

**Report to General Manager**

Attachments:

1. State Significant Development Application Plans for Over Station Development
 2. Clause 4.6 requests as contained in the Development Application
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SUBJECT: Victoria Cross - Over Station Development (OSD)**AUTHOR:** Geoff Mossemeneer, Executive Planner**ENDORSED BY:** Joseph Hill, Director City Strategy**EXECUTIVE SUMMARY:**

A concept State Significant Development (SSD) Application for Over Station Development (OSD) comprising a commercial tower integrated with the future Victoria Cross Station has been lodged with the Department of Planning for determination with the Minister being the consent authority. The application is on public exhibition until 22 June 2018 for comment. The Department of Planning has allowed Council to make its formal submission based on its resolution following Council's consideration of this report.

The purpose of this report is to describe the proposal and identify any concerns or issues that need to be addressed in the final SSD applications for the OSD. This report provides the basis of Council's submission, subject to Council's endorsement.

Whilst various issues of concern are raised in this report, the transport infrastructure represented by Metro and the related employment floor space and public domain potential enhancements associated with this project, are strongly supported.

FINANCIAL IMPLICATIONS:

Nil.

RECOMMENDATION:

1. **THAT** Council make a submission to the concept State Significant Development Application for the Victoria Cross Metro Over Station Development.
 2. **THAT** the discussion and assessment contained in this report, particularly the highlighted submissions, be the basis of Council's submission to the Department of Planning and Environment.
 3. **THAT** Transport for NSW and the Roads and Maritime Services acknowledge the role of Metro in this location as a basis to achieve enormous mode shift benefits, high levels of pedestrian amenity and an attractive and inviting precinct post Metro and that the current through-traffic function of both Miller and Berry Streets is at odds with this objective.
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LINK TO COMMUNITY STRATEGIC PLAN

The relationship with the Community Strategic Plan is as follows:

- | | |
|------------|--|
| Direction: | 1. Our Living Environment |
| Outcome: | 1.5 Public open space, recreation facilities and services that meet community needs |
| Direction: | 2. Our Built Environment |
| Outcome: | 2.1 Infrastructure, assets and facilities that meet community needs
2.2 Improved mix of land use and quality development through design excellence
2.3 Vibrant, connected and well maintained streetscapes and villages that build a sense of community
2.5 Sustainable transport is encouraged |
| Direction: | 3. Our Economic Vitality |
| Outcome: | 3.1 Diverse, strong, sustainable and vibrant local economy
3.2 North Sydney CBD is one of Australia's largest commercial centres |
| Direction: | 5. Our Civic Leadership |
| Outcome: | 5.1 Council leads the strategic direction of North Sydney
5.4 Community is informed and aware |

BACKGROUND

In January 2017, the construction of the initial portion of Sydney Metro Stage 2 (Chatswood to Sydenham) was approved by the Minister for Planning under Part 5.1 (now Division 5.2) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) as a Critical State Significant Infrastructure project (SSI 15_7400). The project designated as Critical State Significant Infrastructure (hereafter referred to as the CSSI Approval) includes the delivery of seven new Metro stations, including a new station at Victoria Cross at North Sydney.

While the Victoria Cross Station and Over Station Development (OSD) will form a single Integrated Station Development, the planning pathways defined under the EP&A Act require separate assessment for each component of the development. In this regard, the approved station works (CSSI Approval) are subject to the provisions of Part 5.1 of the EP&A Act (now referred to as Division 5.2) and the OSD component is subject to the provisions of Part 4 of the EP&A Act.

A concept State Significant Development (SSD) Application for Over Station Development (OSD) comprising a commercial tower integrated with the future Victoria Cross Station has been lodged with the Department of Planning for determination with the Minister being the consent authority. The current provisions of the EP&A Act regarding SSD's result following the deletion of Part 3A Major Infrastructure and other projects provisions from the Amended

Act.

The application is on public exhibition until 22 June 2018 for comment. Council is also required to provide comment by the 22 June 2018. The Department of Planning has allowed Council to make its formal submission based on its resolution following Council's consideration of this report.

The purpose of this report is to describe the proposal and identify any concerns or issues that need to be addressed in the final SSD applications for the OSD.

CONSULTATION REQUIREMENTS

Community engagement is not required.

SUSTAINABILITY STATEMENT

This report deals with (draft) State Government Legislation/Policy which may have a substantial effect on sustainability. This report is for information purposes only; a sustainability assessment was not undertaken.

DETAIL

1. Overview

The following details are provided from the OSD application EIS. The station works under the CSSI Approval include the construction of below and above ground structures necessary for delivering the station and also enabling construction of the integrated OSD. This includes but is not limited to:

- demolition of existing development;
- excavation;
- station structure including concourse and platforms;
- lobbies;
- retail spaces within the station;
- public domain improvements;
- pedestrian through-site link;
- access arrangements including vertical transport such as escalators and lifts; and
- structural and service elements and relevant space provisioning necessary for constructing OSD, such as columns and beams, space for lift cores, plant rooms, access, parking and building services.

The vertical extent of the approved station works is defined by the 'transfer slab' level (which for Victoria Cross is defined by RL 82), above which would sit the OSD, as illustrated in Figure 1 below.

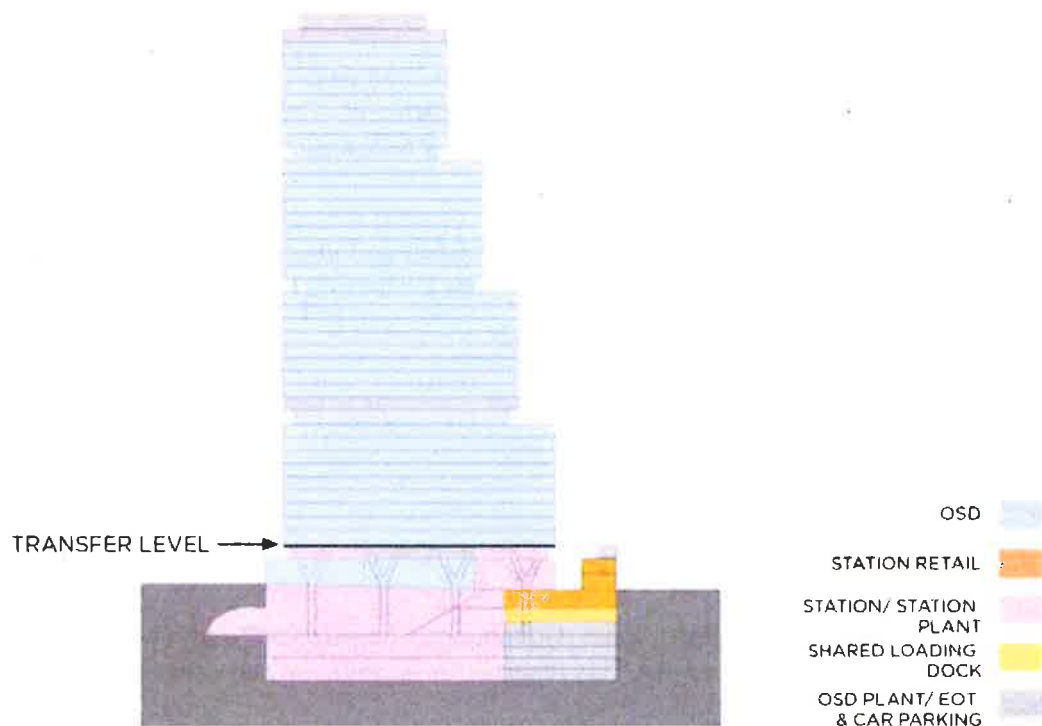


Figure 1 - Delineation between station and OSD (Note EOT = End of trip facilities)

Source: Concept State Significant Development Application EIS

The CSSI Approval also establishes the general concept for the ground plane of Victoria Cross Station including access strategies for commuters, pedestrians and workers. Pedestrian access to the station would be from Miller and Denison Streets and the commercial lobby would be accessed from Miller Street. Retail uses (endorsed under the CSSI Approval) would be located on the ground floor of the development at both the Miller Street and Denison Street levels, activating the through site link. Separate consent would be sought in the future for the fit out and specific use of this retail space.

It is noted that ongoing design development of the works to be delivered under the CSSI Approval would continue with a view to developing an Interchange Access Plan (IAP) and Station Design Precinct Plan (SDPP) for Victoria Cross Station to satisfy Conditions E92 and E101 of the CSSI Approval. The public domain improvement works around the site would be delivered as part of the CSSI Approval.

This concept SSD Application seeks concept approval in accordance with Section 4.22 of the EP&A Act for OSD above the approved Victoria Cross Station (southern portal). This application establishes the planning framework and strategies to inform the detailed design of the future OSD and specifically seeks approval for:

- a building envelope as illustrated in Figure 2
- a maximum building height of Relative Level (RL) 230 or 168 metres (approximately 42 storeys) for the high rise portion of building envelope and RL 118 or 55 metres (approximately 13 storeys) for the lower rise eastern portion of the building envelope. It is noted that this comprises approximately 40 commercial storeys with two additional storeys to support rooftop plant

- a maximum gross floor area (GFA) of 60,000m² for the OSD component, which is equivalent to a floor space ratio of 12.46:1
- use of the building envelope area for commercial premises including commercial office, retail and business premises
- use of the conceptual OSD space provisioning within the footprint of the CSSI Approval (both above and below ground), including the OSD lobby and associated retail space, basement parking, end-of-trip facilities, services and back-of-house facilities
- car parking for a maximum of 150 parking spaces over four basement levels with an additional 11 parking spaces allocated to the station retail approved under the terms of the CSSI Approval
- loading, vehicle and pedestrian access arrangements from Denison Street
- strategies for utilities and services provision
- strategies for the management of storm water and drainage
- a strategy for the achievement of ecologically sustainable development
- indicative signage zones
- a strategy for public art
- a design excellence framework
- the future subdivision of parts of the OSD footprint (if required)

It is to be noted that the height of the proposal in part results from the provision of an entry foyer of significant height. This area and the common plant rooms could be adapted in refined versions of this proposal for other purposes.

As this concept SSD Application is a staged development pursuant to section 4.22 of the EP&A Act, future approval would be sought for the detailed design and construction of the OSD.

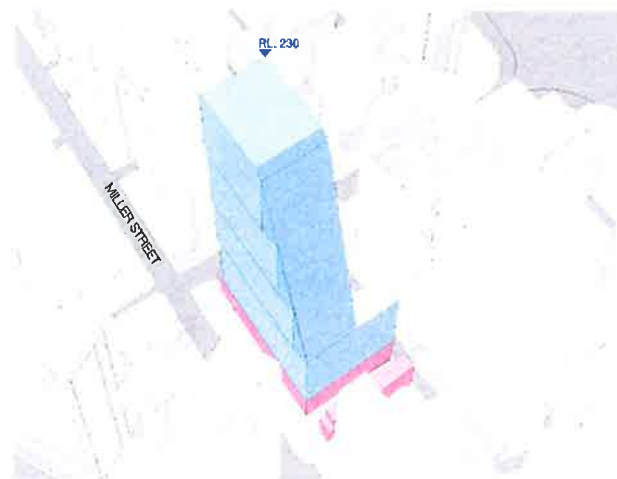


Figure 2 - Proposed Victoria Cross OSD building envelope (axonometric diagram from southwest)

Source: Concept State Significant Development Application EIS



Source: Concept State Significant Development Application EIS

1.1 Indicative Building Design

To assist in the understanding of the possible final built form at Victoria Cross and its physical integration with the current design for the station, Transport for NSW (TfNSW) has prepared an indicative OSD design that generally fits within the proposed building envelope.

The indicative OSD design has been used to estimate the maximum GFA for which consent is sought in this application. The indicative design illustrates that an A-grade commercial office building with contiguous commercial floor plates with GFA's ranging from 1,243 to 2,231m² is attainable within the building envelope.

The indicative OSD design is conceived as a series of stacked volumes, stepping out to the west towards Miller Street. Each stacked volume has a south-facing rooftop garden with views towards Sydney CBD and Sydney Harbour. The composition of each stack has been designed to respond to and reference the form and scale of neighbouring buildings, specifically the MLC Building and the Rag & Famish Hotel. Drawings illustrating the indicative OSD design are

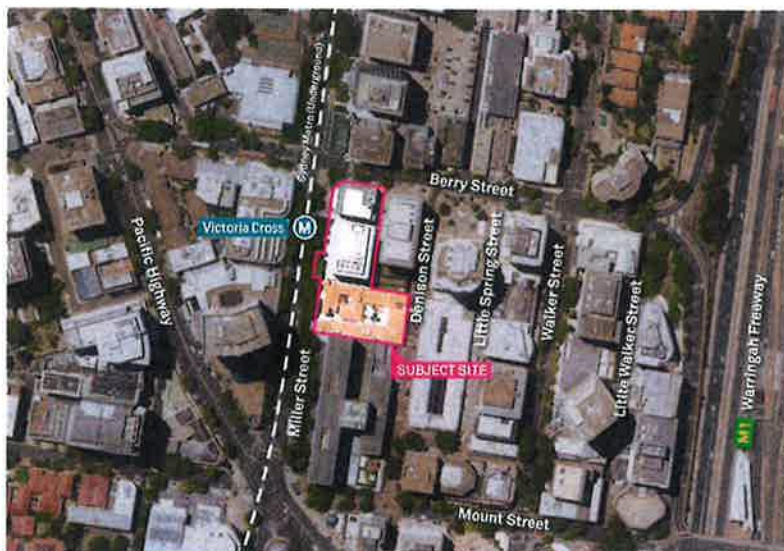
shown below.



Source: Concept State Significant Development Application EIS

1.2 The site and its context

The site is located at the southeast corner of the intersection of Miller Street and Berry Street, North Sydney, directly above the future Victoria Cross Station southern portal. The site has a total area of 4,815m² and has frontages of approximately 37m to Berry Street, 34m to Denison Street and 102m to Miller Street.



Source: Concept State Significant Development Application EIS

1.3 Development on the site pre-demolition

All building structures on the site have been demolished under the terms of the CSSI Approval. This includes a mix of low-rise retail and mid-rise office development which were formerly on the site:

155-167 Miller Street (formerly Tower Square) - The former Tower Square comprised a two-storey shopping centre stretching between Miller and Denison Streets with more than 30 businesses, including restaurants and retail shops, and basement parking. The NSLEP 2013 identifies certain areas within the former Tower Square, namely open-air food courts, as being a Special Area and includes special provisions to preserve solar access to these areas between 12 pm and 2 pm. Due to the demolition of this building, Council has previously supported the removal of the Special Area provisions relating to the site as part of the North Sydney Centre Planning Proposal which is discussed later in this report.

181 Miller Street - This development comprised a 14-storey commercial tower fronting Miller Street with retail premises at the bottom two levels and office space above.

189 Miller Street - This development comprised a seven-storey commercial building fronting Miller Street with ground level retail and office space above.

187 Miller Street - This development comprised a two-storey shop fronting Miller Street (and is currently listed as a heritage item in NSLEP 2013). This building was one of the few remaining Victorian shopfronts on Miller Street. The building extended out towards Miller Street beyond the typical building alignment of the neighbouring office buildings, forming an irregular notch along the site's Miller Street frontage.

Part 65 Berry Street - The portion of the site which forms Lot 1 in DP 1230458, has a site area of 5.38m² and was formerly part of the neighbouring site at 65 Berry Street. It comprised part of a former access way to 65 Berry Street, did not contain any building structure and was defined by the perimeter walls of Tower Square and 65 Berry Street.

1.4 Development under construction

The site is located in an area of the North Sydney CBD undergoing renewal, resulting in significant changes. A number of high density commercial and residential developments are currently under construction:

- *1 Denison Street*: a new commercial tower with a maximum building height of RL 210 or 37 storeys and a total GFA of 66,706m² (MP08-0238, as amended)
- *100 Mount Street*: a new commercial tower with a maximum building height of RL 199.7 or 36 storeys and a total GFA of 46,359m² (MP08_0241)
- *118 Mount Street*: a new commercial tower up to RL 154.57 or 25 storeys with total GFA of 19,798m² (2017SNH016)
- *100 Miller Street*: the redevelopment of Northpoint Tower involving reconfiguration of podium levels and new hotel tower with a maximum building height of RL 106.5 (2014SYE149).
- *221 Miller Street*: a new 22-storey mixed-use building with a maximum building height up to RL 146.7 or 22 storeys and a total GFA of 19,628m² (2013SYE006 DA)

The public domain for the Victoria Cross Integrated Station Development must be designed to integrate with that of the approved 1 Denison Street development directly to the east. 1 Denison Street development will feature a through-site link between Denison and Little Spring Streets. This link will connect further to the east to the existing pedestrian link to Walker Street and to the west to the future through-site link through the Victoria Cross Station site to Miller Street, forming a continuous east-west link between Walker and Miller Streets.

1.5 Design Excellence Strategy

A Design Excellence Strategy has been prepared to establish a consistent framework for how Sydney Metro will deliver design excellence to all its Integrated Station Developments. The Strategy builds on Sydney Metro's existing design development and review processes and has been developed in consultation with the NSW Government Architect. The Strategy draws from the NSW Government Architect's Better Placed and is consistent with the underlying principles of the NSW Government Architect's draft Design Excellence Competition Guidelines.

The Strategy provides a structured design process to ensure high quality architectural, urban and landscape designs are achieved in State Significant Development applications. The Strategy provides three phases to support high quality design of Integrated Station Developments:

- Phase 1 - the establishment of design quality expectations
- Phase 2 - competitive selection involving an open Expression of Interest process and Request for Tender process.
- Phase 3 - design integrity during the detailed SSD Application stage through to construction.

The process involves a Design Excellence Evaluation Panel (DEEP), that would perform the role of the Jury in the competitive selection process including to provide objective and independent advice and review of design submissions.

The DEEP members would be constituted from Sydney Metro's Design Review Panel with the addition of a local council nominee. The members would comprise:

- NSW Government Architect as Panel Chair (or an alternate Panel member endorsed by Sydney Metro)
- One representative nominated by the NSW Department of Planning & Environment
- Up to two representatives nominated by Sydney Metro, as the proponent
- One representative nominated by the local Council. In North Sydney Council's case, this is the Manager of Strategic Planning.

1.6 Staging

The State proposes to procure the delivery of the Victoria Cross Integrated Station Development in one single package, which will entail the following physical works:

- station structure and fit-out, including mechanical and electrical and station retail; and
- OSD structure and fit-out, including mechanical and electrical

The contractual obligation to complete the station has been separated from the contractual obligation to complete the OSD to allow the delivery of the OSD to respond to property market

conditions. Separate delivery packages are also proposed to deliver the excavation of the station boxes/shafts ahead of the Integrated Station Development works, line-wide systems (e.g. track, power, ventilation) and operational readiness works prior to the Sydney Metro City & Southwest metro system being able to operate.

The following three possible staging scenarios have been identified for delivery of the Integrated Station Development:

- Scenario 1 - The station and OSD are constructed concurrently by constructing the transfer slab first and then building in both directions. Both the station and OSD would be completed in 2024.
- Scenario 2 - The station is constructed first and ready for operation in 2024. OSD construction may still be incomplete or ready to commence after station construction is completed. This means that some or all OSD construction would likely still be underway upon opening of the station in 2024.
- Scenario 3 - The station is constructed first and ready for operation in 2024. The OSD is built at a later stage, with timing yet to be determined. This creates two distinct construction periods for the station and OSD.

Scenario 1 represents TfNSW's preferred option, as it would provide for completion of the full Integrated Station Development, and therefore the optimum public benefit, at the earliest date possible (i.e. on or near 2024 when the station is operational). However, given the delivery of the OSD could be influenced by property market forces, scenarios 2 or 3 could also occur, where there is a time lag between the completion of the station component of the Integrated Station Development (station open and operational), and a subsequent development.

2. Local Policies and Strategies

2.1 North Sydney Centre Capacity and Land Use Strategy

On 1 May 2017 Council adopted the North Sydney Centre Capacity and Land Use Strategy (NSCCLUS). The NSCCLUS and wider review are informed by a number of studies, including the North Sydney Commercial Centre Study (Urbis, 2015) and the North Sydney Centre Economic Study (Hill PDA, 2013).

The objectives of the NSCCLUS are to:

- develop a framework that allows for the growth of the North Sydney Centre to ensure it maintains its status as a resilient, vibrant and globally relevant commercial centre
- accommodate forecast demand for additional commercial floor space in the North Sydney Centre
- inform and respond to district planning, particularly employment and commercial floor space targets for the strategic centre and take advantage of planned infrastructure upgrades by intensifying land uses surrounding transport infrastructure
- identify and facilitate specific land uses that contribute to the centre's diversity, amenity and commercial sustainability.

The concept SSD Application is consistent with all of the above objectives. In particular, it would add to North Sydney by providing significant additional commercial floor space in North Sydney Centre. The project would help to revitalise and improve the amenity of North Sydney

Centre by attracting business, adding to the commercial competitiveness of the area and creating a vibrant destination.

Key components of the strategy:

- identifies the need for a refined Height of Buildings Map in NSLEP 2013 in order to unlock North Sydney Centre's commercial potential.
- advocates a new map with heights based on the principle of no additional overshadowing to dwellings outside the centre between the hours of 10 am and 2 pm at mid-winter.
- proposes a refinement to the height variation provision in NSLEP 2013, which would allow for increased height (above that shown on the Height of Buildings Map) on certain commercial sites where the development would not adversely impact on the solar access of dwellings outside the centre. The refined height variation clause is based on the principle of maintaining at least two hours of solar access to dwellings between the hours of 9 am and 3 pm.

Another key component of the NCCLUS is the Special Areas Review (North Sydney Council, 2016), which was prepared to assess the relative value or contribution of existing Special Areas to the amenity of North Sydney and to ascertain whether they should continue to be protected under existing policy settings. Relevant to this concept proposal, the review recommends removal of the Elizabeth Plaza Special Area, and that further consideration be given to Tower Square and Miller Street Special Areas to accord with Sydney Metro built form and public domain outcomes.

The final recommendations of the NCCLUS recommend removal of the Tower Square Special Area. Overall, it is evident that the NCCLUS recognises the importance of the Victoria Cross Station and the need to amend the planning provisions in NSLEP 2013 to facilitate the delivery of significant additional commercial floor space on the site.

The NCCLUS contains 10 final recommendations for amendments to NSLEP 2013 with the following four being particularly relevant to this concept proposal:

- apply new height controls to certain B3 Commercial Core sites
- apply a new height variation control based on the principle of maintaining at least two hours of solar access to residential properties outside of North Sydney CBD
- remove the Elizabeth Plaza, Blue Street, and Tower Square Special Areas
- remove clauses relating to railway infrastructure and limitations on future commercial floor space development.

The above recommendations, including the new recommended height map, are incorporated into the Planning Proposal – North Sydney Centre (PP_2017_NORTH_002_00) submitted by Council to the DP&E to amend NSLEP 2013. Council endorsed this Planning Proposal at its meeting on 19 February 2018 and subsequently referred to the DPE for final approval and gazettal. This is discussed further in section 3.3 of this report.

2.2 North Sydney Council's Sydney Metro Planning Study 2016

In response to the State Government's 2015 Metro announcement, North Sydney Council

prepared the Sydney Metro Planning Study to inform and guide the planning and design of the two metro sites in the North Sydney local government area at Victoria Cross and Crows Nest.

The Study was adopted by Council on 16 May 2016, and an addendum to the study (Part 5 Built Form - Victoria Cross) was adopted on 20 February 2017. The study considers in detail a range of development opportunities for the site and identifies principles to guide its future development.

The concept proposal's consistency with key relevant principles is outlined in the below that is reproduced from the EIS. It should be noted that many of the principles identified in the study relate to ground level treatments, which are being delivered under the CSSI Approval for the station.

Principle	Consistency
Transport and movement	
A quality pedestrian connection will be created linking the Metro with Denison Street via the existing Tower Square site	A pedestrian through-link between Miller and Denison Streets is being delivered under the CSSI Approval. The proposed building envelope has been designed to maximise amenity to this link by setting back the building envelope a minimum of 18 metres from the southern boundary of the site.
Loading zones remain an important consideration in any planned intervention.	The indicative OSD design (Appendix E) includes a shared loading dock area on Basement Level B2. The physical construction of this area will be subject to a future detailed development application.
Provide new cycling infrastructure to encourage active transport	The indicative OSD design (Appendix E) demonstrates sufficient space planning in the building envelope to accommodate bicycle storage areas and end-of-trip facilities for the OSD.
Public domain and open space	
Now and/or improved public spaces will provide for a number of functions, including pedestrian movement, outdoor dining, passive recreation and events	All public domain improvements are being delivered through the CSSI Approval. Overall the Victoria Cross Integrated Station Development will include improved public domain areas around the site and activated street frontages.
The potential for Miller Street to function as North Sydney's key piece of civic space/public domain will be maximised	The Integrated Station Development will maximise Miller Street's function as a key civic space by improving solar access to the Miller Street Special Area, providing for street activation and providing a new landmark building.
Design of the public domain will make the most of solar access opportunities	The proposed building envelope would result in a net gain in sunlight to the adjoining Miller Street Special Area. Refer to discussion in Section 8.3 of this EIS.

Principle	Consistency
An uninterrupted linear space that includes the MLC building setback along the eastern side of Miller Street is a priority	The proposed building envelope's setback from Miller Street has been informed by the station design and complies with the setbacks nominated on the North Sydney Centre Map in NSLEP 2013. While the setback does not align with the MLC Building, the lower scale commercial/retail building element on the southern side of the through-site-link (CSSI Approval - refer Figures 34 and 38) does align with the MLC Building and contributes to the spatial quality of both Miller Street and the through-site link. Furthermore, it is considered that the solar amenity and ground level public domain treatments along Miller Street would be significantly improved as a result of the overall Integrated Station Development.
Facilitate the activation of both sides of Miller Street	The Integrated Station Development would provide for significant activation of the eastern side of Miller Street through entries, lobby areas and retail spaces. This concept proposal for OSD in particular provides for a lobby and adjoining retail space at the Miller Street ground level.

Land use	
Support the employment function of North Sydney Centre by providing significant commercial floor space	This concept proposal would contribute up to 60,000 square metres of commercial floor space, which can accommodate approximately 4,200 jobs
Reinstate important lunchtime infrastructure to compliment improved public domain and add value to the site's destination qualities	The retail activated through site link at the south end of the site, which is being delivered under the CSSI Approval, will help reinstate important retail floor space lost through demolition of the Tower Square development. The proposed building envelope has been designed to maximise amenity to this link. The indicative OSD design incorporates a retail tenancy on the Berry Street and Miller Street corner of the site, further illustrating how the concept proposal could add to the amenity of the site's qualities as a destination.
Maximise opportunities to incorporate retail and other non-residential floor space at ground level	This concept proposal allows for the OSD lobby and adjacent retail space at the Miller Street ground level. Other retail opportunities are being delivered under the CSSI Approval.
Restaurant, bar and retail opportunities at and above ground level will contribute to amenity, diversity and place making objectives	This concept proposal allows for a retail space adjacent to the OSD lobby. Other retail opportunities are being delivered under the CSSI Approval.
Incorporate community uses into above station development	This concept proposal does not seek approval for community uses. However, the OSD envelope has sufficient flexibility to accommodate these uses in the future.

Principle		Consistency
Built form		
Facilitate optimum public domain outcomes	Massing and scale will consider important existing and future open spaces	The building envelope relates sensitively to surrounding Special Areas and public open space, including Greenwood Plaza and Miller Street Special Areas and Brett Whiteley Plaza by minimising overshadowing to these areas. Refer to further discussion in Chapter 8.3 of this EIS.
	At a minimum, the Miller Street Setback will be complied with, and opportunities to increase this to align with the MLC will be explored.	The ground and podium level setbacks have been set through the station design to comply with the Miller Street Setback. Above RL 118, the proposed building envelope features reduced setbacks, but this reduced setback only relates to the upper levels of the building and therefore preserves the integrity of the Miller Street streetscape. Refer to further discussion in Chapter 7.4 of this EIS.
Contribute to Place Making and Centre Amenity	Built form, particularly at ground and lower levels, will facilitate retail and other activity.	Ground and podium levels are being set through the CSSI Approval and do not form part of this concept proposal. Notwithstanding, the concept proposal for the OSD includes a commercial lobby and retail opportunity on the corner of Miller and Berry Streets which would activate the development and integrate with the public domain.
	Maximum opportunities for ground level activation and avoid excessive inactive frontages or space dedicated to access.	As above.
Connect People and Places	Provide a quality, public through-site link between Denison and Miller Streets.	As above.
	Explore the combining of Metro and MLC basement access to facilitate active frontages and public domain outcomes on Denison Street.	The design of the station will not inhibit future integrated access to the MLC basement.
Contribute to the Commercial Prestige of North Sydney	Provide commercial floor plates commensurate with premium or A-grade market demand.	The proposed building envelope provides opportunities for large commercial floor plates commensurate with A-grade market demand. Refer to the indicative design at Appendix E that illustrates contiguous commercial floor plates ranging from 1,243 and 2,231 square metres.
	Create an icon to reinforce the commercial character of the North Sydney Centre.	The building envelope allows for an iconic commercial tower that would reinforce the prominence of North Sydney as one of the metropolitan area's top office markets and would mark the significance of Victoria Cross Station.

Principle	Consistency
Provide Exceptional Built Form	
Building height should be guided by recommendations of North Sydney Capacity and Built Form Study when formally endorsed.	The heights proposed for the building envelope are generally consistent with the recommendations of the <i>North Sydney Capacity and Built Form Study</i> as implemented through the <i>North Sydney Centre Planning Proposal</i> as discussed at Chapter 7.5 of this EIS.
Have regard to other controls as per North Sydney Development Control Plan 2013.	The proposed building envelope is generally consistent with the relevant controls in NSDCP 2013, as discussed at Chapter 7.8 and Appendix HH of this EIS.
Over station development will respect adjoining and nearby heritage items.	The proposed building envelope respects adjoining and nearby heritage items, including the MLC Building and the Rag & Famish Hotel, through the use of appropriate setbacks and massing. Refer to Chapter 8.5 of this EIS for further discussion of heritage impacts.
Seek input from Council's Design Excellence Panel.	This is a matter for DP&E as part of its assessment of the concept SSD Application.

Source: Concept State Significant Development Application EIS

2.3 North Sydney Council's Public Domain Review

The North Sydney Centre Public Domain Review (2015) was prepared as part of Council's broader North Sydney Centre Review. The review contains a number of recommendations for the Victoria Cross Station site including the following:

- co-locate the entry/exit with North Sydney Station - consider relocating to unblock view into Brett Whitely Plaza and splitting exit/entry points to spread users
- exit points should be in the direction of desired pedestrian movement
- provide sufficient space for heavy foot traffic during peak hours, separate from 'staying places' and spread paths to avoid a bottle neck
- ensure there is a 'landing pad' for people entering/exiting the station that allows for a pause and reorientation or landmark for meeting
- improve pedestrian connectivity across the intersection, as well as from the intersection to other streets
- provide a clear visual connection to Mount Street/Brett Whiteley Plaza to create a sense of arrival - arrive at a vibrant, busy pedestrian-focused place, with a view of the whole area
- celebrate history - Victoria Cross, North Sydney's historical standing as the commercial hub
- unify character under the place brand 'Victoria Cross'
- maximise view to harbour/bridge for a sense of orientation/way-finding
- experience on arrival at street level must be better than underground

As noted previously, all public domain works at the site are being designed and delivered as part of the CSSI Approval for the station, specifically through the preparation and implementation of the SDPP required under Condition E101 of the CSSI Approval. As such, the above recommendations are not directly relevant to this concept SSD Application. The CSSI approval for the station was subject to a number of conditions including:

Design Review Panel

E100. The Proponent must establish a Design Review Panel (DRP) to refine design objectives for place making, public realm and urban and heritage integration applicable to the length of the project and provide advice on the application of the objectives to key design elements in relation to place making, architecture, heritage, urban and landscape design and artistic aspects of the CSSI.

The DRP must:

- (a) comprise five members who are experts in one of the identified design elements;*
- (b) include: i. the NSW Government Architect as Chair; ii. a representative from the Heritage Council,*
- (c) meet at least four times a year, or any other timeframe agreed by the DRP; and*
- (d) keep meeting minutes and a schedule of action items arising from each meeting.*

Relevant Council(s) and other key stakeholders such as UrbanGrowth NSW and must be invited to participate in DRP meetings to advise on local issues and applicability of design review outcomes as they relate to the local context of each station location.

- E101. Before commencement of permanent built surface works and/or landscaping, the Proponent must prepare Station Design and Precinct Plans (SDPP) for each station.*

The SDPP must be prepared by a suitably qualified and experienced person(s), in collaboration and consultation with relevant stakeholders including but not limited to relevant council(s), UrbanGrowth NSW, the Department, Chambers of Commerce and the local community.

The SDPP(s) must present an integrated urban and place making outcome for each station or end state element. The SDPP(s) must be approved by the Secretary following review by the DRP and before commencement of permanent aboveground work.

Each SDPP must include, but not be limited to:

- (a) identification of specific design objectives, principles and standards based on –*
 - i. the project design objectives as refined by the DRP;*
 - ii. maximising the amenity of public spaces and permeability around entrances to stations;*
 - iii. local environmental, heritage and place making values;*
 - iv. urban design context;*
 - v. sustainable design and maintenance;*
 - vi. community safety, amenity and privacy, including 'safer by design' principles where relevant;*
 - vii. relevant urban design and infrastructure standards and guidelines (including relevant council standards, policies and guidelines);*
 - viii. minimising the footprint of the project (including at operational facilities);*
- (b) opportunities for public art;*
- (c) landscaping and building design opportunities to mitigate the visual impacts of rail infrastructure and operational fixed facilities (including the Chatswood Dive, Marrickville Dive, Artarmon Substation, station structures and services, noise walls etc.);*
- (d) the incorporation of salvaged historic and artistic elements onto the project design, including but not limited to the Tom Bass P&O fountain, the Douglas Annand glass screen (if present), the Douglas Annand wall frieze and heritage fabric from Martin Place Station, unless otherwise agreed by the Secretary;*
- (e) details on the location of existing vegetation and proposed landscaping (including use of endemic and advanced tree species where practicable). Details of species to be replanted/revegetated must be provided, including their appropriateness to the area and habitat for threatened species;*
- (f) a description of the CSSI design features, including graphics such as sections, perspective views and sketches for key elements of the CSSI;*
- (g) the location, design and impacts of operational lighting associated with the CSSI and measures proposed to minimise lighting impacts;*
- (h) details of where and how recommendations from the DRP have been considered in the plan;*
- (i) the timing for implementation of access, landscaping and public realm initiatives;*
- (j) monitoring and maintenance procedures for vegetation and landscaping (including weed control), performance indicators, responsibilities, timing and duration and contingencies where rehabilitation of vegetation and landscaping measures fail; and (k) evidence of consultation*

with the community, local Councils and agencies in the preparation of on the SDPP(s) and how feedback has been addressed before seeking endorsement by the DRP. Elements covered by SDPP(s) must be complete no later than the commencement of operation of the Sydney Metro to paid services, unless otherwise agreed with the Secretary.

Note: The SDPP may be submitted in stages to address the built elements of the CSSI and landscaping aspects of the CSSI.

The drawings for the OSD show the ground floor of the station component built to the Berry Street boundary. This does not maximise the amenity of public spaces and permeability around entrances to the station. Further commentary on this issue is provided in section 5 of this report.

2.4 North Sydney's draft Ward Street Precinct Masterplan – Stage 2

The draft Ward Street Precinct Masterplan (North Sydney Council, 2017) relates to an area to the north of the site generally bounded by McLaren Street to the north, Berry Street to the south, Walker Street to the east and Miller Street to the west.

The draft Masterplan was prepared primarily in response to the impending expiry of the Ward Street car park lease (at which time Council will regain control of the land) and the future construction of the Victoria Cross Integrated Station Development. The key component of the draft Masterplan is the replacement of the Ward Street car park with a major new community facility, a public square (with the working title 'North of Centre Square') and a new commercial buildings.

The Victoria Cross Integrated Station Development should complement the vision under the draft Masterplan, and together the proposed redevelopments invigorate the northern North Sydney CBD with additional commercial floor space, high quality public domain and improved connectivity to surrounding areas. The concept proposal itself is not considered to result in any land use conflict for the future development of the Ward Precinct envisioned under the draft Masterplan. However, the minimal ground level setbacks of the station in Miller Street and Berry Street do not produce high quality public domain and improved connectivity to surrounding areas. This is discussed in more detail in section 5 of this report.

3. Assessment of Compliance with Statutory Provisions

3.1 State Environmental Planning Policies

State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP)

This application relates to commercial premises within a rail corridor, associated with railway infrastructure and has a capital investment value of more than \$30 million; therefore, the proposal is SSD pursuant to sub-clause 19(2)(a) of Schedule 1 of the SRD SEPP.

SSD Applications are assessed differently than regular local development applications. A range of legislation does not apply as outlined in section 4.41 of the EP&A Act. Furthermore, development control plans do not apply to SSD pursuant to Clause 11 of the SEPP SRD. Notwithstanding this, consideration of NSDCP 2013 has been provided in the EIS.

The Minister for Planning is the consent authority for SSD in accordance with section 4.5 of the EP&A Act, though section 2.4 enables the Minister to delegate the consent authority

function to a person employed in DP&E, the Independent Planning Commission, the Greater Sydney Commission, a Sydney district planning panel, the regional planning panel, a council (or member of staff) or to any other public authority (or member of staff).

Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (Sydney Harbour Catchment REP) (deemed SEPP)

The site is located within the boundaries of the Sydney Harbour Catchment REP. The primary matter for consideration under the plan is views to and from Sydney Harbour as required under clause 26, which reads as follows:

The matters to be taken into consideration in relation to the maintenance, protection and enhancement of views are as follows:

- (a) development should maintain, protect and enhance views (including night views) to and from Sydney Harbour*
- (b) development should minimise any adverse impacts on views and vistas to and from public places, landmarks and heritage items,*
- (c) the cumulative impact of development on views should be minimised*

A Visual Impact Assessment Report has been prepared to assess the concept proposal's impacts on key views, including views to and from Sydney Harbour. The assessment concluded that the concept proposal would be compatible with the Harbour's overall visual catchment and would be largely obscured by existing development and development currently under construction when viewed from the Harbour.

State Environmental Planning Policy (Infrastructure) 2007 (ISEPP)

The relevant matters for consideration within the ISEPP are the referral requirements for development within or adjacent to, a rail corridor to the rail authority for the rail corridor (Clause 85 of Division 15 Railways) and traffic generating development (Schedule 3).

As set out in clause 85, development on land that is in or adjacent to a rail corridor must be referred to the relevant rail authority within seven days after the application is made for their consideration prior to the determination of the application. The concept proposal relates to development located within the Sydney Metro City & Southwest Corridor and is to be referred to the rail authority for comment.

The concept proposal also triggers consultation with NSW Roads and Maritime Services (RMS) under the provisions of Clause 104 (Traffic Generating Development) and the associated Schedule 3 of the ISEPP, as it would generate new premises with more than 15,000m² of commercial floor space. Development near Rail Corridors and Busy Roads – Interim Guideline (DIPNR, December 2008) must be taken into account where development is proposed in or adjacent to specific roads and railway corridors under clauses 85, 86, 87, 102 and 103 of the ISEPP. The Transport, Traffic and Parking Report annexed to the EIS addresses this guideline.

State Environmental Planning Policy No. 55 - Remediation of Land (SEPP 55)

SEPP 55 provides a Statewide approach to the remediation of contaminated land, and primarily promotes the remediation of contaminated land for the purpose of reducing risk of harm to human health. Site investigations have been undertaken as part of the CSSI Approval for the station (Chapter 18 and Technical Paper 8 of the CSSI EIS). With respect to the Victoria Cross

Station site, it was found that there was moderate asbestos contamination risk associated with demolition of existing buildings. In order to manage impacts, the CSSI Approval imposed conditions requiring the preparation and implementation of an Unexpected Contaminated Land and Asbestos Finds Procedure (Conditions E69 and E70). All demolition and excavation works will be completed under the CSSI Approval, and therefore provisions of SEPP 55 will be wholly addressed through that approval and are not relevant to this concept SSD Application.

Statement of Environmental Planning Policy No. 64 - Advertising and Signage (SEPP 64)

SEPP 64 aims to ensure that signage is compatible with the desired character of the area, provides effective communication in suitable locations and is of high quality design and finish.

Four indicative signage zones are proposed for OSD - two at the top of the building on the south and east elevations for building naming rights, and two for tenant signage on the Miller Street and Berry Street facades. The zones are indicative only; no physical signage is proposed as part of this concept proposal. Clause 13 of SEPP 64 requires that a consent authority must not grant consent to an application to display an advertisement unless the advertisement is consistent with the objectives of the SEPP and the criteria in Schedule 1 of the SEPP. The indicative signage zones are consistent with the objectives of the SEPP in that it is similar to other signage in the surrounding commercial core and located so as to provide effective communication. The design and materials would be determined at the detailed SSD Application stage. An assessment against Schedule 1 of SEPP 64 is provided in the EIS. There is no issue with the signage zones however, the signs should be “building or business identification signs” and not advertising or changing LED signs as required by section 9 of the North Sydney DCP 2013.

Submission: Any future signage associated with the proposed building should be “building or business identification signs” and not advertising or changing LED signs

3.2 North Sydney Local Environmental Plan 2013

Aims of Plan

The concept proposal is consistent with the aims of NSLEP 2013 in that it:

- promotes commercial development suitable to the existing commercial context of North Sydney Centre
- provides for a commercial tower that is compatible with the high rise built form context of North Sydney (desired future character under recent Planning Proposal)
- enhances North Sydney as an employment hub by providing opportunities for approximately 4,200 jobs
- responds to and protects the significance of adjoining and surrounding heritage items through its sympathetic design response to its immediate context

Zone Objectives and Land Use Table

The site is zoned B3 Commercial Core. The proposed use of ‘commercial premises’ (which includes office, business and retail premises) is permitted with consent in the B3 zone.

The concept proposal is consistent with the objectives of the B3 zone in that it:

- provides for a variety of business, office and retail uses commensurate with worker, visitor, station customer and local community requirements
- provides employment in a highly accessible location above the future Victoria Cross Station
- maximises the use of public transport and encourages walking and cycling by placing development directly above future high frequency public transport
- minimises overshadowing and view loss to surrounding residential development

Clause 4.3 Height of Buildings; Clause 4.6 Exceptions to Development Standards and Clause 6.3 Building Heights and Massing

The maximum building height for the site as shown on the Height of Buildings Map is part RL 80 and part RL 120. The building envelope proposes maximum heights ranging from RL 118 (eastern portion of the site) up to RL 230 (northern portion), resulting in exceedance of the height shown on the map.

A clause 4.6 Variation Request has been prepared to justify the exceedance. The proposed building envelope is consistent with clause 6.3(3), which allows for consent to be granted for development which exceeds the heights shown on the map if the consent authority is satisfied that any increase in overshadowing between 9 am and 3 pm is not likely to reduce the amenity of any dwellings located on land outside of North Sydney CBD. (the proposed building envelope causes some additional overshadowing between 9 am and 3 pm to six dwelling allotments along Whaling Road, North Sydney, this overshadowing is claimed to be minor in extent and short in duration, and would have a negligible impact on the amenity of these dwellings).

The development standard to be varied is clause 4.3 (Height of buildings) in NSLEP 2013. As identified on the NSLEP 2013 Height of Buildings Map at Figure 1 below, the site is subject to maximum building heights of RL 120 and RL 80. The site is also affected by North Sydney Centre Planning Proposal, which proposes revised heights for the site ranging from RL 135 to RL 230 as identified in Figure 2 below.



Figure 1 – Existing Height of Buildings Map
Source: NSLEP 2013

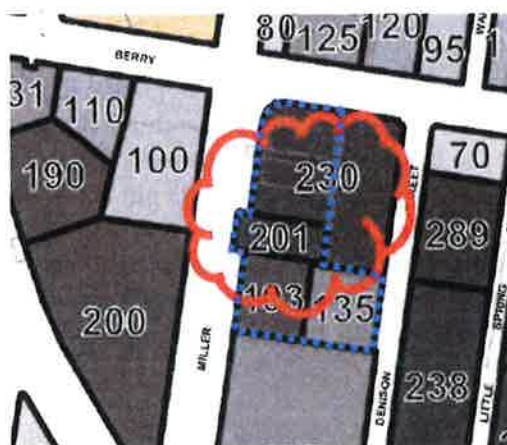


Figure 2 – Proposed Height of Buildings Map
Source: North Sydney Centre Planning Proposal (amended post-exhibition)

Source: Concept State Significant Development Application EIS

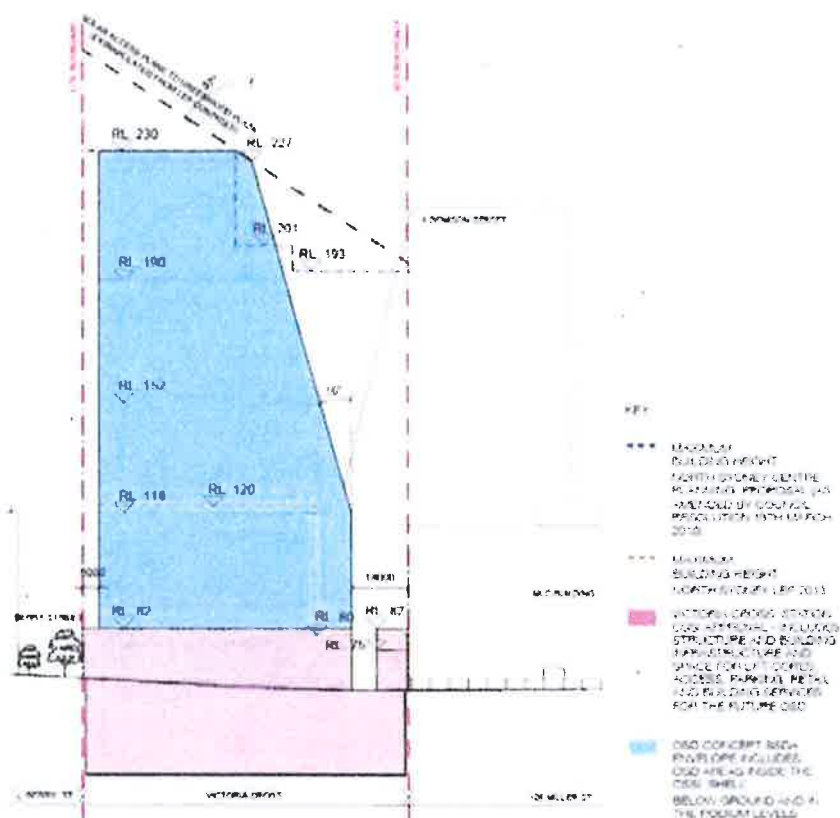
The proposed additional height varies from the current height of buildings standard by a large extent, but it varies from the amended standard under the North Sydney Centre Planning Proposal only by a small extent, as explained in detail below.

Extent of variation—NSLEP 2013

Over the RL 120 section of the site, the proposed building envelope has a maximum height of RL 230, resulting in a maximum non-compliance of 110m (or 92%). Over the RL 80 section of the site, the proposed envelope has a maximum height of approximately RL 152, resulting in a maximum non-compliance of 72m (or 90%).

Extent variation—North Sydney Centre Planning Proposal (2/17)

The proposed building envelope complies with the Height of Buildings Map in the North Sydney Centre Planning Proposal, with the exception of a small portion of the RL 201 section of the map. Over this section, the proposed building envelope has a maximum height of RL 230, resulting in a maximum non-compliance of 29m (or 14%).



Source: Concept State Significant Development Application EIS

It is noted that the Clause 4.6 request refers to the heights finally adopted by Council in the Planning Proposal and not the heights as exhibited in that Proposal. The Clause 4.6 request is not supported under the current controls. Determination of the application should be deferred until the planning proposal is gazetted. This has been the standard practice of Council and reinforced by the Joint Regional Planning Panel and Sydney North Planning Panel. The minor breach of the planning proposal heights would be acceptable as there is minimal impact with regard to overshadowing and the bulk and scale of the building is not significantly increased.

Submission: Determination of the application should be deferred until the planning proposal is gazetted.

Clause 6.3(2) controls building height in terms of overshadowing impacts. The clause states that development consent cannot be granted for the erection of a building on land in North Sydney CBD where the development would result in a net increase in overshadowing between 12 pm and 2 pm to land within Zone RE1 Public Recreation or that is identified as a 'Special Area'. In relation to the concept proposal, the relevant areas requiring consideration are the Miller Street Special Area and Brett Whiteley Plaza. The shadow studies model the shadow impacts as at the summer and winter solstice and equinox. They illustrate that the Integrated Station Development would not result in a net increase in overshadowing to these areas at these times.

Clause 6.3(5) sets out a number of considerations that the consent authority must take into account. The concept proposal responds to these considerations in that it:

- would be compatible with the existing and future scale, form and massing in the locality
- would have no adverse impacts on the natural environment
- would have no unacceptable impacts development outside the city centre
- would not obstruct any significant view lines or vistas to an unreasonable extent (this does not relate to the obvious impacts on the Beau Monde building)

The proposal does have an impact on the views from Beau Monde. The proposal does not enhance the public domain due to its lack of adequate setbacks at ground level which is discussed further in section 5 of this report.

Note: for the purposes of this concept SSD Application, the maximum height of the building envelope does not make provision for the following items, which will be resolved as part of the future detailed SSD Application:

- communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like, which are excluded from the calculation of building height, pursuant to the standard definition in NSLEP 2013; and
- architectural roof features, which are subject to compliance with the provisions of Clause 5.6 of NSLEP 2013, and which may exceed the maximum building height, subject to development consent

Clause 5.6 Architectural roof features

This clause permits variations to maximum building height for architectural roof features of visual interest. The indicative OSD design includes an architectural roof feature, and illustrates how such a feature can contribute to the architectural termination of the building and add to the building's visual distinction in the skyline. This feature is indicative only and does not form part of the proposed envelope. Any architectural roof feature proposed for any future building on the site would be subject to assessment at the detailed SSD Application stage and would be required to address the provisions of clause 5.6.

Clause 5.10 Heritage conservation

The concept proposal seeks consent for a building envelope on land containing a heritage item identified as 'Shop' at 187 Miller Street (I0898), and therefore consent is technically required under this clause. However, this item has been demolished under the terms of the CSSI Approval and therefore, the significance of the building is not a relevant consideration in the assessment of this application. This clause states that the consent authority may require a heritage report to be prepared for an application for works that would affect heritage items on the site or within the vicinity of the site. The site is surrounded by a number of State and local heritage items. Accordingly, a Heritage Impact Assessment Report has been prepared to accompany this concept proposal.

Immediately to the south of the site is the heritage listed MLC Building located at 105-153 Miller St. This building was designed by eminent architects Bates Smart McCutcheon in 1957 in the Post-war International style. It is considered to be the first high rise office block in North Sydney and the largest commercial building for a number of years after its construction. The building is noted by the Australian Institute of Architects as a seminal building that utilised construction and structural techniques not previously used in Australia. It exhibits the first use

of curtain wall design and the first use of modular units in Australia. The interior, exterior and landscape setting are of also significance. Although listed as a locally significant heritage item, it is assessed as having state significance and potentially national significance.

The proposed new OSD has been satisfactorily designed such that the lowest quarter of the stacked tower elements has a similar massing to that of the MLC Building providing a visual contextual link. The height (RL 115.8) of this lower quarter of the stack is however, higher than the primary ridge of the MLC Building however, it is considered to be acceptable as the height responds to the slope of the terrain and the buildings step down the slope. The massing of the three other stacks on the proposed tower step back away from the MLC Building, minimizing the sense of over-scaling.

The scale of the proposed development is significantly higher than that of the medium-scaled MLC Building. No objection is raised however, as the proposed tower has an adequate setback from the MLC Building of 18m. The transitional link element is smaller in scale than the MLC Building at RL 82 which will assist in ameliorating the difference in scale between the proposed tower and the MLC Building.

The western setback of the proposed tower is considered to be acceptable as the lower transitional link is setback in line with the MLC Building at street level. The northern tiled elevation of the MLC Building will remain legible above the transitional link element.

The character of the proposed OSD is considered to be complimentary to the Post-war International style of the MLC Building as the proposed materials are similar in character to the curtain wall glazing utilized on the MLC Building.

To the north of the site is the heritage-listed Rag and Famish Hotel at 199 Miller St and the former Sabemo Building located at 201 Miller St. To the north-west of the subject site is the heritage-listed Monte Sant' Angelo Mercy College. It is considered that the proposed development will have an acceptable level of impact upon the heritage significance and curtilage of these properties as they are physically separated by roadways from the subject site and have lot boundary curtilage.

Clause 6.4 Miller Street setback

Clause 6.4 (Miller Street setback) in NSLEP 2013, reads as follows:

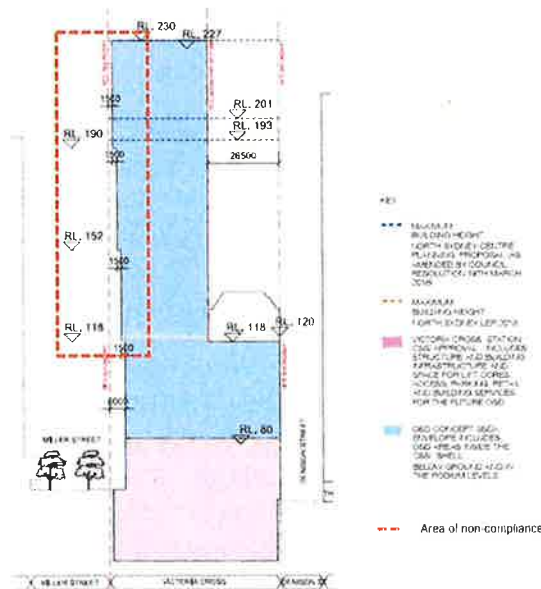
6.4 Miller Street setback

- (1) The objective of this clause is to maintain the established setback and landscaped setting on the eastern side of Miller Street between McLaren and Mount Street.*
- (2) Development consent must not be granted for the erection of a building on land identified as "Miller Street Setback" on the North Sydney Centre Map unless:*
 - (a) the building height will be less than 1.5 metres, and*
 - (b) the part of the building that will be on that land is used only for access to the building or landscaping purposes.*

As shown in the North Sydney Centre Map, the site is required to achieve a setback of generally six metres from Miller Street, with an 11.5 metre setback required at the small, irregular extension in the middle portion of the frontage.

Up to a height of RL 118, the proposed building envelope is set back in accordance with the setback shown on the North Sydney Centre Map. At RL 118 and above, the envelope includes a reduced setback. The setback reduces (or step towards the street) in 1.5m increments at three heights (RL 118, RL 152 and RL 190), with a minimum setback of 1.5m at the top section of the envelope. The effect is to split the envelope into four separate volumes. Refer to the south elevation of the envelope below.

The stepping setback results in the following non-compliances with the Miller Street setback standard: – Between RL 118 and RL 152, the maximum non-compliance is 1.5m (or 13% at the irregular extension of the frontage and 25% at the remainder of the frontage). – Between RL 152 and RL 190, the maximum non-compliance 3m (or 25% at the irregular extension of the frontage and 50% at the remainder of the frontage). – At RL 190 and above, the maximum non-compliance is 4.5m (or 39% at the irregular extension of the frontage and 75% at the remainder of the frontage).



Source: Concept State Significant Development Application EIS

A Clause 4.6 variation request is included in the EIS in relation to this clause 6.4 control. In the event that the consent authority considers the non-compliance with clause 6.4 to be a prohibition, the consent authority can rely upon section 4.38 of the EP&A Act, which allows consent to be granted for partly prohibited SSD.

The applicant states that:

- The reduced setback would cause no additional unreasonable heritage impacts. The proposed building envelope overall would cause minor visual impact to surrounding heritage items due to the increased height and scale, but the reduced setback in particular would not measurably increase the impact. The reduced setback begins at RL 118, above the height of the adjoining MLC Building and nearby Rag & Famish Hotel, which means that direct views to these items along Miller Street would not be obstructed.
- Compared to a building form which complies with the Miller Street setback and which builds up to the full extent of the heights across the site under the North Sydney Centre

Planning Proposal (which is currently being finalised), the proposed building envelope would cause no additional overshadowing to surrounding Special Areas, Zone RE1 Public Recreation Land or any other sensitive area.

The Clause 4.6 objection is not supported. It fails to address the other development standard in the Clause being “the building height will be less than 1.5 metres”. The building height is significantly higher than the 1.5m permitted within the setback. Council’s character statement for the CBD recommends buildings with podiums and towers setback from the podium edge. The proposed tower is inconsistent with existing surrounding development as well as the future desired character. The building envelope would be out of context with all other buildings in the CBD and along Miller Street. The required setback should be observed for the full height of the tower, as is the case with the Berry Street setback.

Submission: *That the DA be amended to comply absolutely with the Miller Street setback for the entirety of the façade of the building which faces Miller Street.*

Clause 6.5 Railway infrastructure – transitional arrangements

Clause 6.5(2)(b) prohibits approval of additional commercial floor space within the North Sydney Centre above 250,000m² from that existing on 28 February 2003. The clause was originally written in response to capacity constraints associated with North Sydney Station. Approval of this concept proposal would result in exceedance of the limit.

The North Sydney Centre Planning Proposal proposes to delete this clause. It is recommended that the planning proposal be gazetted prior to determination of this concept SSD Application.

Clause 6.5(4) requires that Council review the North Sydney Centre Division of NSLEP 2013 once 200,000m² of additional commercial floor space is approved. This review trigger point was reached in 2012 and is a key driver of the preparation of the NSCCLUS.

Clause 7.4 Airspace operations

This clause requires that the consent authority consult with the relevant Commonwealth body prior to granting consent to any application that would penetrate the Limitation or Operations Surface. The proposed building envelope at RL 230 will penetrate the published Obstacle Limitation Surface (OLS) over the site (RL 156). Accordingly, the consent authority must consult with the Civil Aviation Authority (CASA) during assessment of this application. Consent may be given where CASA has no objections. An Airspace Assessment Report has been prepared to accompany this application and documents pre-lodgement consultation with CASA.

3.3 Planning Proposal - North Sydney Centre

On 1 May 2017, Council adopted the North Sydney Centre Planning Proposal (PP_2017_NORTH_002_00). The proposed amendments to NSLEP 2013 give effect to the strategy’s objectives, which principally aim to deliver increased floor space in the North Sydney commercial core. A Gateway determination for the North Sydney Centre Planning Proposal was issued by DP&E on 20 July 2017, and public exhibition occurred between 14 September 2017 and 11 October 2017. Following exhibition, Council resolved on 19 February 2018 to send the proposal (including a number of amendments resulting from exhibition) to

Parliamentary Counsel for finalisation. Accordingly, the North Sydney Centre Planning Proposal has legal status and is a matter for consideration by the consent authority under Section 4.15 of the EP&A Act.

Although it is anticipated that the North Sydney Centre Planning Proposal will be made prior to the determination of this concept SSD Application on the basis that the making should be imminent and certain, this cannot be guaranteed. There has, however, been some discussion that clause 6.5 of the NSLEP, which the Planning proposal sought to remove, may be replaced in some fashion. This increases the risk of this process as it potentially represents an addition that has not been the subject of exhibition or public submission.

It is recommended that the planning proposal be gazetted prior to determination of this concept SSD Application.

Submission: *It is recommended that the planning proposal be gazetted prior to determination of this concept SSD Application.*

The North Sydney Centre Planning Proposal seeks to:

- Prohibit development for the purposes of 'serviced apartments' within the B3 Commercial Core zone;
- Apply new height controls to the North Sydney Centre based on the following:
 - Maintaining solar access to residential land outside of the North Sydney Centre between 10 am to 2 pm; and
 - The continued prohibition of additional overshadowing to land identified as 'Special Areas'.
- Enable development to occur on sites less than 1000m² (but only where new development does not exceed 45m in height);
- Remove clauses relating to the provision of railway infrastructure within the North Sydney Centre;
- Remove clauses relating to the restriction on the amount of additional commercial floor space that can be accommodated within the North Sydney Centre;
- Remove the Elizabeth Plaza, Blue Street, and Tower Square 'Special Areas';
- Apply winter solstice or equinox periods for assessing no additional overshadowing between 12 pm and 2 pm on land identified as Special Areas, Public Recreation and other special sites, such as Don Bank Museum within the City Centre;
- Applying a 'Special Area' to the rear of 100 Pacific Highway.

The proposed changes to the NSLEP 2013 relevant to the concept proposal are discussed in Table below as reproduced from the EIS.

Clause	Proposed amendment
4.3 Maximum height of building	<p>The planning proposal seeks to increase the maximum height controls for the site to part RL 135, part RL 193, part RL 201 and part RL 230.</p> <p>Comment:</p> <p>The proposed building envelope complies with the RL 230, RL 135 and RL 193 portions but does not fully comply with the RL 201 portion. A Clause 4.6 Variation Request (Appendix EE) has been submitted to justify the non-complying height.</p> <p>Importantly, the development is consistent with the amended clause 6.3(3) (discussed below), which allows for variations to the Height of Buildings Map, subject to certain overshadowing provisions.</p>
6.1 Objectives of Division	<p>The objectives of this Division are as follows:</p> <ul style="list-style-type: none"> (a) to maintain the status of the North Sydney Centre as a major commercial centre; (b) to maximise commercial floor space capacity and employment growth within the constraints of the North Sydney Centre's environmental context; (c) to encourage the provision of high-grade commercial space with a floor plate, where appropriate, of at least 1,000 square metres; (d) to prevent any net increase in overshadowing of any land in Zone RE1 Public Recreation (other than Brett Whiteley Plaza) or any land identified as a 'Special Area' on the North Sydney Centre Map; (e) to ensure that any land within a residential zone is afforded a reasonable amount of solar access; (f) to maintain areas of open space on private land and promote the preservation of existing setbacks and landscaped areas, and to protect the amenity of those areas. <p>Comment:</p> <p>The concept proposal is consistent with the new objective for the North Sydney CBD in that it maximises the commercial development potential of the airspace above Victoria Cross Station while responding to key site constraints, in particular heritage and overshadowing. Refer to discussion of heritage and overshadowing in Chapters 8.5 and 8.8, respectively, of this EIS.</p>

Clause	Proposed amendment
6.3 Building heights and massing	<p>1. The objectives of this clause are as follows:</p> <ul style="list-style-type: none"> (a) to promote a height and massing that has no adverse impact on land within the North Sydney Centre that is: <ul style="list-style-type: none"> (i) located in Zone RE1 Public Recreation; or (ii) identified as a 'Special Area' on the North Sydney Centre Map; or (iii) as the Don Bank Museum at 6 Napier Street, North Sydney; (b) to minimise overshadowing of, and loss of solar access to, land in Zone R2 Low Density Residential, Zone R3 Medium Density Residential, Zone R4 High Density Residential or Zone RE1 Public Recreation that is located outside of the North Sydney Centre; (c) to promote scale and massing that provides for pedestrian comfort in relation to protection from the weather, solar access, human scale and visual dominance; (d) to encourage the consolidation of sites for the provision of high grade commercial space. <p>Comment:</p> <p>The amendments to the objectives of the clause are minor and generally for clarification purposes. The concept proposal remains consistent with the objectives for the reasons specified in Chapter 7.4.</p> <p>2. Development consent must not be granted for the erection of a building on land to which this Division applies if:</p> <ul style="list-style-type: none"> (a) the development would result in a net increase in overshadowing between 12 pm and 2 pm on land to which this Division applies that is within Zone RE1 Public Recreation or that is identified as 'Special Area' on the North Sydney Centre Map during the winter solstice or equinox; or (b) the development would result in a net increase in overshadowing between 10 am and 2 pm of the Don Bank Museum during the winter solstice or equinox; (c) the development exceeds a building height of 45m where the site area of the development is less than 1,000 square metres. <p>Comment:</p> <p>This clause currently applies all year round. The effect of the proposed amendment is to make the clause less restrictive.</p> <p>As noted above in Chapter 7.4, the concept proposal envelope, when considered together with the integrated station including the demolition and redevelopment of the previous development footprint, does not result in a net increase in overshadowing to the Miller Street Special Area or Brett Whiteley Plaza. The proposed amendment has no effect on this.</p> <p>Refer to further discussion in Chapter 8.3 of the EIS.</p>

Clause	Proposed amendment
3	<p>Development consent for development on land to which this Division applies may be granted for development that would exceed the maximum height of buildings shown for the land on the Height of Buildings Map if the consent authority is satisfied that any increase in overshadowing between 9am and 3pm will not result in any dwellings located on land to which this Division does not apply:</p> <p>(a) receiving less than 2 hours of direct sunlight to any window of habitable room or principle (sic) private open space; or</p> <p>(b) where any window to a habitable room or principle (sic) private open space currently receiving less than 2 hours of direct sunlight, the amount of direct sunlight access must not be further reduced.</p> <p>Comment:</p> <p>The proposed building envelope is consistent with the amendments to subclause 3. It would not cause any dwelling outside the CBD to receive less than two hours of solar access between 9 am and 3 pm to any window of a habitable room, and it would cause no additional overshadowing to any dwelling's principal private open space areas, which currently receive less than the required two hours.</p> <p>Overshadowing of dwellings outside the CBD is discussed in further detail in Chapter 8.3.4 of this EIS, and the full set of shadow diagrams is provided at Appendix H.</p>

Source: Concept State Significant Development Application EIS

3.4 North Sydney Development Control Plan 2013

Clause 11 of the SRD SEPP states that development control plans do not apply to State significant development. Accordingly, NSDCP 2013 does not apply to this concept proposal. The SEARS also do not list the NSDCP 2013 as a relevant document. An assessment of the proposal against key relevant controls of NSDCP 2013 is provided in the EIS. This assessment includes consideration of the recent amendments to the DCP associated with the draft Planning Proposal for the Centre. Whilst the new LEP has not been made, the DCP amendments have been adopted by Council and are contained with the current version of NSDCP 2013. Overall, it was concluded that the concept proposal is generally consistent with NSDCP 2013.

4. Issues

4.1 Height

The Clause 4.6 request is not supported under the current controls. Determination of the application should be deferred until the planning proposal is gazetted. The minor breach of the planning proposal heights would be acceptable as there is minimal impact with regard to overshadowing and the bulk and scale of the building is not significantly increased.

4.2 Special Area

Any issues with impacts on "Special Areas" would be resolved with gazettal of Planning Proposal in that the Elizabeth Plaza, Blue Street, and Tower Square "Special Areas" would be removed.

4.3 Impacts from Construction on Denison Street Public Domain

Submission: *The ongoing construction traffic should be contained to Miller Street and northern part of Denison Street so that the Denison Street plaza can be established for the completion of 1 Denison Street and entry to the new station in Denison Street when it becomes operational.*

It is also important to ensure that vehicular access can be provided through the carpark of

the OSD to the MLC site to provide an alternate access for parking and loading that would result in a safer and better pedestrian plaza that forms the entry to the station without the conflict of cars and trucks.

4.4 Section 7.1 Contributions (formerly Section 94 Contributions)

This is a concept application not for construction and subject to a further detailed application for construction. Section 7.1 Contributions would be warranted for the increase in GFA when final details and GFA is known.

5. Strategic Planning Comments

5.1 Public Domain Strategy

The *Public Domain Strategy* that council is currently developing, will be seeking to address the lack of building setbacks to many of the podiums throughout the North Sydney CBD and will have strict guidelines for new buildings to ensure new developments contribute to the enhancement of public domain for the CBD and address the growing concerns over the lack of amenity, green space and footpath widths throughout the CBD. Victoria Cross provides an opportunity to contribute and set exemplar standards for public domain design.

Council's *Public Domain Strategy* will also be examining the critical sites that have excellent solar access and the corner of Miller St and Berry St is a critical site nominated which for its continuous solar access all year round. This is discussed further below.

The ground plane design of the podium must take this into account that this is one of the last high amenity spaces in the entire CBD. The most obvious disruption to the open space/plaza corridor in the current design is the café associated with the MLC building to the south of the Metro site. This small building of just over 100m² "juts out" of the open space/plaza corridor between the existing green corridor of the MLC building and the proposed corridor to be created by Metro. Whilst it is acknowledged that this café is technically beyond the boundary of the current development application, it highlights a significant flaw in the vision for the creation of a new high amenity public domain corridor for North Sydney. If nothing else, it reinforces the existing undesirable pinch point which will only experience growth in pedestrian traffic under Metro. This small portion of land remaining to function in its current state under the new Metro vision, is a significant lost place-making opportunity for North Sydney.

Submission: *That Transport for NSW make approaches to the owners of the existing café between the Metro site and the MLC building with a view to including this site in its overall vision for a more pedestrian focused Miller Street environment.*

5.2 Berry Street

Throughout the early stages of the Victoria Cross design development, the concept renders illustrated a deep ground floor podium setback to the prominent Miller Street - Berry Street south-east corner which indicated an appropriately scaled forecourt area that for a building of this scale, prominence and location. Whilst this was only a render, it met with the council's expectations regarding public domain intent. The future pedestrian density, the place-making opportunity and the unique natural amenity of this street corner which has protected year-round solar amenity, make this an opportunity that should be capitalised upon.

The current envelope design, however, has indicated that the corner setback has been removed and glassed-in retail tenancies placed under the upper podium thus reducing the building setback on Berry St severely and removing this forecourt area. Whilst Council acknowledges that there has been some preliminary design of a stepped, planted plaza setting along Miller Street, it has not been reflected on Berry Street.

From the kerb to edge of proposed building envelope at Berry Street, the distance is approximately 4.2m, if an exit door is opened outwards (as indicated on the drawings) the distance is reduced to 3.2m and the distance between the seating/trees and open door is less than 2.5m wide.

Given the setback to the entry doors on adjoining 65 Berry St are set back an additional 10m from the proposed building edge of the metro development, this indicates a lack of public domain continuity and does not create a harmonious forecourt space between the buildings.

With the future development that is likely to significantly increase amenity and pedestrian permeability in the Ward Street precinct, the Berry Street setback, treatment and continuity, particularly at the corner of Miller Street, is a missed opportunity given the design portrayed in the current concept development application.

***Submission:** That an appropriately scaled forecourt be provided at the ground plane on the corner of Berry and Miller Streets in recognition of the pedestrian prominence of this corner, its potential visual relationship to the Ward Street precinct and its solar amenity.*

***Submission:** That the proposed development provide a setback to Berry which is more consistent with the adjoining setback of 65 Berry Street in recognition of the emerging character and potential connectivity to the Ward Street precinct.*

5.3 Miller Street

As discussed, the proposal complies with the Miller Street setback (at ground level only) as required in the NSLEP 2013. Whilst the resulting public domain/plaza corridor is some 17 metres wide, North Sydney has an acknowledged lack of public open space. It is further acknowledged that if well designed, the proposed Miller Street public domain corridor would be an improvement to the previous corridor which was fragmented and disrupted by level changes, steps and various structures. Notwithstanding this, opportunities to increase this setback and align it with the existing MLC setback would be a vast improvement to both the setting of the heritage listed MLC building, as well as provide for a more generous public domain corridor for North Sydney at the ground level.

***Submission:** That Transport for NSW explore opportunities and the feasibility of aligning the proposed development at the ground plane, with that of the existing MLC building.*

5.4 Consultation

On 6 June 2018, Council staff met with a representative group made up of adjoining and nearby Precinct Committees. The group comprised various representatives with relevant expertise and local knowledge regarding planning, place making and the North Sydney CBD.

Whilst the purpose of the meeting was to discuss general planning matters relating to the North Sydney CBD, a strong theme of the meeting related to concerns expressed regarding design issues associated with Metro. A separate submission in response to the development application at hand, will be made by this group.

5.5 General

It is noted that the foundations for this project were laid several years ago with the acquisition process that occurred throughout Sydney. Whilst the land acquired serves the purposes of the provision of a Metro station well, the acquisition of the adjoining site at 65 Berry Street would have represented a vastly superior basis for an Over Station Development to deliver wider benefits befitting a modern CBD like North Sydney as well as a contemporary public transport project.

It is important that the surrounding precinct provide as much support for the success of Metro as an important place making element in the evolution of the North Sydney CBD. Council is working with private landowners to create a “central laneways” precinct which will assist with the management and logistics of peak hour pedestrian flows as well as adding significant amenity and vitality to the area. In addition to this, Council is in the final stages of preparing the *North Sydney CBD Transport Masterplan*, which at its core seeks to maximise the benefits of Metro and build on them by ensure that walking, cycling and public transport mode share is maximised, the enormous mode shift benefits of Metro are capitalised upon, and that this contributes to a high amenity, attractive and inviting precinct post Metro. The current through traffic function of both Miller and Berry Streets are at odds with this objective, given especially the investment in Metro in this location.

Council’s pursuit of the Ward Street Masterplan to create an attractive and vibrant pedestrian focused public domain and provide for increased employment opportunities should be acknowledged and supported by Metro in its design approach to the precinct.

6. Conclusion

A concept State Significant Development (SSD) Application for Over Station Development (OSD) comprising a commercial tower integrated with the future Victoria Cross Station has been lodged with the Department of Planning for determination with the Minister being the consent authority. The current provisions of the EPA Act regarding SSD’s result following the deletion of Part 3A Major Infrastructure and other projects provisions from the Amended Act.

The purpose of this report is to describe the proposal and identify any concerns or issues that need to be addressed in the final SSD applications for the OSD.

As this concept SSD Application is a staged development pursuant to section 4.22 of the EP&A Act, future approval would be sought for the detailed design and construction of the OSD.

The indicative OSD design is conceived as a series of stacked volumes, stepping out to the west towards Miller Street. Each stacked volume has a south-facing rooftop garden with views towards Sydney CBD and Sydney Harbour.

The process for the final design involves a Design Excellence Evaluation Panel (DEEP), that would perform the role of the Jury in the competitive selection process to provide objective and

independent advice and review of design submissions. This is supported.

The public domain for the Victoria Cross Integrated Station Development must be designed to integrate with that of the approved 1 Denison Street development directly to the east. Also the station needs to provide adequate setback to Berry Street as the footpath would be too narrow for the significant increase in pedestrians. This corner and section of Berry Street receives good solar access and is essential for the amenity to the public domain.

Although it is anticipated that the North Sydney Centre Planning Proposal will be made prior to the determination of this concept SSD Application on the basis that the making should be imminent and certain, this cannot be guaranteed. It is recommended that the planning proposal be gazetted prior to determination of this concept SSD Application.

The Clause 4.6 objection with regard to the Miller Street setback is not supported. Council's character statement for the CBD recommends buildings with podiums and towers setback from the podium edge. The proposed tower is inconsistent with existing surrounding development as well as the future desired character. The building envelope would be out of context with all other buildings in the CBD and along Miller Street. The required setback should be observed for the full height of the tower, as is the case with the Berry Street setback.

The proposal will be the tallest commercial building in North Sydney in a prominent location providing for over 60,000m² commercial floor space in close proximity to a number of tall office buildings also having significant floor space. It also will attract many thousands of office workers daily that will be accessing the Metro station. Adequate setbacks at ground level are critical to ensure that the public domain is maximised. The proposal could be significantly improved in this regard as well as full compliance with the Miller Street setback for the entirety of the Miller Street facade.

The Department should be advised of the issues raised in this report and encouraged to engage with Council to ensure that their stated objectives for the design of the station and over station development are to the public benefit.

Waverton Precinct
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Phone: 99595163

Attention:
Director, Key Sites Assessments
Department of Planning and Environment
Application SSD_8874

20 June 2018

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

Waverton Precinct supports the addition of improved heavy rail transport into Sydney in advance of the population expansions predicted by the Greater Sydney Commission generally; and specifically supports the creation of a railway station in North Sydney as a part of the new Sydney Metro line.

Having said that, the Precinct is of the view it is an opportunity lost that the two railway stations are unintegrated, and that there is to be no simple, at level, weather-proof connection between the existing North Sydney station and the new Victoria Cross station.

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 combined metro station and an above station office building. The Over Station Development (OSD) seeks approval for 233m high 42 storey building with GFA of 60,000m² 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.

The Waverton 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 rail 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 the proposed exit into the foyer of an anonymous office building - especially given the existence of a park

strip already next door outside the MLC Centre – or dumping commuters into a back lane, 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 822,496m² 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 is a feature notably lacking in current the North Sydney CBD – indeed, it has long been the butt of many jokes for decades about just how ‘dead’ the current North Sydney CBD is at night and on weekends. The proposed space achieves almost nothing towards this goal and will be a complete lost opportunity, in its current form.

The North Sydney CBD is the fifth or sixth largest in the country. It currently ‘caters’ for a huge number of office workers, university students, school children and residents on overcrowded suburban-standard street footpaths and a suburban residential grid street layout. 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 any life between 9-5 on weekdays, by changing it into a vibrant and attractive centre which attracts people to enjoy its working, educational, recreational, retail and civic attractions.

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 laneways which are

shared with supply trucks and commuters keen to find the last free car parking spot or to access a Council car park.

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, instead 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 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. What we are going to get in return is a very large commercial building with a few retail outlets - and importantly no quality public domain or 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 has been already sold and developing over this particular site may be considered as double dipping.

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, because it is 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 high rise) and which is not a wind tunnel. That makes this 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.

However that outcome seems unlikely at this stage of the process, unfortunately.

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, Waverton 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 highrise building should be minimised to lifts and a concierge desk with the remaining space a 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.

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 15,000 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.

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 removed as it would have a 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. We object to the inadequacy of commuter links between stations, or bus interchanges

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? This suggested link could become just as active and economically attractive an addition to the current North Sydney 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 30-50% of the B Line buses from the Northern Beaches being sent to terminate in North Sydney. 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, trying to commute across the Harbour Bridge!

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, someone at the approvals end needs to be thinking about the OSD proposal in this broader context.

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

7. We object to the failure to consider an important specific community – high 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 suggested.

This lack of any apparent thought for the huge number of school students using this station is a total failure of 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 15,000 train passengers per day off into tiny lanes – 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 placemaking 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

For all these reasons, Waverton Precinct strongly objects to and rejects this application by Sydney Metro and requests that all these concerns be considered by the Approval authority.

Iain Bartholomew
Chair,
Waverton Precinct



Attention:
Director, Key Sites Assessments
Department of Planning and Environment
Application SSD_8874

22 June 2018

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

**The Wollstonecraft Precinct Committee Strongly Objects to the Applicant's
Proposal**

Introduction:

Wollstonecraft Precinct of North Sydney Local Government Area like most of the public, enthusiastically supports the addition of a metro rail transport into Sydney in advance of the population expansions predicted by the Greater Sydney Commission generally; and specifically supports the creation of a Metro station in North Sydney as a part of the new Sydney Southwest line.

The Precinct notes the Integrated Station Development proposed by the applicant covers the simultaneous construction of a combined metro station and an above station office building. The Over Station Development (OSD) seeks approval for a 233m high 42 storey building with GFA of 60,000m² and 12.46:1 FSR including seeking approval for the building heights, setbacks, floor space, carparking, access, land use and public domain works.

The Precinct has reviewed the EIS for the Integrated Station Development for Victoria Cross Station in North Sydney and strongly rejects this proposal. While clearly an underground rail 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: no more, no less.

The Precinct is of the view that the North Sydney CBD desperately needs quality public and civic spaces and the only place we're likely to be able to achieve them is on land owned by the State Government incorporating the entrance to a Metro station.

The introductory messages from the Premier and the Minister for Transport both speak in glowing terms about the Sydney Metro project as if an endorsement of the applicant's proposal whilst barely mentioning that this EIS is an opportunity to the public at large to make informed comment on the environmental impacts of the project which have to be assessed within an unacceptably short time frame of 28 days.

Our objection to 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 822,496 m² 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 is a feature notably lacking in the current North Sydney CBD – indeed, it has long been the butt of many jokes for decades about just how 'dead' the current North Sydney CBD is at night and on weekends.

The North Sydney CBD is the fifth or sixth largest in the country. It currently 'caters' for a huge number of office workers, university students, school children and residents on overcrowded suburban-standard street footpaths and a suburban residential grid street layout. 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 difficult to get a view of the water at all at street level from most parts of the North Sydney CBD.

The Sydney Metro's proposed Victoria Cross station in North Sydney CBD must provide a once in a generation opportunity for a major transformation of one of the largest commercial centres in Australia, which currently only has any life between 9-5 on weekdays, into a vibrant and attractive centre which attracts people to enjoy its working, educational, recreational, retail and civic attractions.

The Sydney Metro documents talk grandly about these opportunities, which it clearly recognises. For example, it talks about how the Metro 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 in the CBD, featuring only more retail shops and no public amenity, and empties its commuters into tiny back laneways which are shared with supply trucks and commuters keen to find the last free car parking spot or to access a Council car park.

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, instead should offer significant public open space and some public cultural facilities as part of the street level interface. Perhaps instead 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 outlined above, there are a series of specific objections as detailed below.

1. Lack of open space 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. What we are going to get in return is a very large commercial building with a few retail outlets - and more importantly no quality public domain or 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 has been already sold and developing over this particular site may be considered as double dipping.

An open park should be developed on this site, linking to the open space outside the MLC Centre, because it is the last site in the CBD that does not get significant over shadowing and is unlikely to ever get overshadowing (because Monte Sant'Angelo will presumably not go high rise) and which is not a wind tunnel.

2. Oversized floor plate

The site area of this proposal is obviously far 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 help protect the winter sun access to the limited public outdoor recreation areas in the centre of North Sydney and they should have been respected and complied with in this application. The EIS does not include critical public views of the proposed OSD from Denison Street and Berry Street which are essential to understand how the proposed building will fit into the urban context of North Sydney. By any view, it does not fit at all.

3. 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 15,000 commuters who are projected to be streaming from the station in the morning peak.

There are no details shown of how the OSD building will meet the lower colonnade of the MLC building and the new station level. It seems to us that the proposed café structure projecting out from the MLC building should be removed as it would have a major negative impact on the commuter movements to the metro station.

4. 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.

5. No easy commuter links between stations, or bus interchanges

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? This suggested link could become just as active and economically attractive an addition to the current North Sydney limited public domain and cater for any need for 'more retail outlets' in the overall development. By refusing this OSD application, many barriers to the construction of an underground link to North Sydney Station would be eliminated.

Similar short sightedness 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 30-50% of the B Line buses from the Northern Beaches being sent to terminate in North Sydney. 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!

Likewise there has been no apparent consideration of the possibility of the need to make Miller and Walker Streets one way streets, or to create a pedestrian plaza by closing the section of Miller Street between the Pacific Highway and Berry Streets completely. The latter is our preferred option. 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, someone at the approvals end needs to be thinking about the OSD proposal in this broader context.

Lastly, 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 an office-bound adult commuter who works in North Sydney. This is a total failure of imagination.

For all the grand language in the Metro publicity material about opportunity to create exciting spaces and design landmark buildings this proposal breaks the existing set back limits, offers zero public facilities, and sends 15,000 train passengers per day off into tiny lanes – 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.

6. 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 we know that the Waverton Precinct were not consulted on this project at all. Why the applicant refers only to Waverton Precinct is further proof that consultation is being done to “tick the box”. 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 EIS overview brochure additionally states that:

“design excellence principles will support the placemaking 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 not been addressed and certainly not fulfilled in the applicant’s proposal.

7. Cost of Rejection of the Applicant’s Proposal

The only cost to the applicant of rejection of this proposal would be the loss of the “value capture” of the air space. Demolition and remediation costs are sunk in any case and therefore the government could achieve a hugely popular public benefit by saving the whole site for development of quality public space.

8. Benefit of Rejection of the Applicant’s Proposal

Benefits of rejection would include:

- The immediate ability to close Miller street and join it with this site
- An unparalleled public space similar to those in the Sydney CBD
- Plenty of sunshine for the thousands of workers and visitors in the North Sydney CBD
- Creation of a vibrant public place for social and cultural interaction and contributing to the vibrant and accessible streets and open space around the stations as stated in this EIS.

Conclusion

For all these valid and considered reasons, Wollstonecraft Precinct strongly rejects this application and requests that all our concerns be considered by the Approval authority when determining its decision.

John Hancox
Chair, Wollstonecraft Precinct

Attention:
Director, Key Sites Assessments
Department of Planning and Environment
Application SSD_8874

22 June 2018

Application for Integrated Station Development for Victoria Cross Station Concept State Significant Development May 2018

The proposed Integrated Station Development by Sydney Metro for combined metro station, Over Station Development (OSD) seeks approval for 233m high 42 storey building with GFA of 60,000m² and 12.46:1 FSR including approval for the building heights, setbacks, floor space, carparking, access and land use and public domain works.

I have reviewed the EIS for the Integrated Station Development for Victoria Cross Station in North Sydney and strongly reject this proposal.

The rejection of the proposed OSD development is based on the following reasons:

The State Government's North District Plan for the Harbour CBD (North Sydney CBD) sets housing targets for North Sydney at 3,000 new dwellings and additional 822,496m² 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.

The North Sydney CBD currently caters for a huge number of office workers, university students, school children and residents overcrowding street footpath and struggling to find an outdoor quiet place in the sun to eat lunch or to relax. There are very limited public outdoor spaces and no cultural or entertainment facilities in North Sydney CBD.

The Sydney Metro's Victoria Cross station in North Sydney CBD will be a once in a generation opportunity for a major transformation of the 6th largest commercial centre in Australia, from 9-5 office environment to a vibrant and attractive centre which attracts people to enjoy its working, educational, recreational, retail and civic attractions.

With the planned large increase of worker population in North Sydney CBD it is critical that this proposal for the OSD on the State Government owned land, in the heart of the city,

offers significant public open space and some cultural facilities as part of the street level interface.

1. The North Sydney community have lost a very successful and popular Tower Square development in the centre of North Sydney where people could relax in the sun and have lunch away from the noisy and crowded streets. What we are going to get in return is a very large commercial building with few retail outlets and no quality public domain or community facilities at street level to activate this central area and create a lively precinct for workers and local community. It is important to stress that the Tower Square site's air space has been already sold and developing over this particular site is very much considered as double dipping.

Quality public and civic spaces are desperately need in North Sydney CBD and the only place we're likely to be able to achieve them is on land owned by the State Government incorporating the entrance to a Metro station.

Unfortunately, it is very obvious that the only criteria driving this OSD proposal is to achieve the highest possible value capture from this site by the State Government.

2. The site area of this proposal is obviously too small for this oversized commercial tower with large floor plates. The proposed building envelope encroaches significantly onto the Miller Street and Berry Street setbacks as set in the 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.

There is a need that No 65 Berry Street site be incorporated into the OSD plan to achieve required setback in Miller Street and to allow for the creation of a generous, sun filled public square on Berry Street to align with the setback of No 79-81 Berry Street property to activate this important, central site for civic and recreation activities.

Both of these setbacks must be complied with in any future development.

3. Inadequate public circulation.
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 15,500 commuters streaming from the station in the morning peak. The width of this passageway needs to be significantly increased.

There are no details shown of how will the OSD building meet the lower colonnade of MLC building and the new station level.

The café structure projecting out from the MLC building should be removed as it would have a major negative impact on the commuter movements to the metro station.

4. Inadequate view analysis.

The EIS does not include critical street level 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.

5. False and misleading 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.

6. The 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 in Miller Street. The link to Greenwood Plaza is 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 a large number of existing and future workers and the local community. This link/shopping mall could become very active and economically attractive addition to the current North Sydney limited public domain.

7. No comprehensive Stakeholder Engagement details are included and what issues were raised by the various stakeholders and how were they addressed.

8. There is no Public Domain Strategy included in this proposal just the focus on 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 EIS overview brochure additionally states that *design excellence principles will support the placemaking 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 not been fulfilled in this proposal for Victoria Cross station.

No compliance with the Secretary's Environmental Assessment Requirements (SEAR) Section 78A (8) of the EPA Act 1979 just mentions Public Domain Strategy in Appendix G.

However, the SEAR requires the following;

On (3) Design Excellence

- Provide Design Excellence Strategy, what has been provided is very inadequate.
- Provide the constitution of the Design Excellence Panel, this has not been provided.

On (4) Built Form and Urban Design

-Provide an urban design analysis which considers the proposed building forms, typologies, height, bulk and scale in the context of the immediate locality and the broader North Sydney CBD.

There is no urban design analysis provided with the EIS to justify the proposal's height, bulk and scale, the building massing appears this same since November 2017 brochure was published.

On (8) Heritage

- Provide Detailed Heritage Impact Statement.

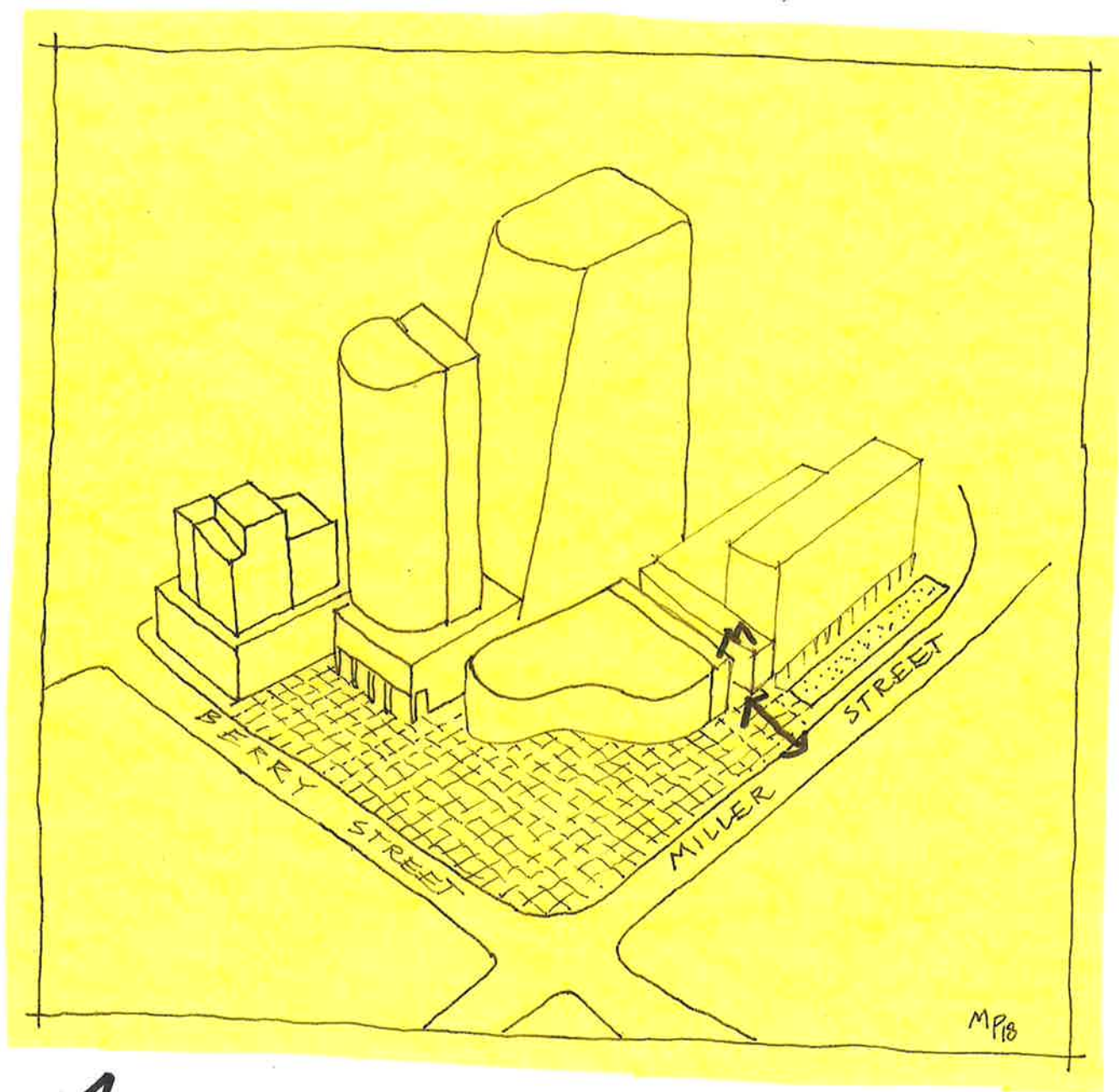
The Heritage Impact Statement is not very detailed and it supports the OSD development, which is highly questionable considering the impact of this development on the heritage MLC building and on the significant green space corridor in Miller Street.

The Design Guidelines prepared by the NSW Government Architect are just as limited in their detail and scope. The EIS states that the Sydney Metro Design Excellence Evaluation Panel will provide independent evaluation. This is considered not possible if the panel will be chaired by the NSW Government Architect working directly for the Minister of Planning who will be approving this development.

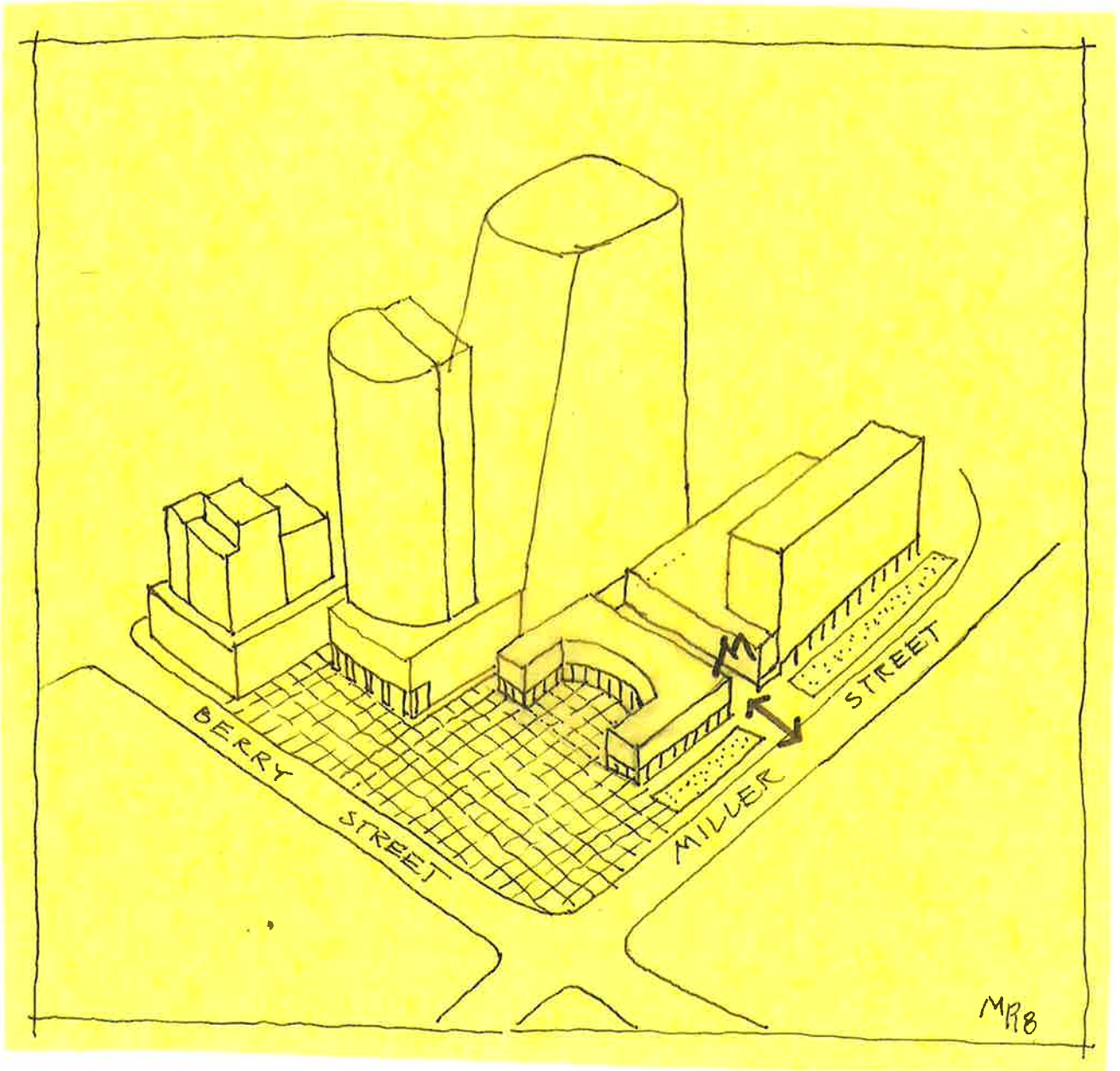
As a professional with over 30 year's experience in architecture, urban design and planning and the local resident I strongly recommend that this proposal is significantly modified to achieve a much better public outcome for the community of North Sydney.

Yours sincerely

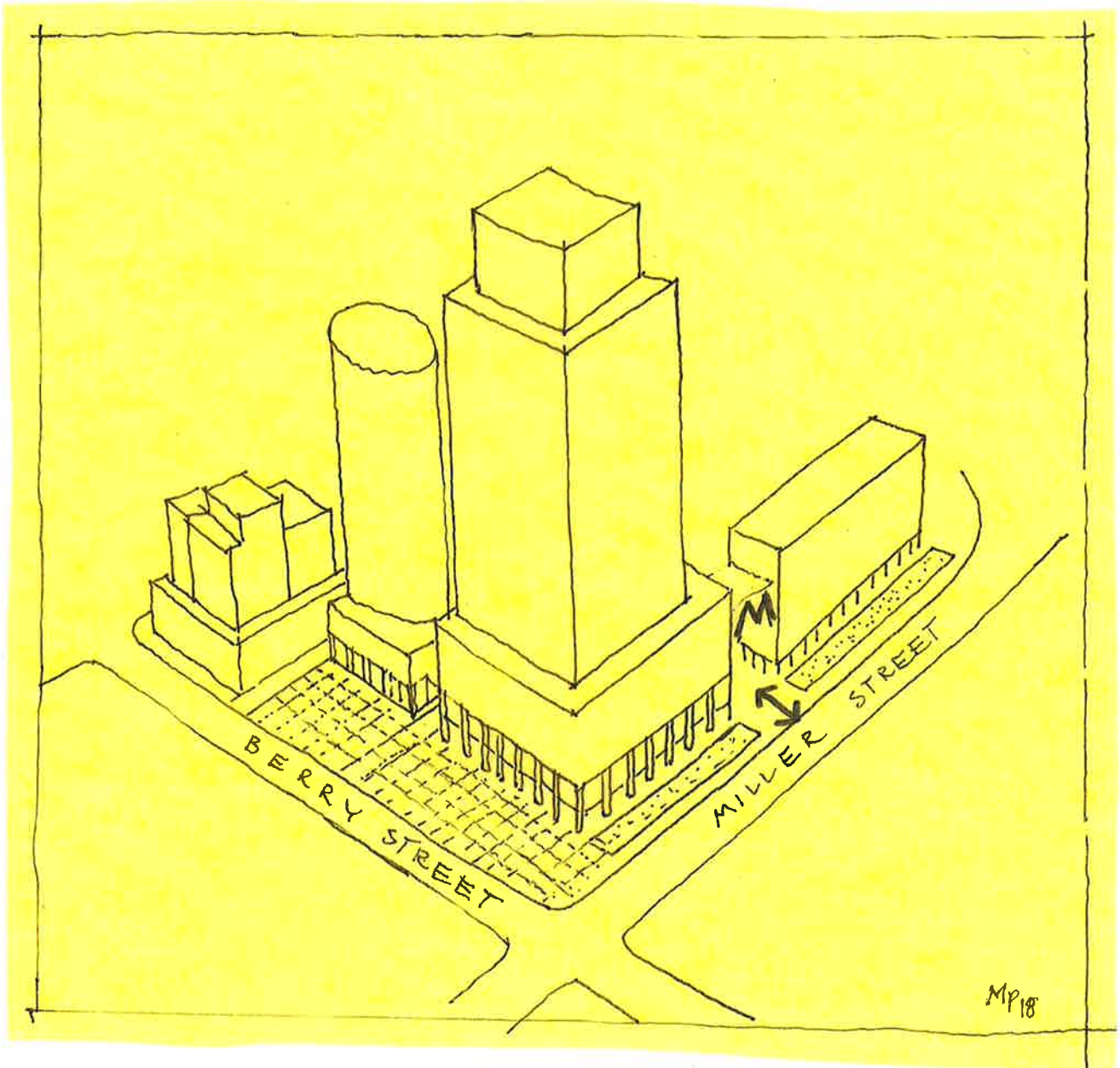
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