development Design Quality Guidelines and Concept Approval design objectives, the design review process and the Design Excellence Strategy. The proposed development responds positively to the built form expression sought in these documents.

**Figure 35** illustrates the modulating of the vertical built form to create a rhythm which is sympathetic to the contextual fabric.



**Figure 35. Modulating Vertical Built Form (Source: Woods Bagot, 2024)**

Through the design review process, the horizontal datum between the station and OSD was seen as critical. Accordingly, additional horizontal articulation has been avoided to maintain the clarity of the proposal as shown in **Figure 36**.



**Figure 36. Horizontal Modulation (Source: Woods Bagot, 2024)**

Depth and relief have been incorporated by rotating faces to respond to context while incorporating dimensionality as shown in **Figure 37**.

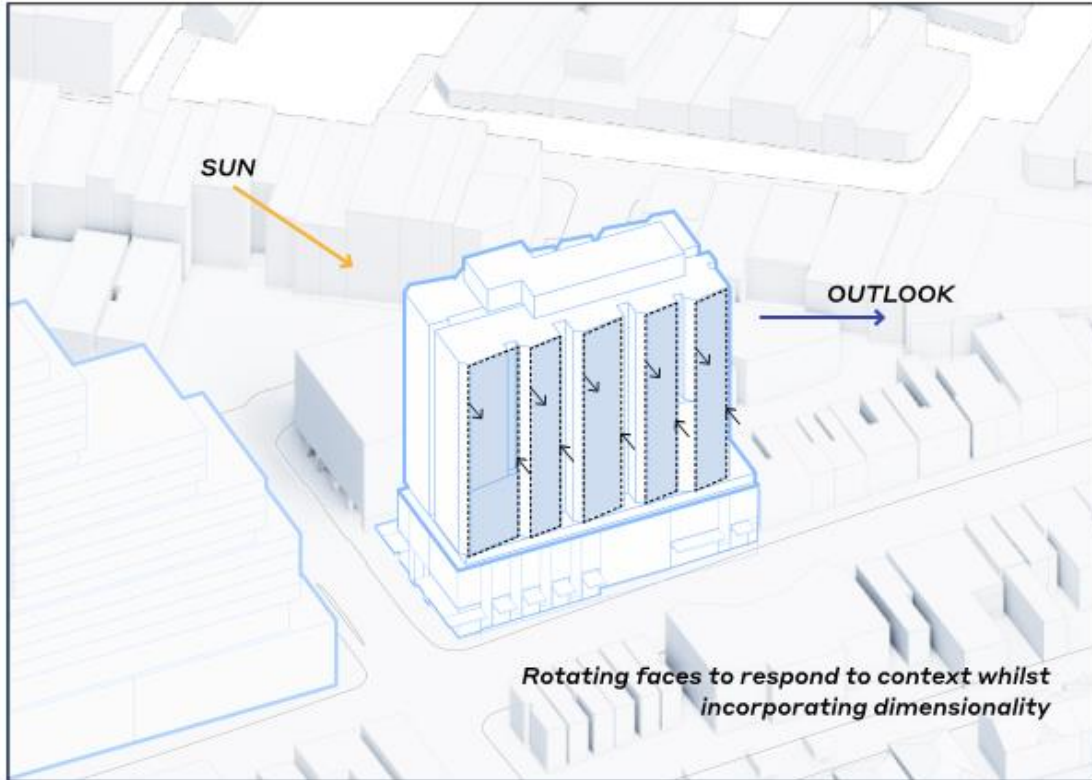


Figure 37. Rotating Faces (Source: Woods Bagot, 2024)

### Ground Level – Hume Street

An active frontage to Hume Street is proposed with a retail tenancy at the corner with the Pacific Highway and the main residential lobby integrated with the existing Metro built form as shown in **Figure 38** below. Hume Street is a pedestrian focused space activated by retail frontages, street trees, and landscaping. It aims to connect to the Site A frontage as well as Hume Park in order to create a vibrant, pedestrian precinct. The residential address is to the centre and acts as one large lobby with access to a parcel room, and retail spaces to the corner. Vehicular access to the car lift is from Clarke Lane.



Figure 38. Hume Street (Source: Woods Bagot, 2024)



**Level 01**

Continued onto a mezzanine level above the ground floor, retail/commercial space at Level 01 will provide a large dining room and small lounging areas may be hired for private events and dinners. A small retail space is also provided on the Pacific Highway elevation, facilitating passive surveillance and activation of this frontage.



**Figure 39. Hume Street (Source: Woods Bagot, 2024)**

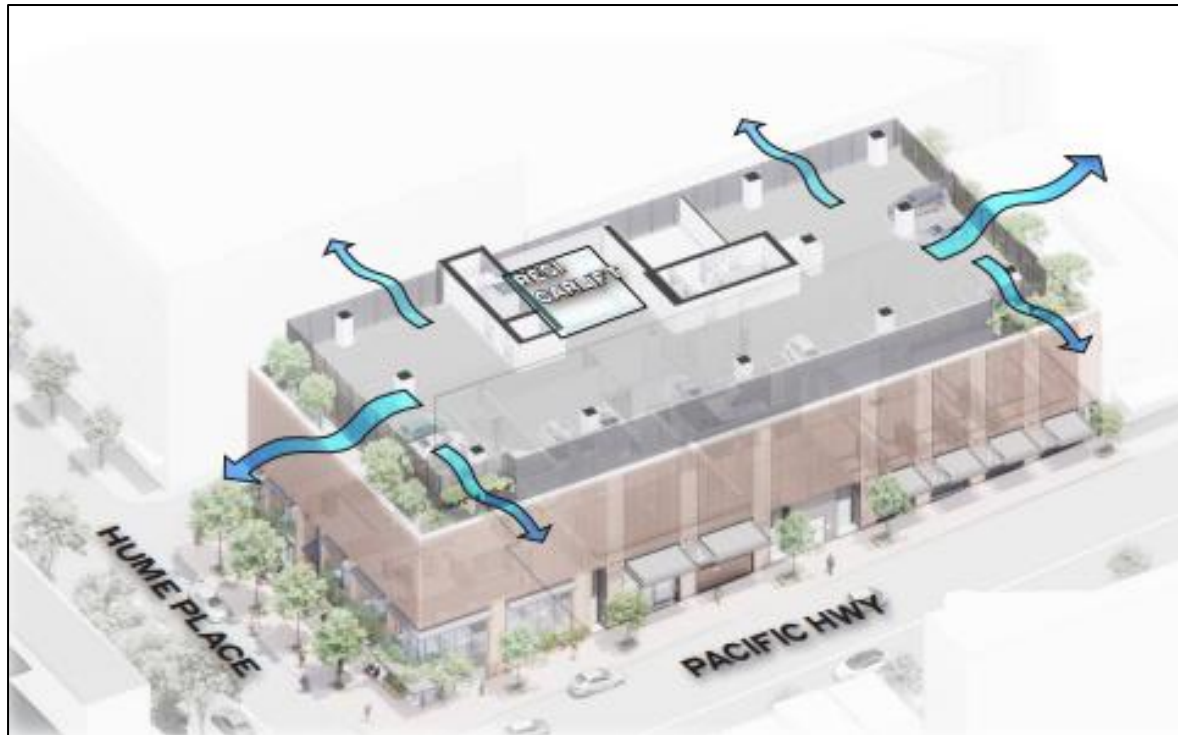
**Level 02**

This level contains extensive areas of Metro plant and equipment that do not form part of this application. The lift, stairs and car lift run through this level providing access to the upper level carpark and residential apartments.

There is no Level 03 or 04 used.

**Level 05 - Level 07**

The OSD car parking levels are located on Level 05 - 07. These levels are naturally ventilated with 28 car spaces (including 2 disabled spaces) on Level 05, 25 car spaces (including 2 disabled spaces) on Level 06 and 25 car spaces (including 2 disabled spaces) on Level 07. There is a total of 78 spaces. The carparking will be accessed via a car lift. See **Figure 40** below. The folded perforated mesh facade will allow the carpark to be naturally ventilated. The mesh panels will have an open area of 40%, exceeding the minimum requirements to naturally ventilate the carpark.



**Figure 40. Naturally Ventilated Carparking Levels (Source: Woods Bagot, 2024)**

One (1) motor bike space is located on Level 06. One (1) motor bike space is located on Level 07.

50 bike parks are provided on Level 06. 106 bike spaces are provided on Level 07.

Residential car parking is setback and concealed by landscaped terraces ensuring a recessed expression between the tower and the podium. The facade is perforated allowing the space to be naturally ventilated removing the need for loud, mechanical systems. The cladding is lightweight folded aluminium to reduce the structural load landing on top of the station box.

#### **Level 08**

An open lift lobby is proposed to all residential levels to reduce reliance on artificial climate control and thereby improve sustainability outcomes, provide extensive landscape opportunities flowing into and out of the lobby and provide opportunities for residents to meet, dwell and socialise. The lobby creates a front yard for residents, forging a sense of community. This is supported by landscaped slots with integrated seating, low light and low maintenance landscape species. See **Figure 41** below.

**SEARS TABLE**

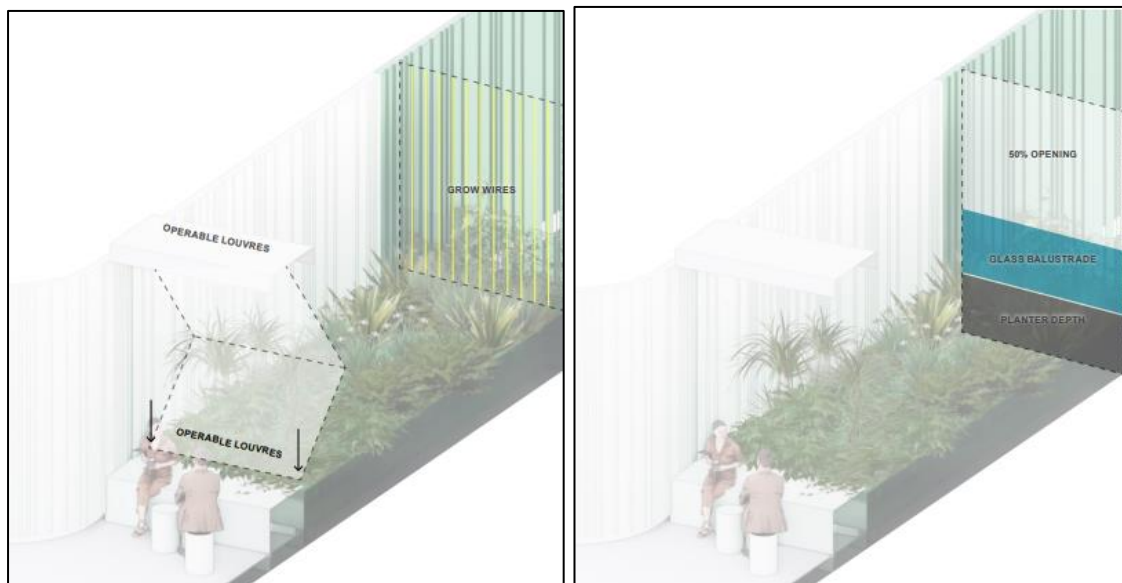
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**Figure 41. Level 08 (Source: Woods Bagot, 2025)**

The varied corridor articulation assists in controlling wind movement. Operable louvres will be designed at corridor ends to control prevailing winds during extreme weather events. See **Figure 42**. For both the comfort of users and to avoid serviceability issues the maximum wind speed the corridors are designed to is 1m/s. At all times a flowrate of 10L/s is maintained to provide natural ventilation. This is designed as a combination of opening size and louvre function. The effective opening size is 50% of the corridor cross section. The louvres have been placed on the inner side of the planters for ease of system maintenance. Depending on wind direction; louvre's will remain completely open between 90 - 75% of the year.



**Figure 42. Operational Louvers (Source: Woods Bagot, 2024)**

The recommended acoustic criteria for open-air circulation spaces based on being a combination of a transient space (corridor) and non-transient spaces (gathering zones) is 55dBA. Modelling has determined that with additional acoustic treatment in the corridors, 55dBA is achieved.



Level 08 will have 10 apartments per floor. Level 08 will have access to an outdoor terrace adjacent to the southern boundary.

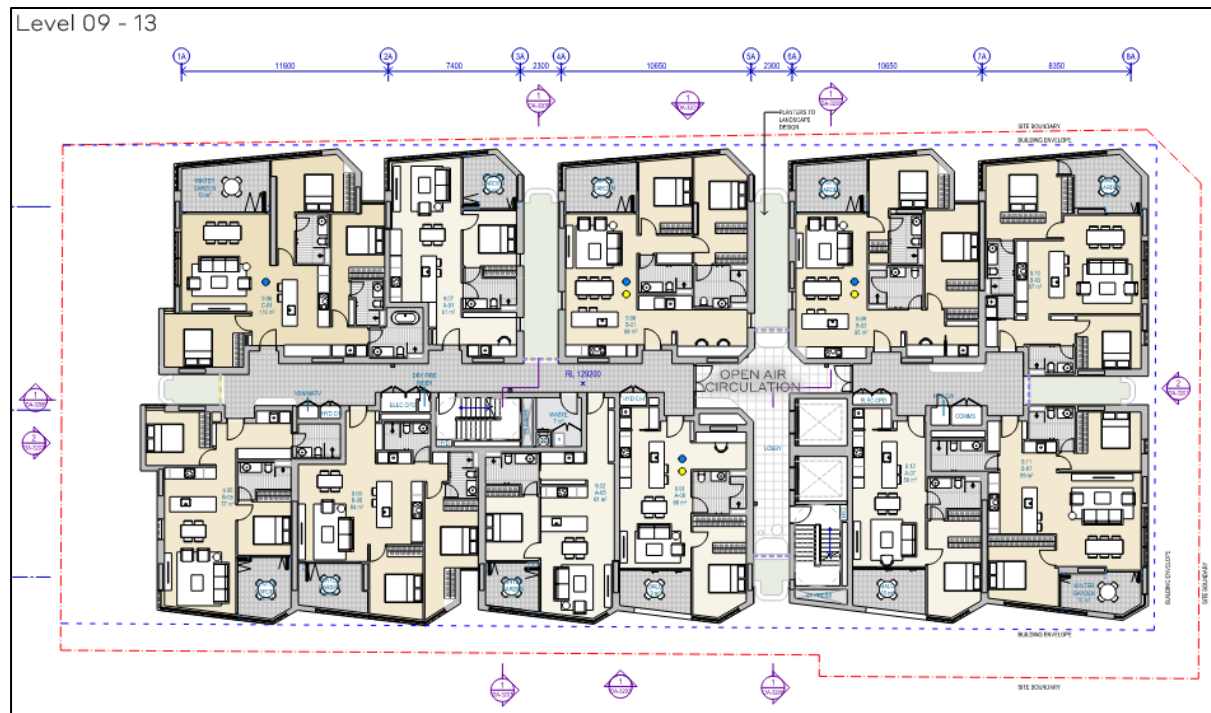
Apartments from Level 08-16 have winter gardens (see **Figure 43**) (apart from the SDA apartments on Level 09-13 which are discussed below) which function as an extension of resident's living rooms. The winter gardens help reduce the impact of noise from the Pacific Highway and the impact of strong wind yet has high level awning windows for ventilation. A terracotta slab edge extends 300mm from the facade providing additional shading, and profiled metal panels reduce the window size



**Figure 43. Winter Garden (Source: Woods Bagot, 2025)**

#### **Level 09-13**

Level 09 to Level 13 will have 11 apartments per floor. See **Figure 44** below.



**Figure 44. Typical Floor Level 09-13 (Source: Woods Bagot, 2025)**

High performance acoustic facades reduce noise levels from Pacific Highway. Reduction of party walls improves the acoustic quality between residences. Winter gardens on Levels 08-16 help reduce the impact of noise from Pacific Highway, operable awning windows ensure ventilation through apartments.

A design amendment has been made to change the SDA apartments from enclosed wintergardens to open balconies to better support the health and wellbeing of future residents. Many occupants of SDA apartments will have disabilities that may limit their ability to access outdoor spaces easily, making fresh air and natural ventilation within their immediate living environment especially important. Open balconies provide a direct connection to the outdoors, improving air quality, offering sensory benefits, and creating a more inclusive and comfortable living experience that supports both physical and mental health. This relates to apartments .01 and .12 across Level 09-13.

Apartments are angled to the south along Pacific Highway to make the most of the southern harbour and city views. Along Clarke Lane apartments are also angled south to leafy suburbs and eastern harbour views. Parts of the facade are solid terracotta for solar protection and to provide some privacy between units.

#### **Level 15-16**

Includes 11 apartments per floor. See **Figure 45** below.



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**Figure 45. Typical Floor Level 15-16 (Source: Woods Bagot, 2025)**

**Level 17-18**

Includes 11 apartments per floor. See **Figure 46** below.



**Figure 46. Typical Floor Level 15-16 (Source: Woods Bagot, 2025)**

**Level 19**

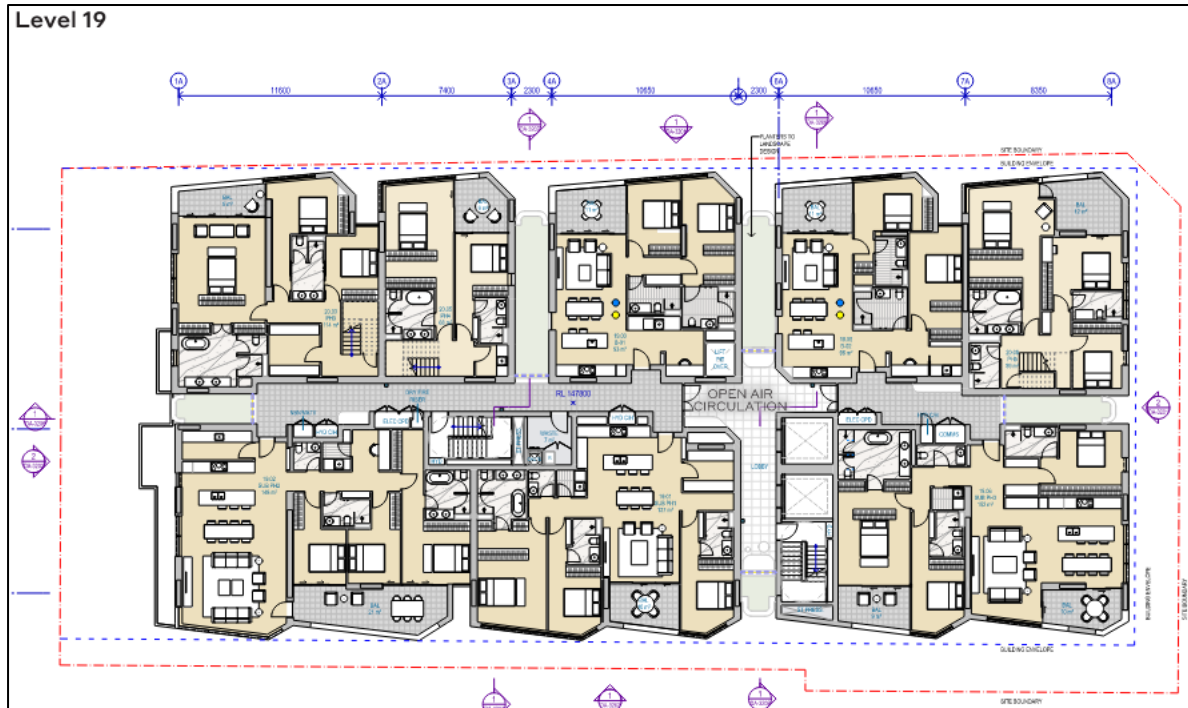
Includes 8 penthouse apartments (3 x two storey). See **Figure 47** below.



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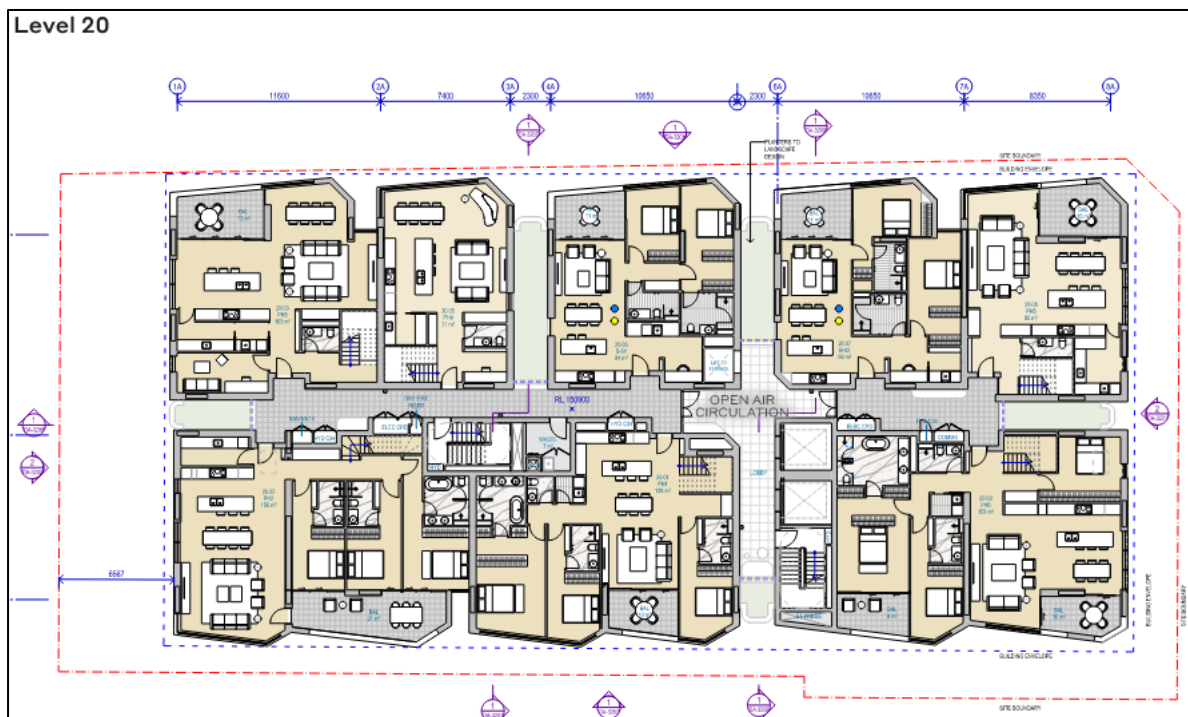
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**Figure 47. Level 19 (Source: Woods Bagot, 2025)**

**Level 20**

Includes 5 apartments. See **Figure 48** below.

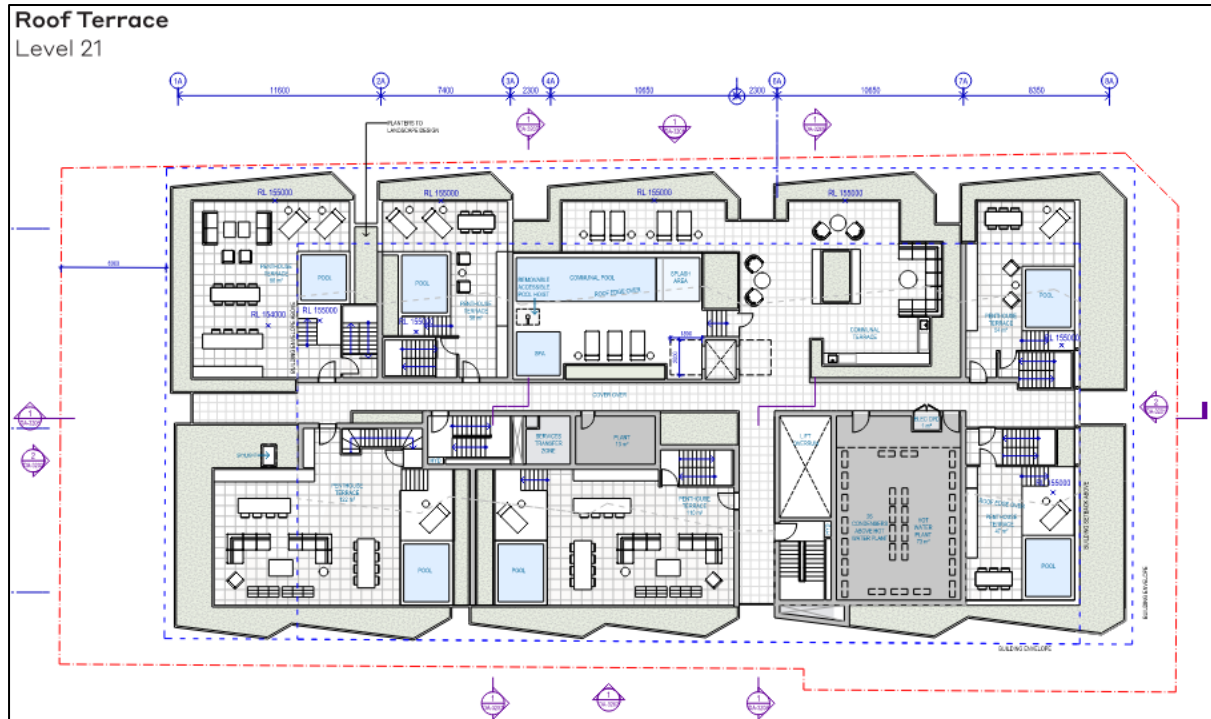


**Figure 48. Level 20 (Source: Woods Bagot, 2025)**

**Roof Terrace**

The top of the building includes a roof terrace with a communal pool and spa and recreation area as well as pools and recreation areas for six penthouse apartments. The roof will be bordered by landscape gardens. See **Figure 49** below. In addition to the recreation space, the roof will also include a lift over run, plant and associated equipment.

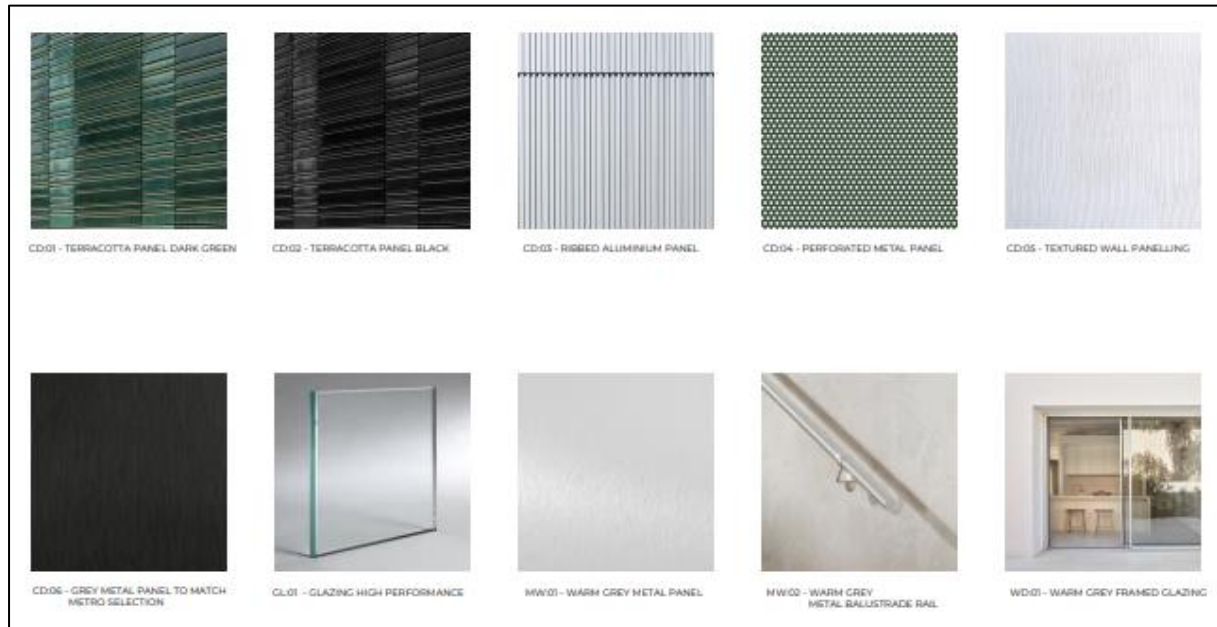




**Figure 49. Roof Terrace (Source: Woods Bagot, 2024)**

**Façade and Materiality**

The use of dark green terracotta will be a feature of the façade and materiality. Terracotta has been selected given it’s lightweight, durable, easy to install and maintain and will result in a reduction of energy use and carbon footprint during the manufacturing process. Details of material finishes are provided at **Figure 50** below.



**Figure 50. Material Finishes Legend (Source: Woods Bagot, 2024)**

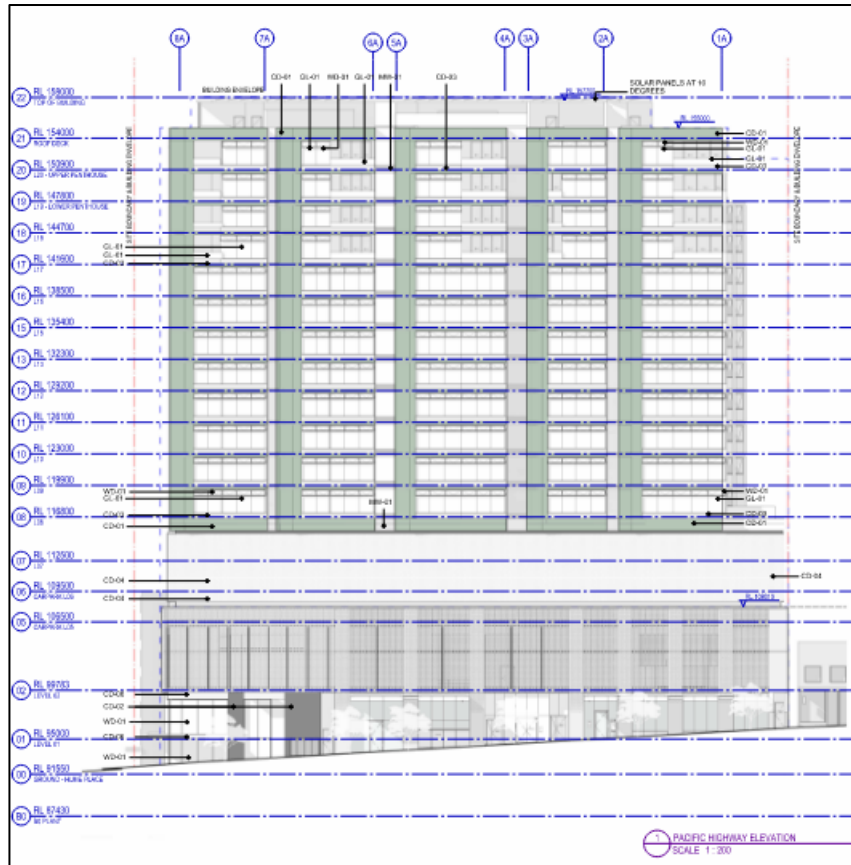
Detailed elevations and a photomontage are provided at **Figure 51** to **Figure 54** below.



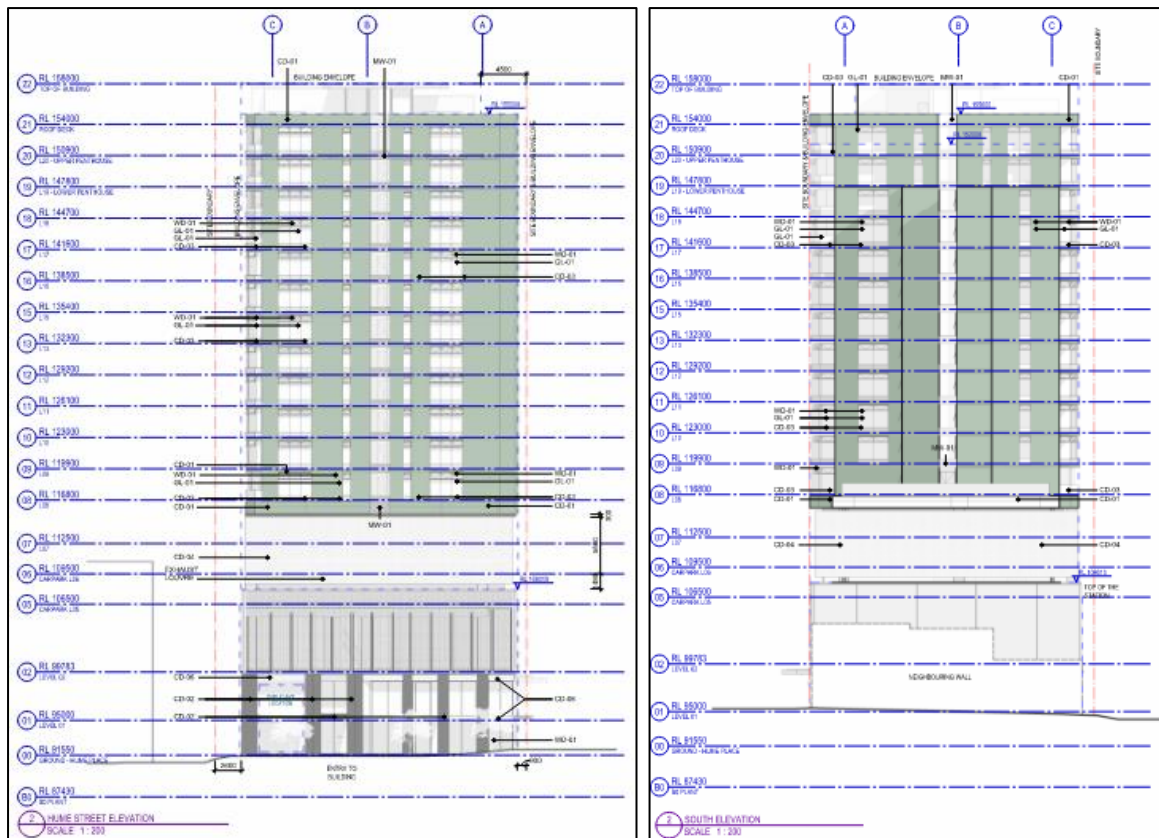
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**Figure 51 Pacific Highway Elevation (Source: Woods Bagot, 2025)**



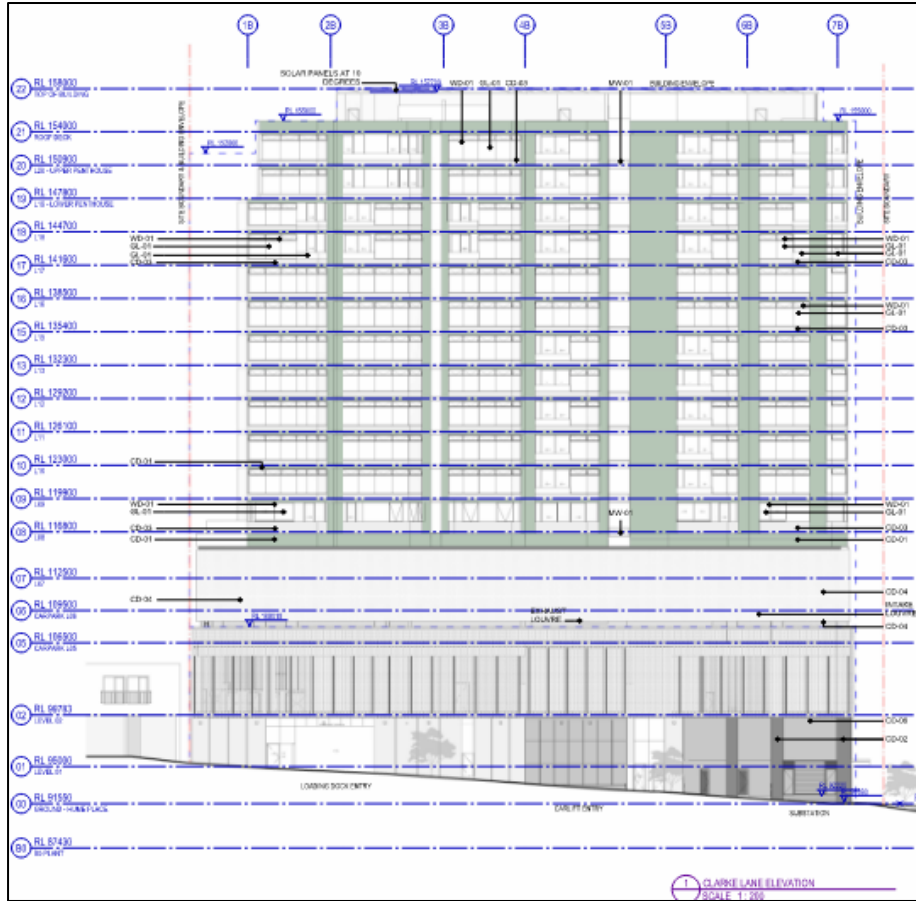
**Figure 52 Hume Street and South Elevation (Source: Woods Bagot, 2025)**



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**Figure 53 Clarke Lane Elevation (Source: Woods Bagot, 2025)**





**Figure 54** Photomontage from the corner of the Pacific Highway and Hume Street (Source: Woods Bagot, 2025)

**APPENDIX B**  
**UPDATED**  
**STATUTORY**  
**COMPLIANCE**  
**TABLE**



**STATUTORY COMPLIANCE TABLE**

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**Updated Statutory Compliance Table**

The table below outlines the Statutory Compliance associated with the proposal. Any changes as a result of the amended design have been included in **red** for ease of reference.

MANDATORY CONSIDERATIONS OF THE CONSENT AUTHORITY				
Statutory document	Section reference	Mandatory consideration	Relevance	Section in the EIS
Considerations under the EP&A Act and EP&A Regulation				
<i>Environmental Planning and Assessment Act 1979</i>	Section 1.3 – Objects of the Act	<i>(a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State’s natural and other resources,</i>	The proposed development will facilitate the development of an OSD above the Crows Nest Metro station, which will deliver important social and economic benefits to the community by contributing to housing diversity in an a highly accessible location.	Refer to <b>Section 7.1.9</b> and <b>7.1.21</b> of the EIS.
		<i>(b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,</i>	The proposal incorporates ESD.	Refer to <b>Section 7.1.9</b> of the EIS.
		<i>(c) to promote the orderly and economic use and development of land,</i>	The proposed development will facilitate the development of an OSD above the Crows Nest Metro station leveraging off the Government’s investment in key city shaping infrastructure.	Refer to <b>whole EIS</b> .
		<i>(d) to promote the delivery and maintenance of affordable housing,</i>	<b>A planning agreement has been submitted to DPHI to confirm the onsite construction of 5% of the residential gross floor area as Affordable Housing.</b>	
		<i>(e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,</i>	There are no sensitive ecological values associated with the site that would warrant the undertaking of an extensive biodiversity assessment.	Refer to <b>Section 7.1.11</b> of the EIS.
		<i>(f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),</i>	Consideration of built and cultural heritage matters has been undertaken.	Refer to <b>Section 7.1.19</b> and <b>7.1.20</b> of the EIS <b>and Section 7.13</b> of the Amendment Report.



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Statutory document	Section reference	Mandatory consideration	Relevance	Section in the EIS
		<i>(g) to promote good design and amenity of the built environment,</i>	Extensive consideration regarding design excellence and the amenity of the built environment has been undertaken.	Refer to <b>Section 7.1.3</b> and <b>7.1.4</b> of the EIS and <b>Section 7.3</b> of the Amendment Report.
		<i>(h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,</i>	Consideration regarding construction and maintenance has been undertaken.	Refer to <b>Section 7.1.5</b> and <b>7.1.4</b> of the EIS.
		<i>(i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,</i>	Early engagement has been undertaken with relevant agencies as required.	Refer to <b>Appendix C</b> and <b>Appendix C</b> of the Amendment Report.
		<i>(j) to provide increased opportunity for community participation in environmental planning and assessment.</i>	Extensive community engagement has been undertaken across the history of the Crows Nest Precinct. Further engagement opportunities will be available during the public exhibition phase of the EIS.	Refer to <b>Part 5</b> of the EIS and <b>Appendix 19</b> of the Amendment Report.
	Section 4.15(1)(a) – Matters for consideration—general	<i>(i) any relevant environmental planning instrument, and</i>	<ul style="list-style-type: none"> <li>▪ <i>State Environmental Planning Policy (Biodiversity and Conservation) 2021 (Biodiversity and Conservation SEPP)</i></li> <li>▪ <i>State Environmental Planning Policy (Housing) 2021 (Housing SEPP)</i></li> <li>▪ <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i></li> <li>▪ <i>State Environmental Planning Policy (Sustainable Buildings) 2022 (Sustainable Buildings SEPP)</i></li> <li>▪ <i>State Environmental Planning Policy (Transport and Infrastructure) 2021 (Transport and Infrastructure SEPP)</i></li> </ul>	Refer below.



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MANDATORY CONSIDERATIONS OF THE CONSENT AUTHORITY				
Statutory document	Section reference	Mandatory consideration	Relevance	Section in the EIS
			<ul style="list-style-type: none"> <li>North Sydney Local Environmental Plan 2013 (NSLEP2013)</li> </ul>	
		(ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and	<ul style="list-style-type: none"> <li>Explanation of Intended Effect to amend North Sydney Local Environmental Plan 2013 – Crows Nest Transit Oriented Development Precinct</li> </ul>	Refer below.
		(iii) any development control plan, and	<p>Section 2.10 of the Planning Systems SEPP states that development control plans do not apply to SSD, whether made before or after the commencement of this Policy.</p> <p>Notwithstanding, an assessment of the proposed development against the NSDCP2013 has been undertaken and provided at <b>Appendix 36</b> of the EIS.</p>	Refer to <b>Appendix 36</b> of this EIS.
		(iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and	A planning agreement has been submitted to DPPI to confirm the onsite construction of 5% of the residential gross floor area as Affordable Housing.	
		(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph),	-	Refer below.
	Section 4.15(1)(b) – Matters for consideration—general	the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,	-	Refer to <b>PART 7</b> of this EIS and <b>PART 7</b> of the <b>Amendment Report</b> .
	Section 4.15(1)(c) – Matters for	the suitability of the site for the development,	-	Refer to <b>Section 8.1.5.6</b> of this EIS.



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MANDATORY CONSIDERATIONS OF THE CONSENT AUTHORITY				
Statutory document	Section reference	Mandatory consideration	Relevance	Section in the EIS
	consideration– general			
	Section 4.15(1)(d) – Matters for consideration– general	<i>any submissions made in accordance with this Act or the regulations</i>	Submissions have been addressed at <b>Appendix 19</b> .	<b>N/A</b>
	Section 4.15(1)(e) – Matters for consideration– general	<i>the public interest</i>	-	Refer to <b>Section 8.1.5.7</b> of this EIS and <b>Section 8.1</b> of the Amendment Report.
	Section 4.24 (2) Status of concept development applications and consents	<i>(2) While any consent granted on the determination of a concept development application for a site remains in force, the determination of any further development application in respect of the site cannot be inconsistent with the consent for the concept proposals for the development of the site.</i>	It has been demonstrated that the proposed development at Site B is consistent with the Concept Approval.	Refer to <b>Part 6</b> of this EIS and <b>Part 6</b> of the Amendment Report.
<i>Environmental Planning and Assessment Regulation 2021</i>	Clause 190 – Form of environmental impact statement	<i>(1) An environmental impact statement must contain the following information– (a) the name, address and professional qualifications of the person who prepared the statement, (b) the name and address of the responsible person, (c) the address of the land– (i) to which the development application relates, or (ii) on which the activity or infrastructure to which the statement relates will be carried out, (d) a description of the development, activity or infrastructure,</i>	-	Refer to <b>WHOLE EIS</b> and <b>WHOLE Amendment Report</b> .



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MANDATORY CONSIDERATIONS OF THE CONSENT AUTHORITY				
Statutory document	Section reference	Mandatory consideration	Relevance	Section in the EIS
		(e) <i>an assessment by the person who prepared the statement of the environmental impact of the development, activity or infrastructure, dealing with the matters referred to in this Division.</i>		
		(2) <i>The person preparing the statement must have regard to—</i> (a) <i>for State significant development—the State Significant Development Guidelines, or</i> (b) <i>for State significant infrastructure—the State Significant Infrastructure Guidelines.</i>	-	Refer to <b>WHOLE EIS.</b>
		(3) <i>An environmental impact statement must also contain a declaration by a relevant person that—</i> (a) <i>the statement has been prepared in accordance with this Regulation, and</i> (b) <i>the statement contains all available information that is relevant to the environmental assessment of the development, activity or infrastructure, and</i> (c) <i>the information contained in the statement is not false or misleading, and</i> (d) <i>for State significant development or State significant infrastructure—the statement contains the information required under the Registered Environmental Assessment Practitioner Guidelines.</i>	-	Refer to <b>EIS Declaration on page ii</b> of this EIS and <b>Page i</b> of the Amendment Report.



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MANDATORY CONSIDERATIONS OF THE CONSENT AUTHORITY				
Statutory document	Section reference	Mandatory consideration	Relevance	Section in the EIS
	Clause 191 – Compliance with environmental assessment requirements	<i>The environmental impact statement must comply with the environmental assessment requirements notified under section 176 or the Act, section 5.16(4).</i>	<p>The SEARs (reference: SSD-61400212), issued by the NSW DPPI on 25 August 2023, identify the following Key Issues:</p> <ol style="list-style-type: none"> <li>1. Statutory Context</li> <li>2. Capital Investment Value and Employment</li> <li>3. Design Quality</li> <li>4. Built Form and Urban Design</li> <li>5. Environmental Amenity</li> <li>6. Visual Impact</li> <li>7. Public Space</li> <li>8. Trees and Landscaping</li> <li>9. Ecologically Sustainable Development (ESD)</li> <li>10. Traffic, Transport and Accessibility</li> <li>11. Biodiversity</li> <li>12. Noise and Vibration</li> <li>13. Ground and Water Conditions</li> <li>14. Water Management</li> <li>15. Flooding Risk</li> <li>16. Hazards and Risks</li> <li>17. Contamination and Remediation</li> <li>18. Waste Management</li> <li>19. Aboriginal Cultural Heritage</li> <li>20. Environmental Heritage</li> <li>21. Social Impact</li> <li>22. Infrastructure Requirements and Utilities</li> <li>23. Bush Fire Risk</li> <li>24. Aviation</li> <li>25. Construction, Operation and Staging</li> <li>26. Contributions and Public Benefit</li> </ol>	Refer to <b>PART 7</b> of this EIS.



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MANDATORY CONSIDERATIONS OF THE CONSENT AUTHORITY				
Statutory document	Section reference	Mandatory consideration	Relevance	Section in the EIS
			27. Engagement	
Considerations under EPIs				
<i>State Environmental Planning Policy (Resilience and Hazards) 2021</i>	Section 4.6 Contamination and remediation to be considered in determining development application	(1) A consent authority must not consent to the carrying out of any development on land unless— (a) it has considered whether the land is contaminated, and (b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and (c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.	Investigations were carried out by Stantec Australia in relation to Contamination and Remediation at Site B and concluded that the site is suitable for the proposed use.	<b>Section 7.1.17</b>
<i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i>	Section 2.48 Development likely to affect an electricity transmission or distribution network	(2) Before determining a development application (or an application for modification of a consent) for development to which this section applies, the consent authority must— (a) give written notice to the electricity supply authority for the area in which the development is to be carried out, inviting comments about potential safety risks, and (b) take into consideration any response to the notice that is received within 21 days after the notice is given.	The proposal involves works adjacent to an electricity substation, as such consideration of Section 2.48 is required.	Refer to <b>Section 7.1.22</b> of this EIS.
	Section 2.100 Impact of rail noise or vibration	(3) If the development is for the purposes of residential accommodation, the consent authority must not grant consent to the	A Noise and Vibration Impact Assessment is provided at <b>Appendix 22</b> and <b>Appendix 12</b> of the <b>Amendment Report</b> .	Further reference should be made to <b>Section 7.1.12</b> of



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MANDATORY CONSIDERATIONS OF THE CONSENT AUTHORITY				
Statutory document	Section reference	Mandatory consideration	Relevance	Section in the EIS
	on non-rail development	<p><i>development unless it is satisfied that appropriate measures will be taken to ensure that the following LAeq levels are not exceeded—</i></p> <p><i>(c) in any bedroom in the residential accommodation—35 dB(A) at any time between 10.00 pm and 7.00 am,</i></p> <p><i>(d) anywhere else in the residential accommodation (other than a garage, kitchen, bathroom or hallway)—40 dB(A) at any time.</i></p>	<p>This report confirms that based on the information examined the resulting vibration levels from the operation of the Sydney Metro will be acoustically acceptable without additional acoustic mitigation to the proposed Crows Nest over Station Development Site B project.</p> <p>As part of the Sydney Metro project it is stated that the operation ground borne noise criteria will be met by the design of the infrastructure including resilient trackforms, building isolation or a combination of both. If the isolation is required, this will be undertaken as part of the Sydney metro project and additional vibration isolation to the Crows Nest over Station Development Site B project will not be required.</p>	<p>this EIS and <b>Appendix 22</b> and <b>Section 7.9</b> and <b>Appendix 12</b> of the Amendment Report.</p>
	Section 2.119 Development with frontage to a classified road	<p><i>(2) The consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that—</i></p> <p><i>(a) where practicable and safe, vehicular access to the land is provided by a road other than the classified road, and</i></p> <p><i>(b) the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of—</i></p> <p><i>(i) the design of the vehicular access to the land, or</i></p> <p><i>(ii) the emission of smoke or dust from the development, or</i></p>	<p>As outlined within the Transport and Accessibility Impact Assessment at Appendix 17, safe vehicular access to Site B will be provided via Clarke Lane and the operation of the Pacific Highway will not be affected.</p> <p>Further, the Noise and Vibration Impact Assessment (Appendix 22) confirms that suitable acoustic arrangements will be in place.</p>	<p>Further reference should be made to <b>Section 7.1.10</b> of this EIS and <b>Appendix 17</b> and <b>Appendix 22</b> and <b>Appendix 12</b> of the Amendment Report.</p>



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MANDATORY CONSIDERATIONS OF THE CONSENT AUTHORITY				
Statutory document	Section reference	Mandatory consideration	Relevance	Section in the EIS
		<p>(iii) the nature, volume or frequency of vehicles using the classified road to gain access to the land, and</p> <p>(c) the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.</p>		
	Section 2.120 Impact of road noise or vibration on non-road development	<p>(2) Before determining a development application for development to which this section applies, the consent authority must take into consideration any guidelines that are issued by the Planning Secretary for the purposes of this section and published in the Gazette.</p> <p>(3) If the development is for the purposes of residential accommodation, the consent authority must not grant consent to the development unless it is satisfied that appropriate measures will be taken to ensure that the following LAeq levels are not exceeded—</p> <p>(a) in any bedroom in the residential accommodation—35 dB(A) at any time between 10 pm and 7 am,</p> <p>(b) anywhere else in the residential accommodation (other than a garage, kitchen, bathroom or hallway)—40 dB(A) at any time.</p>	<p>A Noise and Vibration Impact Assessment is provided at Appendix 22 and <b>Appendix 12 of the Amendment Report</b>.</p> <p>This report confirms that the assessment of internal noise levels undertaken in this assessment include the requirements of the SEPP 2021 and that subject to identified acoustic measures the relevant standards will be met.</p>	<p>Further reference should be made to <b>Section 7.1.12</b> of this EIS and <b>Appendix 22 and Section 7.9 of the Amendment Report</b>.</p>
	Section 1.22 Development in or adjacent to	<p>(4) Before determining a development application for development to which this section applies, the consent authority must—</p>	<p>In accordance with Schedule 3, the proposal includes 75 or more dwellings within 90m of connection to a classified road (Pacific Highway).</p>	<p>Refer to <b>Section 7.1.10</b> of this EIS.</p>



**STATUTORY COMPLIANCE TABLE**

Over Station Development at Crows Nest – Site B  
25 Hume Street, Crows Nest

SSD-61400212

MANDATORY CONSIDERATIONS OF THE CONSENT AUTHORITY				
Statutory document	Section reference	Mandatory consideration	Relevance	Section in the EIS
	road corridors and road reservations	<p>(a) give written notice of the application to TfNSW within 7 days after the application is made, and</p> <p>(b) take into consideration–</p> <p>(i) any submission that RMS provides in response to that notice within 21 days after the notice was given (unless, before the 21 days have passed, TfNSW advises that it will not be making a submission), and</p> <p>(ii) the accessibility of the site concerned, including–</p> <p>(A) the efficiency of movement of people and freight to and from the site and the extent of multi-purpose trips, and</p> <p>(B) the potential to minimise the need for travel by car and to maximise movement of freight in containers or bulk freight by rail, and</p> <p>(iii) any potential traffic safety, road congestion or parking implications of the development.</p>		
State Environmental Planning Policy (Sustainable Buildings) 2022	Section 2.1 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.	An Ecologically Sustainable Development report is provided at <b>Appendix 16 and Appendix 10 of the Amendment Report</b> that outlines relevant matters for consideration in relation to BASIX	<b>Section 7.1.9</b> of this EIS and <b>Appendix 16 and Section 7.7 of the Amendment Report and Appendix 10.</b>
	Section 3.2 Development consent for non-residential development	(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.	An Ecologically Sustainable Development report is provided at <b>Appendix 16 and Appendix 10 of the Amendment Report</b> that outlines relevant matters for consideration in relation to BASIX	<b>Section 7.1.9</b> of this EIS and <b>Appendix 16 and Section 7.7 of the Amendment</b>



**STATUTORY COMPLIANCE TABLE**

Over Station Development at Crows Nest – Site B  
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MANDATORY CONSIDERATIONS OF THE CONSENT AUTHORITY				
Statutory document	Section reference	Mandatory consideration	Relevance	Section in the EIS
				Report and <b>Appendix 10</b> .
<i>State Environmental Planning Policy (Housing) 2021</i>	Section 147 Determination of development applications and modification applications for residential apartment development	<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>  <i>(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,</i> <i>(b) the Apartment Design Guide,</i> <i>(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.</i>	Consideration of the Design Principles for Residential Apartment Development and the Apartment Design Guide is provided in the Design Statement at <b>Appendix 5 and Appendix 10 of the Amendment Report</b> .	Further reference should be made to <b>Section 7.1.3</b> of this EIS and <b>Appendix 5 and Appendix 10 and Section 7.3.1</b> of the Amendment Report.
<i>North Sydney Local Environmental Plan 2013</i>	Clause 2.3 - Zone objectives and Land Use Table	(1) The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone.	Site B is zoned MU1 Mixed Use.	
		<ul style="list-style-type: none"> <li>To encourage a diversity of business, retail, office and light industrial land uses that generate employment opportunities.</li> </ul>	Retail/commercial floorspace is provided on the Hume Street and Pacific Highway frontages.	<b>Appendix 3</b>
		<ul style="list-style-type: none"> <li>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.</li> </ul>	Retail/commercial floorspace is provided on the Hume Street and Pacific Highway frontages.	<b>Appendix 3</b>
		<ul style="list-style-type: none"> <li>To minimise conflict between land uses within this zone and land uses within adjoining zones.</li> </ul>	The proposed land use (shop top housing) is permitted with consent in the MU1 zone. Sites adjoining Site B are all zoned MU1.	



**STATUTORY COMPLIANCE TABLE**

Over Station Development at Crows Nest – Site B  
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MANDATORY CONSIDERATIONS OF THE CONSENT AUTHORITY				
Statutory document	Section reference	Mandatory consideration	Relevance	Section in the EIS
		<ul style="list-style-type: none"> <li>To encourage business, retail, community and other non-residential land uses on the ground floor of buildings.</li> </ul>	Retail/commercial floorspace is provided on the Hume Street and Pacific Highway frontages.	<b>Appendix 3</b>
		<ul style="list-style-type: none"> <li>To create interesting and vibrant mixed use centres with safe, high quality urban environments with residential amenity.</li> </ul>	A high quality design outcome is achieved. The proposed OSD at Site B will make a positive contribution to the centre.	<b>Section 7.1.3 and 7.1.7 and Section 7.3 of the Amendment Report.</b>
		<ul style="list-style-type: none"> <li>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.</li> </ul>	Retail/commercial floorspace is provided on the Hume Street and Pacific Highway frontages. Residential use is provided above the Metro Station infrastructure.	<b>Appendix 03</b>
	Clause 4.3 - Height of Buildings	155m AHD	<p>The built form will comply with development standard with a maximum height of 155m AHD.</p> <p>As provided for in the building envelope approved via the Concept Approval, the proposal includes plant and equipment that will extend to a height of RL 157.70. In addition to the plant and equipment the proposal includes an architectural roof feature that will extend over the central part of the roof and also serve as a shading device for the roof top terrace, to a maximum height of RL 157.70. See discussion in relation to Clause 5.6 below.</p>	<b>Section 3.2 and Section 6.2</b>
	Clause 4.4 - Floor Space Ratio	Maximum 7.5:1	Total - 7.43:1	<b>Section 3.2 and Section 3.3 and Appendix A of the Amendment Report.</b>



**STATUTORY COMPLIANCE TABLE**

Over Station Development at Crows Nest – Site B  
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MANDATORY CONSIDERATIONS OF THE CONSENT AUTHORITY				
Statutory document	Section reference	Mandatory consideration	Relevance	Section in the EIS
	Clause 4.4A – Non-residential floorspace ratio	Minimum 0.5:1	Non-residential – 0.5:1	<b>Section 3.2 and Section 3.3 and Appendix A of the Amendment Report.</b>
	Clause 5.6 Architectural Roof Features	(2) Development that includes an architectural roof feature that exceeds, or causes a building to exceed, the height limits set by clause 4.3 may be carried out, but only with development consent.	Detailed justification in relation to the proposed architectural roof feature is provided in the EIS.	<b>Section 6.2</b>
	Clause 5.10 Heritage conservation	(4) Effect of proposed development on heritage significance  The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned. This subclause applies regardless of whether a heritage management document is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).	Site B is identified as being in the immediate vicinity of a number of local heritage items listed on the North Sydney LEP 2013 (see <b>Figure 50</b> ). It has been demonstrated that the impact of the proposed development will be acceptable.	<b>Section 7.1.20 and Section 7.13 of the Amendment Report.</b>
	Clause 6.15 Airspace operations	(2) 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.	An application has been submitted to seek approval for the part of the building above 156m AHD (the maximum building height is 158m AHD) and for the temporary use of cranes during the construction period. This application is currently under assessment.	<b>Section 7.1.24 and Section 7.15 of the Amendment Report.</b>



**STATUTORY COMPLIANCE TABLE**

Over Station Development at Crows Nest – Site B  
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MANDATORY CONSIDERATIONS OF THE CONSENT AUTHORITY				
Statutory document	Section reference	Mandatory consideration	Relevance	Section in the EIS
	Clause 6.19B Design excellence in the area adjacent to the Crows Nest Metro Station	The consent authority must have regard to the matters set out in subclause (4) in considering whether development exhibits design excellence.	It has been demonstrated that the proposed Site B OSD exhibits design excellence.	<b>Section 7.1.3 and Section 7.2 of the Amendment Report.</b>
<b>Considerations under relevant draft EPIs</b>				
Explanation of Intended Effect to amend North Sydney Local Environmental Plan 2013 – Crows Nest Transit Oriented Development Precinct	Clause 1.5 Rezoning and current proposals	A number of sites (including Site A, Site B and Site C) within the Precinct have already been rezoned through site specific planning proposals achieving the recommendations of the St Leonards and Crows Nest 2036 Plan. These sites have not been revisited as part of the Crows Nest TOD Accelerated Precinct.	In accordance with Clause 1.5 Site B has not been reconsidered for further changes.	<b>Section 2.5.1</b>
<b>Considerations under other legislation</b>				
<i>Biodiversity Conservation Act 2016</i>	Section 7.9 – Biodiversity assessment for State significant development or infrastructure	<p>(1) <i>This section applies to–</i></p> <p>(a) <i>an application for development consent under Part 4 of the Environmental Planning and Assessment Act 1979 for State significant development, and</i></p> <p>(b) <i>an application for approval under Division 5.2 of the Environmental Planning and Assessment Act 1979 to carry out State significant infrastructure.</i></p> <p>(2) <i>Any such application is to be accompanied by a biodiversity development assessment report unless the Planning Agency Head and the Environment Agency Head determine that the proposed development is not likely</i></p>	A BDAR waiver was issued on 11 December 2023.	<b>Appendix 34</b>



**STATUTORY COMPLIANCE TABLE**

Over Station Development at Crows Nest – Site B  
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MANDATORY CONSIDERATIONS OF THE CONSENT AUTHORITY				
Statutory document	Section reference	Mandatory consideration	Relevance	Section in the EIS
		<i>to have any significant impact on biodiversity values. (3) The environmental impact statement that accompanies any such application is to include the biodiversity assessment required by the environmental assessment requirements of the Planning Agency Head under the Environmental Planning and Assessment Act 1979.</i>		
Concept Approval SSD-9579		Consistency of the project with the Concept Approval.	Detailed consideration of the proposed development against the Concept Approval has been provided.	<b>Part 6</b> and <b>Appendix 35</b> and <b>Part 6</b> of the Amendment Report.



**APPENDIX C**  
**UPDATED**  
**MITIGATION**  
**MEASURES**  
**TABLE**



**MITIGATION MEASURES TABLE**

Over Station Development at Crows Nest – Site B  
25 Hume Street, Crows Nest

SSD-61400212

<b>By:</b>	Third.i Crows Nest Residential Developments Pty Ltd
<b>In relation to:</b>	State Significant Development Application (SSD-61400212) For Crows Nest OSD Site B
<b>Site:</b>	477-495 Pacific Highway, Crows Nest Lot 100 DP 747672, Lot 101 DP 747672, Lot A DP 442804

Third.i Crows Nest Residential Developments Pty Ltd (referred to below as Third.i), plan to undertake the construction of the proposed over station development, in accordance with the following planned management and mitigation measures.

**Updated Planned Management and Mitigation Measures Table**

The table below outlines the Planned Management and Mitigation Measures associated with the proposal. Any changes as a result of the amended design and/or Agency responses have been included in red for ease of reference.

<b>PLANNED MANAGEMENT AND MITIGATION MEASURES FOR SSD-61400212</b>		
<b>ID</b>	<b>Management / Mitigation Measure</b>	<b>Timing</b>
<b>Administrative Commitments</b>		
<b>A1</b>	<b>Commitment to Minimise Harm to the Environment</b> Third.i will commit to implement all reasonable and feasible measures, to prevent and/or minimise any harm to the environment, that may result from the construction or operation of the proposed development	Prior to construction, during construction, and during operation.
<b>A2</b>	<b>Terms of Approval</b> Third.i will carry out the project generally in accordance with the: (a) Environmental Impact Statement; (b) Amendment Report (c) Drawings; (d) Management and Mitigation Measures; (e) Any Conditions of Approval. If there is any inconsistency between the above, the Conditions of Approval shall prevail to the extent of the inconsistency.	Prior to construction, during construction, and during operation.
<b>A3</b>	<b>Occupation Certificate</b> Third.i will ensure that Occupation Certificates are obtained prior to the occupation of the facilities.	Prior to operation.
<b>A4</b>	<b>Compliance</b> Third.i will ensure compliance with any reasonable requirement(s) of the Secretary of the NSW DPHI arising from the assessment of: (a) Any reports, plans, programs, strategies or correspondence that are submitted in relation to this Approval; and (b) The implementation of any recommended actions or measures contained in reports, plans, programs, strategies or correspondence submitted by the Project Team as part of the application for Approval.	Prior to construction, during construction, and during operation.
<b>A5</b>	<b>Structural Adequacy</b>	During construction.



**MITIGATION MEASURES TABLE**

Over Station Development at Crows Nest – Site B  
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<b>PLANNED MANAGEMENT AND MITIGATION MEASURES FOR SSD-61400212</b>		
<b>ID</b>	<b>Management / Mitigation Measure</b>	<b>Timing</b>
	Third.i will ensure that all new buildings and structures on the site are constructed in accordance with the relevant requirements of the National Construction Code.	
<b>A6</b>	<p><b>Construction Environmental Management Plan</b></p> <p>Prior to the commencement of construction, Third.i would prepare a Construction Environmental Management Plan (CEMP) that addresses the following:</p> <ul style="list-style-type: none"> <li>(a) Air Quality;</li> <li>(b) Noise and Vibration;</li> <li>(c) Waste Classification;</li> <li>(d) Materials Management Plan;</li> <li>(e) Acid Sulfate Soils and Salinity; and</li> <li>(f) Community Consultation and Complaints Handling.</li> </ul>	Prior to construction.
<b>A7</b>	<p><b>Site Induction</b></p> <p>All staff employed on the site by the construction contractor will be required to undergo a site induction.</p>	Prior to construction.
<b>A8</b>	<p><b>Operation of Plant and Equipment</b></p> <p>Third.i will ensure that all plant and equipment used on-site, is maintained and operated in proper and efficient manner, and in accordance with relevant Australian Standards.</p>	During operation.
<b>A9</b>	<p><b>Monitoring the State of Roadways</b></p> <p>Third.i will monitor the state of roadways leading to and from the subject site, during construction, and will take all necessary steps to clean up any adversely impacted road pavements as directed by the North Sydney Council.</p>	During construction.
<b>A10</b>	<p><b>Waste Receipts</b></p> <p>Third.i will ensure that a permanent record of receipts, for the removal of both liquid and solid waste from the subject site, be kept and maintained up to date at all times. Such records will be made available to authorised person upon request.</p>	During construction and operation.
<b>A11</b>	<p><b>Complaints Handling</b></p> <p>Third.i will prepare an Operational Complaints Handling Protocol for the development, prior to the commencement of operations.</p>	Prior to operation.
<b>A12</b>	<p><b>Soil and Water Management</b></p> <p>A Soil and Water Management Plan (SWMP) will be implemented for the construction of the proposed development.</p>	Prior to and during construction.
<b>Specific Environmental Commitments</b>		
<b>Design Development</b>		
<b>D1</b>	<p>Further assessment should be undertaken during the detailed design stage and prior to the issue of the Construction Certificate(s) to:</p> <ul style="list-style-type: none"> <li>▪ validate compliance with the applicable provisions outlined in the BCA Capability Statement.</li> <li>▪ ensure compliance with the requirements identified in the Accessibility Report.</li> </ul>	Detailed design development and prior to construction



**MITIGATION MEASURES TABLE**

Over Station Development at Crows Nest – Site B  
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<b>PLANNED MANAGEMENT AND MITIGATION MEASURES FOR SSD-61400212</b>		
<b>ID</b>	<b>Management / Mitigation Measure</b>	<b>Timing</b>
<b>Wind</b>		
<b>W1</b>	<p>Ensure the provision of the following measures:</p> <ul style="list-style-type: none"> <li>▪ Ground Level <ul style="list-style-type: none"> <li>- Street planting along Hume Street frontage.</li> </ul> </li> <li>▪ Apartment balconies <ul style="list-style-type: none"> <li>- A combination of wintergardens for some apartments, solid balustrades, incorporation of blade walls, inset balconies, removal of wraparound balconies as per architectural drawings.</li> </ul> </li> <li>▪ Roof terrace <ul style="list-style-type: none"> <li>-Sectioned areas to the southern portion of the roof terrace (communal area) to provide additional protection from predominantly horizontal winds.</li> <li>-A total height of at least 1.8 m high, including landscaping (with at least 75% solidity for landscaping) recommended for perimeters of the, communal area of the roof terrace and southern penthouse terrace.</li> </ul> </li> </ul>	Prior to occupation and during occupation
<b>Landscape</b>		
<b>L1</b>	<ul style="list-style-type: none"> <li>▪ Undertake regular landscape maintenance work to vegetation and planting on the podium and upper levels to ensure an enhanced level of scenic amenity.</li> </ul>	During occupation
	<ul style="list-style-type: none"> <li>▪ Landscape maintenance should be in keeping with the strategy at 7.12 of the Landscape Design Report.</li> </ul>	During occupation
<b>Crime Prevention and Safety</b>		
<b>C1</b>	<ul style="list-style-type: none"> <li>▪ Implement active graffiti removal scheme.</li> <li>▪ Implement active security surveillance technology in support of natural (e.g., CCTV cameras).</li> <li>▪ Implement sufficient lighting along perimeter.</li> <li>▪ Implement signage to provide awareness of vehicles exiting.</li> <li>▪ Implement vehicle security barriers to protect pedestrians.</li> </ul>	Prior to occupation and during occupation
<b>Traffic and Transport</b>		
<b>T1</b>	The initiatives in the Green Travel Plan should be implemented during the operational phase of the development and monitored to ensure that they are achieving the desired benefits, including travel surveys to establish travel patterns and mode share of trips to and from the site. The Green Travel Plan may be further updated based on further changes to travel behaviour.	During occupation
<b>T2</b>	The Preliminary CPTMP should be further developed, and a detailed CPTMP that complies with the relevant standards and guidelines will be submitted prior to the commencement of construction works.	Prior to and during construction.



**MITIGATION MEASURES TABLE**

Over Station Development at Crows Nest – Site B  
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<b>PLANNED MANAGEMENT AND MITIGATION MEASURES FOR SSD-61400212</b>		
<b>ID</b>	<b>Management / Mitigation Measure</b>	<b>Timing</b>
<b>T3</b>	The VSMP should be reviewed regularly (at least once a year) to ensure that the details outlined remain relevant for the operations and activities associated with the Metro Station and residential OSD which are required to occur through the dock area.	During occupation
<b>Noise and Vibration Management</b>		
<b>NVI</b>	<p>Construction noise management is to be undertaken in accordance with the Section 8.4.4 of the NVIA which include:</p> <ul style="list-style-type: none"> <li>▪ Construction to be undertaken within the approved hours detailed within the projects Conditions of Consent.</li> <li>▪ All plant and equipment are to be maintained such that they are in good working order.</li> <li>▪ A register of complaints is to be recorded in the event of complaints being received, including location, time of complaint, nature of the complaint and actions resulting from the complaint.</li> <li>▪ If required a noise level measurement of the offending plant item generating complaints is to be conducted and noise mitigations undertaken to reduce noise levels to within Noise Management levels in the event magnitude of noise levels is found to be above suitable levels.</li> <li>▪ The use of percussive and concrete sawing should be undertaken behind a closed façade when possible.</li> <li>▪ The use of percussive equipment including hydraulic hammering should be limited such that they are not undertaken prior to 7.30am on weekdays and prior to 8.30am on Saturdays.</li> </ul> <p>In addition to the recommended mitigations above details of the proposed construction works to be conducted on the Site, including type of activities to be conducted as well as the expected duration of activities should be provided to the neighbouring receivers.</p> <ul style="list-style-type: none"> <li>▪ Use of alternative appliances to complete the required works which result in reduced noise impacts on surrounding neighbours.</li> <li>▪ Period when noisy appliances are undertaken, such as undertaking noisy works on locations with the greatest distance to residential receivers during morning periods if possible.</li> <li>▪ Construction of acoustic screening to permanently located high noise generating equipment such as pumps and generators. Scheduling of high noise generating works outside of noise sensitive periods if possible.</li> <li>▪ Other site specific treatments and controls which may become possible once works commence.</li> </ul> <p>In addition to the above the following is also recommended:</p> <ul style="list-style-type: none"> <li>▪ Noise – Attended noise level measurements of typical construction activities should be undertaken at Site.</li> </ul>	During construction



**MITIGATION MEASURES TABLE**

Over Station Development at Crows Nest – Site B  
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<b>PLANNED MANAGEMENT AND MITIGATION MEASURES FOR SSD-61400212</b>		
<b>ID</b>	<b>Management / Mitigation Measure</b>	<b>Timing</b>
	<p>Attended construction noise surveys of the Site and surrounding impacts on neighbours should be undertaken during the following as a minimum:</p> <ul style="list-style-type: none"> <li>i. Periodically during the construction period if required.</li> <li>ii. In response to any ongoing complaints received from neighbours.</li> </ul>	
<b>NV2</b>	<p>During the proposed construction of the project the building contractor is required to engage in community interaction. The community interaction and notification is required to include the following:</p> <ul style="list-style-type: none"> <li>▪ Notification of the proposed works to be undertaken on the Site and the periods when works will be conducted, including information regarding the programme of works such as demolition and excavation.</li> <li>▪ Details of the relevant Site representative where complaints can be registered.</li> <li>▪ Details of the methodology to respond to complaints raised from the surrounding receivers.</li> <li>▪ A register of complaints, to be kept on Site including record of time and nature of the complaint as well as the outcomes and comments regarding investigations resulting from the complaint.</li> </ul>	During construction
<b>Erosion and Sediment Management</b>		
<b>E1</b>	<ul style="list-style-type: none"> <li>▪ The Preliminary Erosion and Sediment measures should be implemented under a detailed CMP, which will take effect throughout the duration of the works.</li> </ul>	During construction
<b>Stormwater</b>		
<b>S1</b>	<ul style="list-style-type: none"> <li>▪ The Stormwater Network Maintenance Schedule set out in Section 12 of IWMP must be implemented.</li> </ul>	During occupation
<b>Waste Management</b>		
<b>WM1</b>	Site specific mitigation measures relating to inductions, material selection and ordering, waste avoidance opportunities, and site procedures provided in Section 4.4 of the CDWMP should be incorporated into the detailed CMP.	During occupation
<b>WM2</b>	Primary roles and responsibilities in relation to operational waste management are set out in Section 7.0 of the OWMP and should be followed.	During occupation
<b>Aboriginal Cultural Heritage</b>		
<b>ACH1</b>	Aboriginal community consultation incorporating their design ideas and changes contributed to and inspired by Elders are approved prior to being used on the project. This includes 'Designing with Country' as a masterplan of Indigenous themes across the whole Hume Place Precinct that explores The Land and Endangered Ecosystems through the design of Site B.	During detailed design
<b>ACH2</b>	The incorporation of storytelling, placemaking and wayfinding inspired and guided by the involvement of the Indigenous	During detailed design



**MITIGATION MEASURES TABLE**

Over Station Development at Crows Nest – Site B  
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<b>PLANNED MANAGEMENT AND MITIGATION MEASURES FOR SSD-61400212</b>		
<b>ID</b>	<b>Management / Mitigation Measure</b>	<b>Timing</b>
	Consultants. The concept of 'Place' is recognised through the precinct masterplan telling stories of 'The Land, Gamaragal People and stories of Sky Country.' This is being integrated through the architectural expression, and as the design develops will be represented in the wayfinding design process.	
<b>ACH3</b>	Incorporating landscaping in response to Indigenous community consultation, and this includes the investigation of a longer term, seed saving and propagation project to provide greenery to the site. To date, the 'Engagement with Bush to Bowl' has already begun and includes looking at the feasibility of engaging an appropriate company for plant sourcing.	During detailed design and during occupation
<b>ACH4</b>	Applying Country-focussed design concepts, incorporating vantage points and the link to Sky Country, and connection to the whale mother and calf totem in the Site A South. This process is being guided by the 'GANSW Designing with Country Framework' and the 'International Indigenous Design Charter' which has been integrated through the sharing of stories and workshopping of ideas. This is the first step in a process that will eventually shape expression on site and encourage inclusion at the time of handover.	During detailed design and during occupation
<b>Social Impact</b>		
<b>S11</b>	A community engagement plan could be prepared which requires the building contractor, during the construction of the project (including demolition, excavation and construction), to engage in community interaction including the following: <ul style="list-style-type: none"> <li>▪ Notification of the proposed works to be undertaken on the Site and the periods when works will be conducted, including information regarding the programme of works.</li> <li>▪ Details of the relevant Site representative where complaints can be registered.</li> <li>▪ Details of the methodology to respond to complaints raised from the surrounding receivers.</li> <li>▪ A register of complaints, to be kept on Site including record of time and nature of the complaint as well as the outcomes and comments regarding investigations resulting from the complaint.</li> </ul>	During construction
<b>S12</b>	Implementation of the Construction Environmental Management Framework, which would include relevant management plans and measures to manage amenity related impacts including where works have a public interface including: <ul style="list-style-type: none"> <li>▪ Changes to pedestrian and vehicular access and/or circulation</li> <li>▪ Amenity related impacts such as noise, vibration, dust and visual impacts</li> <li>▪ Cumulative impacts due to other major projects in the locality.</li> <li>▪ Cumulative impacts due to timeframes for this project.</li> </ul>	During construction



**MITIGATION MEASURES TABLE**

Over Station Development at Crows Nest – Site B  
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<b>PLANNED MANAGEMENT AND MITIGATION MEASURES FOR SSD-61400212</b>		
<b>ID</b>	<b>Management / Mitigation Measure</b>	<b>Timing</b>
<b>SI3</b>	Undertake ongoing engagement with managers of social infrastructure located near the site (for example, educational institutions, places of worship, community facilities, childcare, health and medical facilities) about the timing and duration of construction works and management of potential impacts.	During construction
<b>SI4</b>	Ensure internal gathering spaces, breakout spaces and other design elements maximise opportunities to support resident and worker wellbeing and community capacity-building within the project.	During occupation
<b>Aviation</b>		
<b>AV1</b>	If approved, details of the Project should be reported to Airservices Australia via this email address: vod@airservicesaustralia.com, and published in En Route Supplement Australia (ERSA) and other relevant aeronautical chart products.	Post approval
<b>AV2</b>	Sydney Airport advises that approval to operate construction equipment (i.e. cranes) should be obtained prior to any commitment to construct.	Prior to construction
<b>AV3</b>	At the completion of the construction of the building, a certified surveyor is to notify (in writing) the Sydney Airport Manager, Airfield Spatial & Technical Planning of the finished height of the building.	Post construction
<b>Reflectivity</b>		
<b>R1</b>	Change the specified finish of the terracotta tile from glossy finish to matte finish.	
<b>Ausgrid</b>		
<b>AG1</b>	Special care should be taken to ensure that driveways and any other construction activities do not interfere with existing underground cables located in the footpath or adjacent roadways. It is recommended that the developer locate and record the depth of all known underground services prior to any excavation in the area. The accurate location of cables along footpaths and roadways can be obtained by contacting Before You Dig Australia (BYDA).	Prior to construction
<b>AG2</b>	In addition to BYDA the proponent should refer to the following documents to support safety in design and construction: <ul style="list-style-type: none"> <li>• SafeWork Australia – Excavation Code of Practice.</li> <li>• Ausgrid's Network Standard NS156 which outlines the minimum requirements for working around Ausgrid's underground cables.</li> </ul> <p>The following points should also be taken into consideration:</p>	Prior to construction



**MITIGATION MEASURES TABLE**

Over Station Development at Crows Nest – Site B  
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<b>ID</b>	<b>Management / Mitigation Measure</b>	<b>Timing</b>
	<ul style="list-style-type: none"> <li>Ausgrid cannot guarantee the depth of cables due to possible changes in ground levels from previous activities after the cables were installed.</li> <li>Should ground anchors be required in the vicinity of Ausgrid underground cables, the anchors must not be installed within 300mm from the cable, and the anchors must not pass over the top of any cable.</li> </ul>	
<b>AG3</b>	<p>Ausgrid has distribution overhead assets present along adjacent roadways to the site. The developer should refer to SafeWork NSW Document – Work Near Overhead Powerlines: Code of Practice. This document outlines the minimum separation requirements between electrical mains (overhead wires) and structures within the development site throughout the construction process.</p> <p>It is a statutory requirement that these distances be maintained throughout the construction phase. Consideration should be given to the positioning and operating of cranes, scaffolding, and other potential clearances from all types of vehicles that are expected be entering and leaving the site.</p> <p>The "as constructed" minimum clearances to the mains must also be maintained. These distances are outlined in the Ausgrid Network Standard, NS220 Overhead Design Manual. This document can be sourced from Ausgrid's website at <a href="http://www.ausgrid.com.au">www.ausgrid.com.au</a>.</p> <p>It is the responsibility of the developer to verify and maintain minimum clearances onsite. In the event where minimum safe clearances are not able to be met due to the design of the development, the Ausgrid mains may need to be relocated at this instance.</p> <p>The Ausgrid asset relocation works will be at the developer's cost.</p>	During construction
<b>AG4</b>	<p><b>New Driveways - Proximity to Existing Poles</b></p> <p>Proposed driveways shall be located to maintain a minimum clearance of 1.5m from the nearest face of the pole to any part of the driveway, including the layback, this is to allow room for future pole replacements. Ausgrid should be further consulted for any deviation to this distance.</p>	Prior to construction
<b>AG5</b>	<p><b>Streetlighting</b></p> <p>The developer is to consider the impact that existing streetlighting and any future replacement streetlighting and maintenance may have on the development. Should the developer determine that any existing streetlighting may impact the development, the developer should either review the development design, particular the placement of windows, or</p>	Prior to construction



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	<p>discuss with Ausgrid the options for relocating the streetlighting. The relocating of any streetlighting will generally be at the developers cost. In many cases is not possible to relocate streetlighting due to its strategic location.</p>	
<b>Heritage</b>		
<b>HI</b>	<p>Heritage NSW recommends that post approval any Aboriginal Cultural Heritage matters are managed in accordance with the approved Construction Heritage Management Plan: Sydney City &amp; South West Metro Crows Nest Station (SSI-7400).</p>	Post Approval
<b>Sydney Water</b>		
<b>SW1</b>	<p><b>Section 73 Compliance Certificate</b></p> <p>A compliance certificate must be obtained from Sydney Water, under Section 73 of the Sydney Water Act 1994. Our assessment will determine the availability of water and wastewater services, which may require extensions, adjustments, or connections to our mains. Make an early application for this certificate, as there may be assets to be built and this can take some time. A Section 73 Compliance Certificate must be obtained before an Occupation or Subdivision Certificate will be issued.</p> <p>Applications can be made either directly to Sydney Water or through a Sydney Water accredited Water Servicing Coordinator.</p> <p>Go to the Sydney Water website or call 1300 082 746 to learn more about applying through an authorised WSC or Sydney Water.</p>	Prior to Occupation
<b>SW2</b>	<p><b>Building Plan Approval (including Tree Planting Guidelines)</b></p> <p>The plans must be approved by Sydney Water prior to demolition, excavation or construction works commencing. This allows Sydney Water to determine if sewer, water or stormwater mains or easements will be affected by any part of your development. Any amendments to plans will require re-approval. Please go to Sydney Water Tap in® to apply.</p> <p>Sydney Water recommends developers apply for a Building Plan Approval early as to reduce unnecessary delays to further referrals or development timescales.</p>	Prior to construction
<b>SW3</b>	<p><b>Tree Planting</b></p> <p>Certain tree species placed in proximity to Sydney Water's underground assets have the potential to inflict damage through invasive root penetration and soil destabilisation. Section 46 of the Sydney Water Act specifies what might occur when there is interference or damage to our assets caused by trees.</p> <p>For any trees proposed or planted that may cause destruction of, damage to or interference with our work and are in breach of the Sydney Water Act 1994, Sydney Water may issue an order to remove that tree or directly remove it and seek recovery for all loss and associated compensation for the removal.</p>	Prior to construction



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	For guidance on types of trees that can cause damage or interference with our assets see Sydney Water webpage Wastewater blockages. For guidance on how to plant trees near our assets, see Diagram 5 – Planting Trees within Sydney Water's Technical guidelines – Building over and adjacent to pipe assets.	
<b>Sydney Metro</b>		
<b>SM1</b>	<p>The Applicant must provide Sydney Metro a summary of all Over Station Development (OSD) design loads that will be transferred to the corresponding station support elements and so demonstrate that these loads remain within the specified limits for all load cases. This confirmation must be submitted for Sydney Metro review, prior to the commencement of any works. This is required to ensure that the station structure remains capable of supporting the OSD developments on Site B, without adverse impact on the station or its operations.</p> <p>The Certifier must not issue a Construction Certificate for the development until written confirmation has been received from Sydney Metro that this condition has been satisfied.</p>	Prior to construction
<b>SM2</b>	Copies of any certificates, drawings, approvals or documents endorsed by, given to or issued by Sydney Metro must be submitted to Department of Planning, Housing and Infrastructure for its records prior to the issue of any Construction Certificate.	Prior to construction
<b>Transport for NSW</b>		
	<p><b>Civil Works</b></p> <p>a) Detailed design plans and hydraulic calculations of any changes to the stormwater drainage system on the Pacific Highway are required prior to be submitted to TfNSW for review. The issue of a Construction Certificate and the commencement of any works. Please send all documentation to <a href="mailto:development.sydney@transport.nsw.gov.au">development.sydney@transport.nsw.gov.au</a>.</p> <p>b) The developer is to submit design drawings and documentation relating to all internal and external support structures to TfNSW for assessment, in accordance with Technical Direction GTD2020/001.</p> <p>The developer is to pay a permit all-inclusive fee of at least six (6) weeks prior to the commencement of construction and is to meet the full cost of the assessment by TfNSW. Please send all documentation to <a href="mailto:development.sydney@transport.nsw.gov.au">development.sydney@transport.nsw.gov.au</a>.</p> <p>If it is necessary to excavate below the level of the base of the footings of the adjoining roadways, the person acting on the consent shall ensure that the owner of the roadway is given at least seven (7) days' notice of the intention to excavate below the base of the footings. The notice is to include complete details of the work.</p> <p>c) Any proposed public utility adjustments/relocation works on the state road network will require detailed civil design</p>	Prior to construction



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<b>ID</b>	<b>Management / Mitigation Measure</b>	<b>Timing</b>
	<p>plans for road opening/underboring to be submitted to TfNSW for review and acceptance prior to the issue of a Construction Certificate and the commencement of any works. The design plans must also obtain any necessary approvals from the various public utility authorities and/or their agents. Please send all documentation to <a href="mailto:development.sydney@transport.nsw.gov.au">development.sydney@transport.nsw.gov.au</a>.</p> <p>d) The developer is required to enter a Works Authorisation Deed (WAD) for the abovementioned works in Parts 1 a), b) and c). A plan checking fee and lodgement of performance bond is required from the applicant in to the release of the approved plans by TfNSW.</p>	
	<p><b>Road Occupancy Licence</b></p> <p>a) A Road Occupancy Licence (ROL) shall be obtained from the Transport Management Centre (TMC) for any works that may impact on traffic flows on the Pacific Highway during construction activities. A ROL can be obtained through <a href="https://myrta.com/oplinc2/pages/security/oplincLogin.jsf">https://myrta.com/oplinc2/pages/security/oplincLogin.jsf</a>.</p>	Prior to construction
	<p><b>Green Travel Plan</b></p> <p>a) Prior to the issue of the first Occupation Certificate, the proponent shall prepare a Green Travel Plan (GTP) in consultation with TfNSW. The NSW Government provides a range of resources to help in the development of a GTP at <a href="http://www.mysydney.nsw.gov.au/travelchoices/html#/support">www.mysydney.nsw.gov.au/travelchoices/html#/support</a>.</p> <p>The Applicant shall submit a copy of the final GTP to TfNSW at <a href="mailto:development.scc@transport.nsw.gov.au">development.scc@transport.nsw.gov.au</a> for endorsement, prior to the issue of any Occupation Certificate.</p>	Prior to occupation
	<p><b>Construction Impact</b></p> <p>a) A Construction Pedestrian and Traffic Management Plan (CPTMP) addressing the criteria in Tab B shall be submitted to TfNSW for review and endorsement prior to the issue of a construction certificate.</p> <p>The Applicant shall submit a copy of the CPTMP to TfNSW at <a href="mailto:development.ctmp.sip@transport.nsw.gov.au">development.ctmp.sip@transport.nsw.gov.au</a>.</p> <p>b) Any works undertaken along the development sites Pacific Highway frontage must have regard for the existing 'Transit Lane' requirements along the development sites Pacific Highway frontage (in so far as it impacts upon the operation of the Hume Street/Pacific Highway signalised intersection).</p>	Prior to construction
	<b>Ongoing servicing</b>	Post approval



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	a) For the life of the completed development, all servicing of the site including deliveries, waste collection, etc must be undertaken within the development site and not be undertaken from the Pacific Highway frontage of the site.	

