

Milson Precinct  
PO Box 704,  
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Attention:  
Director, Key Sites Assessments  
Department of Planning and Environment  
Application SSD 17\_8874

22 June 2018

**Application for Integrated Station Development for Victoria Cross Station**  
**Concept State Significant Development May 2018 -**  
**Submission in response from MILSON PRECINCT**

Milson Precinct supports the other North Sydney Precincts' letters of **OBJECTION to the Over Station Development in its current building form as shown in the EIS on Exhibition, making the following objections as well.**

We support the addition of improved sustainable rail transport into Sydney in response to the increased population predicted by the Greater Sydney Commission; and we specifically support the creation of Metro stations in North Sydney and Crows Nest, as a part of the new Sydney Metro line.

Milson Precinct questions the validity of this Commercial Building envelope, being a State Significant Development, to be determined by the Minister? Although the OSD is being built over the top of Metro Infrastructure, the commercial building is just that, - COMMERCIAL! It is not Infrastructure! It is not providing any amenity to the community, other than providing an exit point from the station.

Milson Precinct is of the view that it is a LOST opportunity that the Victoria Cross Metro and North Sydney Railway stations are NOT integrated, by a simple, at level, weather-proof connection between them both.

Such a link could be achieved simply from the existing corridor which passes under the Pacific Highway.

The Precinct notes the proposed Integrated Station Development by Sydney Metro covers the simultaneous construction of a metro station and an above station office building. The Over Station Development (OSD) seeks approval for 233m high 42 storey building with GFA of 60,000m<sup>2</sup> and 12.46:1 FSR including seeking approval for the building heights, setbacks, floor space, car parking, access and land use and public domain works.

Milson Precinct has reviewed the EIS for the Integrated Station Development for Victoria Cross Station in North Sydney and **strongly objects to and rejects** this proposal. While clearly an underground metro station needs a surface exit, this proposed integrated development is a ploy for the developer to seek to bullet-proof their commercial position by making the approval of an oversized office building tied to the access to a much-needed and overdue piece of transport infrastructure.

Alternatively, for example, the station could exit into a plaza, a town square, or into a new parkland. Any of these in our view would be preferable to the proposed exit into the foyer of an anonymous office building - especially given the existence of a green open space strip already next door outside the Heritage listed MLC Centre – or disgorging commuters into a back laneway system on Dennison, as proposed.

**The rejection of the proposed OSD development is based on the following thinking and the listed specific reasons.**

The North District Plan for the Harbour CBD (North Sydney CBD) sets housing targets for North Sydney at 3,000 new dwellings and additional 822,496m<sup>2</sup> of commercial office space. The job growth is predicted to increase from 60,400 jobs in 2016 to 81,500 jobs in 2036 adding 21,100 additional people using local services and public spaces in the North Sydney CBD area. The Plan also predicts 196,000 population growth and that 20% of the population will be over age 65. This will have a dramatic impact on the pressure in North Sydney CBD on quality public spaces, facilities and the need for cultural and social interaction.

One of the key objectives of the North District Plan is to deliver “high quality civic and public spaces which can be utilised for a variety of cultural and entertainment activities and designing places for people”. This feature is currently lacking in the North Sydney CBD. The proposed space achieves nothing towards this goal and will be a complete lost opportunity, in its current form.

The North Sydney CBD is the fifth largest in the country. It currently ‘caters’ for huge numbers of people daily: 60,000 office workers, several thousand & soon to be up to 20,000 university & other tertiary students, over 10,000 school children & teachers within the CBD or on the fringe, within easy walking distance, as well as local residents all competing for space on the already overcrowded suburban-standard street footpaths and a suburban residential grid street layout.

This OSD form has failed to look at addressing any amenity or benefits to these existing users of the CBD, let alone looking to the future needs and amenities for the increased population!

Workers struggle to find any outdoor quiet place in the sun to eat lunch or to relax. School children have nowhere to congregate, mix, socialise – let alone play. There are very limited public outdoor spaces, no cultural or entertainment facilities, no sports facilities, no public gardens or parks, and no walking trails in the current North Sydney CBD. The Pacific Highway slices through the CBD at surface level and the Warringah Freeway provides a solid barrier to the eastern side of the CBD. Amazingly, in a suburb less than a single kilometre from the Harbour and with a hilly

terrain, it is really hard to get a view of the water at all, at street level, from most parts of the North Sydney CBD.

The Sydney Metro's Victoria Cross station in North Sydney CBD should be a once in a generation opportunity for a major transformation of one of the largest commercial centres in Australia - which currently only has "life" between 9 am - 5 pm on weekdays, by changing it into a vibrant and attractive centre which attracts people to enjoy its working, educational, recreational, retail and civic attractions, in the evenings and on weekends too.

The Sydney Metro documents talk grandly about these opportunities, which it clearly recognises. For example, it talks about how the new rail line is to create "an exciting opportunity to integrate global best practice and innovative thinking to develop a sense of place" but then it does absolutely nothing to realise any of these aspects.

Instead, it creates yet another oversized building on the last remaining space for a proper parkland within the CBD, featuring only more retail shops, a bland forecourt and no public amenity, and empties its commuters into tiny back laneway network which are shared with supply trucks and commuters keen to find the last free car parking spot or to access a Council car park, or to use a Kiss & Drop - which is not being provided anywhere.

With the planned large increase of worker population in North Sydney CBD it is critical that this proposal for the OSD, in the heart of the city, should offer significant public open space and some public cultural facilities as part of the street level interface. Perhaps as well it could also do something specific and creative for the thousands of school children who will go through this station and the adjacent streets each day.

**Within the thinking of these general observations as outlined above, there are a series of specific OBJECTIONS which are detailed below.**

**1. We object to the lack of open space, solar access, setbacks and public domain**

The North Sydney community has lost the very successful and popular Tower Square development in the centre of North Sydney – the one place where people could relax in the sun and have lunch away from the noisy and crowded streets. As well as losing the north facing sun drenched open plaza space on the corner of Berry & Miller Streets, which had sun for extended hours during the day. Both of these sunny spaces have been consumed by the Metro development and this OSD!

This OSD design, according to the architect when speaking with him, has allowed only 2 hours solar access to the footpath of Miller Street, and has impacted on

the solar access to the Private Public Open Green Space, called Miller Street Special Area - which is the passive green grassed area in front of the MLC building, in winter! This should NOT be allowed. This space is used by the lunchtime crowd for sun!

This OSD should be setback in ALIGNMENT with the MLC building setback, being adjacent to each other. The architect informed me that it was set back to be in alignment with the other north east Miller Street properties, on the other side of the Rag & Famish Pub, which this OSD building does not read with, as not on the same block. The architect was unable to advise the difference, in meters, the amount of setback between the two city blocks. But it should be in the same alignment as MLC, which will give greater solar access to Miller St Special Area.

What we are going to get in return is a very large commercial building with retail outlets - and importantly no quality public domain, with solar access for extended periods of the day, nor community facilities at street level to activate this central location after hours or on weekends and to create a lively precinct for either workers, schoolchildren or university students, or the local residential community.

It is important to stress that the Tower Square site's air space had already been SOLD and hence, developing over this particular site may be considered ILLEGAL and double dipping.

Could the DPE please explain how this can be happening?

We would actually prefer that an open park be built on this site, linking to the open space outside the MLC Centre and the forecourt of the Beau Monde building, in Berry Street, in front of No.1 Dennison St, currently under construction. This site is currently the last site in the CBD that does not get significant over shadowing and it is unlikely to ever get overshadowing (because Monte Sant'Angelo school will presumably never go to high rise) and which does not act as a wind tunnel. That makes this OSD specific site very important. **The Precinct would like the State Government and Sydney Metro to withdraw this proposal and concentrate instead on creating open public area above the railway station which, over time will be improved and further extended as new developments occur in Berry Street.**

We sincerely regret that outcome seems unlikely at this stage of the process. But revision of the OSD should be seriously looked at, in terms of amenity provision for future generations of workers, residents and children, to make a sustainable green heart for North Sydney!

So, if the preferred option cannot be achieved, at a minimum the Precinct requests that the development over the Victoria Cross Metro Station complies with Council set back limits on Miller and Berry Streets to form a public square on the intersection corner which over time will be improved and extended as new developments in Berry Street are set back to the same limit as the current building at 79-81 Berry Street.

In this context we request that consideration also be given by the Council and State Government, or the Sydney Metro, to purchasing 65 Berry Street and integrating that site now into a better integrated development. It is currently advertising 5000 square metres for lease so obviously must be fairly empty at the moment.

## **2. We object to the apparent absence of any contribution to public life in the North Sydney city centre**

In addition and regardless of the future of 65 Berry Street, Milson Precinct request a significant community cultural facility be incorporated in the Metro building in place of the lazy default choice of more generic and unnecessary retail shops. The legitimate need for access to the high-rise office building should be minimised to lifts and a concierge desk with the remaining space at ground level being devoted to public thoroughfare and related public amenities.

We note that Tower Square was demolished as part of the price of the metro station. The city lost its most successful public space, where people gathered and which featured a variety of small business that can only flourish in such spaces. There appears to be no attempt in this proposal to replace the sort of successful gathering place which has been lost.

More significantly, if this project is to benefit the city centre and deliver some of the stated aims and objectives of the District Plan, where are the places for public life?

The North Sydney city centre lacks all of these: a town hall, performance spaces, meeting spaces, cinemas, exhibition spaces, incubators, shared spaces, community offices, markets, and many more. The massive changes wrought by the construction of the metro site are exactly the opportunity to create some of these missing spaces which characterise all good cities. The massive increase in values – extraordinarily high on the site of the previous Tower Square – can at least make good what has been lost and beyond that, make a real contribution to the city centre where an additional 4,000 people will work by 2021, by providing to NSC a 1,500 theatre space on the podium levels of this new OSD structure, which could house recitals, theatre, University, TAFE and School graduations within.

## **3. We object to the oversized floor plates**

The site area of this proposal is obviously too small for this oversized commercial tower with its large floor plates. The proposed building envelope encroaches significantly onto the Miller Street and Berry Street setbacks as detailed in the existing North Sydney Council's planning controls. These street setback controls have been established to protect the winter sun access to the limited public outdoor recreation areas in the centre of North Sydney and they should be respected and complied with. The EIS does not include critical public views of the proposed OSD from Denison Street and from the eastern side of Berry Street which are essential to understand how the proposed building will fit into the urban

context of North Sydney. We request that No 65 Berry Street site be incorporated into the OSD plan - if not purchased outright and included in a revised development application as suggested above - to the degree that it will achieve the required setback in Miller Street and to allow for the creation of a single, continuous, generous, sun filled public square on Berry Street to fully activate this important, central site for civic and recreation activities. In addition, we insist that the Miller Street setback established by the heritage MLC building must also be retained in any new development. We further note that the opportunity presented by the existing blind boundary wall of the MLC Centre building is not being used to best advantage in this Proposal, to push the massing of the building to the south of the site and so free up maximum sunlit ground space for the public.

#### **4. We object to the inadequate width of pedestrian exit and access into the station**

There is an inadequate width of cross block public link between Denison Street and Miller Street leading to the Metro station entry.

The EIS documents do not specify dimension of the cross link but it appears on drawings within the 18m setback from the MLC building and it incorporates retail and pedestrian metro station entry which is considered too narrow to allow for the 15,500 commuters, who are projected to be streaming from the station in the morning peak. The width of this passageway needs to be significantly increased simply to cope, let alone to create any 'sense of place' as part of the experience, rather than just being the thoroughfare through the station.

There are no details shown of how will the OSD building meet the lower colonnade of MLC building and the new station level. It seems to us that the existing café structure which projects out from the MLC building should be purchased and then removed and MLC setbacks be maintained, to enable less major negative impact on the commuter movements to the metro station.

#### **5. We object to the false images of the OSD building**

The artists' impressions in the Metro publications and the EIS present false images of a very generous station entry and spacious 3 storeys colonnade. The architectural plans and the physical model show no colonnade to Miller Street and only narrow pedestrian passage within the 18m wide setback from MLC building. This is very deceptive and misrepresents the reality of the proposed building's inadequate public domain around the metro station. The drawings also indicate a steady 'ratchet out' of the building so that it actually offsets the sight lines, sunlight and shadowing effects, and the visual set back which are required at street level. This architectural trick is completely unacceptable. It is also inconceivable that this building would not have significant shadowing implications for the existing open areas to its south – the MLC Centre open space and Brett Whitely Square - and could ruin their amenity.

To only focus on possible shadowing effects on the Greenwood Plaza area is to ignore the loss of sunlight which will be created in the streetscapes closer to this new development.

**6. TRAFFIC Matters: We object to the inadequacy of commuter links between stations, or bus interchanges, increased traffic, loss of parking spaces, impeding MLC Building's rear back of house road access.**

A major omission in the design of the OSD project is the future proofing for the underground link to Greenwood Plaza and the commercial building across under Miller Street. The link to Greenwood Plaza is considered by the Precinct absolutely essential as an additional public domain connection between the two rail stations in North Sydney and as high quality public shopping arcade catering for the large number of existing and future workers and the local community.

For example, how popular is the link under the QVB and George Street from Town Hall Station to Market St and Pitt St. Mall?

This suggested link could become just as active and economically attractive an addition to the current North Sydney's limited public domain and cater for any need for 'more retail outlets' in the overall development. Any retail outlets 'lost' from the redesign of the foyer of the new building to meet our suggestions would instead be located here.

Similarly short sighted is the complete absence of any mention of the likely bus developments in the immediate and foreseeable future, specifically but not limited to the likely routing of 50% of the B Line buses from the Northern Beaches being sent to terminate in North Sydney, at the Train and Metro stations, according to the RMS staff, dealing with the Western Harbour Tunnel & Beaches Link (WHT&BL) .

There is zero recognition in this proposal that bus and train passengers in the North Sydney CBD may, in many cases, be the same individuals, being asked to change mode of transport, to commute across the Harbour into the city, as the City of Sydney is unable to cope with the increase in Bus movements across the Bridge into York Street!

Hence, North Sydney, it's streets and its residents, have to take the extra pain of the additional population growth, that has to pass through North Sydney, with no additional consideration by the Department of Planning and Environment, in creating more amenity for humans, vs commercial operators, on this OSD site .

Likewise there has been no apparent consideration of the possibility of the need to make Miller and Walker Streets one way streets, or to possibly created bus only streets outside both railway stations, or to create a pedestrian plaza by closing the section of Miller Street between the Pacific Highway and Berry Streets completely. Of course we understand that is not a part of the OSD, but it is a part

of the only marginally broader question of what happens around and adjacent to a new railway station in a busy CBD location. So, The Minister and DPE directors, at this consideration of building envelope approvals, needs to be thinking about the OSD proposal in this broader NS CBD context.

As an absolute minimum, the station platform 'box' should be required to allow the flexibility for future sub-grade connections on all sides.

The EIS plans show that the rear of the MLC loading dock area, is to be eliminated. One parcel of land's (OSD) design can not, nor should not, close off an adjacent parcel of land's vehicular road access! The owner of the MLC is not agreeing to this proposal, nor the fact that the metro will disgorging 7,750 morning peak commuters onto this driveway access points for MLC.

The EIS States that the traffic will increase by 33 vehicle movements per hour in AM peak - have they taken into consideration for any drop off - 'Kiss & Drop' - possibilities for the station? Or the increased traffic movements for people, residents and parents, utilising this Metro station in this way, within the calculations of these additional 33 vehicle movements? Or could it realistically be far greater?

This OSD building is taller, has more commercial and retail spaces than the buildings that were in existence before, and yet, this EIS proposes to have 47 fewer off street parking spaces, than was previously there! This has failed to consider the additional building volume, nor people, who may be elderly, infirm, or disable, who reside further away and would not be able to walk to the station, wanting to access parking to be able to travel into town.

## **7. We object to the failure to consider an important specific community – tertiary & school students**

The Precinct is amazed that in the largest concentration of high school students in the entire country, this Metro proposal makes no mention of them and does absolutely nothing to cater to their needs at all - and treats them just as poorly as any office-bound adult commuter who works in North Sydney.

Even an underground link to the northwest corner of Berry and Miller St would seem helpful for the 1500 students at Monte, rather than all crossing the street on the surface, but even something so obvious and easy as this has not been considered, nor a similar treatment for the SHORE boys to access under the Pacific Highway to Mount Street. This could also assist the tertiary students who attend all the business, design & catering colleges, as well as the Australian Catholic University campus buildings, consisting of several high rise buildings, many low rise buildings as well as the original campus on Edward Street. They intend to have this campus go up to 20,000 students, plus staff.



There will be many additional thousands of students every day utilising the McLaren Street & Miller exit to attend North Sydney Boys High, Marist Brothers, Wenona, St. Mary's School or North Sydney Girls High.

This lack of any apparent thought for the huge number of students & teachers using this station is a total failure of knowing the true context of the area surrounding the OSD or having any imagination, by the proponents.

For all the grand language in the Metro publicity material about opportunity to create exciting spaces and design landmark buildings, this building breaks the existing set back limits, offers zero public facilities, and sends 15,500 Metro passengers per morning, off into tiny laneways, or to cross over surface streets of Miller and the Pacific Highway – so much for any sense of ‘creating public amenity’ or ‘enhancing a sense of grandeur’ or of ‘being in a memorable place’ as they talk about in the documentation.

**8. We object that no comprehensive Stakeholder Engagement details are included; and what issues were raised by the various stakeholders is unclear.**

Despite what it states, the consultation is coming after the proposal is tabled. For example, the EIS lists consultation with the Waverton Precinct on the project, however the Waverton Precinct denies being consulted on this project in any informed or purposeful way.

Similarly, there is no Public Domain Strategy included in this proposal, instead just a focus on the building envelope and pedestrian access with only some vague statements such as:

“Deliver a high-quality built form that exhibits design excellence, is a landmark building and it responds sympathetically to the surrounding heritage buildings”.

The Precinct fails to understand how an overbearing 42 storey glass building is even remotely sympathetic to the 2 storey nineteenth century rendered brickwork hotel which will sit directly opposite it?

The EIS overview brochure additionally states that “*design excellence principles will support the place-making and urban design requirements of creating vibrant public places for social and cultural interaction and contributing to the vibrant and accessible streets and open space around the stations*”.

These objectives have hardly been addressed, even in a passing manner, let alone been fulfilled in this proposal for Victoria Cross station.

## 9. **We object about perceived Conflicts of Interest in the Approvals process**

The Design Guidelines prepared by the NSW Government Architect are limited in their detail and scope. The EIS states that the Sydney Metro Design Excellence Evaluation Panel will provide independent evaluation: this is hardly possible if the panel will be chaired by the NSW Government Architect as the Government Architect works for the Minister of Planning.

Yet, we note the Premier has already publicly declared what a positive move she sees this current proposal as being to the future of North Sydney.

### **Conclusion:**

**As stated above**, Milson Precinct strongly **OBJECTS** to and rejects this application by Sydney Metro and requests that all these concerns be considered by the Approval authority. Please see the attached section of the Milson Precinct Minutes where the issues and concerns were discussed at the meeting of 7 June, 2018.

Please explain how a commercial building can be treated as a SSD? IT it's NOT the Infrastructure, just a building over the top of the infrastructure.

Please explain how one design can remove an adjacent buildings vehicular access?

Milson Precinct thinks that the North Sydney Community should get some greater benefit from this over development of the site, along with the loss of the open air, sun and sky space that was previously available to workers on three portions of this site, being the Tower Square site as well as the Miller and Berry Streets corner open plaza, as well as the previous Miller Street setbacks that were in line with the MLC building.

So if the design for this OSD is not rejected completely, we would request that it be redesigned to accommodate the existing and proposed additional workforce and student populations, providing more open green passive solar spaces. This needs to be far greater than the areas that were existing previously, so as to cater for the increased 20,000 workers in the CBD, as well as an additional student population of 8,000, transiting through North Sydney & Metro station, as per the Greater Sydney Commission figures!

At what was the existing rate of open public domain in NS, it equated to 0.75 sqm per person, whereas it would be desirable to have 0.80 sqm. per person. For an additional population of 20,000 workers alone, you need an additional 16,000 sqm. of open space. This site should go some way to providing this additional 16,000 sqm. of solar passive open space.

In addition, we request that a significant portion of the podium level of this redesigned OSD building, be GIVEN to NS Council and the community of North Sydney, as a Civic Theatrical Space. The space to be designed, similarly to

Angel Place, that could hold 1,500 seat theatre, for concerts, events within the CBD, graduations for schools, TAFE, Colleges and University, drama and orchestral opportunities. It could also double as a cinema.

Thanking you for your consideration of this lengthy submission.

Yours sincerely,

Jillian Christie  
Chair,  
Milson Precinct