

Director , Sydney Central Urban Renewal
Department of Planning and Environment
GPO Box 39 Sydney NSW email: malcolm.mcdonald@planning.nsw.gov.au

Dear Sir/Madam,

Re: Re: Objection Submission – Concept State Significant Development Application SSD 18_9579 Sydney Metro Crows Nest Over Station Development

I am against and object to:

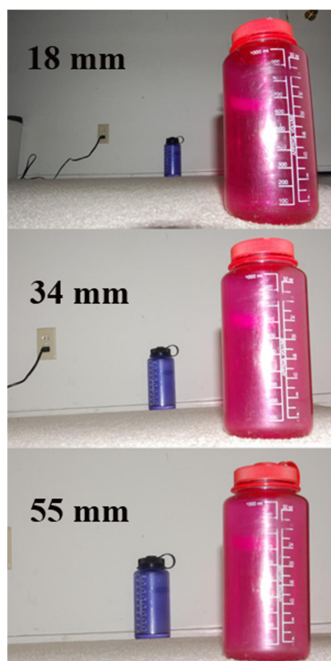
- 1. The submission deadline and timeframe is inconsistent with submissions timeline for Sydney Metro Crows Nest Rezoning Proposal and 2036 Draft Plan.** This application should be withdrawn until the outcome of the consultation process for the Rezoning is known, and any future amendments to North Sydney LEP are known. Likewise, logic dictates that this SSD application can only be considered once the Final 2036 Plan is determined, following Updates based on consultation feedback. Only then can it comply with the SEAR's p1 General Requirement "*consideration of the potential cumulative impacts due to other development in the vicinity*" which it cannot meet currently (eg see p7 of Appendix AA Traffic, which brazenly states that "*modelling was not undertaken for nearby intersections and the local road network*" and obviously ignores cumulative impacts of development nearby). Appendix JJ EIS Addendum, by its very existence, highlights this point - namely, it falls back on fake truths such as 3.1, p26 which tries to 'spin' away the inconsistency that Activation of Clarke Lane in 2036 Plan is ruined by this very OSD which needs it for carpark entry and service access, with propaganda such as "*we will work ...to ensure that any future activation of the laneway does not compromise pedestrian safety or servicing functions....*". The document makes false claims that the Concept SSD Application is consistent with the 'strategic intent' for the Crows Nest and St Leonards area. It misrepresents the intent as: "*concentrating density in and around the metro station and reducing the overshadowing and amenity impacts on Willoughby Road.*"
- 2. The Clause 4.6 variation FSR and Height requests should also be withdrawn or refused.** The FSR's are spread across 3 sites and the final distribution of floor space categories across each cannot be known - it is illogical to even attempt a variation on FSR. The request claims a better outcome for and from the additional heights but this is clearly not true when b), c) e) and f) of clause 4.3 (1) of NSLEP are not met.
- 3. The Concept SSD EIS is inconsistent with the CSSI Approval, by moving the location of preferred Station Entry which was formerly at Corner of Oxley St/Pacific Hwy, to centre of Site A on Pacific Highway.** See former location e.g. Chap 6, of Sydney Metro Chatswood to Sydenham EIS, which shows (p141-143, as attached) a Metro Station Entry/Exit and Pedestrian Plaza on the Corner of Pacific Hwy and Oxley St, and Fig 6.11 of Crows Nest Station artists impression, with a Plaza on the corner of Pacific Hwy and Oxley St. The community consultation proceeded on the understanding, and with the desire, that Oxley St corner was one of two Metro Entry/Exits. Indeed, in Options discussion, p45 of Sydney Metro Chatswood to Sydenham SSIAR Final 20 November 2015, it decides on the Crows Nest location over the St Leonards location, with the comment that it is "*as close as possible to the the St Leonards centre*". (see attached). With Entry relocation, the benefit of linking as closely as possible to the St Leonards core, Health/Education precinct are given away. Why? Is it commercially driven??
- 4. The relocated-from-Oxley St/Pacific Highway Corner Entry does not comply with SEPP (Infrastructure) 2007 Clause 88B Development near proposed metro stations.** The revised position is not what was wanted by community, the CSSI Approval, nor what fits with St Leonards Crows Nest Priority Precinct nor with 2036 Draft Plan. It is relocated to benefit the OSD design. Given that the

ideal position for integration with the St Leonards core has been abandoned for OSD-linked commercial design reasons, the OSD does adversely affect access/egress to the proposed Sydney Metro Station. The entry **must** be returned to the Oxley St/Pacific Highway position.

5. **Carparking levels are not justified above ground due to the significant negative height and bulk impacts (i.e.costs to community) which such levels unnecessarily create.** Given that there is no underground space available on the CSSI sites, and that the core business of the CSSI is to provide mass transit, Carparking provision is an indulgence and should be removed from the OSD. In any case, the layouts shown are very inefficient in terms of cost/benefit and invite significant moral hazard to enlarge the proposed carpark offering, exacerbating negative impacts in the future. A potential developer can source or provide carparking on other sites at their volition, as part of their commercial decision process.
6. **Concept SSD EIS fails to consider potential cumulative impacts due to other developments in the vicinity – which is a General Requirement (para 3) of SEARS dated 26 Sept 2018.** As an illustration of the failure, – see p7 of AA Traffic, Transport and Pedestrian Report which states -:*“Net traffic generated by the site has been assessed as being less than that of the existing land uses on the Crows Nest Station site. As such, modelling was not undertaken for nearby intersections and the local road network.”*- Clearly, there will be huge cumulative impacts from buildings now underway, and from the 2036 Plan, yet the Report has inexcusably ignored them and considered only its own narrow interest.
7. **Inadequate:-App.AA Traffic, Transport and Pedestrian report fails to make provision for likely growth in feeder bus services direct to the Metro from medium-distance suburbs.** For example, residents in suburbs like Riverview, Longueville and Northwood may wish to utilise the service of the Metro once it is running, yet no shuttle bus has been suggested, no Interchange point or route for buses from the west has been suggested, no kiss-and-ride zone easily accessed from the west side has been suggested. Current design shows no room for a bus interchange- this must be rectified.
8. **Concept SSD EIS does not provide, via its mix of uses, the desired community-building focus/destination nor jobs-creation for the area.** High rise residential is not justified - it does not bring many jobs, there are many residential towers already, or under construction or with approval, and it displaces much more needed office/commercial space, health/education facilities, entertainment and community facilities, sporting facilities and the like.
9. **A hotel is not justified.** It is too far away from North Shore hospital, no business case given to support it, poor Coach stand ruins Hume St Park, no guarantee it will be a full-service hotel providing jobs, nor that it will remain as such once the ‘market’ gets hold of it.
10. **Negative impacts of scale, visual intrusiveness, bulk and overshadowing caused by the proposed OSD buildings’ mass and heights are understated, misrepresented and trivialised in the Concept SSD EIS.** A few examples as evidence:- In many appendices, use is made of Figure 8 Crows Nest OSD Indicative Design (same as attached p9 of App.F Urban Design Report) – in which the Nicholson St houses and foreground trees cast long shadows on the road, but the massive OSD buildings cast almost no shadows on the Highway or low buildings opposite. The chroma for vegetation in this illustration has been misleadingly intensified to make it all look unrealistically bright, and there are - impossibly given the direction of sunlight - no shady sides shown on the Nicholson St trees. Similarly, p40 of App. F (attached) shows no shadows cast by the towers onto the land to the west of the Highway, even though the Hume St Carpark and Clarke St roof protrusion cast noticeable shadows which are shown. The latter shadows are almost identical to those cast at 9am on 21 March (see App.J attached) BUT in this App.J Shadow Diagram , there are HUGE SHADOWS cast to the west by the OSD. It is obviously misleading to not show these shadows in the Urban Design report renderings. The

Shadow Diagrams, too, make use of colour to assist a false impression, using a bright canary yellow to alter the viewer's mental response to the impact of the large areas of "happy" shadow cast by the OSD. The OSD buildings do indeed tower intrusively over surrounding low-rise areas, will reduce their privacy, and create much more shadow than often depicted. Such a manipulation is concerning indeed, as it is hard to detect. The village atmosphere is destroyed needlessly because the OSD could be much lower in height and contain village-enriching community uses.

11. **Misleading use has been made of area analyses in Shadow Studies of Key Public Areas.** The effects of loss of sunlight on key public areas, which is significant, has been disguised by aggregating their overall sizes to include built and open/green spaces of each relevant area. For example, in App.K Part 3, the total area of Ernest Place (the outdoor area, partly grass) is included with the covered areas of the community building and carpark, similarly Hume St Park area includes a large carpark. Percentages generated for the shadowed areas are therefore highly misleading because they include large covered areas where obviously the shadow is not relevant. The loss of sunlight from grassy green areas in the after-school hours at the pleasant-temperated equinoxes (and for weeks to either side of equinoxes) when families gather to play and chat outside is a tragic loss which cannot be excused. Also tragically sad is the attempt at disguise by area analyses, by using canary yellow for mood elevation, and by showing the OSD shadow amongst dark moody grey and blacks of allegedly-existing-shadows.
12. **Request the State Government -controlled Metro (who should be a "model applicant") turn these shadow reports into honest reports.** By:- amending the key areas to remove covered and carpark areas, and showing first the OSD shadows in black, and then the existing shadows last, in canary yellow. This would tell a different story.
13. **The view impacts from the west - Greenwich, Northwood and Longueville.- are not considered in Appendix L.** These towers will have a significant impact on skyline from these area, and will completely change the tree-fringed horizon which those suburbs enjoy.



14. **Distortions in Appendix L View Impact Study-Key Vantage Points.** The images in the report are not an accurate representation of the visual impact of the buildings and the reports should be redone with 55mm lens photography. They are highly distorted and very misleading. The use of ultra-wide lenses (any lens with a focal length less than 24 mm) will introduce "perspective distortion". A 14 mm, 16 mm or 18 mm lens will make a scene appear considerably different in a photograph than it would appear to the naked eye. In particular these ultra-wide lenses will introduce perspective distortion which makes objects that are distant from the camera appear much smaller than those closer to the camera. The pictures labelled Camera Position 4 (pages 31 & 32 of the report) are a striking illustration of this effect. In the photo-montage the buildings in the distance appear tiny in comparison to the buildings and car in the foreground. This is a complete distortion of the view one would see from that camera position with the naked eye. A 55 mm lens would much more accurately illustrate the real visual impact of the building envelope

from that camera position. The same distorting effect applies to all the images where the lens is wider than 24 mm (i.e. a focal length less than 24mm). The simple attached image demonstrates just how misleading an ultra-wide lens can be. Refer General information about perspective distortion in photography: [https://en.wikipedia.org/wiki/Perspective_distortion_\(photography\)](https://en.wikipedia.org/wiki/Perspective_distortion_(photography))

15. **The Metro is transport infrastructure which is being provided because it is required to serve existing populations which have been growing at a rate with which infrastructure provision has not kept pace.** Using the 'value capture' principle to try to help pay for the Metro by providing what developers want (easy residential) is immoral, when other infrastructure needs have no space in which they can be met. Overpopulation is already a problem in this area and it will get worse with this SSD OSD. Providing 350 extra residential will introduce more people and put additional strain on finite roads, undersupplied open green space, medical, educational and commercial space. The proportion of non-residential floor space for the sites must be increased and more detail must be provided about proposed, community uses.
16. **Unacceptable overshadowing is produced:** of Nicholson St, Hume Street park, Ernest Place and Willoughby Road. If the OSD buildings were lower, obviously this overshadowing would reduce.
17. **Inadequate and poorly linked open space – Suggest to leave 'Site C' empty, then in time, buy site to C's north-east to create a larger open space, interlinked to Hume St Park, and in this way also give prominence to Heritage Item 20 Clarke St.** The provision of additional open space is woeful. As exhibited, there is none. This EIS cannot rely on North Sydney Council 's Hume Street park expansion plans. Site C, if open and , combined with a future-purchased-demolished 'empty block' to its north-east , would create a 'great' space, a real open space, a link – perhaps over-road - to Hume St Park, and a vision: a direct link to Crows Nest Community Centre through a future purchase of a shop-site .
18. **Heritage Item at 20 Clarke St is inadequately protected from the proximity and size of the SSD OSD.** The Heritate Guidelines prepared separately (in the Rezoning proposal documents) are very vague and must be strengthened. There are many aspects of OSD design which could improve the setting for this Heritage Item, but the Report has not attempted to look at these, nor to respect it by its design.
19. **Land Use proposed in OSD and its 3 sites is not in the public interest.** It's a wasted opportunity to provide for best outcomes for public purposes. Metro site C should be left as open space and not become an "open hole" - this is the overbearing entry escalator which is proposed
20. **Precinct Plan's desired Lane Activation is dismissed as being of secondary importance to the needs of the OSD in the EIS** –undesirably, it states Clarke Lane will be managed by site personnel to reduce queueing, and they will prioritise service over pedestrian and activation uses –what a shame.
21. **It does not accord with the GSC's North District Plan for creation of a key employment/health and education precinct.** It prioritises residential space over employment space. The Market Feasibility Review 2018-11-05 already notes, p18, that commercial office space is shrinking at the rate of 8.6% over 2016.
22. **The OSD and the street-level interface planning virtually turns its back on the St Leonards Core area,** ignoring the logic of connecting to it. Instead it tries to capture the existing Crows Nest Village as its chief draw-card, in competitionIt ignores the aims of Lane Activation and

Yours sincerely
JAS

06 January 2019

[Note- See Attachments 5 files - documents are reproduced for fair use to clarify comment in this submission only]